



Adapted from the sefer חמין במוצאי שבת and חדוותא דדעיר אנפין collections of maamarim given by the Tolner Rebbe shlita at Seuda Shlishis and Melave Malka

תשנ"ט Melave Malka Parshas Re'eh

In our *parshah*, we find the Mitzvah of *haanakah* (gifts which the master must give to an *eved ivri*, or an *amah ha'ivriah* when they leave his service.

כִּי יִמְכַר לָךְ אֶחִידָה הָעֶבְרִי אוֹ הָעֶבְרִיָּה וַעֲבָדְךָ שֵׁשׁ שָׁנִים וּבִשְׁנָה הַשְּׁבִיעִית תְּשַׁלְּחֶנּוּ חֲפָשִׁי מֵעִמָּךְ. הָעֲנִיק תַּעֲנִיק לוֹ מִצֵּאֲנֶךָ וּמִגִּרְנֶךָ וּמִיִּקְבֶּךָ אֲשֶׁר בָּרַכְךָ ה' אֱלֹקֶיךָ וַתֵּתֶן לוֹ (דברים ט"ו:י"ג – י"ד)

“When your brother an *ivri* or an *ivriya* is sold to you, he will serve you for six years and in the seventh year, you will send him away from you in freedom. You shall give him gifts. From your sheep and your grain, and your wine that Hashem has blessed you with, shall you give him.”

The requirement of *haanakah* applies only to an *eved* who has stolen and been sold by *Beis Din* in order pay back what he stole. It doesn't apply to someone who voluntarily sold himself into servitude. (Rambam Hilchos Avadim 3:12)

The thief who is sold into servitude by *beis din*, isn't guilty of petty theft. If we examine the details of the *halachah*, it's clear that he must have stolen a very significant amount of money. The Rambam, (Hilchos Avadim 2:2) states that *Beis Din* never sells a thief for a period of servitude that is less than six years. Once sold, the *eved* or *amah* must serve their master day and night.

This means that the thief stole an amount that is equivalent to the salary of a worker who serves you day and night for six years. If we want to



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have some concept of how much was stolen, we should think about how much it costs to hire cleaning help. Each hour costs a significant amount. If we multiply that by twenty-four, and multiply that by three hundred and sixty-five days for six years, we come out with a very large amount.

The *halachah* also states that if the thief still has in his possession even a small amount of what he stole, he is not sold into servitude. Therefore, if *Beis Din* is required to sell him, it means that in a very brief period of time, *he spent every penny of the vast sum that he stole!*

We can reconstruct the timeline. It stands to reason that he was brought to *Beis Din* soon after the theft. He can only be sold if two witnesses testified that they saw the theft. Two people who witness a theft usually report the crime as soon as possible. The thief was probably apprehended and judged by *Beis Din* soon after that.

Putting all of these pieces together, we can describe the criminal who is sold by *Beis Din*. He isn't a petty thief who stole a small amount in order to buy food for himself or his family. He is a sophisticated thief who planned a major robbery. He then squandered it in an uninhibited spending spree as described by Yeshayahu (ישע' כ"ב:י"ג) אָכּוּל וְשָׁתוּ כִּי מָחָר נָמוּת (Eat and drink for tomorrow we shall die).

The Torah also tells us that if the thief has a wife and children, they also go free at the end of six years. In other words, the thief could have been a family man who cared nothing about the shame and suffering that his wife and children would have to endure as a result of his criminal behavior.

Even though the thief sold by *Beis Din* is a cruel, irresponsible criminal, the Torah safeguards his *kavod*. As the Rambam states (Hilchos Avadim 1:5) "He is not sold in public on the block, and not in an alley as other slaves are sold, for the *pasuk* says, (Vayikra 25:42) לֹא יִמָּכְרוּ מִמִּכְרֵת עֶבֶד (They should not be sold in the manner that slaves are sold). Instead, they are sold privately, in an honorable manner).



