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Yoma Daf 64

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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

### **Which goat isn't used?**

The Mishna said that if either of the goats died, a lottery is made with a new pair, and the extra goat is put out to graze until it is blemished.

The Gemora cites a dispute about which extra goat grazes. Rav says the extra one in the first pair is offered, and the extra one in the second pair grazes, while Rabbi Yochanan says the opposite.

The Gemora explains that their dispute is actually whether a live animal which is disqualified from sacrifice remains disqualified forever or not. Rav says it is not, and therefore the first goat, which was disqualified when its partner died, is valid once it has a partner, while Rabbi Yochanan says that it remains disqualified, and therefore the second goat is offered.

Rav learns that a live animal doesn't remain disqualified from the case of an animal younger than eight days, which is not yet fit for a sacrifice, but is fit once it grows old enough, so too here, it should be no different.

The Gemora challenges this source, as such an animal was never fit, but this goat was fit and became disqualified.

The Gemora instead says the source is an animal which develops a temporary blemish, which, although it is not fit now, it becomes valid once the blemish is gone, so too here, it should be no different.

How is it known there? For the verse says that a blemished animal is unfit, because *mashchasam bahem* – *their destruction is in them*, *mum bam* – *a blemish is in them*, implying that it is invalid when the blemish is present, but once the blemish passes, it is accepted.

Rabbi Yochanan says that the word *bahem* – *in them* excludes other similar situations, limiting this to only the case of a blemish. However, regarding all other rejected animals, once they are rejected, they remain rejected.

Rav says the word *bahem* – *in them* teaches that a blemished animal is unfit the word *bahem* – *in them* when it's by itself, but not when mixed in with other animals, as we have learned in a Mishnah regarding limbs of blemished sacrifices which got mixed with limbs of unblemished ones. Rabbi Eliezer says that if the head from one of them was offered on the Altar, the rest of the heads may be offered, and if the leg of one of them was offered, the rest of the legs may be offered; while the Sages say that even if all of them have been offered except for one, it must be taken outside to the place of burning (but all agree that whatever was offered need not be removed).

Rabbi Yochanan says that since the word used is *bahem*, and not just *bam*, this word teaches both, while Rav says that *bam* and *bahem* are equivalent, letting us learn only one thing from that word. (64a1 – 64a2)

The Gemora asks that according to Rav – although he maintains that living things cannot be rejected, the law should be that if he wishes, he may offer this one, and if

he wishes, he may offer this one (as they are both fit), and Rava answers that Rav follows Rabbi Yosi who says that there is a preference to offer the first one sanctified.

The Gemora asks: Which position of Rabbi Yosi does Rav refer to? If you will say that it his statement regarding containers, for it was taught in a Mishnah: There were three containers each of three se'ahs, in which they took up terumah out of the Temple Chamber, and on each of them was inscribed: Aleph, Beis, Gimmel. And we have been taught in a Baraisa: Rabbi Yosi said: Why is Aleph, Beis, Gimmel inscribed upon them? So that one may know out of which of them the terumah was taken up [out of the Temple Chamber] first, to use it first, for the mitzvah properly applies to the first! — But perhaps there is different, since the later container's coins were not there when the first one's were filled up, as opposed to the goats, which are both available for sacrifice simultaneously.

Rather, the Gemora says that it is his position about a lost pesach offering, for it was taught in a Baraisa: If one designated a pesach offering and it got lost, and then he designated a replacement, and afterwards, the first one was found, and they are both standing before us – he may offer whichever of them he wishes; these are the words of the Sages. Rabbi Yosi says: It is a mitzvah to offer the first one should be offered, but if the second one is better quality, he should bring that one. (64a2 – 64b1)

Rava says that the Mishnah is consistent with Rav's position, while the Baraisa is consistent with Rabbi Yochanan's. The Mishnah is consistent with Rav's position, for the Mishnah states that if the chatas goat died, the chatas goat of the second pair takes its place, implying that no other changes are made, leaving the original Azazel goat in place. The Baraisa is consistent with Rabbi Yochanan's position, for the Baraisa states that the when the Mishnah says the “second” goat [is left to graze], I do not know if it refers to the second of the first pair, or the

second one of the second pair. Since the verse says that the Azazel goat *ya'amad chai* – *will be kept alive*, implying that it must be the one which wasn't kept alive before, but will only be kept alive from now. [Evidently, it is referring to the second of the second pair.] How does that follow? — ‘It shall now be set alive’, [and] not the one that has been set [alive] before [but whose pair has died]. (64b1)

