**Parsha Potpourri**

**Parshas Emor – Vol. 12, Issue 28**

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**דבר אל בני ישראל לאמר בחדש השביעי באחד לחדש יהיה לכם שבתון זכרון תרועה מקרא קדש (23:24)**

**אך בעשור לחדש השביעי הזה יום הכפרים הוא מקרא קדש יהיה לכם ועניתם את נפשתיכם (23:27)**

Parshas Emor contains a list of the Yomim Tovim and their associated mitzvos. In most cases, the Torah first gives the date of the Yom Tov and declares it to be a מקרא קודש – day designated for holiness, and then proceeds to discuss the unique mitzvos of that festival, such as eating matzah on Pesach and fasting on Yom Kippur. However, there is one glaring exception. When discussing Rosh Hashana, the Torah first gives the mitzvah of the day – זכרון תרועה (blowing the shofar) – and only afterward mentions that it shall be a מקרא קודש, an inversion of the order used regarding every other Yom Tov. What is the reason for this anomaly?

In his sefer Pachad Yitzchok on Rosh Hashana (28), Rav Yitzchok Hutner explains that each of the festivals is designated as a holy Yom Tov, and as a result, there are special mitzvos to be done on those days. For this reason, each of them is first described as a מקרא קודש, and only afterward are the mitzvos, which emanate from the מקרא קודש, mentioned. By reversing the order for Rosh Hashana, the Torah is telling us that it is different in this regard. Unlike other Yomim Tovim that only possess their special status because the Torah stipulates that they are a מקרא קודש, Rosh Hashana is inherently a יום הדין – day of Heavenly judgment. It is the day when Hashem judges the entire world, completely independent of the fact that it is a מקרא קודש. Therefore, the Torah first tells us to sound the shofar on Rosh Hashana as a means of enabling us to be found meritorious in judgment, and only afterward does it add that it is also a מקרא קודש.

As support for this insight, Rav Yisroel Reisman points out that prior to the giving of the Torah, there was no Yom Tov of Rosh Hashana and there was no מקרא קודש in effect, yet it was still a יום הדין. This is because of Rosh Hashana’s status as היום הרת עולם – the day of the world’s creation, and on that day, we all pass before Hashem in judgment. This also helps us understand how Hashem can judge non-Jews, angels, and animals on Rosh Hashana, even though they have no part in the מקרא קודש aspect of the day. The Torah subtly alludes to this concept by intimating that in contrast to the mitzvos for other Yomim Tovim that emanate from the day’s status as a מקרא קודש, the Day of Judgment has been around since the time of Creation, which warrants the blowing of the shofar even if it would not be a Yom Tov.

**ולקחתם לכם ביום הראשון פרי עץ הדר כפת תמרים וענף עץ עבת וערבי נחל (23:40)**

In discussing the mitzvos of Sukkos, the Torah commands us to take four species: lulav, esrog, hadasim, and aravos. However, none of the species are referred to in the Torah using the names by which we know them. The esrog is called a פרי עץ הדר, the fruit of a beautiful tree, which the Gemora (Sukkah 35a) identifies as an esrog. The Malbim explains that there are two seemingly synonymous words in the Hebrew language: הוד and הדר, both of which mean beauty. What is the difference between them? The Malbim explains that the term הדר refers to external beauty, while the word הוד is used to connote internal beauty, such as when Hashem commands Moshe (Bamidbar 27:20) ונתת מהודך עליו – Place some of your הוד, your glory and internal beauty, upon Yehoshua.

Rav Yisroel Reisman points out that when the beauty of human beings is discussed in Tanach, sometimes the expression הוד is used, and at other times we find הדר, but they are never used in tandem. According to the Malbim’s dichotomy, he explains that an individual person can either be beautiful on the outside or beautiful on the inside, but not both at the same time, as הוד and הדר are inconsistent with one another. A person who possesses external beauty is likely to be haughty and vain, while somebody who is beautiful on the inside tends not to focus as much on his outer appearance. However, regarding Hashem we find (Divrei HaYamim 1 16:27) that הוד והדר לפניו – there is both internal and external beauty before Him, for He alone is uniquely capable of maintaining these two contradictory traits.

Rav Reisman adds that this insight fits nicely with Rav Gedaliah Schorr’s explanation of the poem האדרת והאמונה לחי עולמים – Strength and faithfulness are His Who lives eternally – that many have the custom to sing on Simchas Torah. Rav Schorr explains that each line in this song refers to two concepts that generally do not go together, but in each case, we praise Hashem for possessing these opposite characteristics. For example, העוז והענוה לחי עולנים – He has both might and modesty. Normally, powerful humans let their prestige go to their heads, but Hashem is able to balance both attributes simultaneously. Similarly, we say הדעה והדיבור לחי עולמים – Knowledge and speech belong to Hashem. The Gemora teaches (Pesachim 99a) that silence is good for the wise, yet Hashem is capable of being wise and also speaking. In this vein, we also praise Hashem by saying that ההוד וההדר לחי עולמים – He possesses both internal and external beauty, which for human beings are mutually exclusive, yet they coexist for Hashem.

**ויניחהו במשמר לפרש להם על פי ד' (24:12)**

Parshas Emor concludes with a tragic episode in which a man cursed and blasphemed Hashem. Initially, Moshe did not know the appropriate punishment for this sin, so the blasphemer was placed in jail while they awaited clarification from Hashem regarding his sentence. Rashi explains that even though this incident occurred in the same period of time as the episode of the wood-gatherer (Bamidbar 15:32-36), the blasphemer was not placed in a jail cell together with him, but rather was incarcerated by himself. Why indeed were they not placed together?

