



Moving One's Mother Outside the House

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שאלה

My mother (early eighties) is physically frail and beginning to show signs of cognitive decline (my father z"l passed away about 5 years ago). About three months ago my mom, my wife, and I met together and agreed that it is no longer safe for Mom to live alone. She has fallen three times in the last year resulting in one trip to the hospital for a dislocated shoulder. We all agreed that it makes most sense for her to live with my family and me (three children) for the foreseeable future. I am the only child, I live locally, we have an extra bedroom in our house, and my mother is familiar with my family and my home.

After three months, things appear to be working out but I am not happy. My wife occasionally struggles with the constant presence of her mother-in-law, but she has explicitly said that doing right by my mother is worth the occasional aggravation. My children love having their grandmother in the house, and, though she complains constantly, my mother, also, has expressed satisfaction and gratitude for the present arrangement.

But I'm a wreck. My mother's constant advice and complaints make me feel paranoid and judged and I often respond more sharply than the situation dictates. I feel that I have no privacy in my own home. My mother is present in every room (except our bedroom) and her opinions and judgements are inescapable. After three months, I feel like this arrangement is a failure and I would like to find my mother independent lodging, either with a home health aide or in an assisted living facility. My mother, on the other hand is dead set against this and she insists that my obligation of **כבוד אב** demands that we continue the present arrangement until she passes away at the ripe old age of a hundred and twenty. I can't keep living like this.

Is my mother right? Do I have an obligation to keep her in my home for the foreseeable future even though it's making me miserable?

תשובה

אלו דברים שאדם אוכל פרותיהם בעולם הזה,
והקרן קיימת לו לעולם הבא:
כבוד אב ואם...
(פאה א,א)

Introduction

Before we analyze the halakhic issues brought up by this question we feel it important to express our own beliefs and values. The tradition that we bring with us supports caring for parents close to their children, even, on occasion, within their own homes. However, this question presents sufficient complications to make us aware that the ideal situation is not always possible. Because of this, we will address this question on two levels. The first is technical halakhic. What does the הלכה require of this son with regard to his mother. The second is pastoral, which considers the specific nuances of this situation. There are two suffering parties wrapped up in this question, the son, who is suffering from the constant

The Torah uses two types of language in its instructions surrounding relationships with parents. In the first Ten Commandments it says, **כבד את-אביך ואת-אמך למען יארכון ימיך על האדמה אשר-יְקוּק**, while in **פרשת קדושים** it states, **איש אמו ואביו תיראו ואת-שבתתי תשמרו אני יְקוּק א-לקיכם**. The halakha understands the **מורא** and **כיבוד** words to each represent a separate מצוה. The Rambam (ה"א) writes, **וכן מורא אב ואם--שקלם הכתוב**, (הל' ממרים פ"ו ה"א) What is the difference between these two mitzvot? The Rambam (ה"ג), paraphrasing the Gemara, explains, **מורא--לא עומד במקומו, ולא יושב**, **איזה הוא מורא, ואיזה הוא כבוד: מורא--לא עומד במקומו, ולא יושב**, **במקומו, ולא סותר את דבריו, ולא מכריע את דבריו, ולא יקרא לו בשמו לא בחייו ולא במותו...איזה הוא כבוד--מאכיל ומשקה, מלביש ומכסה משל אב...ומוציא ומכניס ומשמשו בשאר הדברים שהשמים משמשים בהן את הרב, ועומד בפניו כדרך שעומד מפני רבו**. In other words, **מורא** represents the attitude and approach in the way one treats their parents publicly, whereas **כבוד** represents concrete services one owes. This distinction is reflected at greater length in **ש"ע יו"ד ר"מ ס"ב** and **ס"ד**. Providing one's parents with housing is a concrete service, and should be investigated under the auspices of **כיבוד** rather than **מורא**.

The Talmud discusses the technical obligations of **כבוד** in **ל"א ע"ב** the **גמרא** says, **ת"ר**, **איזהו מורא ואיזהו כיבוד...כיבוד מאכיל ומשקה מלביש ומכסה מכניס ומוציא**. This list, if viewed in isolation, might be understood to be exhaustive.¹ If this is so, housing a parent cannot be one of the obligations of **כבוד אב** since it is not explicitly included in this list. Even if we were to argue that the list can be extended beyond these six activities, we might still claim that housing a parent is a far more indirect and less necessary service than providing food and drink, etc. These two possible reads are reflected in the language of the **ש"ע** **ס"ד** **שם** which simply quotes the **braita** without any further elaboration, **איזהו כבוד מאכילו ומשקהו מלביש ומכסה מכניס ומוציא**.

The Rambam (ה"ג), on the other hand, explicitly includes further services in his formulation, מלביש ומסקה, מאכיל וכבוד--מאכיל ומלביש ומסקה, ומוציא ומכניס ומשמשו בשאר הדברים, איזה הוא כבוד--מאכיל ומלביש ומסקה, ומוציא ומכניס ומשמשו בשאר הדברים. That is, the child owes their parents all direct personal services of the sort provided by a servant or valet. The רמ"א adds this corollary to the position of the שם above.² This expands כבוד beyond the six services mentioned in the braita, but could still

¹It is significant that we are not able to find a source that makes this argument explicitly. However the majority of Rishonim and Achronim who define כיבוד אב, quote the braita verbatim without any further activities mentioned. An exception is the כשם ד"ה מאירי קידושין ל. ד. "who writes, כשם שאדם חייב לכבד את אביו, ואת אמו ר"ל להאכיל ולהשקות ולהביש ולכסות להכניס ולהוציא כמו שהתבאר כך חייב לכבדם בכל מיני כבוד ומסרו לנו מהם דוגמא ואמרו...כבוד מאכיל, who writes, פירוש המשניות קי' פ"א מ"ז in the Rambam, based on the Rambam, in We've already seen above and we'll see again in the continuation how the Rambam expresses this approach להלכה.

² The גמרא there says, אמר רבי יעקב, בהמדיר בנו לתלמוד תורה מותר למלאות לו חבית של מים ולהדליק לו את הנר ר' יצחק אמר ולצלות לו דג קטן. The גמרא seems to be understanding like the רש"י in the name of מאירי גדול המפרשים (assumed to be רש"י) and the רי"ד

exclude providing a parent with lodging since that does not fall within the obvious responsibilities of a servant.

however, the student of the ר"ש, in his מנורת המאור (see 15' פ"ט ח"ד עמ), writes, ³ר' ישראל אגוה, מכניס כיצד חייב לתת או לשכור להם בית דירה הראויה להם. That is, the addition of מוציא ומכניס in the braita explicitly requires providing lodging for a parent. This is a logical addition as shelter follows hard on the heels of sustenance and clothing as a necessity for survival. This interpretation of מכניס seems a stretch compared to the understanding of the 13th century פ"ש on the הר"ש (Mirsky Sheiltot, #63, p.166), who argues that it refers only to physically helping the parent leave their house. Still, the position of מנורת המאור is certainly not outside the realm of reason.

