

Don't Evade honouring the Elderly (*Kedoshim*)

Among the various mitzvot listed in *Parshat Kedoshim* is the requirement to stand up and show respect for the elderly. As we are told: '*Stand up in the presence of the white-haired and show respect to the elderly; revere your God; I am the Lord*' (*Vayikra* 19:32).

But why, ask the sages of the Talmud (see *Kiddushin* 32b), does this verse conclude with an instruction to revere God? What additional point is being made here?

They answer by explaining that this additional phrase refers to those who close their eyes to avoid seeing an elder approaching and thereby avoid the duty to stand up for the elderly.

Admittedly, there may be those in the vicinity who assume that this individual has accidentally fallen asleep. As a result, they will likely judge them favourably rather than think that they deliberately avoided showing honour to the elderly.

But as Rashi explains (in his commentary to *Kiddushin* 32b), God knows what our thoughts and intentions are, and He knows that this individual deliberately sought to avoid doing the right thing. This is why the verse reminds us to revere God – meaning that we should remember that whatever we do, God is watching.

In terms of halacha, the *Shulchan Aruch* (*Yoreh Deah* 244:3) firmly rules that, '*it is forbidden to close one's eyes prior to coming within four amot of an elderly person in order to avoid the need to stand up for them and show respect towards them*', while the *Aruch HaShulchan* (*Yoreh Deah* 244:5) adds that just as one may not close one's eyes to avoid seeing an elderly person approaching, so too, one should not intentionally get up and move to a different location to avoid needing to stand up in their honour. As Rabbi Daniel Z. Feldman explains in his recently published '*Letter and Spirit: Evasion, Avoidance and Workarounds in the Halakic System*' (Maggid, 2024), this law serves as an example of how we shouldn't avoid or evade the performance of mitzvot.

At the same time, and as Rabbi Feldman explains in his book, over the centuries various workarounds have been formulated and justified by our Sages to avoid or evade the fulfilment of certain mitzvot (eg. *Heter Mechirah*, *Heter Iska*, *Prosbul* & Sale of Chametz). Given this, why specifically are our Sages so insistent that we not avoid this particular law of honouring the elderly?

Rabbi Feldman answers by quoting Rabbi Yosef Shaul Nathanson (Responsa *Shoel U'Meishiv*, *telita'ah* I No. 120) who explains that, '*this commandment is specifically centred on increasing the love one has for the Torah and its scholars, and accordingly, actively embracing the opportunity is a part of its directive*' (*Letter and Spirit* p. 12).

Overall, what this teaches us is that while we should strive to fulfil all the commandments, while some may be side-stepped in certain situations, some – which go to the core of our values and beliefs – may not.

Shabbat Shalom!