

Are Converts to Judaism Required to Immerse Their Utensils after Conversion?

By: MICHAEL J. BROYDE

Introduction

One of the unique features of modern life in America is the ease with which secular culture and population accepts conversions to a different faith. Unlike other times and places, modern America allows one to change one's faith without any major social consequences, never mind the violence that was common in Eastern Europe just a few centuries ago if a person's conversion did not find favor with the local population.

Because of America's increasing acceptance and tolerance of different religions and lifestyles, conversion to Judaism has become much more common, resulting in a larger number of converts nowadays within the Orthodox community than in eras past. This pattern has given rise to a renewed focus on *hilchos geirim*, the halachic issues relating to the status of a convert after conversion.

There are essentially six areas of Halachah (Jewish Law) where the rules for a convert might differ from those who were born Jewish.

The first relates to the unique obligation toward a convert. There are mitzvos incumbent on born-Jews in their relationships with converts. The most striking is the special obligation to love the convert. In light of this, born Jews often experience difficulty deciding when to single out the convert and when to treat him or her like any other Jew. It is a very complex matter indeed,¹ but as Rabbi Moshe Feinstein avers, the duty to love the convert compels one to be lenient on matters of Halachah that relate to the ability of the convert to integrate into the community.²

¹ See Rambam, *Sefer HaMitzvos* 307. For more on this obligation, see Rabbi Gedalia Dov Schwartz's excellent work, "אהבת הגר—Loving the Convert: Converts to Judaism and Our Relationship to Them," distributed by the Chicago Rabbinical Council.

² See *Iggeros Moshe*, YD 4:26 and the conclusion of this article for further discussion.

Rabbi Broyde is a Professor of Law at Emory University and this year a Senior Fulbright Scholar at Hebrew University. His most recent book is *A Concise Code of Jewish Law for Converts* (Urim, 2017).

The second category relates to the convert's relationship with his or her family of origin. There are certain mitzvos that are applied *in toto* differently to a convert, since the convert's biological family is not Jewish. For example, how should a convert respect, honor, or mourn Gentile parents? Must a convert mourn parents in the same way as a born-Jew? Such questions apply no matter how long ago a person converted and no matter how well integrated s/he is within the Jewish community.

The third category relates to marriage laws relevant for a convert. There are certain people whom a convert may marry that a born-Jew may not generally marry, and there are certain people whom a convert may not marry that a born-Jew may marry. For example, a convert may marry a *mamzer*, and a female convert may not marry a *kohen*.

The fourth category relates to possible limitations on converts holding positions of authority within the Jewish community. Many societies exclude people from holding offices of power if they were not naturally born into the society. (One such society is the United States.³) The Talmud rules that a convert may not become a king of the Jewish nation. So too, a convert may not serve in any position of binding coercive authority in the Jewish community. This also precludes a convert's participation in some rabbinical courts. As such, there is much discussion as to which modern day positions of authority converts are prohibited from holding.

The fifth category relates to the eligibility of converts to recite traditional Jewish prayers that speak about ancestral Judaism. There is a famous dispute between Rabbeinu Tam and Rambam on this issue. As a general rule, the consensus seems to be that converts may recite all such prayers because a part of loving the convert involves helping them integrate into the larger community. However, some prayers and blessings remain in dispute, such as whether a convert should recite the blessing thanking G-d for "not making me a Gentile" as those born Jewish recite every day.

This paper deals with one case in the sixth and final category, which relates to the transition from Gentile to Jew. Such questions include the weight, role, and standing of acts the convert performed while still a Gentile as well as those that were ongoing during the process of conversions. For example, may a convert eat the kosher food cooked by the convert

³ For example, in the United States, only natural born citizens can be president or vice president. (Section 1, Article Two of the United States Constitution states: "No person except a natural born Citizen, or a Citizen of the United States...shall be eligible to the Office of President." The Twelfth Amendment states: "No person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.")

prior to conversion, or is the food prohibited from consumption due to *bishul akum*? What are the prayer and blessing obligations of someone who converts in the middle of something, such as in the middle of the day, in the middle of *Sefirah*, or in the middle of Chanukah? Complex as these issues are, they are also transitory—they pass as the transition ends.⁴

We will focus on one of the most interesting and complex of such issues, and that is whether converts must immerse their dishes in a *mikveh* after conversion. This topic is particularly interesting since it touches on a number of important themes in *hilchos geirim* (laws of converts), such as a convert's relationship to his or her pre-conversion self, the duty to love a convert, the role of precedent, the desire of the convert not to stand out, and others.

This article is divided into four parts besides this Introduction and a Conclusion. Part I provides an overview of the rules related to immersing utensils. Part II frames the distinct issues related to converts and their utensils. Part III explains the four primary approaches to converts' obligations to immerse their utensils, and analyzes each view. Part IV addresses a few normative halachic compromises and solutions. Finally, there is a Conclusion.

Part I: Immersion of Utensils: An Overview

The Talmud⁵ derives from the Torah's discussion of the war with the Midianites⁶ a Jew's obligation to immerse all food and eating utensils that are acquired from a Gentile into a *mikveh* before being used. Based on the Jerusalem Talmud⁷, both Rabbi Yosef Caro in the *Beis Yosef* and Rabbi David HaLevi Segal in the *Taz* cite⁸ the view that this process is designed to purify the utensils as they change from the ownership of Gentile to Jew. It would seem that since the utensils that were owned by a convert before he converted were *temei'im*, they would necessitate immersion before the convert can once again use them. Rabbi Asher ben Yechiel (Rosh),⁹ however, rejects this view and insists that the true reason for the

⁴ All of these examples and more are found in *A Concise Code of Jewish Law for Converts* (Urim 2017) where the cases and situations are parsed in some detail.

⁵ *Avodah Zarah* 75b.

⁶ Numbers 31:20.

⁷ *Jerusalem Talmud, Avodah Zarah* 5:15.

⁸ *Beis Yosef in Tur, YD* 120 and *Taz, Shulchan Aruch, YD* 120:1.

⁹ *Rosh, Avodah Zarah* 5:36.

mitzvah to immerse utensils is unknown. In other words, immersion of utensils is somewhat of a *chok*.¹⁰

Perhaps this dispute is related to another: Is the obligation to immerse utensils a Torah obligation or a rabbinic one? Most authorities believe that the obligation is biblical,¹¹ being directly derived from the Torah's discussion of the war with the Midianites. On the other hand, Rambam¹² is of the view that the obligation is rabbinic. If the obligation is indeed biblical in nature, debate regarding the commandment's reasoning may be considered somewhat irrelevant, since one must perform the mitzvah regardless of the reasoning. Furthermore, authorities who rule that the obligation is biblical seem to limit its scope to metal utensils, with glassware requiring immersion only by rabbinic decree (as does glazed earthenware according to some).¹³ It is important to understand that if immersion of utensils is a Torah obligation, then matters of doubt need to be resolved strictly, whereas if it is merely a rabbinic obligation, doubt may be resolved without requiring immersion under the rubric of *safeke d'rabbanan lekula*.¹⁴

Like many mitzvos, one recites a blessing when it is clear that one is obligated to perform the mitzvah.¹⁵ On the other hand, one does not usually recite a blessing when the obligation is in doubt.