In his sefer Ikvei Erev, Rav Azriel Lankeh explains that Rashi writes that at that time, it was still unknown whether the blasphemer was liable to the death penalty altogether. In contrast, they already knew that the man who gathered wood on Shabbos was going to be put to death (Shemos 31:14), and Moshe was merely waiting for Hashem to tell him which form of execution to use. Accordingly, if they put the blasphemer in the same cell as the wood-gatherer, it would be tantamount to placing him on “death row” prematurely, which would cause him needless anguish and anxiety. Until Hashem informed Moshe that the blasphemer was indeed to be put to death, it would have been cruel to treat him like somebody whose death sentence has already been determined, and therefore he was confined separately.

Rav Yissocher Frand adds that the sensitivity displayed by the Torah is astonishing when we realize that the person in question was not an upstanding member of society, or even a run-of-the-mill sinner, but rather a person who committed the reprehensible sin of cursing Hashem’s name. In contrast to other sins that are motivated by momentary lusts and desires, this action gave no personal pleasure or benefit, and represented a premeditated rebellion against Hashem.

If we were in charge of deciding the fate of such an evil person, we would be inclined to show him no mercy or compassion, placing him in jail to rot with no concern for his emotional state. However, Moshe understood that ultimately, the blasphemer was still a Jew, and as such, had to be treated with sensitivity. Because his punishment was not yet known, it was therefore forbidden to cause him any unnecessary suffering by treating him in a manner which could lead him to conclude that he had already been condemned to death, when that was not the case. If the Torah shows so much concern for the psychological welfare of a person who blasphemed Hashem, how much more so must we be considerate and understanding to the feelings of every Jew with whom we interact.

**Parsha Points to Ponder (and sources which discuss them):**

1. The Mishnah in Gittin (90a) contains a dispute regarding when a man may divorce his wife. Beis Shammai maintains that he may do so only if she commits an immodest act, while Beis Hillel opines that he may do so even if she merely burned his food, and Rebbi Akiva posits that he may do so even if he finds another woman who is more attractive. According to Beis Shammai, why does the Torah need to forbid (21:7) a Kohen to marry a divorced woman when she would be forbidden to him regardless as a harlot? (P’nei Dovid, Divrei Dovid, Har Tzvi 22:13, Derech Sicha Vol. 2)
2. The Torah commands us (21:8) to sanctify Kohanim and to treat them respectfully, giving them precedence in all spiritual matters. If a Kohen and a Yisroel have the same level of obligation to pray as Shaliach Tzibbur, is there a mitzvah to give precedence to the Kohen? (Pri Megadim Orach Chaim 53:14, Shu”t Chelkas Yaakov 2:49)
3. What should a person do if he crosses the International Date Line during the period of time known as Sefiras HaOmer (23:15-16), either in a manner which causes him to completely “miss” one of the days of the Omer or in a manner which causes him to “repeat” one of the days of the Omer? (Mikraei Kodesh Pesach 2:63, Shu”t Be’er Moshe Vol. 7, Shu”t B’tzeil HaChochmah 5:96-98, Shu”t Mishneh Halachos 10:121, Shu”t Kinyan Torah 5:46, Torah L’Daas Vol. 8, Piskei Teshuvos 489:6)

**Answers to Points to Ponder:**

1) The **Chida** offers several answers. The verse is needed to forbid a woman who was divorced after engagement for other reasons, which even Beis Shammai permits, from marrying a Kohen, to whom she would otherwise be permitted. It is also needed for women whose husbands were forced to divorce them due to various medical conditions that developed in the husbands. Many opinions maintain that Beis Shammai’s position is only Rabbinical in nature, in which case the husband is Biblically permitted to divorce her, thereby necessitating our verse. Even if the prohibition is Biblical in nature, our verse could be needed for a case where a husband transgressed and divorced his wife for other reasons. Others maintain that Beis Shammai is simply giving advice regarding when to divorce, but agrees that there is no prohibition against divorcing for any reason. Those who went to battle wrote divorce documents for their wives to prevent them from becoming agunos if they didn't return, which even Beis Shammai allows.

2) The **Pri Megadim** rules that a Kohen has precedence to serve as Shaliach Tzibbur over a Levi and a Levi over a Yisroel, although a Torah scholar has precedence over all other categories. However, the **Chelkas Yaakov** disagrees and argues that all of those obligated to lead the prayers or say Kaddish are legally considered partners in the mitzvah, and the Magen Avrohom writes that there is no obligation for partners to give precedence to a partner who is a Kohen.

3) **Rav Betzalel Stern** maintains that in the case where one will miss a day, he should continue his count based on the location to which he traveled, but he may not recite a blessing because he has missed a day. In the case where he will repeat a day, he should also count according to the new location, which means that on the first day, he repeats the count that he already counted the day before without saying a blessing since he has already counted that day, and he continues on the following day to count with a blessing according to the local count. In the first case, **Rav Menashe Klein** disagrees and argues that after crossing the date line, one may count the day that he is skipping without a blessing and then resume counting with a blessing in his new location based on their count. There is a minority opinion which rules that one should continue to count with a blessing from where he left off, even though it differs from the count of his new location. This would have the unusual result of celebrating Shavuos on a different day than the local community. Several sources add that because this subject is so complex, one should avoid crossing the date line during Sefirah if possible. For practical questions, a Rav should be consulted.

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