

ספר קנין

הלכות מכירה

(1)

המצוה

דין מקח וממכר

The laws of acquisition through buying and selling.

המקור

וְכִי־תִמְכְּרוּ מִמֶּכֶר לְעַמִּיתְךָ וְגו' (ויקרא כ"ה:י"ד)

When you will make a sale to your fellow Jew, etc.

ביאור המצוה

It is a מצוה upon דין to decide, whether a transaction which involves selling or buying was according to the methods which are prescribed by the תורה. If it meets the תורה guidelines it is a valid transaction and neither the buyer or the seller may change their mind, otherwise it is not valid.

פרטים באופן קיום המצות

- ♦ There are certain methods through which one can acquire movable objects (מטלטלין), while other methods can be used to purchase non-movable items such as real estate (קרקע). (see the chart below)
- ♦ If in a particular community there is a certain method, other than the ones prescribed by the תורה, which is used to acquire an object, then even according to the תורה this transaction is valid and binding. For example, in certain communities the buyer makes a mark on the merchandise and with this the sale is completed.

סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

The laws of קנינים are intricate. The following is an abbreviated list.

Method of קנין	Explanation	מטלטלין	קרקע
כסף	Money	Not Valid*	Valid
שטר	The buyer receives from the seller a document stating that he has sold the item.	Not Valid	Valid
חזקה	The buyer does an action which demonstrates ownership such as fixing something on the property.	Not Valid	Valid
משיכה	The buyer draws or pulls the object.	Valid	Not Valid
הגבהה	The buyer lifts the object.	Valid	Not Valid
מסירה	The owner gives over item to the buyer.	Valid	Not Valid

* The Chachomim invalidated this method

במי נוהגת	מתי נוהגת	היכן נוהגת
בית דין	At all times	In all places



סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"יד" שלו)

(2)

המצוה

שלא יונה במקח וממכר

Not to cheat or deceive when buying and selling.

המקור

וְכִי־תִמְכְּרוּ מִמֶּכֶר וְגו' אֶל־תִּוְּנוּ אִישׁ אֶת־אָחִיו (ויקרא כ"ה:י"ד)

When you will sell an item...you shall not deceive one another.

ביאור המצוה

It is אָסוּר for a buyer or a seller to deceptively underpay or overcharge. This is known as "אונאת ממון".

פרטים באופן קיום המצוה

- ♦ If one deceived the other with an amount less than one sixth of the object's value, the sale is valid. Since the amount is minimal, we assume that the wronged person is willing to forego that amount.
- ♦ If the amount of the deception was exactly one sixth of the object's value, the sale is valid but the extra sixth must be returned.
- ♦ If the amount of the deception was more than one sixth of the object's value, the deceived individual is permitted to change his mind and nullify the sale.

(רמב"ם הלכות מכירה י"ב-ב-ד)

The above-mentioned differences apply when the deceit involved the sale price. However, if it involved the item itself, one may change his mind and nullify the sale even if the deceit was minimal, affecting less than one sixth of the object's value. (רמב"ם הלכות מכירה ט"ו:א)

If one is honest with the customer and informs what his profit is, the אִיסוּר of אונאת ממון does not apply.

(רמב"ם הלכות מכירה י"ג:ה)

העונש	במי נוהגת	מתי נוהגת	היכן נוהגת
מלקות There is no since it is a לאו שניתן לתשלומין	All people (men and women)	At all times	In all places



סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

Questions on Mitzvos 1-2

- 1) What are the different methods of acquisition about which you learned? 1) _____
2) _____ 3) _____
4) _____
5) _____ 6) _____

- 2) Through which methods can one acquire land? 1) _____ 2) _____
3) _____
- 3) Which methods of acquisition are not valid for מְטָלְטָלִין? _____
- 4) Under which condition would it be sufficient to acquire an object just by placing a mark on the merchandise? _____
- 5) Under which circumstance may one overcharge on an item he is selling? _____

- 6) Which 2 Hebrew words are used to refer to the concept of overcharging? _____
- 7) Why is no מְלָקוֹת given to a person who overcharges when selling an object? _____

- 8) RESEARCH: When isn't it necessary to inform the other party about defects in the item that is being given to the other party? (See 'סעיף ד' _____

	9) Indicate whether the following statement is (T)true or (F)alse. If the statement is false, cross out the word or make the proper changes so that the sentence should be true. Write your answer in the box on the left.
	If one takes an ox by a leash and pulls the animal towards him, he has legally acquired the animal.
	10) Which one of the following methods of acquisition involves lifting the object?
	א) מְשִׁיכָה ב) הַגְבָּהָה ג) שְׁטָר

סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

	11) The acquisition through חֲזָקָה involves
	א) Receiving a document ב) Lifting the object ג) Fixing something on the property

סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

(3)

המצוה

שלא יונה בדברים

Not to taunt or offend with words.

