

Insights from the Meshech Chochma

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פרשת קדושים תשפ"ד

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אִישׁ אָמוֹ וְאָבִיו תִּירָאוּ וְאֶת שַׁבָּתוֹתַי תִּשְׁמְרוּ. אֲנִי ה' אֱלֹהֵיכֶם. (פרק יט' ג')

Every man: Your mother and your father shall you revere, and My Shabbosim shall you observe-I am Hashem, your G-d.

Rashi, quoting Sifra, tells us that by juxtaposing observing Shabbos with fearing one's parents the Torah is telling us that "...although I admonish you regarding the fear due to your father, if he bids you to desecrate the Shabbos do not listen to him... for אֲנִי ה' אֱלֹהֵיכֶם, you and your father are both obligated to uphold My honor; therefore, do not listen to him to cancel, i.e., transgress, My words. And the same is true with regards to all the other commandments."

Rav Meir Simcha questions the premise of the Midrash: The concept that a child *must* refuse a parent's request to desecrate Shabbos should not require an exegetical source, it should be intuitive, for Sifra, on our pasuk, also tells us that although "they are both equivalent i.e., one must respect both his father and mother equally, הַזֶּה לָאָבִי הַזֶּה לָאִמָּה has told us that the father takes precedence to the mother in all instances because *both he and his mother* are obliged to honor the father/husband." Certainly then, we should say this here i.e., where a parent requests a child to *transgress* a commandment of Hashem that both he and his parent are obligated to honor Him? Rav Meir Simcha's answer to this is based on a statement found in ירושלמי נדרים ט' ה' which discusses how a vow made by a child which prohibited a parent from having benefit from his possessions, is rescinded. Beis Din would ask him if he knew beforehand that the vow would cause anguish or embarrassment to his parents would he have made it? If he says he would not, then the vow is annulled. R' Yermiah asked: "Similarly, in things between him and HKBH, should one not 'open for him' the vow by the honor of Hashem? For example, where the vow is 'I shall not make a *sukkah*, I shall not take a *lulav*, I shall not put on *tefillin*,' can these vows be revoked in a similar way?" R' Yermiah explains that "one does mitzvos for his own benefit and *not* for Hashem's (as we read in 'איוב לה': לו: אִם צַדִּיקָתְךָ מֵהַ תִּתֵּן לוֹ: (איוב לה': לו: *If you are righteous, what do you give Him* and בו: אִם חָטְאָתָּ מֵהַ תִּפְעַל בּוֹ *If you sinned, what would you do to Him?* i.e., Hashem is absolutely unaffected by such a vow!" Based on this, Rav Meir Simcha proposes that in a situation where a parent requests of his child to cook for him food on Shabbos, where the transgression will benefit his parent, and Hashem is "unaffected" by the desecration, perhaps then it would be "permissible" to listen to his parent? For this reason, Sifra had to tell us that אֲנִי ה' אֱלֹהֵיכֶם i.e., וְאֶת שַׁבָּתוֹתַי תִּשְׁמְרוּ אֲנִי ה' אֱלֹהֵיכֶם does not allow a child to transgress a mitzvah. Interestingly, Rav Meir Simcha punctuates his answer with an וְפָשִׁיט!

Rav Meir Simcha takes us to יבמות ו. where we read of a complicated discussion as to whether עֲשֵׂה דְחִי לֹא תַעֲשֶׂה שְׂוִישׁ בּוֹ כָּרַת. The Gemara questions that from the fact that our pasuk's וְאֶת שַׁבָּתוֹתַי תִּשְׁמְרוּ אֲנִי ה' אֱלֹהֵיכֶם is needed to tell us that one may not desecrate Shabbos to fulfill a

parent's directive, then without (our) pasuk, one *would* listen to his parent-does this not teach us that the *עֲשֵׂה* of *אָב וְאִם* supersedes the *בִּרְת בּו שִׁישׁ* of Shabbos? The Gemara answers that our pasuk is also referring to where a father demanded that his child perform a non-*korais* prohibited labor on Shabbos e.g., to transgress *מְחַמֵּר*, the prohibition against guiding a loaded animal, which is only a *לֹא*. Similarly, the Gemara asks from the *עֲשֵׂה* of building the Mikdash and a Baraisa which tells us that one might have thought that its building should override Shabbos, therefore the pasuk tells us, *אֶת שַׁבְּתוֹתַי תִּשְׁמְרוּ וּמִקְדָּשִׁי תִירְאוּ/You shall keep My Shabbosim and revere My Sanctuary*, i.e., its building *may not* desecrate Shabbos. Should we say then that without a pasuk, one *would* build the Mikdash on Shabbos-does this not teach us that the *עֲשֵׂה* of *בֵּית הַמִּקְדָּשׁ* overrides the *בִּרְת בּו שִׁישׁ* of Shabbos? Once again, the Gemara answers that it is referring to transgressing the *לֹא* of *מְחַמֵּר*. The Gemara then asks that we see from these two instances that an *עֲשֵׂה*, in our case *בֵּית הַמִּקְדָּשׁ* and *אָב וְאִם* cannot surpass even a regular *עֲשֵׂה*, *לֹא מְחַמֵּר*, which is contrary to the rule that *עֲשֵׂה דְחֵי לֹא* *תַעֲשֶׂה*? The Gemara answers that these two positive mitzvos are *הַכְּשֵׁרִי מִצְוָה*. Rashi and Tosafos have different understandings of this term and Rav Meir Simcha seems to align with Tosafos' i.e., the positive commandment is not being fulfilled when transgressing Shabbos, so they are "weaker" *עֲשֵׂה*. The parent wanted the child to prepare food for him and the child transgresses *מְחַמֵּר* to get the materials. Likewise, the Mikdash required materials to do the actual building and the workers would be *מְחַמֵּר* to get them. More clearly: the time when the *עֲשֵׂה* is being transgressed and the time when the *עֲשֵׂה* is being fulfilled are not simultaneous. (Rav Meir Simcha adds that one might think that any part of the building process is part of the *עֲשֵׂה* but he feels that it is the end product, a functioning Mikdash which is an abode for Hashem is the real mitzvah. Until that occurs, everything else can be labeled *הַכְּשֵׁרִי מִצְוָה*.)

With regards to the *הַכְּשֵׁרִי מִצְוָה* of *אָב וְאִם*, Rav Meir Simcha adds a novel interpretation and uses it to provide another answer to his original question on Sifra and says the following: No one would assume that a mitzva which is, as he puts it, *בֵּין אָדָם לְחַבְרֵירו* could overpower an issuer such as Shabbos-the ultimate testimony that Hashem is the Creator and Ruler of all. But *אָב וְאִם* has a very subtle superiority over other *עֲשֵׂה* as follows: We believe that Hashem gave us His Torah via Moshe Rabbeinu in its entirety at Har Sinai, and that every word of *וְהָיָה* is faithfully transferred to all subsequent generations. This "works" through our parents, and their parents and their parents, going back to Har Sinai, passing on this testimony. So that *אָב וְאִם* is the means to accomplish this and without it, the *mesorah* could certainly be lost. Perhaps then there would be a *הָוָה אֶמְיָנָא* to say that this unique mitzvah *could* be *דוּחָה* other mitzvos, including Shabbos, to maintain the stability of the *mesorah*. For that reason, we need the Sifra's exegesis on *וְאִם* *אָב וְאִם* to tell us that at the end of the day, *אָב וְאִם* is still "just" a *הַכְּשֵׁרִי מִצְוָה*.

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לזכר נשמת אמי מורתי רחל בת ר' אלחנן אביגדור ע"ה
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