**The Scapegoat Ritual—between Biblical and Tannaitic Law**

**Introduction**

In Leviticus 16, Aaron is commanded to bring one bull to atone for himself and for his household (v. 3), and two goats to atone for the children of Israel (v. 5). He sprinkles the blood of the bull and one of the goats in different places in the Temple and sends the second goat, the scapegoat, to “’Azazel to the desert.” The scapegoat ritual is discussed extensively in the research community, mainly due to its similarity to ancient pagan rituals[[1]](#footnote-1). A number of scholars have also dealt with the nature of ’Azazel as described in a number of essays from the Second Temple period[[2]](#footnote-2) and with the inquiry of how the Sages coped with this ritual.[[3]](#footnote-3) In the last-mentioned context, most discussions take up the question of how the Sages interpreted the word ’*azazel* and the homiletic reference of the Tannaim to this ritual. Not enough attention, however, has been paid to the Tannaitic halakhic interpretation of this ritual and the relationship between Tannaitic law and the Biblical text. In this article, I will present this interpretation, which states that atonement is attained not by sending the goat away but through the confession performed on it. I will also discuss the novelty in the Tannaitic literature about the disposition of the goat: thrown off the cliff and not just sent to the desert. As I will argue, there is a connection between this interpretation and the assertion that atonement does not depend on sending the goat away.

**The Biblical account**

As stated, Aaron sprinkles the blood of the bull and one of the goats in different places in the Temple and sends away the second goat, the scapegoat, to “’Azazel to the desert.” The purpose of sprinkling the blood is explained in v. 16:

In this way, he will make atonement for the Holy Place because of the impurity and the sins of the children of Israel, whatever their sins have been.[[4]](#footnote-4)

Indeed, as Jacob Milgrom has shown, in several places in the Bible, it is assumed that the impurity of the children of Israel defiles the tabernacle even though the impurity does not come in direct contact with it, and that the way to atone for this impurity is through the blood of the sin-offering.[[5]](#footnote-5)

As for the scapegoat, the Torah commands Aaron to place his hands on its head, confess the sins of the people of Israel on it, and then send it away to the desert. The assumption accepted by most scholars is that, by this confession, Aaron transfers the sins of the people to the goat and sends the sins to the desert.[[6]](#footnote-6) The confession, then, has no liturgical function.

It follows that the atonement ritual comprises two ceremonies: atonement for the Temple through the bull and one of the goats, and atonement for the people through the scapegoat.

**Sources from the Second Temple period**

The importance of the scapegoat ritual is also reflected in sources from the Second Temple period. The account in the Temple Scroll, for example, tracks that of the Bible, more or less[[7]](#footnote-7) :

ובא אל השעיר החי והתודה על רואשו את כול עוונות בני ישראל עם כול אשמתמה לכל חטאתמה ונתנמה על רואש השעיר ושלחו לעזזאל המדבר ביד איש עיתי ונשא השעיר את כל עוונות

And [he] will go to the living he-goat and confess over its head all the sins of the children of Israel with all their guilt together with all their sins; and he shall place them upon the head of the he-goat and shall send it to ‘Azazel to the desert, from the hand of man indicated. And the he-goat will take with itself all the sins.

In their account of the Day of Atonement ritual, both Philo and Josephus mention and even emphasize the atonement that is achieved through the scapegoat. Josephus says[[8]](#footnote-8):

On the tenth of the same lunar month they fast until evening; on this day they sacrifice a bull, two rams, seven lambs, and a kid as a sin-offering. These aside, they offer two kids, of which one is sent alive to the wilderness beyond the frontiers, being intended to avert by expiation (*apotropiasmós*).

Notably, Josephus does not explain why the sin-offering must be sacrificed. Turning his attention to the scapegoat, however, he elaborates on how the animal is sent away and the atonement is thus attained. Philo offers a similar depiction[[9]](#footnote-10):

The one on whom the lot fell was to be sacrificed to God, the other was to be sent out into a trackless and desolate wilderness bearing on its back the curses which had lain upon the transgressors, who have now been purified by conversion to a better life and through their new obedience have washed away their old disobedience of the law.

