



פרשת בהעלותך

סיון תשפ"ג

שנת הקהל



### HAKHEL IN THE PARSHA

In Parshas Behaalosecha we read about Hashem's command to Moshe to make two silver trumpets.

These trumpets were used to call the people together to assemble.

The Tosefta teaches that on the day of Hakhel, the Kohanim would go out into the courtyards and streets of Yerushalaim and blow golden trumpets to gather the people to the Hakhel assembly.

The Torah refers to the two trumpets as שתי חצוצרות. The Maggid of Mezritch teaches that the word שתי (two trumpets) can be read as חצאי צורות, two half forms. This refers to Hashem and the Neshama of the Jew which metaphorically are like two halves of a whole.

The inner message of the trumpet blowing at Hakhel was to call out and reveal to the Jewish people that they are ...

At Har Sinai Hashem declared that we are all part of a kingdom of Kohanim. During Hakhel, like the Kohanim, we must gather Jewish people together by imparting the message of the trumpets; to reveal to each Jew that they are half of a form and that Hashem is their other "Half" and only together they are whole. Then we can inspire them "to fear Hashem... and observe all of this Torah".

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## The Menorahs of Golus and Geulah

Like the beginning of the Parsha, the Haftorah also describes a golden Menorah. But the Menorah shown to the Navi Zechariah in his vision, was very different to the Menorah that stood in the Mishkan and later in the Beis Hamikdash.

Zechariah describes how the Menorah that he was shown had a bowl on its top. Coming out of the bowl were 7 pipes that fed into the 7 candles of the Menorah. Extending above the Menorah, on either side of the bowl stood an olive tree.

The continuation of the Nevuah (which we do not read in the Hafotrah), describes the vision in greater detail. Zechariah mentions two clusters of olives and two golden presses that were pouring golden (oil) from themselves. which would crush the olives.

This Menorah was completely self-sufficient. The olives would grow and when they were ripe they would fall into the presses. The oil would flow into the bowl where it would collect and from there, it would flow through the 7 pipes to fill the 7 candles of the Menorah. All of this happened by itself without any human involvement.

The Menorah in the Beis Hamikdash needed human effort at each step. The olives needed to be manually harvested and pressed to produce the oil. There was no bowl and no pipes to automatically feed the candles. Every day the Kohen would have to refill the Menorah with fresh oil.

The Tzemach Tzedek explains that the difference between the 2 Menorahs reflects the difference

between the experience of Geulah and during the time of Exile.

The Menorah of Zechariah was a Messianic prophecy. The G-dly revelations that we will experience in the time of the Geulah are so lofty that they are beyond our capacity to elicit. Like the oil in Zechariah's vision, these revelations will flow by themselves from Above, independent of our efforts. In Kabbalah this is called an Isarusa D'leila, an awakening that comes from Above that is beyond and therefore independent of our Avodah.

The Menorah of the Beis Hamikdash represents the pre-Geulah reality. This reality is a world of action where our efforts are imperative. During Golus, our work of refining physicality is constantly required to illuminate the world with the light of Hashem. This is referred to as an Isarusa D'lesata, an awakening elicited from below.

The Menorah of the Beis Hamikdash reminds us that while we are still in Golus, now is the time for personal action. What we do makes all the difference. Indeed, this will be something that we miss in the times of Moshiach; the satisfaction that comes through working hard for one's own accomplishments.

Through our efforts in lighting the Menorah of Golus, we will merit to experience the Menorah of Zechariah, when Hashem will fill the world with the light of the Geulah.

~ Based on Or Hatorah Vayechi p1120

7. Minchas Chinuch 34, Sefer Charedim 12:3, Chofetz Chaim introduction to positive Mitzvos 10

8. Meiri Kesuvos

9. Hilchos Mamarim 6:15

10. This would be supported by the Rambam in Sefer Mamitzvos

11. Radvaz on the Rambam, Minchas Chinuch

12. This can be understood as the opinion of the Rambam and Shulcharn Aruch, who qualify that the honouring of one's step-parent only applies during the life-time of their parent. No such

qualification is given for honouring the older brother. The same inference can be made from the Gemara itself – Minchas Chinuch. This is the understanding of the Pischei Teshuvah of the Rambam's opinion.

13. Sefer Hamitzvos 2, Pirush on the Torah Vayishlach 4:5

14. This is also the opinion of the Chofetz Chaim Mekor Chaim introduction to positive Mitzvos

15. Darkei Moshe 240:6 is unsure whether the parents forgoing would work even according to the Rambam.

16. Sefer Mitzvos Katan 123 also

writes that it only applies to the oldest brother.

17. Shevus Yaakov 1:76. Pischei Teshuvah 240:19

18. The Ramban on Parshas Vayishlach writes that the younger sibling would honour the Bechor as though he was his father, also suggesting that it only applies to the Bechor. It also highlights that this was the practise even prior to Matan Torah.

19. Torah Temima Shemos 20:12

20. Commentary of Ramban Breishis 32:5

21. Shoftim

22. Taamei Mitzvos Parshas Yisro

23. Breishis Rabbah 74:4

24. Breishis 31:14. Shvus Yaakov explains that this is not contradictory to the opinion that the Mitzvah of honouring the older sibling only applies to a brother. This is the Halachic Mitzvah of honour. The Midrash is addressing basic respect of not speaking before an older sibling. However, it is questionable then how this would warrant Rachel passing away young. He also writes that we do not derive Halacha from Midrashim.

25. 16:10

# Honouring an Older Sibling - Sisters too?

Rabbi Yonason Johnson

The Shulchan Aruch<sup>1</sup> rules that in addition to honouring one's parents, one is obligated to honour their older brother.

