

**BACKGROUND:** There are few areas of Jewish law that have as profound an effect on the Jewish family life cycle as do the laws of *niddah*. Yet, to many people, the basis and reasoning behind these laws remain elusive and mysterious.

This is due, in part, to the private nature of the issues involved and a concurrent reticence to discuss them. Adding to the confusion, is the fact that people are unable to correlate their knowledge of the practical application of the laws of *niddah* with the biblical verses that serve as the basis for these laws. The Mishnah, for example, provides no clue to help us account for the twelve days of *niddah* as currently practiced.

The word *niddah* is probably a derivative of the verb נָדָה that means to isolate, remove or separate.<sup>1</sup> As such, it is a term used to refer to a menstruating woman for whom cohabitation is proscribed. However, the Mishnah uses the term *niddah* in a more narrow sense. In the language of the Mishnah, a menstruating woman is either a *niddah* or a *zavah*, depending on when, within her menstrual cycle, she experiences her menstrual flow. When we speak today of a woman who is observing the days of *niddah*, we really mean that she is observing the days of *zieva*. This is a very basic concept that is addressed in detail in our introduction.

Tractate Niddah is within the Order of Teharot that deals with the laws of impurity and purity (*tumah* and *tehora*). It should therefore come as no surprise that many laws discussed in Tractate Niddah apply to the interaction of a *niddah* with ritually pure food, and not to her status vis a vis marital relations. Nevertheless, Tractate Niddah is our main source for the laws of family purity. (See also Tractate Shevuot 17b – 18b, and Rif, Ran *ibid.*) Therefore, it is always necessary to determine whether a particular law deals only with ritually pure food or with marital relations as well.

**PURPOSE:** The primary focus of this work is to explain the Mishnah. This work does not focus on, nor was it meant to convey, the actual *halacha*. Even when terms such as, "the ruling is in accordance with the view of so and so" are used, it should not be viewed as an actual *halachik* ruling. It is important to realize, that even if the ruling is in accordance with the view of a specific *tanna* mentioned in the Mishnah, we may nevertheless, not act according to the statement. There may be certain additional laws or גזירות (Rabbinic enactments) that are taken into account before the final *halacha* is formulated. The Talmudic dictum (Sotah 22a), "One who rules purely on the basis of a Mishnah is of those who cause upheaval in the world.", is certainly appropriate regarding this work.

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1. רמב"ן בראשית לא:לה, רשב"ם ויקרא יב:ב, רס"ג ויקרא כ:כא

The purpose of this work is to provide the non-Hebrew-speaking individual with the ability to study the Mishnah. To this end, the reader will find the Hebrew text of the Mishnah (which generally follows the version of the משניות (מבוארות), alongside a fairly literal, linear English translation. The translation is then further elaborated upon to provide, not only the meaning of the words but also, their explanation. One should not and can not study the Mishnah without a precise definition of each of its words.

No English translation or explanation can ever be a true substitute for the classic Hebrew commentaries. Too many nuances are lost when the Hebrew is translated. Furthermore, one who is dependent on translations, can never hope to access the vast resources that have been compiled throughout the generations. It is the author's sincerest hope that this work will be used to help wean the reader away from dependence upon the English text. To help accomplish this, all explanations are footnoted to the original sources and all sources are quoted in their entirety. The reader is urged to read, in the original vernacular, extracts of the 60 or so sources that span more than 2,000 years. This will help broaden the reader's vocabulary of Mishnaic Hebrew and Talmudic Aramaic. Note that, unless indicated otherwise, the text of the Rambam's פירושי המשניות as quoted herein is from the translation of רב יוסף קאפח (Mossad Harav Kook, 1963).

It is recommended that before reading the Mishnah, the reader familiarize himself with the terms as explained in the introduction provided.

The verses of the Torah, as they relate to different aspects of *niddah*, are grouped, in this introduction, by topic. This allows the reader to understand the sentences in their proper context. The cycle of *niddah* and *zieva* is fully explained and the laws of the Mishnah are correlated with the laws of *niddah* as currently practiced.

One of the ultimate goals of learning, is to gain an appreciation and understanding of how what we learn correlates with *halacha*. The reader will therefore find footnotes in the Mishnah that reference two main Halachik works: the Mishneh Torah (by the Rambam), and the Shulchan Aruch (by Rav Yosef Karo). It is important to note that the Shulchan Aruch and its collection of commentaries represent our current storehouse of *halacha*. The Mishneh Torah does not have this status. Nevertheless, Tractate Niddah deals with many areas of *teharot* that are not addressed in the Shulchan Aruch. The reader will therefore find footnotes to the Mishneh Torah as well. These footnotes are, to a great extent, an extract of the footnotes to the Mishnah provided in the *gemara* under the title עין משפט ור מבוא.

So, as not to give the impression that this is a *halachik* work, this author almost never quotes the text of the Mishneh Torah or the Shulchan Aruch as the basis for an explanation of a Mishnah. Rather, the analysis of the ספרי חיים as recorded in his ליקוטי הלכות is used to arrive at the definitive interpretation of the Mishnah.

**CONTEXT:** Unfortunately, the Mishnah is rarely studied by itself. Rather the Mishnah is usually used as a springboard for delving into the *gemara*. It is the author's contention that this oversight is unfortunate. (See Maharal Derech Chaim 6:7.) The Mishnah should also be studied as an end in itself because the Mishnah is one of our main links in the formulation of *halacha*.

