

*Nahar Torah – Niddah Series #6*  
*Ain Pesichas Ha'kever B'lo Dam*

Hersh Greszes  
 2/11/23

*Shalom* everyone! In the last *shiur* we completed our understanding of what it means to be a *niddah d'orysa*, as well as an in depth analysis of what a *hargasha* is. We mentioned the term: *pesichas ha'kever b'lo dam*, which practically means that, **in the eyes of halacha**, it is **impossible** to have the uterus open without blood coming out. The question then becomes: 1. How to we practically **define** this term? 2. Is this applicable if an external source opens the uterus - like a medical procedure/doctor?

→ Defining *Pesichas Hakever*: The *Nodeh Yehuda* suggests that any time there is *pesichas ha'kever*, no matter from where – doctor or internal – she is *temea d'orysa*. The *Pitchay Teshuva*, and most *Poskim*, reject the *Nodeh B'yehuda*.

Finally, we get to the *psakim* of the *Mechaber & Rama*:

*Mecahber*<sup>1</sup>- *ain pesichas ha'kever b'lo dam*

*Rama*- *ain pesichas ha'kever b'lo dam*

*Halacha L'maysa*:

→ **Ashkenazim**: *Paskin* like the *Nodeh B'yehuda* that even an external source can cause פתיחת הקבר

→ **Sefardim**: *Rav Ovadya* holds like the *Chazon Ish* that it is only an internal cause which can lead to פתיחת הקבר

**However, for each medical procedure one should ask a שאלה.**

***So the main point we need to take out is that in order to answer a question about a medical procedure, we need to understand where it is taking place and how wide the instrument being inserted is!***

Lastly, the *Poskim* debate about the size of *pesichas ha'kever* which is *metame*. *Rav Moshe*:  $\frac{3}{4}$  inch = 19mm (US penny) and more whereas *Rav Eliyahu*: 3mm.

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<sup>1</sup> שולחן ערוך יורה דעה סימן קצד סעיף ב'