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Zevachim Daf 72

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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Nullifying Animals

The *Mishna* had ruled that one forbidden animal can prohibit an entire group of animals.

The *Gemora* asks: Why isn't the forbidden animal nullified in the majority of permitted animals?

And should you answer that they are significant and cannot be annulled; that is well according to the view that we learned 'whatever is typically counted' (*and sold by the number is not nullified; since many sellers sell animals in this manner, they will not be nullified*); however, according to the view that we learnt 'whatever is exclusively counted,' what can be said (*for some sellers sell animals without taking a precise head count, or they add extra animals into the sale*)? For we learned in a *Mishna*: If a man had bundles of fenugreek of *kilayim* (*the prohibition against planting together different species of vegetables, fruit or seeds*) of the vineyard, they must be burned (*one cannot derive any benefit from the growths and they must be burned*). If these became mixed up with other permitted bundles, they must all be burned; these are the words of Rabbi Meir. The *Chachamim* say: The prohibited bundles may become nullified in a mixture of two hundred and one (*if the permitted food is two hundred times the quantity of the forbidden kilayim*). For Rabbi Meir would say the following: Anything that is commonly counted is

considered significant and cannot be nullified. And the *Chachamim* said: There are only six items which cannot be nullified (*since they are big, expensive and the best of their species*). Rabbi Akiva said: There are in fact seven. The following are the items: Nuts from Perech, pomegranates from Badan, sealed jugs of wine, shoots of beets, cabbage roots and Greek gourds. Rabbi Akiva adds loaves of homemade bread. Of these items, those which are subject to the law of *orlah* (*applied to newly-planted trees for a period of three years during which their fruits must not be eaten*) impart the prohibition of *orlah* and those which are subject to the law of *kilayim* of the vineyard impart that of the *kilayim* of the vineyard.

It was stated regarding this *Mishna*: Rabbi Yochanan said: The correct version of Rabbi Meir is that anything which is exclusively counted is considered significant and cannot be nullified. Rish Lakish said: The correct version of Rabbi Meir is that anything which is commonly counted is considered significant and cannot be nullified.

The *Gemora* concludes its question: It is well according to Rish Lakish (*since many sellers sell animals in this manner, they will not be nullified*); however, according to Rabbi Yochanan what can be said (*for some sellers sell animals without taking a precise head count, or they*

add extra animals into the sale, and since they are not exclusively counted, they may become nullified)?

Rav Pappa answers that the author of our *Mishna* is the author of the *braisa* about a litra measure of dried figs, who says that anything prohibited – even with only a Rabbinic prohibition - that is counted is not subsumed in a larger mixture. (72a – 73a)

INSIGHTS TO THE DAF

A Chanukkah Light that became Mixed with Ordinary Lights

by: Meoros HaDaf HaYomi

Our *Gemora* mentions the well-known Talmudic rule: “a thing that is counted does not become *bateil* – insignificant.” In other words, the *halachah* of *bitul berov*, according to which the minority of a mixture becomes like the majority, does not apply if the minority is a *davar shebeminyan* – a thing that is usually counted and not sold in bulk without mentioning its number. The importance and uniqueness of the article prevent us from relating to it as insignificant in a majority. This *halachah* is a rabbinical decree and our *sugya* and others cite disagreements of the *Tannaim* and *Amoraim* regarding the exact definition of this rule about which the *poskim* also disagreed. As for the *halachah*, see *Shulchan ‘Aruch*, Y.D. 110:1 and the accompanying *Remo*.

Apropos, there is a fascinating discussion in the *Acharonim* about a *Chanukah* candle that became

mixed with ordinary candles and cannot be identified. A light used for the *mitzvah* of *Chanukah* must not be used for another purpose (*Shulchan ‘Aruch*, O.C. 673:1). But if a *Chanukah* light becomes mixed with ordinary lights, are they all allowed or forbidden?

The author of *Terumas HaDeshen* (Responsa, 102, cited by the *Remo* in O.C. 673:1) rules that the *Chanukah* light does not become *bateil* among the other lights and therefore it is forbidden to use any of the lights. A *Chanukah* light is considered a counted thing as every night of *Chanukah* we count the lights (see *ibid* as for his proof from *Yevamos* 81a).

Distinguishing between intrinsic importance and external importance: The ruling of *Terumas HaDeshen* contains two interesting *chidushim*. We could say that for an article to be considered a counted thing, its importance must stem from its own value without the importance that its owner gave it. In other words, we understand well that there is a difference between a gold coin, considered a counted thing because of its importance, and a candle taken from a pile of candles, whose importance stems not from itself but from the fact that its owner used it for *Chanukah*. At any rate, *Terumas HaDeshen* asserts that this importance suffices for the candle to be considered a counted thing.

The ruling of *Terumas HaDeshen* features another *chidush*. We must reflect to what extent the quality of a counted thing must be entrenched in it to prevent a minority becoming insignificant. Taking again the example of the *Chanukah* candle and the gold coin, we notice that the coin is considered a counted thing even were it to become *bateil*, as its owner continues to regard it with all the honor its deserves. A *Chanukah*



candle, however, stops being such when it becomes insignificant as its being *bateil berov* removes its *halachic* importance and it becomes like any other candle. *Terumas HaDeshen* nonetheless rules that a *Chanukah* light is considered “a counted thing” that does not become *bateil berov* as in his opinion, it suffices that at that moment, before it becomes *bateil*, it is a *davar shebeminyan* even though if we make it insignificant, it would stop being a counted thing. The *Taz* (ibid, S.K. 6) disagrees. In his opinion, “a counted thing does not become *bateil*” only if it would continue to be counted after becoming *bateil*. A *Chanukah* candle is *bateil berov* because its importance is acquired only as a *Chanukah* candle and once we make it insignificant and remove its status, it becomes like the other candles, which are unimportant. The candle therefore is not considered “a counted thing” (see ibid, that he bases his opinion on the above *sugya*).

DAILY MASHAL

Learning through Hardships

The Mashgiach of Kaminetz, Rabbi Moshe Aharon Stern zt”l related the following incident: The Netziv once visited the Reshash, who was twenty-three years the Netziv’s senior. The Reshash posed to the Netziv a very difficult question that he had raised on Tosfos regarding nullification. The Netziv, after pondering the question for some time, was able to resolve the difficulty by emending a word in Tosfos. The Reshash was satisfied with the answer of the Netziv, and the Reshash quotes the Netziv in his gloss on the Gemora. The Reshash concluded his comment with the praise (Mishlei 24:26): *Sfisayim yishak*, the lips of one who responds with proper words should be kissed.

Upon hearing the answer of the Netziv, The Reshash wondered why he did not merit providing the correct answer to his difficulty. The Netziv replied that the Reshash was wealthy, whereas the Netziv lived a life of poverty. The Netziv said: “When one studies Torah despite living a life of hardship, Hashem opens for him the wellsprings of Torah.”