In addition to the written law (תורה שבכתב), that was given to the Jewish people approximately 3,300 years ago, there are also oral laws and explanations (תורה שבעל פה) that clarify and expand upon the written law. These clarifications, which accompanied the Torah, and the various laws that were added throughout the generations became known as משניות (lit., teachings; laws<sup>2</sup>). Various academies had their own collection of Mishnayot. Some of these collections were more accurate and complete than others. Approximately 1,800 years ago Rabi Yehudah Hanasi took it upon himself to codify a collection of Mishnayot that was to become the most accurate and authoritative collection. Subsequently, Rabi Yehudah Hanasi's collection became known as the Mishnah (pl., Mishnayot), while all other collections of oral laws became known (and are hereinafter referred to) as *baraitot* (lit., [laws] external [to the Mishnah]).<sup>3</sup>

Rabi Yehudah Hanasi went to great lengths, wherever possible, to preserve in the Mishnah the wording of the *baraitot*. These *baraitot* are often quoted in the *gemara*. There are also other collections of *baraitot* that are available to us. An invaluable source for *baraitot* that contain laws dealing with Tractate Niddah is a collection known as Sifra (ספרא) or Torat Kohanim (תורת כהנים). An example of a *baraita* in Torat Kohanim that provides us with insight into a Mishnah can be found in *perek* 5, Mishnah 1, footnote 3. A table of cross references, from the Mishnah to the Sifra, is provided toward the end of this volume.

There are three sources from the immediate post Mishnaic era that explain the Mishnah. The earliest is the Tosefta.<sup>4</sup> While the *baraitot* that are quoted in the Tosefta were mostly known to the editors of the *gemara*, it seems that the actual text of the Tosefta may not have been known. The other two explanations are the Talmud Bavli, which was compiled in Babylonia, and the Yerushalmi, which was compiled in Israel. Of the two, Bavli has become the major source for determining *halacha*. It is interesting to note that only a fraction of the Talmud deals directly with the laws mentioned in the Mishnah, while many tangents and sub-tangents develop in the *gemara's* discussions.

2. משנה הוא מלשון משנה למלך שהתורה שבכתב הוא המלך והמשנה שניה לה, ופירוש לשון שונה, (קיצור כללי המשנה).
3. ובריייתות הם משניות שנאמרו שלא מדעת רבי חוץ ממדרשו אם שהיו משניות מן הת"ר סדרים ראשונים או שהוציאו מדעתם ולפיכך יש ספק במשבשתא. (קיצור כללי התלמוד).
4. ואחר שחברו משניות ששה סדרים ראה רבי חייה תלמידו של רבי שהיו דברי המשנה סתומים, חבר התוספתא, וענינה תוספות על המשנה וגלוי טעמה. (עץ החיים). ועיון הליכות עולם שער א' פרק א'. תוספתא. כל מקום שנמצא נסחתה מיושבת ומדוקדקת אין לנו על המשנה פל' מכוון אל האמת יותר ממנה. (יד מלאכי - תרגל).

Later interpreters of the Mishnah, to a large extent, formulate their understanding by analyzing *baraitot*, Tosefta, Bavli, and Yerushalmi. Therefore, while the Talmud Bavli should be used as a main source for understanding the Mishnah it would be a mistake to ignore the others.

**DEFINITION: טמא.** Historically, the word טמא has been translated as either 'unclean' or 'impure'. Both of these translations are incorrect and have connotations that are not inherent in the word טמא. A more precise definition would be 'ritually impure' or 'spiritually impure'. For the sake of brevity, however, this author translates the word טמא as 'impure'.

It is important to understand that those who are said to be טמא are not dirty or unclean and neither are they imperfect or blemished. Rather, they contain a spiritual impurity that is mandated by the Torah. The Torah does not provide us with a definition of the word טמא and neither does it explain the rationale for this spiritual impurity.

The Rambam in his Guide for the Perplexed (part 3, chapter 47) suggests the following: "We already explained that the entire purpose of the *mikdash* was to engender awe and reverence in those who visit it, as it says, (Lev. 19:30) 'you shall revere my *mikdash*'. When a person comes in contact with a hallowed item on a steady basis, his regard for the item is lessened and its impact is diminished. Our Sages of blessed memory were cognizant of this and deemed it improper for a person to enter the *mikdash* on a continuous basis. They understood this to be implied in the statement (Prov. 25:17), 'make your foot rare in your friend's house so that he does not become satiated of you and come to hate you'. With this goal in mind, *Hashem* warned those who are spiritually impure not to enter the *mikdash*, even though impurities are prevalent to the extent that it is rare to find one who is pure. If a person was successful in guarding himself from touching a dead animal, he probably was not successful in guarding himself from touching one of the seven impure crawling animals that are prevalent in the house, among foods and liquids. And if he successfully guarded himself from these he probably was not successful in guarding himself from touching a *niddah*, *zavah*, *zav*, or a 'leprous' person, or their bed. And if he successfully guarded himself from these he probably was not successful in guarding himself from cohabitation with his wife or seminal emission. And even when he purifies himself from these impurities he [does not become pure enough to] enter the *mikdash* until sunset. However, as explained in Middot (*perek* 1, Mishnah 1 and 8) and in Tamid (*perek* 1, Mishnah 1) he can not enter the *mikdash* at night. That night he will probably sleep with his wife, or encounter other items that cause impurity. He will then awake in the morning in the same state [of impurity] as the day before. The entire corpus of these laws is intended to distance him from the *mikdash* and prevent him from being there at all times. We are also familiar with the saying, (Yoma *perek* 3, Mishnah 3) 'even a pure person may not enter the *mikdash* to perform the services until he immerses himself'. These actions will assure constant reverence and will achieve a sense of awe that leads to the desired humility."

### The Cycle of נדה and זיבה

**Niddah (נדה):** Biblically (מדאורייתא),<sup>1</sup> the first time a woman senses her onset of menses (הרגשה),<sup>2</sup> and discovers a flow, she becomes a נדה. This state lasts for seven days whether she experiences her menstrual flow for only one day, or even if she experiences it for seven consecutive days.<sup>3</sup> The ramifications of being a נדה are as follows: (i) she is not permitted to have marital relations, (ii) she may not enter the Temple, (iii) she may not eat or touch ritually pure food, and (iv) food and other entities with which she comes in contact are impure.