Part II: Do the Utensils of a Convert Need Immersion?

Unlike the process of becoming observant, which is both typically incremental (in that people rarely become observant overnight) and involves people who were always obligated in Jewish law but are just slowly realizing such, a convert is not obligated in any aspect of Jewish law until the moment of conversion. Once conversion has taken place, the convert is fully obligated in all mitzvos. The act of conversion is almost unique in the Jewish tradition, because the convert is transitioning from lacking any

¹⁰ Indeed, Ritvah, *Avodah Zarah* 75b sv *havah* explicitly notes that immersion of utensils is like conversion of a person on some level in that the utensils are "converted" from being owned by a Gentile to being owned by a Jew.

¹¹ *Aruch HaShulchan*, YD 120:4.

¹² Rambam, *Maachalos Assuros*, 17:5.

¹³ Glassware, like metal, can easily be melted down and reformed, thus requiring immersion, but only by rabbinic decree since glass is formed by melting sand, which is exempt from the obligation to immerse.

¹⁴ Generally, rabbinic obligations may be resolved much more leniently.

¹⁵ *Safeke brachos lehakel*. For more on this, see *Shulchan Aruch*, OC 209:3.

obligation in Jewish law to being fully obligated in a single moment. Furthermore, one could claim that if converts must immerse their dishes, they may not be used until they are immersed.¹⁶

Like many topics related to converts, there is no Talmudic, medieval or even *Shulchan Aruch* era discussion of this topic. The earliest source to discuss this matter appears in the halachic work of Zundel Hutner (of Eishishok) *Chevel Yosef—Chadrei Deab* commenting on *Yoreh Deab* 120:1, written less than 140 years ago. It states simply:

הקונה מעכומ"ז כלי סעודה של מתכות כו' צריך להטביל כ' הטעם שיצאו
מטומאת עכמ"ז כו' צ"ע לפי"ז דא"כ גם גר שנתגייר יהי' כליו צריכים טבילה.

ולא מצינו זה בשום דוכתא. ואולי דמ"מ אינו כמעשה שהי' וצ"ע
One who purchases metal food utensils from a Gentile ... is required to immerse them. It is written that the reason for this is because they left the impurity of paganism, but further study is required since if this is the case, even a convert who becomes Jewish would need to have his utensils immersed and we do not find such a ruling anywhere. Perhaps this is because it is not similar to the context of the Midianites. Further study is required.¹⁷

This passage is partially quoted in the more famous work of the Darkei Teshuvah (published in 1893) who notes in *Yoreh Deab* 120:4 that:

ועי' בספר חדרי דעה ר סי' זה שעמד על המחקר דלפ"ז נראת דגר שתגייר כל
כליו צריכין טבילה ועי"מ בזה והניח בצ"ע שלא נמצא בפוסקים דין זה ולא
נתעורר שום מחבר בזה עיי"ש:

See the work *Chadrei Deab*, in this very chapter, who posits that based on this, one who converted must immerse all his utensils. See what he writes about this. He leaves the matter as requiring further study since this law is not found among the Halachic authorities nor is it discussed in any work.

The question of whether converts need to immerse their utensils has been a source of uncertainty since the analysis of this question first started. Furthermore, upon review of the relevant literature, one will find that there are actually four approaches on the matter. So too, because none of the classical sources discuss the matter, it is difficult to prove which view is correct. The four views are:

¹⁶ As all dishes which need immersion may not be used until immersed. See the discussion around *YD* 120:16.

¹⁷ See *Tzitz Eliezer* 8:19–20 who discusses this and is inclined in this direction. See also *Mishnah Halachah* 16:18 (three paragraphs from the end) where he is in passing perhaps *meikel*. See also Rabbi Moshe Nasan Nata Lemberger, *Ateres Moshe*, *YD* 65:2, who introduces the idea of ownerless property into this.

1. The utensils of a convert must be immersed since their ownership is transferred from Gentile to Jew.
2. The utensils of a convert need not be immersed since they are metaphysically immersed when the convert immerses.
3. The utensils of converts need not be immersed since converts after conversion do not actually acquire their utensils from a Gentile [either because the utensils are halachically considered abandoned upon conversion or because they were not purchased, among other creative considerations].
4. The utensils of a convert need not be immersed because such a requirement is not found in the Talmud or any of the earlier codes.

Additionally, it is important to note that the last three views hint at another reason not to require immersion, namely:

5. The utensils of a convert need not be immersed since the process of conversion is unrelated in context or process to the story of the war with the Midianites where the requirement to immerse utensils originates.

Each of the four primary views needs elaboration and is also subject to some critique.

Part III: The Four Primary Approaches to the Obligation

A. The Approach of the *Avnei Nezer* and *Shem MiShmuel*: The Convert's Dishes Are Metaphysically Immersed When the Convert Immerses

Without a doubt, the most creative and novel view is that of the Shem MiShmuel in the name of his father, the great authority known as the Avnei Nezer. He states:¹⁸

ודייק מזה כ"ק אבי אדומו"ר זצלה"ה דה"ה בדבר קדושה שחל על האדם.
וע"כ העלה בדין טבילת כלים מפני שנכנסו לקדושת ישראל, בגר שנתגייר
וכליו עמו אין הכלים צריכין טבילה שחלות הקדושה שעליו חלה נמי על
הכלים שלו.

My holy father...concluded that the reason for the immersion of utensils is because they are entering the holiness of a Jew. When a person who owns utensils converts, the utensils do not need to be immersed because the holiness that comes upon him also comes upon his utensils.

¹⁸ See *Shem MiShmuel, Matos* (5678).

This approach—metaphysical in nature—cryptically proposes that when a convert immerses, all utensils are considered immersed, as well. However, neither the Shem MiShmuel nor the Avnei Nezer explain how this process works on a technical halachic level.¹⁹

This view of the Avnei Nezer and Shem MiShmuel—that the utensils are considered immersed when the convert immerses—is subject to a simple and direct critique by Rabbi Asher Weiss, who states²⁰:

והידוש גדול כתב בזה השם משמואל בשם אביו הגדול האבני נזר (שם משמואל פרשת מטות ופרשת כי תבא שנת תרע"ה) דטבילת הגר עולה לו גם לכליו וכמ"ש בבהמה מעוברת שנרבעה או נטרפה, "היא וולדה נרבעו, היא וולדה נטרפו". הרי דמה שנעשה בבהמה הו"ל כנעשה גם בעובר שבמעיה, וה"ה בטבילת הגר. והדמיון רחוק בדרכי הפלפול כמובן לכל.

