



## Daf In Review – Weekly Chazarah

### Maseches Nedarim, Daf אָד – Daf טָד

Daf In Review is being sent I'zecher nishmas R' Avrohom Abba ben R' Dov HaKohen, A"H  
vI'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

#### -----Daf אָד--81-----

- They sent from Eretz Yisrael – be careful to wash clothing and to bathe, be careful to always learn Torah with a group of people, and be careful with the sons of poor people, because a pasuk is darshened to teach that Torah will come forth from these children.
  - **Q:** Why is it that it is not often the case that talmidei chachomim have children who are talmidei chachomim? **A:** **R' Yosef** said, it is so that they not think that Torah is an automatic inheritance for them (and that they will automatically be successful in Torah). **R' Shisha the son of R' Idi** said, it is so that they not treat themselves as aristocrats over the people. **Mar Zutra** said, it is because they force rule over the people. **R' Ashi** said, it is because they call people “donkeys” (they don't treat people with respect). **Ravina** said, it is because they do not make a bracha on Torah before learning, as we find that this is also the reason that Eretz Yisrael was destroyed.
- **Isi ben Yehuda** didn't show up to **R' Yose's** yeshiva for 3 days, because he was bothered with not having a basis for **R' Yose's** ruling that the needs of a city to wash their clothing could preempt the needs of another city for drinking water. **Vardimus the son of R' Yose** explained to him that we learn this from the pasuk that describes the use by the Levi'im of the open spaces around their cities. The pasuk says it may be used for their animals, their wealth “u'lechol chayasam”. The word “chayasam” can't refer to animals, because that is already stated in the pasuk. It can't mean to say that they can use this space for their everyday living, because that is obvious. It must mean to teach that they can use a water source in that area to launder their clothing. It is called “chayasam” because washing clothing removes a terrible affliction from a person.

#### AMAR R' YOSE EIN EILU NIDREI INUY NEFESH

- **Q:** According to **R' Yose**, although the husband may not be meifer these nedarim based on them being self-afflictive (he holds they are not), may he be meifer them as being nedarim that effect the relationship between husband and wife? **A:** In the Mishna **R' Yose** said “these are not nedarim of self-affliction”. This would suggest that he would agree that they are considered matters that effect the relationship.
  - **Q:** It may be that he was responding to the **T”K** who said that these are nedarim of self-affliction, and he therefore said that they are not, but in truth he may hold that they are not even considered to effect their relationship either!? If so, the question returns, can he be meifer these nedarim or not? **A:** **R' Ada bar Ahava** said, he can be meifer them, and **R' Huna** said, he cannot, because a husband is not concerned that his wife's lack of bathing will injure him during tashmish.
    - There is a Braisa which is a proof to the view of **R' Ada bar Ahava**. Among other things, the Braisa says that if a woman makes a neder not to apply makeup it is considered to be a matter effecting the relationship, and as such the husband may be meifer it. The follows the view of **R' Yose** (because he says such a neder is not considered to be a neder of self-affliction) and the Braisa says that he may be meifer the neder. We see that **R' Yose** would hold that such a neder is subject to hafarah as being a matter effecting their relationship.
    - **Q:** The Braisa also said, if she makes a neder that she will not have tashmish, he may be meifer the neder as something effecting the relationship. What is the case? If she said that “the pleasure of having tashmish with me should be assur to you”, that neder would never even take effect (she is obligated to have tashmish with her husband) and therefore he would not even have to be meifer!? **A:** The case is where she says “the pleasure of having tashmish with you should be assur on me”. In that case he would have to be meifer so as not to make her transgress her neder.
  - A Braisa says, if people prohibit something to themselves although that thing is truly mutar, a person who does not prohibit this thing to himself should not do the prohibited act in front of the other people.

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This is based on the pasuk of “lo yacheil devaro” (their custom has the status of a neder). Another interpretation of the pasuk teaches that a chachom may not annul his own neder. This follows the view of **R’ Gamliel** quoted in earlier Braisa, where he said this Halacha.

