



Seir HaMishtaleach

Part of the *avoda* on *Yom Kippur* involved casting lots to decided the fates of two goats. One of these was used a *chatat* with its blood sprinkled in the same special manner as the bull offering learnt previously. The second, the *seir ha'mishtaleach* was sent to the desert and ultimately pushed off a cliff. The details of both these goats have been learnt over the past week. While the first goat's use appears to be much like a regular *korban*, the *seir ha'mishtaleach* however is quite unique. This leads to the question regarding how to define it. Is it a *korban*? It is paired with the other goat but has none of the regular *avoda* performed with it. The *Minchat Asher* (*Acharei Mot*, 29) presents three approaches in understanding the *seir ha'mishtaleach*.

The *Gevurat Ari* (*Yoma* 41b) asks how the crimson thread could have been tied on the horns of the *seir ha'mishtaleach*? Initially, its purpose was so that the goats would not be mixed. Yet after the goat was sent away, the thread on its horns served no purpose and should be considered a violation of performing unnecessary work with a *korban*. He answers that while prior to the lottery it shared some laws with *korbanot* (e.g. it was prohibited to slaughter it outside the *Beit Hamikdash*) this was only because it was suitable to be offered inside the *Beit HaMikdash*. Once however the lottery and *vidui* (confession) was performed, and it is no longer fit to be inside, it is no longer considered a *korban*. It does not have the sanctity of a *korban* (*kedushat haguf*) and would only be considered like the property of the *Beit HaMikdash* (*bedek habayit*).

The *Grach* however has a slightly different approach. He maintains that the *seir ha'mishtaleach* indeed does

have the status of *korban* yet it is different from other *korbanot* in its *avoda*. Its *avoda* is performed in the *vidui* of the *kohen gadol*. All that remains after that is a *mitzvah* of sending out.

The *Minchat Asher* directs us to the *Rashba* (*Shevu'ot* 13a) who deliberates whether the sending of the *seir hamishtaleach* is considered a *korban*. The *Rashba* concludes, much like the *achronim* above that is not considered a *korban*.

The *Minchat Asher* explains that this understanding fits nicely with the *Gemara* (*Yoma* 66b) that teaches that the sending of the *seir hamishtaleach* overrides *Shabbat*. The *Gemara* there learns this law from the word "iti" used in the *pasuk* when describing *mitzvah*. The fact that a separate *pasuk* is required is noteworthy because we have a general rule that all public sacrifices override *Shabbat* and the *seir hamishtaleach* should have been encompassed in that rule. Yet if it is not considered a *korban* after *vidui* then we understand why a separate *pasuk* is needed. (Nevertheless, he admits that one could say the *seir hamishtaleach* is considered *korban* but requires a *pasuk* because its *avoda* would be outside the *Beit HaMikdash* and therefore its overriding *Shabbat* could not be learnt from other *korbanot*).

The *Shita Mekubetzet* (*Temura* 6b *hashmatot*) however writes that if one pushed the *seir hamishtaleach* that had a *mum* (blemish) over the cliff they would have violated the prohibition of offer a *korban* with a *mum*. It follows therefore, that according to the *Shita Mekubetzet* that the *seir hamishtaleach* is considered a *korban* until its end.

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Revision Questions

יומא ה' בי' ו' ח'

- During the second *Beit Ha'Mikdash*, when the *aron* was absent, how did the *kohen* know where to place the *ketoret*? (ה' בי)
- Where and how was the sprinkling of the bull's blood first performed? (ה' ג)
- Where would he place the remainder of the blood? (ה' ג)
- Which animal was slaughtered next? (ה' ד)
- What were the three places where the various bloods were sprinkled? (ה' ד)
- What was different about the blood that was sprinkled on the *mizbeach ha'zahav* to the blood sprinkled elsewhere? (ה' ד)
- What was different about the way the blood was sprinkled on the *mizbeach ha'zahav* to the way blood is ordinarily sprinkled on the corners of the *mizbeach ha'chitzon*? (ה' ה)
- What was done with all the left over blood after the required sprinkling? (ה' ו)
- What would the *kohen gadol* do if the blood spilt while in the middle of performing the sprinkling on the *mizbeach ha'zahav*? (ה' ז)
- Can the two goats be purchased on different days? (ה' א)
- What happens if one of the goats dies after the lottery has been performed? (ה' א)
- What is *R' Yehuda's* opinion regarding the previous question, and in what other case does he rule in a similar manner? (ה' א)
- What would the *kohen* do just prior to sending out the *se'ir ha'mishtaleach*? (ה' ב)
- Which people were allowed to guide the *se'ir ha'mishtaleach*? (ה' ג)
- Why was a bridge built for guiding the *se'ir ha'mishtaleach*? (ה' ד)
- Who would escort the *se'ir ha'mishtaleach* to the first station? (ה' ד)
- What was the distance from *Yerushalaim* to the cliff face? (ה' ד)
- What would the people at each station do when the *se'ir ha'mishtaleach* and the guide reached them? (ה' ה)
- Explain what the guide would do when he reached the cliff face. (ה' ו)
- Where would the guide go after he finished his job? (ה' ו)
- What parts of the bull and goat were offered on the *mizbeach*? (ה' ז)
- How would they know when the *se'ir ha'mishtaleach* had reached the desert (include all three opinions) and why was this important? (ה' ח)

Local Shiurim

Melbourne, Australia

Sunday -Thursday

10 minutes before *Mincha*
Mizrachi Shul
 Melbourne, Australia

Friday & Shabbat

10 minutes before *Mincha*
Beit Ha'Roeh
 Melbourne, Australia

Efrat, Israel

Shiur in English

Sunday -Thursday

Rabbi Mordechai Scharf
 9:00am
Kollel Magen Avraham
 Reemon Neighbourhood

ONLINE SHIURIM

Rabbi Chaim Brown
www.shemayisrael.com/mishna/

Rav Meir Pogrow
613.org/mishnah.html

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

SHIUR ON KOL HALOSHON

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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
25 th December כ"ט כסלו	26 th December ל' כסלו	27 th December א' טבת	28 th December ב' טבת	30 th December ג' טבת	31 st December ד' טבת	1 st January ה' טבת
Yoma 7:1-2	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

