

## SWEEPING ON SHABBOS

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What could be wrong with sweeping the floor on Shabbos? Let us examine some potential problems and where they might be relevant.

There are two versions of a passage of Gemara in Tractate Shabbos (124b). According to Rashi's version (ibid. s.v. *shel timara*), the Gemara tells us that a broom is *muktzah* as a *kli shemelachto li'isur* (an item whose primary use is for a forbidden action on Shabbos). Rashi explains that sweeping the floor will inevitably smooth the earth, which is forbidden under the *melacha* (labor forbidden on Shabbos) of plowing, thereby rendering a broom *muktzah*.

Tosafos (Shabbos 39a s.v. *mipnei*) rule that it is forbidden, as well. Tosafos add a second reason, that sweeping moves dirt on the floor, which is problematic because dirt is *muktzah*.

There is an important difference between these two reasons. Moving *muktzah* dirt while sweeping a floor applies to all types of floors. Smoothing the ground, though, is only applicable to earthen floors. Tile floors may have spaces between tiles, but for the vast majority of modern floors, one is not working on an earthen surface, so there is no problem. Nonetheless, there is still a *gezeirah* (Rabbinic decree) against sweeping a hard, tile-type floor in a situation where one may come to sweep a dirt floor nearby (Hagahos Maimonis Hilchos Shabbos 21:2).

The second version of the passage of Gemara is that of the Bahag (cited by Tosafos, Shabbos 95a s.v. *vihaidna* and the Rif, Shabbos, dapei haRif 41a). According to this version, the Gemara says that a broom is not *muktzah* as the sweeper has no intention to smooth the earth. It is thus a *davar sheino miskavein*, an action which may but will not definitely cause a *melacha* to be unintentionally be done, which is not included in the prohibition against *melacha* on Shabbos.

Tosafos, who prohibit sweeping, disagree with the Bahag on the grounds that smoothing the earth is inevitable and is therefore considered a *psik raisha*, an action that will unintentionally but inevitably cause a *melacha* to be done. Since the *melacha* is unavoidable, one may not perform such an action on Shabbos

As for the *muktzah* issue raised by Tosafos, it can be argued that sweeping is *tiltul min hatzad*, moving an item through an intermediary item, such as a broom. However, *tiltul min hatzad* is only permitted when moving *muktzah* for the needs of a usable non-*muktzah* item. The classic scenario of the Gemara is tilting a barrel so as to cause the rock blocking its mouth to fall off, allowing access to the wine inside – the rock is moved indirectly via the barrel to provide access to the permitted wine. Thus, if the floor needs to be used and one is sweeping to allow its use, then *tiltul min hatzad* would be fine. If, however, one simply desires to have a clean floor, this would not suffice to permit sweeping the dirt via a broom.

In truth, much of what is being swept may not be *muktzah* at all. For example, crumbs that are edible, even if only as bird food, wouldn't be *muktzah*. Dirt or other refuse, if repulsive, may be considered like a *graf shel re'i*, a chamber pot with waste, which, due to its offensive nature, Chazal (the Sages) allowed to be removed on Shabbos despite its *muktzah* status. Generally, though, dirt and dust don't fall into either category, so how is it that the Bahag allows sweeping on Shabbos if they are *muktzah*?

The Ramban (Milchemes Hashem, Shabbos, dapei haRif 48b) answers that Chazal made an exception to allow this kind of *tiltul min hatzad* for *kavod Shabbos* (the honor of Shabbos), even though it is not being moved for the purpose of a non-*muktzah* item.

The Chazon Ish (Hilchos Shabbos 47:21) offers a

different approach. He says that dirt on the floor is not considered *muktzah*; rather, it is viewed as a part of the floor. Just as the peel of a fruit is regarded as part of the fruit and removing the peel is not considered moving *muktzah*, sweeping is also not moving *muktzah*, but is considered to be improving the floor.

The Rema (Orach Chaim 337:2) says that the custom is to be stringent not to sweep floors even if they are hard. That being the case, how is it permissible to sweep our floors today?

The Bi'ur Halacha (ibid.) explains that the custom is based only upon the issue of smoothing the earth, which is based on a *diOrayso* (Torah-level) *melacha*. It is not, however, based upon the concern of *muktzah*, which is a *midRabanan* (Rabbinic-level) prohibition. This is evident from the continuation of the aforementioned Rema, for he writes that one may sweep with a soft brush or feather that won't smooth the earth.

As mentioned earlier, the prohibition of smoothing the earth is not relevant to hard floors; it is forbidden due to a concern that one may come to sweep a nearby dirt floor. The Rivash (394) therefore rules that in a locale that does not have dirt floors in homes, the *gezeirah* does not apply. Accordingly, in modern times, where dirt floors are scarce, the custom to be stringent is not applicable.

That is as far as hard floors. Sweeping carpet poses its own halachic questions. The Gemara (Shabbos 147a) states that shaking out a garment on Shabbos would obligate one to bring a sin offering for violating Shabbos. According to Rashi (ibid. s.v. *hamina'er*), the Gemara is referring to a dusty garment, and shaking off the dust is laundering, a forbidden *melacha*. Tosafos (ibid. s.v. *hamina'er*) understand the Gemara to be discussing a wet garment; wringing out the water is forbidden due to laundering. The Rosh (Shabbos 22:10) states that Tosafos' opinion is that merely shaking out

dust would not be laundering.

The Gemara continues that the prohibition refers only to a garment that is new and dark-colored, and the dirt must be significant enough to prevent the owner from wearing the garment. In other words, the dirt in question must be sufficient that one would consider the garment "dirty." Thus, even according to Rashi's more stringent understanding, removing dust is prohibited only if one would consider the garment dirty due to the dust.

The Shulchan Aruch (Orach Chaim 302:1), whose opinion is generally followed by Sefardim, rules in accordance with Tosafos, while the Rema, whose opinion is generally followed by Ashkenazim, rules stringently like Rashi.

Carpet, being made of fabric, is also included in the prohibition of laundering. According to Rashi and the Rema, if there is enough dirt on a carpet that it is regarded as "dirty," removing it would be forbidden.

However, the Rema in Darkei Moshe (302:1) cites the Ohr Zarua who says that it is only considered laundering if the dust is embedded in the surface of the fabric. Feathers or crumbs resting upon the surface are not included.

Often, crumbs on a carpet are not embedded, but if there are enough crumbs to mar the appearance of the carpet and those crumbs become embedded in the carpet, it would be forbidden to sweep the carpet. If, however, one is merely removing surface dirt, it would not pose a problem.

In conclusion, sweeping a hard floor on Shabbos in modern times is permitted in virtually all cases, save for where there are dirt floors in the area. Sweeping a carpet, though, would depend upon the nature of the dirt being removed, and a halachic authority should be consulted in cases of doubt.