Toward the end of the seventh day she examines herself internally. If her menstrual flow has ceased, she immerses herself that night in a Mikveh (ritual bath). She may then have marital relations.<sup>4</sup> On the next night she may eat Terumah.<sup>5</sup>

(Note: The laws of *niddah* as currently practiced are actually quite different. See the section entitled 'הלכה למעשה' for a brief overview of the cycle of נדה, as currently practiced. Many of these differences are based on protective legislation formulated by our Sages (מדרבנן)).

1. ויקרא טו:כד.
2. אמר שמואל, בדיקה קרקע עולם וישבה עליה ומצאה דם עליה טהורה, שנאמר [ויקרא טו:כד] בבשרה, עד שתרגיש בבשרה. (נדה דף כ"ז עמוד ב').  
דע ששלשה אופנים הוזכרו במהות ההרגשה. הראשון מה שכתב הרמב"ם שבשעת ראיית הדם הגוף מזדעזע, השני מבואר הוא בשו"ע בסימן קפ"ח סעיף א' והוא שמרגשת שנפתח פי מקורה בשעת יציאת הדם מהמקור לבית החיצון... ואופן השלישי כתב הנודע ביהודה שהוא הרגשת זיבת דבר לח בגופה... ומכל מקום לדינא נראה דנקטינן להחמיר בכל שלשת האופנים ויש בהם דין הרגשה ואשה טמאה מן התורה על ידן. (בדי השלחן על שלחן ערוך יורה דעה הלכות נדה סימן קפ"ג).
3. ומה שכתב, מונה שבעה ימים עם יום ראייתה, וכן הדין אפילו שופעת כל שבעה, רק שתפסוק בטהרה ביום ז' קודם בין השמשות, כן משמע בכמה דוכתי ממסכת נדה, וכן כתב הר"ף בפרק שני דשבועות והרא"ש בסוף נדה, וכן פירש"י בריש פרק שני דערכין [דף ח' עמוד א'], וכן כתב הרמב"ם בפרק ו' מהלכות איסורי ביאה והרשב"א בתורת הבית. (בית יוסף על הטור יורה דעה הלכות נדה סימן קפ"ג).
4. ומה שכתב [הטור], ובערב טובלת בליל ח', בפרק קמא דיומא [דף ז' עמוד א'] ובפסחים פרק האשה [דף צ' עמוד ב'] כל חייבי טבילות טבילתן ביום, נדה ויולדת טבילתן בלילה, ובפרק בתרא דנדה [דף ס"ז עמוד ב'] נמי אמרינן דנדה בזמנה לדברי הכל אינה טובלת אלא בלילה, ופירש"י בזמנה בשביעי. (בית יוסף שם).
5. אולם כשפסקה לראות דם ביום הז' קודם שקיעת החמה, אז טובלת בלילה שלאחריו או ביום שלאחריו ואפילו ביום ואז מותרת לבעלה מיד. אבל עדיין היא טבולת יום, ואסורה ליגע בתרומה עד שיהיה לה הערב שמש למחר. (פתיחה לסדר טהרות, יבקש דעת אות ע').

**Zieva (זיבה):** Following the aforementioned seven days, begins an eleven day time frame. During these eleven days a woman becomes a זבה if she experiences a menstrual flow. The ramifications of being a זבה are similar to those of being a נדה. Marital relations are forbidden and ritually pure food or any other items with which she comes in contact, are impure.<sup>6</sup> The state of being a זבה is called *zieva*. There are two levels of זיבה as follows:

**Minor Zavah (זבה קטנה):** If a woman experiences a menstrual flow during one of these eleven days she becomes a זבה קטנה (minor זבה). As a זבה קטנה she is impure on the day she experiences her menstrual flow. On the following day she must also observe the same restrictions of זיבה. The observance of this extra day is referred to as שומרת יום כנגד יום (observing a day for a day). On this extra day she examines herself to see if her flow of blood has ceased. If she finds no trace of blood, she immerses herself that day in a *mikveh*. If during the balance of the day, she finds no trace of blood she is completely pure upon nightfall. Similarly, if a woman experiences a menstrual flow during two consecutive days within the 11 days, she must observe all the restrictions of *zieva* for a third day. On the third day she must examine herself to see if her flow has ceased. If she finds no trace of blood, she immerses herself during this third day in a *mikveh*. If during the balance of the day she finds no trace of blood she is completely pure upon nightfall.<sup>7</sup>

**Major Zavah (זבה גדולה):** A woman who experiences, within the eleven Zieva days, a menstrual flow during three consecutive days, becomes a זבה גדולה. To become pure she must examine herself to verify that her menstrual flow has ceased. The following day she begins to count seven consecutive 'clean' days. She must examine herself daily. If she consistently finds no traces of blood she immerses herself in a *mikveh* during the seventh day. If on the seventh day, after immersing in a *mikveh*, she finds no trace of blood she becomes pure upon nightfall. She may then eat *terumah* and have marital relations. On the eighth day she brings a קרבן חטאת (sin offering) and a קרבן עולה (ascent offering). After bringing the קרבן חטאת she may eat sacrificial foods (קרבנות).<sup>8</sup>

6. ויקרא טו:כה-ל.

7. ומיום ז' ואילך עד י"א יום נקראים ימי זיבה והן שהחכמים קוראין להם י"א יום שבין נדה לנדה, ומשפטה בהן אם ראתה בהן יום אחד לבד בין שתראה בתחלת הלילה או בסוף היום רק שתפסוק בטהרה, משמרת כל הלילה שאחר כך. אם לא תראה תשכים למחר ותטבול מיד מאחר הנץ החמה אם תרצה. ומכל מקום אסורה לשמש כל היום שמא תראה ותסתור. וזו היא שנקראת שומרת יום כנגד יום. ראתה גם ביום השני ופסקה בו, משכמת ביום השלישי וטובלת ולא תשמש כל היום כאשר פירשתי. וגם זו בכלל שומרת יום כנגד יום. וזו היא שנקראת זבה קטנה. (טור יורה דעה הלכות נדה סימן קפ"ג).

