

YESHIVAT HAR ETZION
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TALMUDIC METHODOLOGY
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Shiur #29: *Me'amer* – The *Melakha* of Bundling

Among the 13 *melakhot* necessary for the production of bread (*sidura de-pat*), the fourth in the series is known as *me'amer*, gathering sheaths of harvested grains. The *gemara* does not record the basic definition of this *melakha*, choosing instead to register an interesting *machloket* between Abaye and Rava about the harvesting of salt from ocean mines (Shabbat 73b). In this *shiur*, we will attempt to outline the basic definitions of *me'amer*.

Presumably, **any** act of gathering or amassing different units into **one** unified element should qualify as *me'amer* and should be forbidden. An interesting statement of the Maharach Ohr Zarua (*siman* 214) (Rav Chaim, the son of the 13th century scholar R. Yitzchak of Vienna) may change this impression, however. He questions the absence of this *issur* when gathering firewood on *Yom Tov* (which is permitted by the *gemara* in *Beitza* 31a). Why doesn't the formation of bundles of firewood violate *me'amer*? He responds that *me'amer* is only forbidden if it protects and preserves the actual produce being collected. Ungathered grains can be more easily trampled or strewn by the wind. Gathered grains are more durable, and gathering therefore violates *me'amer*. Since firewood is unaffected by gathering into stacks, no *me'amer* has been violated.

Evidently, the Maharach Ohr Zarua viewed this prohibition not merely as an act of assembling scattered units into one unit, but rather as one of the **final stages** in producing and harvesting produce. Since isolated produce can easily be ruined, one of the final stages of securing the produce is gathering it into more durable units. The prohibition is only encroached when it converts produce into preservable and durable items through collection and bundling.

The overwhelming majority of *Rishonim* disagree technically with this limitation of *me'amer* and they extend *me'amer* to a broader variety of bundling. Nevertheless, even if we reject this limitation, we may still redefine *me'amer* not merely as assembling, but as producing usable units of produce. Even if the benefit of assembly is not necessary to secure the **durability** of the item, it is still necessary to enable human **utility**. Wheat grown in miniscule amounts is unusable to people in these small quantities. To facilitate human utility, the separately grown produce must be gathered into larger quantities. It is this **transformation** – and not merely the formal act of gathering – that entails the violation.

To summarize the question: Is *me'amer* violated through the structural or technical act of assembling and bundling erstwhile separate entities? Or is *me'amer* only violated when the act transitions the objects into durable food, or at least human-compatible quantities?

An interesting limitation of the Tosafot Rid (Shabbat 73b) and the Ritva may reflect this “transformational” view of *me'amer*. Questioning the permissibility of gathering already harvested fruits that have become scattered, the Tosafot Rid claims that no *issur* is violated by performing bundling on items that have **previously** been bundled and subsequently became scattered. Since the fruits were previously assembled, no new *issur* entails. Some (see the Iglei Tal) attribute this to a **general** rule (alluded to in a [previous shiur](#) about the permissibility of re-cooking food on Shabbat) that repetitive “*melakha* acts” are considered halakhically redundant and therefore permissible. Gathering a second time is meaningless and permissible. However, the Rid’s leniency may be understood very differently. Since the produce was previously assembled, it has already attained a status of human compatibility and useability, and subsequent gathering will not confer a new status. Without this transformational impact, no *issur* has been violated.

Another interesting application of this novel definition of *me'amer* affects the **location** in which it is forbidden. Alluding to the presumed permissibility of gathering firewood, Tosafot and the Ran (*Beitza* 31a) claim that *me'amer* is only forbidden if performed in the location in which the item naturally grew. Since the firewood in question was relocated to a different locale before being assembled, no *issur* has been violated.

Once again, *me'amer* is being cast here as the final stage of a long process of preparing produce or other agricultural products (such as firewood) for human utility. Humans typically do not utilize one unit of the product, as such minimal quantities have no utility. This act – as it is the final stage of production – must occur (at least according to Tosafot and the Ran) in the location in which the item originally grew and was harvested. Only in this location can *me'amer* be cast as one of the final stages of production and be considered a Shabbat violation.

Of course, this model implies a possible limitation of the prohibition to “edible items.” This would also explain the general permissibility of collecting and bundling firewood on *Yom Tov*, since the wood is not edible. The Yerushalmi (*Shabbat* 7:2) **does** appear to limit the prohibition to foodstuffs, and many (see *Minchat Chinukh*, *ot* 1 to *melekhet me'amer*) believe the Rambam imposed a similar limitation. By contrast, many Ashkenazic *Rishonim* (Ohr Zarua, Yerei'im) extended the prohibition to non-edible material. Limiting the prohibition to edible material may reflect the nature of the prohibition as transitioning food into human-compatible quantities. However, those who apply the prohibition even to non-edible items may maintain that just as *me'amer* is transformational for food, it is also transformational for other materials that provide human utility.

These two models of *me'amer* may drive the interesting aforementioned *machloket* between Abaye and Rava about salt. Rava applied the *issur* to collecting salt from ocean beds, while Abaye claimed that *me'amer* only applies to *gidulei karka*, items that grow from the land, and not to salt. Why should this prohibition be limited to items that grow from the land? Perhaps only agricultural items are transformed by *me'amer*. Items that grow from the land by definition are produced individually (since one spot of land can only provide limited nutrients and growth area). For these items, gathering is transformative – it transforms individual items into bundles compatible with human utility. Items that don't grow from the land are already sized to human compatibility. Their collection is not transformational and therefore is not forbidden. Salt is a perfect example, as it evolves in larger clusters; the harvesting process is composed of excavating chunks and then re-bundling them. Since they "grew" in clumps, the act of clustering them is not transformational and is not forbidden according to Abaye.

Rava may have disagreed, choosing to view *me'amer* as purely an act of clustering items, and therefore applicable to both *gidulei karka* as well as items that do not grow from the land.