Thus, Philo also emphasizes the atonement, in addition to repentance and the obviation of sins, that is attained through the medium of the scapegoat.

En passant, the pivotal role of the scapegoat in early Christianity is noteworthy, of course. Jesus was identified with the scapegoat[[10]](#footnote-11) or with the goat sacrificed on the altar.[[11]](#footnote-12) Either way, these Christian traditions, written in temporal proximity to the destruction of the Temple, indicate the importance of the ritual in the Second Temple period.

**Tannaitic** **sources**

At first glance, the Mishna, Tractate Yuma, carries the Biblical perception forward and gives the scapegoat a central place in the atonement ritual. The Mishnaic account does follow the Biblical ritual, despite certain changes, and describes in detail both the blood service (5:3-5) and the scapegoat ritual (6:1-8).

A closer study of the Tannaitic literature, however, reveals a real revolution in attention to the role of the scapegoat. Sifra,[[12]](#footnote-13) the Tannaitic midrash on Leviticus, quotes a dispute between R. Shimon and R. Yehuda regarding atonement through the scapegoat:

How long must it be kept alive? Until "When he has finished purging the Shrine, the Tent of Meeting, and the altar" (v. 20). These are the words of R. Yehuda. R. Shimon says: "to make atonement over it," atonement through its body.

The Midrash refers to v. 10, which reads:

The goat designated by lot for ’Azazel shall be left standing alive before the LORD, to make atonement over it and to send it off to the wilderness for ‘Azazel.

The simple interpretation of this verse is that the goat makes atonement, "to make atonement over it," by being sent away. However, both R. Yehuda and R. Shimon divide the verse in two, so that atonement is not dependent on sending and if the goat dies before it is sent, atonement is not impaired. According to R. Yehuda, what matters is that the goat must be alive when the High Priest sprinkles the blood. R. Shimon’s reasoning, which seems to be the common Tannaitic method, is expressed more clearly in Tosefta Yuma 3[[13]](#footnote-14):

How long must it be kept alive? Until "When he has finished purging the Shrine,” these are the words of R. Yehuda. R. Shimon says, “Until the time of the confession.”

Here the text explicitly states that, according to Rabbi Shimon, atonement via the scapegoat is dependent on the confession mentioned in v. 21.

At hand, it seems, is an interpretive revolution. As stated above, the plain meaning of v. 21 is that, by means of the confession, Aaron transfers the sins of the people to the goat and sends them into the desert. The confession in the Bible plays no liturgical role and atonement is not achieved through words. According to Rabbi Shimon, however, it is a liturgical confession, and not sending the goat to the desert, that causes atonement.

This revolution appears to be the result of an attempt by the Sages to downscale the magical dimension of the scapegoat. As stated above, many scholars have commented on the resemblance between this ceremony and similar ceremonies known from the ancient East. In these rituals, which aim to protect society from forces of impurity, sin, and evil, sins are placed on objects or animals and sent outside the boundaries of the settlement. Most scholars agree, however, that in the Biblical ritual, the pagan dimensions of the ceremony are blurred.[[14]](#footnote-15) The goat is not a sacrifice and ’Azazel is not a specific figure who has an active role to play, such as accepting the goat or attacking it. Nevertheless, the Biblical ritual and the pagan rituals do have similarities and, as I suggested, R. Shimon's focus on the confession may originate in the goal of distancing the Jewish practice from the magical meaning of the ceremony.

Another factor to bear in mind is the centrality of repentance and confession in Tannaitic thought. As many scholars have noted, in the late the Second Temple period and after the destruction of the Temple, repentance and confession became increasingly central in achieving atonement, in addition to and instead of sacrifices.[[15]](#footnote-16) It stands to reason that R. Shimon's interpretation derives from this trend.

