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Niddah Daf 36

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**Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h**  
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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

It was stated: Rav holds that it (*tamei and tahor blood*) all emanates from the same source - which the Torah declared to be *tamei* during a certain period and *tahor* during another period. Levi maintains that it emanates from two different sources – when the *tamei* source is closed up, the *tahor* source opens, and when the *tahor* source closes up, the *tamei* source opens. The *Gemora* discusses the practical difference between them.

The practical difference between them is the case of a continuous discharge from within the seven days into the period following these seven days, or from within the fourteen days into the period after the fourteenth, or from within the forty days to the period after the forty days or from within the eighty days into the period following eighty days. According to Rav the law is to be relaxed in the first case and restricted in the latter; but according to Levi the law is to be restricted in the first case<sup>9</sup> and relaxed in the latter.

An objection was raised: The blood of a woman after childbirth who did not undergo ritual immersion, Beis Shammai ruled, is like her spittle and her urine, but Beis Hillel ruled: it conveys tumah both when wet and when dry. It was now presumed that this is a case where there was a break. This then is satisfactory according to Rav who said that the discharge emanates from one and the same source, for this reason it conveys tumah both when wet and dry. But according to Levi who said that it emanated from two different sources why should it convey tumah both when wet and when dry? — Levi can answer you: We are here dealing with the case of a woman whose discharge was continuous. But if the discharge was continuous, what is Beis Shammai's reason? — Beis Shammai are of the opinion that there exists only once source. According to Levi one can quite

well see the point that divides Beis Shammai from Beis Hillel; but, according to Rav, what is the point that divides them? — The point that divides them in the question whether both the termination of the prescribed number of days and also ritual immersion are required; Beis Shammai holding that the All Merciful made the taharah dependent on the days alone while Beis Hillel hold that it is dependent on both the days and immersion.

Come and hear: They agree, however, that if she gave birth while in zivah, it conveys tumah both when wet and when dry. It was now assumed that here also it is a case where there was a break. Now, according to Rav who stated that there exists only one source one can quite well see the reason why the discharge conveys tumah both when wet and when dry; but according to Levi who stated that the sources are two why does the discharge convey tumah both when wet and when dry? — He can answer you: Here also it is a case of a continuous discharge. But if the discharge was continuous, what was the need of stating the law? — It was necessary to state it for the sake of Beis Shammai: Although Beis Shammai maintain that there is only one source and that the All Merciful had ordained the tumah to be dependent entirely on the lapse of the prescribed number of days, this applies only to a woman in normal childbirth, the prescribed number of whose *tamei* days had passed, but not to a woman who gave birth in zivah who is required also to count seven clean days.

Come and hear: Her sickness shall be *tamei* includes the man who had intercourse with her; ‘her sickness shall be *tamei*’ includes the nights; ‘her sickness shall she be *tamei*’ includes a woman who gave birth while in zivah who remains in her tumah until seven clean days have passed. This is quite understandable according to Rav who said that there exists only one source,

since it is for this reason that she requires seven clean days, but according to Levi, who said that the sources were two, why should it be necessary to count seven days, seeing that the slightest [break] should suffice? — It is this that was meant: It is necessary for her that there shall be a slight [break] in order that [the following days] shall be counted as her seven clean ones.

Come and hear: The days of her pregnancy supplement those of her nursing, and the days of her nursing supplement those of her pregnancy. In what manner? If there was a break of two onahs during her pregnancy and of one during her nursing, or of two during her nursing and of one during her pregnancy, or of one and a half during her pregnancy and of one and a half during her nursing, they are all combined into a series of three onahs. Now according to Rav who said that there was only one source this ruling is quite justified, for it is for this reason that there must be a break of three onahs,<sup>1</sup> but according to Levi who said that there were two sources why<sup>2</sup> should a break of three onahs be required, seeing that the slightest [break] should suffice? — It is this that was meant: It is necessary for her that there shall be a slight [break] in order that [the following days] shall be counted for her as three onahs.

Come and hear: Both,<sup>3</sup> however, are of the same opinion that where a woman observed a discharge after her clean blood period<sup>4</sup> it suffices for her to reckon her tumah from the time of

<sup>1</sup> In the absence of such a break the discharge cannot be regarded as having ceased.

<sup>2</sup> Since the blood after the tamei period emanates from the clean source, while the tamei one is closed.

<sup>3</sup> Shammai and Hillel who differ on the question of twenty-four hours retrospective tumah.

