

וכי עדרו שורף? מי דמי? הַתָּם – לֹא כְּתִיב 'אוֹתוֹ', הֲכָא כְּתִיב 'אוֹתוֹ'.

אֵיתְמַר, רַב פְּפִי מְשַׁמֵּיהּ דְּרַבָּא אָמַר: רַאשׁוֹן מְשַׁלַּח, וְרַב שֵׁימִי מְשַׁמֵּיהּ דְּרַבָּא אָמַר: אַחֲרוֹן מְשַׁלַּח. בְּשִׁלְמָא רַב שֵׁימִי (בְּרַ אֲשִׁי) מְשַׁמֵּיהּ דְּרַבָּא דְּאָמַר אַחֲרוֹן מְשַׁלַּח – קְסָבֵר: הוּאֵיל וְגַמְר בּוּ כְּפָרָה. אֵלָא רַב פְּפִי מְשַׁמֵּיהּ דְּרַבָּא, מַאי קְסָבֵר? סָבֵר לֵה כְּרַבֵּי יוֹסִי, דְּאָמַר: מְצוּהָ בְּרַאשׁוֹן.

הִי רַבֵּי יוֹסִי? אֵילִימָא רַבֵּי יוֹסִי דְּקוֹפּוֹת, דְּתַנַּן (רַבֵּי יוֹסִי אָמַר): שְׁלֹשׁ קוֹפּוֹת שֶׁל שְׁלֹשׁ סָאִין, שְׁבֵהֶם תּוֹרְמִין אֶת הַלְּשֶׁבֶה, וְהִיָּה כְּתוּב עֲלֵיהֶם אב"ג.

וְתַנַּי, אָמַר רַבֵּי יוֹסִי: לְמָה כְּתוּב עֲלֵיהֶן אב"ג – לִידַע אֵיזוֹ מִהֵן נִתְרַמָּה רַאשׁוֹן, לְהַבִּיא הַיְמָנָה רַאשׁוֹן, שְׂמִצּוּהָ בְּרַאשׁוֹן.

דִּלְמָא בְּעִידְנָא דְּאִיתְחַזַּאי קְמִיתָא, לֹא אִיתְחַזַּאי בְּתַרִּיתָא.

אֵלָא רַבֵּי יוֹסִי דְּפָסַח, (דְּתַנַּן): הַמְּפָרִישׁ פֶּסַח וְאָבֵד, וְהַפְּרִישׁ אַחֵר תַּחֲתָיו, וְאֵחֵר כֵּן נִמְצָא הַרַאשׁוֹן וְהָרִי שְׁנֵיהֶן עוֹמְדִין – אִי זֶה מִהֵן שִׁירְצָה יְקָרִיב, דְּבָרֵי חֲכָמִים. רַבֵּי יוֹסִי אָמַר: מְצוּהָ בְּרַאשׁוֹן, וְאִם הָיָה שְׁנֵי מוֹבָחָר מִמֶּנּוּ – יְבִיאֵנּוּ.

הדרן עלך הוציאו לו

And does he burn his flock? The Torah obligated him to burn only one goat, and yet there are times when he must burn several, as stated in the mishna. Rabbi Nahman retorts: **Is it comparable? There**, with respect to burning the goats, **it is not written: "It,"** which would restrict the burning to only one animal, whereas **here**, with regard to the scapegoat, **it is written: "It,"** which indicates that one animal alone is sent away. The objection has been refuted and indeed only one scapegoat is used.