### -----Daf בב--82-----

- **Q: Rava** asked **R’ Nachman**, according to the **Rabanan**, if a woman makes a neder prohibiting tashmish, is that considered to be a neder of self-affliction or a neder effecting their relationship? **A: R’ Nachman** said, a Mishna later in our perek says, if a woman makes a neder not to have tashmish with any Yidden, the husband may be meifer to remove the neder in regard to himself, but she remains assur to all other Yidden. Now, this must mean that it is considered to only be a matter effecting their relationship, because if it was a matter of self-affliction he would be able to be meifer the neder with regard to everybody else as well.
  - **Q:** We find that **R’ Huna** said that the anonymous Mishnayos of this perek follow **R’ Yose**. If so, this Mishna cannot serve to prove what the **Rabanan** would hold!? We can see this is the case based on our Mishna which mentions the view of **R’ Yose** and then ends off the statement and repeats “these are the words of **R’ Yose**”. This teaches that from that point on, the entire perek is the view of **R’ Yose**.
- **Shmuel in the name of Levi** said, a husband can be meifer any neder of his wife except if she makes a neder prohibiting a third part to benefit from her. However, if she prohibits herself to benefit from a third party he could be meifer that neder (it is considered to be self-affliction).
  - **Q:** Our Mishna said, that a neder prohibiting the fruit of one whole country is not considered self-affliction and is therefore not subject to hafarah. If so, how could a neder prohibiting her from one person be considered self-affliction? **A: R’ Yosef** said, the case of the Mishna is where she said “the fruit that you will bring to me from this country is assur to me”. However, a statement prohibiting all fruit of a particular country would be considered self-affliction.
  - **Q:** Our Mishna said that a neder prohibiting the produce of a particular storekeeper is not self-affliction and is not subject to hafarah. This seems to be the same case as her prohibiting benefit from a third party, and yet the Mishna says he cannot be meifer!? **A:** Here again, the case of the Mishna is where she said “the produce that you bring to me from that person is assur to me”.
    - **Q:** The Mishna then said, if this is the only storekeeper that gives the husband credit he could be meifer the neder. If the case is where she only prohibited the produce that the husband brings her, why could he be meifer? She can simply go and get the produce from this storekeeper herself and not be assur from the neder!? The case must therefore be that she prohibited all the produce of the storekeeper, and that must be what happened in the last case as well, and yet we see that he may not be meifer!? **A:** We must say that this part of the Mishna follows **R’ Yose**, who holds that this case is not one of self-affliction. **Shmuel** said his Halacha according to the view of the **Rabanan**, who would hold that such a case is a case of self-affliction.
- **R’ Yehuda in the name of Shmuel** said, if a woman makes a neder not to eat 2 loaves of bread, one of which causes self-affliction (it is high quality bread) and one of which does not (it is low quality bread), since the husband may be meifer the neder with regard to the high quality bread (it is a neder of self-affliction), he may also be meifer the neder with regard to the other bread as well. **R’ Assi in the name of R’ Yochanan** said that he may only be meifer the one that causes self-affliction, but not the other one.
  - Another version has **R’ Assi** asking **R’ Yochanan** what the Halacha would be in this case and **R’ Yochanan** answering that he may only be meifer the one that causes self-affliction and not the other one.

### -----Daf לב--83-----

- **Q: R’ Yochanan** had said that when a woman makes a neder prohibiting 2 loaves of bread – which causes self-affliction with regard to one of the loaves but not the other – the husband may only be meifer the neder regarding the loaf whose prohibition causes self-affliction. **R’ Assi** asked, a Mishna says that if a woman made a neder of nezirus and her husband was meifer without her even knowing, and she then went and drank wine and became tamei to a meis, she does not get malkus (the neder is revoked even without her knowledge). Now,

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according to **R' Yochanan** the hafarah should only be effective with regard to drinking of wine (which causes self-affliction) but not with regard to the eating of grape seeds or grape skins (that prohibition does not cause self-affliction) and therefore if she eats these things she should still get malkus!?! **A: R' Yosef** said, there is no such thing as a less than complete nezirus. A nazir is assur in everything that the Torah states, and if he/she is not, there is no nezirus at all.

