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## Yoledet or Nida?

The third *perek* of *masechet Nida* introduced the consideration of a *yoledet*. A woman that gives birth to a male is *tameh* for one week and any of the *dam* during the remaining thirty-three days is *tahor*. If she gives birth to a girl, then she is *tameh* for fourteen-days and for the remaining sixty-six days, the *dam* is *tahor*. The *perek* deals with cases where a woman expels something and addresses whether she is a *yoledet*.

The *Mishnah* (3:6) explains that if she miscarries, but is unsure whether it was a male or female, she must be concerned for more both scenarios. In other words, she is *tameh* for longer out of concern that it may have been a girl, yet her duration for *dam tohar* is shorter since it may have been a boy.

The *Mishnah* continues that if she is unsure if she even expelled a fetus then she must also be concerned that she may be in *nida*. The *Bartenura* explains that she therefore has no *dam tohar*. He adds that according to those that maintain that immersion at the required time is a *mitzvah* she would also be required to immerse on the fortieth day out of concern that she miscarried a boy.

The *Tosfot Yom Tov* explains that the *Bartenura*'s second point would also apply in the first case. In other words, if she was only unsure if it was a boy or a girl, according to the opinion that immersing at the correct time is a *mitzvah*, she would immerse on the fortieth day as well. The *Bartenura* however raised the point here, since without it, there would be no reason for the *Mishnah* raise the concern that she may have given birth to a male. Being concerned that she was a *nida* or gave birth to a girl would be been enough to come to the same conclusion.

The *Tosfot Yom Tov* however cites the *Gemara* (30a) that explains that there there is another reason in our case why she must be concerned that she may have miscarried a boy. If the woman sees *dam* on thirty-fourth day and then again on the forty-first day, she would not be able to immerse until the forty-eight day. This is because when she sees *dam* on the thirty-fourth day, she could now be a *nida*, if she was originally a *nida*. If however she was a *yoledet* (boy or girl) then this is a *dam tohar*. When she sees *dam* again on the forty-first day then we will have an issue. If she was *nida* originally and therefore a *nida* on the thirty-fourth day, she would now be a *zava-ketana* and be able to immerse the next day (if she is clean). If however she gave birth to a boy, then she is now a *nida* and would need to wait to the forty-eighth day to immerse. Note that this delay is only introduced with the concern that she gave birth to a boy, for if she gave birth to a girl, then all the *dam* seen thus far would be *dam tohar*.

The *Tosfot Yom Tov* directs us to the *Tosfot* that uses this reasoning to answer another question. In our case, why are we concerned that she may have given birth a girl. Since she may not have miscarried a fetus and even if she did, it may have been a boy, then it should be considered a *sefeik sefeika* – a double doubt – and we should rule leniently. The *Tosfot* answers that if we did that, and disregard the concern, then it would lead to a contradiction. We just discussed that if she saw *dam* on the thirty-fourth day and then on the forty-first, she would need to wait until the forty-eighth day out of concern she gave birth to a male. That concern is also a *sefeik sefeika* – we do not know if it was a fetus and even if it was it may have been a girl. Employing the leniency of a *sefeik sefeika* in this case is therefore not possible since it would lead to two contradictory leniencies.

*Yisrael Bankier*

## Revision Questions

נידה ב' ה' – ד' די

- To what did the *Chachamim* apply these terms and why are they important: chamber, ante-room and attic? (ב' ה')
- What are the five *damim* that are *tameh*? Explain. (ב' ו' ז')
- Which other *damim* are debated and by who? (ב' ו')
- What is the debate regarding a *mapelet chaticha*? (א' א')
- What other cases share the same law? (ג' ב')
- For what things that came from a *mapelet* would a water test apply? Explain. (ג' ב')
- With respect to a *mapelet* regarding what do *R' Meir* and the *Chachamim* argue? (ג' ב')
- What is the law regarding a *mapelet shafiri*? (ג' א')
- What is the law regarding a *mapelet*:
  - *shilya*? (Regarding what does *R' Shimon* argue?) (ג' ד')
  - *Tumtum*?
  - *Androginus* and a male?
  - *Tumtum* and a female?
  - *Mesoras*? (ה' ג')
  - But is unknown if it is male or female?
  - But is unknown if it is a *vlad* or not? (ו' ג')
  - On the fortieth day? Forty-first day? (Regarding what does *R' Yishmael* argue?) (ג' ז')
- From what age are *bnot kutim* treated as *nidot*? Why? (ד' א')
- Explain the following: כותים מטמאים משקב תחתון פגליון? Why? (ד' א')
- Explain the debate regarding when *bnot tzedukim* have the same law as *bnot kutim*. (ד' ב')
- Explain the debate regarding *dam nochrit*. (ג' ד')
- What else is debated in the same manner? (ג' ד')
- Explain the debate regarding *dam yoledet shelo tavla*? (ג' ד')
- What is the law regarding the *tumah* of a *yoledet b'zov*? (ג' ד')
- What is a *yoledet b'zov*? (ד' ד')

## 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/](http://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
13 December א' שבת	14 December ב' שבת	15 December ג' שבת	16 December ד' שבת	17 December ה' שבת	18 December ו' שבת	19 December ז' שבת
Nidah 4:5-6	Nidah 4:7-5:1	Nidah 5:2-3	Nidah 5:4-5	Nidah 5:6-7	Nidah 5:8-9	Nidah 6:1-2