In fact, many אחרונים, even those who embrace the position of the Rambam, still consider finding lodging (if not providing it outright) to be included in the personal services owed to a parent by their offspring. Thus the חוות יאיר סי' קל"ד, addressing the case of a mother who has been living with her daughter for 15 years, never refers to her living situation independent of other, explicitly required, services. Instead, he consistently groups it together with them. He writes, ואם אחד מן הבנים לקחה לביתו זנה ופירנסה... Here, לקחה לביתו is grouped together with זנה ופירנסה as though it were a prerequisite for the obligated services, or possibly an obligation in its own right. Again he writes, ואם הלכה לבית אחד מהם וניזונית על שלחנו כמה שנים... Here too, we see that הלכה לבית אחד מהם is essentially the equivalent of וניזונית על שלחנו. This is not hard proof that חו"י believes that providing living accommodations is an obligation of the child, but the tendency to associate this service with other, obligatory services suggests such a belief.

He writes, ⁴הורים זקנים וכיבודם, Rav Yitzchak Zilberstein goes one step further in his article, מי שאביו או אמו חולים או זקנים ומסכימים להיות במוסד, והם יוכלו להאריך בו חיים טובים, רשאי להכניסם שם. ואם לא, מצוה עליו שיכניסם לביתו. That is, If a) a parent is willing to go to an assisted living facility, and b) we are confident that they will do well in that environment, it is perfectly reasonable to send them there. However if either of these conditions is not met, the child is required to take the parents into their own house, not merely provide them with lodging. Rav Zilberstein further claims, אם ימחלו ההורים על כבודם ויסכימו להכנס למוסד מצוה להחזיקם בביתו. אלא אם כן טוב להם יותר, במוסד. Even if the parents are willing to live in assisted living, there is still a special קיום to have them in one's own house. He notes that this position follows, logically, the position that children are obligated to obey their parents so long as the parents do not demand that they violate מצות ⁵הצוה. However, Rav Zilberstein argues, even פוסקים who do not accept this position, would agree that כיבוד requires them to house their parents. The basis for this is the simple language of our braita above. He writes, הרי לגור אצל הן הוא דבר ששייך לאביו ויש לאביו קורת רוח מכר ולכן מסתבר שחייב הן

שם that these behaviors are the common behaviors of a son towards his father, and, according to the רמב"ם and the רמ"א, even obligated of him.

³ Spain, 14th c.

⁴ רב יצחק זילברשטיין, הורים זקנים וכבודם, קול התורה מג (תשנ"ח), עמ' רכח-רלה. Our thanks to our teacher Rav Avraham Stav for directing us to and providing the text of this article.

⁵ Technically, this is a requirement of מורא (see the continuation here and see חו"י סי' רי"ד, cited by Rav Zilberstein).

מאכיל ומשקה, לקבל אביו לביתו, והוי בכלל מאכילו. In other words, represent essential services to the parents and lodging them, in one's own home no less, is logically implicit. This position seems to follow the logic of the *מנורת המאור* above, although it relies on different language in the *ברייתא*.

Housing of Parents: משל בן or משל אב?

Rabbi Eliyahu ben Hayim, (ראנ"ח, Constantinople, 1530-1613), on the other hand, opposes this trend. In *מ"ב ס"י ק"א* he implicitly acknowledges the possibility of expanding the *braita* to include housing, but ultimately concludes that children *are not* obligated to provide lodging for their parents. He writes, *ודאי שאין הבן מחוייב להושיב אותו בביתו עכ"פ דקי"ל כמ"ד משל אביו*. In other words requiring a child to lodge their parents violates the principle that the services rendered under the auspices of *משל אב* must be funded by the parent themselves (*משל אב*) and not by the child (*משל בן*). Because it violates this principle, it cannot be an obligation of *משל אב*. But how is this principle violated? In order to understand this argument, we must spend some time analyzing the *מחלקת* of *משל אב* and *משל בן*.

The *Gemara* (*ב' קי' ל"א ע"ב*) states *איבעיא להו משל מי רב יהודה אמר משל בן רב נתן בר אושעיא אמר משל אב*. The *a priori* understanding of this *מחלקת* is that Rav Yehuda claims that children are required not only to serve their parents, but to actually provide the *חפצא* of their service, i.e. food, drink, etc, from their own belongings (*משל בן*). Rav Natan bar Oshaya, on the other hand, believes that although children are responsible for service, the food and drink themselves must come from the parents' belongings (*משל אב*). The *חכמים* rule like Rav Natan bar Oshaya that parents provide the *חפצא* and children provide the service.

The *Gemara* (*שם ל"ב ע"א*) challenges the *פסק* of the *חכמים* as follows, *מיתיבי נאמר כבד את אביך, ואת אמר ונאמר כבד את ה' מהונך מה להלן בחסרון כס אף כאן בחסרון כס ואי אמרת משל אב מאי נפקא ליה מיניה*. It is received knowledge that in order to fulfill *משל אב* one has to contribute from their own wealth as well as their personal service. This seems to point directly to *משל בן* as the dominant model, where the child both procures goods for their parents and serves them as well. The *Gemara* defends the *פסק* of the *חכמים* and says briefly, *לביטול מלאכה*. That is, the contribution from one's wealth can come in the form of lost wages for work. Therefore, the parent still provides the *חפצא* of their child's service (*משל אב*) and the child contributes from their wealth in the form of lost wages. Both the *שו"ע* and *טור* pasken that *משל אב* is *משל אב*, and that the child must sacrifice their income from work (*ביטול מלאכה*) in order to serve their parent (*שם ס"ד*).⁶

ראנ"ח of The Interpretation

⁶ It is striking that the Rambam *שם*, while paskening *משל אב*, does not mention *מלאכה*. Based on this, it may be that the Rambam doesn't embrace the distinction between *גופו* and *ממונו* proposed by the *ראנ"ח*, which resonate so well in the *sugya* and *טוש"ע*.

The ראנ"ה addresses a case where a son has taken a שבועה to sell, to an outside party, the house where his father presently rents from him. The father demands that his son either refrain from selling the house and permit him to continue renting, or sell the house to him, the father. After discussing various details in הלכות שבועות, the ראנ"ה wonders if the שבועה is not countermanded by the obligations of כיבוד אב. In this context, and based on the sugya above, he asserts that requiring a child to house their parents would constitute משל בן and therefore cannot be an obligation of כיבוד אב.

This claim, however, is difficult to justify. The father is offering to either rent the house or buy it outright. All he demands from his son is the opportunity to pay funds that the son would otherwise get from an outside party. Until now, we've understood משל בן to mean that the child loses money in their service to their parent. Here, no money is lost! How can this be משל בן?