A novel ruling is stated by the Shem MiShmuel in the name of his eminent father, the Avnei Nezer, that the immersion of a convert counts for his utensils, as well. This is similar to what is written regarding an animal that was used for bestiality or otherwise rendered invalid, which is pregnant, "It and its fetus have been sexually used, it and its fetus have been made invalid." Just as what is done to an animal is done to a fetus, so it is regarding the immersion of a convert. **The analogy is farfetched in the style of *pilpul* as we all can see.**

In other words, Rabbi Asher Weiss states that the ruling of the Avnei Nezer is without halachic basis and that the idea is only suitable for theoretical discussion. This critique is important as it argues that the status of a convert's utensils is subject to the laws of immersion like all other utensils and is unrelated to the laws of conversion.²¹

However, there may be a reasonable way to understand the Avnei Nezer. Perhaps, the requirement to immerse utensils is related to the laws of purity and impurity, which are completely metaphysical in nature and cannot be physically examined. This view is similar to the view of Rabbi Yosef Caro and Rabbi David HaLevi Segal previously mentioned. This distinction might offer some support for the view of the Avnei Nezer.

¹⁹ Rabbi Gedalia Felder seems to adopt a similar view in *Nachlas Tzvi* 1:198 (third edition). *Lechem Shlomo*, YD 97 (final paragraph) gives a different explanation.

²⁰ *Minchas Asher* 3:66 reproduced at <http://www.torahbase.org/>-פרשת-מטות-3:66/. טבילת-כלים/.

²¹ While Rabbi Asher Weiss does not mandate that the utensils be immersed, it is for technical reasons related to immersion law of utensils and not conversion law.

The following might also help explain Avnei Nezer's view: As a general rule, a dead body, and often even body parts, render the building they are in *tamei*, impure. However, this rule is limited to the dead body of a Jew. The dead body of a Gentile is not *tamei*. As Rambam explicitly states:²²

ואין העכו"ם מטמא באהל ודבר זה קבלה הוא

[The body of] a Gentile does not make a building *tamei*, and this is a matter of tradition.

So too, Rambam tells us that even the limb of a Jew makes a whole building *tamei*.²³

With this information, we can now revisit the view of the Avnei Nezer with the following hypothetical situation: Consider a Gentile, whose limb is amputated, who converts to Judaism and shortly thereafter dies. Does that limb—which never immersed in a *mikveh*—render the building it is in *tamei* or not? The Avnei Nezer would claim that the convert's immersion metaphysically includes the amputated limb as well. As a result, the limb is *tamei tumas ohel* as it is the limb of a Jew.²⁴

All the above seems to support the idea that when converts immerse, all of their belongings (utensils also) are considered to have immersed.

B. The Approach of the *Shevet HaLevi*: A Convert's Dishes Need Immersing

The exact opposite view is taken by Rabbi Shmuel HaLevi Vosner, writing in *Shevet HaLevi*, and is supported by others.²⁵ He insists that converts must immerse their utensils because a Gentile previously owned them and now a Jew owns them. It makes no difference to Rabbi Vosner that, for all legal purposes, the dishes are owned by the same person.

²² Rambam, *Laws of Tumas Meis* 1:13.

²³ Rambam, *Tumas Meis* 2:3 במגע שלם מטמא במגע 3:2 ובמשא ובאה.

²⁴ The same basic rule applies to *dam niddah* and *shichvas zera*, both of which the Rambam rules (*Mishkav u'Moshav* 1:10) are not *tamei* when they come from a Gentile. Rambam states simply: העכו"ם אין מטמאין לא בזיבה ולא בנדות ולא בלידות (Gentiles are not *tamei zivah* or *niddah* as a matter of Torah law). As such, is the *dam niddah* of a Gentile who then converts *tamei*? Avnei Nezer would likely rule that it is, since it now comes from a Jew. The *dam niddah* is considered to have "immersed" when the convert immersed.

²⁵ *Shevet HaLevi* 4:92. See also *Teshuvos VeHanbagos* 1:449.

After presenting three opinions about the nature of the obligation to immerse utensils, Rabbi Wosner issues a ruling. He states in *Shevet HaLevi* 4:92 that:

ודע דנסתפקתי לענין גר שנתגייר אם צריך טבילה לכליו מעיקר הדין דהא אין לך יוצא מטומאת גוי ונכנס לקדושת ישראל גדול מזה, או דלמא כיון דאינו דומיא דמעשה שהי' שאין כאן לקיחה לא צריך .
ובעניותי פשוט דצריך דדומיא מעשה שהי' אינו על עצם הלקיחה שצריך קנין דאין הקנין הגורם, אלא הגורם הוא דמעיקרא הי' לגמרי ברשות גוי - ועכשיו נכנס לגמרי לקדושת ישראל וזה לא משכחת בעלמא אלא בלקיחה ולא בשאולה, אבל בגר שנתגייר שפיר משכחת לה גם בלי קנין כלל וצריכים טבילה מן הדין.

You should know that I was uncertain whether one who converts must immerse his utensils as a matter of Halachah, since there is no better example of leaving the impurity of a Gentile to the purity of a Jew than this. But perhaps since it [conversion] is not comparable to the incident with Midian, since nothing was “taken,” immersion is not needed.

But, when I examined the issue, it became clear that this is similar to the incident with Midian. Even though there is no “taking,” it is not the act of “taking” that causes immersion to be needed. Rather, it is the fact that utensils were in the possession of a Gentile and now they have entered into the holiness of a Jew. **Although this generally only happens in a situation of transfer-through-purchase, and not with borrowing, in the case of conversion it happens automatically and the utensils require immersion as a matter of Halachah.**

We see the utensils owned by a Gentile that are now owned by a Jew must be immersed, and a convert's utensils are no different. According to this approach, which is endorsed and adopted by some authorities, the matter falls under the aegis of the laws of utensils, not the laws of conversion. Additionally, in *Shevet HaLevi* 6:245 Rabbi Wosner further argues that one must recite a blessing when the utensils are immersed. He leaves no room for any other approach.²⁶

However, the *Shevet HaLevi's* view—that when converts immerse, they acquire their utensils from their non-Jewish former self—is also subject to critique. The idea that utensils must be immersed even without formal acquisition is unprecedented. As Rabbi Weiss notes, a convert does not truly “acquire” anything at all. The convert is for most purposes—and certainly for legal purposes—the same person that he was

²⁶ See also *Teshuvos VeHanbagos* 1:449.

before he converted. Debts owed to him while he was Gentile are still owed to him even though he is now Jewish and debts he owed as a Gentile must still be repaid even though he is now Jewish.