§ It was stated that *amora'im* disagreed about the following issue. Rav Pappi said in the name of Rava: **He sends the first goat; and Rav Shimi said in the name of Rava: He sends the last of them.** The Gemara analyzes the matter: **Granted**, according to the opinion of Rav Shimi bar Ashi in the name of Rava, who said that **he sends the last of them**, it works out well, as he probably holds as stated above, that the last goat is used, **since the atonement is completed with it.** However, with regard to Rav Pappi in the name of Rava, what does he hold? The Gemara answers: **He holds in accordance with the opinion of Rabbi Yosei**, who said that when several identical items are available for a mitzva, the mitzva is performed with the first of them.^h

The Gemara asks: To which of the *halakhot* of Rabbi Yosei is this referring? From which of Rabbi Yosei's statements is this conclusion derived? **If we say it is the statement of Rabbi Yosei with regard to containers**, this is problematic. **As we learned in a mishna that Rabbi Yosei says: There were three containers^h of three se'a each, with which they collect the donation from the chamber.**ⁿ Every year the money donated to the Temple by the people in the month of Adar was placed in a special chamber. The treasurers subsequently filled three containers with these coins and used the funds to purchase the communal offerings, e.g., the daily offerings and the additional offerings for Festivals. **And the letters *alef, beit, gimmel* were written on the containers.**

And it was taught in a *baraita* that Rabbi Yosei said: **Why were the letters *alef, beit, gimmel* written on them? It was to ascertain from which of them the donation was collected first**, so that they could bring the money from it first, as the mitzva is to use the coins of the first container. This apparently proves that according to the opinion of Rabbi Yosei, it is a mitzva to use the first item.

The Gemara responds: This is no proof, as **perhaps at the time when the first container was fit to be used, the last was not yet fit to be used.** When the first container was brought it was fit and designated for the offerings, whereas the coins in the second container had not yet been collected, and therefore the coins in the first container must be used first as they were sanctified first. Here, however, the scapegoat is consecrated only when its pair is sacrificed, and therefore the two cases are dissimilar.

Rather, the principle that one uses the first item is derived from the statement of Rabbi Yosei with regard to the Paschal offering, as it was taught in a *baraita*: With regard to one who separated a sheep for his Paschal offering and the sheep was lost,^h and he separated another sheep in its stead, and afterward the first sheep was found, and they both stand before him, he sacrifices whichever of them he wants; this is the statement of the Rabbis. Rabbi Yosei says: The mitzva is performed with the first sheep. **And if the second was of superior qualityⁿ to it, he brings the second sheep.** This proves that according to Rabbi Yosei, if there are two animals equally fit for an offering, one brings the animal that was chosen first.

HALAKHA

Which goat does he send away – אֵיזוֹ שְׁעִיר מְשַׁלַּח – The Rambam rules that the first goat is sent because it was chosen through the mitzva of the lottery and was not disqualified. The *Me'iri* states likewise (see *Likkutei Halakhot*; Rambam *Sefer Avoda, Hilkhot Avodat Yom HaKippurim* 5:15).

Three containers – שְׁלֹשׁ קוֹפּוֹת – After the shekels were brought to their special chamber in the courtyard, three large containers were filled with the money. After that, three smaller containers were fashioned, on which the letters *alef, beit, and gimmel* were written. The contents of these boxes were used one by one to fund the Temple services (Rambam *Sefer Zemanim, Hilkhot Shekalim* 2:6).

One who separated his Paschal offering and it was lost – הַמְּפָרִישׁ פֶּסַח וְאָבֵד – If one separated a Paschal offering and it was subsequently lost, whereupon he designated a second animal, and then the first was located, the individual may offer whichever of the two animals he prefers. The other one is sacrificed as a peace-offering, in accordance with the opinion of the Rabbis (Rambam *Sefer Korbanot, Hilkhot Korban Pesah* 4:6).

NOTES

They collect the donation from the chamber – תּוֹרְמִין אֶת הַלְּשֶׁבֶה: There is a mitzva to buy the offerings for each year with funds donated by the people in the form of the half-shekels of that year. These coins were collected by the Temple treasurer in the month of Adar and were used from the first of Nisan, which marked the beginning of the year for these purposes. The money was first kept in a special chamber before it was carried in containers and spent to purchase the animals for offerings. The money was kept in three boxes. The contents of the first were donated by people living in Eretz Yisrael, the second was for the shekels of Jews living outside the land but relatively close by, the third container held the money given by Jews from distant lands.