To answer this question, the ראנ"ה points out an internal difficulty in the sugya above. On one hand, we learn from the sugya that the funding for כיבוד אב must be משל אב, provided by the parent. On the other, the gemara tells us that children must, when necessary, forgo paid work in order to serve their parents. That sounds like a monetary loss! Why isn't that משל בן? What is the difference between lost wages and direct loss of funds?

משל אב=שעבוד ממון, משל בן=שעבוד הגוף, שירות

A priori we suggest that money not yet earned is qualitatively different from money already earned and saved. The first, as a דבר שלא בא לעולם, is not considered a significant loss in order to register as משל בן. The second, on the other hand, is concrete and established and constitutes a real loss. This is the position of the ר"ן קי' י"ג ע"א cited by the ראנ"ה שם. He writes, כי אמרין משל אב ה"מ בדאיכא חסרון כיס אבל התם עבורי רווחא בעלמא הוה. If this is true, then the son, in the ראנ"ה case, doesn't have a leg to stand on! His father isn't even asking for עבורי רווחא, just that the son take the money from him (the father) and not from an outside party.

This interpretation, however, introduces two significant logical difficulties. The first is addressed by the ראנ"ה. He writes, כיון שאין עליו חיוב לתת לאביו אף אם רצה לתתו לאב' ולא לאביו שפיר דמי דאטו ר"מ דמשל אב מי מפליגין אם הבן מפרנס אחרים במתנ' שיפרנס את אביו ג"כ כשיש לו ודאי לא דהתור' לא חייבתו לתת משלו לאביו ואם הוא רוצה לתת מתנה לאחר' מי ימחה על ידו. In other words, how can it be that because of כיבוד אב, a child no longer has complete agency over their property? Is it possible that every time they want to give a gift, their parent could veto their decision by demanding the gift for themselves? It's nonsensical. The second logical difficulty, we suggest independently. Even in the Torah the distinction between the loss of savings and loss of wages is vague. Thus, in a case of חבלה, both נזק and שבת are evaluated. There is no attempt to claim that שבת is דבר שלא בא לעולם and therefore should not be compensated. In sum, even if the distinction is coherent on paper, *de facto*, the two are virtually identical.

For this reason, the ראנ"ה adopts a brand new understanding of משל אב. He writes, דלא מפטר משו' בטול מלאכ' אלא בבטול מלאכ' דגופו משו' דכבוד דבגופו מחוייב ועומ' הוא ואפי' אם ימשך ממנו חסרון כיס. In other words, the שיעבוד אב of כיבוד אב is on the child's

ונהי דבגופו מחייב. service (גופו), and not on their possessions (ממון) as the ראנ"ח concludes. בממונו לא מחייב. This position is reflected in the language of the Tur (יו"ד ר"מ) cited in the teshuva, שו"ע שם ס"ד and echoed word for word in the Tur. אבל חייב לכבדו בגופו. According to this, משל means that the parent has no claims on the possessions of their child in the name of כיבוד אב, but only on their service. Thus, the ראנ"ח argues, since the father has no claim to the house he is renting from his son (as it is ממון and therefore משל בן) he can neither veto the sale of the house, nor demand that his son sell it to him rather than an outside party. Beyond this specific פסק, the distinction between גופו and ממון justifies the earlier claim of the ראנ"ח that children are not obligated to provide their parents with housing. The שיירי כנסת הגדולה שיי' ר"מ סי' paskens in the name of the ראנ"ח that, indeed, parents have no claim on the belongings of their offspring.

ראנ"ח's Presentation of Rav Zilberstein's

Rav Zilberstein שם brings ראנ"ח as a proof of his own view that, lacking monetary loss, a child is obligated to take their parent into their own home upon demand. He writes, דברי הראנ"ח אמורים כשהאב שוכר דירה בבית בנו, בזה פסק דאין הבן חייב להפסיד את שמעון הלוקח, משא"כ כשהאב מבקש לדור בתוך בית בנו ולא יפסיד הבן ממון, נראה דחייב הבן למלאות רצון האב דהוא מצרכי האב. In other words, monetary loss is the key factor determining whether the son can refuse the demands of his father. He writes further in the name of the גרי"ש אלישיב, his father-in-law, חייב להכניס את אביו לדירתו, כי רק להוציא ממון ממש פטור, אבל כל שאינו עומד להכניס אחרים לדירתו כדי להשתכר מהם, חייב להכניס את אביו, ואין זה נחשב משל בן שהרי איכא מ"ד דכיבוד אב משל בן, ואמנם אגן פסקין משל אב, אבל אין לנו להרחיק כל כך את המחלוקת ביניהם. Once again, monetary loss is the sole decisor of משל אב or משל בן.

Based on our analysis above, we claim that both of these claims miss the main point of ראנ"ח. It is explicit there that despite the father's willingness to buy the house outright, thus canceling the monetary loss, the son is still permitted to refuse the father's demand. Why? Again ראנ"ח is explicit that כיבוד אב gives the father power over the son's service but not his goods. Thus the father can no more demand a space in the son's own house than in a rental facility owned by his son, even if the father pays his way. These properties constitute the son's belongings and are thus משל בן. It is important to note that, although the child is not obligated to provide housing from their own property, they may still be obligated to help their parents *find* housing (which constitutes a service).

Interim Summary

In sum, the ראנ"ח argues convincingly that the talmudic assertion, paskened by the שו"ע, that משל אב must be משל אב and not משל בן, is best understood as a distinction between goods and services. Any goods that must be acquired in the performance of כיבוד אב must come out of the parents' account (משל אב) and not the children's (משל בן). Therefore, a child is not obligated to provide housing for their parents out of their own property or funds. Any services owed to the parents, however, *possibly including house hunting*, remains the children's responsibility. Based on this, a logical extension emerges. Not all expenditures in the course of honoring one's

parents, must fall to the parents account. Rather, monies expended on goods must be paid for by parents, but monies expended on services are rightly the child's responsibility.⁷

We have argued thus far that the מצוה of כיבוד אב does not obligate a child to house their parent either in their own home, or in any of their properties. They, furthermore, have no obligation to purchase or rent a dwelling for their parents out of their own funds. This is based on the distinction of the ראנ"ח, reflected in the language of the טוש"ע that כיבוד אב demands that a child provide services to their parents but not goods. However, we accept the positions of the מנורת המאור, חוות יאיר, Rav Zilberstein, and the ראנ"ח himself that housing is implied in the list of services that constitute כיבוד אב in the ברייתא in ע"ב in ברייתא. Therefore we assert that it is the responsibility of a child to *find* their parents housing, even if they do not provide that housing themselves. Furthermore, it is possible that various fees and expenditures may be incurred in providing this service. These fees, we argue, fall to the child to pay and do not constitute משל בן.⁸

Regarding the case at issue (נ"ד), this all indicates that the son has no *de jure* obligation to maintain his mother in his own house per se, although he must aid her (possibly at his expense) in finding new lodgings. We have already said, however, that the son owes his mother a variety of services that guarantee her livelihood and welfare (מאכיל, משקה, etc. as per שו"ע, as well as services associated with a personal servant or valet as per the Rambam and רמ"א). If the son cannot properly perform these services unless his mother lives under his roof, he obviously must maintain her residence, despite the lack of specific obligation to house her.

