

ליקוטי ופסקי הלכות "חוקי חיים"

ותלמוד
"חוקי חיים"
לעשות רצונך
בלבב שלם



שע"י "חדר הוראה" שכונת מנחת יצחק פעיה"ק ירושלם תובב"א - בראשות הרב חיים אהרן בלייער שליט"א

Halochos compiled by HaRav Chaim Bleier – Translated from the Hebrew edition by R' Zerachya Shicker

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לוקוטי ופסקי הלכות "חוקי חיים"

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"תקופת התנאים"
לעשות רצונך
בלבב שלם



שע"י "חדר הוראה" שכונת מנחת יצחק פעיה"ק ירושלם תובב"א - בראשות הרב חיים אהרן בלייער שליט"א

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Words of Kedushah in a Bathhouse

1. Many men go to the mikvah – whether daily, Erev Shabbos, Shabbos morning, Erev Yom Tov, for tevilas Ezra, or Erev Yom Kippur. Since there are halachos that apply to this, we will cite here the main halachos found in the poskim to fulfill and reinforce the kedushah and taharah in our midst, as we are required to do based on the posuk, "והיה מחניך קדוש".

Rooms of a Bathhouse

2. There are different halachos for different rooms in a bathhouse, as the poskim distinguish. We will describe the rooms of a bathhouse and their differences, and then we will cite the halachos.
3. **Outer room.** The outer room is the room before the changing room; everyone is clothed in the outer room. One may say any words of kedushah including Krias Shema there (ש"י א"י סי פ"ד).
4. **Middle room.** The middle room is where people change. Some people are clothed, some are unclothed. If it is separated from the shower room and the actual mikva'os with partitions – even without doors in the passageways – one may not daven or say brachos or Shema there, but one may think in Torah, even facing unclothed people (מ"ב סק"ה). One may also say shalom to others (ש"י ע"ג).
5. **Vacant middle room.** Some poskim say that even if no one is in the middle room or everyone there is clothed, it still retains its status and one may not say words of kedushah since it is an area designated for unclothed people (ב"ח, פרישה סי מ"ה). Others are meikel (ב"י, א"ר הובא במ"ב סק"ג).
6. **Inner room.** The inner room is where people stand unclothed, e.g., the shower room or the actual mikvah room. Everything is assur there including thinking in Torah and saying shalom to someone else (ש"י ע"ג) even if no one is present (מ"ב סק"ג). This is because it is designated for unclothed people to be there.
7. **Mikvah itself.** The consensus of the poskim regarding the tevilah mikvah itself is that one may say a brachah that must be said there, e.g., the brachah of על הטבילה for a d'oraissa tevilah or a ger's tevilah [according to the Ashkenazi minhag]. This is because the mikvah pit's walls are considered partitions that create a separate domain. As long as one is not next to the showers and there is no haze or filth present, he may say the brachah there (דרכי תשובה י"ד סי ר' סק"ו).
8. Of course, when saying a brachah in the mikvah, one must use his arms to separate between his heart and ervah; make sure there is no one unclothed in front of him; and look up, not down (ש"י ע"ג).
9. **Vidui, tefillos in the mikvah.** Some are meikel to say tefillos and requests in the mikvah itself for the above reason. Some also say Vidui in the mikvah on Erev Yom Kippur and at other times. However, one should not mention Hashem's Name with his head uncovered (שער הציון סי תר"ו סק"ב).
10. **Attendant's room.** The attendant's room is the room where the person in charge of the mikvah regularly stays. It can also be the room where equipment and cleaning supplies are kept or the room with the furnaces that heat up the water. In general, people are clothed in these rooms, but at times, there are also unclothed people, e.g., at very rushed, busy times. It has the same status as the outer room when there is no one unclothed there (מ"ב סק"ג) since we go by how it is used the majority of the time (ש"י בית שלמה ח"א סי ה"ז).

Greeting Others [שאלת שלום]

11. The issur to greet others is only when using the word "Shalom" since Shalom is Hashem's name, as the posuk says, "ויקרא לו ה' שלום" (ש"ם סק"ו). Thus, one may not say "shalom aleichem" or "l'chaim ul'shalom" in the inner room. However, one may merely enquire about someone's welfare or give a greeting in a different language.
12. **Calling someone named Shalom.** Some poskim say one may not call someone named Shalom in the inner room since he is saying Hashem's name. Others allow it since his intention is just to say that person's name; he is not thinking about the concept behind the word Shalom. Since this machlokes is about a potential issur d'rabanen, one can be meikel. However, someone with yiras Shamayim should be machmir. He can swallow the mem and say "Shalo" or "Shalon" with a nun (מ"ב סק"ו).

Answering Amen

13. **Inner room.** If someone in the inner room hears someone outside make a brachah in a permissible place, he may not say Amen (רמ"א סוף סי פ"ד).
14. **Middle room.** Even though one may not say a brachah in the middle room, one may say Amen to a brachah he hears outside (מ"ב סק"ז) from someone saying the brachah for himself.