Rabbi Vosner could reply with the teaching²⁷ that, “A convert is like a newborn child,” arguing that the convert really is a radically different person than who he was before he converted. Furthermore, it might be that the convert does indeed reacquire all utensils by means of *chazakah* or just by the fact that they are in the convert’s home. Or perhaps Rabbi Vosner might limit this teaching to matters of ritual law but not to legal or secular matters, which is the general consensus of halachic authorities.²⁸

C. The Approach of *Yabia Omer*. For Technical Reasons Related to the Laws of Acquisition, the Utensils of a Convert Do Not Need to be Immersed.

A more technical explanation for why converts need not immerse their pre-owned utensils is found in the writings of Rabbi Ovadiah Yosef²⁹ who presents two interrelated arguments.

First, Rabbi Yosef explains that a convert need not immerse utensils upon conversion based on the laws of acquisition. To Rabbi Yosef, the utensils cease being owned by a Gentile upon conversion and are then reacquired by the convert’s new Jewish self. To further explain, converts do not acquire dishes from their previous Gentile self; rather, they acquire them from nobody (a form of *befkeer*³⁰). Rabbi Yosef deems it unnecessary for converts to immerse their utensils because conversion does not correspond to the episode with the Midianites,³¹ thereby supporting the view of Rambam who rules that utensils need not be immersed unless purchased from a Gentile.³²

Second, Rabbi Ovadiah Yosef provides a precedent that any significant deviation from the context of the war with the Midianites eliminates

²⁷ *Yevamos* 47b.

²⁸ This is addressed in my *Concise Code of Jewish Law for Converts* on pp. 20–23 and many other places.

²⁹ *Yabia Omer*, YD 7:8.

³⁰ If an item exists as *befkeer*, it is ownerless and is free for others to possess. *Har Tzvi*, YD 109 seems to imply that such utensils do not require immersion, although he takes no view on whether conversion creates such a condition.

³¹ *Talmud Bavli: Avodah Zarah* 75b, where the Jew directly acquired the utensils from non-Jews. See *Pri Chadash*, YD 120:30.

³² Rambam, *Maachalos Assuros* 17:6.

the need for utensils to be immersed. Consider, he notes, *Tosefos's* claim³³ regarding the case of a Jew who brings a Gentile a broken utensil to repair.

התוס' (שם ד"ה אי), שאם נתן כלי לאומן עכו"ם לתקנו אפי' למ"ד אומן קונה בשבח כלי א"צ טבילה, דלא הוי כמעשה שהיה, שהכלים היו של מדין, ונקרא שם עליהם.

As *Tosefos* notes, if one brings a utensil to a Gentile tradesman to have it fixed, it does not require immersion upon being returned, even according to the view that a tradesman acquires ownership of that which he fixes. This case is not similar to the story of the Midianites because there the utensils belonged to the Midianites [and were then acquired by the Jews].³⁴

Rabbi Yosef notes that the *Shulchan Aruch*³⁵ presents an even clearer case, where a Jew brings raw metal to a Gentile to be made into a utensil.

וכן פסק מרן הש"ע (בסי' קכ סעיף י) וז"ל: "ישראל שנתן כסף לאומן גוי לעשות לו ממנו כלי א"צ טבילה.

The *Shulchan Aruch* rules [YD 120:10] in the case of a Jew who gives raw silver to a Gentile tradesman to be forged into a utensil that this utensil does not need immersion.³⁶

Rabbi Yosef then considers the logic of Rabbi Shimon Greenfeld³⁷ regarding whether apostates (who are treated like Gentiles) who return to Judaism are required to immerse their utensils because, once again, it is dissimilar from the case of the Midianites.

וכן מצאתי להגאון מהר"ש גרינפלד בתשובה ח"ג (סי' מח) שכתב אודות מומר שחזר בתשובה שא"צ להטביל כליו, דלא הוי כמעשה שהיה, וכמו שאמרו בע"ז (עה ב), ואפשר שגם עכו"ם שנתגייר א"צ להטביל כליו, משום דלא דמי למעשה שהיה שיצאו מרשות זה ונכנסו לרשות אחר, דהיינו מרשות עכו"ם לרשות ישראל.

And similar I found from the genius Rabbi Shimon Greenfeld in his response [3:48]: An apostate that returns to Judaism need not immerse his utensils, because the situation is not similar to the case of the Midianites (See *Avodah Zarah* 75b). It is also possible that when a Gentile converts he need not immerse his utensils because it is not

³³ *Talmud Bavli: Avodah Zarah* 75b sv *ei meshum*.

³⁴ See also *Shulchan Aruch*, YD 120:10.

³⁵ *Shulchan Aruch*, YD 120:10.

³⁶ Either before or after the forging.

³⁷ *Maharshag* 3:48.

similar to the case of the Midianites where the utensils were transferred from one owner to another, i.e., from the ownership of a Gentile to the ownership of a Jew.

Rabbi Yosef provides Rabbi Greenfeld's reasoning as well:

וכמ"ש בירושלמי (סוף ע"ז), שהטעם לטבילת כלי סעודה הנקחים מן הגוי, מפני שיצאו מטומאת עכו"ם ונכנסו לקדושת ישראל.

As the Jerusalem Talmud states [end of *Avodah Zarah*], the reason for immersing utensils acquired from a Gentile is that they are leaving the impurity of a Gentile and entering into the holiness of a Jew.

However, Rabbi Greenfeld distinguishes between the case of the Jerusalem Talmud and our case of the convert:

משא"כ עכו"ם שנתגיירו שהכלים נשארו ברשות הבעלים, אלא שיש שינוי בבעלים, שמתחלה היו עכו"ם ואח"כ נעשו ישראל, בכה"ג י"ל שאין צריך טבילה לכליהם. ומ"מ נראה שיטבילו כליהם בלא ברכה.

This is not like the case of a convert because the utensils remain in the convert's domain, but there is a change in ownership. In the beginning, the owners were Gentiles and then they became Jews. In such a case it is unnecessary to immerse the utensils. Nonetheless, it appears that he should immerse his utensils without a blessing.³⁸

It is important to distinguish between Rabbi Yosef's first reason and his second. The first reason is based on the laws of acquisition, specifically, the laws of ownerless property. The second does not mention the issue of ownerless property at all but that converts acquire the utensils from their own previous status. The common denominator between the two reasons is that they both accept the idea that the convert's utensils are not acquired from a Gentile, and thus do not require immersion.

To reiterate, Rabbi Yosef would first rule that converts acquire their own [pre-conversion] assets because they became ownerless upon conversion. Next, he would argue that utensils acquired from *hefker* do not require immersion.

Yet, one could provide some proofs to the contrary to both of these statements. For example, the *Shulchan Aruch* makes it clear that a debt owed by a Jew to a Gentile who converts must still be repaid.³⁹ The debt does not become annulled and the convert is not legally deceased and

³⁸ See also, Rabbi Yosef Zundel Hutner of Eishishok, in *Chevel Yosef—Chadrei Deah* 120:1.