<sup>4</sup> This is now presumed to mean even if a considerable time after, on the eighty-third or ninetieth day after child-birth, for instance.

<sup>5</sup> Sc. less than a twenty-four hours interval has elapsed between the end of the clean period and the observation of the discharge. Hence even if the blood discharged had been in the outer chamber twenty-four hours previously the woman (since her blood at that time was still clean) could not be deemed tamei.

<sup>6</sup> If, for instance, on examining herself in the morning she observed a discharge, her tumah should be retrospective and all objects she

her observation. Now according to Levi who said that there exist two sources one may well concede this ruling since it is for this reason that it suffices for her to reckon her tumah from the time of her observation, but according to Rav who said that there existed only one source, why should it suffice for her to reckon her tumah from the time of her observation seeing that she should have become tamei for twenty-four hours retrospectively? — This is a case where there was not time enough.<sup>5</sup> But why should she not be tamei from her previous examination to her last examination?<sup>6</sup> — As there was no interval of twenty-four hours the Rabbis enacted no preventive measure even in regard to tumah from the previous examination to the last examination.

Come and hear: If a woman who was in childbirth during zivah had counted the prescribed number of clean days but did not undergo ritual immersion, and then observed a discharge, Beis Shammai gave their ruling in accordance with their own view and Beis Hillel ruled in accordance with their own view.<sup>7</sup> Now according to Rav who said that there was only one source this ruling is quite justified, since it is for this reason that the discharge causes tumah both when wet and when dry; but according to Levi who said that there were two sources, why<sup>8</sup> does the discharge cause tumah both when wet and when dry? — Levi can answer you: I maintain the same view as the Tanna who stated that ‘both, however, are of the same opinion’.<sup>9</sup>

handled during the night should be regarded as tamei. The previous answer that ‘there was not time enough’ cannot be given here, since in such a case there would have been no necessity whatsoever to state, what is so obvious, that in such a case it suffices to reckon the tumah from the time of observation.

<sup>7</sup> That before ritual immersion the discharge is tamei both when wet and when dry.

<sup>8</sup> Seeing that the required number of days had been counted and the tamei source must have been stopped.

<sup>9</sup> That if there was a discharge after the termination of the clean blood period, even though (as explained supra) more than twenty-four hours intervened, it suffices for the woman to be tamei from the time she observed a discharge; which shows that he also holds that there exist two sources.

And if you prefer I might reply that here we are dealing with one whose discharge is continuous. But was it not stated that she had counted?<sup>10</sup> — Here we are dealing with one who gave birth to a female child while in zivah and whose discharge ceased during the first week<sup>11</sup> but continued again in the second week, he being of the opinion that the tamei days of childbirth in which no discharge is observed are counted among the clean days of one's zivah.<sup>12</sup>

Ravina said to Rav Ashi: Rav Shemen of Sikara told us, Mar Zutra once visited our place when he delivered a discourse in which he laid down: The law is to be restricted in agreement with Rav<sup>13</sup> and it is also to be restricted in agreement with Levi'.<sup>14</sup> Rav Ashi stated: The law is in agreement with Rav both in his relaxations<sup>15</sup> and his restrictions.

Mereimar in his discourse laid down: The law is in agreement with Rav both in his relaxations and restrictions. And the law is in agreement with Rav both in his relaxations and restrictions.

<sup>10</sup> It does. Now, if the flow of blood had not ceased, how could she even begin to count?

<sup>11</sup> Of the two tamei weeks prescribed for a woman after the birth of a female.

<sup>12</sup> Hence the statement that 'she had counted'. As in the second week, however, the discharge began again and continued into the third week, it conveys tumah, according to Beis Hillel, both when wet and when dry, since it emanates from an tamei source which the Torah did not regard as clean before the prescribed number of days had been counted and immersion had been performed.

<sup>13</sup> That if the discharge was continuous from within the clean period into the tamei one following, it conveys tumah as if it had emanated from a tamei source.

<sup>14</sup> That where a discharge continued from within the clean days period into the clean one that follows, it is not regarded as clean blood since the continuous discharge is an indication that the tamei source had not yet closed up.

<sup>15</sup> That where the discharge continued from within the tamei period into the clean one following, it is regarded as clean after the last tamei day, despite its continuity.

