**The Scapegoat Ritual - between the Bible and the Tannaitic Law**

**Introduction**

According to the biblical description in Leviticus 16, Aaron was commanded to bring one bull to atone for himself and for his household (verse 3), and two goats to atone for the children of Israel (verse 5). 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 scapegoat ritual discussed extensively in the research community, mainly because of its similarity to ancient pagan rituals[[1]](#footnote-1). A number of scholars have also dealt with the character of Azazel's that appears 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) As for the last, most of the discussions dealt with the question how the sages interpreted the phrase 'Azazel' and with the legendary reference of the Tannaim to this ritual. However, not enough attention was paid for the halakhic interpretation of the Tannaim for this ceremony and to the relationship between the Tannaitic Law and the Biblical text. In this article, I will present the Tannaitic interpretation, which states that sending the goat away does not does not cause the atonement at all, and instead decided that the confession performed on him is the main thing. In addition, I will discuss the novelty that appears in the Tannaitic literature that the goat should be 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 the atonement does not depend on sending away the goat.

**Bible**

As said before, 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 role of sprinkling blood is explained in verse 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 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 the head of the goat and to confess the sins of the people of Israel on it, and then to send him to the desert. The accepted assumption by most scholars is that by this confession, Aharon transfers the sins of the people to the goat and sends them to the desert.[[6]](#footnote-6) The confession, then, has no liturgical function.

We can, therefore, conclude that the atonement ritual consists of 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 significance of the scapegoat ritual is also reflected in sources from the second temple period. Thus, for example, the description of the Temple Scroll follows, more or less, the biblical words[[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 will go to the living he-goat and will confess over its head all the sins of the children of Israel with all their guilt together with all their sins; and hr shall place them upon the head of the he-goat and will 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 the description of Philo and Josephus of the ceremony of the Day of Atonement, they both mention and even emphasize the atonement through the scapegoat. Josephus said:[[8]](#footnote-8)

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

It can be noted that Josephus does not explain why the sins offering must be sacrificed, but when he deals with the scapegoat, he expands about the depiction of the way he is sent away, and about the atonement he causes. A similar depiction we can find in In Philo’s reference:[[9]](#footnote-9)

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 the better life and through their new obedience have washed away their old disobedience to the law.

Philo, as we can see, also emphasizes the atonement through the scapegoat, In addition to repentance and neglect of sins.

On the margins of this section, it should be noted, of course, to the pivotal role the scapegoat has taken in the early Christianity. Jesus was identified with the scapegoat[[10]](#footnote-10) or with the goat sacrificed on the altar.[[11]](#footnote-11) Either way, these Christian traditions, written near the destruction of the Temple, indicate the importance of ritual in the Second Temple period.

**Tannaitic** **Sources**

Reading the Mishnah Yoma shows, at first sight, that the mishnah continues the biblical perception, and the scapegoat takes a central place in the atonement ceremony. The mishnah follows, with certain changes, the biblical ritual, and describes in detail both the worship of blood (5: 3-5) and the ritual of the scapegoat (6: 1-8).

However, a closer study of the Tannaitic literature reveals a real revolution regarding the role of the scapegoat. The Sifra,[[12]](#footnote-12) the Tannaitic Midrash on Leviticus, quotes a dispute between Rabbi Shimon and Rabbi Yehuda regarding the 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" (verse 20). These are the words of R. Yehudah. R. Shimon says: "to make atonement over it," atonement through its body.

The Midrash refer to verse 10 where it is said:

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 way in which the goat makes atonement, "to make atonement over it", is by sending it away. However, Bothe R. Yehudah and R. Shimon divide the verse in two, so that the atonement is not dependent on sending it away and if the goat dies before it is sent, it does not harm the atonement. According to R. Yehudah the main thing is that the goat will be alive While the high priest sprinkles the blood. R. Shimon method, Which seems to be the common Tannaitic method, are clearer in the Tosefta yoma Chapter 3:[[13]](#footnote-13)

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

Here it explicitly states that according to Rabbi Shimon, the atonement by the scapegoat is dependent on the confession mentioned in verse 21.