8. ראתה גם ביום הג' נעשית זבה גדולה ולא תטהר עד שיהיו לה ז' ימים נקיים חוץ מיום שפוסקת בו וטובלת ביום ז' לאחר הנץ החמה מיד אלא שאסורה לשמש שמא תראה ותסתור. (טור שם). אחד לעולה ואחד לחטאת וכפר, מלמד שהכפרה בחטאת. (תורת כהנים פרשת תזריע סוף פרק ד'). ועיין משנה תורה הלכות מחוסרי כפרה פרק א' הלכות א' וה'.

### רמב"ן vs. רמב"ם – The Cycle of Niddah and Zieva

As previously explained, the first time a woman experiences her menstrual flow she becomes a *niddah* for seven days. Following these seven days begin the eleven days of *zieva*. If during these eleven days she experiences a menstrual flow she becomes a *zavah*.

According to the Rambam, this eighteen day cycle (seven plus eleven) repeats itself indefinitely. Therefore, a woman could map out an indefinite number of these cycles on a calendar. Whenever she experiences a flow, she simply checks her calendar and knows immediately whether it is a flow of *niddah* or *zieva*.<sup>9</sup>

The Ramban disagrees. He holds that the eighteen day cycles are contiguous only if a woman experiences her onset of menses every nineteen days. If she does not experience her onset of menses every nineteen days her cycles are not contiguous. For example, if a woman is a major *zavah* she does not become a *niddah* unless she first counts seven clean days and afterwards experiences a menstrual flow. In a case where the first eighteen day cycle ends and she is not a major *zavah*, she becomes a *niddah* on the day she experiences her onset of menses, even if it begins many days after the first cycle.<sup>10</sup>

The ruling, in this case, is in accordance with the opinion of the Ramban.<sup>11</sup> Throughout the introduction we will be assuming this view of the Ramban.

9. כל ימי האשה מיום שיקבע לה וסת עד שתמות או עד שיעקר הוסת ליום אחר תספור לעולם שבעה מתחלת יום הוסת, ואחריהן אחד עשר, שבעה. ואחריהן אחד עשר. ותזהר במנין כדי שתדע בעת שתראה דם אם בימי נדה ראת או בימי זיבה. שכל ימיה של אשה כך הן; שבעה ימי נדה ואחד עשר ימי זיבה, אלא אם כן הפסיקה הלידה כמו שיתבאר. (משנה תורה הלכות איסורי ביאה פרק ו' הלכה ו').

10. אבל רש"י כתב בריש פרק ב' דערכין, אם משכו ימי זובה חדש או שנה אינה חוזרת לתחלת נדות עד שתשב ז' נקיים. ישיבה שבעה נקיים וראתה היא תחלת נדה ומונה ששה והוא וחוזרת למנינה ככל המפורש. וכך כתב ה"ה בפרק הנזכר שכן בירר הרמב"ן בראיות ברורות שמשעה שהאשה נעשית זבה גדולה אינה חוזרת לימי נדות עד שתספור ז' נקיים. כיצד, הרי שראתה ג' ימים בסוף י"א ושפעה וראתה גם ביום הד' שהוא מן הימים הראויים לנדה אפילו התחילה למנות נקיים שלה וסתרה וחזרה למנותן וסתרה אינה אלא זבה שסתרה, ולכשתשלים ז' נקיים תחזור לתחלת ימי נדה. ראתה נדה בתחלה ולא ראתה בי"א משתראה ביום י"ט לראייתה הרי היא נדה כבתחלה. לא ראתה עד כ"ו אין מוננין ליום הראוי לזיבה אלא הרי זו תחלת נדה. אין זיבה אלא בי"א סמוכים לז' שראתה בה נדות. והזהר בענין זה שכבר טעו בו מגדולי המחברים. עד כאן לשונו. (בית יוסף על טור יורה דעה הלכות נדה סימן קפ"ג).

11. וגם הר"ר יונה בפרק אין עומדין הקשה על דברי הרמב"ם והסכים לדברי רש"י והרמב"ן ז"ל. וכך הם דברי רבינו שכתב בסמוך, ואם ראתה בהם ונעשה זבה אינה חוזרת לימי הנדות עד שיהיו לה ז' נקיים ואז יתחילו ימי הנדות ואחריהן ימי הזיבות כאשר פירשתי, וכן לעולם. (בית יוסף שם).

**An Established Menstrual Pattern (וסת קבועה):** A woman is said to have a **וסת קבועה** (an established menstrual pattern) after three (or sometimes four) consecutive menstrual cycles that conform to a pattern recognized by *halacha*. Some of these patterns are as follows:

#### **וסת הפלגה - A Pattern Based on a Number of Days**

**הפלגה** - [an interval]: A pattern is established if the number of days from the onset of one menses, to the onset of the next menses, is constant for three consecutive times. For example, if she experiences the onset of menses on the first day of a month, on the 21st of the month, 20 days later, and 20 days after that, she establishes a menstrual pattern.<sup>12</sup>

**דילוג הפלגה** - [an interval that changes]: A pattern is also established if the number of days from the onset of one menses to the onset of the next menses, increases by a constant number of days, three consecutive times. For example, if she experiences her onset of menses on the 1st of the month, on the 21st of the month, 21 days later, and 22 days after that, she establishes a menstrual pattern.<sup>13</sup>

