

If your brother becomes impoverished with you and is sold to you; you shall not work him with slave labor...you shall not subjugate him through hard labor. (25:39,43)

The Torah includes topics which some members of contemporary society might feel are no longer pertinent. They are wrong. Every word of the Torah has relevance and application **today**, as it did then. In his volume of *divrei Torah* from the *Rosh Yeshivah*, *Horav Avraham Pam, zl*, Rabbi Sholom Smith illustrates how *Rav Pam* applied the laws concerning *eved Ivri*, the Jewish bondsman to contemporary issues.

There are two circumstances in which a Jew would sell himself as a slave to another Jew. In *Parashas Mishpatim* (*Shemos 22:2*), the Torah addresses the *eved* who is *nimkar b'geneivaso*, "he shall be sold for his theft." This was a Jew who was down-and-out and had to feed his family, but had limited opportunities for work. So, he stole to support his family's needs. Part of the *teshuvah*, penance process, is reimbursing the victim. Since the thief had no money, he was sold as a slave. Not *geshmak*, pleasant, but it was steady work that would allow him to repay his debt. In the second situation, the fellow sells himself as a slave because he is extremely poor and does not want to descend to the level of thievery. He seeks job security and becoming a slave means six years of security. Moreover, he is treated more like a master than a slave.

The laws governing the treatment of the Jewish bondsman are very clear: he must be treated with utmost sensitivity and respect. He may neither be asked to perform demeaning work, nor may he be subjugated to hard labor. The term *b'farech*, through hard labor, does not necessarily mean compelling the slave to trudge three miles to the stone quarry and lug back a one hundred pound stone block on his shoulders. *Chazal* define hard labor as purposeless labor, for example: make him boil water when it is not needed; do things that just occupy his time; create senseless tasks that benefit neither the owner nor the slave.

One may wonder why the Torah would demand such consideration for an individual who quite possibly brought his present predicament upon himself. This is an individual who was either a thief or did commerce with *peiros Sheviis*, fruits of the *Shemittah* year. Clearly, this slave was not paradigmatic of Jewish nobility. If anything, his unsavory past has come back to haunt him. The *Sefer HaChinuch* says that we treat the slave with respect to give a message to his master: The wheels of fortune can easily turn. Today, you are a master and he is a slave. Tomorrow, the converse is possible. Therefore, deal kindly with the *eved*. One never knows what tomorrow will bring.

This is a powerful lesson. One does not have to own a slave to recognize the profundity of this message. Regardless of one's position – financial, health, success – it can all change overnight. All it takes is one slip, one mistake, one disgruntled employee or irate parent, and a lifetime of success can become a memory. Consequently, treat everyone appropriately – the same way

you would want to be treated if you were in his position.

The *Rosh Yeshivah* extends the idea of dealing kindly and considerately with those who are “down on their luck” to the way we should treat anyone in our employ – be it in the workplace or at home. We love to take advantage, especially when we are paying for it. We think that if we are paying someone to cook, act as a maid, babysit, and help out with household chores, they belong to us. We all want to get our money’s worth, which at times means subjugating the help to perform unnecessary chores just to occupy their time. We own a business or provide a service which requires the hiring of employees. Consideration of their needs, sensitivity to their emotions, regard for their esteem, and mindfulness of their personal lives are not only the correct and proper thing to do but will also increase their effectiveness and productivity. When people are treated properly, they respond in kind.

Last, the *Rosh Yeshivah* cites *Rabbeinu Yonah* (*Shaarei Teshuvah* 3:60) who says that the prohibition, *Lo sirdeh bo b’farech*, “You shall not subjugate him through hard labor,” has another often overlooked and frightening aspect. One may not make a demand of a person if he knows that this person cannot refuse his request. This is “hard labor.” It happens all of the time. We need something, a favor or even a necessity. We know that if we ask a certain individual he will respond in the affirmative, despite the fact that he neither wants to do this, nor is it something that conforms with his character, position, or status. He will do it only because he owes us; he needs us; he has no *bereirah*, other choice in the matter. This is wrong on our part. Regrettably, we invariably do this – at times unintentionally – without thinking.

We do it as employers, as teachers, as friends and as relatives. Taking advantage of another individual’s debt to us or our elevated status over him is considered “hard labor.” If the Torah admonishes us not to act this way to a bondsman whose past is at best murky, how much more so should we not act this way to a friend, neighbor, employee, student – or anyone for that matter.