 It seems that we are facing an interpretive revolution. As we said earlier, the simple meaning of verse 21 is that by the confession, Aaron transfers the sins of the people to the goat and sends them to the desert. The confession in the Bible has no liturgical role and the atonement is not achieved through words. According to Rabbi Shimon, however, it is a liturgical confession that Causing the atonement instead of sending the goat to the desert.

This revolution seems to be a result of the sages' attempt to reduce the magicaldimension of the scapegoat. As I mentioned before, many scholars have commented on the resemblance between this ceremony and similar ceremonies known from the ancient East. In these rituals, whose purpose is to protect the society from the forces of impurity, sin and evil, they placed the sins on objects or animals and send them outside the boundaries of the settlement. Most scholars agree, however, that in the biblical ceremony, the pagan dimensions of the ceremony were blurred.[[14]](#footnote-14) The goat is not a sacrifice, and Azazel is not a specific figure who has an active role such as accepting the goat or attacking it. Despite this, the biblical ceremony is similar to the pagan rituals and as we suggested, Rabbi Shimon's focus on the confession may derive from the goal of moving away from the magical meaning of the ceremony.

In addition, the central status of repentance and confession in the Tannaitic thought must also be taken into account. As many scholars have pointed out, at the end of the Second Temple period and after the destruction of the Temple, repentance and confession have become more and more the central way to achieve atonement, in addition and instead of sacrifices.[[15]](#footnote-15) It is reasonable to assume that Rabbi Shimon's interpretation derives from this trend.

Indeed, Rabbi Shimon's method seems to be the basis for the novelty of the Tannaim about the other two confessions of the High Priest, which appear in the description of the worship in Mishnah Yoma.[[16]](#footnote-16) The sentence "Aaron shall offer (והקריב"") his own bull of sin offering, and make atonement for himself and for his household", appears twice in verse 6 and in verse 11, even before the description of the slaughter of the bull. The midrash in the sifra[[17]](#footnote-17) explains that the intention is to attain atonement by two confessions made on the bull's head.[[18]](#footnote-18) 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 through the blood sprinkles of the sacrifice and certainly not by sending the goat to the desert. As we have seen, the atonement, according both Rabbi Yehuda and Rabbi Shimon, does not dependent on sending away the goat. As for the blood sprinkles, a number of sources, for example, Mishna Shavuot chapter 1, explicitly state that the blood only atone for the sin of entering the Temple. The atonement for the rest of the sins is depends, according to Rabbi Shimon, on the confessions:

For intentional transgressions of the laws of impurity in connection with the temple and holy food, the goat offered inside the Day of Atonement bring 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-19) [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 transgressions of the laws of impurity in connection with the temple and holy food.

Rabbi Shimon says: “Just as the blood of the goat that is offered within [the Holy of Holies] brings atonement for Israelites, so the blood of the bullock [offered on the Day of Atonement] brings atonement for priests; **and just as the confession of sins pronounced over the scapegoat** brings atonement for Israelites, so **the confession pronounced over the bullock** brings atonement for priests.

**The role of the scapegoat**

What remains to be clarified 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 ritual's function?

In order to deal with this issue, one must first pay attention to the novelty of the Tannaim as to the form in which the goat must be sent. The biblical description (verses 21-22) explicitly states that the goat sent into the wilderness: "and it shall be sent off to the wilderness through a designated man... and the goat shall be set free in the wilderness". There is no description here of any physical harm caused to the goat. There is no hint of that either in the description of the ceremony in Philo and Josephus that we quote before.[[20]](#footnote-20) However, according the Mishnah yoma, the goat was thrown from 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 is also the case in the Sifra, the Tannaitic Midrash which interprets the word 'Azazel' as a "difficult place in the mountains".[[21]](#footnote-21)

How should one explain the requirement that appears in the Tannaitic sources to kill the goat? I suggest that this renewal is connected to the Tannaitic revolution we discussed above, which disconnects any link between the atonement and the sending away of the goat. As we have seen above, instead, according to the tannaim, the atonement depends on the confessions. I argue that this revolution redefined the role of the scapegoat and from then on, it is not used for atonement, but rather **to prove** that the atonement has indeed been achieved. That 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, at the ceremony of the Day of Atonement in the mishna and parallel Sources, there are a few rituals whose purpose is to prove that the atonement has been achieved. Thus one must understand, for example, the role of the thread of crimson wool, mentioned in the Mishnah Yoma chapter 6, which was supposed to turn red after throwing the goat off the cliff.