MISHNAH: A woman in protracted labor is regarded as a niddah. If having been in labor for three days of the eleven days, she was relieved from her pains for twenty-four hours and then gave birth, she is regarded as having given birth in a zivah;<sup>16</sup> these are the words of Rabbi Eliezer. Rabbi Yehoshua ruled: the relief from pain must have continued for a night and a day,<sup>17</sup> as the night and the day of the Shabbos.<sup>18</sup> The relief [spoken of is one] from pain, not from bleeding. How long may protracted labor continue?<sup>19</sup> Rabbi Meir ruled: 'even forty or fifty days.'<sup>20</sup> Rabbi Yehudah ruled: Her [ninth] month suffices for her.<sup>21</sup> Rabbi Yosi and Rabbi Shimon ruled: protracted labor cannot continue for more than two weeks.

GEMARA: Is then every woman in protracted labor regarded as a niddah?<sup>22</sup> — Rav replied: She<sup>23</sup> is deemed to be a niddah for

<sup>16</sup> As the pains ceased before birth it is evident that the previous discharge was not due to the labor but to zivah. Had the pains continued until birth all the previous bleeding would have been attributed to that of the labor which is Biblically clean.

<sup>17</sup> Not merely for twenty-four hours that began and ended at any time of the day or the night.

<sup>18</sup> Which begins at sunset of Friday and terminates at that of Saturday.

<sup>19</sup> In respect of exempting the woman from zivah even if she bled.

<sup>20</sup> Prior to childbirth; provided only that there was no period of relief from pain (as defined supra) before birth.

<sup>21</sup> Sc. only blood discharged during that month may be attributed to labor. Should the discharge begin during the 'eleven days' of the previous month and continue for three days she is deemed a zavah (on account of the discharge on these three days) even though the bleeding continued throughout the ninth month also.

<sup>22</sup> But this, surely, is absurd. During the eleven days of zivah the woman could not be regarded as a niddah but as a zavah.

<sup>23</sup> Even if the discharge in the course of her labor occurred during the eleven days of zivah.

one day.<sup>24</sup> Shmuel, however, ruled: The possibility must be taken into consideration that she might be relieved from her pain,<sup>25</sup> while Rabbi Yitzchak ruled: A discharge on the part of a woman in labor is of no consequence.<sup>26</sup>

But was it not stated, a woman in protracted labor is regarded as a niddah? — Rava replied: During the days of her menstruation<sup>27</sup> she is deemed to be a niddah, but during the days of zivah she is tahor. And so it was also taught: If a woman is in protracted labor during the days of her menstruation she is deemed to be a niddah, but if this occurred during the days of her zivah she is tahor. In what circumstances? If she was in labor for one day and had relief from pains for two days, or if she was in labor for two days and had relief from pain for one day, or if she was relieved from pains and then was again in labor and then was again relieved from pain, such a woman is regarded as having given birth in zivah; but if she was relieved from pain for one day and then was in labor for two days, or if she was relieved for two days and then was in labor for one day, or if she was in labor and then was relieved and then was again in labor, such a woman is not regarded as having given birth in zivah; the general rule being that where the pains of labor immediately precede birth the woman is not regarded as having given birth in zivah, but if release from pain immediately precedes birth the woman<sup>28</sup> must be regarded as having given birth in zivah.<sup>29</sup> Chananyah the son of Rabbi Yehoshua's brother ruled: Provided her pains of labor were experienced on her third day,<sup>30</sup> even

though she had relief during the rest of that day, she is not regarded as having given birth in zivah.

What does the expression 'the general rule' include? — It includes the ruling of Chananyah.

From where is this<sup>31</sup> deduced? — Our Rabbis taught: Her blood refers to blood that is normally discharged, but not to such as is due to childbirth. You say '[not to such as is] due to childbirth'; is it not possible that only that blood is excluded which is due to an accident? As it was said, And a woman — if a discharge of her blood will flow, a discharge that is due to an accident is included; to what then could one apply the limitation of 'her blood'? Obviously to this: "Her blood" refers to blood that is normally discharged but not to such as is due to childbirth'. But<sup>32</sup> what reason do you see for holding the blood of childbirth tahor and that which is due to an accident tamei? I hold that which is due to childbirth tahor since it is followed by taharah,<sup>33</sup> but hold that which is due to an accident tamei since it is not followed by taharah. On the contrary! That which is due to an accident should be held tahor since a discharge from a zav that is due to an accident is tahor? — Now at all events we are dealing with the case of a woman, and we do not find that in the case of a woman blood due to an accident is ever tahor. And if you prefer I might reply: What opinion do you hold? Is it to regard a discharge that is due to an accident tahor and one that is due to childbirth tamei? Surely you cannot point to any occurrence

<sup>24</sup> And on undergoing immersion in the evening she attains to taharah. A woman who was not in labor, if she had such a discharge, must allow another day (free from any discharge) to pass before she can attain taharah.

