

**Whoever acquires an *Eved Ivri*; it - כל¹ הקונה עבד עברי כקונה אדון לעצמו -
is as if he acquired a master for himself**

Overview

The ברייתא derives from the פסוק of עמך כי טוב לו עמך, that the עבד must be עמך, with you/equal to you, in all manners. Whatever the master eats or drinks, or however he sleeps, he must accommodate the עבד equally. The ברייתא concludes that כל הקונה ע"ע כקונה אדון לעצמו. Our תוספות questions and explains this conclusion.

תוספות asks:

וקשה מאי אדון די לו להיות כאדונו³ -

And there is a difficulty; why is the one who is buying an ע"ע considered as if he bought a **master** over himself; the ע"ע is no master, **it is sufficient for the ע"ע to be like his master**, but not to be a master over his master, he is not treated better than his master.

תוספות answers:

ויש לומר כדאיתא בירושלמי⁴ דפעמים אין לו אלא כר אחת -

And one can say; as is mentioned in the תלמוד ירושלמי, for occasionally the master only has one pillow, so -

אם שוכב עליו בעצמו אינו מקיים כי טוב לו עמך -

If the master chooses to sleep on it himself, he is not fulfilling the פסוק of כי טוב
לו עמד (for he has a pillow and the ע"ע does not) -

ואם אינו שוכב עליו וגם אינו מוסרו לעבדו זו מדת סדום⁵ -

And if he does not sleep on it, and he also does not give it over to his עבד, that is מזת סדום -

נמצא שעל כרחו צריך למסור לעבדו⁶ והיינו אדון לעצמו:

It turns out that perforce he must give it over to his עבד and that is how he acquires אדון לעצמו.

¹ This תוספות should precede the אבקה ד"ה תוספות (and the following ones).

דברים (ראה) טו, טז.²

³ The ע"ע needs to be treated equally with his master, but not superior to his master, why therefore do we say כל הקונה ע"ע כקונה אדון לעצמו, when the ע"ע is not an אדון.

⁴ See the marginal note (in the newer editions) that they could not find this *ירושלמי*.

⁵ מִדַּת סָדוּם (the conduct of the wicked people of סָדוּם) refers to a situation where one does not lose by doing someone a favor (and does not gain by not doing him the favor). The חֲכָמִים deplored this conduct and in certain instances force the person not to act like סָדוּם. Here too, not giving the עֶבֶד the כֶּר and not using it himself is considered מִדַּת סָדוּם. See 'Thinking it over' # 2.

⁶ See 'Thinking it over' # 1.

Summary

The קונה אדון לעצמו is in a case where the master has only one of a kind (like one pillow), he must give it to his servant to fulfill the טוב לו עמך, and not act כמדת סדום.

Thinking it over

1. There is a גמרא⁷ in ב"מ, which derives from the פסוק of עמך אחיך⁸, that if two people are traveling in a desert and one has a jug of water, which is sufficient only for one person to live, the owner is not required to share it with his fellow traveler (for then they both will die), rather he may drink it himself. This is derived from the word עמך '[you brother shall live] with you', but not without you. Why here do we not say the same thing, if there are two pillows, the עבד receives one; however if there is only one pillow and the פסוק states טוב לו עמך, כי טוב לו עמך, we should interpret it the same way, he receives what you have only if it is with you, but not if it is without you. How can we differentiate between the two cases?⁹

2. If a person has a vacant house which he is not using and does not intend to use for the foreseeable future, can the ב"ד, on account of על מדת סדום, כופין, force him to allow someone to live there without paying rent?¹⁰

⁷ סב, א.

⁸ ויקרא (בהר) כה, לו.

⁹ See בית לחם יהודה אות תקל.

¹⁰ See בית לחם יהודה אות תקכט.