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Yoma Daf 40

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Daf Notes is currently being dedicated to the neshamah of

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The *chachaimim* hold that putting the lot on the respective goats is not essential nor is the confession done on the goat *la’azazel* (the wilderness). Rabbi Shimon holds the confession is essential but the lottery is not.

The Gemora brings a Baraisa which appears to say that the lottery to determine which goat is bought as a sacrifice and which goat is sent to the wilderness is not essential to the Yom Kippur service.

The Gemora rejects this by saying the *chachaimim* were speaking about placing the lots on the heads’ of the goats. The actual lottery, however, is indeed essential.

The Gemora then brings Rabbi Shimon who apparently agrees with the *chachamim’s* ruling in regards to the lottery, but disagree with their ruling in regards to the confession said over the goat. Whereas the *chachamim* hold the confession is not essential, Rabbi Shimon holds it is. The difficulty is that we know from elsewhere that Rabbi Shimon holds the entire lottery is not essential. How then, can Rabbi Shimon agree with *chachamim* who hold that putting the lots on the goats is not essential, but the actual lottery is essential?

The Gemora answers that Rabbi Shimon didn’t actually know what the *chachamim* said. He therefore responds to them, “If you are referring to

the actual lottery I disagree only in regards to the confession. If, however, you are referring to putting the lots on the goats, I disagree with you on two matters, for I maintain that the actual lottery is also not essential.

Sprinkling the blood of the bull offering before drawing the lottery on the goats does not disqualify the goats even though the order is supposed to be the reverse.

The Gemora attempts to bring a proof from here that just as the order of the lottery is not essential, perhaps the entire lottery is not essential.

The Gemora rejects this by saying that the Baraisa is authored by Rabbi Shimon who indeed holds the lottery is not essential.

The Gemora alternatively suggests that the Baraisa could even be in accordance with Rabbi Yehudah. Even though Rabbi Yehudah holds that the lottery is essential, the order when it is performed is not essential. The reason for this is based upon the following: Since it is performed out of the *Kodesh Hakodashim*, the order of performance is not essential. However, since the lottery is mentioned twice in the Torah, it must be done at some point.

There is a disagreement as to how long the goat that is sent to the wilderness is required to be alive for.

The verse says the goat must be 'stood up alive before Hashem for atonement.' There is a disagreement as to what this is referring to. Rabbi Yehudah holds it is referring to the atonement of blood, and the goat must be kept alive until the blood of the other goat is sprinkled in the *Kodesh Hakodashim*. Rabbi Shimon holds it is referring to the atonement of confession, and the goat must be alive until the Kohen Gadol confesses over it.

One cannot switch the goat for Hashem to the right side if the lot designating the sacrifice for Hashem fell out on the left side.

When the lottery indicated the goat on the right side was to be the sacrifice for Hashem, this was a good omen for the Jews. Rabbi Akiva ruled that if the lot for Hashem fell on the goat on the left side, one cannot move that goat to the right side. The reason for this is that it would look as if the Rabbis were not following the correct procedures, and simply doing whatever they wished. This would give the *tzedukim* (a sect that did not accept the validity of the Oral Torah) support for their arguments against the Rabbis.

The Kohen Gadol was not required to keep the lots on the goats until they were slaughtered.

The verse says the lots came up on the goats. If the verse would have said the lots which are on the goats, it would have meant that the lots had to be kept on

the goats until they were slaughtered. Now that the verse says the lots came up on the goats it is clear that the lots have to be drawn and put upon them. They do not, however, have to be kept there.

INSIGHT TO THE DAF

Lottery on Shabbos

The Pardas Yosef (Vayikra p. 197) brings a question that is asked on the 'Taz Hayodua' - the famous Taz. The Taz, in three places in Shulchan Aruch states a rule that the chachamim cannot prohibit something that is explicitly stated in the Torah. According to this, how could the chachamim prohibit certain kinds of lotteries on Shabbos (as an injunction that it is similar to business or it might lead to writing), when the Torah explicitly said that this was done on Yom Kippur with the two goats?

The Seder Yoma (63) answers according to the Taz himself. The Taz is bothered as to why the chachamim did not prohibit the blowing of the shofar on Yom Tov (because of the injunction of perhaps one would come to fix musical instruments) in the same way they prohibited it on Shabbos. He answers that the Torah explicitly commands to blow shofar on Rosh Hashana and that cannot be uprooted, however a decree that it should not be blown on Shabbos does not uproot the verse, for it will still be blown on Yom Tov when it is not Shabbos. Similarly, even though the Sages prohibited lotteries on Shabbos - that did not uproot the verse of having the raffle on Yom Kippur.

Question

The Gemora is discussing cases where one reverses the order of the bull and the goat. The Gemora wonders if he is required to start all over again. At one junction in the Gemora, we think that the case is as follows: the kohen sprinkles the blood of the bull on the mizbeach before he sprinkled the blood of the goat on the Paroches in the Heichal.

QUESTION: What happened in this case? Normally, the two bloods are mixed together and sprinkled on the Altar after all the sprinklings are completed on the Paroches. Here, that can't be the case, because he subsequently went and sprinkled the blood of the goat on the Paroches afterwards, and presumably this was done by itself. If he did not mix the blood, then how could he sprinkle the blood of the bull on the Altar? What was done?

Rabbi Mordechai Kornfeld suggests: Perhaps that is one of the reasons for the Vilna Gaon's erasure of this section of the Gemora. (However, all of the Rishonim and Kisevei Yad have the section.)

Perhaps the Gemora is suggesting that the Beraisa maintains "Ein Me'arvin le'Keranos," the blood is mixed after sprinkling on the corners of the Mizbe'ach and before sprinkling on the top of the Mizbe'ach (see Yoma 57b).

DAILY MASHAL

Switching the Lots

The students asked Rebbe Akiva if the lot for the korbbon laHashem came out in the kohen gadol's left hand, can he return it to his right. This question was based on it being a good omen for the goat which will be used for the chatas to emerge in his right hand. Rabbi Akiva answered that we should not leave room for the tzidukkim to ridicule us. The Gemora asks on the question: how could one possibly switch according to the Tanna that holds that the lottery is essential to the service.

Tosfos HaRosh and Gevuros Ari ask that this question should be universally accepted, for even the Tanna who holds that the lottery is not essential would agree that if it was done, the lots have established which goat is for which korban; so how can the kohen gadol possibly switch it?

The Mikdash Dovid (24 -3) answers that it is evident from here that according to the Tanna that holds that the lottery is not necessary, even if it was done, that was not what designated each goat to its particular destiny; rather, it was the words of the kohen. Even if the lots indicated one way, the kohen (if not for the tzidukkim problem) could have switched them.

Another question can be asked. What would the benefit be to switch the left to the right? The result of the lots already shattered our hopes of the good omen?