

## MITZVOT 481 AND 482: TO NOT SEND A SERVANT AWAY EMPTY HANDED

### SEFER HACHINUCH 481

שלא לשלח עבד עברי ריקם - שלא נוציא עבד עברי בידיים רקניות מעבודתו כשיוצא בן חורין לסוף שש שנים, אבל נעניקהו מהוננו על כל פנים, ועל זה נאמר (דברים טו יג) וכי תשלחנו חפשי מעמך לא תשלחנו ריקם.

To not send a Hebrew slave empty: That we not release a Hebrew slave with empty hands from our servitude when he goes out to freedom at the end of six years, but rather that we endow him from our wealth. And about this is it stated (Deuteronomy 15:13), "When you send him free, do not send him empty." From the roots of this commandment, all of its content and the place of its elucidation are [all] written in the positive commandment of endowment in this Order (Sefer HaChinukh 482).

### SEFER HACHINUCH 482

להעניק לו בצאתו לחפשי - לתת ממה שיש לנו לעבד עברי בזמן שיצא מתחת ידינו לחרות ולא נשלחנו בידיים ריקניות, ועל זה נאמר (דברים טו יד) הענק תעניק לו מצאנך ומגרנך ומיקבך אשר ברכך יי אלהיך תתן לו

To endow him upon his leaving to freedom: To give from what we have to the Hebrew slave at the time that he leaves from under our hand to freedom, and we should not send him empty-handed. And about this is it stated (Deuteronomy 15:14), "You shall surely endow him; from your flock and from your threshing floor and from your vat that the Lord, your God, has blessed you, shall you give to him."

It is from the roots of the commandment [that it is] in order that we acquire for our souls virtuous, dear and beautiful traits; [such that] with a dear and virtuous soul, we will merit the good - and the good God wants to do good for His people. And it is our glory and our splendor that we should have mercy upon the one who served us, and that we give from what is ours as a rite of kindness - besides that which we have stipulated with him to give him his wage. And it is a rational thing - there is no need to be lengthy about it.

From the laws of the commandment ... behold we endow these, but with the subtracting of money [that allows him to leave mid-term], we do not endow them, as it is stated (Deuteronomy 15:13), "When you send him free," and this one he did not send, but rather the slave caused it with the giving of money that he should leave from under his hand; so [too,] that which they, may their memory be blessed, expounded (Kiddushin 17a) about that which the verse mentioned flock, threshing floor and vat, that it is with things that have blessing on their own that a man is obligated to endow them, but not [with] monies and clothing; that which they, may their memory be blessed, said (Kiddushin 17a) that we do not reduce [the endowment] below thirty sela; that he is obligated to endow him whether the homeowner was blessed on his account or not blessed; [that] the endowment of the slave is for himself, and that [the slave's] creditor does not collect from it; and the rest of its details - are [all] elucidated in the first chapter of Kiddushin.

And this commandment is practiced by males and females at the time of the [Temple], as the law of a Hebrew slave is only practiced at the time that the Jubilee is practiced ... nonetheless, even at this time, 'the wise man listens and adds insight' - such that if he employed someone from the children of Israel and he served him for a long time or even a short time, he should endow him with that which God blessed him when he leaves him.

וְלִיבְלוֹת יוֹבְלוֹת בְּאֶחָד בְּתִשְׁרֵי הוּא יוֹבְלוֹת בְּעֶשְׂרֵה בְּתִשְׁרֵי הוּא דְכָתִיב בַּיּוֹם הַכְּפוּרִים תַּעֲבִירוּ שׁוֹפָר

§ The mishna teaches: The first of Tishrei is also the New Year for Jubilee Years. The Gemara asks: Is the New Year for Jubilee Years on the first of Tishrei? Isn't the New Year for Jubilee Years on the tenth of Tishrei, Yom Kippur? As it is written: "Then shall you cause the shofar to sound on the tenth day of the seventh month, on Yom Kippur shall you sound the shofar throughout all your land. And you shall hallow the fiftieth year, and proclaim liberty throughout all the land to all its inhabitants; it shall be a Jubilee for you" (Leviticus 25:9–10).