<sup>25</sup> Before childbirth. As a result it would be evident that the discharge was one of zivah and the man cohabiting with the woman would be subject to kares in Biblical law. The woman, like any other who observed a discharge during the eleven days of zivah, must consequently remain tamei until another day, that was free from any further discharge, had passed.

<sup>26</sup> Sc. it is regarded as the blood of labor and the woman is deemed to be clean even on the same day.

<sup>27</sup> Sc. the period during which a discharge is deemed to be menstrual.

<sup>28</sup> Where her discharge continued for three days.

<sup>29</sup> The release from pain serving as proof that the previous discharge was not due to childbirth but to zivah.

<sup>30</sup> Ordinarily it is the discharge on the third day that causes a woman to be a confirmed or major zavah. A discharge on not more than one or two days only causes her to be a minor zavah.

<sup>31</sup> That the blood of labor is tahor.

<sup>32</sup> Seeing that the text does not specifically mention either the blood of childbirth or that which is due to an accident.

<sup>33</sup> The period of tamei blood after a childbirth (seven days for a male and fourteen days for a female) is followed by one of tahor blood (thirty-three days for a male and sixty-six days for a female).

that is more in the nature of an accident than this.<sup>34</sup> If so, why should it not be said in the case of a niddah also: Her discharge refers to a discharge that is normally discharged but not to such as is due to childbirth?<sup>35</sup> You say, '[not to such as is due to] childbirth'; is it not possible that only that blood is excluded which is due to an accident? As it was said, And if a woman has a discharge, a discharge that is due to an accident is included; to what then could one apply the limitation of 'her discharge'? Obviously to this: 'Her discharge' refers to a discharge that is normally discharged but not to such as is due to childbirth! — Rish Lakish answered: Scripture said, She shall continue which implies: You have another continuation which is of the same nature as this one; and which is it? It is that of protracted labor during the days of her zivah. Might it not be suggested that this refers to protracted labor during the days of her menstruation? — Rather, said Shmuel's father, Scripture said, Then she shall be tamei two weeks, as in her menstruation, [implying] but not 'as in her zivah', from which it may be inferred that her zivah is tahor; and which is it? It is that of protracted labor during the days of her zivah. Now, however, that it is written, Then she shall be tamei two weeks as in her menstruation, what need was there for the expression of 'her blood'? — If not for the expression 'her blood' it might have been presumed that the deduction 'as in her menstruation' and not 'as in her zivah' implies that the discharge is tahor even where the woman was relieved from pain, hence we were informed [that the discharge is tahor only where it is due to childbirth].<sup>36</sup>

Shila bar Avina gave a practical decision in agreement with the view of Rav. When Rav's soul was about to depart to its eternal rest he said to Rav Assi, 'Go and restrain him, and if he does not listen to you try to convince him'. The other thought that he was told, 'excommunicate him'. After Rav's soul came to its eternal rest he said to him, 'Retract, for Rav has retracted'. 'If', the other retorted, 'he had retracted he would have told me so'. As he did not listen to him' the latter excommunicated him. 'Isn't the Master', the other asked him, 'afraid of the fire?' 'I', the former

replied, 'am Issi bar Yehudah who is Issi bar Gur-Aryeh who is Issi ben Gamliel who is Issi bar Mahalalel, a brazen mortar over which rust has no power'. 'And I', the other retorted, 'am Shila bar Avina, an iron pestle that breaks the brazen mortar. Thereupon Rav Assi fell ill and they had to put him in hot [blankets] to relieve him from chills and in cold [compresses] to relieve him from heat, and his soul departed to its eternal rest. Shila proceeded to his wife and said to her, 'prepare for me my shroud in order that he have no opportunity of going to Rav and saying things about me'. She prepared his shroud for him; and when the soul of Shila came to its eternal rest people saw a myrtle flying from the one bier to the other. 'We may conclude', they said, 'that the Rabbis have been reconciled.'

<sup>34</sup> If then blood that is due to an accident is tahor that which is due to childbirth must equally be tahor.

<sup>35</sup> But if that exposition is upheld how could it be said that blood of labor discharged during the menstrual period is tamei?

<sup>36</sup> Relief from pain is an indication that the previous discharge was not due to childbirth and is therefore, tamei.