If the second was of superior quality – אִם הָיָה שְׁנֵי מוֹבָחָר – This *halakha* was stated solely with regard to the Paschal offering, but not the scapegoat. The difference is that the Paschal lamb is eaten, and therefore it must be of the best quality, whereas the scapegoat was hurled off a cliff (*Tosafot Yeshanim*).

מתני' שני שעירי יום הכפורים מצותן שיהיו שניהן שוין במראה ובקומה ובדמים ובלקחתן כאחד. ואף על פי שאין שוין – כשרין לקח אחד היום ואחד למחר – כשרין.

מת אחד מהם, אם עד שלא הגריל מת – יקח זוג לשני, ואם משהגריל מת – יביא זוג אחר, ויגריל עליהם בתחילה.

ויאמר: אם של שם מת – זה שעלה עליו הגורל לשם יתקיים תחתיו, ואם של עזאזל מת – זה שעלה עליו הגורל לעזאזל יתקיים תחתיו, והשני ירעה עד שיסתאב וימכר, ויפלו דמיו לנדבה. שאין חטאת צבור מתה. רבי יהודה אומר: תמות.

ועוד אמר רבי יהודה: נשפך הדם – ימות המשתלח, מת המשתלח – ישפך הדם.

MISHNA The mitzva of the two Yom Kippur goats,^h the goat sacrificed to God and the goat sent to Azazel that are brought as a pair, is as follows, *ab initio*: **That they will both be identical in appearance,ⁿ i.e., color, and in height, and in monetary value,ⁿ and their acquisition must be as one,ⁿ i.e., they must be purchased together. And even if they are not identical, nevertheless, they are valid. And similarly, if he acquired one today and one tomorrow, they are valid.**

If one of the goats died,^h if it died before the High Priest drew the lots, he immediately takes a counterpart for the second, since neither has yet been designated. And if it died after the High Priest drew the lots, he brings another pair of goats and draws lots over them from the start.

After that lottery he utters a stipulation: If the one to be sacrificed to God died, that goat upon which the lot for God was drawn in the second lottery shall stand in its stead; and if the one to be sent to Azazel died, that goat upon which the lot for Azazel was drawn shall stand in its stead. And the second, superfluous goat, i.e., in the case where a new pair of goats was brought, should graze until it becomes unfit, at which point it will be sold, and the money received from its sale will go toward the purchase of a public gift-offering. Although for individual sin-offerings in similar circumstances there is no remedy and it is left to die, that is not the case here, as a communal sin-offering is not left to die. On the other hand, Rabbi Yehuda says: In this it should be left to die.

And furthermore, Rabbi Yehuda said: If the blood of the goat sacrificed to God spilled before it was sprinkled, the scapegoat is left to die. Similarly, if the scapegoat dies, the blood of the goat sacrificed to God should be spilled, and two other goats are brought and lots are drawn.

HALAKHA

The two Yom Kippur goats – שני שעירי יום הכפורים: The two Yom Kippur goats should be identical in appearance, size, and monetary value, and they should be purchased together. Nevertheless, they may be used even if they are not identical or were not purchased together (Rambam *Sefer Avoda, Hilkhot Avodat Yom HaKippurim* 5:14).

If one of the goats died – מת אחד מהם: If one of the two Yom Kippur goats dies before the lottery is cast, the High Priest brings a counterpart for the remaining goat. If one of the goats dies after the lottery, the High Priest brings two new goats and

draws new lots. If the goat that died was to be sacrificed to God, the goat selected to be sacrificed to God in the second lottery takes its place. If the goat that died was to be sent to Azazel, the goat selected to be sent to Azazel in the second lottery takes its place. In the case where a new pair of goats was brought, the remaining goat of the second pair is put out to pasture until it becomes blemished. It is then sold, and the proceeds are used for a communal gift-offering. This is in accordance with the mishna and with the opinion of Rav in the Gemara (Rambam *Sefer Avoda, Hilkhot Avodat Yom HaKippurim* 5:15).

