

רָבָא אָמַר: כְּגוֹן שֶׁהִיא לוֹ חוֹלָה
בִּתּוֹךְ בֵּיתוֹ, וְשָׁחַט אָמוּ בְיוֹם
הַכְּפוּרִים.

The Gemara presents another explanation as to why a verse is needed to indicate that the scapegoat may not be lacking time. **Rava said:** It is referring to a case where the one who sold the two goats had a critically ill person^N in his household, and he slaughtered the mother of the scapegoat in order to save the ill person's life on Yom Kippur. Although the scapegoat is more than eight days old, it is considered lacking time because it is prohibited to slaughter a mother animal and its offspring on the same day.

וְכִי הָאֵי גְוֹנָא מִי אָסִיר? לֹא
תִשְׁחַטוּ" אָמַר רַחֲמַנָּא, וְהָא לָאו
שְׁחִיטָה הִיא! הָא אָמְרִי בְמַעְרְבָא:
דְּחִיטוּ לְצוּק וְזוּ הִיא שְׁחִיטָתוֹ.

The Gemara asks: **Is it prohibited in a case like this? The Merciful One stated in the Torah:** "And whether it be a cow or ewe, you shall not slaughter it and its young^N on one day" (Leviticus 22:28), and this act of pushing the scapegoat off the cliff is not a ritual slaughter. Consequently, the prohibition against slaughtering a mother animal and its offspring should not apply. The Gemara answers: **They say in the West, i.e., Eretz Yisrael, that pushing it off the cliff, which is the manner in which the scapegoat is supposed to be killed, is considered its slaughter.^N**

"אִם שָׁל שָׁם מֵת זֶה שְׁעֵלָה עֲלֵיו"
וְכוּ'.

S It was taught in the mishna that if one of the goats dies after the lottery, a second pair of goats is sought and new lots are drawn. After that lottery, the priest utters a stipulation: **If the one to be sacrificed to God died, that goat upon which the lot for God was drawn 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.** The second, superfluous goat should graze until it becomes blemished, at which point it will be sold and the money received in its sale will go to the purchase of a public gift-offering. The Gemara discusses which goat is set to pasture: The one that remains from the first lottery or the one that remains from the second lottery?

אָמַר רַב: שְׁנֵי שְׂבוּגֵי רֵאשׁוֹן – יִקְרָב,
שְׁנֵי שְׂבוּגֵי שֵׁנִי – יִרְעָה. רַבִּי יוֹחָנָן
אָמַר: שְׁנֵי שְׂבוּגֵי רֵאשׁוֹן – יִרְעָה,
שְׁנֵי שְׂבוּגֵי שֵׁנִי יִקְרָב.

Rav said: If the goat to be sent to Azazel died, he should sacrifice the second goat of the first pair to God,^H and the second goat of the second pair should graze until it becomes unfit. **Rabbi Yohanan said:** The second goat of the first pair is the one that should graze, whereas he should sacrifice the second goat of the second pair.

בְּמַאי קָא מִפְלִגִּי? רַב סָבַר: בְּעֵלֵי
חַיִּים אֵינָן נִדְחִין, וְרַבִּי יוֹחָנָן סָבַר:
בְּעֵלֵי חַיִּים נִדְחִין.

The Gemara asks: **With regard to what principle do they disagree?** The Gemara explains: **Rav holds that animals are not rejected.^H** An animal that was consecrated as an offering but later became unfit for sacrifice is not considered disqualified forever. Therefore, although the remaining goat was not eligible to be sacrificed when its counterpart died, once another goat has been paired with it following a new lottery, it is no longer rejected and should be sacrificed. **And Rabbi Yohanan holds that animals are rejected.** Therefore, once the remaining goat from the first pair became disqualified, it remains disqualified forever.

