



STAINS

King David before the Almighty: “L-rd, am I not righteous? All the kings of the world sit together in all their royal splendor. And I? My hands are dirty with the blood of menstruation, embryos, and fetuses in order to render judgment allowing a woman to be with her husband.”

—Talmud, Brachos 4:a



Some couples rarely have a question of purity based on finding a stain, while for others this may be a common occurrence. Regardless of frequency, a number of issues are common and important for every couple to bear in mind. Don't be overwhelmed by the details. To put them in perspective: a question rising from a stain is usually one found on the , bed sheet, or toilet seat. A question of purity is raised only when its color is red, pink, black, brown, or a color similar to one of these.

Don't Actively Look for Stains

There are many kinds of dirt and stains from extraneous sources, unrelated to the wife,

and the rabbinic legislation pertains only to those stains that are found—specifically. Therefore, one shouldn't actively search for them. In other words, questions regarding stains should be dealt with as they naturally arise, and shouldn't be created by the woman constantly checking every inch of material. It is in this spirit that when the wife is permitted, she is advised to wear colored underwear in order to avoid unnecessary questions of stains. If she has a medical problem involving a high degree of staining, an orthodox Rabbi expert in these laws and familiar with the relevant medical aspects of the situation should be consulted.

Don't be Embarrassed

If a stain is found, the couple should not be embarrassed.

The wife should not be embarrassed to share it with her husband. This is a natural occurrence which should be dealt with in a matter-of-fact tone; no one is at fault. In fact, in many cases a "pure" decision may be rendered by the Rabbi. Secondly, neither of them should be embarrassed to show the stain to the Rabbi (in the event of a question).

There is no preference in halacha as to who should approach the Rabbi. Each couple decides for itself. Many couples find it easier for the husband to do this. Regardless, there is no reason for timidity. If a question must be asked, it is a halachic one as in any number of fields—kashrus, holiday laws, or the like. The Rabbi will render an impersonal legal opinion, perhaps after a few questions, but there is no reason for fear or timidity. Even if this involves showing the underpants to him. This is his job, one he is trained to do, and remember, this is halacha—Hashem's will.

If, in spite of the above, neither of the couple feels up to approaching the Rabbi, or if they live far away and cannot, there is an alternative method. An envelope marked with an identifying symbol or sign containing the examination cloth or garment in question can be sent to the Rabbi, followed by a discreet telephone call.

To the Rabbis

Chazal said, "we urge on those already working with alacrity." Therefore, here is the place to insert a passing word to my colleagues.

As a Rabbi involved with the public, I feel that the following points are important for us to remember. It is specifically because we are constantly dealing with the public that we need to consciously bear the following in mind.

Embarrassment

We must bear in mind that people who approach with a question often do so with trepidation. Awe of one's Rabbi, mashpia or mentor is a healthy attribute befitting the holy people, a nation described as "compassionate, generous, and shy." Therefore, it is critical to respond appropriately.

If the person has difficulty opening the conversation, "you open his lips" even an unrelated subject suffices, for example, asking about his personal or family members' welfare. Always step out of the hearing distance of other people. If possible, it is preferable to enter another room. Dealing with the question while seated will give the questioner respect and peace of mind, allowing additional related questions to rise in his mind.

Inviting the person to call or approach in the future with additional queries is advisable. The most important impression to give is one of patience and concern. Most people are busy working and going about their daily lives. For them, approaching the Rabbi is, as mentioned, accompanied with a fair amount of trepidation, especially in respect to such a personal subject. Inherent in this is the responsibility to increase our awareness of the needs of our people and to respond appropriately.

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The Talmudic sages ruled that she becomes a menstruant—*niddab*—also when she finds blood stains on her body or clothes in places which suggest it originated from her uterus.

—*Shulchan Aruch* 190:1

BACKGROUND

This chapter deals with the *niddab* state brought about by finding a stain(s) on the body, clothes, or elsewhere (as explained further). This *niddab* state is rabbinic in origin. In other

1 From the *Pesach Hagada*.

words, it was the Talmudic sages² who decreed that a stain whose location indicates a probability of its having come from the uterus renders the woman *niddab*. The location provides the circumstantial evidence that the stain came from the uterus. Generally speaking, this situation arises when a stain is found on the underwear opposite the vagina, on the toilet seat, or on bed sheets.

This situation contrasts with that discussed in the previous chapter, where we discussed the *niddab* state that was scriptural in origin. There the blood's origin was *directly* linked to the uterus. For example, its appearance was discovered through an internal examination³, with the sensation of flowing blood, or seen after the opening of the uterus⁴.

Although the *niddab* state caused by finding a stain is rabbinic in origin, the laws of separation, as well as the steps leading to purification⁵ are *identical* to those required for the *niddab* state described in Chapter Two.

