

He permitted spraying in *M'chuzoh*

שרא זילחא¹ במחוזא -

Overview

אמימר permitted זילחא in the city of מחוזא, saying the reason that זילחא is prohibited (תולדה) is out of concern that one may smooth out the holes in the ground (a בונה), however this concern is not applicable to מחוזא, since all the floors are covered with stone (there are no earthen floors).

asks: תוספות

תימה דבשילהי תמיד נשחט (שם דף סד, א) תנן כמעשהו בחול כך מעשהו בשבת² -

It is astounding, for in the end of משנה the פרק תמיד נשחט stated, 'as it was done (קרוב פסח) in the weekdays, so too was it done on שבת -

אלא שהכהנים מדיחים את העזרה³ שלא ברצון חכמים -

However the כהנים would rinse out the עזרה (on שבת) not in accordance with the wishes of the חכמים. This concludes the משנה -

ומפרש בגמרא⁴ דשלא ברצון חכמים היינו שלא ברצון רבי אליעזר -

And the גמרא explained that when the משנה stated it was שלא ברצון חכמים it meant not according to the wishes of ר"א (of our גמרא that מרבץ is חייב) -

דאי רבנן שבות הוא ואין שבות במקדש דתניא המכבד והמרבץ כולי⁵ -

For if it meant the רבנן, but they maintain that ריבוי is only a שבות and since there is no prohibition in the המקדש (it cannot be ברצון חכמים), as we learnt in a ברייתא, 'one who sweeps and one who sprays, etc.' This concludes the citation of that גמרא continues with his question -

ומדמוקי מתניתין כרבי אליעזר משמע דמחייב מדאורייתא אפילו בעזרה דאיכא רצפה -

And since the גמרא established that משנה according to ר"א, this indicates that one is חייב מה"ת even in the עזרה where there is a stone floor -

והכא משמע דברצפה ליכא אשוויי גומות⁶ -

¹ זילחא is the act of spraying water on the floor to settle the dust, so that it should not rise.

² If ערב פסח (the time designated for bringing the פסח) occurred on a שבת they would bring it on שבת, in the same manner as they did when ערב"פ occurred on a weekday.

³ The עזרה was full of the blood from the many פסח, so they washed the floor of the עזרה.

⁴ סה, א.

⁵ The גמרא there cited the ברייתא in our גמרא where there is a מחלוקת between ר"א (who maintains that מרבץ is חייב) and the רבנן (who maintain that it is only a שבות).

⁶ Clarification; תוספות taught us previously (ד"ה המכבד) that the מחלוקת between ר"א וחכמים regarding ריבוי is that ר"א maintains that it is a פסי"ר and therefore מה"ת, אסור מה"ת, while the חכמים maintain that it is not a פסי"ר and is שבות, אסור מטעם שבות (because they follow ר"י that שאין מתכוין ר"י since in מחוזא there can be no גומות for the floor is covered with stones (and there certainly cannot be חטאת even according to ר"א since no מלאכה is being done).

However here it seems from the ruling of אמ"מ that by stone floors there is no concern of filling the holes (אשוויי גומות)!

answers: תוספות

ויש לומר דבהדחה איכא אשוויי גומות טפי שהיו מתמלאות הגומות שבין רובד לרובד⁷ -
אשוויי גומות, And one can say that by washing there is a greater possibility of
than by ריבוי, for the water filled the grooves between the rows of the floor tiles –

offers an alternate solution: תוספות

אי נמי⁸ בעזרה נמי לא אסור לרבי אליעזר אלא משום שבות⁹ -
Or one may also say that even in the עזרה washing is not prohibited according to
- שבות (מה"ת) ר"א -
אטו היכא דליכא רצפה דאיכא חיוב חטאת לרבי אליעזר -
On account of a situation where there is no stone floor in which case there is a
- ר"א according to חיוב חטאת

וחמיר האי שבות ונוהג אפילו במקדש -
And this שבות is more stringent than other שבותים and it applies even in the מקדש
וכמה שבות אשכחן במקדש בפרק בתרא דעירובין (דף קב, ב) -
- מסכת עירובין of פרק in the last מקדש in the שבות And we find many types of
אבל לרבנן לא חמיר האי שבות כיון דאפילו בלא רצפה לא הוי לדידהו אלא איסורא דרבנן -
However according to the רבנן this שבות of ריבוי is not that stringent, for even
- חכמים according to איסור דרבנן it is merely without a floor
הלכך אינו נוהג¹⁰ במקדש:

Therefore it does not apply in the מקדש.

However from the גמרא in פסחים it is evident that in the עזרה there would be an איסור דאורייתא according to ר"א (and [were it not in the ביהמ"ק] there would be a שבות according to the חכמים). This proves there is some sort of אשוויי גומות (either a פסי"ר according to ר"א or no פסי"ר according to the חכמים) even by a stone floor.

⁷ answer is that if there is only spraying there is no אשוויי גומות by a stone floor (for there is a limited amount of water) and it will not smooth out the grooves between the tile rows. However when the floor is being washed with a lot of water; the water will fill in the grooves between the tiles by depositing there dust and silt that is acquired in the washing process. According to ר"א this גומות אשוויי by a stone floor when washing is a פסי"ר (therefore it is שלא ברצון), and according to the רבנן it is not a פסי"ר, therefore it is מותר, since במקדש, אין שבות במקדש.

⁸ may not be totally satisfied with the first answer; either because it is unlikely that even with washing there would actually be גומות אשוויי, or if it is an איסור מה"ת why does the משנה state that it was done חכמים (meaning שלא ברצון חכמים), and according to the חכמים the איסור מה"ת would have prevented it.

⁹ The difficulty with the אי נמי is apparent, for from the גמרא it seems clearly that according to ר"א it is איסור מה"ת, not אין שבות במקדש and שבות, for they say it is a שבות according to the חכמים, as the גמרא states that it is not according to the חכמים, מטעם שבות.

¹⁰ The second answer does not differentiate between spraying and washing. However by a dirt floor since it is אסור according to ר"א, therefore there is a שבות חמור even by a stone floor, so it applies even במקדש, however according to the רבנן there is never an איסור מה"ת therefore it is not a שבות חמור and does not apply in the מקדש. See 'Thinking it over'.

Summary

There is no אשוויי גומות by stone floors when spraying (according to the רבנן), but there can be אשוויי גומות (according to the רבנן [and will be according to ר"א]) when washing the stone floors. Alternately there is no difference between spraying and washing, however by a stone floor it is a שבות חמור according to ר"א, which is אסור even במקדש.

Thinking it over

תוספות writes that according to the רבנן this is not such a stringent שבות therefore it does not apply in the מקדש;¹¹ indicating that outside the מקדש it would be אסור משום זילחא במחוזא (because it had stone floors); however אמימר permitted אשוויי גומות even by a stone floor; however אמימר permitted זילחא במחוזא (because it had stone floors). How can we reconcile this תוספות with our גמרא?!¹²

¹¹ See footnote # 10.

¹² See מהרש"א הארוך.