



Volume 12. Issue 58

## The Chazaka in Yemei Ziva

At the beginning of the week we learnt about the difference between a *zava* and *nida*.<sup>1</sup> When a woman sees *dam* she becomes a *nida* and needs to count seven days. After those seven days, even if she saw *dam* during that time, provided that bleeding has stopped, she can immerse in a *mikveh* and is *tahor*. The next eleven days, are referred to as *yemei ziva*. If she sees *dam*, for one or two consecutive days she must *shomeret yom ke'neged yom*. In other words, she is *zava ketana* and if she stops bleeding, she can immerse the next day. If however she sees *dam* for three consecutive days, she is a *zava gedola* and must observe seven “clean” days in order to immerse in a *mikveh*.

The *Mishnah* (4:7) teaches that during a woman's *yemei ziva*, she has a *chezkat tahara* – a presumed status of being *tahor*. The *Bartenura* explains that she therefore would not be required to perform *bedikot* (checks) even if she was dealing with *taharot* (see Volume 12, Issue 56) – this is the *Rav Yehuda* opinion presented in the *Gemara* (*Nida* 39a). If however she did see *dam* during *yemei ziva* she would need to be concerned that she was already *tameh* twenty-four hours earlier.

The *Tosfot* cite *R' Yaakov MiOrleans* who presents the following question. Recall that when we began the *masechet* we learnt that if a woman sees *dam*, she needs to be concerned that she was already *tameh m'et l'et*, up to twenty-four hours earlier, unless she had performed a *bedika*. We also learnt however that there were certain exceptions where no such concern need be addressed. These included a woman with a *veset* (regular cycle) and women who stopped seeing *dam* (*mesuleket damim*). Nevertheless, in all those cases, *bedikot* are still required. So how then can *Rav Yehuda* explain that *bedikot* were not required in our case?

They answer that in the case where a woman has a *veset*, at the time of the *veset* she would require a *bedika*. (At other times, since if she would be *tameh m'et l'et*, *bedikot* would help.<sup>2</sup>) Regarding the cases of *mesuleket damim*, since most of them are where she has temporarily stopped seeing *dam* or not yet seen *dam*, a *gezeira* was necessary so they would not forget the practice of *bedikot* when it become relevant again.

The *Tosfot R' Akiva Eiger* explains that the case of a woman who has a *veset* was never a question. He explains that there is a difference between the time that is not her *veset* and *yemei ziva*. The reason why a woman that has a *veset* is not *metame m'et l'et* is because she is considered *mesuleket* outside that time. During her *yemei ziva* she is considered even more *mesuleket* such that a *bedika* is not required. If however she does see *dam* during *yemei ziva* she would clearly be *tameh m'et l'et* because since the appearance is out of the ordinary, our concern is now relevant. The real question was from those cases that were *mesuleket damim* who are relatively more so than a regular woman in *yemei ziva*. If in *yemei ziva*, *bedikot* are not required, then surely it should be the same for a *mesuleket damim*. To this, the answer of *Tosfot* that the *bedikot* for them was a *gezeira* was necessary.

The *Tifferet Yerushalaim* explains that the *Tosfot's* answer of the *gezeira* that *bedikot* are required so that the practice of *bedikot* are not forgotten, applies to all cases including the woman with a *veset*. In other words, even for her, the *bedikot* performed not at the time of the *veset* itself are because since “the time is approaching and requires a *bedika* at the time of the *veset*” which is a single event, we are concerned it will be forgotten. Since however the *yemei ziva* are few, the same concern does not apply.

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<sup>1</sup> These categories are learnt from the *Torah*. See *Vayikra* 15:19 and 25. Please do not derive any practical conclusions from this article as it does not accord with *halacha*.

<sup>2</sup> This sentence is not explicit in the *Tosfot* but as explained by the *Chidud Halachot* cited by the *Biurei Tosfot*.

## Revision Questions

נידה ד:ה' ו:ב'

- What is the *zman kishuya*? (Include all opinions.) (ד:ה')
- Regarding what cases is there a debate whether *dam kishuya* can be *tahor*? Explain that debate. (ד:ו')
- When is an *isha b'chezkat tahara*? (ד:ז')
- What is the law regarding on that does not check at the time of her *veset*? (ד:ז')
- In what case does *R' Meir* argue? (ד:ז')
- Explain the debate regarding a *yotze dofan*. (ה:א')
- What is the difference between when a *zav* and *nidah* become *tameh*? (ה:א')
- What is the *shiur* for *tumat zav*? (ה:ב')
- For what ages can one become *tameh nidah*? *Zava*? (ה:ג')
- What are the eleven laws listed in the *Mishnah* that apply to a one year old? (ה:ג')
- What are the laws listed that apply to a three years old girl? (ה:ד')
- What are the laws listed that apply to a nine year old boy? (ה:ה')
- What law applies to an eleven year old girl? (ה:ו')
- What is the comparable age for a boy? (ה:ו')
- Regarding the previous law what is different when the girl turns twelve? (ה:ו')
- Can that law apply to a girl younger than that age that is extremely clever? (ה:ו')
- For what laws did the *Chachamim* apply the following parable: פְּנֵה, בְּחַל וְצָמַל (ה:ז')
- What are the *simanim* for a *bogeret*? (Include all opinions.) (ה:ח')
- At what age would one become an *aylonit*? (ה:ט')
- At what age would one become a *saris*? (ה:ט')
- What law listed applies to both? (ה:ט')
- What is the law regarding one where only one of the upper and lower *simanim* have appeared? What case is debated? What case is considered impossible? (ו:א')
- What hole in a *kli cheres* is larger: *machnis* or *motzi*? (ו:ב')
- Can part of the body have a bone without a nail? A nail without a bone? (Why is this important?) (ו: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

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[www.shemayisrael.com/mishna/](http://www.shemayisrael.com/mishna/)

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*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
20 December טבת ה'	21 December טבת ט'	22 December טבת י'	23 December טבת י"א	24 December טבת י"ב	25 December טבת י"ג	26 December טבת י"ד
Nidah 6:3-4	Nidah 6:5-6	Nidah 6:7-8	Nidah 6:9-10	Nidah 6:11-12	Nidah 6:13-14	Nidah 7:1-2