NOTES

שִׁיִּהְיוּ שְׁנֵיהֶן – שוין במראה: *Tosafot Yeshanim* asks: Since the Gemara in tractate *Sanhedrin* teaches that no two people look exactly alike, how can one expect to find two identical goats? They answer that there is a greater discrepancy between different human faces than there is with regard to the appearance of animals. Still, according to the Jerusalem Talmud, no two natural items, even two grains of wheat, can ever be fully identical. Therefore, the mishna must mean to say that the goats must be as close as possible to each other in terms of coloring and size (see *Gevurat Ari*).

ובדמים – In the Jerusalem Talmud it is explained that the important point is the value of the goats rather than their actual purchase price. Therefore, it is preferable not to use two goats that were purchased for the same price if one is qualitatively superior, whereas it is acceptable to use two goats of equal quality even if they were not purchased for the same price.

ובלקחתן כאחד – The two goats must be bought not only at the same time, but preferably from the same individual. This too is part of the effort to ensure that the animals are as similar as possible.

NOTES

One in appearance – תּוֹסַפוֹת יֶשְׁחָנִים: Tosafot Yeshanim cite a version of this text according to which one reference is for appearance and height, one is for monetary value, and the third teaches that they must be purchased simultaneously. This interpretation solves some questions that were raised with regard to this derivation.

HALAKHA

The lambs brought by a leper – כִּבְשֵׁי מְצֹרַע: It is a mitzva for a leper to bring lambs that are identical. However, if they are not identical, they are nevertheless valid (*Likkutei Halakhot*).

גמ' תנו רבנן: "יקח שני שעירי עזים" – מיעוט "שעירי" – שנים, מה תלמוד לומר "שני" – שיהיו שניהן שוים. מניין אף על פי שאין שניהן שוין בשירין – תלמוד לומר: "שעיר" "שעיר" ריבה.

טעמא דרבי רחמנא, הא לא רבי רחמנא – הוה אמינא: פסולין. עיובא מנא לן?

סלקא דעתך אמינא: "שני" "שני" "שני" בתיב.

והשתא דרבי רחמנא "שעיר" "שעיר", "שני" "שני" "שני" למה לי? חד – למראה, וחד – לקומה, וחד – לדמים.

תנא נמי הכי גבי כבשי מצורע: "יקח שני כבשים" מיעוט כבשים שנים, מה תלמוד לומר "שני" – שיהיו שניהן שוין. ומנין שאף על פי שאין שניהן שוין בשירין, תלמוד לומר: "כבש" "כבש" ריבה.

טעמא דרבי רחמנא, הא לא רבי רחמנא – הוה אמינא: פסולין. עיובא מנא לן? סלקא דעתך אמינא: "תהיה" בתיב.

והשתא דרבי רחמנא "כבש" "כבש", "תהיה" למה לי? לשאר היותו של מצורע.

GEMARA The Sages taught: It states: "He shall take two goats" (Leviticus 16:5). The minimum number indicated by a plural term, as the word goats is here, is two. If so, what is the meaning when the verse states: Two? It teaches that the two should be identical. And from where do we derive that even if the two goats are not identical they are nevertheless valid? The verses state and repeat the word goat, goat (Leviticus 16:9–10) to amplify and indicate that the goats are valid even if they are not identical.

The Gemara asks: The reason is specifically because the Merciful One in the Torah amplified and thereby indicated that the goats are valid even if they are not identical. Doesn't this indicate that if the Merciful One did not amplify, I would have said the goats are disqualified? From where do we derive that the goats are prevented from being sacrificed if they are not identical? The principle with regard to sacrificial offerings is that if the Torah indicates a requirement only once, it is a mitzva *ab initio*, and if the Torah repeats the requirement, it is considered indispensable in order for the offering to be valid.