Since the *balachos* regarding stains originated in rabbinic legislation, when *balachically* feasible they are dismissed as having come from another source⁶. This is only to be done according to the directives of an orthodox Rabbi expert in these laws. Many circumstances come into consideration. For example, if a woman was working with dyes or walked in a slaughtering market, as will be explained⁷. This is illustrated by the following⁸:

“Once a woman came before Rabbi Akiva saying she saw a stain.
‘Perhaps you have a cut?’ he asked. ‘Yes,’ she replied, ‘but it healed.’
‘Perhaps it reopened?’ asked Rabbi Akiva. ‘Yes, perhaps it did.’ Rabbi
Akiva pronounced her pure.

Seeing the surprised look on his students’ faces he explained: ‘The sages decreed that finding blood stains can render a woman *niddab*⁹ but

2 *Mebaber* 190:1. There are, however, no leniencies, as explained further in the text.

3 *Mebaber* 190:54.

4 As discussed in the previous chapter.

5 *Mebaber* and *Ramo* 190:1.

6 *Mebaber* 190:18.

7 *Mebaber* 190:18.

8 *Mishnah Niddab* 58:b.

9 *Mishnah Niddab* 59:b.

this legislation itself was a stringency. Therefore specific decisions within the laws of staining aren't to be decided in a vein of strictness, but rather in a spirit of leniency. This is so because on a scriptural level only actual menstruation renders a woman *niddab*, as it says, 'When a woman experiences a menstrual discharge, it being blood which emerges from her body....'¹⁰

This story is brought by way of illustration. However, one may not decide for himself in these matters but must *always* consult with an orthodox Rabbi who is expert in these laws.

GENERAL

By definition, it is the *location* of a stain which suggests its having originated in the woman's uterus. Blood discovered through an internal examination, however, is *niddab* par excellence.

A stain can sometimes be dismissed as coming from some external source, e.g., a cut on the husband's body, child's crayon, etc. This is not the case with blood discovered through an internal examination. Therefore, a woman who found a stain on her body, undergarments, sheets, etc. should *not* perform an internal examination so as not to exclude the possibility of a favorable *halachic* ruling¹¹.

The term stain (*kesem*) by definition implies that it was not accompanied by the sensation (*bargasha*) regularly associated with menstruation. What must be done upon feeling the flow of blood or other sensations related to menstruation was discussed in Chapter Two.

A clean internal examination performed following the discovery of a stain does *not* nullify the stain.

If there is some reason to believe that the stain came from some external source, for example a cut or child's bleeding, an orthodox Rabbi expert in these laws should be consulted.

If a stain on her garment was lost before being shown to a *halachic* authority, and there was a doubt if it was the minimum size, the wife remains pure¹². During the first three days of the seven

10 Leviticus 15:19.

11 *Poskim*.

12 *Darbei Tesbuva* 190:37.

white days she is impure¹³. In both circumstances, however, it is preferable to consult with an orthodox Rabbi expert in these laws.

The laws of staining apply to post-menopausal, pregnant, and nursing women as well¹⁴.

There are a number of stringencies due to finding a stain during the first three days of the seven white day period; for details, see Chapter Six.

THREE CONDITIONS

The impurity brought about by finding stains is rabbinic in origin. The Rabbis limited their ruling, however, by stipulating that the following three conditions must be met in order for such a stain to render a woman *niddab*:

- Its surface area must be at least a circle $\frac{1}{16}$ of an inch in diameter (17 mm.)¹⁵, the size of a U.S. dime.
- It must be found on a white surface¹⁶.
- The object on which it is found can “receive spiritual impurity” (*mekabel tumab*)¹⁷. In this chapter, those things which are *mekabel tumab* are listed.

Even if all three conditions exist, a stain may still be dismissed due to other extraneous reasons, for example, a cut or the wife’s handling of dyes¹⁸. In all these cases, an orthodox Rabbi expert in these laws should be consulted.

REASONS FOR THREE CONDITIONS

Stains with a surface area less than the minimum size are dismissed as having come from a crushed insect¹⁹, even in places where these insects are not common. Stains found on colored material don’t render the woman *niddab*, since it was deemed by the Talmudic sages that such

13 *Tabara Kevalacha* 3:93.

14 *Mehaber* 190:52.

15 *Mehaber* 190:5, *Tabara Kevalacha* 3:4. The diameter is also quoted as 14 mm., *Kitzur Dinei Tabara* 2:4.

16 *Mehaber* 190:10.

17 *Mehaber* and *Tzemach Tzedek* 190:10.

18 *Mehaber* 190:18.

19 *Mehaber* 190:5.