

HALOCHOSCOPE



This week's question:

May children (or adults!) play with a sled in snow on Shabbos, inside an enclosed area?

The issues:

- A) Rabbinical prohibitions connected to washing clothes, *Kibus Begadim*
- B) *Mai'asos Derachecha* and *Uvdin Dechol*, conduct honoring Shabbos
- C) Travelling in a boat
- D) Making an indentation in the snow
- E) Using a pet dog to drag the sled

A) *Kibus Begadim*

One of the Scriptural *melachos* forbidden on Shabbos is *melabain*, to clean raw wool. Washing clothing is a *tolda*, sub-category of this *melacha*. This involves soaking in a liquid, such as soap and water, and squeezing clothing dry. Therefore, one may not place cloth in water, as this involves the *melacha*. Although leather clothing is washed differently, in general all cloth, including water-resistant cloth, is ultimately washed with water. In addition, one may not squeeze a cloth dry if he does not want the water or liquid in it because he is effectively doing *sechita*, the *melacha* of squeezing and drying.

As a precaution against the temptation to violate these *melachos*, the Rabbis instituted various prohibitions. These are innocent activities in and of themselves, but could lead to *sechita*. They include a prohibition against walking through water when one's clothing would get wet. If one comes to a large puddle in the road he should step over it. The Talmud debates whether it is permissible to leap over it on Shabbos. One view maintains that it is better to walk through it than to leap over it, because one should not take large steps on Shabbos. The other view maintains that while it is not Shabbosdik to have to walk around it, causing too much walking on Shabbos (see section B) one should also not walk through it, because he might be tempted to squeeze his clothes afterwards. He should rather leap over it. If he can not leap it either, he should walk around it rather than wet his clothes walking through it. Most poskim follow the latter view. To go to do a *mitzvah*, the Talmud allows one to wade through water on Yom Kippur, despite the issue of bathing, provided he does not lift up his clothing. Some say this is to avoid 'carrying' the part of his clothing that he is not wearing at the time. Others say it is a reminder to avoid squeezing. It is a *shinuy*, unusual way to do something otherwise forbidden. This is the view we follow. Since Yom Kippur also involves *melacha*, yet the Talmud permits this activity with these conditions, the poskim apply this exception to Shabbos as well.

It is forbidden to hang out clothing to dry, as a further *tolda* of *libun*. However, if one wet his clothes while walking, the Talmud debates whether he may spread them out to dry in a private area. He did not wash them, so his intent is not to do the *melacha*, but onlookers might suspect him of violating Shabbos. One must always act above suspicion.

In one view, *mar'is ayin*, something forbidden due to appearances, is permitted in private. The other view maintains that once forbidden, it applies everywhere. We follow the second view, but one may put them somewhere where they will not make everything else wet. This is only allowed when one removes them from his body, before putting them down. They are really *muktzeh*, since one might be tempted to dry them. Therefore, as long as one has not put them down, he may hang them up in a place where they will not wet other items, such as in the bathroom, but not on a radiator nor the like, to dry. The poskim debate whether this applies to clothing that got wet from rain, or only clothing that actually fell or were placed in water, like a puddle.

Brushing clothing to clean off dust and the like involves *libun* as well. One may not brush off dust, or according to many poskim, dew or water that is on the clothing. Brushing off water involves squeezing a little from the fabric. Shaking the clothing with force also involves drying, something like manual tumble-drying. These activities actually involve a Scriptural *melacha*. Snow may be brushed off the surface, but if it has started to melt and is absorbed inside the fabric, one may not brush or shake it off with any force.