- **Q: Abaye** asked, **R' Yosef** seems to suggest that there is no “half nezirus”, but that a korbon would need to be brought for half a nezirus (e.g. if the woman’s neder of nezirus was revoked halfway through its term). **A: Abaye** said, we must understand **R' Yosef** to mean that there is also no korbon that must be brought for half a nezirus.
  - **Q:** A Braisa says, if a woman made a neder or nezirus, became tamei, separated korbanos, and then her husband was meifer, she brings the chatas bird but not the olah bird. According to **Abaye**, if the neder is cut short, why would she bring the chatas bird!?! **A:** If **Abaye** is incorrect, why doesn’t she also bring the olah and the asham!?! We must say, that in truth a korbon is not brought in this circumstance. The reason the chatas is brought is because a chatas bird is even brought for a case of safek, so it is brought in a case like this as well.
- **Q:** A Braisa says that if a woman made a neder of nezirus and became tamei meis and her husband was then meifer, she only must bring the chatas bird. Now, if **R' Yochanan** is correct, since not becoming tamei does not cause self-affliction the neder should remain in effect with regard to tumah and she should have to bring all korbanos!?! **A:** Not allowing herself to become tamei is also considered to be self-affliction, because **R' Meir** in a Braisa darshens a pasuk to teach that one who does not eulogize or cry for or bury the dead, will not have anyone to eulogize or cry for or bury him when he dies.

### MISHNA

- If a woman makes a neder prohibiting herself to benefit from other people, the husband may not be meifer the neder. However, she may still benefit from leket, shikcha, and peyah.
- If a person makes a neder prohibiting Kohanim and Levi'im to benefit from him, they may take their terumah and maaser against this person’s will. However, if the neder specified particular Kohanim and Levi'im, they may not take from him, and other Kohanim and Levi'im should take the terumah and maaser from him.

### GEMARA

- **Q:** The Mishna first says that the woman’s neder is not subject to hafarah (it is not a neder of self-affliction), which is likely because she may benefit from her husband (he is not included in the “other people”). However, the Mishna then says that she may benefit from leket, shikcha, and peyah, which suggests that she may however *not* benefit from her husband (he is included in “other people”)!?! **A: Ulla** said, the husband is actually not included in the term “other people” and that is why the neder is not subject to hafarah (she has a means of support and the neder therefore doesn’t cause self-affliction). The Mishna then gives *another* reason, and says that she can take leket, etc., which is another means of support and another reason the neder does not cause self-affliction. **A2: Rava** said, the husband *is* included in the term “other people”. The Mishna is to be understood as giving a reason as to why the neder is therefore not subject to hafarah. To explain this, the Mishna says that the reason is because she can be supported on leket, shikcha, and peyah. **A3: R' Nachman** said, the husband is not included in the term “other people” and that is why she may benefit from him. The Mishna then teaches, that if they get divorced the husband then becomes included in the term “other people”, and at that time she would only be allowed to benefit from leket, shikcha, and peyah.
  - **Q: Rava** asked **R' Nachman**, how can you say that the husband is not included in the term “other people”? A Mishna says, if a woman makes a neder saying “I am removed from the Jews”, we understand this to mean that she is prohibiting benefit of tashmish with Jews. Therefore, the husband is meifer the neder with respect to himself (it is considered a neder that effects their relationship, and not a neder of self-affliction, since she is anyway assur to have tashmish with all other men) and it remains in effect for all other men. Now, if the husband is not included in the term “other people”, then this neder could not refer to tashmish, because she is totally assur in tashmish with anybody if the husband

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is not included in that term. If so, the neder would have to be understood as her prohibiting benefit in general from all other people, in which case it is a neder of self-affliction, and the husband should be able to be meifer the neder completely, not only in regard to himself!? **A:** The case of this Mishna is different. When she says she should be “removed from the Jews” it suggests that she means to prohibit tashmish. There is no need for the neder unless she is including a tashmish that is otherwise mutar to her (i.e. with her husband). Therefore, although typically the husband is not included in the term “other people”, in this case we assume that he is included.