כיבוד אב ע"י אחרים

We submit that the mother's safety and personal needs can be provided by a home health aide or by an assisted living facility. However, will this suffice to fulfill the son's obligation of service to his mother? Perhaps he is obligated to perform these services himself allowing no substitutions. The next part of our discussion will address the question of whether a child can fulfill the obligations of כיבוד אב by proxy.

The Talmudic assertion that כיבוד אב demands בטול מלאכה already suggests that the obligation may be a חובת הגוף, like sitting in a סוכה or wearing תפילין. After all, why would you have to miss

⁷This extension is explained handily by Rav Tzvi Pesach Frank (הר צבי יו"ד סי' קצ"ז). In the context of paying others to provide services to one's parent, he writes, לא כלל אלא, הרי תשלומין הללו אינם מעצם חיוב כבוד כלל אלא, שהוא רוצה להקל על עצמו מעשה המצוה בממונו. למה הדבר דומה, לאב שהודיע לבנו הנמצא במקום רחוק שיבוא אליו להאכילו ולהשקותו והבן קשה לו לבוא רגלי מרחק רב שכזה, דבודאי מחויב להוציא כסף ולנסוע לאביו, ואי משום דמצות כבוד אב אינה יכולה לחייבו ממון מחויב הוא ללכת רגלי. ונמצא שהכסף שהוא משלם לא משום מצות כבוד אב אלא לגרמיה הוא כח דעביד שלא יצטרך לכתת רגליו ויהיה מעונה בדרך כח. In other words, children may choose to spend money to save time and energy in the performance of services to their parents, but this choice does not constitute משל בן in such a way that it would redefine the service as משל בן. Rather, משל בן only applies when there is no other way to accomplish the כיבוד than through payment.

⁸ In some areas there are expenses, like brokerage fees, which are part and parcel of the house hunting process. In cases where the parents refuse to live anywhere but these areas, these fees would fall to the parents and not the children. In fact, it is reasonable to claim that any expense that is absolutely necessary to the house hunting process, as opposed to labor saving, would be considered goods and thus come out of the parents' funds.

שו"ת יו"ד סי' states this baldly as an aside in his 'שליח' work if you could just send a שליח.⁹ The extreme formulation conflicts with a halakha presented by the Rambam (שם ה"י) and paskened by the רמב"ם. But It may be supported by the השגה of the שם ש"ע.

מי שנטרפה דעתו: The Rambam and the Ra'avad:

The Rambam (שם) writes, ישתדל לנהוג עימהם כפי דעתם, עד שירוחם עליהן. ואם אי אפשר לו לעמוד, מפני שנשתטו ביותר--יניחם וילך לו, ויצווה אחרים להנהיגם כראוי להם. This indicates that in cases of dementia or mental illness, the obligations of אב may be fulfilled by proxies and not the children themselves.¹⁰ The רמב"ם objects as follows, א"א אין זו, א"א אין זה. It appears that the רמב"ם rules out the possibility of fulfilling אב through proxies.¹¹ Thus the רמב"ם writes, אין הדעת נותנת שיניחם וילך, לו...אינו מחוייב כי אם להאכילם ולהשקותם ולשומרם והיאך ילך לו direct services of feeding and watering a parent, even in cases where they suffer from dementia or mental illness. Similarly the רמב"ם writes, אם אפשר לאחרים כ"ש דאפשר לו וחייב, In other words, if it can be done by others, it can be done by the child themselves, and, that being the case, the child is still חייב. The רמב"ם cites this דרישה and paskens accordingly that so long as שמירה of the demented or mentally ill parent is possible, the child, themselves, is still obligated to do it.¹²

מצוה בו יותר מבשלוחו

Other פוסקים offer a less extreme approach and argue that there is nothing to differentiate these mitzvot from any other mitzvah where we say שלוחו של אדם כמותו. However, we still hold מצוה בו מצוה. Thus, the מלך (Crete, 1490-1555) writes, אינו דומה העושה מצוה בעצמו לעושה מצוה ע"י שליח וכדאמרינן בפ"ב דקדושין...אמר רב יוסף מצוה בו יותר מבשלוחו...וא"כ כן ראוי לנו לעשות במצות כבוד אב ואם...ראוי לו לבן לשרת את אבותיו בעצמו ולא ע"י שליח. Rabbi Shabtai Ventura (Dalmatia, 1732-1799), in חיו"ד סי' ל"ב, interprets the Rambam above to imply something similar. He writes, משמע דגם במה שמצוה לאחרים להנהיגם קיים המצוה אלא דכל היכא דאפ' מצוה בו יותר מבשלוחו כמו כל המצו' שבתורה והיכא דלא אפשר יקיים על ידי אחר. That is, the Rambam only gives permission to use proxies when it is absolutely impossible to serve one's parents any other way. In all other cases, the child should do it themselves.

Obligation on the Child to Live in Close Proximity to their Parents

Presumably on this basis, a variety of מקורות assert that a child is required to live in the vicinity of their parents. Thus שם"ר פל"ג פס' ג states, שואמר: כי הייתי, ואני אביכם, ואני אביכם, בניכם אתם לה' אלהיכם.

⁹ Recall that כבוד אב is derived from the ג"ש מהונך. Therefore it may be the case that this monetary loss is necessary for complete fulfillment of אב.

¹⁰ With some effort, we could interpret the Rambam to say that in cases of אונס, the obligations of אב falls away entirely (אונס רחמנא פטריה) and what is left is some larger concern like רעך. This strikes us as a stretch and we have not seen such a claim in the נ"כ of the Rambam or in the פוסקים who address this הלכה.

¹¹ Our teacher Rav Avraham Stav directed us to the משה on the Rambam there, who interprets the רמב"ם differently.

¹² See ט"ז דב"ז and ט"ז עז שם for a rebuttal of this claim of the דרישה and the ט"ז.

¹³ See also שו"ת זרע אמת סי' קמ"ח and שו"ת שמן המור ק"א יו"ד דרוש א"ה ומעתה.