#### **וסת החודש - A Pattern Based on the Day of the Month**

**חודש** - [month]: A pattern is established if a women experiences her onset of menses on the same day in three consecutive Jewish lunar months. For example, if she experiences her onset of menses on the 20th day of Nisan, the 20th of Iyyar, and the 20th of Sivan, she establishes a pattern. The day must be the same regardless of whether the month has 29 days or 30.<sup>14</sup>

**דילוג ימי החודש** - [a day of a month that changes]: A pattern is also established if on three consecutive Jewish lunar months the day of the month, is increased by an equal number of days. For example, if she experiences the onset of menses on the 20th of Nisan, the 21st day of Iyyar, and the 22nd day of Sivan, she is said to have an established menstrual pattern and she must assume it will reoccur on the 23rd of Tammuz, etc.<sup>15</sup>

**דילוג חלילה** - [a circular change]: If the sequence in the above paragraph repeats itself three times, she establishes a circular pattern. For example, if she experienced the onset of her menses on the 2nd day of Nisan, the 3rd day of Iyyar, the 4th day of Sivan, the 2nd day of Tammuz, the 3rd day of Av, the 4th day of Elul, the 2nd day of Tishre, the 3rd day of Cheshvan, the 4th day of Kislev, she establishes a pattern and she must assume it will reoccur on the 2nd day of Teveth, the 3rd of Shevat, the 4th of Adar, the 2nd of Nisan, etc.<sup>16</sup>

12. שלחן ערוך, יורה דעה, הלכות נדה, סימן קפ"ט, סעיף ב'.

13. סעיף ה' שם.

14. סעיף ו' שם.

15. סעיף ז' שם.

16. סעיף ח' שם.

**דילוג חדשים** - [skipping months]: A pattern is established if she experiences the onset of menses on the same day of every second month. For example, if she experiences the onset of menses on the first day of Nisan, the first day of Sivan, and the first day of Av she is said to have an established menstrual cycle.<sup>17</sup>

#### **וסת שבוע** - A Pattern Based on the Day of the Week

**שבוע** - [Week]: If a woman experiences the onset of menses on Monday of Parshat Shemot, three weeks later on Monday Parshat Beshalach, and three weeks later on Monday Parshat Terumah, she establishes a menstrual pattern and she must assume it will reoccur three weeks later of Monday.<sup>18</sup>

#### **וסת הגוף** - A Pattern Based on Sensations within her Body

**וסת הגוף** - [a pattern of the body]: The onset of menses may cause a women to experience sensations within her body. If on three consecutive occasions the sensation occurs simultaneously with the onset of menses she establishes a menstrual pattern. Examples include: stretching her hands or yawning, burping, breaking wind or sneezing, a sensation opposite her navel or in her womb, hot flashes, or her head or limbs feel heavy.<sup>19</sup> Note that each of these sensations are significant only if they happen repeatedly, e.g., with the onset of menses she yawns many times, or burps repeatedly, etc.<sup>20</sup>

In general, a menstrual pattern based on **הפלגה** becomes established after three intervals (four occurrences), whereas a menstrual pattern based on **חודש**, **שבוע**, or **גוף** becomes established after only three occurrences.

An established menstrual pattern generally loses its significance when the onset of menses varies from the established pattern three times.<sup>21</sup>

(See **שלחן ערוך**, **יורה דעה**, **הלכות נדה**, **סימן קפ"ט** for more details and for the different ramifications of the various types of a **קבועה**.)

17. שלחן ערוך, יורה דעה, הלכות נדה, סימן קפ"ט, סעיף ט'.

18. סעיף ו' שם.

19. סעיף י"ט שם.

20. סעיף ל"ט שם.

21. סעיף י"ד שם, וסעיף כ"ו שם.

A Woman who Gives Birth – יולדת<sup>22</sup>

**After Giving Birth to a Male Child (זכר):** After a woman gives birth to a male child, whether or not she experiences any flow of blood during delivery, she is impure for seven days. During these seven days marital relations are prohibited and she may not touch any type of ritually pure food. On the night after the seventh day she immerses herself in a *mikveh*. Marital relations are permitted and she may also eat *maaser*. From this point, until the end of the 40th day, even if she experiences a flow of blood, it is considered pure and she may continue having relations with her husband. On the night following the 40th day she may begin eating *terumah*. On the 41st day she brings a קרבן חטאת (sin offering) and a קרבן עולה (ascent offering). After bringing the קרבן חטאת she immerses herself in a *mikveh* and she may eat sacrificial food (קרבתת). If she experiences a menstrual flow after the 40th day she becomes a *niddah*.<sup>23</sup>

**After Giving Birth to a Female Child (נקבה):** After a woman gives birth to a female child, whether or not she experiences any flow of blood during the delivery, she is impure for fourteen days. During these fourteen days marital relations are prohibited and she may not touch any type of ritually pure food. On the night after the fourteenth day she immerses herself in a *mikveh*. Marital relations are permitted and she may eat *maaser*. From this point, until the end of the 80th day, even if she experiences a flow of blood, it is considered pure and she may continue having relations with her husband. On the night following the 80th day she may begin eating *terumah*. On the 81st day she brings a קרבן חטאת and a קרבן עולה. After bringing the קרבן חטאת she immerses herself in a *Mikveh* and she may eat sacrificial food (קרבתת). If she experiences a menstrual flow after the 80th day she becomes a *niddah*.<sup>23</sup>

Throughout this work, whenever the terms 'giving birth' or 'being born' are used, the implication is a natural birth. The ruling in each case may be different if it applies to a child born by a Caesarean operation.<sup>24</sup>

(Note: The laws of childbirth, as currently practiced, are actually quite different. See the section entitled 'הלכה למעשה' for a brief overview of the laws of childbirth, as currently practiced, that are based upon protective legislation formulated by our Sages (מדרבנן).)

22. ויקרא יבא - ח.