### -----Daf 7D---84-----

#### YECHOLA LEYHANOS B'LEKET SHIKCHA U'PEYAH

- **Q:** The Mishna does not mention maaser ani, which suggests that such a neder would make her assur to benefit from maaser ani. However, a Braisa says that she may benefit from maaser ani!? **A:** **R' Yosef** said, the Braisa follows the view of **R' Eliezer** and the Mishna follows the view of the **Rabanan**. This is based on their machlokes in a Mishna where **R' Eliezer** says that one need not verbally separate maaser ani from demai and the **Chachomim** say that it must be so separated. Presumably the machlokes is that the **Chachomim** say the produce is considered to remain in the status of tevel until the maaser ani is at least verbally separated. This would also mean that they would hold that the owner of the produce can choose who to give the maaser ani to (he has “tovas hana'ah”) and would therefore explain why the woman in our Mishna cannot take maaser ani from someone she is assur to benefit from. On the other hand, **R' Eliezer** says that the maaser ani in the produce does not render it tevel, which means that there is no tovas hana'ah for the owner, which would mean that the woman who made this neder would be allowed to take maaser ani from someone she is otherwise assur to benefit from.
  - **Abaye** said to **R' Yosef**, it may be that even **R' Eliezer** agrees that the maaser ani in the produce renders it tevel (and the owner therefore has tovas hana'ah, which is why even he would agree that it would be assur for the woman to take maaser ani). The machlokes may be that **R' Eliezer** holds that we are not concerned that an ahm haaretz did not separate maaser ani from his produce (since he could be mafkir his possessions and take the maaser ani for himself) and the **Rabanan** therefore did not institute that maaser ani need be separated from demai. However, the **Rabanan** (who argue on **R' Eliezer**) hold that we are concerned that an ahm haaretz did not separate maaser ani (he is afraid to be mafkir his possessions, because someone may come and grab them while they are hefker, and he therefore does not separate maaser ani at all), which is why the **Rabanan** instituted that maaser ani must be separated from demai.
  - **A: Rava** said, the Mishna is discussing maaser ani being distributed in the owner's house, regarding which the pasuk says “you shall give it”, suggesting that there is tovas hana'ah, which would therefore make it assur for the woman to take it from the subject of her neder. The Braisa is discussing maaser ani being distributed in the granaries, regarding which the pasuk says “you shall set it down”, suggesting that there is no tovas hana'ah, which would therefore make it mutar from the woman to take it from the subject of her neder.

#### KOHANIM U'LEVI'IM NEHENIN LI YITLU...

- **Q:** This part of the Mishna suggests that the tovas hana'ah is not a monetary right, because the Kohen can come and take the terumah although he is assur to benefit from the owner. However, the next part of the Mishna says, if the owner designated certain Kohanim or Levi'im as being assur by the neder, then they cannot take the terumah and maaser from him. This suggests that the tovas hana'ah is a true monetary right!? **A:** **R' Hoshaya** said, the second part of the Mishna follows **Rebbi** and the first part of the Mishna follows **R' Yose the son of R' Yehuda**, as can be seen in a Braisa. The Braisa says, if a person steals tevel, **Rebbi** says he must pay for the entire value of the tevel, and **R' Yose the son of R' Yehuda** says that he must only pay the value of the chullin in the tevel (and not for the terumah and maaser in the tevel). Presumably this is because **Rebbi** holds that the tovas hana'ah for the terumah and maaser is a monetary right and must be paid for, whereas **R' Yose the son of R' Yehuda** holds that it is not.

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- The Gemara says, it may be that all agree the tovas hana'ah is not a monetary right. The machlokes is whether terumah and maaser that have not yet been separated are considered as part of the chullin (which would be the view of **Rebbi**) or whether they are already considered separate and distinct of the chullin (**R' Yose the son of R' Yehuda**).
  - **Q:** If tovas hana'ah is not considered to be a monetary right, why would there be a difference if it has been separated or not!? **A:** The basis for the machlokes is, **Rebbi** holds that the **Rabanan** penalized the thief and make him pay for the entire amount, so as to deter a person from stealing. **R' Yose the son of R' Yehuda** holds that the **Rabanan** penalized the owner and only required restitution for the amount of the chullin, so that an owner not keep tevel around (which would encourage him to separate the terumah and maaser quickly).
- **A: Rava** said, the Mishna holds that tovas hana'ah is a monetary benefit. However, when a person makes his terumah and maaser assur to all Kohanim and Levi'im, he has made the terumah and maaser worthless to himself (since there is now no one who can eat it). Therefore, they may take it from him (his tovas hana'ah has no value and they are therefore not considered to be getting anything from him).