לישראל לאב, כבוד לבנים כשהן אצל אביהם, וכבוד לאב כשהוא אצל בניו. וכן הוא אומר: עטרת זקנים בני בנים, Parents should have a dwelling place in their children's neighborhood the way the God dwells in the middle of the מחנה. This is translated into a halakhic imperative in יפה ללב (Izmir, 1813-1907) who writes simply, בכלל ספר חסידים סי' אב. An even more prescriptive approach is adopted by the ספר חסידים סי' אב. אם האב והאם מצווים לבן שלא יקח אשה כדי שיעבוד להם זה לא יתכן אלא יקח אשה ויהי, who writes, תקס"ד אצלם. ואם אינו מוצא אשה במקום שאביו ואמו שם ואביו ואמו זקנים וצריכים מי שיעבוד להם אז לא יצא מן העיר. A child may not leave their parents' city, even for the purpose of getting married (which they can do against their parents' will) if their parents require their service.¹⁴

The ערה"ש יו"ד סי' ר"מ ס"ק ל"ו uses entirely different sources but arrives at a similar conclusion. He writes, אמרו חכמינו ז"ל סוף פרק קמא דמגילה (מגילה טז ב): גדול תלמוד תורה יותר מכבוד אב ואם, שעל אותן ארבע עשרה שנים שלמד יעקב אצל שם ועבר – לא נענש על כיבוד אב. ולכן אם רוצה לילך וללמוד בעיר אחרת – יכול לילך שלא ברשות אביו ואמו. ונראה מזה דכשהולך למצוה אחרת – צריך רשות אביו ואמו. ואף על גב דכשצריך לפרנסתו וודאי אינו צריך ליטול רשות, מכל מקום משום מצוה צריך ליטול רשות, דהעוסק במצוה פטור מן המצוה, ואיך יעזוב מצות כיבוד ויטול מצוה אחרת. The Gemara tells us explicitly that a child may leave their parents in order to keep the mitzvah of תלמוד תורה. This implies, according to the ערה"ש, that for any other mitzvah (short of פיקוח נפש, presumably) they may not. He is willing to make an exception for but not for any other mitzvah. If not even fulfillment of a mitzvah¹⁵ can give one cause to remove from one's parents' vicinity without their permission, what secular reason has a chance?

On the basis of all of these sources, the paskens, פניני הלכה¹⁶ asks, כיבוד הורים מצווה שאדם יגור בקרבת מקום מגורי הוריו, כדי שיוכל לכבדם ולסייע להם בכל מה שיצטרכו. אבל אם יגור במקום רחוק, לא יוכלו לפנות אליו בבקשת עזרה, ונמצא שמנע את עצמו ממצוות כיבוד הורים. He uses the word, מצוה instead of the stronger חובה or חיוב but his final statement, נמצא שמנע את עצמו ממצוות כיבוד הורים, in essence raises this to the level of חובה. In his entire analysis of these source, Rav Melamed never mentions the possibility of fulfilling אב כיבוד by way of proxies. Only when he gets to the case of נטרפה דעתו¹⁷ does he consider the possibility of a home health aide or residential program. For a healthy parent, however, the ideal, according is clearly that the child should be in the vicinity of their parents and serve them personally.

Interim Summary

To summarize, we've seen a series of sources all of which indicate that at maximum there may be a חובה, and at minimum a מצוה for a child to take care of their parents themselves and not by

¹⁴ There is nothing in the language of ספר חסידים to indicate that the services that the elderly parents require from their son (לעבוד להם) cannot be done by proxy. Our teacher, Rav Avraham Stav, however, has suggested that perhaps לעבוד להם really does refer to something that cannot be done by proxy. If this is the case, it is possible that if the child can serve the parents by proxy, they may be permitted to leave the town. It remains an open question whether this would still be possible if the parents expressly demand from their child direct service and refuse to accept a proxy.

¹⁵ He doesn't source this exception but we presume he either sees it as a prerequisite to כיבוד אב, or an early form of פיקוח נפש.

¹⁶ הל' משפחה, כיבוד הורים, אות י"א

¹⁷ שם אות י"ד

way of proxies. This leads some אחרונים to pasken למעשה that a child must, or at least should stay in the vicinity of their parents in order to take care of them. This position would frown on the son in our case removing his mother from his house, where he is physically able to tend to her, in favor of a home health aide or assisted living facility. However, we saw that the Rambam (and the שו"ע in his wake) paskens that there are situations where a person is permitted to leave their parents' vicinity and care for them by way of proxies. The continuation of our discussion features an analysis of how far this can be extended.

Rav Asi's Mother: Talmudic Case of אי אפשר לו לעמוד

The Gemara in ע"ב ל"א brings the story of Rav Asi and his mother. Initially Rav Asi cares for his mother assiduously. She asks for jewelry and he gives it to her. She tells him she wants to remarry and he promises to act as her matchmaker. But then she says, בעינא גברא דשפיר. The inclusion of שפיר here makes it clear that this is a flirtatious phrase and that something has gone very wrong. In response, the Gemara tells us, שבקה ואזל לארעא דישראל. Rav Asi leaves.

The שם כ"מ ממרים tells us that this story is the basis for the Rambam's statement above, מי שנטרפה דעתו של אביו או של אימו, ישתדל לנהוג עימהם כפי דעתם, עד שירוחם עליהן. ואם אי אפשר לו לעמוד, מפני שנשתטו ביותר--יניחם וילך לו, ויצווה אחרים להנהיגם כראוי להם. The Rambam paskens this word for word. The question is, how should we interpret the phrase, מפני שנשתטו ביותר. Is it the only condition under which one can leave their parents in the care of others? Or can אי אפשר לו לעמוד be expanded to include other cases where one could call upon שליחים?¹⁸

Expansions of אי אפשר לו לעמוד: Abuse and Conflict

Regarding this question, we find a series of פוסקים who argue that in cases where the parent treats the child badly, the child is entitled to leave their vicinity. Thus ר"ד נחזור יש"ש ק"ס ס"ס ד"ה נחזור writes about Rav Asi's mother, לא הית' מטורפת בענין שצריכה לשמירה אלא שאלה שלא כהוגן מרוע הלב, ע"כ חלף והלך לו למקום שלא תראה אותו ראב"ד. This comes specifically in support of the השגה of the ר"ד that we saw above, saying that in the case of טורף הדעת, you cannot leave your parents in the hands of others. However, when a parent is abusive, one can get up and leave. The מהרש"ל doesn't say how exactly one should fulfill אב כיבוד in that situation. It may be that there is no חובה of אב כיבוד for an abusive parent, only מורא. This is enough of a חידוש that we'd expect the מהרש"ל to say it explicitly. It is more reasonable to say that in those situations he would agree with the Rambam that you fulfill אב כיבוד by way of proxies.

The פסקי ריא"ז ק"י פ"א ה"ח אות י"ב (Italy, 13th c.) says something similar in his comments on the same story. He writes, אם רואה אביו ואמו שהם בעלי מידות רעות ומצערין אותו יותר מדי ישמט מלפניהם,

¹⁸ Note, even if we are unable to expand the notion of אי אפשר לו לעמוד, the Rambam may still permit removing a parent from one's immediate vicinity, so long as they remain reasonably local. After all, the source of this הלכה is a case where Rav Asi moved all the way to א"י and was entirely unable to care for his mother from that distance. Indeed, this may be the substance of the השגת הראב"ד that we saw above. I.e. so long as the child can care for their parent in person, there should be no difficulty in simply creating space between them.