According to Halacha, this applies whether they share the same parents or whether they are a half-brother from either their father or mother<sup>2</sup>. Although, there are authorities who limit the obligation to honouring the oldest sibling with a common mother<sup>3</sup>.

The source of this ruling is the Gemara in Mesechta Kesuvos<sup>4</sup>. The sages derive this obligation from the additional Vav in the verse **כבד את אביו ואת אמך**.

The Zohar<sup>5</sup> derives the obligation to honour one's older brother from the word **אָתְּ אֶבְיִךְ** (not the **וּ**). Some Rishonim also bring this derivation, suggesting that they had a different version of the text of the Gemara<sup>6</sup>.

## The Nature of the Obligation

There is a dispute whether this is a full derivation and hence the obligation is Biblical<sup>7</sup>, or whether this is essentially a Rabbinic Mitzvah and the Gemara is only bringing an **Asmichta**<sup>8</sup>. The Nafka Minah would be how we rule in a case of doubt or in cases of dispute as detailed below.

The Rambam<sup>9</sup> writes that the requirement of honouring one's older brother is **Midivrei Sofrim**, literally from the words of the sages. Some understand that the Rambam categorises honouring an older brother as a Rabbinic law<sup>10</sup>.

Others follow the understanding that the when the Rambam writes **Midivrei Sofrim**, he is alluding to a Biblical Torah law, which is derived by the Rabbis through one of the principles of Torah exegesis<sup>11</sup>.

The Rishonim debate the nature of the obligation and whether it is connected to the honour of parents or not.

Some Rishonim understand the obligation to honour the older sibling as being a stand-alone obligation, independent of the obligation to honour one's father and mother. Therefore, it continues to apply even after the passing of one's parents<sup>12</sup>.

The Ramban<sup>13</sup> writes that the obligation to honour one's older sibling is an extension of the honour of one's parents<sup>14</sup>. This could be inferred from the Talmud's derivation, which

learns out from the additional Vav in the command to honour one's parents. If so, the obligation would no longer apply after the passing of one's parents.

Another Nafka Minah would be if the parents forego on the honour of the older son. If honouring of the older sibling is an extension of honouring one's parents, it is their honour to forgo<sup>15</sup>. If it is a stand-alone obligation, they do not have the right to forgo on the son's honour.

The Birkei Yosef rules that it should be treated as a stand-alone obligation that certainly applies after the passing of one's parents.

## The Oldest Brother or all Older Brothers?

There is also a debate whether the obligation applies to each older brother or only to the oldest brother in the family. The Gemara uses the term **Achiv Hagadol** – oldest brother, suggesting that it only applies to the eldest brother. This is also the term used in the Rambam and other Rishonim<sup>16</sup>. It is also the phraseology of the Shulchan Aruch.

Shevus Yaakov<sup>17</sup> goes a step further and writes that the Mitzvah is limited to the **Bechor**. It would not apply to the oldest brother unless they were the firstborn child. This is connected to the unique law and position of the **Bechor** who inherits from their parents in a greater measure. This would apply to the honour as due to parents as well<sup>18</sup>.

Others, including the Ariza"l, write that the obligation applies to each older sibling. The Ariza"l explains that were the oldest sibling to have taken all of the birthing life-force of the mother, no other children would have been born. This argument applies to each older sibling. Further, the essential life-force from the parent to the soul of their child come via the older siblings.

An analogy for this would be a small branch which receives its vitality from the roots or trunk, via all of the branches that connect it back to the trunk. This is also the opinion of the Torah Temima<sup>19</sup>.

One must also honour a twin sibling even if they are only slightly older. We derive this from the respect that Yaakov showed to Eisav by referring to him as **Adoni** – my master<sup>20</sup>.

## An Older Sister

The Shevus Yaakov was asked whether the obligation certainly does not apply to a sister. He

answers, how can we add to Mitzvos that which we do not find in the Gemara or in the Poskim.

Birkei Yosef writes at length in response to the ruling of the Shevus Yaakov, refuting his arguments. The Ben Ish Chai<sup>21</sup> also rules that the obligation applies to sisters as well. This is also based on the Ariza"l<sup>22</sup>.

The Midrash<sup>23</sup> teaches that Rachel passing away early was punishment for having spoken before her sister Leah as the verse says "Rachel and Leah answered"<sup>24</sup>.

One of the proofs brought by the Birkei Yosef to support the view that the Mitzvah applies to an older sister, is based on an account in Parshas Behaalosecha. Miriam and Ahraon spoke **Lashon Hara** about their younger brother Moshe. As a result Miriam was struck with **Tzaraas**.

In the final Halacha of the laws of **Tzaraas**<sup>25</sup>, the Rambam writes a warning of how careful we must be with the prohibition of **Lashon Hara**; "contemplate what happened to Miriam the prophetess who spoke **Lashon Hara** about her brother and (even though) she was older than him and raised him and endangered her life for him... nonetheless she was punished.

Why does the Rambam write that she was older than him? The Birkei Yosef argues that even though she was older and therefore Moshe had an obligation to honour her, she was still punished.

## Conclusion

Since most of the authorities treat the obligation as Biblical, we must take the stringent approach in all of the cases discussed above. Therefore the Mitzvah of honouring the older brother applies to each older sibling (not just the oldest), both brother and sisters and during the lifetime of one's parents and also after their passing.

1. Yoreh Deah 240:22
2. Based on Teshuvos Harosh Klal 15:6.
3. Based on the Zohar, Rabbi Yonason Eibshitz learns that the Mitzvah only applies to one's oldest sibling from the same mother. This is supported by the derivation from the additional Vav which only occurs in relation honouring one's mother. Quoted in Daas Torah Maharsham YD 240
4. 103a
5. Kedoshim p82
6. Rambam Sefer Hamitzvos Shoresh 2.

Sources continued on reverse