

## **“When you will buy a Hebrew servant.” (21:2)**

*Parashas Mishpatim* deals primarily with civil and tort law. It begins with the laws regarding the *eved Ivri*, Hebrew slave. The *Sefer HaChinuch* explains that as a preamble to the laws of social justice, the *Torah* details the laws concerning the *eved Ivri*. We are to derive from here that, in order to achieve the necessary level of sanctity, the citizens of our emerging nation must exemplify compassion and act with kindness towards our fellowman. This begins with the slave whom we are to treat with extreme kindness, according him the respect a descendant of Avraham, Yitzchak and Yaakov deserves. Indeed, *Chazal* teach us that he who purchases a Hebrew slave is actually purchasing a master; so stringent are the laws regarding the self-respect and welfare of a Hebrew slave.

*Horav Eliyahu Lopian, z.l.*, asserts that the master must be sensitive to the *eved's* feelings. At no time should he feel degraded or any less important than his master. If the master has just one pillow, he must give it to the slave, while he sleeps without a pillow. Otherwise, the slave might feel that he is of a lesser stature than his master. In contrast, the master will feel only a lack of physical comfort as a result of not having his pillow. His self-esteem, however, will not be affected. We are to be “*nosei b’ol im chaveiro*,” carry the yoke with our friend, sharing in his physical and emotional pain. There is one area in which the *Torah* seems to distinguish the slave and master. The *Torah* permits the master to give a *shifcha Canaanis*, gentile slave, to a *nimkar b’geneivaso*, slave who is sold because he has stolen. This is enigmatic. Until now, we have gone out of our way to circumvent any negative impact on the slave’s self-esteem. Yet, we permit him to marry a gentile slave for the purpose of producing children who will also be slaves. Is there a more degrading message than this?

*Horav Mordechai Miller, z.l.*, quoted by *Horav Matisyahu Solomon, Shlita*, explains this based upon the *Ralbag's* reasoning for giving a gentile slave to the *eved Ivri*: He says that it will bother him greatly to know that the children which are products of his marriage will not be considered his. He is separated from them when he is liberated.

*Horav Miller* explains that there are two aspects to an act of theft: First, the material loss which the thief incurs for the owner/victim; second, the emotional pain sustained upon losing something to which one has become attached. The thief sometimes validates his act of stealing with the notion that he is poor and the owner is rich (i.e., “He deserves” to have the stolen article). If the thief was sensitive to the owner’s feelings, if he were to feel the pain and anguish that the owner experiences with his loss, then he would not steal. The *Torah*, therefore, gives him something – a wife and children – and then takes them away. Let the thief experience a taste of the bitterness which had been catalyzed by his cowardly act of theft.

The laws of *eved Ivri* are a lesson in *chinuch*, education, to train and refine the Jewish mind and heart, to sensitize them towards one’s fellow man. This underscores the *Torah's* underlying motif – *nosei b’ol im chaveiru*. As Hillel told the *ger*, convert, loving one’s fellowman is the primary

essence of the *Torah*; the rest is explanation – to study (*Torah*). If one is not sensitive to another's needs, he will not comprehend the profundity of *nishmas ha Torah*, the soul of the *Torah*.

To bear the yoke with his fellow is one of the forty-eight levels of achievement that one must attain in order to “acquire” *Torah*, to make it an integral part of himself. To bear the yoke together means one sees and feels everything his fellow does. He shares his burden, senses his pain and suffering, because he has made his friend's plight his own. This profound form of kinship is endemic to the *Torah* world. Veritably, it is one of the basic reasons why the world of *Torah* has endured for so long.