

YESHIVA PIRCHEI SHOSHANIM

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Hilchos Nida Volume I

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Hilchos Nida Vol. I Shiur 1

Introduction

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INTRODUCTION

The Laws of Niddah

The Torah states (*Vayikra* 15, 19): “When a woman has a discharge and the discharge will be blood in her body, seven days she will be (her status) a *niddah*”.

The Torah states that the *niddah* remains impure for seven days which means that, if for example she starts bleeding on Sunday, she won't be able to get rid of the *tumah*, (impurity), until after the *Shabbos*. On *Motz'ei Shabbos* she will be able to immerse herself in a *mikva* and thus becoming pure and permissible to her husband. This is true either if the bleeding stopped since Sunday or if she continued bleeding into the *Shabbos*, so long as she has finished bleeding by the end of *Shabbos*, she will be able to be *tovel*, (go into the *mikva*), on *Motz'ei Shabbos* and not before.

Let's note that in order to be *tovel* on the eighth night; we must be absolutely certain that this woman saw *niddah* blood from the first day. However, if the blood of the first day was *dam tohar* (any blood except the five types which renders her *tame'ah*), then this woman only becomes a *niddah* on the second day. The second day is when she experienced a discharge of *tamei* blood, thus postponing the earliest time of the *tevila* to the ninth night.

In the case of a woman bleeding the whole week from Sunday to *Shabbos*, if the first appearance of *dam niddah* is on Sunday, day 1, she'll finish her seven days of *niddah* status the following *Shabbos*, day 7, and will therefore be authorized to be *tovel* on *Motz'ei Shabbos*, day 8. However, if during the entire week the blood was not one of the five types of *tamei* blood, and she first saw *dam tamei* on *Shabbos*, a seemingly day 7, in that case, the seven day *niddah* period starts only on that *Shabbos*, since we only start counting upon seeing *dam tamei* and not *dam tohar*, and will extend the count until the

following Friday, allowing her therefore to proceed with her *tevila* that Friday night (*Shabbos*).

The Laws of Zava

In the next passage, the Torah (*Vayikra* 15, 25-30) teaches the laws of the *zava*. The *zava*, one who is bleeding irregularly, also becomes *tame'ah* through a flow of blood from the *mekor* but her impurity is somewhat different. Aside from differences in the strictness of the impurity, the timing is also not the same as for the *niddah*.

Zava Ketana

Dam Zava for 1 day

If a woman sees blood which makes her a *zava* for one day (i.e. Sunday), she has the status of *zava ketana*, short *zava*. Given that when the next day (Monday), day 2, starts she has completely stopped bleeding, she will have to be *shomeret yom keneged yom*, (one who observes a day free of bleeding). She will have to ascertain (through a *bedika*, checking, see *Simon* 196) that she is not experiencing any bleeding on the following day (Monday), she will then be able to purify herself.

In addition, using the principle of *miktsas hayom ke'kulo*, (part of the day is considered as the entire day), she will be authorized to be *tovel* on the morning of the next day (Monday morning) immediately after her *bedika*. This part of the day being *b'tabara*, (in a state of purity), is considered as if the entire day passed *b'tabara*, allowing her to *tovel*.

However, she is not authorized to touch *truma* nor have relations with her husband before the night. We are afraid that she might see *dam* again this day, thus invalidating retroactively the *tevila*. We do not say that she became *tehora* at the time of her *tevila* and then *tame'ah* again when she restarted bleeding, in which case she was actually *tehora* in between. Instead we say that, since the right to be *tovel* before the night (before Monday night) is based on the principle of *miktsas hayom ke'kulo*, once she saw *dam* again this very day, we realize that the hour of *tabara* didn't reflect on the entire day, therefore invalidating the rule. She would then have been *tame'ah* at the time of the relations, transgressing a *karet* prohibition.

Dam Zava for 2 days

If the woman has a discharge of *dam zava* for two days (Sunday and Monday), she still remain a *zava ketana*. As explained before, given that she stopped bleeding by the end of the day 2 (Monday afternoon), she'll be *shomeret yom keneged yom* on the day 3 (Tuesday). Following the *bedika* (Tuesday morning) she will be able to be *tovel* using the principle of *miktsas hayom ke'kulo*.