HALAKHA

He should sacrifice the second goat of the first pair to God – שְׁנֵי שְׂבוּגֵי רֵאשׁוֹן יִקְרָב: If one of the goats dies after the lottery, the High Priest brings another pair of goats and draws new lots. If the goat designated to be sacrificed to God had died, the High Priest declares: That goat upon which the lot for God was drawn, shall stand in its stead. If the one to be sent to Azazel died, he declares: That goat upon which the lot for Azazel was drawn shall stand in its stead. He then sacrifices the remaining goat from the first lottery, while the one which received the same designation from the second lottery grazes until it becomes blemished. It is then sold and the proceeds

are used to purchase a gift-offering. The Rambam rules in accordance with the opinion of Rav, as he generally accepts Rav's opinion with regard to rejection (Rambam *Sefer Avoda, Hilkhot Avodat Yom HaKippurim* 5:15 and *Kesef Mishne* there).

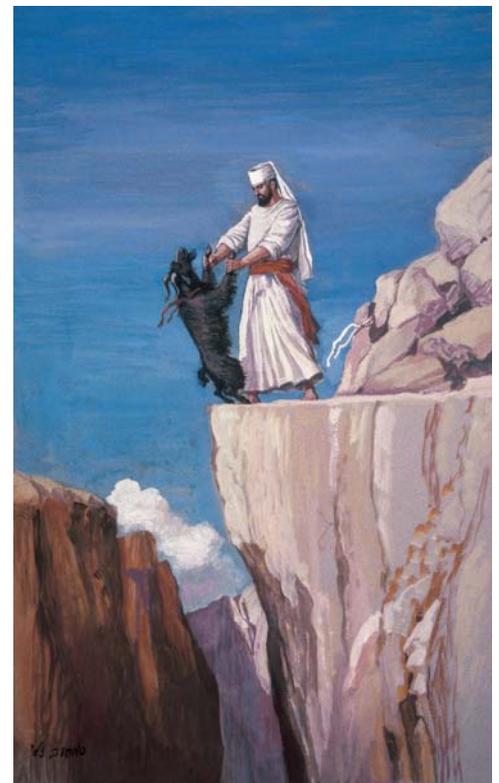
Animals are not rejected – בְּעֵלֵי חַיִּים אֵינָן נִדְחִין: Animals that are disqualified are not totally rejected. When the cause of their initial disqualification is removed, they become acceptable for sacrifice. This is in accordance with the opinion of Rav (Rambam *Sefer Avoda, Hilkhot Pesulei HaMukdashin* 6:1 and *Kesef Mishne* there).

NOTES

A case where the one who sold the two goats had a critically ill person – כְּגוֹן שֶׁהִיא לוֹ חוֹלָה: Although the *halakha* would be the same if one slaughtered the mother goat in violation of Yom Kippur, the Gemara preferred the explanation that one slaughtered it in a permitted manner (Ritva).

You shall not slaughter it and its young – אוֹתוֹ וְאֶת בְּנֵי לֵא – תִשְׁחַטוּ: The Torah prohibits the slaughter of a mother animal and its young, whether male or female, on the same day. Some authorities hold that the prohibition includes the father of the young animal when the paternity is known. Since the verse states that the animals may not be slaughtered on the same day, the Sages debated whether the prohibition applies when one of the animals is killed through a method other than ritual slaughter.

Pushing it off the cliff is considered its slaughter – דְּחִיטוּ: *Tosafot* hold that the term slaughter used in the Torah does not limit this *halakha* to ritual slaughter. Included in this category is any method of killing an animal that is prescribed by the Torah for a particular circumstance. The Ritva explains that there was an oral tradition which clarified that pushing the scapegoat off the cliff is regarded as slaughtering.



Pushing the scapegoat off the cliff

An animal with a temporary blemish – בעל מום עובר – The blemishes that disqualify an animal for sacrifice are listed in the Torah (Leviticus, chapter 22) and are explained in the Talmud in tractate *Bekhorot*. Some blemishes are permanent, and they permanently disqualify the animal from being used as a sacrificial offering. Other blemishes are temporary; in these cases, the animal may not be sacrificed while the blemish is present, but it may be sacrificed once it has healed. For this reason, an animal with a temporary blemish can be consecrated as an offering, whereas an animal with a permanent blemish cannot.

