



OVERVIEW of the Daf

1) The inner he-goat (cont.)

The Gemara explains the circumstance when it would be possible for the inner he-goat to provide atonement for the sin of illicit relations.

The Gemara explains the circumstance when it would be possible for the inner he-goat to provide atonement for the sin of murder.

R' Yehudah in the Beraisa mentioned that the Torah made the tum'ah of the Beis HaMikdash and its sacred items distinct. The Gemara suggests other cases that are distinct that could fit into R' Yehudah's exposition but they are all rejected.

The exchange between R' Shimon and R' Yehudah concerning their expositions is recorded.

The reason an exposition is necessary to teach that the inner he-goat does not atone for the sin of awareness in the beginning and awareness at the end but lack of awareness in the middle is explained.

The thinking behind the exposition that teaches that the inner he-goat suspends punishment for the sin of awareness at the beginning but no awareness at the end is explained.

Additional unsuccessful challenges to this exposition are presented.

Rava explains the necessity for the inner he-goat to suspend punishment.

2) The two he-goats

The Gemara explains why it is necessary to offer two he-goats, one inner and the other outer, and why the offering of one he-goat is not suffice for both purposes. ■

REVIEW and Remember

1. In what way is the tum'ah of the Beis HaMikdash "distinct"?

2. What is the point of dispute between R' Yehudah and R' Shimon?

3. What type of sin is a חטא?

4. In what way does the inner he-goat "suspend" punishment?

Distinctive INSIGHT

Analyzing the atonement of the inner-goat of Yom Kippur
 ולר' אלעזר דאמר נזיר נמי חוטא הוא מאי איכא למימר

The Gemara is in the middle of an analysis regarding the nature of the atonement of the goat whose blood is sprinkled inside the היכל on Yom Kippur (שעיר הנעשה בפנים). The Beraisa identified the exclusionary reference in Vayikra 16:16, where the verse states that this offering serves to atone "מטומאות בני ישראל," for some of the impurities of the Jewish people," but not for all incidents of impurity. Our Sages determined that the category included is טומאת שווא, for inadvertent impurity regarding entering the Beis HaMikdash and eating from meat of offerings. The basis for this conclusion is that this particular area of impurity is unique, in that if the offending person becomes aware of his misdeed, the offering he brings is an עולה ויורד.

On our daf, the Gemara suggests that perhaps the category for which the inner-goat of Yom Kippur should atone is that of a nazir who has become impure during his nazir period. This situation is certainly unique, for the offering brought is two doves or pigeons. If Yom Kippur would transpire before the nazir would have a chance to bring his offering, perhaps the inner-goat of Yom Kippur would atone for him.

R' Hoshaya responds that the inner-goat is brought for a sin, but a nazir's offering is to restart his count of pure days, but not for a sin. Yet, the Gemara notes that R' Elazar HaKapar taught that the offering of a nazir who becomes impure is, in fact, due to the sin of the nazir for accepting upon himself to abstain from wine (see BeMidbar 6:11). The Gemara answers that R' Elazar holds according to R' Shimon at the end of the Beraisa, who determines the function of the inner-goat of Yom Kippur from the verse itself which states "וכפר על הקדש מטומאות," and not from comparing cases of impurity which are distinct (שחלק (הכתוב).

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 By Rabbi & Mrs. Sam Biber in memory of their parents
 ר' יהודה בן ר' שמואל איסר הכהן, ע"ה
 ומרת שרה פעסל בת הרב אליהו חיים, ע"ה

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HALACHAH Highlight

Self-imposed exile

בשוגג ולא אתידע ליה

If he murdered inadvertently and it is not yet known to him

The Gemara teaches that there is a circumstance in which someone who murdered inadvertently is not executed nor is he sent into exile to a city of refuge. That circumstance is one who murdered inadvertently and is unaware of what he did. Or Sameach¹ infers that if the murderer was made aware of what he did he would be obligated to go into exile. This is strange since the obligation to flee to the city of refuge is only when witnesses testify in Beis Din that the defendant killed someone inadvertently. Why then does the Gemara imply that his awareness is sufficient to obligate the murderer to run to the city of refuge? It must be that when a person knows that he murdered inadvertently he should run to the city of refuge as a means of securing forgiveness from Heaven to avoid punishment even though he is not obligated to dwell in exile since he was not convicted as an inadvertent murderer through witness testimony in Beis Din.

Teshuvos Tzafnas Paneach² was asked whether a person who admits that he murdered someone inadvertently should be exiled. He responded that the answer revolves around the question of whether exile provides atonement like a korban or is it a punishment. If it is designed to provide atonement he can impose exile upon himself in order to secure atonement but if it is a punishment one is not obligated to be punished unless he was convicted in Beis Din. He then refers the reader to our Gemara, seemingly indicating that one could generate an obligation to go into exile even without a conviction

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Tosafos (ולר' אלעזר) points out that the suggestion of the Gemara to associate the inner goat for the sin of a nazir needs to be explained. When a nazir has an incident of impurity, the sin is one regarding his status of being a nazir, and not a sin of impurity. The offering of the inner goat is for a sin of impurity. What, then, was the assumption of the Gemara to connect these?

Tosafos answers that as a result of becoming impure, the nazir must restart his nazir period and abstain from wine even longer. Therefore, we can say that the inner goat which atones for impurity would function here to atone for the sin of abstaining from wine longer, which was caused by the nazir's exposure to impurity.

Maharsha notes that Tosafos did not ask his question when the Gemara earlier asked about the "sin" of a woman who gives birth or of a metzora. This is because the woman's vow not to return to her husband is pronounced at the moment of giving birth, which is when the impurity occurs. The impurity of a metzora is, likewise, due to his sin. ■

from Beis Din. This means that exile is designed to provide atonement which is similar to the position taken by Or Sameach. In support of this conclusion Tzafnas Paneach cites a Midrash that writes that the laws of the city of refuge are in force even when there is no Beis Hamikdash and no Sanhedrin. If there is no Sanhedrin it is not possible to convict a person with witnesses of murder and yet the Midrash states that the laws of the city of refuge are still in force. It must be that a person can subject himself to exile in order to secure atonement. ■

1. אור שמח סנהדרין פי"ז הי"ז.

2. שו"ת צפנת פענח (ווארשא) סי' רט"ו. ■

STORIES Off the Daf

The King's Children's Garments

"שעיר הנעשה בפנים...שעיר הנעשה בחוץ..."

Today's daf discusses the two goats offered on Yom Kippur, one of which was designated for God and sacrificed on the altar, and the other was destined to be sent off a cliff that was far from the mikdash.

The Ohr HaChaim HaKadosh, zt"l, explains why one is sacrificed and

the other is hurled off a cliff. "The goat offered outside atones for our many sins, not just sins regarding the mikdash. For this reason, it is disgusting and must be sent away and hurled off a cliff, not killed in the sanctuary.

"This can be understood by way of a parable. Once there was a king who inspected his children's clothes to see if they were clean. Since the children had been playing and acting as children do, their clothes were certainly not clean and whatever the king could clean by rubbing off the dirt from his beloved children's clothes he salvaged.

But what about what was irrevocably stained? The king sent these garments to a very lowly servant who understood that the king wished these exceedingly soiled garments destroyed.

"So too, the goat offered in the mikdash which atones for defiling the mikdash and its vessels parallels the stained garments that the king is willing to take care of in the palace. But other sins are too repulsive to him, and are therefore sent to a very lowly servant of the king in a distant place so that they can be destroyed."¹ ■

1. אור החיים הקדוש, ויקרא, ט"ז: ז'. ■