

Ki Seitzei 5769

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The Torah laws of Nachalot (inheritance) are fully declared in Parshat Pinchas (Bamidbar 27:6-11), following the question of Bnot Tzelafchod . Interestingly, amongst all the laws, no where is there any mention of a B'chor, a first born son, being entitled to a double share of the inheritance. Only in the Mishne Torah of Devarim, our parsha, do we come across such a law, for the first time.

What is even more fascinating is that the Torah does not teach this important aspect of inheritance in a straightforward statement, but rather in an indirect second-hand manner.

The subject is introduced (21: 15-18) “If a man will have two wives, one beloved and one hated, and they will bear him sons, the beloved and the hated one, and the firstborn is the hated one’s,....he cannot give the right of the firstborn to the son of the beloved..... Rather, he must recognize the firstborn, the son of the hated one, to give him a double portion in all that is found with him.” This is all very interesting and revealing, yet the Torah omits this significant fact and makes no mention of a double portion for a B'chor together with all other laws of inheritance in Parshat Pinchat. Here, in Ki Teitzei, it is introduced with two wives, one beloved and one hated. Why is this necessary? The law could simply have been stated with one beloved wife, that the firstborn son to the father, will be entitled to a double share of the inheritance. Simple and Pashut!.

Firstly, we learn from this, that parents do not have the authority to disrupt the right of the Torah granted privilege to a firstborn even if they believe it is unjustified or because of sibling rivalry.

Second, the Or HaChaim, notes from here a profound insight into human psychology and family dynamics. He suggests that the Torah is predicting that the firstborn son **will in fact, be born to the hated wife**. This is an instance of HaShem demonstrating His compassion for one who is disadvantaged and distressed. When HaShem sees the suffering and pain of the neglected wife, He will give her the first offspring. We also find this by the wives of Yaakov Avinu, that Leah had children before her more favored sister Rachel. It shows us

another example of HaShem supporting the brokenhearted and less fortunate, and it teaches us, how we should behave towards them and show our compassion to them.