Thinking in Torah

15. **Writing.** The poskim argue whether writing is like thinking and mutar in the middle room, or whether it is like speaking and assur (פמ"ג סי מ"ז משב"ז סק"ב). Some say it is like speaking and assur (ש"י ע"ג), but several poskim hold it is like thinking and mutar (ש"י חמד בש"ת אור לי סי ט, ש"י ישיב יצחק א"י סי ו).
16. **Paskening halachah.** In an area where one may think in Torah, e.g., in the middle room of a bathhouse (מ"ב סי פ"ה סק"ו), one may pasken a halacha without saying the reason (רמ"א שם בסוף הסי). This counts as thinking since he thinks of the reason in his mind (מ"ב סק"ז). Thus, if a rav gets a shailah on the phone in the middle room, he may pasken without giving the reason.

Asher Yatzar

17. It is common for a person to use the bathroom while he is in the mikvah building. He obviously cannot say Asher Yatzar in the middle room, but sometimes it will take time before he leaves. Thus, one should pay attention to this and remember to say Asher Yatzar after he leaves and washes his hands.

והיה מחניך קדוש

Acting with Tznius

18. **Normally dressed.** One must conduct himself with tznius and self-effacement before Hashem. Even at night and in private, isn't "the whole world filled with His glory"? There is no difference between light and dark to Him. For this reason, one must also make sure not to unnecessarily expose even a little bit of a part of the body that is normally always covered by clothing (מ"ב סי ב' סק"א).
19. **Bathing in a river.** In the past, people did not wear swimsuits when bathing in a river or sea. Thus, the poskim write that when bathing in a river, one should make sure to undress and get dressed again as close to the river as possible to avoid being exposed unnecessarily. However, when going down into the river itself, one does not need to cover himself if no one is in front of him. In fact,

Putting on Tallis Katan after the Mikvah

With a Brachah?

31. **Same one.** According to the Mechaber, if, after going to the mikvah, one puts on the same tallis katan he was wearing before, he must make the brachah again (ש"ע סי' ה' ס"ד). According to the Rama, he should not since he already made the brachah in the morning (רמ"א שם). If he specifically had kavanah in the morning for the second time he would put it on after the mikvah, all agree he does not say another brachah (ביאהל ד"ה אם פשט).
32. **Different one.** If one changes after the mikvah and puts on his Shabbos tallis katan, and he had said the brachah ציצית or על מצות ציצית in the morning with specific kavanah to cover the new tallis katan he was going to put on after the mikvah, he does not make another brachah (מ"ב סק"א).
33. However, if he did not have this kavanah – which is assumed unless indicated otherwise – he should make a new brachah on his Shabbos tzitzis (ש"ע שם סי' י"ד). He should not say the brachah in the changing room, as brachos may not be said there; he should first leave, wash his hands, and then feel his tzitzis and make a new brachah.

Kavanah When Putting on Tallis Katan

34. Some ask the following: one who puts on tzitzis without kavanah for the mitzvah violates a mitzvas asei, as this is like wearing a four-cornered garment without tzitzis (ביאה"ל סי' ס' ד"ה ו"א). Yet this kavanah to be yotzei the mitzvah is a form of Torah – one may not think this if his body or the place he is in is not clean (ביאה"ל סי' ש"ט (תקפ"ח ד"ה ש"ט)). If so, how can one put on a tallis katan in a bathroom? He needs to have kavanah to be yotzei the mitzvah [otherwise he violates the mitzvas asei], yet this kavanah is considered Torah, which is forbidden in the middle room (הגר"מ"מ (ערלאנגר, מנחת שלמה ח"א סי' א' ד"ה ומצאתי)!
35. Some answer that while kavanah for the mitzvah of shofar, which does not belong in a bathroom, is considered Torah, kavanah for the mitzvah of tzitzis, which belongs even in the bathroom, is not considered Torah, so it is mutar (הגר"ח קנייבסקי, דעת נוטה ח"ב אות קט).

Miscellaneous

Bathing before Shacharis

36. One may enter a bathroom until alos. After that, one may not bathe before davening (מ"ב שם, וכן). (משמע מלשון הר"מ ז"ל המובא ב"י, ש"ע הרב סי' ע"ה (צד באליה רבה, שו"ת זרע אמת ח"ג ס"ט, כך החיים סק"ג) it is mutar.
37. **Nowadays.** The reason people are meikel today is because going to the mikvah today is more casual than bathrooms back then, where people would immerse in a hot bath to the point that there was a concern of fainting, etc. (היכל הוראה ח"ג הוראה ו'). It is only mutar to shower when going to the mikvah, and one should not take a long time, as that is considered disrespectful (שו"ת שבט הלוי (הגר"ש"א (ח"ט סי' א' אות ב', הגר"ש"א). Others allow showering even without going to the mikvah, as long as one does not use soap (הגר"ש"א). Yet others allow showering with soap if not doing so will negatively affect one's davening (הגר"ח קנייבסקי). Some only allow washing the face, hands, and feet (הגר"ח קרליץ).

