Practical Modern-Day Controversies

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Men's Mikveh

A summary of the weekly Wednesday night shiur by Rabbi Shmuel Stein at the Miami Beach Community Kollel / To receive a copy send an email to InHilchosShabbos@gmail.com

Mikveh on Erev Shabbos

The Shulchan Aruch does not discuss the mitzvah for a man to immerse himself in a mikveh on Erev Shabbos. Nevertheless, the poskim¹ quote the Zohar, which writes that one should prepare and elevate himself for Shabbos by immersing in a mikveh on Friday. Immersing prepares a person to acquire both the holiness of Shabbos, and the neshamah yeseirah (extra soul) that one gains on Shabbos.² The Reishis Chochmah³ writes, "The main thing that one must do on Friday in order to acquire the holiness of Shabbos and the neshamah yeseirah is to immerse himself in a mikveh, because this has the ability to remove the spirit of the weekday that clothes a person during the week, and it clothes him with the spirit of Shabbos." Even in situations where doing so is difficult, poskim⁵ write that one should try very hard to immerse in a mikveh on Erev Shabbos.

How Many Times Should One Immerse Himself?

Although one certainly fulfills this mitzva so long as he immersed himself in the *mikveh* even once, the mekubalim write that there is a significance to immerse oneself more than once.⁷ The Yesod veShoresh haAvodah⁸ cites the Ariza''l, who writes that one should immerse himself in the mikveh three times.⁹ However, the Yesod veShoresh haAvodah¹⁰ also mentions that others immerse themselves four times, corresponding to the four letters of Hashem's Name.¹¹

Going with One's Relatives

The Rema¹² writes that one may not go to the mikveh together with one's father, father-in-law, brother-in-law (i.e., his sister's husband) or rebbe. Accordingly, one may not bring his son with him to the mikveh. This prohibition begins when the child reaches nine years old.¹³ The Pischei Teshuvah¹⁴ wonders why people do not seem to be careful with these halachos, as he writes, "I do not know what the general public relies on; why are people not careful with this?" One explanation given by the poskim¹⁵ is that these prohibitions apply only when one enters a mikveh alone with these relatives, not when there are also other people in the mikveh.

Taking a Shower or Bath after Immersing in a Mikveh

The Rema¹⁶ rules that a woman who immerses in a mikveh should not take a bath (or shower) after her immersion, because she may come to believe that taking a shower or a bath has the same ability to purify her as going to a mikveh. In order to avoid this misconception, Chazal prohibited women from taking a bath or shower after immersing themselves in a mikveh.¹⁷ The poskim discuss whether the prohibition against showering or bathing after immersing in a mikveh also applies to a man. There are a number of opinions among the poskim:

- 1. Some poskim¹⁸ rule that the prohibition applies to men just as it does to women, as anyone may erroneously think a shower or bath is capable of purifying a person just as the mikveh is. According to these opinions, one should not take a shower after immersing in a mikveh on Erev Shabbos.¹⁹
- Others²⁰ rule that the prohibition applies only to a woman who has a halachic requirement to immerse in a mikveh and not to a man who immerses in a mikveh to attain additional holiness. According to these opinions one may take a shower after immersing in a mikveh on Erev Shabbos.

Some poskim²¹ comment that if the mikveh water is not clean, one should certainly take a shower after immersing in the mikveh on Erev Shabbos (or at least when he returns to his home²²). The Tur²³ writes that it is a mitzvah to wash one's entire body [in hot water²⁴] on Erev Shabbos in honor of Shabbos. Therefore, if immersing oneself in a mikveh on Friday will detract from the mitzvah of cleansing oneself in honor of Shabbos, one should shower or bathe after immersing in the mikveh.

Mikveh on Shabbos

The Sha'ar Hakavanos²⁵ writes that even if one immersed in a mikveh on Erev Shabbos he should immerse again on Shabbos morning before davening, as just as one must separate between weekday and Shabbos, he must also separate between Friday night and Shabbos day as the holiness of Shabbos day is greater. He should immerse himself one time to draw upon himself the additional holiness of Shabbos day [but obviously not to remove the holiness of Friday night]." The Kaf Hachaim²⁶ cites a Medresh which compares someone who immerses on Shabbos morning to the *Kohel Gadol* immersing himself on Yom Kippur. The Yesod veShoresh haAvodah²⁷ cites the Ariza''l who states that it is preferable to immerse oneself on Shabbos morning than on Erev Shabbos.