From all of the above it would appear that doing an activity that inevitably involves one of the above prohibitions should be avoided, at the very least. It could be forbidden to roll around in snow. It would seem that walking through snow would not be forbidden, despite the possibility that some would wet the bottoms of one's clothing. If the entire area is snow-covered, there is no other route. However, if it is deep in some places, one should either wear high boots or avoid these spots. Sledding as a play activity inevitably involves these problems. [See Shabbos 65b 113b 146b-147a, Yuma 77b, Poskim. Tur, B.Y. Sh. Ar. OC 301:3-5 45-47, 302:1 8-9, 613:5-8, commentaries]

B) *Mai'asos Derachecha; Uvdin Dechol*

Apart from what is actually *melacha*, many activities that are not in the spirit of Shabbos are also forbidden. In general, these are part of the *mitzvah* to show honor for Shabbos. Sometimes, the Rabbis invoke the positive *mitzvah* of *Shabason*, to rest on Shabbos. This means to desist from mundane weekday activities. The Rabbis determined that certain activities should be forbidden as a *shevus*, desisting. Specific to our case, we will focus on the idea of *uvdin dechol*, something considered too weekday to be allowed on Shabbos. These are usually case sensitive issues, and in each generation, the rabbis of the time would be able to make this determination. However, a common theme is an activity that makes people forget about Shabbos and its holiness. In this light, an activity that involves messy playing would seem to fit the criteria of *uvdin dechol*.

In addition, the Navi actually delineates certain non-Shabbos activities. One of these is the manner of walking. One needs to walk on Shabbos, just as he does on weekdays. However, he should change the manner in which he walks. The Talmud gives some specific changes, such as whether one should take a longer route when a shorter one is available, or whether one should use large paces, or whether one should leap. The poskim point out that if one enjoys running around, as do children, then he fulfills *oneg shabbos*, a different activity recommended by the Navi, in this way. In our case, one needs to balance the idea of a fun activity, which fulfills *oneg shabbos*, with the mundane nature of the activity. Is sledding too mundane, and therefore considered weekday 'walking'? [See Shabbos 113b, Poskim. Tur Sh. Ar. 301:1-2, commentaries.]

C) *Travelling in a boat*

It is forbidden to swim on Shabbos. The actual activity does not involve *melacha*, but can involve collateral *melachos*. Above all, there is a concern that one might be tempted to fashion a float or a raft. This involves the *melachos* of *boneh*, building, when an entire utensil is made, and/or *makeh bepatish*, putting finishing touches, or *tikun kli*, making repairs to a utensil.

It is also forbidden to travel in a boat. According to some, this is because it gives the appearance of swimming. *Maris ayin* is forbidden in two ways. One is the simple confusion with the appearances. The second is when the activity resembles the forbidden activity in its effective result. Thus, traveling by boat accomplishes the same as swimming, and is forbidden. Some poskim point out that if one punts the boat, he could also violate the *melachos* involved in churning up the ground.

It would appear that the prohibition against boating does not apply to sledding. Swimming usually implies crossing a deep body of water that is impassable by walking. Unless the snow is so deep that one can simply not walk it, sledding usually is no more than an alternative to walking. If so, since walking is permitted, what kind of appearance of a forbidden activity could be given by sledding? While it might look like a boat, we may not add to the Rabbinical ordinances of the Talmud. However, in light of the concern that a swimmer might fashion a float, one should bear in mind that if children are sledding, one might indeed fashion a 'sled' of cardboard. This would then involve whichever *melachos* are involved in fashioning a float. [See Shabbos 19a 139b, Eruvin 43a, Beitza 36b, Poskim. Tur, Sh. Ar. OC 339:1 7, commentaries.]

D) *Making indentations in the snow*

Making a groove or indentation in the ground could involve *boneh*, building, if it is done indoors, or *choresh*, plowing, in a field. If it is not made with a plow or shovel, but with another item, it is forbidden Rabbinically. Accordingly, the Talmud debates dragging a heavy item if there is a chance that a groove will result. We follow the lenient view, allowing it because no definite *melacha* will result and the activity was not done for this result. However, if the result is inevitable, this is considered *psik raisha*, and is forbidden. All agree that a children's wagon on wheels is not forbidden. It does not dig up the dirt, but might form a groove by pressing it down. This does not involve *melacha*. The poskim debate what the Talmud had in mind. Some say it refers to a stroller, while others say it means a tricycle. The same type of item that is not on wheels would be forbidden, if it will inevitably make a groove. A sled makes tracks in the snow, though some make less tracks than others. Would this be a reason to forbid it?