Mixtures of sacrificial limbs – תערובות: Rashi explains that Rav relies on the opinion of Rabbi Eliezer. However, other commentaries note that it is difficult to say that Rav relies on the ruling of a single Sage against the opinion of the majority of the Sages. Furthermore, it would seem unnecessary for the Gemara to have cited the opinion of the Rabbis. Therefore, they explain that the dispute between Rabbi Eliezer and the Rabbis is with regard to bringing limbs onto the altar, but both sides agree that limbs that have already been brought onto the altar are not removed. This is because once the limbs have become mixed together, even if a limb from a disqualified animal would be sacrificed on the altar, only a rabbinic prohibition would be violated; according to Torah law, however, it is permitted to sacrifice them on the altar. According to this interpretation, Rav's opinion is in accordance with the opinions of Rabbi Eliezer and the Rabbis (*Tosafot*).

HALAKHA

Limbs that became mixed – איברים שנתערבו – Limbs of blemished animals which became mixed with limbs of valid offerings are not nullified even if they are outnumbered a thousand to one. Even if all the limbs have been sacrificed on the altar except for one, whatever has not yet been brought must be burned in the location where disqualified offerings are burned. This is in accordance with the opinion of the Rabbis (Rambam *Sefer Avoda, Hilkhot Pesulei HaMukdashin* 6:21).

מאי טעמא דרב – דיליף ממחוסר זמן, מחוסר זמן, לאו אף על גב דהשתא לא חזי, כי הדר מיחזי – שפיר דמי, הכא נמי לא שטא, מי דמי? התם – לא איתחזי בלל, הכא – נראה ונדרחה.

אלא, היינו טעמא דרב: דיליף מבעל מום עובר: בעל מום עובר, לאו אף על גב דלא חזי השתא, כי הדר מיחזי – שפיר דמי, הכא נמי – לא שטא.

והתם מנא לן – דכתיב "כי משחתם בהם מום בם" – מום בם הוא דלא ירצו, הא עבר מומן ירצו.

ורבי יוחנן: מיעט רחמנא "בהם" – הם הוא דכי עבר מומן ירצו, הא כל דחזי, הואיל ונדרחו – נדרחו.

ורב: ההוא "בהם" – בעינייהו הוא דלא מירצו, הא על ידי תערובות – מירצו.

בדתנן: איברים תמימים באיברים בעלי מומין, רבי אליעזר אומר: אם קרב הראש של אחד מהן – יקריבו כל הראשין בולן, ברעיו של אחד מהן – יקריבו כל הכרעיים בולן, וחכמים אומרים: אפילו קרבו בולן חוץ מאחד מהן – יצא לבית השריפה,

ואידך: נפקא ליה מ"בם" "בהם". ואידך: "בם" "בהם" לא דריש.

ולרב, נהי נמי דבעלי חיים אינן נדחין, אי בעי האי נקריב אי בעי האי נקריב!

The Gemara asks: **What is the reason for the opinion of Rav?** The Gemara answers: **He derives it from the halakha** applicable to an animal that is **lacking time**. In the case of an animal that is **lacking time**, is it **not true that although it is unfit now, when it again becomes fit, it seems well**, i.e., it may be sacrificed as an offering? **Here, too, it is no different.** The Gemara rejects this answer: **Is it comparable?** **There**, when the animal is lacking time, **it was never fit to be sacrificed.** **Here**, the animal was fit as an offering and later became unfit and was therefore **rejected**. Perhaps in this case it is permanently disqualified.

