

YESHIVA PIRCHEI SHOSHANIM

The Shulchan Aruch Project

Hilchos Nida

YESHIVA PIRCHEI SHOSHANIM SHULCHAN ARUCH PROJECT

Hilchos Nida Shiur 1

Introduction

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Introduction

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 (her status) will be 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 *Motzai Shabbos* she will be able to immerse herself in a *Mikva* and thus become pure and permissible to her husband. This is true whether the bleeding stopped since Sunday or if she continued bleeding into *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 *Motzai 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 Tobar* (any blood except the five types which renders her *Tamai’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 that a woman bleeds 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 *Motzai 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*. This is because we only start counting upon seeing *Dam Tamei* and not *Dam Tobar*. Therefore, the count

will extend until the following Friday, allowing her 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 *tamah* 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 *Siman* 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 *teme'ah* again when she restarted bleeding, in which case she was actually *tehora* in between. Rather 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, and therefore invalidates this rule. She would then have been *teme'ah* at the time of the relations, transgressing a *Kares* prohibition.

Dam Zava for 2 days

If the woman has a discharge of *Dam Ziva* for two days (Sunday and Monday), she still will 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 until the night (beginning of day 8). (We will discuss the laws of the *Zava Gedola* in length in *Siman* 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.

There are many questions asked on the *Rambam*. One of the main questions is that we have a rule a woman does not set a *Vesses* (pattern to assume when she will see blood as we will learn in *Siman* 189) in the days of *Ziva*. Accordingly a woman will never establish a *Vesses* according to the *Rambam*. This is because one of the months will be during the days of *Ziva*. For example, if a woman starts her period every 30 days, the second period will be during the days of *Ziva* as day 19-25 is *Nida* and day 26-37 is *Ziva*.

The **Chavas Da'as** (*Biurim* 2) answers that even according to the *Rambam* a woman can establish a *Vesses Kavua* (a set time to start her period), if it is a *Mayan Sasum* (a closed stream). Meaning so long as she has not seen in the last 18 days she can establish a *Vesses* even though it is her days of *Ziva*.

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. [According to **Rashi** 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*. **Tosefos** says that 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

The *Gemara* continues:

Rav Zeira said, the daughters of Israel restrict themselves that even if they saw a drop of blood the size of a mustard seed, they wait seven clean days (before going to the *Mikvah*).

The *Gemora* in *Brachos* 31b teaches us that the *chumra* of Rav Zeira became the established *Halacha*.

Therefore, the universally accepted ruling is: Any bleeding at all requires *Shiva Nekiim*, a seven clean days waiting period.

The **Ran** (*Shevuos* 4a ד"ה ואע"ג) 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.

Review Questions

- 1) *Midoraissa* when can a *Nida Tovel*?
- 2) What is a *Zava k'Tanana*?
- 3) What is a *Zava Gedola*?
- 4) When is a woman a *Nida* and when is she a *Zava*?
- 5) What was the *takana* of Rebbe?
- 6) What is the *chumra* of Rav Zeira?