



Volume 12. Issue 56

Nida and Chazaka

The status of *nida*¹ is important for two different areas. Firstly, a couple is prevented from having relations if the woman is in *nida*. Secondly, that women also become as source of *tumah*. Importantly, she already become *nida* prior to the *dam* (blood) exiting her body. The first *perek* dealt with this point and discussed when and how far into the past must one be concerned that she is *tameh* prior to discovering *dam*. We also learnt that in order to mitigate the concern, regular *bedikot* (checks) were instituted.

The *Mishnah* in the second *perek* (2:4) however teaches that “all women have a *chezkat tahara* (presumed status of purity) for their husbands”. The *Bartenura* explains that this means that the husband is not required to inquire whether she is *tahor* prior to relations¹. The *Mishnah* continues that this is the case even if he just returned from being away from the town. The *Bartenura* explains that even though one might think that she may have been less careful to check, the *chazaka* still stands.

Last cycle (Volume 6, Issue 55) we looked at the first *Mishnah* and saw how whether *chazaka* helps in the case of saving *taharot* from

retroactively causing *tameh* was debated. In this *Mishnah* however the strength of *chazaka* appears universally accepted. *Rashi* explains that there is a difference between our *Mishnah* and those in the first *perek*. In those *mishnayot*, the *Mishnah* is dealing with a woman who is “*osek be'taharot*”. In other words, a woman who is handing either *trumah* or *kodshim*. Consequently, in those cases the strength of the *chazak* is debated with some opinions ruling stringently. In our *Mishnah* however, the woman is not and the *chazaka* is strong. Furthermore, the regular *bedikot* are not required.

The *Mishnah Achrona* however asks that we do not rely on a *chazaka* when the matter can be clarified. Since the husband is able to ask, it should preclude the reliance on the *chazaka*. The *Mishnah Achrona* however answers that this case involves two *sfeikot* (doubts). The first is whether she indeed saw *dam* and the second is that even if she did she might have already waited the seven days and immersed in the *mikveh*. He explains that in the case of a double doubt, we can rely on the *chazaka* it is not required to clarify the matter.²

Yisrael Bankier

¹ This is assuming that when they previously parted she was *tahor* and he returned prior to her *veset*. See also Volume 6, Issue 56.

² See Volume 9, Issue 10 where we cite the *Chatam Sofer* who reasons that this point is actually the subject of debate between *Rashi* and *Tosfot*.

Revision Questions

מקואות יי - ח'

- What is the debate regarding the restrictions on purifying *tameh* water? (יי: ר')
- What is the law if one immerses a *kli* that is full of: (יי: ר')
 - Wine?
 - Urine?
 - *Mei Chatat*?
- How are the laws that apply to *tameh* liquid stricter than the laws of liquids that apply to *mikvaot*? (יי: ר')
- What is the difference if one drank *tameh* water or other *tameh* liquids, immersed in a *mikveh* and then vomited them out? Which other case is similar? (יי: ח')
- What is the law regarding one that immersed with an arrow in them? (יי: ח')

נידה א' - ב' די

- Explain the debate regarding the *taharot* of a woman that discovers she is a *niddah*. (א: א')
- When would the law be different? (א: א')
- What example is brought for the opinion of *Beit Shammai*? (א: ב')
- According to *R' Eliezer* which women are excluded from the debate? (א: ג')
- What is the definition of the following people in the context of *nidah* and why is it important:
 - *Betulah*?
 - *Meuberet*?
 - *Meinikah*? (א: ד')
 - *Zkeina*? (א: ה')
- When do we no longer say *daya sha'ata* with respect to these women? (א: ר')
- What is the exception to the answer in the previous question? (א: ר')
- Which *nashim* do not require *bedikot*? (א: ר')
- How many *bedikot* are required? (א: ר')
- Which *nashim* require additional *bedikot* and for what? (א: ר')
- Is it positive to increase *bedikot*? (א: ב')
- How do *bedikot* apply to a *shota*? (א: ב')
- How many *idim* are used for *shimush*? (א: ב')
- When are they obligated to bring a *korban* with respect to these *idim*? (א: ב')
- What time period is considered "*achar zman*" and for what is it important? (Include both opinions.) (א: ב')
- When must the *ba'al* ask if she is a *niddah*? (א: ב')
- What is the debate between *Beit Shammai* and *Beit Hillel* regarding *bedikot*? (א: ב')

Melbourne, Australia

Sunday -Thursday

10 minutes before *Mincha*
Mizrachi Shul
Melbourne, Australia

Friday & Shabbat

10 minutes before *Mincha*
Beit Ha'Roeh
Melbourne, Australia

Efrat, Israel

Shiur in English

Sunday -Thursday

Rabbi Mordechai Scharf
9:00am
Kollel Magen Avraham
Reemon Neighbourhood

ONLINE SHIURIM

Rabbi Chaim Brown
www.shemayisrael.com/mishna/

Rabbi E. Kornfeld
Rabbi C. Brown
<http://www.dafyomi.co.il/calendars/myomi/myomi-thisweek.htm>

SHIUR ON KOL HALOSHON

Rabbi Moshe Meir Weiss
In US dial: 718 906 6400
Then select: 1 – 2 – 4

Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
6 December כ"ד כסלו	7 December כ"ה כסלו	8 December כ"ו כסלו	9 December כ"ז כסלו	10 December כ"ח כסלו	11 December כ"ט כסלו	12 December ל' כסלו
Nidah 2:5-6	Nidah 2:7-3:1	Nidah 3:2-3	Nidah 3:4-5	Nidah 3:6-7	Nidah 4:1-2	Nidah 4:3-4