אי אפשר לו. The major contribution of the פסריא"ז here is his use of the word צער. This, like לעמוד of the Rambam opens up the possibility of extending this halakha beyond intentional abuse. The ספר חסידים, who, as we've already seen, unquestionably appreciates the value of serving one's parents in person, also acknowledges that, in cases of צער, this is not necessary. He writes, *אב ובניו כשהם בקטנות ובכעס וכן הרב לתלמידיו אע"פ שילמדו תורה ממנו כיון שמתקוטטים יחדיו*.¹⁹ This is not specific to cases of abuse but, rather, includes cases where the parents and children are angry or fighting with one another. It is significant that in these cases, it is not only the צער of the parent that comes into consideration, but also the צער of the child. He writes, *ואל תאמר דווקא מפני האב שמצטער והרב מצטער אלא אפילו הבן מצטער על ידי*. In other words, if the child is suffering from the fighting, *even if the parent is not*, that is sufficient reason for them to separate. This comes very close to the situation we're dealing with in that the mother feels perfectly satisfied with the living situation but the son is suffering.

כיבוד אב במקום צער

What is the relationship between צער to the child and the obligation of אב כיבוד? This question brings us to the teshuva of the מהרי"ק שורש קס"ד, one of the most important sources outlining the limits of אב כיבוד. The מהרי"ק is asked whether a son can get married against his parents' will. He concludes that he may and writes in justification, *אפילו לענין ממון אודי ליה רבנן לרבי ירמיה כמאן*. In other words, if we don't require the child to pay money for most aspects of אב כיבוד (that is, משל אב), certainly we shouldn't require them to pay in צער. The רמב"ם might couch it as follows: if we do not allow the parent to interfere with the child's possessions (ממון) in the name of אב כיבוד, how much more so with regard to their general wellbeing (צער דגופא)? This פסק of the מהרי"ק is cited by the הגהות הגר"א ס"ק ל"ו and the reasoning of צער דגופא is brought in the יו"ד שם סכ"ה רמ"א.

This makes a critical linkage between the matter of צער and the question of משל אב משל בן that we discussed above. The מהרי"ק argues that demanding a child to submit to צער דגופא in order to fulfill אב כיבוד is, in essence, משל אב and we pasken משל בן.²⁰ This creates a halakhic mechanism to explain the positions of the פסריא"ז and the ספר חסידים above. When צער is introduced into the service of one's parents, that identifies the service as משל בן and disqualifies it from the obligation of אב כיבוד. Thus, even Rav Zilberstein, who insisted that children are obligated to lodge their parents in their homes, writes, *אם יופר שלום הבית אצל הבן, פטור הוא*, and he brings the מהרי"ק as his source.²¹

¹⁹ Transparency compels us to note that this ספר חסידים doesn't sound like a halakhic statement. Its origin is in the words *אבות ואמהות* from *אבות ואמהות*, which are numerically equivalent to the word *בנים*. However, even if we dismiss this as a halakhic source, it offers an example of the word צער used outside the context of abuse and argues for the separation of parents from children on that basis.

²⁰ He actually says that even מ"ד משל בן in monetary matters would admit that in cases of צער, the parent does not have the right to compel the child.

²¹ This language actually suggests that Rav Zilberstein sees the wife as a kind of possession of the husband and, therefore, fits into the category of ממון. But in his paraphrase of the מהרי"ק he writes, *ואם יאמר אשה שאינו חפץ בה הוי כהפסד משל בן*. That sounds like עבורי רוחא and should still count as משל אב unless we explain that the הפסד is based on צער דגופא, which is, indeed, the claim of the מהרי"ק.

This reasoning lingers in the background in the argument of the *שו"ת שב"ט הלוי ח"ט סי' קצ"ז* who permits, in certain cases, tending to a parent with the help of a home health aide or a residential facility. He writes, גם הראב"ד מודה דאם יכול להשתמר ע"י אחרים כגון במושב זקנים או בבי"ח שהם נעשים לכך לטפל בכיו"ב, משא"כ אצל הבן בבית שגורם הפרעת שלום בית ובטול הפרנסה, שרשאי הבן להטיל על המושב זקנים, ואעפ"י שאולי הם לא יטפלו כמו הבן גם בנידון הרמב"ם והראב"ד פשוט שאחרים לא יעשו כמו הבן ממש, ואעפ"י ששם הבן לא היה יכול לעמוד בהמצוה, וכאן בנ"ד הבן רוצה לעשות המצוה מכ"מ לאיך גיסא כיום שאפשר ע"י אחרים והוא משתדל בזה ע"י האחרים, ואם עושה בעצמו גורם רעה לביתו ולשלום בית יראה יותר משל בן, but they loom large when he says that the son is גורם רעה לביתו ולשלום בית.

In sum, we've seen a series of sources that argue that there are times when a child is not required to tend to their parents personally. Some (Rambam) indicate that this would be true when a parent's care is beyond the abilities of the child to handle (אי אפשר לו לעמוד). Others expand to include cases of abusive behavior on the part of the parents (מהרש"ל and ריא"ז). Still others (ספר חסידים) assert that if the parents and the child are fighting, even if it's not a situation of abuse and even if the child is the only one suffering, this is still justification for them to live apart. We attempted to justify this final position by associating it with the argument of the מהרי"ק that cases of צערא דגופא constitute משל בן. We've further argued that both Rav Zilberstein and Rav Vosner consider this reasoning when they permit, in cases of הפרת שלום בית, tending to one's parents in a residential facility rather than in one's home.

Act or Outcome: כיבוד אב

Rav Zilberstein introduces a new argument in the conclusion of his discussion. He writes, בדרך כלל אם יופר שלום הבית, עדיף להורים שיכנסו למוסד כי הטפול הביתי לא יעזור בכה"ג. In other words, *the care* will be better when the tranquility of the home is not disrupted. The responsibility of the child, this implies, is to provide the best care possible, whether in person or by way of proxies. This introduces a whole new conceptual model of כיבוד אב. It is not so much that the child must serve the parent (which sounds more like a matter of מורא), but rather that the child guarantee that parent *be served*. Thus, argues Rav Avraham Stav, if one's parent were already served food or drink by an outside party, there is certainly no mitzvah to serve more food and drink, or to take the food and drink away and then serve it by the child's hand. The מצוה of כיבוד אב is on the תוצאה and not on the מעשה itself.