Indeed, R. Shimon's method seems to be the basis for Tannaitic innovations in relating to the two other confessions of the High Priest, which appear in the description of the worship service in Mishna Yuma.[[16]](#footnote-17) The sentence "Aaron shall offer (והקריב"") his own bull for the sin-offering and make atonement for himself and for his household" appears twice, in v. 6 and v. 11, even before the slaughter of the bull is described. The midrash in Sifra[[17]](#footnote-18) explains that the intention is to attain atonement by making two confessions upon the bull's head.[[18]](#footnote-19) A closer look at the Tannaitic sources shows that the main atonement of Yom Kippur, according to the Tannaim, is through these three confessions and not by sprinkling the blood of the sacrifice, let alone by sending the goat into the desert. As we have seen, atonement according to both R. Yehuda and R. Shimon does not depend on sending away the goat. As for sprinkling the blood, several sources, e.g., Mishna Shevuot 1, state explicitly that the blood atones only for the sin of entering the Temple. [במצב של טומאה?] Atonement for other sins depends, according to R. Shimon, on the confessions:

For intentional transgressions of the laws of impurity in connection with the Temple and the holy food, the goat offered inside the Day of Atonement brings atonement. For other transgressions of the Torah, light and grave, intentional and unintentional, known and unknown, positive and negative, those punishable by *kareth* and those punishable by death imposed by the court, for all these the scapegoat brings atonement.[[19]](#footnote-20) [The scapegoat] brings atonement to Israelites, priests, and the anointed High Priest alike. What [then] is the difference between Israelites, priests, and the anointed High Priest? [None], save that the bullock [offered on the Day of Atonement] brings atonement to the priests for transgressing the laws of impurity in connection with the Temple and the holy food.

R. Shimon says: “Just as the blood of the goat that is offered within [the Holy of Holies] brings atonement to the Israelites, so does the blood of the bullock [offered on the Day of Atonement] bring atonement to the priests; *and just as the confession of sins pronounced over the scapegoat* brings atonement to the Israelites, so *the confession pronounced over the bullock* brings atonement to the priests (italics added).

**The role of the scapegoat**

What still awaits clarification is the following: If, according to the Tannaim, the atonement is not dependent on sending away the goat, why should it be sent at all and what is the function of the ritual?

To answer, one must first pay attention to the innovation created by the Tannaim as to the form in which the goat must be sent. The Biblical description (vv. 21–22) makes it clear: the goat sent into the wilderness: "shall be sent off to the wilderness through a designated man ... and […] shall be set free in the wilderness.” The account says nothing about any physical harm befalling the goat. Neither do Philo’s and Josephus’ accounts of the ritual, quoted above, allude to such an outcome.[[20]](#footnote-21) According to the Mishna in Yuma, however, the goat is thrown off a cliff and killed:

What did he do? He divided the thread of crimson wool and tied one half to the rock, the other half between its horns, and pushed it from behind, and it went rolling down and before it had reached half down the hill, it was destroyed limb by limb.

This denouement recurs in Sifra, the Tannaitic midrash, which interprets the word ’*azazel* as “a difficult place in the mountains.”[[21]](#footnote-22)

How should one explain the Tannaitic imperative of killing the goat? This novelty, I suggest, is connected with the Tannaitic revolution discussed above, which dissolves any link between atonement and the sending away of the goat. As shown above, according to the Tannaim, atonement depends instead on the confessions. This revolution, I argue, redefines the role of the scapegoat. From then, it is used not for atonement but rather *to prove* that atonement has indeed been achieved. This is precisely why it should be thrown off the cliff. If it dies as a result, it is a sign that the sins have been *erased*.

Indeed, in the Day of Atonement service according to the Mishna and parallel sources, there are several rituals that are meant to prove that the atonement has been achieved. So should one understand, for example, the role of the thread of crimson wool, mentioned in Mishna Yuma 6, which was supposed to turn red after the goat was thrown off the cliff.

