

THE YESHIVA PIRCHEI SHOSHANIM SHULCHAN ARUCH PROJECT ©

Hilchos Nida Shiur 1

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Becoming a niddah

How does a woman become a niddah Mid'Oraisa?¹

Simon 183: A woman who sees a drop of blood must wait Shiva Nekiim.²

A woman who had a discharge of blood coming **1**) out of her mekor ³, whether it was **(1)** by accident or naturally, is teme'ah - impure **2**), but only if she experiences a hargasha ⁴ of the discharge. However, once she feels that it **(the blood)** is removed from its place **(in the uterus)** and came out **(into the vagina)** she becomes teme'ah **(2)**, even though it didn't come out outside **(of the body)**. Even if she only saw a drop of blood **3**) the size of a mustard seed, she must wait on it **(before being allowed to immerse in a mikva) 4**) shiva nekiim.

Rama: According to their rules which will be clarified in Simon 196. There is no difference between a single woman and a married one regarding the prohibition of niddah (Rivash Simon 422, reported by the Bait Yosef) since anybody who has relations with a niddah is subject to keares.⁵

¹ According to the Torah.

² Seven days of cleanliness, they will be explained in depth in *Simon 196*

³ Womb, uterus.

⁴ A feeling, a sensation directly related to the bleeding.

⁵ Punishment of being cut off from the people of *Israel*.

Halacha – line by line

THE MECHABER SAYS

A woman who had a discharge of blood coming 1) out of her Mekor,

The Torah writes (*Vayikra* 20, 18): “she has revealed the source (*mekor*) of her blood”. **Mekor** means the uterus and therefore our Sages (*Torat Kohanim Metzorah* 6, 4) learned that only blood discharged from the uterus renders the woman *niddah*. (See *Shach* 1.)

THE MECHABER CONTINUES

Whether it was (1) by accident or naturally.

Contrary to a man who only becomes a *zav* if his seminal emission was accidental, not if it was caused by natural causes such as having eaten too much and the like, a woman always becomes *teme'ah* whenever *dam* is discharged out of her *mekor*, no matter what caused the bleeding. “**Naturally**” refers to the normal period, while “**accidentally**” means that the blood came out for an unusual reason such as having jumped.

THE MECHABER CONTINUES

But only if she experiences a *hargasha* of the discharge.

The Torah writes in the passage of the *niddah* (*Vayikra* 15, 19):

“Blood will be discharged *bivsarrah*, in her flesh.”

The *Gemara* explains that this word *bivsarrah* means that a woman only becomes *teme'ah* if she has a *hargasha*. The wording “in her flesh” means that the woman felt in her flesh that she was experiencing a discharge. In case a woman would find blood without having felt anything, without a *hargasha*, she will not be considered *teme'ah* according to the Torah (*mid'oraisa*). However, as explained in *Shach* 2), *mid'Rabanan*,⁶ she will be *teme'ah* if she finds blood without any *hargasha*, through a *ketem*, stain, which will be studied in *Simon* 190. Our *Simon* deals with discharges that render a woman *teme'ah mid'Oraisa*. The exact nature of what is considered a *hargasha* will be discussed *beEzrat Hashem* later in this *Shiur*.

⁶ By Rabbinical institution.

THE MECHABER CONTINUES

However, once she feels that it (the blood) is removed from its place (in the uterus) and came out (into the vagina) she becomes *teme'ah* (2), even though it didn't come out outside (of the body).

From the same word *bivsarab*, in her flesh, *Chazal* also learned that the woman becomes *teme'ah*, impure, as soon as the blood leaves the *mekor* (uterus) and enters the *prozdor* (vagina).⁷ The blood doesn't have to be actually found to cause the *teme'ah* - impurity. Once it is *bivsarab*, in her flesh, i.e. in the *prozdor*, she is already *teme'ah*.

THE MECHABER CONTINUES

Even if she only saw a drop of blood 3) the size of a mustard seed, she must wait on it (before being allowed to immerse in a Mikva) 4) Shiva Nekiim.

There is no minimum of blood necessary to render the woman *niddah*. Even less than the size of a mustard seed would make the woman *teme'ah mid'Oraisa* (if there was a *hargasha*). (See *Shach 3*)

THE RAMA ADDS

There is no difference between a single woman and a married one regarding the prohibition of niddah.

The *Gemara* (*niddah*, 31: B 5th wide line) teaches:

Rabbi Meir says: "why did the Torah say that the *niddah* is forbidden for seven days? Since he is getting used to her and disgusted by her, therefore the Torah said that she should become *teme'ah* for seven days in order that at the completion of this period of abstinence she should be appreciated by her husband as of the day of their marriage".

In light of this piece of *Gemara*, one may think that the laws of *niddah* only apply to the married woman. The *Rama* therefore specifies that it is not the case, that the laws apply the same for single or married woman. The only stringencies we find in married women concern rabbinical decrees like passing an object to his *niddah* wife. They do not apply to other women and will be studied in Simon 195.

⁷ Literally the antechamber, i.e. the vagina.

What is a hargasha?

The **Pischai Tshuva** (1) brings that there are three types of situations which may be considered a *hargasha* and therefore render the woman *teme'ah mid'Oraisa* if along with the *hargasha* we found blood. [If there was a *hargasha* but no blood was found, we will have to decide if we should suspect that there was in fact a small bleeding that wasn't discovered. We will discuss this in *Simon* 190, 1].