The Gemara answers: It could enter your mind to say that since the word two, two, two, is written three times in the relevant passage, the repetition indicates that the goats are disqualified if they are not identical. Therefore, the Torah had to indicate that the goats are valid even if they are not identical.

The Gemara asks: And now that the Merciful One has amplified by repeating the word goat, goat, why do I need the threefold repetition of two, two, two? The Gemara answers that it teaches how the mitzva should be performed *ab initio*: One of the terms indicates that the goats should be identical in appearance,^N one indicates they should be identical in height, and one indicates they should be identical in monetary value.

The Gemara comments that this was also taught in a *baraita* with regard to the lambs brought by a leper,^H based upon the verse: "He shall take two lambs" (Leviticus 14:10). The minimum number of lambs, which is a plural term, is two. If so, what is the meaning when the verse states "two"? It teaches that the two should be identical. And from where do we derive that even if the two lambs are not identical they are nevertheless valid? The verses state: Lamb, lamb, repetitively, to amplify and indicate that the lambs are valid even if they are not identical.

The Gemara asks: The reason is specifically because the Merciful One in the Torah amplified and thereby indicated that the lambs are valid even if they are not identical. Doesn't this indicate that if the Merciful One did not amplify, I would have said the lambs are disqualified? From where do we derive that the lambs are prevented from being sacrificed if they are not identical? The Gemara answers: It could enter your mind to say that since it is written: "This shall be the law of the leper" (Leviticus 14:2), the verse indicates that every detail stated in this context is indispensable. Therefore, it was necessary for the Torah to indicate that the lambs are valid even if they are not identical.

The Gemara asks: And now that the Merciful One has amplified by repeating the word lamb, lamb, why do I need the phrase "this shall be"? The Gemara answers: This phrase applies to the rest of the halakhot that are included in the atonement ritual of the leper, which are indispensable.

Offerings slaughtered outside the Temple courtyard – שְׁחוּטֵי חוּץ: The Torah prohibits sacrificing offerings outside the Temple, and one who does so is liable to the punishment of *karet* (Leviticus 17:8–9). The prohibition applies to animals fit for offerings, which excludes blemished animals or those disqualified for other reasons.

They lack the service of the day – מְחֻסְרֵי עֲבוֹדַת הַיּוֹם: An offering is disqualified if it is lacking time. This applies to several circumstances: It might be less than eight days old and not yet eligible for sacrifice, or it might be a Paschal lamb or Festival offering whose date for offering has not yet arrived. In this case, since the goats may not be offered until a certain point in the service of the day, they are considered lacking time until then.

תנו רבנן: שני שעירי יום הכיפורים ששחטן בחוץ עד שלא הגריל עליהן – חייב על שניהם, משעה גריל עליהן – חייב על של שם, ופטור על של עזאזל.

”עד שלא הגריל עליהם חייב על שניהם” למאי חזו – אמר רב חסדא: הואיל וראוי לשעיר הנעשה בחוץ.

ומאי שנא לשעיר הנעשה בפנים דלא – דמחוסר הגרלה, לשעיר הנעשה בחוץ נמי לא חזו – דמחוסרי עבודת היום!

קסבר רב חסדא: אין מחוסר זמן לבו ביום.

אמר רבינא: השתא דאמר רב חסדא מחוסר הגרלה כמחוסר מעשה דמי, הא דאמר רב יהודה אמר שמואל: שלמים ששחטן קודם שנפתחו דלתות ההיכל – פסולין, שנאמר: ”ושחטו פתח אהל מועד” – בזמן שהוא פתוח, ולא בזמן שהוא נעול.

S The Sages taught: If the High Priest slaughtered the two Yom Kippur goats outside the Temple courtyard^{NH} when he had not yet drawn lots to determine which of them is to be sacrificed to God and which is to be sent to Azazel, he is liable to receive the punishment of *karet* for both of them, as they are both fit for use as an offering. If he slaughtered them after he drew lots for them, he is liable for slaughtering the goat designated for God, which is a sacrificial offering, and he is exempt for slaughtering the goat designated for Azazel, as it is not a sacrificial offering.

