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Yoma Daf 63

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Daf Notes is currently being dedicated to the neshamah of

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May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

The *Gemora* asks: But does Rav Chisda adopt the principle of ‘since’? [Where one slaughtered the two he-goats of Yom Kippur outside the Courtyard before the lots were cast, then he is liable in respect of both, for they are fit to be offered up as the (mussaf) he-goat performed outside (in the Courtyard).] Surely Rav Chisda said: If someone had slaughtered the pesach sacrifice outside (of the Courtyard) on any of the other days of the year (not on the fourteenth of Nissan), then, if he did it for its own sake, he is exempt (for after the fourteenth, it is disqualified, and thus it is not eligible to be offered inside the Temple), but if he did it not for its own sake, he is liable (for it is valid as a shelamim). The reason that he is liable is because he slaughtered it not for its own sake; but if he had slaughtered it without any intent at all, it is regarded as if it was slaughtered for its own sake, and he would be exempt? But why? Let us say: Since it would be fit for a sacrifice offered inside not for its own sake (he should be liable)?

The *Gemora* answers: Now, how can the cases be compared? There (by the pesach sacrifice), an uprooting (of its designation) is necessary (and until that happens, it is not fit to be offered inside); whereas this one (the he-goat on Yom Kippur) needs no such uprooting.

Rabbah bar Shimi taught these (two statements of Rav Chisda) as coming from Rabbah. He then raises a difficulty from the one view of Rabbah against the other

stated by Rabbah; and he resolves the difficulty as we have resolved it. (63a1)

When Rav Dimi came from Eretz Yisroel, he said in the name of Rabbi Yirmiyah, who said it in the name of Rabbi Yochanan: If one slaughtered a pesach sacrifice outside on any of the other days of the year, whether for its sake or not for its sake, he is exempt.

Rav Dimi said: I have reported this statement in the presence of Rabbi Yirmiyah (and I asked him): It is reasonable (in the case where it was slaughtered) for its sake, since it is not fit (for the Temple), but (where it was) not for its sake (why should he be exempt)? Surely it would be fit as a sacrifice not for its own sake inside the Temple? And he replied to me: The uprooting (of the designation of a sacrifice) outside (the Temple) is not deemed (an effective) uprooting.

When Ravin came (from Eretz Yisroel), he said in the name of Rabbi Yirmiyah, who said it in the name of Rabbi Yochanan: If one slaughtered a pesach sacrifice outside on any of the other days of the year, whether for its sake or not for its sake, he is liable.

The *Gemora* asks: Even ‘for its own sake’? But have we not learned in a *Mishna*: When he is exempt for offering it outside before its time, this applies whether by virtue of itself (*it is not yet in its eighth day*), or by virtue of the owner (*for it is before the time that he may offer this*

sacrifice). What is a case where the animal is before its time by virtue of the owner? A *zav*, a *zavah*, a woman after childbirth or a *metzora* who have offered their *chatas* offerings and *asham* offerings outside are not liable; however, their *olah* offerings and *shelamim* offerings outside, they are liable (*for these would be accepted as voluntary offerings*). And Rav Chilkiyah bar Tuvi says that this is true only if he sacrificed it for its sake, since it is not yet fit for that purpose. However, if he sacrificed it for the sake of another type of sacrifice (e.g., *olah* – burnt offering), he is liable, since it would be valid inside for that purpose. Now, at any rate, then, when offered up for their own sake, the owners are exempt. But why is that? Let us say that since they (an *asham*) are fit to be offered up not for their own sake inside (they should be liable)?

The *Gemora* answers: How can the cases be compared? There (by an *asham*), an uprooting is necessary, but here, a *pesach* sacrifice during the rest of the days of the year is (automatically) a *shelamim*.

Rav Ashi taught: [Ravin said:] He is liable, as we had stated above. Rabbi Yirmiyah of Difti taught: He is not liable, because he is of the opinion that the *pesach* sacrifice during the rest of the days of the year requires an uprooting, and uprooting (of the designation of a sacrifice) outside (the Temple) is not deemed (an effective) uprooting. And he disagrees with Rav Chilkiyah bar Tuvi. (63a1 – 63a3)

The master had stated: If, however, (he slaughters them) after the lot was cast, then he is liable in respect of the one cast ‘for Hashem,’ but exempt in respect of the one cast ‘for Azazel.’

The *Gemora* cites a *braisa*: *Any man from the house of Israel that slaughters an ox or sheep, or goat, in the*

camp, or that slaughters it outside the camp, and has not brought it to the entrance of the Tent of Meeting to present it as an offering to Hashem. From (the word) ‘*korban*,’ I might say that one is liable (for sacrificing outside the Temple) even for animals that were dedicated to the Temple maintenance. This is as the verse states: *And we will offer the sacrifice of Hashem (and this seemingly is called the sacrifice of Hashem).* This is why the verse states: *and has not brought it to the entrance of the Tent of Meeting.* This refers to a sacrifice that is fit to be brought to the Tent of Meeting, and excludes an animal merely dedicated to the Temple maintenance, which does not go there. One would think we should exclude these animals, but not the *chatas* cow (red heifer) or the *Azazel* goat, which is fit to be brought to the Tent of Meeting (*and only after it is chosen is it sent out to Azazel*). This is why the verse states: *To Hashem*, excluding the goat to *Azazel*, which is not offered in the Temple to Hashem. [*Evidently ‘to Hashem’ is being used as an exclusionary phrase.*]

The *Gemora* asks: But do the words ‘*to Hashem*’ imply an exclusion? But note the contradiction from the following *braisa*: *It shall be acceptable for a fire offering to Hashem.* This refers to the burning of these sacrifices on the fires of the Altar. From this I could only prove that there is a prohibition against burning a sacrifice (when it is less than eight days old); from where would you know that one should not even consecrate a premature animal? It is because it is written: *korban. To Hashem* includes the case of the he-goat that is sent to *Azazel* (*on Yom Kippur – there is a prohibition against consecrating such an animal to be used for this service – if it is less than eight days old*).

