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Yoma Daf 65

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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* cites a *Mishna* (in support of R’ Yochanan’s opinion): Rabbi Yehudah says: It shall be left to die. The *Gemora* explains: It is understandable according to the view of Rabbi Yochanan, who said that the second of the first pair must be left to graze (that is, according to the Rabbis), and (it is this one which) according to Rabbi Yehudah be left to die, so that he obtains atonement through the second one of the second pair. However, according to the view of Rav, who said that the second of the second pair must be left to graze, and (it is this one which) according to Rabbi Yehudah must be left to die, then according to Rabbi Yehudah, through which can he obtain atonement?

The *Gemora* deflects the proof: Do you understand that Rabbi Yehudah refers to the second of the second pair? Rabbi Yehudah refers to the second of the first pair (that is the one which is left to die; the goat of the second pair, however, is available to be used for the service). (65a1)

Others posed the (above) question in the following manner: Even more so did Rabbi Yehudah say: If the blood of the (*chatas*) goat spilled, the goat which was to be sent away is left to die (*for it is permanently rejected; two new goats must be chosen*); if the goat which was to be sent away died, the blood of the other one must be spilled out. Now, it is understandable according to Rav, for in the first part (of the *Mishna*) they are disputing about a communal *chatas* (if it is left to die or not), and in the latter part, they are arguing about (the rejection of) living animals, but according to Rabbi Yochanan, what does ‘even more so’ signify (there is only one dispute between them)?

The *Gemora* notes that this remains as a difficulty. (65a1 – 65a2)

The *Mishna* had stated: Even more so did Rabbi Yehudah say: If the blood of the (*chatas*) goat spilled, the goat which was to be sent away is left to die (*for it is permanently rejected; two new goats must be chosen*).

The *Gemora* asks: It is understandable that when the blood spilled out, the Azazel goat must die, because the command with it (the throwing of the blood of the sacrificial goat) had not been fulfilled, but when the Azazel goat died, why should the blood be spilled out; surely the commandment associated with it (the lottery) had been fulfilled?

The *Gemora* answers: The School of Rabbi Yannai said: It is written: *The goat shall be stood alive before Hashem to make atonement*; i.e., how long must he stay alive? Until the time that his fellow’s blood is applied. (65a2)

The *Gemora* cites a *Mishna* taught elsewhere: People of a city sent their *shekalim* (*for the sacrifices of the year*) with a messenger and they were stolen or lost from the messengers. If the new funds were already divided and started to be taken when they came to *Beis Din*, they (*the messengers*) swear to the treasurers of the Temple (*that they were not negligent*). If the new funds were not yet divided and taken, the messengers swear to the people of the city, who must give new *shekalim*. If the *shekalim* were found or returned, they are *kodesh* and cannot be used for next year. Rabbi Yehudah says: They count for the next year.

What is the reasoning of Rabbi Yehudah? Rava says: Rabbi Yehudah holds that obligatory offerings of one year may be offered in the following year.

Abaye challenged Rava from the following *braisa*: If a bull or goat of Yom Kippur or a goat of mistaken communal idolatry were lost and replaced, and then found, they must be put to death; these are the words of Rabbi Yehudah. Rabbi Elozar and Rabbi Shimon say that they left to graze until they develop a blemish, and then redeemed, with the proceeds buying a voluntary communal sacrifices, since a communal chatas is not put to death.

Rava said to him: You speak about communal sacrifices? It is different with communal sacrifices, as Rabbi Tavi said in the name of Rabbi Yoshiyah. For Rabbi Tavi said in the name of Rabbi Yoshiyah: It is written: *This is the olah of every new moon at its renewal throughout the months of the year.* The Torah is indicating as follows: Renew (the sacrifice on the new month of Nissan) and bring Me an offering of the new separation (i.e., from the *shekalim* that were just collected). [Accordingly, the extra animals may not be used for the Yom Kippur service of the following year.]

The *Gemora* asks: That is understandable concerning the he-goat (which is purchased with public funds), but what can be said in the case of the bull (which is bought with the Kohen Gadol's private funds)?

The *Gemora* answers: A preventive measure attaches to the bull because of the he-goat.

The *Gemora* asks: And because of a preventive measure, shall they be left to die? And, furthermore, the teaching of Rabbi Tavi in the name of Rabbi Yoshiyah characterizes the action as merely a mitzvah (but it is not essential), for Rav Yehuda learned in the name of Shmuel that public offerings that were brought on the first of Nissan from the funds of the previous year are valid, but the mitzvah was not done in the preferred manner.

Rather, said Rabbi Zeira: The reason why they cannot be offered in the following year is because the lot of one year cannot determine for the following year.