Nevertheless, although this is an honorable custom, ²⁸ there are many halachic concerns that arise regarding immersion in a mikveh on Shabbos. In fact, the Vilna Gaon²⁹ writes that "a man should not immerse in a mikveh on Shabbos," since there are numerous halachic difficulties involved in going to a mikveh on Shabbos." Although the prevailing custom is to permit immersion in a mikveh on Shabbos, ³⁰ one should nevertheless be aware of the halachic issues involved in doing so. In the following paragraphs we will discuss some of these concerns and the different views on them, specifically:

- I. immersing in a hot mikveh on Shabbos
- 2. immersing in a cold (or warm) mikveh on Shabbos.

A hot mikveh

One of the Rabbinic prohibitions that Chazal instituted is immersing in hot water on Shabbos. Chazal were concerned that immersing in hot water may lead someone to inadvertently violate the melachah of Bishul (cooking/baking). We will discuss this Rabbinic prohibition, and whether immersing oneself in a hot mikveh on Shabbos is included in this prohibition.

The Rabbinic prohibition of immersing in hot water

One of the thirty-nine melachos of Shabbos is the melachah of Bishul. Included in the melachah of Bishul is not only cooking for eating or drinking, but any act of cooking on Shabbos. For example, it is prohibited mid'Oraisa to boil water on Shabbos in order to take a hot bath. The Shulchan Aruch³¹ writes that it is prohibited to immerse in hot water on Shabbos, The Mishnah Berurah³² explains that Chazal were concerned that if it were permitted to take a hot bath on Shabbos, upon finding that his bath has cooled off, a person might inadvertently boil water in order to heat up the bath. In order to prevent this Shabbos desecration, Chazal prohibited immersing in hot water on Shabbos. The Shulchan Aruch³³ adds that one may not immerse in hot water even if the water was heated up before Shabbos began. Accordingly,

- One may not go into a hot tub or Jacuzzi on Shabbos, even if the tub is automatically heated the entire Shabbos.³⁴
- One may not swim in a heated swimming pool on Shabbos. [Note: There are a number of other halachic concerns that prohibit swimming in any swimming pool on Shabbos. ³⁵]

Immersing in a hot mikveh on Shabbos

Immersing in a hot mikveh on Shabbos seems to violate this Rabbinic prohibition, even if the water is boiled before Shabbos. Indeed, the Noda b'Yehudah, ³⁶ Mishnah Berurah, ³⁷ and Aruch haShulchan ³⁸ rule that a man ³⁹ may not immerse in a hot mikveh on Shabbos, as doing so violates the Rabbinic prohibition. Similarly, Rav Moshe Feinstein writes, "Although there are those who immerse in a hot mikveh on Shabbos, it is improper." Nevertheless, there are those (particularly in Chassidic circles) ⁴² who have the custom of immersing in a hot mikveh on Shabbos. This custom

I Magen Avraham 2801; Aruch haShulchan 2601; Kitzur Shulchan Aruch 72:12. The Arizal writes this as well (Shaar haKavanos, p. 62). 2 Regarding the correct time to immerse in the mikveh on Friday, the Nishmas Shabbos (1:186) cites a number of opinions: Some say one may begin going to the mikveh after the fourth hour of the day, while others say one should immerse himself only after chatzos (halachic midday). Nevertheless, as long as one immersed after alos hashachar the tevilah is valid. The Shelah haKadosh (cited in Nishmas Shabbos 1:186) writes from the Arizal that the most preferred time to immerse oneself in the mikveh is close to the arrival of Shabbos. 3 Sha'a rhaKedushah 106. 4 The Yesod veShoresh haAvodah 8:1 (p. 383) writes as well: "Someone who does not immerse himself in a mikveh on Erev Shabbos in order to accept the additional nefesh, ruch, and neshamah of Friday night." 5 Nishmas Shabbos 1:186. 6 Immeri Pinchas (cited in Nishmas Shabbos, libid) writes that one should exert himself very much to ensure that he immerses in a mikveh on Erev Shabbos, even to the point of mesiras nefesh. 7 See Aruch haShulchan (bid) writes (regarding immersing one Erev Yom Kippur), "Although one fulfills his obligation by immersing one time in the mikveh, the custom is to immerse oneself three times in the mikveh." 10 lbid. 11 The Yesod veShoresh haAvodah adds that "some immerse themselves fourteen times, and fortunate is their lot, for the more times one immerses have brings upon himself." See also Ben Ish Chai (vol. 2, Lech Lecha 16). 12 E.H. 23:6 (Bits Shamuel 5; Chalesa Mechokek 5; Vilna Gaon 16. See The Aura of Shabbos, bid, from Rav Elyashiv (Sefer Ashrei Ish 1:22); see Nishmas Shabbos (1:194. 14 Pischei Pischuvah, Y.D. 23. 15 Kinyan Torah 2:34:2. See also Minchas Yitzchak 4:62(:17), where he discusses this issue at length. See Nishmas Shabbos (1:194) where he also discusses this issue and concludes that "although it is halachically problematic to immerse oneself in the mikveh when his children are presents, revert

