

RABBI AHARON ZIEGLER - PARASHAT KI TEITZEI- 2019

" SHOWING COMPASSION AND SENSITIVTY TOWARD THE DISADVANTAGED"

The Torah laws of Yerusha (inheritance) are fully declared in Parashat Pinchas (Bamidbar 27:6-11), following the question of Bnot Tzelafchad. Interestingly, amongst all the laws listed there we do not find any mention of a B'chor, (a first born son) being entitled to a double share of the inheritance. Only in our Parasha do we come across such a law, for the first time.

That by itself is interesting, but what is more intriguing is that the Torah does not teach this important aspect of Yerusha as 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 both will bear him sons, ...and the firstborn is from the hated one...he (the father) cannot give the right of the firstborn to the son of the beloved....Rather, he must recognize the firstborn, the son of the hated wife, and to grant him a double portion in all that is found with him"

This is all very revealing, yet the Torah omits this significant fact that a Bechor is entitled to a double share together with all the other laws of Yerusha in Parashat Pinchas. Here, in our Parasha it is introduced with two wives, one beloved and one hated. Why is this necessary?? The law could have simply been stated with one beloved wife, that only the firstborn son to the father, will be entitled to a double share. Plain, direct and simple!

Firstly, we learn from here that the father does not have the authority to disrupt the right of the granted privilege to a Bechor, even if he believes it to be unjustified, or because of sibling rivalry. (Note- a man wanted to disinherit a son because he was not a Shomer Shabbat and is not following laws of Torah. The Gemara Bava Batra (133b) states that the laws of Yerusha are not affected by the righteousness or sins of the inheritors. Shmuel holds that it is wrong to transfer one's property even from a "bad son" to a "good son". The Shulchan Aruch, Choshen Mishpat (282:1) rules like Shmuel.)

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 Bechor son **will, if 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 find this by the wives of Yaakov Avinu, that Leah, who was not Yaakov's favorite wife, and referred to as "hated", (v:33) had children born to her before her more favored sister Rachel. "And HaShem saw that Leah was unloved, so He opened her womb, but Rachel remained barren" (Bereishit 29:31)

It shows us another example of HaShem supporting the brokenhearted, the less fortunate, the widows, (almanot) and Yetomim. **And It is teaching us, especially now in the month of Elul, that we should act with more compassion, and greater sensitivity towards those unfortunate ones in our community; specifically the widows and those needing wheelchairs- aides.**