The Gemora cites the Mishnah which cites Rabbi Yehudah saying also that if the blood of the chatas goat was spilled, the Azazel one is put to death, and if the Azazel one dies, the chatas goat's blood is spilled. - The statement that the Azazel one is put to death is consistent with Rabbi Yochanan's position that a live animal which was disqualified remains rejected, but according to Rav, who maintains that living animals are not rejected permanently, why should the Azazel goat be left to die? The Gemora answers that Rav will say: I did not state my ruling according to Rabbi Yehudah; I said my position only according to the Sages.

The Gemora then says that Rav can explain that this is actually the dispute between Rabbi Yehudah and the Sages, but what does Rabbi Yochanan say is their dispute? Rava responds that this is consistent with his earlier statement that the Mishnah supports Rav. (64b1)

The Gemora cites the Mishnah's explanation that the remaining goat grazes until blemished, because a communal chatas is not put to death, implying that in a similar situation with an individual's chatas, it would be put to death. - This is consistent with Rabbi Yochanan's position that the Mishnah is referring to the first goat, as it follows Rabbi Abba in the name of Rav, who says that all agree that if one offered a new chatas in lieu of a lost one that the lost one is put to death. However, according to Rav, the Mishnah's case should be like one who separated two animals for his chatas, and chose to offer one, in which case the other one is left to graze.? The Gemora answers that since Rav follows Rabbi Yosi who says that he

must use the first one, designating the second one is akin to designating it to be destroyed, which would therefore be put to death in a case of individual chatas. (64b2 – 65a1)

## INSIGHTS TO THE DAF

### *Chopping its Head as a Shechitah*

Tosfos discusses if we can equate the concept we have by the Azazel goat to an eglah arufah. There is a din if we find a corpse of a man that has been murdered between two cities and we cannot verify the killer, we must bring a calf and cut off its head and that serves as an atonement. Do we say there that the cutting of its head constitutes a shechitah, and therefore it will not be considered a neveilah, and there would be the prohibition of slaughtering its offspring on that same day.

The Minchas Chinuch asks on a ruling of the Rambam. The Rambam states that if one slaughters the calf, there would be a prohibition to slaughter the mother. Why doesn't the Rambam teach us a bigger novelty, that if he chops off its head, it is deemed to be a slaughtering, and there would be that prohibition?

Rav Rudderman in his Sefer Avodas Levi answers that this concept that something can be considered a shechitah (even though it isn't) can only be by something that is in the regular category of kadashim, where we find the concept of shechitah. This would be applicable to the Azazel goat. However, the eglah arufah is in a category of kadashim all by itself, and there we do not find shechitah, so the chopping off of its head cannot be considered a shechitah. He adds that this is true by the melikah of a kadashim bird as well.

## DAILY MASHAL

### *First or Better?*

The Gemora states that if one designated an animal for a Korban Pesach and it got lost and he chose another one

and subsequently the first one was found, he should use the first animal. However, if the second one is of a superior quality, he should bring that one. Tosfos comments that this is not applicable by the two goats. Here, the mitzvah is always to bring the initial one, even if the latter one is a better animal. He says that the Gemora's halachah would only apply 'בגבולין' or on a korban that is brought in the azarah, however the goats which are burned outside of the three camps, this din does not apply.

The Chacham Tzvi explains the Tosfos that even though the fats of the goat are burned on the mizbeach, its meat is burned outside the camps. The one which is the better animal will be redeemed and used as a korban olah, where the entire animal will be brought on the mizbeach. This is more preferable.

He concludes that if one had prepared wax candles for lighting the menorah on Chanukah and then olive oil was brought to him, he should use the oil. The same would be true regarding an esrog. One should always use the nicer one, even if it was not the first and even if he was ready to use the other. The Shvus Yaakov disagrees with this.