is based on the ruling of the Korban Nesanel⁴³ who writes, "The Rabbinic prohibition of immersing in hot water was never extended to immersing in a hot mikveh." The Korban Nesanel does not give an explanation as to why it is permitted to immerse in a hot mikveh on Shabbos, but presumably this leniency is due to the fact that immersing in a mikveh is a mitzvah, and therefore Chazal never included immersing in a mikveh in their prohibition as they included only "bathing" in hot water.⁴⁴ The custom in many places has been to rely on this leniency, as the BeTzel haChochmah⁴⁵ writes: "The custom in Europe and America has been to be lenient. Even great tzaddikim such as the BeIzer Rebbe permit this." Still, it is appropriate to set the temperature of the mikveh for Shabbos to be only warm and not hot.⁴⁶ Moreover, even the poskim that allow one to immerse in a hot mikveh on Shabbos warn that one may not stay in the mikveh on Shabbos and enjoy the hot water. One may only enter the mikveh in order to purify himself and must then immediately exit.⁴⁷

A cold (or warm) mikveh

The poskim⁴⁸ write that the Rabbinic prohibition against immersing in hot water on Shabbos includes only hot water. Immersing in warm water was not included in the prohibition. Since the water is not hot to begin with, there is no concern that, upon finding the water colder than he expected, a person may inadvertently boil water to heat it up. Someone who immerses in warm water is obviously not particular about the temperature of the water, and never anticipated that the water would be hot. Therefore, we are not concerned that he might heat up the water on Shabbos. There are a couple of opinions regarding "warm water":

- Many poskim⁴⁹ rule that water that is below body temperature (i.e., below 98.6°F or 37°C) is considered warm, and therefore is not included in the Rabbinic prohibition of immersing oneself in hot water.
- Rav Moshe Feinstein⁵⁰ rules that as long as the temperature of the water is lower than it normally is, it is considered "warm." Based on this, the water can be hotter than 98.6°F/37°C and still only be considered warm — as long as it is not as hot as it normally is.⁵¹

Although we established that the Rabbinic prohibition against immersing oneself in hot water on Shabbos does not apply to cold or even warm water, there may still be two other issues involved with immersing oneself in even a cold or warm mikveh on Shabbos:

- 1. The Ashkenazi custom is to not immerse in cold water.
- 2. Immersing oneself in a mikveh gives the appearance of "fixing" on Shabbos.

The Ashkenazi custom not to immerse oneself in cold water

The Mishnah Berurah⁵² writes that although there is no prohibition against immersing oneself in cold (or warm) water on Shabbos, there is a time-honored Ashkenazi custom not to immerse oneself on Shabbos, even in cold water. This custom was instituted based on the numerous Shabbos prohibitions that can be inadvertently violated by immersing in water. For example, the Mishnah Berurah writes that immersing can lead someone to inadvertently squeeze out the water from his or her hair, thereby violating the prohibition of Sechitah (wringing). The Aruch haShulchan⁵³ writes, "Due to the many pitfalls involved in immersing even in cold water, the earlier generations instituted a custom to not immerse oneself even in cold water on Shabbos, and this has been accepted for hundreds of years. Anyone who violates this custom has broken a fence that the previous generation has put up, as immersion on Shabbos has been accepted as a serious transgression." Accordingly,

- One may not take a cold bath on Shabbos.54
- One may not take a cold shower on Shabbos.⁵⁵
- One may not go swimming, even in a cold swimming pool, on Shabbos. 56

Although this custom may seem to include the prohibition of immersing in a cold (or warm) mikveh, the poskim⁵⁷ write that the custom of not immersing oneself in cold (or warm) water is waived for a mitzvah need, and one may therefore immerse himself in a cold or warm mikveh on Shabbos. However, although we may waive this time-honored custom in order to immerse in a cold mikveh, nevertheless, as we mentioned earlier, according to many poskim, one may not violate the Rabbinic prohibition of immersing oneself in a hot mikveh.