### -----Daf 75-----85-----

#### MISHNA

- If a woman made a neder that her handiwork is assur to her father, or for the husband's father, or for her brother, or for the husband's brother, the husband may not be meifer.
- If she makes a neder that her husband cannot benefit from her handiwork, he does not even have to be meifer (she has no right to make such a neder, because her handiwork belongs to her husband). **R' Akiva** says he should be meifer, because she may earn more than he is entitled to get, and this excess would be assur to him based on the neder, unless he is meifer. **R' Yochanan ben Nuri** says he should be meifer, because if they get divorced her handiwork would become assur to him at that time, and he would then be assur to remarry her.

#### GEMARA

- **Shmuel** said, the Halacha follows **R' Yochanan ben Nuri**.
  - **Q:** This seems to suggest that **Shmuel** holds that one can be makdesh something that is not yet in existence. However elsewhere **Shmuel** paskens like **R' Yochanan Hasandler** in a Mishna where he holds that if someone is makdesh his wife's future handiwork it remains chullin!? **A: R' Yosef** said, nedarim are different than being makdish something. Regarding nedarim, since a person can make someone else's items assur on himself he can also make assur on himself things that are not yet in existence. However, regarding making something hekdes, since once cannot make someone else's items hekdes, he also cannot make something that is not yet in existence, into hekdes.
    - **Q: Abaye** asked, a person can make someone else's fruits assur on himself, since he can make his own fruits assur on somebody else. But, how can we say that he can make something not yet in existence assur on somebody else, when he can't make someone else's fruit assur on someone else? **A: R' Huna the son of R' Yehoshua** said, the case of the vow was where a woman said that her hands should become hekdes – not just her earnings. Since her hands are in existence, that works to make her earnings assur to her husband.

### -----Daf 76-----86-----

- **Q: R' Huna the son of R' Yehoshua** had said, when a woman makes her hands hekdes for her handiwork, she is not considered as being makdesh something which is not yet in existence (i.e. the handiwork), because her hands are already in existence. The Gemara now asks, a woman is obligated to work for her husband, so how can she even make her hands hekdes? **A:** She says that when she gets divorced her hands should become hekdes.
  - **Q:** Can it be that even though something can't be made hekdes now it can still be made hekdes for a future time? **A: R' Eila** said, there is no reason that this shouldn't work. If one is selling his field and says

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to the buyer, when I buy this back from you it should become hekdesch, it would become hekdesch. So there is no reason that this would be different!

- **Q: R' Yirmiya** asked, these cases are very different!? In that case the field is in his possession at the time of the statement. However, a woman while she is married cannot effect a divorce and can therefore not make her hands hekdesch!? If anything, the woman is more like the case of one who sees a field and says, when I buy that it should become hekdesch, in which case it does not become hekdesch!
  - **Q: R' Pappa** said, this is not a good comparison, because the field and its produce are owned by the same person, whereas the hands of a woman are owned by herself, but the produce of those hands are owned by her husband!? If anything, it is similar to a case where one pledged his field (where the one receiving the pledge may eat the produce), and says that when I redeem the field it will become hekdesch. In that case, it does become hekdesch.
  - **Q: R' Shisha the son of R' Idi** asked, those cases are not alike, because the pledger has the power to redeem the field, whereas the woman does not have the power to divorce herself!? If anything, she is like a case where the pledger agreed that he may not redeem the field for 10 years, and then says that when I redeem it, it should become hekdesch, in which case it does become hekdesch.
  - **Q: R' Ashi** asked, the cases are not the same, because in the case of the field, after 10 years he will have the power to redeem the field, whereas the woman never has the power to divorce herself!? **A: R' Ashi** said, the case of vows is not problematic, because **Rava** has said that vows (“konamos”) even remove an item from a lien. Therefore, when the woman vows her hands as konam, it is effective even though they are subject to the husband.
    - **Q:** If so, why did **R' Yochanan ben Nuri** say that he has to be meifer the neder since it will take effect when she gets divorced? It takes effect right now as well!  
**A:** The Mishna should be understood as giving an *additional* reason – also, even if we say that the **Rabanan** didn't allow her the power to make this hekdesch while she is in the reshus of her husband, he should still be meifer, because she may get divorced and when she does the neder will take effect then.