המקור

וְלֹא תוֹנוּ אִישׁ אֶת-עַמִּיתוֹ וְיִרְאַת מַאֲלֵהֶיךָ (ויקרא כ"ה:י"ז)

You shall not taunt a fellow Jew, and you shall fear your G-d.

ביאור המצוה

It is forbidden to taunt or verbally offend another person with words, i.e. embarrassing him, insulting him or reminding him of past misdeeds. This is known as אונאת דברים.

פרטים באופן קיום המצוה

Some examples of אונאת דברים are:

- 1) Reminding [with derogatory intentions] a בַּעַל תְּשׁוּבָה about his past.
- 2) Calling another individual by a derogatory nickname, even though the person has gotten used to the name and is no longer disturbed by it (i.e. 'fatso', 'smarty-pants', 'klutz', etc.).
- 3) Asking someone a question when you know that he probably does not know the answer.
- 4) Asking a merchant the price of an item when you have no intention of buying.

אונאת דברים is worse than אונאת ממון in the following ways:

- 1) Damage which is done through אונאת ממון can be corrected by returning the extra money that was overcharged. On the other hand, the damage / hurt caused by אונאת דברים can never be completely rectified since some of the hurt will still remain.
- 2) The damage caused by אונאת ממון affects only one's money whereas the damage caused by אונאת דברים affects one's body (soul).

העונש	במי נוהגת	מתי נוהגת	היכן נוהגת
There is no מלקות since it is a לאו שצאין בו מעשה	All people (men and women)	At all times	In all places

סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"יד" שלו)

(4)

המצוה

שלא יונה גר צדק בממונו

Not to cheat or deceive a גר צדק in financial matters.

המקור

ולא תלחצנו (שמות כ"ב:כ)

And you shall not oppress him [the גר]

ביאור המצוה

It is forbidden to cheat or deceive a גר in financial dealings.

פרטים באופן קיום המצוה

One who deceives a גר in monetary matters is עובר on 3 לאוין:

1) אל תונו איש את אחיו - See Mitzva 2

2) ולא תונו איש את עמיתו - See Mitzva 3. Although this פסוק is stated regarding אונאת דברים, nevertheless, since the גר feels that the reason he was exploited is because he is a גר, this is also אונאת דברים.

3) ולא תלחצנו - See Mitzva 4

(רמב"ם הלכות מכירה י"ד:ט"ו, ט"ז)

העונש	במי נוהגת	מתי נוהגת	היכן נוהגת
מלקות There is no לאו since it is a שניתן לתשלומין	All people (men and women)	At all times	In all places



סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

(5)

המצוה

שלא יונהו בדברים

Not to taunt or offend a גר

המקור

וְגֵר לֹא־תוֹנֶה (שמות כ"ב:כ)

And a convert you shall not taunt

ביאור המצוה

It is forbidden to taunt or verbally offend a גר, like reminding him in a negative manner about his past as a non-Jew.

פרטים באופן קיום המצוה

One who verbally offend a גר is עובר on 3 לאוין:

1) וְלֹא תוֹנוּ אִישׁ אֶת עַמִּיתוֹ - See Mitzva 3.

2) אֶל תוֹנוּ אִישׁ אֶת אָחִיו - See Mitzva 2. Although this פסוק is stated regarding אונאת אנשים, nevertheless, by treating the גר disrespectfully, people will feel free to exploit him which will ultimately also cause the גר to lose money.

3) וְגֵר לֹא תוֹנֶה - See Mitzva 5.

(רמב"ם הלכות מכירה י"ד:ט"ו)

Thirty six times the תורה issued warnings concerning our dealings with a גר.

(ב"מ דף כט ע"ב)

העונש	במי נוהגת	מתי נוהגת	היכן נוהגת
מלקות לאו since it is a לאו שצ"ל בו מעשה*	All people (men and women)	At all times	In all places



סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"יד" שלו)

Questions on Mitzvos 3-5

- 1) Why is אונאת דברים worse than אונאת ממון ? 1) _____
_____2) _____
- 2) In which case would asking a question be considered אונאת דברים? _____
- 3) Describe אונאת דברים when dealing with a גר? _____
- 4) On which לאין is one עובר if he cheats a גר in money matters? Why? _____
- 5) How many לאין is one עובר if he cheats a regular Jew in money matters? _____
- 6) How many times does the תורה issue warnings concerning dealings with a גר? _____
- 7) Why is לאו שאין בו מעשה considered אונאת דברים? _____
- 8) Why is no מלקות given for the לאו of גר צדק בממונו? _____
- 9) Would one be permitted to remind a גר about his past for the purpose of praising him for his brave decision to accept תורה and מצוות? _____
Why? _____

	10) Indicate whether the following statement is (T)true or (F)alse. If the statement is false, cross out the word or make the proper changes so that the sentence should be true. Write your answer in the box on the left.
	Praising an individual and causing him to blush is not called אונאת דברים

סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

	11) Indicate whether the following statement is (T) rue or (F)alse. If the statement is false, cross out the word or make the proper changes so that the sentence should be true. Write your answer in the box on the left.
	Calling a person a derogatory nickname which he is already used to and does not get offended is permitted.