The Gemara clarifies the meaning of this *baraita*. With regard to the statement that if he slaughtered the goats when he had not yet drawn lots, he is liable for both of them, the Gemara asks: For what are they fit? Before the lots are drawn, neither goat is fit for use as an offering. The Gemara answers that Rav Hisda said: He is liable since they are fit to be used as the goat whose sacrificial rites are performed outside. These two goats are fit for use as the additional offerings of Yom Kippur, whose sacrificial rites are performed outside of the Sanctuary, in the Temple courtyard. Therefore, the goats have the status of sacrificial offerings.

The Gemara asks: What is different about the goat whose sacrificial rites are performed inside the Sanctuary, i.e., the goat selected to be sacrificed as a sin-offering, for which the goats are not valid because they lack the lottery? They are also unfit to be used as the goat whose rites are performed outside the Sanctuary, as they lack the service of the day.^N The entire Yom Kippur service must be performed in the proper sequence, and several steps have to be executed before the additional offerings are sacrificed, including the sprinkling of the bull’s and goat’s blood, and the burning of the handful of incense. Since the additional offerings cannot yet be sacrificed, the goats cannot be considered fit for these offerings, and one should not be liable to receive *karet* for slaughtering the goats outside the Temple courtyard.

The Gemara answers: Rav Hisda holds that an offering is not considered to be lacking time if it is to be brought on that day. An offering is considered lacking time, and therefore unfit, if it is supposed to be brought on a different day. However, if it is the proper day but the right moment has not yet arrived, the offering is considered valid. On the other hand, before the High Priest draws lots to determine which of the goats will be sacrificed to God and which sent to Azazel, even though it is the proper day, the goats are not yet considered valid offerings because there is a necessary action that the High Priest must take with regard to the goat itself before it can be brought as an offering.

Ravina said: Now that Rav Hisda said that although the drawing of lots is external to the animals themselves, an animal lacking the lottery is comparable to an animal lacking an action and is not yet considered a valid offering, a statement can be made with regard to that which Rav Yehuda said that Shmuel said: Peace-offerings that one slaughtered in the Temple before the doors of the Sanctuary were opened^H are disqualified, as it is stated with regard to peace-offerings: “And he shall slaughter it at the entrance to the Tent of Meeting” (Leviticus 3:2), which teaches that it must be slaughtered when the entrance is open and serves as an actual entrance, but not when it is locked. As long as the entrance to the Tent of Meeting, or in the Temple the doors to the Sanctuary, remain closed, one may not sacrifice the peace-offerings, and if they are sacrificed, they are disqualified.

HALAKHA

If the High Priest slaughtered the two Yom Kippur goats outside the Temple courtyard – שני שעירי יום הכיפורים ששחטן בחוץ: If one slaughtered the Yom Kippur goats outside the Temple before the High Priest confessed over them, one is liable to receive the punishment of *karet* for each of the two goats, since they were both eligible for sacrifice. If one slaughters them after the confession, he is liable for slaughtering the

goat designated for God, but exempt for the one that is sent away to Azazel. The Ra’avad holds that one’s liability depends on whether the act took place before or after the lottery, rather than the High Priest’s confession. The *Kesef Mishne* explains that the Rambam based his view on a passage in tractate *Zevahim* (Rambam *Sefer Avoda, Hilkhot Ma’aseh HaKorbanot* 18:11).

Peace-offerings that one slaughtered before the doors of the

Sanctuary were opened – שני שלמים ששחטן קודם שנפתחו דלתות ההיכל: Peace-offerings that were slaughtered before the doors of the Sanctuary were opened are disqualified, since it is written that one shall slaughter them “at the entrance to the Tent of Meeting” (Leviticus 3:2). This principle is in accordance with the opinion of Shmuel (Rambam *Sefer Avoda, Hilkhot Ma’aseh HaKorbanot* 5:5).