³⁹ See *Shulchan Aruch*, YD 171 in many places and this author's *A Concise Code of Jewish Law for Converts* at pp. 82–88.

reborn. The Jew still owes the debt to the convert, because the person did not change, but rather, a status changed.

Indeed, consider the following hypothetical case to demonstrate the peculiarity of Rabbi Yosef's view here. What if, as the convert is immersing in order to convert, someone steps into the *mikveh* changing room and steals the convert's wallet. Rabbi Yosef might argue that it is not considered to be an act of theft as a matter of Torah law since the process of conversion caused the Gentile owner to disappear and the new Jewish owner has yet to take possession of the wallet.⁴⁰ Logic and precedent contradict this view.

So too, the question of whether utensils acquired from *hefker* need immersion is highly debatable, with the consensus of authorities ruling that such utensils do need immersion, unless they were created by nature (like a rock naturally hollowed out by dripping water and now used as a cup) and not created by a Gentile.⁴¹

Indeed, Rabbi Yosef himself hints to the weakness of his position and *Yabia Omer* 7:8 could be read as actually mandating that a convert be strict and immerse all metal utensils. However, in his subsequent work *Halichos Olam*, Rabbi Ovadiah Yosef is clear that "When a male or female convert is converted, their utensils do not need immersion in a *mikveh*" and this is also the view of his son and primary student, current Chief Rabbi of Israel Rabbi Yitzchak Yosef in the name of his father.⁴²

D. The Approach of *Minchas Asher*. Both Silent Precedent and the Laws of *Tevilas Keilim* Indicate that Immersion Is Not Needed

Rabbi Asher Weiss⁴³ presents two competing arguments in favor of non-

⁴⁰ Indeed, that is exactly the logic presented by *Machaneh Chaim* 3:31, who insists that there is a special rabbinic decree preventing another from taking possession of the items of a convert in such a case.

⁴¹ See *Mishnah Halachos*, 4:107 and 5:110 as well as 16:18 quoted above.

⁴² See Rabbi Ovadiah Yosef, *Halichos Olam* Volume 7 (*Matos*) 13 at p. 260. [This work is a commentary on the *Ben Ish Chai* by Rabbi Ovadiah Yosef.] See also Rabbi Yitzchak Yosef *Klalei HaGiyur* p. 129 (note 63). [That no immersion is needed is also the view taken by Rabbi Moshe Prezuz in the name of Rabbi Ovadiah Yosef at http://www.ateret4u.com/online/f_01599.html in Chapter 1:17.]

⁴³ *Responsa Minchas Asher*, vol. 3 no. 66 and also found at www.torahbase.org/פרשת-מטות-טבילת-כלים/.

immersion of utensils. First, however, he concedes that most halachic authorities agree that immersion is required. He states:

האמת אגיד, יודע אני שכך דעת גדולים וטובים שאכן צריך לטבול כליו, וכך שמעתי מפי מרנן ורבנן הגרי"ש אלישיב שליט"א והגר"ח קנייבסקי שליט"א, ובשו"ת שבט הלוי (ח"ד סי' צ"ב) ובתשובות והנהגות (ח"א סי' תמ"ט) כתבו דיטביל עם ברכה עי"ש.

In truth, I repeat that I know that most great and wonderful halachic authorities rule that a convert must immerse his utensils. Such I heard from the lips of Rabbi Yosef Shalom Elyashiv, *sblita*[*ש"ל*],⁴⁴ and Rabbi Chaim Kanievsky, *sblita*, and such is written in *Shevet HaLevi* (4:92) and *Teshuvos VeHanbagos* (1: 449) who all state that the convert immerses his utensils with a blessing; see there.⁴⁵

Rabbi Weiss then notes his disagreement based on silent precedent:

אמנם הרגשת לבי מאז ומקדם היא דכיון שלא מצאנו הלכה זו בדברי הראשונים והפוסקים לדורותיהם אין לך ראיה גדולה מזו דבאמת אין הגר צריך להטביל כליו. דהלא לא במעשה שהיה וענין מקרי עסקינן אלא שאלה זו נוגעת לכל גר וגר שנתגייר מאז ועד עולם ומדשתקי רבנן ש"מ לא ניחא להו. וכבר הבאתי במקומות רבים את מה שכתב החזון איש (שביעית סימן ז' עמוד 218) כע"ז דשתיקת הפוסקים היא "ההכרעה היתירה מכל הראיות"

However, I have always felt in my heart, now and in the past, that since we have not seen this halachah cited in the Rishonim and the authorities of previous generations, we have no better proof than this that a convert need not immerse his utensils. This is not merely regarding a specific case or occasional incident, but rather this matter is relevant to every single convert who has ever converted. From the silence of the authorities of previous generations, we see that they did not require such. I have previously cited in many places that which the *Chazon Ish* states (*Sbvi'is*, Chapter 7, page 218) that in such cases, the silence of the authorities is "the deciding factor superior to all other proofs."

⁴⁴ This is recorded in *Sefer Givas Olam*, Rules of Immersing Utensils 36. This is recorded as well in the *Kitzur Shulchan Aruch* of Rabbi Shlomo Aviner 37:1 in the name of Rabbi Elyashiv in the name of *Kovetz Beth Midrash* Sivan-Tammuz 5771 notes 26 and 27.

⁴⁵ Rabbi Shlomo Krispin in *Michtav Shlomo* at p. 537 n. 10 states, as Rabbi Weiss implies: "At first thought one would think that this is simple matter and that a convert needs to immerse his utensils to take them from a state of impurity to holiness, no different than when one purchases utensils from a Gentile."

In essence, Rabbi Asher Weiss argues that the historical silence establishes stronger precedent than the rules of the great authorities in the generations that immediately followed. Since the codes recount no obligation for converts to immerse their utensils, there must be no obligation.⁴⁶

Finally, Rabbi Weiss explains the intellectual basis for his view by noting the reason in support of non-immersion:

ובטעם הדבר נראה דכל דין טבילת כלים אינו אלא בכלי שעובר מרשות לרשות בדרכי הקנינים, וכאשר יוצא הכלי מרשות הגוי ונכנס לרשות ישראל חלה עליו מצות טבילה, וכמעשה שהיה בכלי מדין. וכפשטות לשון הטור והשו"ע בסימן ק"כ ס"א "הלוקח כלים חדשים מן הגויים". משא"כ בגר שנתגייר דאין קנינו נפקע ע"י גירות והכלי לא עבר מרשות לרשות, אין כאן מצות טבילה.

