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## Do you want to eat... on Yom Kippur?!

In the *Mishnayot* this week we learnt about the *se'ir ha'mishtaleach*. The *Mishnah* (6:5) describes the journey travelled by the person entrusted with guiding the *se'ir ha'mishtaleach* through the desert to the cliff face. The *Mishnah* explains that the destination was 12 *mil* (approximately 12 kilometres) away from *Yerushalaim*. For the first 10 *mil* there were stations set up for him. As he approached these booths he would be greeted by a person who would offer him both food and water. (These same people would walk with him to the next booth.)

When reading the above quoted *Mishnah*, one must remember that it refers to *Yom Kippur* where eating and drinking is strictly forbidden. Why were they then offering the guide food? The *Gemarah* (*Yoma* 67a) explains that the guide never once accept the offer. So why offer him anything at all? The *Gemarah* explains that "someone who has bread in his basket does not compare to someone who does not have bread in his basket." The simple understanding is that the mere fact that food was made available to him would have a psychological effect on him, alleviating any hunger.

The *Meiri* quotes the *Yerushalmi* (*Yoma* 6:5) to explain the *Gemarah's* statement in a slightly different manner (see also the *Maharsha*). The *Yerushalmi* explains that the offer itself strengthened the guide as the *yetzer ha'rah* (evil inclination) only desires that which is forbidden to him. In other words this offer had more than just a psychological effect, but rather completely eliminated the drive of the *yetzer ha'rah*.

One question worth asking is what if the guide did indeed need to eat? Would he be allowed? Presumably, for the offer to have the above described desired affect, eating and drinking should indeed truly be permitted if required. The *Rambam* (*Avodat Yom HaKippurim* 3:7) writes that if the guide became weak and needed to eat he would be allowed (see also the *Tosfot Yeshanim*).

The *Tiferet Yisrael* grapples with this ruling raising the following questions. Firstly, the *Gemarah* (*Yoma* 65a) explains that once the blood from the *se'ir le'Hashem* has been sprinkled, sending out the *se'ir ha'mishtaleach*

is no longer an essential *avodah* (i.e., it is not *me'akev*). Therefore the positive commandment of the *se'ir ha'mishtaleach* should not override his personal prohibition of eating (which is punishable by *karet*). Secondly, the *Gemarah* (*Yoma* 66b) explicitly states that if the guide falls ill, someone else takes his place! (See also *Rambam Avodat Yom HaKippurim* 5:20.)

The *Tiferet Yisrael* explains that the rule that someone else should take the place of the ill guide is only if he is completely incapable of completing the task. If however he just needs to eat some food to revive his strength then he would be allowed. Why? The *Gemarah* (*Yoma* 66b) focus on the following *pasuk*: "Aharon shall lean his two hands upon the head of the living he-goat and confess upon it all the iniquities of the *Bnei Yisrael*... and send it with a designated man (*ish iti*) to the desert" (*Vayikra* 16:21). The *Gemarah* explain:

"*'ish* – serves to enable a non-kohen [in being the guide]. *'Iti* – teaches that the guide should be designated before *Yom Kippur*; *'iti* – [it is always sent out] even on *Shabbat* [such that if the goat fell ill the guide would carry it]; *'iti* – even [if the guide] become *tameh* [he still enters the *azarah*, which is ordinarily prohibited for someone who is *tameh*, to retrieve the *se'ir ha'mishtaleach* as part of his task]"

In other words the *Torah's* description of the guide as an "*ish iti*" teaches that the prohibitions of *Shabbat* and entering the *Beit Ha'Mikdash* while *tameh* are overridden if they would stand in the way of performing his task. Here too, if the guide becomes so weak that he needs food in order to carry out the task, he would be permitted to eat. He further explains that this is indeed the case that whenever the *Torah* explicitly directs the performance of a particular activity, there is never a question of whether a positive commandment can override a negative commandment which is punishable by *karet*. (He cites *Yibum* and *avodah* on *Shabbat* as other such examples.)

David Bankier

**Revision Questions**

יומא ו' א' – ח' א'

- Can the two goats be purchased on different days? (א': ו')
- What happens if one of the goats dies after the lottery has been performed? (א': ו')
- What is *R' Yehuda's* opinion regarding the previous question, and in what other case does he rule in a similar manner? (א': ו')
- What would the *kohen* do just prior to sending out the *se'ir ha'mishtaleach*? (ב': ו')
- Which people were allowed to guide the *se'ir ha'mishtaleach*? (ג': ו')
- Why was a bridge built for guiding the *se'ir ha'mishtaleach*? (ד': ו')
- Who would escort the *se'ir ha'mishtaleach* to the first station? (ד': ו')
- What was the distance from *Yerushalaim* to the cliff face? (ד': ו')
- What would the people at each station do when the *se'ir ha'mishtaleach* and the guide reach them? (ה': ו')
- Explain what the guide would do when he reached the cliff face? (ו': ו')
- Where would the guide go after he finished his job? (ו': ו')
- What parts of the bull and goat were offered on the *mizbeach*? (ז': ו')
- How would they know when the *se'ir ha'mishtaleach* had reached the desert (include all three opinions) and why was this important? (ח': ו')
- What clothing would the *kohen gadol* wear when he read for the *Torah* on *Yom Kippur*? (א': ז')
- Which *parshiyot* would the *kohen gadol* read from the *Torah* and which would he say by-heart? (א': ז')
- What else was being performed while the *kohen gadol* was reading from the *Torah*? (ב': ז')
- After changing back into the “golden” clothing, how many animals did the *kohen gadol* sacrifice? (ג': ז')
- Why did the *kohen gadol* change again into his “white” clothes? (ד': ז')
- What did the *kohen gadol* do after changing again back into his “gold” clothes? (ד': ז')
- What were the four garments worn by all *kohanim*? (ה': ז')
- How many extra garments did the *kohen gadol* wear and what were they? (ה': ז')
- When would they confer with the *urim ve'tumim*? (ו': ז')
- What is prohibited from doing on *Yom Kippur*? (ז': ח')
- Who does *R' Eliezer* exempt from some of these prohibitions? (ח': ח')

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**Next Week's Mishnayot...**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
2 <sup>nd</sup> April ד' ניסן	3 <sup>rd</sup> April ה' ניסן	4 <sup>th</sup> April ו' ניסן	5 <sup>th</sup> April ז' ניסן	6 <sup>th</sup> April ח' ניסן	7 <sup>th</sup> April ט' ניסן	8 <sup>th</sup> April י' ניסן
Yoma 8:2-3	Yoma 8:4-5	Yoma 8:6-7	Yoma 8:8-9	<b>Sukkah</b> 1:1-2	Sukkah 1:3-4	Sukkah 1:5-6