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Even more so, the master who purchases the service of this *eved* can't force him to perform עבודת פרך, denigrating tasks. He also has to support the thief's wife and children throughout the period of servitude. The Torah obligates the master to care for his servant to an extent that we would never have imagined. The Gemara in Kidushin (כ.) says;

“כִּי טוֹב לוֹ עִמָּךְ (Devarim 15:17) (For it is good for him with you) - With you in food, with you in drink. You should not eat white bread while he eats coarse bread. You should not drink old wine while he drinks new wine. You shouldn't sleep on a soft mattress while he sleeps on straw. This is why they say, 'When one buys an *eved ivri*, it is as if he bought a master for himself.'”

Now, after the *eved* has completed his years of service, the Torah goes even further, and commands the master to bestow gifts upon him before he leaves! As we mentioned above, this obligation applies only to a thief who was sold by Beis Din, and not to someone who sold himself into servitude.

This man transgressed the Torah's commandment that forbids theft. The magnitude of his theft makes it clear that he wasn't motivated by a desperate need to feed his family. He recklessly wasted all that he stole. Despite the magnitude of his iniquity, the Torah commands us to shower him with gifts at the end of his servitude.

On the other hand, a person who sold himself into servitude because he had no other way to feed himself and his family, receives no gifts at the end of his service. How can we explain this discrepancy?

A possible explanation could be based on the understanding that a thief sold into slavery by *Beis Din* suffers great embarrassment. In the *halachos* of damages, the Torah ascribes monetary value to embarrassment. Someone who embarrasses another Jew has to compensate him with a sum that is commensurate to the בושת.



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In our case, the Torah commands the master to send out the *eved* with gifts in order to compensate him for the embarrassment that he suffered when he was sold. (Even though the sale was mandated by the Torah).

Someone who sells himself into servitude in order to provide for his family doesn't suffer the same embarrassment. He made a difficult and honorable choice in order to avoid debt, and to take care of his wife and children. Therefore, in his case, the Torah doesn't command his master to provide him with gifts at the end of his servitude.

These *halachos* teach us the severity of embarrassing another Jew. If the Torah commands us to remember that even a despicable thief hasn't lost all of his integral value. He is still a Jew, and like every Jew, he contains a *nekudah* of light that has the potential to illuminate the world like the sun and the moon. The Mitzvah of *haanakah* reminds us to see this light in every Jew.

We also learn from these *halachos*, how seriously the Torah views the damage caused by embarrassment. If the *mitzvah* of *haanakah* is meant to compensate a thief for the embarrassment he suffered when Beis Din sold him as the Torah commanded, doesn't it also warn us to be exceedingly careful not to embarrass innocent Jews?

We are approaching the month of Elul, which we should view as a gift from Hakadosh Baruch Hu that enables us to do *teshuvah* before the next year. As part of our introspection, we should try to remember if we embarrassed anyone, and if we did, try to appease them until they are no longer upset with us. If we succeed, we will approach Rosh Hashanah in a state of cleanliness and purity.

Matters of *Bein Adam L'chaveiro* are extremely serious. In *Maseches Yoma* we learn that Yom Kippur doesn't atone for *aveiros bein adam l'chaveiro*. No one is exempt from judgement. How many people who were with us last Rosh Hashanah are no longer with us? Anyone who has a



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brain in his head should prepare himself and his soul properly for the Day of Judgement, by doing *teshuvah* for transgressions *bein adam la'makom*, and *bein adam l'chaveiro*. Then, we will be able to fulfill the *pasuk* in Nechemia, (ח"י: "וְאַל תֵּעָצֵבוּ כִּי חֲדָוֹת יְהוָה הִיא מְעַזְכֶּם") (Don't be sad (on Rosh Hashanah), for the joy of Hashem is your strength.)

ונזכה שתכלה שנה וקללותיה, תחל שנה וברכותיה, כתיבה וחתימה טובה אכי"ר



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