The Mikvah on Ice

The story of a small Jewish town with a big Jewish problem

By Yehoshua Grunstein

The mikvah is the cornerstone of the Jewish home. Consequently, it is hard to picture a Jewish community without one. And yet, for two-and-a-half excruciatingly long weeks, the religious residents of Halifax, Nova Scotia, had no mikvah.

The Halifax mikvah is located on the premises of Beth Israel, the Orthodox shul where I serve as rabbi; the closest mikvah to ours is three hours away.

A trip to Israel took me away from my congregation for a few days. Arriving back for Shacharit on a snowy Tuesday morning, I bumped into the shul caretaker. I asked him if he had repainted the outer tank of the mikvah, a minor job—or so I had thought. He told me that he had not, since there seemed to be a leak in the mikvah's holding tank. I immediately went to investigate.

Halachah dictates that a mikvah must have at least 190 gallons of *natural water*, that is, the water must not have been transported in a movable vessel or by human hands (like tap water), rather it must flow independently into the tank (like rainwater). For this reason, our mikvah was designed with a large hole on the roof to trap rainwater and cause it to flow into a holding tank. The holding tank gets filled with the requisite amount of rainwater while the actual immersion tank *(bor)* can be filled with tap water. The use of tap water is permissible since the two tanks are connected. Thus, the natural water intermingles with the tap water, thereby creating a "natural" pool of water for immersion. (Maybe one of the reasons we need to use natural water is to illustrate the idea that one can go from a state of impurity to purity only through the direct intervention of God.)

I was aghast when I saw how substantially the water level in the holding tank had dropped. Not only was there not enough water in the tank, but a recognizable leak invalidates a mikvah. I saw no way out. With a heavy heart, I declared the mikvah "closed for repairs."

I called three pool experts, each of whom gave me the same advice: Seal every hole with the proper sealant, and then paint the tank using pool paint. Our caretaker finished the sealing and painting in a record seven days! But alas, the tank was now entirely empty: Where were we going to get 190 gallons of rainwater? We were in Halifax, where temperatures in January and February range from minus four degrees to thirty-three degrees Fahrenheit (if we're lucky)! The weather forecast indicated that a good, hard rain was a far cry away. What was I going to say to the husbands and wives? I spent a sleepless night coming up with various "crazy" options:

- I went onto the roof of the mikvah to look at the hole where the rainwater flows into the holding tank.

Rabbi Grunstein, a native of New York, made aliyah *in 1988. He learned in Yeshivat Har Etzion and received* semichah *from the chief rabbis of Israel. He lives with his wife, Tali, and their two children in Halifax, Nova Scotia.*

With two blow dryers in hand, I attempted to melt the snow on the roof and enable it to flow downward. Not surprisingly, with the twenty-one degree weather outside, the blow dryers had little impact.

• Since it was snowing, I figured it might snow directly into the hole on the roof leading to the holding tank. By the next morning, I thought, we would have an overflowing tank of water from the melted snow! But after three hours of heavy snowfall, not one drop of water had made it into the tank.

• I was informed that many years earlier, before the current system was in place, the community would hire a company to carve out large blocks of ice—using chain saws—from one of the many local "natural" lakes. The ice would then be brought to the mikvah in a "non-vessel."[1]

Though a halachically acceptable option, it was comparable to trying to obtain a horse and buggy from a car dealer! After many phone calls, we discovered that there weren't any companies that did this kind of work anymore.

"But even if a sharp sword rests upon a person's neck, he should not refrain from requesting [Heavenly] mercy," teaches our Talmudic sages (*Berachot* 10a). That night, I couldn't sleep, and so the Book of Psalms, and chapter 201 of *Yoreh Deah* (which deals with the laws of a mikvah) were at my side until the wee hours of the morning. As I stood before God in prayer, I thought of the men and women who would not be able to live fully married lives until the mikvah was fixed.

The next morning, a passage in the *Code of Jewish Law* suddenly came to me:

Pumped water invalidates a mikvah only if it is water. But snow, hail, ice, salt and clay that is thick, even if it's a bit soft so that one can transfer it from cup to cup, is not considered pumped … and even if one makes the whole mikvah from the above, it is kosher.

(No doubt, the reason I had forgotten this *halachah* was because I had been living in Israel for the past fourteen years and had only recently taken on the rabbinic position in Halifax.)

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However, I was still unsure; after all, there were two minority opinions that presented difficulties: Ra'avad, who states that while a mikvah may be partially filled with ice, the majority of the water must be rainwater, and the Ba'al Hamaor, who maintains that ice, similar to water, cannot be transported by human hands to fill a mikvah. (While we generally don't need to follow every minority opinion on a particular matter, when it comes to a fundamental mitzvah such as mikvah, the tendency is to attempt to satisfy all opinions.)

I called Rav Hershel Schachter, *rosh yeshivah* of Rabbi Isaac Elchanan Theological Seminary, of Yeshiva University, hoping that he would come up with a solution. Before I had a chance to mention the option offered by the *Code of Jewish Law*, he said, matter-of-factly, "Just use snow. You have no choice."

Now we had a solution, but implementing it was another matter. First, we had to create a system whereby snow could "flow" on its own into the tank.[2] With the help of our building chairman, a construction crew built a miniature "dam" so that when snow was placed on the floor of the mikvah room it would flow on its own into the holding tank below. (The holding tank is located beneath the mikvah floor.) A few dedicated community members, the construction crew and I spent two hours carrying in mounds of snow on wooden planks. Planks do not qualify as vessels, thus we avoided the prohibition against using an object. Furthermore, to avoid the prohibition against transporting "water" to the mikvah by human hands, there were holes in the planks, which served as drains for the drops of water created by the melting snow. We needed to ensure that only snow—and not drops of water—was going to be used. Slowly, we filled the floor of the mikvah room with snow. We thought the tank

"Just use snow to fill the mikvah," said the rabbi. "You have no choice." *Photos: Yehoshua Grunstein*

would surely be overflowing with water from the melted snow by morning. However, we didn't realize that snow is mostly air! To our surprise, once the large quantity of snow melted, the tank was only partially filled!

I called Rav Schachter again and he advised me to fill the rest of the tank with ice. We obtained some 2,000 pounds of ice from the local fisherman's market (which were delivered in special plastic bags, not "vessels"). Placing the ice on the floor

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The next few days were nerve-racking. Ice does not melt easily when packed tightly together. Even with three heaters in the small room, only about one-third of the tank was filled. We couldn't pour boiling water on the ice since that would be regarded as "pumped water" (i.e., water brought via human hands). How could we speed up the process? Only one answer came to mind: Why not *blowtorch the ice*! So for over eight hours straight, I did just that. I used countless boxes of matches; whenever the ice melted, the water would extinguish the flame. After enduring terrible fumes for hours, victory was at hand; one hundred and ninety gallons of water was in the tank!

That same night, we filled the immersion tank with warm tap water and had it mingle with the water of the holding tank so that a woman who needed to use the mikvah could do so—our two-and-a-half weeks of having the mikvah "on ice" had finally come to an end. JA

Notes

1. It is forbidden to use an object or vessel such as a pail or shovel to bring even natural rainwater to the mikvah. Additionally, one cannot use any kind of material that is subject to ritual impurity. One is, however, permitted to use raw material (such as wood) to transport water.

2. This was necessary in order to satisfy the opinions of Ra'avad and the Ba'al Hamaor.