Rather, the Gemara retracts the first explanation and says that **this is the reasoning of Rav: He derives it from the case of an animal with a temporary blemish.**ⁿ The animal is disqualified as an offering as long as the blemish remains, but is eligible for sacrifice once the blemish has healed. In the case of an animal with a temporary blemish, is it **not true that although it is unfit now, when it again becomes fit, it seems well**, i.e., it may be sacrificed as an offering? **Here too, it is no different.**

The Gemara asks: **There**, in the case of an animal with a temporary blemish, **from where do we derive this halakha?** **As it is written:** "Because their corruption is in them, there is a blemish in them; they shall not be accepted for you" (Leviticus 22:25), which teaches us: It is when the **blemish is in them that they shall not be accepted; but if their blemish passes, they shall be accepted.**

The Gemara asks: **And what does Rabbi Yohanan respond to this proof?** **The Merciful One limited this halakha** by using the term: **In them**, which indicates that **it is they**, animals with temporary blemishes, **that are accepted when their blemishes pass, but with regard to all other animals that become disqualified, once they are rejected they remain rejected.**

The Gemara asks: **And how does Rav answer Rabbi Yohanan?** **That term: In them**, should be understood as follows: **It is on their own that they are not accepted; but in mixturesⁿ with animals that are fit to be sacrificed, animals that have a temporary blemish are accepted.**

As we learned in a mishna: **If limbs from unblemished burnt-offerings became mixed with limbs from blemished burnt-offerings, which are disqualified, Rabbi Eliezer says: If the head of one of them is sacrificed on the altar before they knew of the blemish, they should sacrifice all the heads**, as it is assumed that the head of the disqualified animal was the one already sacrificed on the altar. Similarly, if the **legs of one of them** were sacrificed, **they should sacrifice all the legs.** **And the Rabbis say: Even if all of them were sacrificed except for one, that one should be taken out to the place designated for burning** disqualified offerings, as it is not assumed that the limbs of the disqualified animal have already been brought.^h

The Gemara asks: **And how does the other Sage, Rabbi Yohanan, derive the halakha** that the limbs are acceptable if they are in a mixture? The Gemara answers: **He derives it from the Torah's choice of terminology:** It could have written: "In them," as *bam*, but instead it used the term *bahem*, with the extra letter *heh*, and therefore an extra *halakha* can be derived from this word. The Gemara comments: **And the other Sage, Rav, does not expound the difference in terminology between the words bam and bahem**, as he does not consider the distinction significant enough to teach a *halakha*.

The Gemara asks: **According to Rav, although living beings are not permanently rejected**, that only explains why the remaining goat of the first pair is acceptable for sacrifice, but why must it be the one to be sacrificed? **If he wants this one from the first pair he should sacrifice it, and if he wants that one from the second pair, he should sacrifice that.**

אמר רבא: רב סבר לה כרבי יוסי, דאמר: מצוה בראשון. הי רבי יוסי? אי נמא רבי יוסי דקופות, דתנן: שלש קופות של שלש שלש סאין, שבהן תורמין את הלשכה, וכתוב עליהן אלף, בית, גימל. ותניא, אמר רבי יוסי: למה כתוב עליהן אלף בית גימל – לידע איזה מהן נתרמה ראשון, להביא הימנה ראשון שמוצוה בראשון.

דילמא שאני התם, דבעידנא דאתחזי קמייא לא אתחזי בתרייתא.

אלא רבי יוסי דפסח (דתנן): המפריש פסחו ואבד, והפריש אחר תחתיו, ואחר כך נמצא הראשון והרי שניהן עומדין – איזה מהן שירצה יקרב, דברי חכמים. רבי יוסי אומר: מצוה בראשון.

Rava said: Rav holds in accordance with the opinion of Rabbi Yosei, who said: The mitzva should be fulfilled with the goat from the first pair. The Gemara asks: Which statement of Rabbi Yosei indicates that this is his opinion? If we say it is the statement of Rabbi Yosei with regard to the containers, as we learned in a mishna: There were three containers, each of which held three *se'a*, with which they collected coins from the chamber. And the letters *alef*, *beit*, and *gimmel* were written on them. And it was taught in a *baraita* that Rabbi Yosei said: Why were *alef*, *beit*, and *gimmel* written on them? In order to know which of them was collected from the chamber first, in order to bring an offering from it first, as the mitzva is performed with the first one.