In order to include sledding in the prohibition against dragging, the snow must be considered part of the ground. Though it is solid at the time, it will eventually melt and run off. [Presumably, the issue changes in permanently frozen landscapes.] This is actually the subject of a major debate. The issue is raised with regard to breaking ice on the surface of a lake or river. It also arises with regard to removing snow from a driveway. The consensus is to rely on the lenient view, at least when there is a real need for Shabbos. Since most poskim seem to tend toward this view, but some prefer to avoid it unnecessarily, we could assume that in regard to a *psik raisha* making an inevitable groove they would not apply the stringency.

However, even using a baby carriage with wheels is only permitted when no grass will be uprooted in the process. The Talmud debates whether one may walk on grass. If it will be a *psik raisha* that some will be pulled out, it would be forbidden. In fact, the conclusion is to permit it. However, if one sees that he did pull out some grass, he should avoid walking through there again. Accordingly, if the sledding, which clearly pulls rather than rolls or treads, is done on this snow or ice, it could pull out some grass. In this case it would be forbidden. [See e.g., Beitza 23b, Eruvin 100b, Poskim. Tur, BY, Sh. Ar. OC 337:1, 336:3, 320:10 13, commentaries. Machaze Eliyahu 67-68. Be'er Moshe.]

E) Using a pet dog to drag the sled

When the Torah forbids *melacha*, one's animals are included in the prohibition. Therefore, *melacha* done together with or through an animal is forbidden on Shabbos. This is known as *mechamer*. The usual example of *melacha* given by the Talmud is *hotza'ah*, carrying. One may not have a donkey carry for him in a public domain. Since the source for this is the word *melacha*, it includes any *melacha* done by the animal. To violate *mechamer*, the Jew must be involved in the activity together with the animal. If the animal does it alone, or a gentile does it with the animal, the owner is not in violation.

There is also a positive *mitzvah* of *shvisas behemto*, to make one's animals rest on Shabbos. Therefore, one may not even allow a gentile to do *melacha* with his animals. Furthermore, one's animals may not wear items that could be considered a carrying a burden. However, one may graze an animal, even if it will eat grass that is attached to the ground. The reason for this is that the Torah gives a reason for this *mitzvah*: 'so that your animal will gain rest'. If it is forbidden to allow the animal to graze, he will not gain rest but pain. One could say that for the same reason, if a dog enjoys pulling a sled, it would not be forbidden under *shvisas behemto*, even if a *melacha* would result. Obviously, if children ride the sled, they are doing it with the animal. This could involve *mechamer*. In fact, there is no actual *melacha* involved in pulling the sled, as explained above. Therefore, there really could be no issue with having a dog pull it, in an enclosed area. [See Shabbos 51b-56b 122a 153a, Poskim. Tur Sh. Ar. OC 246:3, 305:1 etc. 324:13.]

On the Parsha ... *Lemaan yanuach shorecha vachamorecha, so that your ox and your donkey rest. [23:12]. ... one may allow his animals to graze. [Rashi, Mechilta]* Malbim points out that the Mechilta really means to *require* one to pasture his animals. For them this is true *nachas*, pleasure. Why would it be so important to give pleasure to one's animals on Shabbos? Sforno connects it to the following words; by allowing our animals rest, our slaves will also rest. Thus, we accomplish the opposite of what happened in Mitzrayim, where, as slaves, we had no rest at all. Perhaps we may add, if one causes those around him to work hard, not allowing them rest, he does not get a true feeling of rest himself. It is only by assuring that all beings in his home are at rest, that a spirit of *shabason* comes into his home. Perhaps this is a reason not to overburden children with studying new material on Shabbos. Is it possible that one should allow children to enjoy even activities that adults would not do on Shabbos?



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