This is stated explicitly by Rav Menachem Mendel Shafran in who ²² הישר והטוב חי"ג עמ' ל"ט writes, שאין מטרת המצוה לעשות את השירות בגופו דוקא אלא מטרתה התוצאה שיקבל האב את השירותים, הנדרשים לו ביעילות ובצורה מכובדת ואין צריך לזה דיני שליחות ויכול לשכור גם לגוי שיעשה מלאכה במקומו. The source for this may be in the Rambam's language, without ²³ ויצווה אחרים להנהיגם כראוי להם reference to שליחות. The implication is that שליחות is not necessary since מצות כיבוד אב is not on

²² Our thanks to our colleagues R. Rahel Berkovits and R. Dr. Meesh Hammer-Kossoy for their reference to this source.

²³ Possibly hinted by the author of שליח ע"י שליח קיום מצות כיבוד אב ואם- קיום מצות כיבוד ע"י שליח, also referred by R.'s Berkovits and Hammer-Kossoy.

the גוף but on the תוצעה as Rav Shafran argues above. This approach, though less rigorously sourced, is most logical, as Rav Stav argues and has the benefit of removing the concern of מצוה בו יותר מבשלוחו.

To summarize, There is a further approach, possibly based on the Rambam's language, ויצווה, that the מצוה of כיבוד אב isn't on the גוף of the child at all. Rather, the mitzvah is for the child to see that their parents are properly attended to in their personal needs. This means that even שליחות is not necessary, because any way that the child sees that the parents' needs are met will be a כיבוד אב in קיום.

מורא: Obeying One's Parent

There is just one more issue to discuss before we are ready to give שורת הדין in the case in question. This is the fact that the mother refuses to leave her son's house willingly. Rav Shafran writes, שכיון שאין דעת האב נוחה מהם נמצא שאינו ממלא את החיות המוטל על כתפיו וחייב לעשות הדבר, בגופו מדין מצות כיבוד אב (שם עמ' רכ"ט) quoted by Rav Zilberstein, גרי"ש אלישיב, similarly writes, "ובפרט דלהלכה אם האב אומר לבנו השקיני מים אסור לבן לסרב מדין מורא, אם כן גם כן כשאב"ו, "מבקש מבנו שידור בביתו, אם יסרב יעבור על 'מורא אב'. In other words, the child has an obligation to obey their parents. This being the case, if the parents refuse to accept a home health aide or an assisted living facility, there is really nothing for the child to do.

The origin of the notion that the child has to acquiesce to their parent's will seems to be in ספר שיש לחלק בין כיבוד למורא כמ"ש לעיל דהא, the מקנה writes, ד"ה שם איסתייא ח' ²⁴המקנה קי' ל"א ע"ב דאמר איזהו כיבוד מאכילו ומשקיהו היינו דוקא כשלא צוה לו אביו אבל אם אמר לו אביו השקיני זה הוי בכלל מורא. In other words, once the parent requests something specific, we're no longer in the category of כיבוד, but rather in the category of מורא which is much stricter. The דכל דבר שמצוה לו אביו אף בדבר שאין לו שום הנאה ממנו שאינו בכלל כיבוד, אפי"ה אם ²⁵continues, מקנה ²⁶אין לבן שום הפסד ממנו הו"ל בכלל מורא, שאם לא ישמע לו הוי כסותר את דבריו. In other words, even in matters where the parent has no pressing interest (and all the more so in our case where the mother is intimately involved), it is a matter of מורא to comply with their wishes based on ולא ²⁷above. ²⁷ברייתא from סותר את דבריו.

The words of the מקנה themselves, however, provide the answer to this challenge. One is obligated to oblige one's parents in all their demands so long as אין לבן שום הפסד ממנו. In cases where the child has הפסד from the demands of their parents, refusing to comply is not

²⁴ Our gratitude to our colleagues R. Sam Berkovitz and Yossi ben Harush for their reference to this source.

²⁵ שם ד"ה שם ת"ר

²⁶ Rav Betzael Stern in נ"ה ס' ב' ח"ב סי' נ"ה (our thanks to R. Berkovitz and Mr. ben Harush for this source as well) suggests that this is hinted at already in אבל ²⁷תשוב"ץ where the תשוב"ץ writes, שו"ת התשב"ץ ח"ב סי' נ"ג ד"ה אבל in reference to דודאי קצת מצוה יש בדבר, לקיים מצו' אביו.

²⁷ Whether one must indeed obey one's parents when they demand something in which they have no הנאה is a מחלוקת ראשונים. The ד"ה יכול, וב"מ ל"ב. ד"ה יכול, and the רמב"ן שם ד"ה הא דדייק, ריטב"א, יבמות ו'. ד"ה יכול, וב"מ ל"ב. ד"ה יכול, and the מהרי"ק שם, quoted in ד"מ ר"מ ס"ק י' amongst others all assert that a parent may not ask for things for which they receive no הנאה. It should be noted that all of these discuss the topic under the heading of כבוד, whereas the מקנה considers this to be a מורא in קיום, but לדינא, the מחלוקת remains.

considered **סותר את דבריו**. This echoes the position of the **מהרי"ק**, the **פסהריא"ז**, and the **ספר** all of whom insist that in cases of **צער**, a child is not obligated to comply with the demands of their parents, or even to remain in their vicinity. This, presumably, even though the parents may demand that they remain.

מורא: Causing צער to One's Parent

There may be an issue of giving **צער** in the removal of a parent from one's home against their will. Rav Moshe Feinstein (אג"מ יו"ד ח"ב סי' ס"ג ד"ה עכ"פ עמ' צ"ד) writes, **אפשר שלהציל מצער הוא גם משל בן שכן הוא דבר המסתבר וכן הוא כשמצטער האב מרעב וכדומה נמי יתחייב הבן משלו להצילו מהצטער**. There are two answers to this challenge. First, and most significantly, is that this position (that Rav Moshe attributes to the **ר"י**) is in conflict with the **רמ"א** שם ס"ח who writes, **דהא אינו חייב לכבדו**. Secondly, we argue that the issue in our case is not physical **צער** but rather emotional **צער** that the parent feels at being rejected by their child. This might be ameliorated in the way the child communicates the need for the parent to remove from their home and in their continued behavior after the parent has left. Do they continue to visit regularly? Are they conscientious in making sure that the parent's needs are being met, etc?

In summation, we have seen arguments, based on the position of the **מקנה**, that that in cases that concern them, parents may give instructions that go well beyond the simple requirements of **כיבוד** and must be obeyed because of the requirements of **יראה**. We noted that even the **מקנה** states this only in cases where there is no **הפסד** to the child. Finally, we noted that Rav Moshe interprets the **ר"י זקן** to hold that prevention of **צער** to the parents is actually **משל בן**. Rav Moshe, himself, seems to embrace this position. However, we also noted that although Rav Moshe attempts to reconcile the position of the **ר"י** with the **רמ"א**, *prima facie* it certainly sounds like the **רמ"א** *paskens* **משל אב** even in cases of **מורא** and **כיבוד**. That being the case, we feel confident relying on this **רמ"א**. Furthermore, we suggest that there may be ways of ameliorating the **צער** of this encounter depending on the way the child engages with their parents.