That statement of Rabbi Yosei cannot serve as the source for Rav's opinion. Perhaps it is different there, in the case of the containers, because at the time when the first container of coins was fit for use, the containers used later were not yet fit for use. Therefore, it cannot serve as a precedent with regard to a case in which both became fit for use at the same time. In the case of the Yom Kippur goats, none of the goats are actually fit for sacrifice until the point in the Temple service when they are supposed to be sacrificed. By that time, lots have already been drawn for the second pair of goats.

Rather, the source of Rav's opinion is the statement of Rabbi Yosei with regard to the Paschal lamb. As we learned in a *baraita*: With regard to one who separated an animal as his Paschal lamb and it became lost, and he separated another in its stead, and afterward, but before midday on the eve of Passover, the first one is found, and they are both standing before him, the owner may bring whichever of them he wishes. This is the statement of the Rabbis. Rabbi Yosei says: The mitzva should be performed with the first one.

Perek VI
Daf 64 Amud b

ואם היה השני מובחר ממנו – יביאנו,

אמר רבא: דיקא מתניתין בוותיה דרב, וברייא בוותיה דרבי יוחנן. מתניתין בוותיה דרב – דקתני: אם של שם מת – זה שעלה עליו הגורל לשם יתקיים תחתיו, ואידך בדקאי קאי.

ברייא בוותיה דרבי יוחנן – דקתני: שני איני יודע אם שני שבזוג ראשון אם שני שבזוג שני, כשהוא אומר "יעמד חי" – ולא שחבירו מת. מאי משמע? יעמד חי, ולא שכבר עמד.

And if the second one was superior to it, he brings that one. This demonstrates that according to Rabbi Yosei, when the two animals become fit for sacrifice at the same time, preference should be given to the first one unless the second one is superior.

Rava said: The language of the mishna is precise in accordance with the opinion of Rav, and the language of the *baraita* is precise in accordance with the opinion of Rabbi Yoḥanan. The Gemara explains: The language of the mishna is precise in accordance with the opinion of Rav, as it teaches: If the one to be sacrificed to God died, that goat upon which the lot for God was drawn shall stand in its stead. And the other goat stands as it stood before, i.e., its status does not change, in accordance with the opinion of Rav.

The language of the *baraita* is precise in accordance with the opinion of Rabbi Yoḥanan, as it teaches: When the mishna says that the second goat is left to graze, I do not know whether it is referring to the second goat of the first pair, or the second goat of the second pair. When the verse states: "It shall be stood alive before the Lord, to make atonement over him, to send him away to Azazel into the wilderness" (Leviticus 16:10), it is not referring to the goat whose counterpart died. The Gemara asks: From where may it be inferred, i.e., how does the verse indicate this point? The Gemara answers that it states: "It shall be stood alive," in the future tense, indicating that it is not referring to the one that already stoodⁿ with its counterpart that died.

NOTES

It shall be stood alive is not referring to the one that already stood – יעמד חי ולא שכבר עמד – Rashi explains that this indicates that the goat shall be stood before the Lord once and not twice. However, others explain that the derivation is that the scapegoat is stood before God after the other goat has been designated to be sacrificed to God, which was mentioned in the previous verse (Rashash).

NOTES

I stated my opinion in accordance with the opinion of the Rabbis – כי אמינא אליבא דרבנן – Rashi explains, particularly based on the expression: And furthermore, that Rabbi Yehuda disagrees with the Rabbis with regard to two points: With regard to the goat chosen for the offering, as well as what is done with the goat that is not sacrificed. Some commentators suggest that Rabbi Yehuda himself was unclear whether the Rabbis disagree with regard to both points (Ritva).

תנן: ועוד אמר רבי יהודה: נשפך הדם – ימות המשתלח, מת המשתלח – ישפך הדם. בשלמא לרבי יוחנן דאמר בעלי חיים נדחין – משום הכי ימות המשתלח, אלא לרב דאמר בעלי חיים אינן נדחין – אמאי ימות המשתלח?

אמר לך רב: אליבא דרבי יהודה לא קא אמינא, כי אמינא – אליבא דרבנן.

בשלמא לרב – בהא פליגי רבי יהודה ורבנן, אלא לרבי יוחנן במאי פליגי? אמר רבא: הא אמרינן דיקא מתנתין בנותיה דרב.