Rava answers: There we go according to the context, and here we go according to the context. There (*regarding the prohibition of slaughtering of sacrifices*

outside of the Temple), since the verse, 'to the entrance (of the Tent of the Meeting)' includes (the Azazel goat); therefore the text, 'to Hashem' in that connection excludes (the Azazel goat). Here (regarding the prohibition of consecrating a premature animal), however, as the text 'fire offering' excludes (the Azazel goat), therefore the text, 'to Hashem' in that connection includes (the Azazel goat). (63a3 – 63b1)

[Two goats are taken on Yom Kippur to the Temple. A lottery is performed to see which one is offered as a sacrifice, and which one is the Azazel goat.] The Gemora notes from the *braisa* mentioned above that the reason why a premature he-goat is not sent to Azazel is because of the verse: *to Hashem*. But if the Torah had not included this case with that verse, I might have thought that it was acceptable to offer a premature he-goat. But let us consider, however: The lottery designates only such animals that are fit (to be offered as the goat 'to Hashem'; and since the premature one cannot be used for that offering, it cannot be used for the Azazel as well; why then is a verse necessary to teach us that one cannot consecrate a premature goat for Azazel)?

Rav Yosef answers: This represents the opinion of Chanan the Egyptian, for he said: (regarding the two goats of Yom Kippur, where the slaughtering of the chatas goat and the sprinkling of its blood is not valid unless the goat being sent to Azazel is still alive): Even if the blood (of the chatas goat) is in the cup (before it was sprinkled, and the Azazel goat died), he brings another goat and pairs it (with this one; we do not say that the blood is permanently rejected). [The verse would be necessary for a case where the Azazel goat was chosen without a lottery.]

The Gemora asks: Granted that you can understand from Chanan the Egyptian that there is no rejection; but have you heard that he said that there is no casting of lots? Perhaps he brings two new goats and casts lots? [It will be done in the following manner: He brings two new goats and casts lots as to which shall be 'to Hashem' and which for Azazel. The animal which is designated 'to Hashem' he leaves to graze until it develops a blemish, and the other one, on which the lot for Azazel has fallen, he brings and pairs it with the slaughtered goat. Now since he must cast lots, the second animal, in order to be used for Azazel, must be older than eight days.]

Rather, said Rav Yosef: This will represent the opinion of Rabbi Shimon, for it has been taught in a *braisa*: If one of the two goats died (after the lottery), he brings the other without casting lots. [The verse would be necessary for this case where the Azazel goat was chosen without a lottery.]

Ravina answers: The text is necessary for the following case: The Azazel goat developed a blemish after the lottery and they redeemed it upon another animal which also possessed a blemish. [All would agree here that a new lottery is not necessary, for the second animal is receiving its sanctity from the first one – and that animal already underwent the lottery. The novelty is that if it is less than eight days old, it is invalid.]

The Gemora asks: But from where do we know that a blemish renders it (the Azazel goat) invalid?

The Gemora cites a *braisa*: Nor shall you place any of them as a fire offering. This refers to the burning of these (blemished) sacrifices on the fires of the Altar. From this I could only prove that there is a prohibition against burning the entire sacrifice; from where would

you know that the same applies to a part of a sacrifice? It is because it is written: *any of them*. From where would you know that it is forbidden to sprinkle the blood (*of blemished animals*)? It is written: *Upon the altar*. *To Hashem* includes the case of the he-goat that is sent to Azazel.

The *Gemora* notes: Now it was necessary (for the Torah) to write (the disqualification of an Azazel goat) when it is blemished, and one which is premature. For if the Torah had only written about the premature animal, I would have assumed there it is disqualified because its time has not yet come, but in the case of one which is blemished, whose time had come, I might have assumed that the disqualification does not apply. And if the Torah had only written about the blemished animal, I might have assumed the reason for its being disqualified there is because it is offensive, but with the premature animal where there is no offensive feature, one might have assumed the disqualification does not apply; therefore it was necessary to write about both.

Rava said: The verse was necessary for the case where he (the person who sold the he-goat to the Temple) had a sick person in his house, for whom he slaughtered its (the he-goat's) mother on Yom Kippur (in order to feed the sick person; it is now forbidden to use its offspring as the Azazel goat, for there is a prohibition against slaughtering a mother and its offspring on the same day).

The *Gemora* asks: But is it forbidden in such a case? Doesn't the Torah say: You shall not slaughter it, and this (the pushing of the goat off the cliff) is not slaughtering!?

The *Gemora* answers: In the West they said: Pushing it down off the cliff is regarded as slaughtering it. (63b1 – 64a1)

DAILY MASHAL *Heaven Sent*

The raffle is the method used to determine which will be the goat for the *korban* and which will be sent off the cliff. The *Gemora* in Sanhedrin states the significance of a '*goral*' when Yehoshua rebuked Achan and told him that Eretz Yisroel will be divided utilizing a '*goral*.' It is written in the name of the Gaonim that a '*goral*' is heaven-sent.

The Chavos Yoir writes that when a *goral* is done properly, it can be considered *hashgochas Hashem*. The Ran writes that a *goral* can also be called a '*payas*,' for it resolves potential fighting among the kohanim. This is why it is found at times that mourners should use a *goral* when there is an issue as to who should *daven* for the *amud*. Knowing that when done correctly, it is being resolved with *hashgocha* can certainly be beneficial to all the parties involved.