Conclusion of Halakhic Analysis²⁸

Based on all of the reasoning above, we see that in cases of **צער** for the child, they may demand (with respect and empathy) that their parents remove themselves from their house and take up residence on their own with a home health aide or in a residential facility. It is, however, absolutely within the obligations of **כיבוד** that the child aide their parents in finding a new location.

According to the position of Rav Shafran and Rav Stav, who argue that **כיבוד** is really a matter of **תוצאה** and not a **חיוב הגוף**, these arrangements fully fulfill the obligations of **אב כיבוד** since they provide for the parents' basic needs. This position also allows for the use of non-Jews as

²⁸ There is one more set of sources which we have not explored in this analysis. This is the reaction of the **ראשונים** to the **כתובות** מס' **כתובות** regarding giving one's late father's wife her **כתובה** and demanding that she remove from the father's house (now belonging to the children). Unfortunately time has not allowed us to complete this analysis and we remain with **צ"ע**.

workers in the residential facility or as the home health aide. That being said, there are enough positions that argue that this actually constitutes a kind of שליחות and מצוה בו יותר מבשלוחו, let alone those that say that this is a חובת הגוף, that we would urge the child to continue to provide personal service in every situation possible. They must visit their parents, serve them personally when possible and obey their instructions when it doesn't cause them צער or הפסד.

We now return to the case of the son who is struggling emotionally with the presence of his mother in his home. We argue that he should spend serious time considering whether his צער in having her present really outweighs her צער in being asked to go. However, if he does conclude that his צער is greater, he may require her to leave. He is obligated to help her find appropriate lodgings at her expense. Once she is settled, he is required to do everything he can to maintain his personal כיבוד אב. He should visit regularly, provide service where possible and allow his mother her way in areas that don't bring him significant צער. Furthermore, in his communication with his mother, he should do everything possible to ameliorate *her* צער. He should speak to her with respect, and, if possible, love in all matters, especially at the moment of confirming the decision that she must leave his house.

Thus concludes the halakhic discussion before us. But from a practical perspective, there is more to say regarding actions that should be taken in order to maintain the relationship between mother and son in this fraught moment. The following discussion consists of a pastoral analysis of the situation followed by practical recommendations of additional steps that should be taken in the name of preserving the relationship.

Why isn't the present arrangement working?

Often there is a fantasy about the relationship between parents and children. In this fantasy, the real desire to care for the parent in the child's home overcomes the baggage of a complicated past. Sometimes this is true, and the arrangement is successful. However, in some cases, the desire is not enough to overcome the muddiness of the relationship and the complex past influences the ability of one or both parties to make the arrangement successful. This appears to be the case before us. Externally, everything is working. The spouse and children are engaged and accepting of the new living arrangement. The son, on the other hand, because of his lasting resentments, is struggling to be in such constant and close proximity to his mother.

The question is, to what extent does this struggle impair the son's ability to fulfill the obligations of כיבוד אב and מורא. The son writes that at times, he responds to his mother more sharply than necessary because of his loss of privacy and feelings of being judged. It is possible that this could escalate, at present, or over time, to actual conflict. This is not in the interest of the mother or the son.

From the perspective of מורא, there may be room to consider that treating one's parents with annoyance or displeasure does constitute a violation. This is because מורא largely represents public performances. However, regarding the parameters of מורא, the שו"ע ר"מ ס"ב writes, איזו מורא לא יעמוד במקומו המיוחד לו לעמוד שם בסוד זקנים עם חבריו או מקום המיוחד לו להתפלל ולא ישב במקום המיוחד לו להסב בביתו ולא סותר את דבריו ולא מכריע את דבריו בפניו אפילו לומר נראין דברי אבא ולא

יקראנו בשמו לא בחייו ולא במותו אלא אומר אבא מארי. There is nothing here about the need for politeness or pleasantries in private. The examples offered by the שו"ע in the next סעיף also indicate that מורא dictates how one relates to one's parents in public.

The parameters of כיבוד do, on the other hand, include an obligation to treat one's parents with respect and kindness. The שו"ע שם ס"ד writes, ובסבר פנים יפות שאפי' מאכילו בכל יום פטומות, והראה לו פנים זועפות נענש עליו. This means, in our case, that the proximity of the mother to the son potentially damages his ability to fulfill his obligation of כיבוד. The psychology of the son, in feeling threatened by the constant presence of his mother, creates an ongoing trap setting him up to fail in his obligation of כיבוד. The awareness of this only raises the pressure and reinforces the cycle. We might say that the obligation of כיבוד is to overcome his impulse to respond negatively to his mother's proximity. However, it seems to us that simply maintaining the status quo, without addressing the underlying psychological reality, is an unrealistic demand on the son.

Thus, from a halakhic perspective, it may not merely be permissible for them to separate (as recommended by the ספר חסידים above) but even advisable, as the present arrangement constitutes a sort of לפני עורר and undermines the son's ability to properly fulfill his obligation of כיבוד. We note that some damage has already occurred to the relationship between mother and son. We recommend that they each do what they can to repair this relationship with or without the help of experts.

Conclusion

- Over the course of our analysis we have seen multiple authorities both in the ראשונים and in the אחרונים who have indicated that there is a מצוה (and in the most extreme formulations, a חיוב no less) to take one's parents into one's home. It is with utmost respect and reverence for these positions that we state the continuation.
- It is well within halakhic bounds for the son to require his mother to leave his house.
- This is permissible only because there are real difficulties that prevent the parent and child from living together in harmony. In cases of minor disruption that both parties agree are within reasonable limits, the child should consider themselves obligated to maintain their parent's presence in their home. Reciprocally, they should be aware that they are fulfilling a מצוה which carries with it no insignificant reward.
- The son must be extremely careful in his address and choice of language when addressing his mother on this point. He should be careful to treat her with respect and warmth so that she feels the least possible pain on receiving this news. He should emphasize that the space he is creating is actually in order to improve his כיבוד. Although she is removing from his home, she is not being removed from his life.
- The mother can equally require her son to aid her in finding a new place to live at her expense. The son must help find his mother a local living situation if possible.
- If he chooses to have someone else do this work, the fee for outside help is the son's.
- The son is still obligated to maintain personal service to his mother where possible. He should visit regularly, serve her when possible (do errands, provide snacks and

beverages, etc) and continue to have her visit his home so long as her health and mobility allow it.

- The Rabbinic figure to whom this case occurs must be sensitive about recommending professional therapy. As in the case of Rav Asi, it is possible that a recommendation for therapy, or any demand that the son take responsibility for repairing the relationship, may be inappropriate. However, occasionally, both sides are open to attempting to heal the relationship. In these cases, therapy can be helpful in improving the situation between the two of them.