תנן: שאין חטאת צבור מתה. הא דיהיד כי האי גוונא – מתה. בשלמא לרבי יוחנן – כדרבי אבא אמר רב, דאמר רבי אבא אמר רב:

We learned in the mishna: 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. Granted, according to Rabbi Yoḥanan, who said that animals that become disqualified are permanently rejected, even after the source of their initial disqualification is no longer present, due to that reason the scapegoat is left to die. However, according to Rav, who said that animals are not permanently rejected, why is the scapegoat left to die?

Rav could have said to you: I did not state my opinion in accordance with the opinion of Rabbi Yehuda. I stated my opinion in accordance with the opinion of the Rabbis.ⁿ Rabbi Yehuda holds that disqualified animals are permanently rejected and communal sin-offerings may be left to die. The Rabbis disagree with both issues and hold that disqualified animals are not permanently disqualified, and communal sin-offerings that are disqualified are not left to die, but rather graze until they develop a blemish, and then are sold. Rav, who holds that the remaining goat from the first pair is sacrificed, states his opinion in accordance with the opinion of the Rabbis, i.e., that disqualified animals are not permanently rejected.

The Gemara comments: Granted, according to the opinion of Rav, Rabbi Yehuda and the Rabbis disagree with regard to whether disqualified animals are permanently rejected. However, according to the opinion of Rabbi Yoḥanan, who holds that even according to the Rabbis the remaining goat of the first pair is left to graze, with regard to what principle do Rabbi Yehuda and the Rabbis disagree? Rava said: Didn't we say that the language of the mishna is precise in accordance with the opinion of Rav, and it is difficult to explain the mishna's language in accordance with the opinion of Rabbi Yoḥanan?

We learned in the mishna that a communal sin-offering is not left to die. This indicates that the sin-offering of an individual in a case like this is left to die. Granted, according to the opinion of Rabbi Yoḥanan, who holds that the remaining goat from the first pair is left to graze until it develops a blemish, it can be explained that the sin-offering of an individual in a comparable case is killed, in accordance with the opinion that Rabbi Abba said that Rav said. As Rabbi Abba said that Rav said:

Perek VI
Daf 65 Amud a

NOTES

One who designates two sin-offerings as a guarantee – מפריש שתי חטאות לאחריות: The early commentaries ask how this is possible: One cannot designate two sin-offerings for the same transgression, and there is a principle that whenever two things cannot be done one after the other, they also cannot be done simultaneously. The solution here is to say that if two are designated as a guarantee, it is not considered as dedicating two sin-offerings together (Tosafot Yeshanim).

HALAKHA

One who designates two sin-offerings as a guarantee – מפריש שתי חטאות לאחריות: One who designates two sin-offerings as a guarantee gains atonement through whichever animal he wishes, and the second grazes until it becomes unfit. It is then sold and the money is used to purchase a gift-offering (Rambam Sefer Avoda, Hilkhot Pesulei HaMukdashin 4:5).

הכל מודים שאם נתכפר בשאינה אבודה – אבודה מתה.

אלא לרב, הוה ליה כמפריש שתי חטאות לאחריות. ואמר רבי אושעיא: הפריש שתי חטאות לאחריות – מתכפר באחת מהם, והשניה תרעה!

Everyone concedes that if the animal one designated as a sin-offering became lost, and he designated another animal in its stead and then found the first animal, if he gained atonement through the one that was not lost, i.e., the second one, the one that was lost is left to die.

However, according to the opinion of Rav, who rules that the remaining goat from the first pair is the one that is sacrificed, that goat was never disqualified, and the extra goat from the second pair was designated to serve the same purpose as the remaining goat. This is like one who designates two sin-offerings as a guarantee,^{NH} so that if he loses one of them he will still be able to bring the other one. And Rabbi Oshaya said that all agree that if one separated two sin-offerings as a guarantee, he gains atonement through one of them, and the second is left to graze until it becomes unfit. Consequently, even the sin-offering of an individual is not left to die in this case.