Immersing oneself in a mikveh gives the appearance of "fixing" on Shabbos

The poskim discuss whether immersing oneself in a mikveh on Shabbos involves the melachah of Makeh b'patish (the final hammerblow), as it gives the appearance of "fixing"

on Shabbos. To understand this issue let us quickly review the Rabbinic prohibition of immersing a vessel in a mikveh on Shabbos. The Torah 58 writes that one may not use a vessel bought from a non-Jew before immersing it in a mikveh. The Gemara⁵ explains that Chazal instituted a prohibition against immersing a new vessel in a mikveh on Shabbos, because immersing a vessel in a mikveh resembles "fixing" the utensil (i.e., readying it for use) on Shabbos. Without immersion in the mikveh the vessel may not be used. Immersing it in the mikveh gives the appearance of fixing, which is prohibited on Shabbos by the melachah of Makeh b'patish. 60 The poskim discuss whether the Rabbinic prohibition against immersing a utensil in a mikveh on Shabbos applies to a person as well. Since a person becomes purified by the mikveh, immersing may also give the appearance of "fixing" (i.e., getting ready) on Shabbos. Although this question is debated by the poskim, the custom is that one may immerse himself in a mikveh on Shabbos and we do not consider it as resembling fixing an object. 61 The Mishnah Berurah 62 explains, "Since nowadays the halachah is that all people are ritually impure yet are not halachically affected by it (for example, one may still daven and learn Torah even while impure), immersing oneself in a mikveh no longer resembles fixing, since it does not bring about a halachic change in the person."

Additional Issues with Immersing in a Mikveh on Shabbos

When immersing oneself in a mikveh on Shabbos there are a number of other issues to be aware of:

- 1. drying oneself with a towel on Shabbos
- 2. squeezing one's hair on Shabbos doing so in order to fix himself.
- 3. drying one's hair with a towel on Shabbos

Drying oneself with a towel on Shabbos

Squeezing water out of a garment on Shabbos is prohibited mid'Oraisa. 63 When one squeezes a wet garment, water is expelled from it. This violates two melachos of Shabbos: Melaben (laundering) and Dosh (threshing/extracting). However, when using a towel to dry oneself on Shabbos one does not need to be concerned that water will be squeezed out of the towel, because any water that emerges has been extracted unintentionally (davar she'eino miskaven). Drying oneself with a towel on Shabbos is therefore permitted.⁶⁴ Squeezing one's hair on Shabbos The Gemara⁶⁵ writes that the prohibition of Sechitah does not apply on a d'Oraisa level to squeezing water out of one's hair. Since the texture of one's hair is non-absorbent and hence does not absorb the water, we cannot consider the water to be expelled from inside one's hair. Therefore, squeezing water out of one's hair on Shabbos does not violate the prohibition of Sechitah mid'Oraisa. However, the Beis Yosef ⁶⁶ rules that since water gets trapped in one's hair, squeezing it out resembles squeezing water from a garment, and is therefore prohibited mid'Rabbanan. This means that if one's hair is wet he may not squeeze or brush it. Accordingly, the poskim⁶⁷ write that although there may be instances in which it is permitted to immerse oneself in a mikveh, one must be careful not to squeeze water out of his hair on Shabbos. For example, a Chassid who curls his peyos must be careful not to do so while they are still wet, since he will inevitably squeeze water out of them.⁶⁸ Drying one's hair with a towel on Shabbos There are three opinions with regard to drying one's hair with a towel after immersing oneself

- Some poskim⁶⁹ prohibit drying one's hair with a towel because water will
 inevitably be squeezed out while drying the hair. According to these poskim,
 the use of a towel to dry one's hair after immersing in a mikveh is prohibited,
 and one must allow his hair to dry on its own.
- Other poskim⁷⁰ rule that one may dry his hair with a towel after immersing in a mikveh. One reason they give for their ruling is based on the fact that water from one's hair gets directly absorbed into the towel, and therefore it is not noticeable that water is being squeezed out. Accordingly, we are not concerned that in this situation squeezing one's hair resembles squeezing a garment.
- Other poskim⁷¹ rule that although one may not vigorously dry his hair with a towel, it is permitted to gently dry his hair with one.

36 Tenyana, O.C. 24, 37 326:7. 38 326:9. See also Chacham Ben Tzion Abba Shaul, Ohr leTzion 2:35:3. 39 Rav Moshe Feinstein rules that this prohibition applies to women as well (Igros Moshe, O.C. 4, end of 74, rechitzah 2. 41 The Chacham Tzvi (Shut Chacham Tzvi