	12) The לא which involves wronging a person in money matters is considered a
	<p>א) לא שאין בו מעשה</p> <p>ב) לא שניתן לאזהרת מיתת בית דין</p> <p>ג) לא שניתק לעשה</p> <p>ד) None of the above</p>

The following chart is a review of the first five Mitzvos. In Column 'ג' write the letter of the word or concept in Column 'א' that matches with the word or concept in Column 'ב'.

ג'	ב'	א'
	smarty-pants	א) מְשִׁיכָה
	Good for מְטִלְטֵלִין	ב) דִּין מְקַח וּמְמָכָר
	גר	ד) אִנְיָאָת מָמוֹן
	בית דין	ו) וְלֹא תִלְחָצֶנּוּ
	Under a sixth, people forego	ז) שְׁלֹא יוֹנְהוּ בַדְּבָרִים

הלכות עבדים

(6)

המצוה

דין קנין עבד עברי

The laws dealing with the acquisition of an עבד עברי.

המקור

כי תקנה עבד עברי (שמות כ"א:ב)

When you will acquire a Jewish slave.

ביאור המצוה

The laws pertaining to the methods of acquiring an עבד עברי and dealing with him according to the dictates of the תורה.

פרטים באופן קיום המצוה

- ♦ There are two ways by which a Jew can become an עבד עברי:
 - 1) בית דין sells him. He stole and does not have money to repay the theft. He is sold and the purchase price is used to repay for what he stole.
 - 2) He sells himself. He is permitted to do so only if he is extremely poor and has no remaining assets and thus has nothing to eat. (רמב"ם הלכות עבדים א:א)
- ♦ The master must treat his עבד עברי equal to himself with regard to eating, clothing and lodging.
- ♦ If the עבד עברי is married and has children, the owner is required to feed and support them
- ♦ An עבד עברי who is sold through בית דין works for only six years from the date that he is sold. At the start of the seventh year he goes free. However, if the יובל year occurs during the six years, the slave is automatically released.
- ♦ One who sells himself may sell himself for a period longer than six years. Nevertheless, if יובל occurs even after the first year, he goes free.

(רמב"ם הלכות עבדים ב:ג)

סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

- ♦ If the עֶבֶד whom בֵּית דִּין sold was married and had children, the master is entitled to give him a שְׂפָחָה כְּנַעֲנִית as a “wife” so that she will bear children who will remain as non-Jewish slaves for the master. (רמב"ם הלכות עבדים ג:)
- ♦ If at the end of six years the עֶבֶד declares that he does not want to go free, because “I love my master, my wife [the שְׂפָחָה כְּנַעֲנִית] and my children [the slaves]. The master brings him to בֵּית דִּין, his right ear is pierced and he remains a servant until either יוֹבֵל arrives or the master dies. He is now called an עֶבֶד נֶרְצָע.
- ♦ One who became an עֶבֶד by selling himself cannot be given a שְׂפָחָה כְּנַעֲנִית as a “wife” by his master. Thus, it is not possible for such a slave to become a עֶבֶד נֶרְצָע.

(רמב"ם הלכות עבדים ג:ז, ט, י"א)

(רמב"ם הלכות עבדים ג:ו)

היכן נוהגת	מתי נוהגת	במי נוהגת
In all places	When the laws of יוֹבֵל are applicable	Men



סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

(7)

המצוה

שלא ימכר ממכרת עבד

It is forbidden to sell a Jew as a slave in the manner that non-Jewish slaves are sold.

המקור

לא ימכרו ממכרת עבד (ויקרא כ"ה:מ"ב)

They [Jews] shall not be sold in the manner of slaves.

ביאור המצוה

Whether בֵּית דִּין sells an individual as a slave on account of his theft, or one sells himself as a slave on account of his extreme poverty, they may not be sold in the same manner as non-Jewish slaves.

פרטים באופן קיום המצוה

An עבד עברי may not be sold publicly on an auction block or in the streets or markets where slaves are sold. Rather, he must be sold in a discreet and dignified manner. (רמב"ם הלכות עבדים א"ה)

העונש	במי נוהגת	מתי נוהגת	היכן נוהגת
מלקות since it is a לאו שאינו בו מעשה	All people (men and women)	When the laws of יובל are applicable	In all places



סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

(8)

המצוה

שלא יַעֲבֹדְנוּ בְּפֶרֶךְ

Not to make an עֶבֶר do work which is oppressive

המקור

לֹא־תִרְדֶּה בּוֹ בְּפֶרֶךְ (ויקרא כ"ה:מ"ג)

You shall not subjugate him through hard labor.

