

There, where one carries more than ד"א, wherever he places the object it is a מקום חיוב הוא

Overview

The גמרא is searching for a precedent for the דין that לרה"ר דרך מעביר (יותר מ) ד"א ברה"ר. The גמרא rejected any comparison to המוציא דרך סטיו, because there כל היכא דמנח לה מקום חיוב הוא (כרמלית). will suggest several other possibilities (as precedents) where he is חיוב, even though it passes through a מקום פטור. will then explain why these comparisons are inappropriate.

And in the cases where one either carries out, or hands over an object or transports an object לרה"ר ד"א ברה"ר – ומוציא ומושיט ומעביר ד' אמות ברה"ר

in a manner where the object being transported was **above ten טפחים** from the floor of the רה"ר, and nevertheless he is חיוב **even though had he placed down the object**, where it was being transported, **above ten טפחים**, he would be פטור, since he made the הנחה במקום פטור. Nevertheless if he did not place the object in the מקום פטור, but rather continued and placed it in the רה"ר he is חיוב. We have here a case where the object traversed through a place, where, had he put it there, he would be פטור, however if he did not place it there, but placed it in the רה"ר proper he is חיוב. This should be a sufficient precedent for the דין of the רבנן. We cannot reject it for the reason (given in the case the גמרא chose, namely) because here it is traversing in a מקום פטור, exactly as in the case of the רבנן. The question then is; why did not the גמרא choose these cases as a precedent for the רבנן?

answers: תוספות

nevertheless these cases are not a valid precedent, since **underneath** the person, who is carrying the object, **the place where he is walking**, that place is a **מקום חיוב**. Therefore, regardless of where the object is, the person who is carrying the object, is walking in a רה"ר, which is a מקום חיוב.¹

However in the case of the רבנן where he passes through a **סטיו**, **the ground upon which he is walking, is also a מקום פטור**. Therefore we cannot compare the cases, and they would not qualify as a precedent.

¹ The status of a מקום חיוב/פטור is dependent on where the person is (walking), not where the object is.

Summary:

Carrying an object למעלה מ' טפחים ברה"ר is not considered as if one was carrying it through a מקום פטור, provided that the person carrying it, is walking in the רה"ר.

Thinking it over

What are some הלכות that support this concept; that where the person is standing, is more relevant, than where the object is found?