Indeed, in the baraita that appears in the Babylonian Talmud Yoma, p. 39 a, it says:

forty years before to 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 parallel baraita in the Palestinian Talmud chapter 6,[[22]](#footnote-22) it mentions, in a similar context, the throwing of the goat from the cliff:

As long as Simeon the Tzaddik was alive, before it had reached half way down hill it was destroyed limb by limb. After the death of Simeon the Tzaddik, it (the goat) would have fled to the wilderness and the Serkin would eat it

The death of the goat symbolizes, therefore, 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: On the one hand, the Tannaim, following Rabbi Shimon, argued that sending the goat away does not cause the atonement but rather the confession on him does so. In so doing, they underestimated the power of this ceremony. On the other hand, they actually intensified the ritual and determined that the goat should be killed and not only sent. According to my suggestion, because they claimed that sending the goat away does not cause the atonement, a new interpretation of the purpose of the ritual was needed, and from then on, it serves as a proof that the atonement has indeed been achieved and therefore it is necessary to kill him.

1. See the sources noted by G.G. Frazer, *The Golden Bough, LVII: The Scapegoat*, London 1941, pp. 562- 577 ;I. Kauffmann, *Toldot Ha'Emunah Ha'Yisraelit 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 haolam, meshivin aleihen*”, in Atarah le-Hayim: Mehqarim ba-sifrut ha-talmudit ve-ha-rabanit Lichvod H.Z. Dimitrovsky, Jerusalem 2000, pp. 105-107. [↑](#footnote-ref-1)
2. For an exhaustive overview of the history of research and reference to key sources, see D. Stokl 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 (Ed) 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. The scholars disagreed with the exact interpretation of this verse. B. Levin, *"Kippurim"*, Eretz-Israel 9 (1969), p. 90, interpreted that the intention here is precisely to defile as a result of crimes and sins, when the letter ו"ו in the Word 'ומפשעיהם' is interpreted what was said before 'מטמאת בני ישראל'. In contrast, Milgrom (n. 1 above), p. 1033, explained 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 Korban Ahatat"*, Tarbiz 40, 1 (1971), pp. 8-1; Milgrom, "*haparadox Shell Para Adoma*", 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, "***Isor Tomha Batora***", Megadim 2 (1986), pp. 46; J.E Hartley, *Word Biblical Commentary-Leviticus*, Dallas Tex, 1992, pp. 420;I. Knohel, **Miḳdash***ha-demamah*, Jerusalem pp. 175-173; B.J. Schwartz, *Torat ha-kedosha*, Jerusalem 1999, p. 26 n. 36; pp. 120-112. A number of scholars disagreed with some of Milgrom's conclusions: N. Kiuchi, *The Purification Offering in the Priestly Literature*, Sheffield, 1987, pp. 65-62 argued that in parallel to the purification of the tabernacle, the offering of sin causes God to forgive to the sinner in directly way (as is shown, for example, Leviticus 4, 4 and Leviticus 11). See also M. Ginsburskaya, *"Leviticus In The 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 Vayikra*, Jerusalem 1953, pp. 87;; Milgrom (n. 1 above), pp. 303; pp. 1040; M. Peran, "*Shnei Sogim Shel Smichat Yadaim Bamakor Ha-Kohani*" Ber-Sheva 2 (1985), p. 118; B. Levine (n. 4 above) p. 94. A second possibility to explain the roll of the scapegoat is that after Aaron makes atoned for the sacred, he transmits the defilement he has taken out to the to the scapegoat, through the confession, and sends it away. This is Milgrom's suggestion, in a later article, "*haparadox Shell Para Adoma*", Beit Mikra 27, 2-3 (1982). See also Kyuchi (n. 5 above) pp. 164-144. Milgrom (n. 1 above) p. 1034; 1045 made an interim suggestion: Originally the confession on the hairy and its sending intended to end the process of purifying the temple, but in the way things appear before us, it means to removes the sins of the people. [↑](#footnote-ref-6)
7. Temple Scroll 26, 13-10 (E. Qimron, *Megillot Midbar Yehuda 1*, Jerusalem 2010, pp. 165). [↑](#footnote-ref-7)