23. יולדת טמאה בגדה אפילו לא ראתה דם. בין יולדת חי או מת אפילו נפל. וכמה חן ימי טומאתה? יולדת זכר טמאה ז' ובלייל ח' טובלת אפילו אם שופעת מתוך ז' לאחר ז'. וכל ל"ג ימים שאחר השבעה מותרת לשמש אף על פי שרואה בהן. ולאחר ל"ג אסורה אפילו אם שופעת מתוך ל"ג לאחר ל"ג. . . והיולדת נקבה טמאה י"ד ובלייל ט"ו טובלת ומותרת כל ס"ו אפילו היא שופעת מתוך י"ד לאחר י"ד ולאחר ס"ו אסורה אפילו היא שופעת מתוך ס"ו לאחר ס"ו. . . והיולדת בימי איבתה אם רואה דם בלידתה צריכה ז' נקיים מדם וימי טוהר שרואה בהן אין עולין לה לספירה אף על פי שהן טהורין. (טור יורה דעה הלכות נדה סימן קצ"ד).

24. מסכת נדה פרק ה' משנה א.

### בעל קרי - A male who has an emission of semen

If a man has a normal emission of semen, whether during marital relations or not, he becomes impure. The woman with whom he has marital relations also becomes impure. This impurity prevents them from eating ritually pure food but does not prevent them from having marital relations. To purify themselves, they must immerse in a *mikveh* (the man after his emission and the woman a full 72 hours following intercourse) and at night they become completely pure.<sup>25</sup>

### The Cycle of זב<sup>26</sup>

If a man has a disease in his reproductive system that causes him to emit semen involuntary, (i.e., the semen emerges without an erection), and the semen is not its usual consistency, he has the potential of becoming a זב.<sup>27</sup> (The medical condition known as blennorrhoea has symptoms similar to those associated with a *zav*.)

If he experiences a single emission, he becomes impure to the same degree as one who had a normal emission of semen.

If he has two emissions in one day or on two consecutive days he becomes a זב. As a זב he is impure and may not touch any ritually pure food. This impurity however, does not prevent him from having marital relations. To become pure, he counts seven clean days. On the seventh day, he immerses himself in a spring or naturally flowing waters. (Immersion in a *mikveh* is not sufficient.) If during the balance of the seventh day he has no emissions then at night he is completely pure.

If, however, he has three emissions in one day or one each on three consecutive days, (or two emissions on one day and one on the next, or one emission on one day and two on the next) he must, in addition to the previously noted purification process, also bring a קרבן חטאת and a קרבן עולה on the eighth day.<sup>28</sup> After bringing the קרבן חטאת he may eat sacrificial food.<sup>29</sup>

25. ויקרא טו:ז - ית.

26. ויקרא טו:א - טו.

27. הזב האמור בתורה הוא שכבת זרע הבא מחוליי החללים שהיא מתקבצת בהן. וכשיתצא האזב אינו יוצא בקושי כשכבת זרע ואין ביציאתו תאוה ולא הנאה אלא נגרר ויוצא כמי בצק של שעורים כהה כלובן ביצה המוזרת (משנה תורה הלכות מחוסרי כפרה פרק ב' הלכה א').

28. הרואה ראייה אחת של זוב הרי הוא כבעל קרי. ראה שתים הרי זה זוב וצריך ספירת שבעה וביאת מים חיים ואינו חייב בקרבן. ראה שלש ראיות הרי זה זב גמור וחייב בקרבן. ואין בין זב שראה שתי ראיות לרואה שלש אלא קרבן בלבד. (משנה תורה הלכות מחוסרי כפרה פרק ב' הלכה ו').

29. ארבעה הן הנקראין מחוסרי כפרה, הזבה, והיולדת, והזב, והמצורע. ולמה נקראו מחוסרי כפרה? שכל אחד מהן אף על פי שטהר מטומאתו וטבל והעריב שמשו עדיין הוא חסר ולא גמרה טהרתו כדי לאכול בקדשים עד שיביא קרבנו. וקודם שיביא כפרתו אסור הוא לאכול בקדשים כמו שביארנו בפסולי המוקדשין (פרק א' הלכה א' שם).

וכל זמן שלא הקריבו חטאתם אסורים לאכול בקדשים אבל העולה (והאשם) אינן מעכבין. (פרק א' הלכה ה' שם).

ועיין תורת כהנים פרשת תזריע סוף פרק ד'.

### One Who has Relations with a Woman who is a Niddah – בועל נדה<sup>30</sup>

A man who has relations with a woman who is a *niddah* assumes her impurity. He remains impure for seven days regardless of which day, within her seven days of *niddah*, he had relations with her.<sup>31</sup> Unlike a *niddah*, however, who does not go to the *mikveh* until the night following the seven days, he may immerse himself in a *mikveh* on the seventh day during daylight hours.<sup>32</sup>

### Purification of יולדת and זבה, זב

The purification process of either a זבה, זב or יולדת consists of 3 steps. These steps are טבילה (immersion), העריב שמש (sun set), and כפרה (bringing the required sacrifice). In general, immediately following immersion in a *mikveh* (for a זב after immersion in a spring or other naturally flowing water) they may eat *maaser*. Upon sunset they may eat *terumah* and have marital relations. A זב, however, may have marital relations even while he is impure. After bringing their sacrifices they may eat sacrificial foods. These general rules are specified for a *zav* in the following *Brayot* quoted in ע"ד עמוד ב'<sup>33</sup>.

[If] he immersed himself [in a Mikveh] and he emerged  
he may eat Maaser.  
upon (his) sunset  
he may eat Terumah.  
[When] he brings a [sacrifice of] forgiveness  
he may eat sacrificial food.