ביאור המצוה

The master is not permitted to make the עֶבֶר do any type of work which is demoralizing. It make no difference whether the assigned work is physically difficult or easy.

פרטים באופן קיום המצוה

What is meant by עֲבֹדָת פֶּרֶךְ?

- 1) The master instructs his slave to do work but does not tell him when the work will end. For instance, he tells him to "keep digging around the trees until I return," without telling the עֶבֶר whether this period will be short or long. This uncertainty is painful to a person. Rather, the master should instruct him to dig until a specific time, or until a specific location.
- 2) The master instructs him to do unnecessary work in order to keep him busy. For example, he tells him to dig a pit which is not needed or to do something as simple as boiling up a cup of water when he has no need for that water.

(רמב"ם הלכות עבדים א:ו)

העונש	במי נוהגת	מתי נוהגת	היכן נוהגת
מִלְקוֹת since it is a לֹא שָׂאִין בּוֹ מַעֲשֶׂה	All people (men and women)	When the laws of יוֹבֵל are applicable	In all places



סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"יד" שלו)

(9)

המצוה

שלא נַעֲבֹד בּוֹ עֲבֹדֶת עֶבֶד

We should not make an עֶבֶד do the work of a slave [כְּנַעֲנִי]

המקור

לֹא־תַעֲבֹד בּוֹ עֲבֹדֶת עֶבֶד (ויקרא כ"ה:ל"ט)

You shall not work him (the עֶבֶד) with slave labor.

ביאור המצוה

It is forbidden to assign any type work to an עֶבֶד which will cause him humiliation. This is the type of work which is generally done through slaves [כְּנַעֲנִים].

פרטים באופן קיום המצוה

The master may not have an עֶבֶד carry his towels and clothing to the bathhouse or remove his shoes from his feet. He may only assign him the type of work which a hired worker would do. The master may ask his עֶבֶד to give him a haircut, wash his clothes or bake bread for him. (רמב"ם הלכות עבדים א:א)

העונש	במי נוהגת	מתי נוהגת	היכן נוהגת
מִלְקוֹת since it is a לֹא נֶשְׂאִין בּוֹ מַעֲשֶׂה	All people (men and women)	When the laws of יוֹבֵל are applicable	In all places



סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

Questions on Mitzvos 6-9

- 1) A Jew who becomes an עֶבֶד is called an _____
- 2) Who has the authority to sell a Jew as an עֶבֶד ? 1) _____ 2) _____
- 3) Which other people besides the עֶבֶד is the master required to support when he purchases an עֶבֶד? _____
- 4) How long does an עֶבֶד עֶבְרִי sold through בֵּית דִּין work for? _____
- 5) Under which circumstances may a Jew sell himself for an עֶבֶד? _____

- 6) For which reason is בֵּית דִּין permitted to sell a Jew as an עֶבֶד? _____

- 7) Which ear of the עֶבֶד is pierced? _____
- 8) Until when does the עֶבֶד עֶבְרִי continue working after he gets his ears pierced? _____

- 9) In which way is the manner of sale of a עֶבֶד עֶבְרִי different then that of other slaves? _____

- 10) Under which conditions would a עֶבֶד עֶבְרִי be permitted to “marry” a non-Jewish woman? _____

- 11) What is an עֶבֶד נִרְצָע? _____
- 12) Under which circumstances would an עֶבֶד עֶבְרִי be permitted to work for more than six years although his ear was not pierced? _____
- 13) Which types of work are generally given to an עֶבֶד קָנְעָנִי but are forbidden to give to an עֶבֶד עֶבְרִי? _____

סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

	14) Indicate whether the following statement is (T)rue or (F)alse. If the statement is false, cross out the word or make the proper changes so that the sentence should be true. Write your answer in the box on the left.
	If יוֹבֵל comes during the first six years, the עֶבֶד עֲבָד goes free.

	15) Indicate whether the following statement is (T)rue or (F)alse. If the statement is false, cross out the word or make the proper changes so that the sentence should be true. Write your answer in the box on the left.
	One who sells a Jew as an עֶבֶד עֲבָד on an auction block receives מְלָקוֹת

	16) The מצוה of עֶבֶד עֲבָד applies
	א) Only in יִשְׂרָאֵל ב) Only in חוּץ לָאֶרֶץ ג) Everywhere

	17) The מצוה of עֶבֶד עֲבָד applies
	א) At all times ב) When the laws of שְׁמִיטָה apply ג) When the laws of יוֹבֵל apply ד) When the בֵּית הַמִּקְדָּשׁ was in existence

	18) Which work is not called עֲבוֹדַת פֶּהָךְ
	א) Taking off the shoes off his master's feet ב) Planting tomatoes ג) Telling him to boil water when it is not needed ד) All of the above

סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

Which of the following tasks may be assigned to an עבד עברי?