### MISHNA

- If a man's wife made a neder, but he thought it was his daughter who made the neder, or visa-versa, or if she made a neder of nezirus and he thought she had made a neder to bring a korbon, or visa-versa, or if she made a neder not to eat figs and he thought she had made the neder not to eat grapes, or visa-versa, in all these cases, if he was meifer under the wrong understanding he must be meifer again with the proper understanding.

-----Daf תד---87-----

### GEMARA

- **Q:** The Mishna seems to suggest that we darshen the word “osah” in the pasuk to teach that the hafarah must be done for the right person, or else it will not be effective. However, regarding the obligation to tear one's clothing upon hearing of the death of certain people, there are additional words in the pasuk which would also suggest that the tearing obligation is only fulfilled if it is done with the right person in mind, and yet a Braisa says that if the tearing was done with the wrong person in mind (e.g. he heard that his father died and tore his clothing on that basis, and was then told that it was his son who died, and not his father) he has fulfilled the obligation!? **A:** The Braisa is discussing where he heard that a relative died but did not know which relative. He tore his clothing without knowing the specifics and then found out about it. In that case he would have fulfilled the obligation. However, our Mishna is discussing where he was told one specific thing and then learned that he was given wrong information. In that case the hafarah would not be effective.

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- There is a Braisa that clearly makes this difference in regard to the Halacha of tearing for the death of a relative.
- **A: R' Ashi** said, the Braisa is discussing where he heard the corrected information “toch kedei dibur” of tearing his clothing. Therefore, he has fulfilled his obligation. Our Mishna is discussing where he did not get the corrected information toch kedei dibur, and the hafarah was therefore done improperly and is not effective.
  - A Braisa clearly makes this distinction with regard to the tearing obligation.
  - The Gemara paskens that toch kedei dibur is effective in making a later statement or action to be considered as part of the first one, except for the cases of one who curses Hashem (a retraction is ineffective), avodah zarah, when one is mekadesh a woman, and when one divorces his wife.

### MISHNA

- If a woman makes a neder making it assur for her to eat “these figs and grapes” and the husband confirmed the neder with regard to the figs, the entire neder is confirmed. If he was meifer with regard to the figs, he must still be meifer with regard to the grapes (this may mean that the hafarah is effective only in regard to the figs, or it may mean that the hafarah is not effective at all – Ran).
  - If she splits the statement in two, and says “konam my tasting this fig and my tasting this grape”, it is considered to be two separate nedarim.

### GEMARA

- Our Mishna follows the view of **R' Yishmael** in a Braisa (where he says exactly as the first segment of our Mishna) based on a drasha of the words “ishah yikimenu v'ishah yifeirenu”. **R' Akiva** argues in the Braisa and darshens this pasuk to teach that just as a confirmation on part of the neder is a confirmation on the entire neder, so too a hafarah on part of the neder is a hafarah on the entire neder.
  - **R' Chiya bar Abba in the name of R' Yochanan** said, the **Chachomim** argue on both these views and say that just as a hafarah on part is effective only on part of the neder, so too a confirmation on part is effective only on part of the neder.

### AMRAH KONAM T'EINAH

- **Rava** said, our Mishna is following the view of **R' Shimon** who says that a shevuah addressed to multiple people is only considered to be separate shavuos if it is separately addressed to each person with distinct words of shevuah.

### MISHNA

- If a man said “I knew that my wife made a neder but did not know that I have the ability to be meifer it”, he may be meifer the neder on the day that he realizes that he has the ability to do so.
- If he said “I knew that I have the ability to be meifer certain nedarim, but did not know that this neder was of the type that I could be meifer”, **R' Meir** says he may not be meifer the neder (his partial knowledge is not enough to allow for hafarah), and the **Chachomim** say that he may (partial knowledge is sufficient).

### GEMARA

- **Q:** A Braisa says, **R' Yehuda** says that the pasuk of “b'lo re'os” teaches that a blind person would not be subject to galus if he kills b'shogeg. **R' Meir** says that the pasuk comes to include a blind person in the galus obligation. Now, in this Braisa **R' Meir** says the blind person's partial knowledge is sufficient whereas **R' Yehuda** says that it is not. This contradicts their views in our Mishna!? **A: Rava** said, the two subjects cannot be compared, because they are learned from different drashos of their respective pesukim.