The *Gemora* asks: But let us cast lots again (the following year)?

The *Gemora* answers: There is the concern that people might say the lots do determine from one year for the next.

The *Gemora* asks: That answer is reasonable as far as the he-goat is concerned, but what can be said about the bull (which does not require lots)?

The *Gemora* answers: The prohibition attaches to the bull on account of the he-goat.

The *Gemora* asks: And because of a preventive measure, shall they be left to die?

The Rabbis before Abaye answered that it is a preventive measure on account of a chatas whose owner had died (which must die; we are concerned that the Kohen Gadol will die during the year).

The *Gemora* asks: That is understandable in the case of the bull, but what of the case of the he-goat (which is a communal offering, and the concern of the death of the owner is not applicable)?

The *Gemora* answers: The restriction in the case of the bull is on account of the he-goat.

The *Gemora* asks: And because of a preventive measure shall they be left to die?

The *Gemora* answers: Rather, it is a restriction because of a chatas whose (first) year has passed.

The *Gemora* asks: Is that (but) a preventive measure? This is itself a chatas whose (first) year has passed!?

The *Gemora* answers: This is no difficulty, in accordance with the view of Rebbe, for it was taught in a *braisa*: It is written: *a full year*. Rebbe says: He (a seller of a house) is allowed (*in*

every year) according to the solar year (*he has the entire solar year to redeem it, consisting of 365 days, which is composed of the 354 days of the lunar year, plus the eleven days difference between the lunar and the solar year*). The Sages, however, say: He counts twelve months from day to day. And if the year is intercalated, the advantage belongs to the seller (for he gains an extra month, in which he can redeem it). [Accordingly, it can still be possible for a he-goat, which was concentrated in one year, to be offered the next year, when it is still less than a year old.]

The *Gemora* asks: That is correct as far as the he-goat is concerned, but what can be said in the case of the bull (which is an animal in its third year)?

The *Gemora* answers: The preventive measure attaches to the bull because of the he-goat.

The *Gemora* asks: And because of a preventive measure, shall they be left to die? And furthermore, a chatas whose year has passed is left to graze, for Rish Lakish said: Concerning a chatas whose year has passed, we regard it as if it was standing in a cemetery, and it is left to graze! (65a2 – 66a1)

INSIGHTS TO THE DAF

Definition of a Year; 12 months or 13?

The *Gemora* in Chulin proves from parah adumah and the Azazel goat that we rely on a majority, for otherwise one could question the validity of these korbanos for perhaps they might be a tereifah. Since the majority of animals are not a tereifah, we are not concerned.

Tosfos asks that perhaps it is not because of a majority, rather it is due to a chazakah? An animal which is a tereifah has a chazakah that it will not live? Tosfos HaRosh comments that this chazakah is applicable by these two korbanos, for they are in their second year and the chazakah states that a tereifah cannot live longer than a year. (See there for

explanations as to why this chazakah is not considered a chazakah.)

Reb Shimon Arye Yuzuk asks the obvious question. The Azazel goat is only valid if it is within its first year. How does the Tosfos HaRosh equate this korban with a parah adumah which can be in its second year?

He answers based on our *Gemora*. The Rosh can hold that regarding the age of an animal in relevance to korbanos, a year is calculated by Beis Din, which would include the extra month by a leap year. However, in regards to an animal living longer than a year when it is a tereifah, he would rule that this is dependent on a twelve month year regardless if there is an extra month. (This is an argument between the Shach and the Peri Chadash.) A goat which was born last year in the month of Cheshvan and it was a leap year will still be valid for the korban, for we give it the extra month, yet it would be a proof that it is not a tereifah, for it is in its second year in that regard. As to what the logic is to make such a distinction, I do not know, but the calculation works!!

DAILY MASHAL

Atonement without the Azazel Goat

There is an argument in the *Gemora* in the following case: The *kohen gadol* concluded the applications of blood from the goat for Hashem and subsequently, the Azazel goat died. Rebbe Yehudah holds that it is not necessary to bring another one to send it off and Rebbe Shimon disagrees and holds that if the confession was not yet made on it, he must bring another one. Rashi states that according to both of them, the sending of the goat does not withhold the atonement. The *Gachalei Aish* is bewildered as to how this can be. Klal Yisroel's atonement seems to be dependent on the sending of the goat off the cliff? How can it be that we are not obligated to bring another one? He does give an answer, but I am not certain as to the explanation. However, he does say that even in the above case, the *kohen gadol* would confess the sins of Klal Yisroel without the goat being there (seems like a big *chidush* to me).