	Asking him to take off the master's shoes
	Asking him to cook supper for the master
	Asking him to carry the towel for the master to the מקוה
	Asking him to give the master a haircut
	Asking him to boil water just to keep him busy
	Asking him to plant an apple tree
	Asking him to fix a leaky sink
	Asking him to stuff envelopes until he is told to stop

Indicate in each blank box with a ✓ if this is applicable and a X if it is not applicable.

	Sold by בית דין	Sold by self
Be given a שפחה פנעניית to marry		
Have ear pierced		
Goes free at יובל		
Can be sold at the onset for more than six years		

סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד"ר שלו)

To reveal the hidden מאמר חז"ל, convert the number in each box to its numerical value in the א' ב' א

4	2	70
---	---	----

5	50	6	100	5
---	----	---	-----	---

30	20
----	----

5	50	6	100	20
---	----	---	-----	----

10	200	2	70
----	-----	---	----

6	40	90	70	30
---	----	----	----	----

50	6	4	1
----	---	---	---

סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

(10)

המצוה

שלא נניח גר תושב לרדות בו בפרך

We may not allow a non-Jew [גר תושב] subjugate an עבד עבד through oppressive work.

המקור

לא ירדנו בפרך לעיניך (ויקרא כ"ה:נ"ג)

He shall not subjugate him through hard labor before your eyes.

ביאור המצוה

We are forbidden to stand by and allow a non-Jewish master abuse his עבד עבד with overburdonesome or oppressive work, but rather upon witnessing such an act we are obligated to prevent it.

פרטים באופן קיום המצוה

See מצוה #8 as to what is considered oppressive work.

העונש	במי נוהגת	מתי נוהגת	היכן נוהגת
מלקות since it is a לאו שאין בו מעשה	All people (men and women)	When the laws of יובל are applicable, and בני ישראל have authority over all other inhabitants living amongst them.	In all places



סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

(11)

המצוה

להעניק לו בצאתו חפשי

To give the עֶבֶד gifts when he goes free.

המקור

הַעֲנִיק תְּעִנִּיק לוֹ מִצֹּאֲנֶךָ וּמִגֶּרְנֶךָ וּמִיִּקְבֶּךָ אֲשֶׁר בֵּרַכְךָ יְהוָה אֱלֹהֶיךָ תִּתֵּן לוֹ (דברים ט"ו:י"ד)

You shall adorn him generously from your flocks, from your threshing floor and from your wine cellar as 'ה, your G-d has blessed you, so you shall give to him.

ביאור המצוה

When an עֶבֶד or אִמָּה הָעֶבְרִיָּה (Jewish maidservant) go free, the master is required to give them a generous gift.

פרטים באופן קיום המצוה

- ♦ The מַצָּה is to present him with sheep, fruit and similar items which are blessed with the ability to reproduce, not with money or clothing, which do not reproduce. (רמב"ם הלכות עבדים ג"ד)
- ♦ The value of the farewell gifts must total at least thirty סֵלָעִים. (רמב"ם הלכות עבדים ג"ד)
- ♦ This מַצָּה applies only to an עֶבֶד who was sold through בֵּית דִּין. (רמב"ם הלכות עבדים ג"ב)

היכן נוהגת	מתי נוהגת	במי נוהגת
In all places	When the laws of יוֹבֵל are applicable	All people (men and women)



(12)

המצוה

שלא יצא ריקם

When the עֶבֶד goes free he should not leave empty-handed.

המקור

וְכִי־תִשְׁלַחְנוּ חֶפְשִׁי מֵעֶמֶךָ לֹא תִשְׁלַחְנוּ רִיקָם (דברים ט"ו:ג)

When you send him away free, you should not send him away empty-handed.

ביאור המצוה

When an עֶבֶד or אִמָּה הָעֶבְרִיָּה are freed from their slavery, the master is not permitted to let them leave without giving them generous gifts.

פרטים באופן קיום המצוה

See previous מצוה (#11)

Even if the master was עוֹבֵר this לאו by allowing them to go free without giving them the appropriate gifts, the obligation to give them these gifts still remain in order to fulfill the מצוה of תַּעֲנִיק.