הָא מִנֵּי רַבִּי יִשְׁמַעֵאל בְּנוֹ שְׁל רַבִּי יוֹחָנָן בֶּן בְּרוֹקָא הִיא דְתַנָּא וְקִדְשָׁתָם אֶת שְׁנַת הַחֲמִשִּׁים שָׁנָה מָה תִּלְמוּד לומר לְפִי שְׁנָאָמַר בַּיּוֹם הַכְּפוּרִים יָכוֹל לֹא תִהְיֶה מִתְקַדְּשֶׁת אֲלָא מִיּוֹם הַכְּפוּרִים וְאֵילָךְ תִּלְמוּד לומר וְקִדְשָׁתָם אֶת שְׁנַת הַחֲמִשִּׁים מִלְּמַד שְׁמִתְקַדְּשֶׁת וְהוֹלֶכֶת מִתְחִילָתָהּ

The Gemara answers: In accordance with whose opinion is this mishna? It is the opinion of Rabbi Yishmael, son of Rabbi Yoḥanan ben Beroka, as it is taught in a baraita: What is the meaning when the verse states: "And you shall hallow the fiftieth year"? Since it is stated that the shofar is blown "on Yom Kippur," one might have thought that the year is sanctified only from Yom Kippur and onward. Therefore, the verse states: "And you shall hallow the fiftieth year," which teaches that the year is sanctified from its beginning onward, from the first of Tishrei, when the year begins.

מִכָּאן אָמַר רַבִּי יִשְׁמַעֵאל בְּנוֹ שְׁל רַבִּי יוֹחָנָן בֶּן בְּרוֹקָא מֵרֵאשׁ הַשָּׁנָה עַד יוֹם הַכְּפוּרִים לֹא הָיוּ עֲבָדִים נִפְטָרִין לְבִתְיָהּ וְלֹא מִשְׁתַּעֲבָדִין לְאֲדוֹנֵיהֶם אֲלָא אוֹכְלִין וְשׁוֹתִין וְשִׂמְחִין וְעֵטְרוֹתֵיהֶן בְּרֵאשִׁיָּהּ כִּיּוֹן שֶׁהִגִּיעַ יוֹם הַכְּפוּרִים תִּקְעוּ בֵּית דִּין בְּשׁוֹפָר נִפְטָרוּ עֲבָדִים לְבִתְיָהּ וְשָׂדוֹת חוֹזְרוֹת לְבַעֲלֵיהֶן

From here, Rabbi Yishmael, son of Rabbi Yoḥanan ben Beroka, said: From Rosh HaShana until Yom Kippur of the Jubilee Year, Hebrew slaves were not released to their homes because the shofar had not yet been sounded. And they were also not enslaved to their masters, as the Jubilee Year had already begun. Rather, they would eat, drink, and rejoice, and they would wear their crowns on their heads like free people. Once Yom Kippur arrived, the court would sound the shofar, slaves would be released to their houses, and fields that were sold would be returned to their original owners.

## ריטב"א

ועטרותיהן בראשיהן. לאו דוקא אלא לומר שאינן משתעבדין כלל והולכין כדרך בני חורין

## בניהו (בן איש חי)

מֵרֵאשׁ הַשָּׁנָה עַד יוֹם הַכְּפוּרִים לֹא הָיוּ עֲבָדִים נִפְטָרִים לְבִתְיָהּ, וְלֹא מִשְׁתַּעֲבָדִים לְאֲדוֹנֵיהֶם. נִרְאֶה לִּי בִּסְ"ד עַל דֶּרֶךְ זֶה הִיְתָה הַחִירוֹת וְהַגְּאוּלָּה לְיִשְׂרָאֵל בִּיצִיאַת מִצְרַיִם כִּי בִּרְאשׁ הַשָּׁנָה פִּסְקָה הָעֲבוּדָה מֵאֲבוֹתֵינוּ וּבְנִיּוֹן יִצְאוּ מִמִּצְרַיִם, נִמְצָא מִתְשָׂרֵי עַד ט"ו נִיּוֹן לֹא נִפְטְרוּ וַיִּצְאוּ לְחִירוֹת שְׁלִימָה מִמִּצְרַיִם אֲלָא עוֹדֵם בְּמִצְרַיִם אַךְ לֹא הָיוּ מִשׁוּעֲבָדִים שָׁם, וְכִיּוֹצֵא בְּזֶה יִהְיֶה לְעֵתִיד בְּגִאוּלָּה הָעֵתִידָה לְהִיּוֹת בְּב"א [בְּמַהֲרָה בְּיָמֵינוּ אֲמֵן] דְּכַמָּה שָׁנִים קוֹדֵם הַגְּאוּלָּה יִהְיֶה חִירוֹת לְיִשְׂרָאֵל חִזְקָה בְּכַמָּה דְּבָרִים שִׁיְהִיָּה לָהֶם מַעֲלָה וְכַבּוּד כְּאֵלוֹ הֵם בְּנֵי מַלְכִים, וְגַם לֹא יִהְיוּ נִגְאָלִין לְגַמְרֵי וְכִשְׂבָּא מֶלֶךְ הַמִּשְׁיָח בְּב"א יִהְיֶה חִירוֹת מִמֶּשׁ וְיִהְיוּ יִשְׂרָאֵל מַלְכִים וְיִשׁוּבוּ לְאַרְצָם וְלִמְוֹלָדָתָם הִיא אֶרֶץ יִשְׂרָאֵל