Indeed, the *baraita* in Babylonian Talmud Yuma 39a reports:

Forty years before the destruction of the Temple, the lot for God did not turn up in the right hand, the strip of crimson did not turn white, and the westernmost lamp did not burn.

In a parallel baraita in Palestinian Talmud 6,[[22]](#footnote-23) the hurling of the goat from the cliff is mentioned in a similar context:

As long as Simeon the Tzaddik was alive, before [the goat] reached halfway down the scape it was destroyed limb by limb. After the death of Simeon the Tzaddik, it would flee into the wilderness and the Serkin would eat it.

Therefore, the death of the goat symbolizes the obliteration of sins before God. When the goat is not killed and escapes, it symbolizes the fact that the atonement of the people has not been achieved.

**Conclusion**

Two interpretive revolutions appear in the Tannaitic literature regarding the scapegoat. First, the Tannaim, following R. Shimon, argued that it is not the sending of the goat that causes atonement but rather the confession placed upon it. By so ruling, they diminished the power of the ritual. Contrastingly, they intensified the ritual by determining that the goat should be killed and not only sent. Above I suggested that, because they claimed that sending the goat away does not bring atonement, the ritual had to be repurposed and, since then, it has served as proof that atonement has indeed been achieved—making it necessary to kill the scapegoat.