העונש	במי נוהגת	מתי נוהגת	היכן נוהגת
מִלְקוֹת since it is a לאו שְׁנִיתָק לַעֲשֶׂה	All people (men and women)	When the laws of יוֹבֵל are applicable	In all places



סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

Questions on Mitzvos 10-12

- 1) What is the minimum value of gifts that a master is required to give his עֶבֶד when he goes free? _____
- 2) What type of items must the master give the עֶבֶד as gifts when he goes free? _____
- 3) Why can't the master give gifts of money and clothing instead? _____
- 4) Why is the מצוה of מִצְוַת רִיקָם שְׁלֵא יֵצֵא רִיקָם considered a לֹא שְׁנִיתֶק לַעֲשֶׂה ? _____

	5) Indicate whether the following statement is (T)true or (F)false. If the statement is false, cross out the word or make the proper changes so that the sentence should be true. Write your answer in the box on the left.
	The מצוה of מִצְוַת בּוֹ בְּכֶרֶךְ applies to a Jew not allowing another Jew to overwork an עֶבֶד עֲבָרִי.

	6) Indicate whether the following statement is (T)true or (F)false. If the statement is false, cross out the word or make the proper changes so that the sentence should be true. Write your answer in the box on the left.
	The מצוה of מִצְוַת בּוֹ בְּכֶרֶךְ applies to a Jew not allowing another Jew to overwork an עֶבֶד כְּנַעֲנִי.

	7) Indicate whether the following statement is (T)true or (F)false. If the statement is false, cross out the word or make the proper changes so that the sentence should be true. Write your answer in the box on the left.
	בֵּית דִּין is required to send inspectors into the homes of non-Jews living in אֶרֶץ יִשְׂרָאֵל to make sure that they are not overworking their Jewish slave.

	8) One who sees a non-Jew overworking a Jewish slave and does nothing
	א) Receives מְלָקוֹת ב) Is punished with death ג) Has not fulfilled a מצוה עֲשֶׂה ד) Is לֹא תַעֲשֶׂה a עוֹבֵר

סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

	<p>9) Which of the following מצוות apply only when בני ישראל have power over all other inhabitants living amongst them?</p> <p>א) שלא נניח גר תושב לרדות בו בפרך ב) להעניק לו בצאתו חפשי ג) שלא יצא ריקם ד) None of the above</p>
	<p>10) Why is there no מלקות when one is עובר the לא of תושב לרדות? בו בפרך?</p> <p>א) It is a שניתק לעשה ב) It is a שניתן לאזהרת מיתת בית דין ג) It is a שאין בו מעשה ד) There is no such לא to be עובר</p>
	<p>11) What is one עובר if he does not give his עבד generous gifts?</p> <p>א) לא תעשה 1 ב) עשה 1 ג) א and ב ד) עשה 1 and לא תעשה 2</p>

סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

(13)

המצוה

ליעדה

To marry an אִמָּה הָעֵבֶרֶתָּה or have his son marry her.

המקור

אֲשֶׁר-לֹא [לוֹ קָרַי] יַעֲדָהּ וְגו' [וְאִם-לְבָנִי יַעֲדָנָהּ] (שמות כ"א:ח-ט)

That he did not marry her himself... [and if he had his son marry her]

ביאור המצוה

It is a מִצְוָה for a master of a Jewish maidservant to either take her for a wife or to give her to his son as a wife.

פרטים באופן קיום המצוה

- ♦ If a man was very poor without even clothing to wear he is permitted to sell his minor daughter, until twelve years old, as a slave in order to survive. Such a girl would be called אִמָּה הָעֵבֶרֶתָּה.
- ♦ A man who buys a Jewish girl as a slave has a מִצְוָה to either marry her himself or wed her to his son, in which case, the son must be at least thirteen years old and give permission for the marriage.
- ♦ One can not designate the girl as a wife for himself or his son unless she agrees to the marriage. (רמב"ם הלכות עבדים ד:ח)

במי נוהגת	מתי נוהגת	היכן נוהגת
Men	When the laws of יוֹבֵל are applicable	In all places



סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

(14)

המצוה

לפדות אמה העבריה

To redeem and set free a Jewish maidservant.

המקור

והפדה (שמות כ"א:ח)

He should assist in her redemption.

ביאור המצוה

A master of a אמה העבריה who does not want to marry her, must do everything in his power to help her be redeemed.

פרטים באופן קיום המצוה

- ♦ If the father's financial situation improves after selling her, it is an obligation on the father to redeem her and for the master to assist in the redemption. If at the time that she was sold she was valued at 60 שקלים and now her value stands at 120 שקלים, he should only demand 10 שקלים per year for each remaining year as per the original selling price. On the other hand, if at the time that she was sold she was valued at 120 שקלים and now her value stands at 60 שקלים, he should demand 10 שקלים per year for each remaining year as per her present value. (רמב"ם הלכות עבדים ב:ח,ט)
- ♦ The הפדה of מצוה takes precedence over the מצוה of יעוד.

היכן נוהגת	מתי נוהגת	במי נוהגת
In all places	When the laws of יוֹבֵל are applicable	All people (men and women)



סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

(15)

המצוה שלא תמכר

An אָמָה הָעֶבְרִיָּה should not be sold by her master.