וְלִיכְתוּב רַחֲמֵנָא בְּשׁוֹפָר וְלִיתוּ הִנֵּה וְלִיגְמְרוּ מִיְבִיָּה! מִתְקִיעַת שׁוֹפָר דְּרֵאשׁ הַשָּׁנָה לִיכָא לְמִיגְמַר — שְׂכָן מִכְנָסַת  
זְכָרוֹנוֹת שֶׁל יִשְׂרָאֵל לְאַבְיָהֶן שְׁבַשְׁמִימִים. מִתְקִיעָה דְיוֹם הַכַּפּוּרִים לִיכָא לְמִיגְמַר — דְאָמַר מָר: תְּקַעוּ בַּיַּת דִּין שׁוֹפָר,  
נִפְטְרוּ עֲבָדִים לְבִתְיָהֶם וְשָׂדוֹת חוֹזְרוֹת לְבַעֲלֵיהֶן.

The Gemara asks: And according to Rabbi Eliezer's approach, let the Torah write this principle only with regard to shofar, and let us bring these other mitzvot and derive their halakhot from shofar. The Gemara answers: From the sounding of the shofar of Rosh HaShana, the principle that actions that facilitate the performance of a mitzva override Shabbat cannot be derived, because it has special significance in that it introduces the remembrances of the Jewish people before their Father in heaven. From the sounding of the shofar of Yom Kippur, the principle that actions that facilitate the performance of a mitzva override Shabbat cannot be derived, as this shofar sounding also has special significance, as the Master said: Once the court sounds the shofar on Yom Kippur in the Jubilee Year, the declaration of freedom applies at once. Slaves may take leave of their masters and go to their homes, and fields that had been sold return to their ancestral owners. Therefore, other mitzvot cannot be derived from the sounding of the shofar of Yom Kippur.

ROSH HASHANA 11 – 12

בְּרֵאשׁ הַשָּׁנָה בְּטֵלָה עֲבוּדָה מֵאַבוֹתֵינוּ בְּמִצְרַיִם בְּנִסָּן נִגְאָלוּ בְּתִשְׁרֵי עֲתִידִין לִיגְאָל

on Rosh HaShana our forefathers' slavery in Egypt ceased; in Nisan the Jewish people were redeemed from Egypt; and in Tishrei in the future the Jewish people will be redeemed in the final redemption with the coming of the Messiah.

#### תוספות

בראש השנה בטלה עבודה מאבותינו במצרים. רבי יהושע מודה בהא ברוב ספרים ואע"פ שהתחילו המכות מניסן דמשפט המצרים י"ב חדש כדתנן בעדיות (פ"ב משנה י') מ"מ לא פסקה עבודה עד תשרי

RAMBAM, MISHNEH TORAH, HILCHOT TESHUVA, CHAPTER 7

וְאֵל יִדְמָה אָדָם בְּעַל תְּשׁוּבָה שֶׁהוּא מְרַחֵק מִמַּעֲלַת הַצְּדִיקִים מִפְּנֵי הַעֲוֹנוֹת וְהַחֲטָאוֹת שֶׁעָשָׂה. אֵין הַדָּבָר כֵּן אֶלָּא  
אֲהוּב וְנִחְמַד הוּא לְפָנָי הַבּוֹרָא כְּאֵלוֹ לֹא חָטָא מֵעוֹלָם. וְלֹא עוֹד אֶלָּא שֶׁשָּׂכְרוּ הַרְבֵּה שְׁהָרִי טַעַם טַעַם הַחֲטָא וּפְרַשׁ  
מִמֶּנּוּ וְכַבֵּשׁ יִצְרוֹ. אָמְרוּ חֲכָמִים מְקוֹם שֶׁבַעֲלִי תְשׁוּבָה עוֹמְדִין אֵין צְדִיקִים גְּמוּרִין יְכוּלִין לַעֲמֹד בּוֹ. כְּלוּמַר מַעֲלַתְּן גְּדוּלָה  
מִמַּעֲלַת אֵלוֹ שֶׁלֹּא חָטָאוּ מֵעוֹלָם מִפְּנֵי שֶׁהֵן כּוֹבְשִׁים יִצְרָם יוֹתֵר מֵהֶם

וְחָטָא גְמוּר הוּא לומר לבעל תשובה זכר מעשיך הראשונים או להזכירן לפניו כדי לביישו. או להזכיר דברים וענינים  
הדומין להם כדי להזכירו מה עשה. הכל אסור ומזקה עליו בכלל הונת דברים שהזהירה תורה עליה שנאמר  
:"(ויקרא כה יז) "ולא תונו איש את עמיתו