The 3 types of hargasha

1. A shivering.
2. The feeling of the opening of the *Mekor*.
3. A sensation of liquid flowing.

1. A shivering:

The **Rambam** (*Hilchos Issurei Bia* 5, 17) describes the *hargasha* as a shivering, meaning that the woman felt either the pinch you get when you start bleeding or a sensation similar as the one feels as she starts urinating. There is no question that such a *hargasha* renders the woman *teme'ah mid'oraisa*. (This type of *hargasha* is rare nowadays.) We should not confuse this type of *hargasha* which is directly related to the bleeding (the woman feels something which is part of the actual bleeding) with other symptoms which often accompany the periods. A woman will very often have stomach cramps, specific headaches or other symptoms before or during the onset of a period. They are called *veses baguf*, lit. body-pattern, and might help determine when is the woman expected to have her next period (see *Simon* 189, 19-26), but they are not a *hargasha* as they are not a sensation of the actual bleeding.

2. The opening of the *Mekor*.

The *Shulchan Aruch*, *Simon* 190, 1 describes the *hargasha* as the sensation of the opening of the cervix due to the bleeding. This *hargasha* also, unquestionably, renders the woman *teme'ah mid'Oraisa* but is rare today.

3. A liquid flowing.

4. If a woman feels a liquid flowing down in her vagina, some hold that this constitutes a *hargasha* (*Noda B'yebuda Yo'd* 55 *D"H oumeata*), However others (*Chasam Sofer*, Responsa 145) disagrees strongly. Those who disagree hold that since the *tuma* only occurs at the moment blood passes the cervix, the later *hargasha* of feeling the blood flowing cannot render the woman *teme'ah*. Therefore, that *hargasha* does not render the woman *teme'ah*. The *Chavos Daas* holds that the **sensation of flowing** has the status of a *hargasha* but only if the woman feels it in the cervix, not later in the vagina. The *Noda B'yebuda*, on the

other hand, argues that the requirement of a *bargasha* was inferred from the word *binsarah*, in her flesh, which refers to the vagina not the uterus. In any case, it is only the **sensation of the flowing** which constitutes a *bargasha*, not just the feeling of being wet. Thus, if a woman feels wetness in her vagina and finds blood there, she is not *teme'ah mid'oraisa*. In *Igros Moshe*, Rav Moshe Feinstein is *Posek* like the *Noda b'Yebuda*, the sensation of blood flowing constitutes a *bargasha*.

BEDIKA

When a woman experiences a *bargasha*, she must make a *Bedika*, checking.

1. If she finds blood on the piece of cloth, the *eid* used to make this *bedika* she is then certainly *teme'ah mid'Oraisa*.
2. If she finds another substance on the *eid* and no blood, we'll say that this substance was the cause of the *bargasha* and she is still *tehora*, pure.
3. The case when she doesn't find anything on the *eid* will be studied later in Simon 190, 1.

Very often, a woman will think that she is sensing some wetness in her vagina. As we stated already, a sensation of wetness doesn't constitute a *bargasha*, and therefore doesn't require a *bedika*. However she may be uncertain whether it's only a sensation of wetness or a real *bargasha* of something bleeding. This often is the case when a woman is nervous or expecting to have her period. The easiest way to circumvent this problem may be to require this woman to make a *bedika*. Of course, if she'll find blood she will become *teme'ah*. However, if she'll find something else, i.e. some mucus, she will remain *tehora*. If this happens three times in a row, and the woman feels a flow in her vagina, she then makes a *bedika*, but she still remains *tehora*, she will then have established that this feeling is irrelevant for her and she will be able to disregard it the next time it happens. For this woman it won't be considered a *bargasha*.

Through a Bedika

The *Acharonim*⁸ debate the question as how to determine the status of a woman who makes a *bedika* and finds blood on the *eid*, but didn't experience any *bargasha*. Are we going to say that since she didn't feel anything she is not *teme'ah mid'oraisa* or should we rather say that the bleeding that she found did come with a *bargasha*, but she didn't distinguish it from the feeling of friction caused by the *eid* in her vagina while doing the *bedika*. We suspect that there was in fact a *bargasha* but that she wasn't aware of it because she confused it with the *bargasha* of the *bedika* itself.

⁸ Rabbis of the later generations, from the 16th century and on.

Many *Acharonim* [(the *Kreisi Uplesi* (*Tiferes Yonoson* 183, 1), the *Sidrei Taharah* (183, 2), and the *Chavos Daas* (190, 1)] consider the possibility of this “hidden” *hargasha* and are *posek*, rule, that this woman will be *teme'ab mid'oraisa* in accordance with the rule of *safek d'oraisa lechumra*.⁹ The reason we suspect this woman to have had a *hargasha* even though she didn't feel anything is based on a principle brought by the *Rambam* (*Hilchos issurei bia* 9, 1) that *chezkas damim behargasha* meaning that as a general rule (in most cases) when blood is discharged from the *mekor* it is associated with an *hargasha*. Of course, when a woman finds blood on her clothing or on her flesh and doesn't remember having any *hargasha*, we have no choice but to conclude that the blood came without a *hargasha* since we have no other way to explain the presence of the blood. We are therefore forced to say that an exception occurred. However in our case when the blood was found through a *bedika* we are able to validate the principle of *chezkas damim behargasha* by saying that the blood came with a *hargasha* and explain her not feeling it because of the other feelings due to the *bedika*. The same reasoning would apply if a woman discovers blood during intercourse or after urinating. This latest case will be studied in *Simon* 191.

Regular period

Based on what was previously said regarding *chezkas damim behargasha*, some *Acharonim* (*Aruch HaShulchan Simon* 183) hold that any time a woman experiences a regular period, even if she doesn't acknowledge any *hargasha*, we must still say that she had a *hargasha* that she wasn't aware of.

⁹ In case of doubt, the general rule is that concerning rabbinical questions we can be lenient, but in Torah questions we must take the most stringent view. In our case, we must adopt the view that the woman had a *hargasha* since in this case she would be *teme'ab mid'Oraisa*.