המקור לֹא־יִמָּשַׁל לְמַכְרָהּ (שמות כ"א:ח)

He shall have no power to sell her.

ביאור המצוה

The master is not permitted to sell the אָמָה הָעֶבְרִיָּה to another individual.

פרטים באופן קיום המצוה

- ♦ The master is not permitted to sell the אָמָה הָעֶבְרִיָּה, or give her as a gift to another person. If he did, the sale or gift is not valid. (רמב"ם הלכות עבדים ד:)
- ♦ This prohibition is only upon the master. The father, however is permitted to sell her a second time if she was freed while she was still a minor. (רמב"ם הלכות עבדים ד:י"ג)

העונש	במי נוהגת	מתי נוהגת	היכן נוהגת
מִלְקוֹת since it is a לֹא נֶשְׂאִין בּוֹ מַעֲשֶׂה	All people (men and women)	When the laws of יוֹבֵל are applicable.	In all places



סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

Questions on Mitzvos 13-15

- 1) Until which age may a girl be sold as an אָמָה עֲבֵרָה? _____
- 2) Who has the authority to sell a girl as an אָמָה עֲבֵרָה? _____
- 3) Under which circumstances may the father sell his daughter as an אָמָה עֲבֵרָה? _____

- 4) In which way can the master assist in the redemption of the אָמָה עֲבֵרָה? _____

- 5) Describe the מצוה of לִיעָדָה? _____

- 6) Under which circumstance would the son not be permitted to marry the אָמָה עֲבֵרָה? _____

- 7) May the father resell the girl as an אָמָה after she has been freed? _____

- 8) If the master paid 90 דִּנָּרִים for the girl and now she is worth 120, how many דִּנָּרִים should he accept after 2 years of work in order to let her go free? _____

	9) Which of the מצוות of אָמָה הָעֲבֵרָה apply only to a male?
	א) לִיעָדָה ב) לְפָדוֹת הָאָמָה הָעֲבֵרָה ג) שְׁלֹא תִמְכֹּר ד) All of the above

	10) If one has the choice of doing one of these two מצוות, which one takes precedence?
	א) לִיעָדָה ב) לְפָדוֹת הָאָמָה הָעֲבֵרָה ג) If makes no difference

סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

	11) The מצוה of העבירה applies
	א) At all times ב) When the laws of שמיטה apply ג) When the laws of יובל ד) Whenever the Jews lived in ארץ ישראל

א'	ב'	ג'
א) מצאנך ומיקבך	Right ear	
ב) אמה העברה Resale of	Auction block	
ג) שלא יצא ריקם	30 סלעים	
ד) After six years	עבד כנעני	
ה) עבודת כרף	Non skilled labor	
ו) Carrying towels to bath-house	לאו שאין בו מעשה	
ז) Selling עבד כנעני	עבד עברי Gift to freed	
ח) עבד עברי Gifts to	Not valid	

סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"יד" שלו)

(16)

המצוה

לְעַבֹד בְּעֶבֶד כְּנַעֲנִי לְעוֹלָם, אֲלֵא אִם כֹּן הִפִּיל לוֹ אֶדְוָנוּ אֶחָד מִרְאשֵׁי אֲבָרָיו

It is a מצוה to keep an עבד כנעני permanently unless the master causes the loss of a tooth or eye or the loss of any part of his limbs.

המקור

לְעֹלָם בָּהֶם תַּעֲבֹדוּ (ויקרא כ"ה):

You shall enslave them forever.

וְכִי־יִכֹּה אִישׁ אֶת־עֵין עַבְדּוֹ וְגו' שֶׁן עַבְדּוֹ וְגו' (שמות כ"א:כ"ו, כ"ז)

And when a man will knock out the eye of his slave... the tooth of his slave...

ביאור המצוה

One who acquires an עבד כנעני should keep him as a slave forever and is not allowed to free him. However, if the master hit him and knocked out an eye, a tooth which will not grow back or any other parts of his major limbs, the עבד כנעני goes free.

פרטים באופן קיום המצוה

- ♦ If one frees an עבד כנעני, although he is עובר the מצוה of לְעוֹלָם בָּהֶם תַּעֲבֹדוּ, the freedom is nevertheless valid. (רמב"ם הלכות עבדים ט"ו)
- ♦ It is permitted to free an עבד כנעני for the sake of a מצוה, even for a מצוה of the חֻקִּים. For example, the master may free his slave if he is needed for a מִנִּין. (רמב"ם הלכות עבדים ט"ו)

היכן נוהגת	מתי נוהגת	במי נוהגת
In all places. **	At all times. The freeing of a slave on account of losing irreplaceable limbs applies only when there is a בֵּית דִּין סְמוּכִים	All people (men and women)



סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

(17)

המצוה

שלא להסגיר עבד שברח מחוצה לארץ לארץ ישראל

ארץ ישראל Not to return an עבד כנעני who has fled from his master from outside of to ארץ ישראל .