1. See sources noted by G. G. Frazer, *The Golden Bough, LVII: The Scapegoat*, London, 1941, pp. 562-577 ;I. Kauffmann, *Toldot haEmuna haYisraelit 1*, Jerusalem 1969, pp. 571;J. Milgrom, Anchor Bible—Leviticus 1-16, New York 1991, pp. 1071-1708;M. Weinfeld, "*Devarim shehaSatan, Yetzer Hara, umot ha’Olam Meshivin ‘Alehen*,” in Atara laHayyim: Mehqarim baSifrut haTalmudit vehaRabanit Likhvod H.Z. Dimitrovsky, Jerusalem 2000, pp. 105-107. [↑](#footnote-ref-1)
2. For an exhaustive overview of the history of research and references to key sources, see D. Stökl Ben Ezra, *The Impact of Yom Kippur on Early Christianity: The Day of Atonement from Second Temple Judaism to the Fifth Century*, Tübingen 2003, pp. 85-95. See also W. K. Gilders, "*The Day of Atonement in the Dead Sea Scrolls*,” in T. Hieke and T. Nicklas (eds.) The Day Of Atonement—Its Interpretations In Early Jewish and Christian Traditions, Leiden 2012, pp. 63-74 [↑](#footnote-ref-2)
3. See Weinfeld (n. 1 above);I. Knohl and S. Naeh, *"Milluim Ve-Kippurim,”* Tarbiz 62, 1 (1993), pp. 39-40. [↑](#footnote-ref-3)
4. Scholars disagree about the exact interpretation of this verse. B. Levin, *"Kippurim,”* Eretz-Israel 9 (1969), p. 90, states that the intention here is precisely to defilement as a result of crimes and sins, with the letter ו"ו in the word 'ומפשעיהם' interpreted in view of the foregoing: 'מטמאת בני ישראל'. In contrast, Milgrom (n. 1 above), p. 1033, explains that the verse means both a ritual impurity and an impurity arising from sins committed in the tabernacle. Milgrom's comment seems more convincing. [↑](#footnote-ref-4)
5. J. Milgrom, *"Tafkid Qorban haHatat,”* Tarbiz 40, 1 (1971), pp. 8-1; Milgrom, "*HaParadox shel haPara haAduma*,” Beit Mikra 27, 2-3 (1982), pp. 163-155; Milgrom (n. 1 above), pp. 205; Milgrom's conclusions are widely accepted by many scholars. See Y. Breuer, **"***Isur Tum’a baTora***,”** Megadim 2 (1986), pp. 46; J. E. Hartley, *Word Biblical Commentary-Leviticus*, Dallas, TX, 1992, pp. 420;I. Knohel [Knohl?], Miqdash *haDemama*, Jerusalem, pp. 175-173; B. J. Schwartz, *Torat haQedusha,* Jerusalem 1999, p. 26 n. 36; pp. 120-112. A number of scholars disagree with some of Milgrom's conclusions: N. Kiuchi, *The Purification Offering in the Priestly Literature*, Sheffield, 1987, pp. 65-62 argues that, even as it purifies the tabernacle, the sin-offering causes God to forgive the sinner directly (as shown, for example, in Leviticus 4, 4 and Leviticus 11). See also M. Ginsburskaya, "Leviticus in Light of the Dead Sea Scrolls: Atonement and Purification from Sin,” in A. Lange, E. Tov and M. Weigold (eds.), The Dead Sea Scrolls in Context I (2011), pp. 266-265; B. A. Levine, *In the Presence of the Lord,* Leiden 1974, p. 101. [↑](#footnote-ref-5)
6. D. Z. Hoffman*, Sefer vaYiqra*, Jerusalem 1953, pp. 87; Milgrom (n. 1 above), pp. 303; pp. 1040; M. Peran, "*Shne Sugim shel Semikhat Yadaim baMaqor haKohani,*" Beer-Sheva 2 (1985), p. 118; B. Levine (n. 4 above) p. 94. A second possible way of explaining the scapegoat’s role is that after Aaron atones for the sacred, he transmits the defilement that he has removed to the scapegoat, through the medium o the confession, and sends the goat away. So Milgrom suggests in a later article, "HaParadox shel haPara haAduma,” Beit Mikra 27, 2-3 (1982). See also Kyuchi (n. 5 above), pp. 164-144. Milgrom (n. 1 above), p. 1034, 1045, makes an in-between suggestion: The confession upon the goat and its sending were originally intended to complete the process of purifying the Temple but, as matters appear to us, the meaning relates to the expunging of the people’s sins. [↑](#footnote-ref-6)
7. Temple Scroll 26, 13-10 (E. Qimron, *Megillot Midbar Yehuda 1*, Jerusalem 2010, p. 165). [↑](#footnote-ref-7)
8. *Jewish Antiquities* III, 243-240 (p. 433). [↑](#footnote-ref-8)
9. Special Laws I, 188 (VII, p. 207) Lob edition, Londin [Loeb Classical Library, London?], 1998. [↑](#footnote-ref-10)
10. For example, Epistle of Barnabas, 7:3-8. See discussion in Ben Ezra (n. 2 above), pp. 148-152. [↑](#footnote-ref-11)
11. For example, Matthew 27:29-33. See discussion in Ben Ezra (n. 2 above), pp. 171-165. [↑](#footnote-ref-12)
12. Sifra Ahare Mot 2:7, 47a (MSS Vatican 66). [↑](#footnote-ref-13)
