

## In a pit – בגומא

### Overview

One of the ways in which the גמרא explains how it could be that ידו is למטה מג', is if the person was standing in a pit that was so deep that when he extends his hand from the pit it is למטה מג' from the floor of the (הרבים) רשות. The issue at hand is, since the pit is not part of the רה"ר, why should the חייב be בעה"ב? It is only the יד העני that is in the רה"ר, and even though his hand is למטה מג', but the עני himself is not in the רה"ר, but rather in the pit which may be a מקום פטור או כרמלית therefore there is no רה"ר.

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**it is necessary to interpret that** in the case of גומא, **רה"ר is a גומא**, only then will we say, that if his hand is stretched out into the רה"ר למטה מג', will it be considered at rest in the רה"ר and it will be a proper עקירה והנחה מעל גבי מקום ד'.

In order that his hand which is extended from the pit will be למטה מג', this pit must be fairly deep, so how can it be a רה"ר? תוספות explains -

**for instance if many people make use of it**, even though it is inconvenient to make use of a deep pit, it will still be considered a רה"ר -

**according to the מ"ד, who considers an inconvenient usage as a proper usage**

**or** (according to the מ"ד תשמיש ע"י הדחק לא שמיה) **it is in such a manner that many people traverse** through this pit. In either of these two cases, where the גומא is considered a רה"ר, this אוקימתא is valid because, since both the body and the hand of the person are in a רה"ר, therefore we can consider his hand which is למטה מג' as resting on the floor of the רה"ר and consequently there is a מקום דע"ד.

**however if the גומא was a כרמלית** (i.e. less than 10 טפחים deep with an area of טפחים ד' על ד' or more) **or a מקום פטור** (i.e. more than 3 טפחים deep with an area less than טפחים ד'), and people do not traverse it or make use of it -

**since his body is there** i.e. in the מקום פטור או כרמלית, therefore -

**his hand which is extended to the רה"ר**

**will not be considered as a רה"ר** (and therefore when one would make a עקירה והנחה to or from the hand he will not be חייב).

**for the hand is 'dragged' towards the body** which is in a כרמלית או מקום פטור

**even though** the hand is טפחים מג' **למטה מג'** from the רה"ר, which normally would render it at rest in the רה"ר, nevertheless in this case where the body is in a מקום פטור או כרמלית it is not considered a רה"ר

**אגד יד** maintains that **רבי אבהו** – **כיון דסבר אגד יד שמיה אגד כדפירישיית** **אגד**, i.e. **the binding of the hand to the body is considered a binding**, as I previously **explained** תוד"ה כגון.

stated there that **אגד יד שמיה אגד** must maintain **אגד**, therefore, if the body is in a different **רשות** from the hand, even if the hand is **מג' טפחים** it is not considered at rest in that **רשות**, since it is attached to the body in the other **רשות**. Therefore we must conclude that the pit itself is a **רה"ר**, in either of the two ways suggested.

### Summary:

When the body of a person and his hand are in two different רשויות, then even if the hand is למטה מג' טפחים from the floor of that רשות it is not considered at rest, if we hold אגד יד שמיה אגד. Therefore if an עקירה or הנחה is made from or onto that hand, it is not considered a valid עקירה והנחה from the רשות where the hand is.<sup>1</sup>

## Thinking it over

1. Why would a גומא רה"ר not be considered a גומא רה"י, as opposed to a גומא רה"י?
2. What would be the דין in a case where a person was standing in a רה"י and his hand extended into the רה"ר (or the opposite) and someone was זורק מרה"י לרה"ר (or the opposite) and it landed on his hand רה"ר (or רה"י) according to the מסקנא that ידו של אדם חשובה לו כד' על ד'?

<sup>1</sup> It may be noteworthy that this תוספות may be going a step further than in the previous כגון ד"ה תוס' where he stated that if the body and the hand are in two רשויות, then, for that person, being עוקר an object placed in his hand is not considered an עקירה even when ידו is למטה מג', אגוד יד שמיא אגוד; since in relation to the עוקר his own יד is not completely in the רה"י (for instance), we do not have a proper חפץ כעקירת (גופו) מקום. In our case however we are not interested in being מהייב the היד; בעל היד is just a תמצא for a מקום דמי. We may think that the fact that his body is in another רשות is irrelevant to the status of his יד in relation to the עקיר who is placing an object מג'. Therefore it should be a valid והנחה עקירה. Even in such a case יד אגוד is powerful enough to deny the יד being מונח ברה"ר even in relation to the ומניח, ועיין שפת אמת, ודו"ק.

<sup>2</sup> See previous footnote.