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Veto Power for Parents on Choice of Spouse?

Question: Must a child obey if his parents disapprove of his choice of a spouse?

Answer: The basic answer to the question is that he or she need not obey. This is how the Rama¹ rules, based on the Maharik,² and later poskim accept this view, apparently unanimously. We will look at the Maharik's reasons and briefly consider whether there are exceptions to the rule. If, sadly, an actual case arises, one should ask a sensitive rabbi who will take all the particulars into account.

The Maharik provides three main reasons for his ruling:

1) If a child does not have to expend his money for KIBUD AV VA'EM,³ he certainly does not have to accept the

mental anguish of parting from the woman he wants to marry.

2) A parent may not tell his child to violate even a Rabbinic prohibition. Since one may not marry a woman that we have reason to fear he will not love,⁴ his parents cannot make him give up the woman he loves and possibly marry one whom he will resent.

3) The sacrifices one must make for his parents relate to things that benefit them, not things that his parents want him to do for his own welfare. The Aruch HaShulchan⁵ asserts a general rule that a parent cannot prevent a child from performing a mitzva in a manner that he feels is best.

Most poskim seem to think that all of the reasons are valid individually, although it is difficult to determine that conclusively.⁶ This is an important point because in some cases, some reasons apply while others do not. Indeed, we do find differences of opinion in some of those cases.

A minority opinion holds that a daughter has to obey her parents' rejection of her choice of a husband, based on the (questionable) assumption that she does not have a mitzva

¹ Yoreh Deah 240:25.

² 166.

³ Honoring one's parents.

⁴ Kiddushin 41a.

⁵ Yoreh Deah 240:45.

⁶ See Tzitz Eliezer XV:34.

to get married. However, the great majority of poskim reject this opinion.⁷

A more serious issue is when the parents not only disagree with the choice, but claim it will cause them disgrace. The Netziv⁸ contends that this impacts them directly and that disgrace overshadows the other considerations. The Tzitz Eliezer,⁹ however, points out that the Maharik discussed a particular situation in which there were serious, publicly known questions of morality regarding the prospective wife, such that it is difficult to argue that the Maharik considered disgrace a decisive factor. The Tzitz Eliezer further writes that the Netziv's distinction applies only when the disgrace is of a type recognized by Chazal or classical sources. (For example, parents' bigotry toward a certain type of fine Jew should not be camouflaged and turned into an objective disgrace.) Otherwise, the parents should try to make their viewpoint conform to their child's choice, not vice versa.

The Divrei Yatziv¹⁰ cites the Netivot Lashevet, who says that if one's choice of spouse will curtail his ability to perform KIBUD AV VA'EM (e.g., he will have to move away), then it affects the parents, and they can

therefore object. The Divrei Yatziv disagrees because the Maharik's other reasons still apply. It seems, however, that those reasons apply only when a decision to marry has already been or is almost made. If one is considering a "shidduch idea" (before there is an emotional connection) that will negatively impact his or her parents, their feelings and interests should be considered. This is not an absolute rule, however. The range of potential dating partners, age, dating history, and whether a particular suggestion is unusually promising are important factors.

We would also urge anyone who values the relationship with his/her parents to not only be right, but to be smart. Every person must consider the "fifth Shulchan Aruch", i.e., the ability to apply Halacha wisely. Parents are very often right when they try to protect their child from a horrible mistake. He/she should not only consider their motive, but also the possibility that the parents have picked up on what he/she overlooked due to his/her lack of experience or the excitement with the relationship. He/she would do well to discuss the matter with a wise advisor. That being said, the same reservations apply to parents, who may make the

⁷ See *Noda B'Yehuda* II, *Even HaEzer* 45; *Yabia Omer* VIII, *Yoreh Deah* 22.

⁸ *Meishiv Davar* II: 50.

⁹ Op. cit.

¹⁰ *Even HaEzer* 3.

moral or tactical mistake of their lives
by getting improperly involved.