המקור

לא-תסגיר עבד אל-אדניו (דברים כ"ג:ט"ז)

You shall not turn over a slave to his master.

ביאור המצוה

ארץ ישראל If an עבד כנעני who was enslaved to an individual who lived outside of fled from his master to ארץ ישראל, it is forbidden to hand him back to his master.

פרטים באופן קיום המצוה

- ♦ The עבד כנעני who fled to ארץ ישראל, his master is required to free him by writing a שטר שחרור. The slave is obligated to give his master a note stating that he will reimburse the master for his value when he has the financial means.
(רמב"ם הלכות עבדים ח"א)
- ♦ The עבד כנעני becomes a גר צדק (רמב"ם הלכות עבדים ח"א)
- ♦ If the master who lives in ארץ ישראל wishes to relocate to a place outside of ארץ ישראל he can not force the עבד כנעני to come along with him. (רמב"ם הלכות עבדים ח"ט)

היכן נוהגת	מתי נוהגת	במי נוהגת
In all places	At all times	All people (men and women)



סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"יד" שלו)

(18)

המצוה

שלא להונות עבד זה הנצל אלינו

Not to taunt or cheat an עבד כנעני who has been saved by fleeing to us.

המקור

עמך ישב...לא תוננו: (דברים כ"ג:י"ז)

He shall dwell with you in your midst, you shall not taunt or cheat him.

ביאור המצוה

It is forbidden to taunt or verbally offend an עבד כנעני who fled to ארץ ישראל, like reminding him in a negative manner about his humble past, etc. (אונאת דברים) nor to cheat or deceive him in financial matters (אונאת קמון).

העונש	במי נוהגת	מתי נוהגת	היכן נוהגת
There is no מלקות since it is a לאו שאין בו מעשה	All people (men and women)	At all times	In ארץ ישראל



סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

Questions on Mitzvos 16-18

- 1) Under which circumstances does an עֶבֶד כְּנַעֲנִי automatically go free? _____

- 2) What job can a master give to an עֶבֶד כְּנַעֲנִי which he can not give to an עֶבֶד עִבְרִי? _____

- 3) Under which circumstances may a master free his עֶבֶד כְּנַעֲנִי? Can you give an example? _____

- 4) [Bonus: Name an עֶבֶד כְּנַעֲנִי that was a Torah scholar and is mentioned in the מִשְׁנֵיאוֹת a number of times? Which תָּנָא was his master? _____

- 5) What is a שְׁטֵר שְׁחֵרוּר? Who gives it to whom? _____

- 6) Which דִּין סְמוּכִים dealing with an עֶבֶד כְּנַעֲנִי can be fulfilled only through a _____

- 7) The prohibition of שְׁלֵא לְהַסְגִּיר הָעֶבֶד applies under which circumstances _____

- 8) When the master frees the עֶבֶד כְּנַעֲנִי that fled to אֶרֶץ יִשְׂרָאֵל, what does the עֶבֶד כְּנַעֲנִי have to do in return? _____
- 9) Where does the שְׁלֵא לְהַסְגִּיר הָעֶבֶד apply? _____

- 10) What is the halachic status of an עֶבֶד כְּנַעֲנִי that is freed? _____
- 11) Under which circumstances would an עֶבֶד כְּנַעֲנִי not have to follow his master when he wants to move to another place? _____
- 12) Are women permitted to remind a freed עֶבֶד כְּנַעֲנִי about his demeaning past? _____

- 13) How many עוֹבֵר is one לֹאִין when verbally wronging an עֶבֶד כְּנַעֲנִי who became free? _____

סדר לימוד התרי"ג מצות

(מיוסד על פי ספר המצות להרמב"ם וה"ד" שלו)

14) How many מצוות (עשה and לא תעשה) are associated with the laws of an עֶבֶד כְּנַעֲנִי? _____

Below you will find the three מצוות associated with an עֶבֶד כְּנַעֲנִי divided into three sections, each section in another row. Draw lines between each row to the proper connecting section in order to get the full wording of the רַמְבַּ"ם .

לְאָרֶץ יִשְׂרָאֵל

עֶבֶד זֶה

לְעִבּוֹד בְּעֶבֶד כְּנַעֲנִי
לְעוֹלָם

הַנָּצַל אֵלֵינוּ

אֵלָּא אִם כֵּן
הָפִיל לוֹ אֲדוֹנָיו

שְׁלֹא לְהַסְגִּיר עֶבֶד

אֶחָד מֵרָאשֵׁי
אֲבָרָיו

שְׁלֹא לְהַסְגִּיר
עֶבֶד

שְׁלֹא לְהוֹנוֹת