



Sending out the Seir Hamishtaleach

The *Mishnah* (6:3) teaches that after the *kohen gadol* performed *vidui* (confession) on the *seir hamishtaleach* he would hand the goat over to the person that was designated to take it to the cliff's edge. This person was referred to as the *ish itti*. The *Mishnah* teaches that anyone was fit for this task. Nevertheless, the *kohanim gedolim* would make it a fixed practice to only allow *kohanim* to take the goat. There are a few points to address on this *Mishnah*.

The first question is why is it that the *kohanim* did not allow non-*kohanim* to perform the task. The *Mayim Chaim* explains that the *kohanim* preferred that all the *kaparot* (atonements) of *Yom Kippur* would be achieved through the *kohanim*.

The *Tosfot Chadashim* however sharpens the question, by noting the *Midrash* that explains that the person who took the goat would die that year. The *Tosfot Chadashim* therefore suggests that the *kohanim* were compelled not to allow anyone else. There are other activities in the *Beit HaMikdash* that did not need to be performed by a *kohen* – the slaughter of the *korbanot*. The *kohanim* would however perform the slaughter themselves. That being the case, if they then allowed someone else to take the *seir hamishtaleach*, they would be accused of belittling that *avodah*. The accusation would be more pointed considering that the atonement achieved through the *seir hamishtaleach* was for the rest of Israel, while the atonement for the *kohanim* was already achieved by way of the bull offered earlier. Consequently, they were able to allow anyone else to take the goat. The *Tosfot Chadashim* adds that the language of the *Mishnah* – *keva* – implies that it was indeed forced upon them (see *Berachot* 4:4).

A further point that needs addressing is why it was the *kohanim gedolim* that established this practice. The *Bartenura* does not have that reading of the *Mishnah*. Instead, he has that it was the *kohanim* that established the

practice. When the *Rambam* however records the law in the *Mishnah Torah* (*Avodat Yom HaKippurim* 3:7), he writes that it was the *kohanim gedolim* that fixed this practice and would not allow non-*kohanim* to take the goat. How do we understand the role of the *kohanim gedolim* specifically in this practice?

Perhaps our answer can be found based on a comment of *Rav Soloveitchik* (*Avodat Yom HaKippurim* 66a) who notes that the *Mishnah* states that *kohen gadol* would handover (*masru*) the goat. *Rav Soloveitchik* understands that the language implies that it critical that the *kohen gadol* would do so personally. Furthermore, the next *Mishnah* writes that the *kohen gadol* would send the goat (*meshaleach*) with the *ish itti*. *Rav Soloveitchik* understands that the sending of the goat and nominating the individual as his *shaliach* was one of the responsibilities of the *kohen gadol*. The function of the individual was not only technical in nature; to simply take the goat to the cliff edge. Instead, he was acting as an agent of the *kohen gadol*.

Rav Soloveitchik uses this to explain the *Gemara* that teaches that even if the *ish itti* became *tameh* he would still enter the *azara* to be sent out. If his job was purely functional, then it is unnecessary for him to enter the *azara*. He could take the goat from anywhere. Since however the *ish itti* functions as a *shaliach* of the *kohen gadol*, it is understood why he must stand in front of the *kohen gadol* – to accept charge directly.

Based on *Rav Soloveitchik*, we can understand why, according to the *Rambam*, it was the *kohanim gedolim* specifically that did not allow anyone else. Not allowing other people to act as the *ish itti*, was not something implemented by force or popular vote. Instead, since the *ish itti* acted as the *kohen gadol*'s *shaliach*, it was only the *kohen gadol* that had the power to be selective in who would be the *ish itti*.

Yisrael Bankier

Revision Questions

יומא ה' ד' - ז' ב'

- What does the *Mishnah* mean when it say that if someone slaughters the *korban Pesach* "on *chametz*" they have transgressed a negative prohibition? (ה' ד')
- Does the ruling described in the previous question apply to any other sacrifices? (ה' ד')
- Into how many groups was the nation divided when they came to offer their *korban Pesach*? (ה' ה')
- Where was the sprinkling of the blood from the *korban Pesach* performed on the *mizbeach*? (ה' ט')
- What were the *levi'im* doing while the sacrifices were being offered? (ה' ז')
- What did the *kohanim* do differently, with regards the process of offering of the *korban Pesach*, when *erev Pesach* fell on *Shabbat*? (ה' ח')
- Name the three different places where the *korbanot pesach* were hung for stripping? (ה' ט')
- According to *R' Eliezer*, how was the hanging of the *korbanot* performed differently on *Shabbat*? (ה' ט')
- Where did the three different groups wait with their slaughtered *korbanot* when *erev Pesach* coincided with *Shabbat*? (ה' י')
- Which processes involved in the *korban Pesach* were carried out even on *Shabbat* (according to all opinions)? (ה' יא')
- Regarding the previous question, which processes were deferred till after *Shabbat*? (ה' יא')
- Regarding the previous question, which processes were debated by *R' Eliezer* and the *Chachamim*? (ה' יא')
- What is the general principle stated by *R' Akiva* at the conclusion of the above stated debate regarding which processes that involve *melachot* are still performed on *Shabbat*? (ה' יב')
- What are the three criteria that define when a *chagigah* offering is brought alongside a *korban pesach*? (ה' יג')
- After the *chagigah* is offered, how long do the owners have to consume the *korban*? (ה' יד')
- According to *R' Yehoshua* when is one required to bring a *chatat* if they slaughtered another *korban* for the purpose of a *korban pesach* and why? (ה' יו')
- With whom and about what does *R' Yehoshua* argue and what is that *Tana's* reasoning? (ה' יו')
- What is law regarding one who slaughters a *korban pesach* on *Shabbat* then finds out that it is: (ה' יז')
 - A *ba'al mum*?
 - A *treifah*?
- Describe how they would roast the *korban pesach*? (ה' יח')
- What point regarding the roasting was debated by *R' Yosi Ha'Glili* and *R' Akiva*? (ה' יח')
- What is the law regarding a *korban pesach* that touched the side of the oven while roasting? (ה' יב')

Shiurim

ONLINE SHIURIM

Yisrael Bankier
mishnahyomit.com/shiurim

Rabbi Reuven Spolter
mishnah.co

Rabbi Chaim Brown
www.shemayisrael.com/mishna/

Rabbi E. Kornfeld
Rabbi C. Brown
http://www.dafyomi.co.il/calendars/myomi/myomi-thisweek.htm

APPS

Mishnah Yomit
mishnahyomit.com

All Mishnah
Orthodox Union

Mishna Yomi
Our Somayach, South Africa

Kehati

SHIUR ON KOL HALOSHON

Rabbi Moshe Meir Weiss
In US dial: 718 906 6400
Then select: 1 – 2 – 4

Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
18 June כ"ט סיון	19 June ל' סיון	20 June א' תמוז	21 June ב' תמוז	22 June ג' תמוז	23 June ד' תמוז	24 June ה' תמוז
Yoma 7:3-4	Yoma 7:5-8:1	Yoma 8:2-3	Yoma 8:4-5	Yoma 8:6-7	Yoma 8:8-9	Sukkah 1:1-2