8. Jewish Antiquities III, 243-240 (pp. 433). [↑](#footnote-ref-8)
9. The special Laws I, 188 (VII pp. 207) Lob ed' ,Londin, 19986. [↑](#footnote-ref-9)
10. For example, Epistle of Barnabas, 7: 3-8. See the discussion in Ben Ezra (n. 2 above) pp. 148-152. [↑](#footnote-ref-10)
11. For example, Matthew 27: 29-33. See the discussion in Ben Ezra (n. 2 above), pp. 171-165. [↑](#footnote-ref-11)
12. Sifra Acharei Mot 2:7, 47a (Manuscript Vatikan 66). [↑](#footnote-ref-12)
13. Tosefta yoma (Kippurim) 3:10 (Lieberman ed', pp. 244-245). [↑](#footnote-ref-13)
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-14)
15. See Philo, The special Laws II, 196 (Lob, Vol VII, PP. 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 Desert of Judah 27, Leiden 1998; E. Qimron, "*Prayers for the Festivals from Qumran -Reconstruction and Philological Observations"*, in: M. F. J. Baasten & 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 to the Tannim, see A. Aderet, *Mihurban littekunah: derekh Yavne beshikum ah `umah* , Jerusalem 1997, pp. 211. [↑](#footnote-ref-15)
16. Mishna Yoma 3:8; 4:2. [↑](#footnote-ref-16)
17. Sifra Acharei Mot 2:2, 80,d. [↑](#footnote-ref-17)
18. Commentators and scholars have suggested other ways of resolving this verse: Some have suggested that the phrase "והקריב" in the verse does not mean, indeed, "sacrifice" bur but to bring it to its place of slaughter (as the midrash also assumed). However, they interpreted the phrase "and make atonement for himself and for his household" as meaning the future: to bring the beast to atone through it later, through the blood. So is 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) pp. 236. Other scholars have interpreted verses 6-10 as a close unit that does describe the sacrifice of the sin offering, while verses 11-12 present a different description, contrary to the first description. According to this argument, while verses 6 and 5 indicate that the sacrifice of the bull and the goat was made on the outer altar, before entering into the Holy Place, verse 11 and beyond indicates that the blood was sprinkle 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-18)
19. The first opinion in the Mishna appears unnamed, but this controversy also appears in the Sifra Acharei Mot, 8:8, 83 b, and there is explicitly stated that it is a dispute between Rabbi Yehuda and Rabbi Shimon. In fact, there are two different disputes here: One controversy concerns the relation between the priestly atonement and the atonement of the people, and a second controversy concerns the way in which the other sins are atoned for: whether through the scapegoat or through the confessions. Rabbi Shimon explicitly states that the transport of the goat to the desert in itself does not cause atonement. The first opinion, however, does indeed link the atonement with the deportation of the goat to the desert. However, we have seen above that Rabbi Yehuda also admits that if the scapegoat dies before sending him to the desert, it does not delay the atonement. In light of this, one must explain that the sentence in the Mishna " for all these the scapegoat brings atonement", Does not explain in which way the scapegoat brings atonement. [↑](#footnote-ref-19)
20. See next to note 9. The same goes for the description of Epistle of Barnabas, 7: 3-8, as already pointed out by M. Bar Ilan, *ha-polmus bein chahmim lecohanim*, Ramt gan 1982, pp. 29. Some scholars (D.R. Schwartz, *"Two Pauline Allusions to the Redemptive Mechanism of the Crucifixion*", Journal of Biblical Literature 102, 2 (1983), pp. 242; Ben Ezra [n. 2 above] pp. 31) have argued that the tradition of pushing the goat from the cliff, which appears in the Mishnah, is expressed in the Book of Enoch 1 10:1-4 and in Paul's words in Epistle to Galatians 4 : 4-5, but I believe that these sources do not have a clear hint of familiarity with the Tannaitic tradition of sending the goat from the cliff, And these scholars read these sources according to the tradition that appears in the Mishnah. [↑](#footnote-ref-20)
21. Sifra Acharei Mot 2:8, 81 a. [↑](#footnote-ref-21)
22. Palestinian Talmud yoma 6:3, 43 b. [↑](#footnote-ref-22)