טבל ועלה  
אוכל במעשר  
העריב שמשו  
אוכל בתרומה  
הביא כפרה  
אוכל בקדשים

A יולדת immerses herself in a *mikveh* after 7 or 14 days depending on whether she gave birth to a male or female child. Afterwards she may have marital relations and eat Maaser. After 40 or 80 days, depending on whether she gave birth to a male or female child, she may eat Terumah. This waiting, from the time of immersion until after the 40th or 80th day to eat Terumah, is because we consider her a טבולת יום ארוך (one who immersed herself and is waiting for the end of her long day, i.e., for the end of the 40th or 80th day). The next day she brings her sacrifices and immerses herself in a *mikveh*. She may then eat sacrificial food.

A זב and זבה immerse themselves on the seventh clean day. At night they may eat *terumah* and the woman who was a זבה may also resume marital relations. (A זב may have marital relations even when he is impure.) The next day they bring the required sacrifices and they may eat sacrificial food.

30. ויקרא טו:כד.

31. דתניא, ותני נדה עליו, יכול יעלה לרגלה, תלמוד לומר [ויקרא טו:כד] וטמא. (בבלי נדה דף ל"ג עמוד א').

32. משנה תורה הלכות מטמאי משכב ומושב פרק ג' הלכות א' - ג'.

33. ועיין נעים פרק י"ד משנה ג'.

**PURPOSE נדה:** The Gemara in Niddah (31b) quotes Rabi Meir who explains the purpose of *niddah*.

תניא היה רבי מאיר אומר, מפני מה אמרה תורה נדה לשבעה? מפני שרגיל בה וקץ בה אמרה תורה תהא טמאה שבעה ימים כדי שתהא חביבה על בעלה כשעת כניסתה לחופה.

We learned [in a *baraita*] that Rabi Meir was apt to say, "Why did the Torah mandate that a *niddah* observe seven days? Because he [the husband] becomes over familiar with her [his wife] and thus is repelled by her. The Torah therefore mandates that she be impure for seven days so that she might be as beloved to her husband [every month] as she was at the time she entered the bridal canopy."

Rabbi Norman Lamm, in his book, *A Hedge of Roses* (Feldheim, 1987), expands on the above concept:

"...The culmination of her dreams comes with the period of engagement, when she is courted and wooed by her fiance. Then there is the climax of the wedding night and the honeymoon, and the being together thereafter ("and they shall be unto one flesh").

"What a pity if this rapturous realization of her dreams should come and go, departing for ever after! What a cruel and frustrating experience if a week or a month should spell the complete fulfillment of a lifetime of lovely ambitions and delightful aspirations! With the institution of *taharat ha-mishpahah*, however, a marvelous domestic miracle occurs: the honeymoon lasts throughout the greatest part of one's active life! The drama of love-without-sexual-contact followed by the loving union of husband and wife and their being together is repeated every month. Thus the separation of husband and wife physically during the period of *niddah* and the "seven clean days" when they may express to each other feelings of tenderness without any physical contact, is equivalent to the period of engagement. Then, just as she did when she was a bride, the wife undergoes the immersion in a *mikvah*, recites the same blessing she did as a bride, and comes to her husband, in purity and love, as she did on her wedding night.

"Love does not grow stale in such an environment. A young woman's dreams remain fresh, her vision vital, and her hopes radiant throughout life. All of life presents the opportunity of becoming a perpetual honeymoon. Her dreams are not defeated by success and frustrated by fulfillment."

### The Laws as Currently Practiced הלכה למעשה

**Niddah: (נדדה):** The laws of נדה as currently practiced, include protective legislation formulated by the רבנן.<sup>34</sup>

A woman, who sees even a drop of blood, must observe a minimum of 5 impure days. Toward the end of the 5th day she examines herself. This examination is called טהרה הפסק. If she finds no traces of her menstrual flow she begins observing 7 clean days. During these 7 days marital relations continue to be forbidden. She must examine herself during the seven days. If she consistently finds no menstrual flow she immerses herself at the end of the 7th day, at night, in a *mikveh*. She then becomes pure. Hence, from the onset of her menstrual flow, a woman is required to refrain from marital relations for a minimum of 12 days.

**The 12 days as currently practiced.** As previously explained, Biblically only a *zavah* and not a *niddah* must count seven clean days. However, as a protective measure, any time a woman experiences a menstrual flow, we now consider it to be a flow of זיבה. Therefore, following the cessation of her menstrual flow, a woman is required to observe seven clean days. These seven clean days only begin after the fifth day from the onset of her menstrual flow for the following reason:

34. הוסיפו חומרא אחר חומרא עד שאמרו שאפילו אם לא תראה אלא טיפת דם כחרדל תשב עליה ז' נקיים כזבה גדולה. בריש פרק תנוקת בתר תקנתא דרבי בשדות אמר רבי זירא בנות ישראל החמירו על עצמן שאפילו רואות טיפת דם כחרדל יושבות עליה שבעה נקיים. וכתבו הרי"ף והרא"ש אף על גב דהא תקנתא דשדות ליכא למיחש בה לאסורא כלל, עבדו רבנן הרחקה יתירא ואנהיגו בנות ישראל למעבד כרבי זירא דהא אמרינן בריש פרק אין עומדין דהא דרבי זירא הלכה פסוקה היא עד כאן לשונו. והר"ן כתב שהטעם שהחמירו כרבי זירא ולא סגי להו בתקנתא דרבי יש אומרים דהיינו כדי שלא יטעו בדבר שלפעמים תהא זבה גדולה ותהא סבורה שלא ראתה אלא ב' כגון שראתה שני ראיות ואחד מהם בין השמשות ולא תספור אלא ששה והן, וכדי שלא יבאו לטעות בכיצא באה השוו מדותם שאפילו בדם טפה כחרדל יהיו יושבת שבעה נקיים. ועדיין אין זה מספיק אלא יש לומר שכיון שלפעמים בטפה כחרדל יושבת שבעה נקיים דהיינו באיבה הסותרת החמירו בנות ישראל על עצמן לעשות כל דם שתראינה כאילו היא סותרת עד כאן לשונו. וכן כתב הרב המגיד בפרק י"א בשם הרמב"ן ז"ל דטעמא דהחמירו בנות ישראל כך כדי שיהיו בכל זמן מונות מנין אחת ולא ישתנה מנהגן בין ראייה אחת לשלשה ימים. הרי שראתה שלשה ונעשית זבה התחילה וספרה עד שבעה נקיים וראתה בשביעי טפה כחרדל ודאי צריכה לישב עליה שבעה נקיים שהרי סתרה כל המנין, ויש שאינן בקיאות בין תחילת הראייה לסתירתה הספירה יובא הדבר לכלל טעות עד כאן לשונו. (בית יוסף על הטור יורה דעה הלכות נדה סימן קפ"ו).