13. Tosefta yoma (Kippurim) 3:10 (Lieberman ed', pp. 244-245). [↑](#footnote-ref-14)
14. See Kauffmann (n. 1 above), pp. 571-573; Milgrom (n. 1 above), pp. 1020-1021, 1042; Weinfeld, (n. 1 above), pp. 107. [↑](#footnote-ref-15)
15. See Philo, Special Laws II, 196 (Vol. VII, [Loeb Classical Library, London?] p. 429); The Book of Jubilees 4-5 )Werman ed', pp. 194-218). A number of scholars have dealt with this issue, See D. K. Falk, *Daily, Sabbath, and Festival Prayers in the Dead Sea Scrolls*, Studies on the Texts of the Desert of Judah 27, Leiden 1998; E. Qimron, "*Prayers for the Festivals from Qumran—Reconstruction and Philological Observations,”* in M. F. J. Baasten and W. Th. van Peursen (eds.), Hamlet on a Hill—Semitic and Greek Studies, presented to Professor T. Muraoka on the Occasion of His Sixty-Fifth Birthday, Orientalia Lovaniesia Analecta 118, Uitgeverij Peeters en Department Oosterse Studies, Leuven 2003, pp. 383-387; J. M. Baumgarten, "*Yom Kippur in the Qumran Scrolls and Second Temple Sources*,” Dead Sea Discoveries 6,2 (1999), pp. 184-191; Ben Ezra (n. 1 above), pp. 39-38. As for the Tannaim, see A. Aderet, *MiHurban leTiquna: Derekh Yavne beShikum haUma*, Jerusalem 1997, pp. 211. [↑](#footnote-ref-16)
16. Mishna Yuma 3:8; 4:2. [↑](#footnote-ref-17)
17. Sifra Ahare Mot 2:2, 80,d. [↑](#footnote-ref-18)
18. Commentators and scholars have suggested other ways of resolving this verse. Some propose that the phrase "והקריב" in the verse does not mean "sacrifice" but rather to bring the sacrifice to its place of slaughter (as the midrash also assumes). However, they interpreted the phrase "and make atonement for himself and for his household" as denoting the future: to bring the beast in order to atone through it later, through its blood. So in Milgrom (n. 1 above), pp. 1018; A. Levin, *Leviticus: the traditional Hebrew Text with the New JPS Translation*, Philadelphia 1989, pp. 104;Hartley (n. 5 above), p. 236. Other scholars interpret verses 6-10 as a closed unit that does describe the sacrifice of the sin offering, while vv. 11-12 present a different description, contrary to the first description. According to this argument, while vv. 6 and 5 indicate that the sacrifice of the bull and the goat was made on the outer altar before the entrance to the Holy Place, v. 11ff indicate that the blood was sprinkled into the Holy of Holies. See M. Noth, *Leviticus*, Philadelphia 1965, pp. 119-121; N. H. Snaith, *Levitcus and Numbers*, London 1967, pp. 109. [↑](#footnote-ref-19)
19. The first opinion in the Mishna appears anonymous, but this controversy also seems to recur in Sifra Ahare Mot, 8:8, 83 b, where the debaters are identified explicitly as R. Yehuda and R. Shimon. In fact, however, there are two different disputes here: One concerns the relation between the priestly atonement and that of the people; the other concerns the way other sins are atoned for: through the scapegoat or through the confessions. R. Shimon states in so many words that sending the goat into the desert does not cause atonement per se. The first opinion does link atonement to this deportation. As we have seen, however, even R. Yehuda admits that the death of the scapegoat before it is sent into the desert does not delay atonement. In view of this, one must explain that the sentence in the Mishna—“for all these the scapegoat brings atonement”—does not explain how the scapegoat brings atonement. [↑](#footnote-ref-20)
20. See at note 9. The same goes for the description in the Epistle of Barnabas, 7: 3-8, as noted by M. Bar-Ilan, *HaPolmus ben Hakhamim laKohanim,* Ramat Gan, 1982, p. 29. Some scholars (D. R. Schwartz, *"Two Pauline Allusions to the Redemptive Mechanism of the Crucifixion*,” Journal of Biblical Literature 102, 2 (1983), p. 242; Ben Ezra [n. 2 above], p. 31) argue that the tradition of pushing the goat off the cliff, which appears in the Mishna, is expressed in Enoch 1 10:1-4 and by Paul in *Epistle to Galatians* 4:4-5. I believe, however, that these sources are not even remotely familiar with the Tannaitic tradition of sending the goat off the cliff and that these scholars read these sources according to the Mishnaic tradition. [↑](#footnote-ref-21)
21. Sifra Ahare Mot 2:8, 81 a. [↑](#footnote-ref-22)
22. Palestinian Talmud Yuma 6:3, 43 b. [↑](#footnote-ref-23)