As to the substance of the matter, it appears that the whole idea of immersing utensils is limited to cases where the utensil is transferred from owner to owner through a conveyance of title. Only when the utensils transfer from the title of a Gentile to the title of a Jew is there a duty to immerse, as is the case in the story of the Midianites. This is also the simple reading of the *Tur* and *Shulchan Aruch* in YD 120:1 which states, "One who purchases new utensils from Gentiles." Such is not the case for a convert whose ownership of his

⁴⁶ Another example of silent precedent supporting this view, which is cited in *Mishnas HaGer* (page 176, note 75) is found in *Mishnah Berurah* 494:12 [bracketed material in *Mishnah Berurah* is deleted] who repeats an explanation for the reason for eating dairy on Shavuot as follows:

ואני שמעתי עוד בשם גדול אחד שאמר טעם נכון לזה כי בעת שעמדו על הר סיני וקבלו התורה וירדו מן ההר לביתם לא מצאו מה לאכול תיכף כ"א מאכלי חלב כי לבשר צריך הכנה רבה לשחוט בסכין בדוק כאשר צוה ה' ולנקר חוטי החלב והדם ולהדיח ולמלוח ולבשל בכלים חדשים כי הכלים שהיו להם מקודם שבישלו בהם באותו מעל"ע נאסרו להם ע"כ בחרו להם לפי שעה מאכלי חלב.

I heard in the name of a *Gadol* a very good reason [for the custom to eat dairy on Shavuot] since at the time they stood on Mount Sinai and accepted the Torah and came down from the mountain to their homes, they did not find what to eat immediately except for dairy items since meat items require much preparation: to slaughter with a checked knife, to remove the veins of fat and the blood, to wash and salt and cook the meat in new utensils since the old utensils they had, which they had used in the last day were prohibited to them, thus they chose temporarily dairy products.

Of course, what is left out of this is the duty to immerse utensils. On the other hand, this is simply less persuasive, as whether utensils need immersion or not hardly explains the custom to eat dairy, which is what the *Mishnah Berurah* is explaining.

utensils has not been annulled and the utensil has not been transferred from one person to another. Thus, there is no mitzvah to immerse the utensils [of a newly converted person].

Rabbi Asher Weiss's view—that both historical precedent and logic indicate that converts need not immerse their utensils—is subject to two critiques. First, the silence of the Rishonim and Acharonim, to which he gives great weight, could be well explained as part of the general historical silence on matters relating to conversion. Many aspects of *hilchos geirim* were not well discussed until the last 140 years, as conversion was frowned upon by both the Muslim and Christian authorities that censored Jewish works, and thus converts and their questions were very rare.⁴⁷ Second, if one views the immersion of utensils as a *tumah* issue, and not an ownership issue, the fact is that the utensils are transferred from the possession of a Gentile [would be considered *tamei*] to a Jew, and perhaps that transfer mandates the utensils' immersion. It is not too farfetched to argue that the change of status from Gentile to Jew would affect the utensils, thereby requiring their immersion.⁴⁸

Part IV: Compromise Views in the *Poskim*

The previous section established three basic outlooks:

1. The utensils of a convert need not be immersed.
2. The utensils of a convert must be immersed.
3. The matter is in doubt.

As is common in many areas of Halachah, once the primary authorities have presented a number of principled arguments, a second group of authorities propose practical approaches that are intellectual compromises. Three such proposals have been made.

A. Compromise Regarding the Utensil's Material

According to the opinion that the immersion of utensils is a Torah obligation, there is a distinction based on the type of material that the utensil

⁴⁷ Consider for example the question of whether a convert may serve on a *beis din* for conversion, or many other examples where the Talmud and the early codes are silent. Indeed, many of the matters that uniquely discuss the role of a convert are a product of halachic analysis over the last 200 years. For more on this, see my *Concise Code of Jewish Law for Converts* in many places.

⁴⁸ This logic is similar to the *Shem MiShmuel*, except it rejects the authority of a metaphysical conversion.

is made of. Only metal utensils are truly obligated to be immersed. As such, the convert should be strict regarding metal utensils and immerse them, but could be more lenient regarding utensils made from glass or any other material.

The current chief rabbi of Israel, Rabbi Yitzchak Yosef, adopts this view in his work *The Principles of Conversion* at pp. 129–130. He writes:

A husband and wife who are Gentiles and convert through a rabbinical court according to Halachah,⁴⁹ the technical law permits their utensils without any immersion, since at the time that they converted and became Jewish, such is also the case with their utensils [and this is not analogous to the events with the Midianite utensils]. Nonetheless, one should be strict with metal utensils to immerse them without a blessing, since according to the view of the Ravad and other authorities, the immersion of metal utensils is obligated by Torah law. But for glass utensils, whose immersion is rabbinic, one can rely on the ruling of those who rule that no immersion is needed since we generally follow the lenient view in rabbinic matters.

B. Compromise Regarding Whether a Blessing is Recited

In Jewish Law, the laws regarding whether one should recite a blessing or not are rather simple. If one is certain that a blessing is required, then one recites it. If one is uncertain if a blessing is required, one does not recite it. Since this matter is disputed, a convert's utensils should be immersed without reciting a blessing.⁵⁰ One commentator notes simply:

The Manhattan Beth Din for Conversions, under the guidance of Rav Hershel Schachter, follows the middle position of requiring immersion of utensils without a blessing.⁵¹

⁴⁹ The question of when a Gentile is converting to Judaism and is intermarried to a Jew prior to conversion would seem to be an easier one since in such a case the Jewish spouse should be directed to take ownership of the utensils and immerse them as soon as they are practically ready to start observing that mitzvah, which they are obligated in.

⁵⁰ Rabbi Moshe Shternbuch, *Teshuvos VeHanbagos* 1:449.

⁵¹ <http://www.torahmusings.com/2017/06/converts-immersing-utensils/>. This is also the view taken in Rabbi Tzvi Cohen's work *Tevilas Keilim* 3:24 (at page 100). A similar, but not exactly identical view is taken by Rabbi Yacov Sukutzilim, *Obel Yacov on Tevilas Keilim* p. 247 who notes that that "one should be strict and immerse them without a *brachah*." *Kitzur Hilchos Tevilas Keilim* 55 quotes Rabbi Yosef Shalom Elyashiv as requiring such immersion as well, but notes

Given the uncertainty of the matter, one can make a strong argument that a blessing is not required. Rabbi Aryeh Lev Grossnass (2:25) adopts this view, as do many others, and this compromise is widely accepted.⁵² Of course, those authorities who rule that immersion is required as a matter of Halachah, would also rule that the blessing must be recited.

C. Compromise by Acquiring New Utensils Requiring Immersion

Since the matter is in dispute, a convert should purchase a new metal utensil, recite the blessing for immersion upon that utensil, and then immerse all pre-conversion utensils.⁵³ The blessing serves to “cover” all the old utensils, as well.

This idea is noted in the recent work *Michtav Shlomo*, Chap. 10, note 10, which states after summarizing the various views that:

Thus, the authorities write that such utensils should be immersed without a blessing. It is even better if the convert purchases, immediately after his conversion, a new utensil that requires immersion, and when he immerses it, he should immerse his new utensil along with his old ones. He should intend that the blessing cover all of the immersions.