Tevilas Keilim in a Mikvah Meant for People

38. Before toveling dishes in a mikvah meant for people, one must check with the rav in charge, or at least with the attendant in charge, whether it is kosher for d'oraisa tevilah. Mikva'os meant for men are often not kosher for tevilas keilim.
39. Some mikva'os strictly prohibit toveling dishes out of fear glass will break and injure people. Even if a mikvah does not have this rule and it is kosher for tevilas keilim, one must be careful not to break glass dishes in a mikvah or where people walk. If something breaks, one must make sure to clean it all up; otherwise he has created a public hazard and done a mitzvah haba'ah b'aveirah.
40. **Brachah in the mikvah.** If one wants to toivel dishes in a mikvah meant for people and the showers are in the same room as the mikvah, it has the status of an inner room and he may not make a brachah there (מ"ב סי' פ"ד סק"ד). He must make the brachah in the outer room, even if it is more than 22 amos away (מור"י בשו"ת שבט (הקהתי ח"ה סי' קמ"ה (ק. קיצור ה"ל טבילת כלים סעיף ע"ד) and then immediately go in to toivel the dish. The walking is not an interruption (שו"ת ויברך דוד ח"א סי' צ"ז).
41. When toveling a dish without a brachah, one may do the tevilah in front of an unclothed person. The issue is only with the brachah, not the tevilah itself (שו"ת ויברך דוד ח"א סי' צ"ז).

one who covers himself appears as if he is embarrassed and denies the bris of Avraham Avinu. When emerging from the river and facing the public, though, one should cover himself, e.g., with a towel or the like (מ"ב שם).

20. **In a bathhouse/mikvah.** When bathing in a bathhouse, one should be careful to cover himself as much as possible. However, in a place where it is not possible to cover up, e.g., in the shower or when entering or emerging from the mikvah, there is no issue of immodesty (מ"ב שם).

Changing Room

21. Accordingly, even after undressing in the changing room, one should cover himself with a towel if he needs to walk a bit to the showers or the mikvah since it is not necessary to be uncovered. The same is true when returning to the changing room after drying off. However, the changing room still has the status of the middle room since there are still people who stand there unclothed.
22. Some mikva'os have takanos for tznius requiring people not to get fully undressed in the changing room, but rather to leave on their undergarments until right before they wash in the next room. On the way back, they also put on their undergarments right afterward and only then reenter the changing room (ע"פ הנהגת (מהר"א ראטה בספ' סהרת הקודש מאמר מקוה ישראל פ"ו). In such a mikvah, the changing room has the status of the outer room, so one may say words of Torah, brachos, and Shema. Although people get dressed there, they do not stand there unclothed.

Netilas Yodayim after Leaving a Bathhouse

23. One must wash his hands after leaving a bathhouse (סי' ד' ס"ה) because of the ruach ra'ah present inside (מ"ב סק"מ) [referring to the inner room] and because he touched parts of his body that are normally covered (שם ומ"ב סק"מ).
24. **Briefly entered middle room.** If one only entered the middle room and did not touch covered parts of his body, e.g., he forgot his hat there, he does not need to wash his hands since there is no ruach ra'ah in the middle room and he did not touch covered parts of his body (ע"י (תשובות והנהגות ח"א סי' ג). However, if one entered the inner room, e.g., he forgot his shampoo, he must wash his hands when he leaves.

Bathing with Father or Rebbi

Father

25. Chazal (פסחים דף נ"א ע"א) forbade bathing with one's father, brother [some versions say father-in-law], stepfather, or sister's husband because of a concern for hirhur (רש"י שם). The Rama cites this as halacha (אבה"ע"ז סי' כ"ג סוף ס"ו, פתח"ת שם). In a place where people cover themselves somewhat, e.g., with a swimsuit at a beach, it is mutar (רמ"א שם).
26. **Mikvah.** Thus, one should not go to the mikvah with his father or father-in-law. Even if one goes before his father, he may not be there while his father bathes (בית שמואל סק"ה). However, if a father needs his son's help in the mikvah, the son may aid him – this is a way of honoring one's father's.
27. **Big mikvah.** If there is a big mikvah facility with multiple rows of benches, many showers, and several mikva'os, and the father and son can keep a distance, they may be allowed to go together (שו"ת (שני על אבה"ע"ז סי' כ"א עמ' ס"ז).
28. **Children.** Children may go to the mikvah with their fathers since at that age, it will not lead to hirhur (ספר הזכונות על תרי"ג מצוות מ"א (פ"ב, שו"ת קנין תורה ח"ב סי' ל"ד אות ב', שו"ת שבט הלוי ח"ז סי' ר"ב). In fact, children should not be allowed to go to the mikvah alone at all due to the existence of unscrupulous people,

Rebbi

29. A talmid should not bathe with his rebbi (גמ' שם) since he should be self-effacing in honor and awe of his rebbi (רש"י שם). If his rebbi needs him, then it is mutar; this is the ruling of the Shulchan Aruch (י"ד סי' רמ"ב ס"ז).
30. **Came first.** If a talmid came to a mikvah first and then his rebbi entered afterward, the talmid does not need to leave (רמ"א שם) because the issur is because of honor and fear, not hirhur like the issur of bathing with one's father (above, 25).

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