## The Laws as Currently Practiced למעשה (continued)

The laws of *ziva* dictate that if a woman discharges her husband's semen from her body it nullifies the clean days she was counting. The maximum time that semen remains viable within a woman's body has been established to be 72 hours. Therefore, if a woman had marital relations immediately prior to experiencing her menstrual flow it is assumed, for 72 hours, that her body may discharge the semen. Seventy two hours spans 4 days (since the 72 hours can never be ascertained as having started exactly at the beginning of a day). This accounts for 4 out of the 5 impure days that are required prior to observing the 7 clean days.

There is also a possibility that a woman may have had marital relations toward the evening prior to experiencing her menstrual flow. While the relations may have been completed after nightfall she may mistakenly believe that they occurred during daytime hours. Thus, she will begin counting the four days one day too early. To account for this possibility our Sages added a fifth impure day. This leaves us with 5 impure days followed by 7 clean days. During these 12 days marital relations are prohibited.<sup>35</sup>

**A woman who gives birth (יולדת):** According to our current laws, a woman who gives birth to a male child observes the laws of *niddah*, i.e., a minimum of 5 impure days followed by seven 'clean' days. A woman who gives birth to a female may have relations on the night leading into the fifteenth day, provided she observed seven 'clean' days.<sup>36</sup>

35 הפולטת שכבת זרע בימי ספירתה, אם הוא תוך ו' עונות לשמושה, סותרת אותו יום. לפיכך, המשמשת מטתה וראתה אחר כך ופסקה, אינה מתחלת לספור ז' נקיים עד שיעברו עליה ו' עונות שלימות שמא תפלוט. לפיכך אינה מתחלת לספור עד יום ה' לשמושה. כגון, אם שמושה במוצאי שבת אינה מתחלת לספור עד יום ה' דקיימא לן אין שכבת זרע מסריח עד שיעברו עליו שש עונות שלימות מעת לעת. ואם שמושה במוצאי שבת ופלטה ליל ד' קודם עת שימושה במוצאי שבת עדיין היא עומדת בתוך עונה ששית לשמושה וסותרת. הילכך יום ה' יהיה ראשון לספירתה. (שלחן ערוך יורה דעה הלכות נדה סימן קצ"ו סעיף י"א).

הגה ותפסוק יום ד' לעת ערב ויום ה' עולה למנון. ויש שכתבו שיש להמתין עוד יום א' דהיינו שלא תתחיל למנות עד יום הששי והוא יהיה יום ראשון לספירתה דהיישין שמא תשמש ביום ראשון בין השמשות ותסבור שהוא יום ואפשר שהוא לילה. ואם התחיל למנות מיום חמישי יהיה תוך ששה עונות לשמושה. על כן יש להוסיף עוד יום אחד דמעתה אי אפשר לבא לידי טעות. וכן נוהגין בכל מדינות אלו ואין לשנות. . . . ויש שכתבו שעכשיו אין לחלק בין שמושה עם בעלה ללא שמושה וכל אשה שרואה אפילו כתם צריכה להמתין ה' ימים עם יום שראתה בו ותפסוק לעת ערב ותספור ז' נקיים, וכן נוהגין במדינות אלו ואין לשנות (ר' משה איסרלש שם).

36 יולדת, אפילו לא ראתה דם, טמאה כנדה בין ילדה חי בין ילדה מת ואפילו נפל. וכמה הם ימי טומאתה? עכשיו בזמן הזה כל היוולדות חשובות יולדות באב וצריכות לספור שבעה נקיים. נמצאת אומר שיוולדת זכר יושבת ז' ללידה וז' לנקיים לאיבה, והיוולדת נקבה יושבת שבועים ללידה וז' נקיים לאיבה, ימי לידה שהם ז' לזכר וי"ד לנקבה, אם לא ראתה בן עולים לספירת איבתה. ואם שלמו ז' נקיים בתוך י"ד לנקבה הרי זו אסורה עד ליל ט"ו. ואם טבלה קודם לכן לא עלתה לה טבילה. (שלחן ערוך יורה דעה הלכות נדה סימן קצ"ד סעיף א').

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**The Laws as Currently Practiced למעשה (continued)**

Please note that the details of the laws of *niddah*, as practiced, are beyond the scope of this work. The laws are enumerated in הלכות נדה שלחן ערוך, יורה דעה, הלכות נדה והלכות טבילה. Excellent works are available in both English and Hebrew that explain these laws in a straightforward manner. The following two works are written by contemporary authors. They are excellent study guides for the laws of *niddah*.

שלחן ערוך, יורה דעה, הלכות נדה והלכות טבילה by Rabbi Feivel Cohen, a two volume work in the form of an explanation and commentary on הלכות נדה, is written in traditional Hebrew with all laws clearly and thoroughly explained. The actual layout of this work is similar in style to the משנה ברורה.

ספר הלכות נדה by Rabbi Shimon D. Eider is a two volume work written in English. The laws of *niddah* are well explained and are organized following the natural order of events in the menstrual cycle. All laws are footnoted to the original Hebrew sources.