This compromise allows the convert to perform the mitzvah of immersion of utensils as a matter of certainty and with a blessing.

Conclusion

This article has presented a dispute between great rabbinic authorities of the last century—a dispute without clear precedent from pre-modern sources—as to whether the utensils of a convert need to be immersed. This dispute includes several competing rationales related to the laws of converts, the laws of immersion of utensils, and the laws of acquisition.

that the convert-to-be can, if he wishes, give the utensils to a Jew prior to conversion who will lend them back, and then the convert-to-be can immerse them even prior to conversion.

⁵² See for example, Rabbi Aharon Felder, *Ohalei Yeshurun* at p 43. who states, “If a Gentile is converted to Judaism, he (or she) is obligated to have all applicable utensils undergo *tevilah* without a blessing, whether or not the utensils were owned prior to conversion.” Rabbi Gedalia Felder cites and rejects the opinion of his son in his *teshuvah* in *Nachalas Tzvi* and his son cites his father in n. 32 on p. 55.

⁵³ Since the metal utensils he has might need immersion as a matter of Torah law.

In addition, there is a dispute about whether the matter is a Torah or rabbinic obligation. How should this dispute be resolved?

As we have seen, some authorities rule definitively that immersion is required; many rule definitively that immersion is not required; and yet other authorities are uncertain and adopt compromise views. What should those without a definitive position⁵⁴ instruct converts to do? Two ideas seem reasonable (and point in opposite directions):

1. Any of the three compromises mentioned above in Part IV can be adopted. Thus, instruct the convert to immerse utensils as there is no harm in immersing utensils without a blessing, even if immersion is not truly needed.
2. One can follow the majority of authorities who (without judging the level of authority of each one) support the view that no immersion of utensils is needed by a convert.⁵⁵

⁵⁴ Such as a firm tradition from one's teachers or a feeling that a certain argument is especially persuasive.

⁵⁵ There are essentially four views found in the *poskim*, but a majority of the *poskim* who have actually written on this topic and issued a written *teshuvah* do not require immersion. One group rules that a convert need not immerse utensils after conversion. On this list (and cited in this article) is *Avnei Nezer*, *Minchas Asher*, *Shev MiShmuel*, *Nachalas Tzvi*, and *Yabia Omer*. One can add to this list *Tzitz Eliezer* 8:19–20 and 22:49, *Sfarim Mitzvyanim BeHalachah* 37(2), *Nezer HaKodesh*, *YD* 17, *Ateres Moshe*, *YD* 68:2, and Rabbi Yitzchak Dov Bamberger cited in *HaMa'ayan* 5739 (19:2) at p. 56. It is worth adding that it is possible that *Chasam Sofer* in *Toras Moshe (Parashas Matos)* adopts a rationale somewhat similar to the *Avnei Nezer* as perhaps does *Kli Chemdah*, *Ki Seitzei* 1:6 (see *Mishnah Halachah* 5:10 on this point). In opposition to this view and directly requiring immersion is *Shevet HaLevi* and *Teshuvos VeHanbagos*, both cited in this article, the opinion cited in the name of Rabbi Shalom Yosef Elayashiv (but no *teshuvah* written) and Rabbi Chaim Kanievsky (no *teshuvah* written), the logic of the *Teshuras Shai (Tinyana* 103), who directs that apostates who return to Judaism needs to immerse utensils (and then certainly a convert does also). In between these two schools of thought are the *poskim* who are uncertain what to do, but due to this uncertainty, rule that a convert must immerse all dishes albeit without a *brachah*. In this school of thought is *Lev Aryeh* 2:25 and the *Lechem Shlomo*, *YD* 97 as well as many guidebooks discussed in the final paragraph of this note. Finally, there is a significant group of *poskim* who ponder this issue and come to no clear conclusion including *MaHari HaLevi*, *YD* 109, *Mishneh Halachos* 9:374, *Lehoros Nasan* 11:96, *Chadrei De'ab*, *YD* 120, *Devarim Achadim* 196, *Mabarsbag* 3:48 and *Har Tzvi*, *YD* 109.

The secondary works—those works that are written by authorities who compile halachic material on a single field—are also deeply divided on this topic. Rabbi Tzvi Kohen in *Tevilas Keilim* 3:24 (page 100) is of the view that a convert should

Both of these views—be strict for all reasonable opinions when possible, and follow the majority when uncertain what to do—are deeply grounded in the halachic tradition.

There is another factor, however, that needs to be articulated. As noted in the introduction, Rabbi Moshe Feinstein famously counsels that questions of Halachah related to a convert (post conversion⁵⁶) should be resolved in a way that complies with the mitzvah to love the convert. He notes simply:

אבל למעשה יש לידע, שהמצווה של ואהבתם את הגר (דברים עקב י' י"ט) מחייבת אותנו לקרובם ולהקל בכל עניינים אלו. ולפיכך אחר ישוב גדול נראה, שאין להחשיב משרות אלו בתקופתנו כענין של מעשה שררה, דעיקר תפקיד של ישיבה הוא ללמד לתלמידים כשהם רוצים. ומה שיש כח להמנהלים והראשי הישיבה על התלמידים לסלקם או שלא לקבל אותם לכתחילה וכדומה, אין זה אלא כמו שררה של בעה"ב על פועליו, שאין זה מעין מינוי לשררה כלל. ולפי זה משרות אלו אינם אלא כמילוי תפקיד וכעניין של עסק. ואין לדמות זה למש"כ באג"מ יו"ד חלק ב' סימן מ"ד בענין מינוי אשה להשגיח להכשרים, דהוי מינוי של שררה.

But, as a matter of normative practice, one should know that the mitzvah to love the convert (Deut. 10:19) obligates us to bring them closer and to be lenient on all these matters. Therefore, after considerable contemplation, it seems that these positions of authority are

immerse all utensils without a *brachah* as is Rabbi Aharon Felder in *Ohalei Yeshurun* page 43. Rabbi Yacov Sukutzilim, *Ohel Yacov on Tevilas Keilim* p. 247 notes that this matter is in dispute and “that one should be strict to immerse without a *brachah*.” Rabbi Menashe Klein, *Mishnas HaGer* 175–176 notes that it is “proper” (ראוי, a formulation less than mandatory) for a convert to immerse utensils. Rabbi Yitzchak Yosef, *Klalei HaGiyur* pp. 129–130 and Rabbi Amram Adrai writing in *Hechsher Keilim* p. 76 both note that no immersion is required of utensils. Finally, if one compares Rabbi Aharon Zakai, *HaBayis HaYehudi* Volume 1, Chapter 77, note 6 (immersion required without a *brachah* for utensils of a convert) with Rabbi Aharon Zakai *HaBayis HaYehudi* Volume 9, chap. 42, note 5 (no immersion required for utensils of a convert), one sees that the author of this guidebook has changed his mind with the passage of time. Finally, of course, *Michtav Shlomo* Chap. 10, note 10 notes that a convert should acquire a new utensil and immerse that with a blessing and then immerse all of the old utensils.