Zava Gedola

Dam Zava for 3 or more days

When the *ziva* discharge carries on for three days or more (Sunday, Monday and Tuesday), the woman gets the status of *ziva gedola* - long *zava*. In order to become *tehora* she will need to be clean for seven days: the *shiva nekiim*. These days must be consecutive, with no bleeding at all during that time. Following the *bedika* of the seventh day, she'll be *tovel* but will still have to refrain from any contact with *truma* or with her husband till the night (beginning of day 8). (We will discuss the laws of the *zava gedola* in length in Simon 196 and 197.)

Determining between Dam *Niddah* and Dam Zava

What type of blood is considered *dam niddah* and which is considered *dam ziva*?

Rambam

The *Rambam* holds that when a woman experiences the first discharge of her life she becomes a *niddah*. From the day of the first bleeding, we start computing a period of seven days followed by a period of eleven days, followed by a period of seven days followed by a period of eleven days and so on. These periods are computed whether she experiences another discharge or not. The seven days period is called *yemei niddah*, (the days of *niddah*), the eleven days period is called *yemei ziva*. Any blood discharged during the seven days period is *dam niddah* making her a *niddah*. Any discharge during the eleven days period is *dam ziva* making her a *zava ketana* if she sees for one or two days only, and a *zava gedola* if she sees three days or more.

Rov HaPoskim

The opinion of the majority of the other *poskim* is that whenever a woman experiences a discharge she becomes a *niddah*. Any blood coming in the next seven days is *dam niddah*. Any blood discharged during the following eleven days (that is, between day 8 and day 18) is *dam ziva*. If she does not see blood during those eleven days any blood coming after that (i.e. from the nineteenth day and on) will be again considered *dam niddah*. If she does become a *zava gedolah* she will only return to the days of *niddah* after she waits seven clean days. According to this last opinion, a woman only becomes a *zava* if she will experience two bleedings within a short period of time (less than eighteen days).

The Takana of Rebbi

We have already mentioned earlier that it is important to ascertain that the *dam niddah* is really *tamei* in order to allow the woman to be *tovel* after seven days from the onset of the discharge. In addition, one may confuse *yemei niddah* with *yemei ziva*. If a woman has

a discharge for three days, she might think that this is blood from the seven days period making her a *niddah* while in fact she has attained the more stringent status of a *zava* because it really came during the eleven days period of *dam ziva*.

To avoid any mistake, the *Gemara* tells us, in *Niddah* 66A, that *Rebbi* instituted in places where people weren't learned, i.e. where there was no *bnei torah*; the following procedures to be implemented:

1. For a one day discharge (i.e. *dam ziva*), the woman will have to wait the usual seven days period of the *niddah* before being allowed to purify herself. [If this one day discharge was *dam ziva*, she could really be *tovel* the following day, but she must take in consideration that it might be *dam niddah* requiring therefore a seven days wait.]
2. For a two day discharge, the woman has to wait eight days (the seven days *niddah* period starting on the second day) to purify herself. [We take in account that the blood of day 1 may be *dam ziva* (on day 18), and day 2 of the discharge is actually the first of her becoming a *niddah*. Alternatively, we suspect that the blood of the first day is *dam tohar* (not from the five *tamei* bloods). In this case she only became *tamei* and *niddah* on the second day.]
3. For a three day discharge, she must observe a (seven clean days period) – *shiva nekiim* before purifying herself. [If part or all of the bleeding occurred during the *yemei niddah* she could be *tovel* already at the end of seven days, but we must take in consideration that all these three days were during the *yemei ziva* giving her the status of *zava gedola*.]

Halacha l'maaseh

At a later time, the universally accepted ruling became: Any minute bleeding requires *shiva nekiim*, a seven clean days waiting period. The **Ran**¹ says that the reason for this stringency is to avoid any confusion with the case of a woman seeing a tiny amount of blood during the *shiva nekiim* which requires starting them over.

¹ Shevuos 4a ד"ה ואע"ג