⁵⁶ There is also a view that the mitzvah to love a convert applies whenever someone wants to convert even if they have not yet converted (see Rabbi Yitzchak Albartzuloni as cited in Rabbi Yerucham Perlow’s commentary on *Sefer HaMitzvos* of Rav Saadya Gaon, Positive Mitzvah 19). However, that view is contradicted by the consensus grounded in the formulation of the Rambam (*Deos* 4:4) that limits this mitzvah to a person who is now Jewish (for example, see *Mishnah Berurah* 156:4).

in our times examples of positions of mere acts of authority (*serarah*), since the purpose of a yeshivah is to teach students who are interested in studying. The fact that the authority of the principals or heads of the yeshivah over the students includes the authority to expel them or deny them admission and the like, is similar to the authority of any owner over his workers and this has no connection to an appointment of formal *serarah* at all. Therefore, these jobs are only like a profession, or a business deal. They should not be compared to what I have written in *Iggeros Moshe*, YD 2:42 about the appointment of a woman as a *kashrus* supervisor, which is a position of *serarah*.⁵⁷

It is important not to under-read this *teshuvah*. What drives Rabbi Feinstein to the conclusion that being a *rosh yeshivah* is a mere position of employment with no more authority than the owner of any business (a far from obvious conclusion) is the duty to love the convert, since it directs us to be open and welcoming to converts, which cannot be done by excluding the convert. That is exactly why Rabbi Feinstein opens with the duty to bring the convert closer and connects that thought to his permissive ruling.

Rabbi Feinstein avers that when there is more than one reasonable approach to a halachic topic that impacts a convert, one should adopt the view (of both the facts and the halachah) that shows love for converts and brings them closer and further integrates the convert. One does this by seeking to adopt positions that diminish the exclusion of a convert. When a reasonable person can see more than one halachic or logical or factual approach, one should adopt the approach that favors integrating the convert, since this is a fulfillment of the mitzvah to love the convert.

Rabbi Feinstein connects the first sentence noting the duty to love the convert with the rest of the paragraph with the words *ולפיכך אחר ישוב גדול נראה* (“Therefore, after considerable contemplation”) to tell the reader that the conclusion noting that a *rosh yeshivah* is not a position of authority is limited to a case where the candidate is a convert.⁵⁸ To put it in a slightly different way, the commandment to love the convert weighs

⁵⁷ See *Iggeros Moshe*, YD 4:26.

⁵⁸ As a thought exercise, consider whether Rabbi Feinstein would employ the same logic with regard to whether others who cannot hold positions of authority can be a *rosh yeshivah*. For more on this, see Michael J. Brody and Shlomo M. Brody, “Orthodox Women Rabbis? Tentative Thoughts that Distinguish between the Timely and the Timeless,” *Hakirah* 11:25 (2011) at 32–40 and particularly note 24 on the issue of *serarah* in Rabbi Feinstein’s work.

down on the scales to encourage the resolution of any dispute in a loving way to the convert, as then another mitzvah is fulfilled.⁵⁹

In this particular case of immersing utensils, since there are multiple reasonable approaches without a clear consensus, Rabbi Feinstein's insightful approach would suggest resolving this issue more leniently, whether one believes that the commandment is Torah or rabbinic based,⁶⁰ particularly since most *poskim* maintain that no immersion is needed.

One can suggest that minimizing the obligation of converts to immerse their utensils is a better halachic choice for three reasons that manifest "loving the convert."

First and foremost, taking all utensils to a *mikveh* promptly after conversion is, this author has been told by many converts, stigmatizing to the convert, as it highlights their recent conversion for all to see. Converts frequently dislike the undue publicity their conversion brings; such conversion is for all to see as they are immersing all of the pots, pans, dishes, spoons, forks, and knives, naturally causing an observer to ask a question. Second, immersing all of one's utensils is physically demanding and difficult. It is a manifestation of love to be lenient on this physically taxing matter to immerse all utensils that one has, since immersion of utensils is difficult.⁶¹ Third, it is pedagogically better for converts to avoid the situation in which the first time they perform the mitzvah of *tevilas keilim*, they do so without a *brachah*.

Based on these reasons, one should adopt the following answer to the question of whether converts must immerse their utensils.

- If the convert does not ask the question, the rabbi supervising the conversion should not raise it and silently rely on the majority view, since the answer is genuinely unclear, the matter is in dispute among contemporary halachic authorities, and the majority does not require immersion of utensils upon conversion. Silence can be a form of love

⁵⁹ For a similar example of this, see *Pri Megadim Eshel Avraham* OC 156:2 who notes that one should unload the animal of a convert before a born Jew's as that fulfills the mitzvah of loving the convert as well as the mitzvah to unload. Prohibiting a convert from being a *rosh yeshivah* through the invocation of a debatable understanding of the *serarah* issue clearly violates the positive commandment to love the convert and thus is a mistake of Halachah.

⁶⁰ For the sake of clarity, one needs to note that Rabbi Feinstein never addressed the specific issue of a convert immersing utensils after conversion and it could be that he felt with certainty that the approach of the *Shevet HaLevi* was correct. We do not know.

⁶¹ And without even the Divine reward of a blessing, since this is a matter of doubt and many are lenient generally.

and it is particularly fitting given the difficulty in resolving this question.

- If the convert does raise the question, one should generally tell him that the best policy is to purchase a new utensil that requires immersion with a blessing. The convert then immerses that utensil first with a *brachah* and then immerses the rest of the metal utensils afterwards.⁶² This teaches the convert the best way to immerse in any situation of doubt while making it clear that the central halachic rule does not require immersion.
- If the convert indicates that this process is very difficult or embarrassing, one should tell the convert that ample grounds exist for not requiring immersion of any pre-owned utensils and most halachic authorities do adopt that view.
- If the convert belongs to a community where the local halachic authority rules (as some do) that converts must immerse their utensils, then a convert should be told to immerse them without a blessing. This is due to the concern that if the convert does not immerse utensils, people from that community will hesitate to eat in the convert's home and even question the convert's commitment to observance. Relying on the lenient opinion to not immerse utensils might produce the exact opposite of "love for the convert" that Halachah mandates, since community members may decline to eat in the convert's home due to this issue.

We are living in a time where there are many righteous converts. May we all be blessed to live in a community that provides a welcoming home to all. ❧

⁶² Metal as opposed to glass, as per the insight of Rabbi Yitzchak Yosef above. I would add that this same logic suggests that a convert need not immerse aluminum utensils, either, since many halachic authorities deny that aluminum is a metal that needs immersion as a matter of Torah law. See *Iggeros Moshe*, YD 2:164.