



The Mitzvah to be Free, The Freedom in Mitzvot

1.	Shmot 21	שמות כ"א
	<p>1. And these are the ordinances that you shall set before them.</p> <p>2Should you buy a Hebrew slave, he shall work [for] six years, and in the seventh [year], he shall go out to freedom without charge.</p> <p>3If he comes [in] alone, he shall go out alone; if he is a married man, his wife shall go out with him.</p> <p>4If his master gives him a wife, and she bears him sons or daughters, the woman and her children shall belong to her master, and he shall go out alone.</p> <p>5But if the slave says, "I love my master, my wife, and my children. I will not go free,"</p> <p>6his master shall bring him to the judges, and he shall bring him to the door or to the doorpost, and his master shall bore his ear with an awl, and he shall serve him forever.</p> <p>12One who strikes a man so that he dies shall surely be put to death.</p> <p>13But one who did not stalk [him], but God brought [it] about into his hand, I will make a place for you to which he shall flee.</p> <p>14But if a man plots deliberately against his friend to slay him with cunning, [even] from My altar you shall take him to die</p> <p>15And one who strikes his father or his mother shall surely be put to death.</p> <p>16And whoever kidnaps a man and sells him, and he is found in his possession, shall surely be put to death.</p> <p>17And one who curses his father or his mother shall surely be put to death.</p> <p>18And if men quarrel, and one strikes the other with a stone or with a fist, and he strikes the other with a stone or with does not die but is confined to [his] bed,</p> <p>19if he gets up and walks about outside on his support, the assailant shall be cleared; he shall give only [payment] for his [enforced] idleness, and he shall provide for his cure.</p>	<p>א ואלה, המשפטים, אשר תשים, לפניהם. ב. כי תקנה עבד עברי, שש שנים יעבד; ובשבעת--יצא לחפשי, חנם. ג. אם בגפו יבא, בגפו יצא; אם-בעל אשה הוא, ויצאה אשתו עמו. ד. אם-אדניו יתן-לו אשה, וילדה-לו בנים או בנות--האשה וילדיה, תהיה לאדניה, והוא, יצא בגפו. ה. ואם-אמר יאמר, העבד, אהבתי את-אדני, את-אשתי ואת-בני; לא יצא, חפשי. ו. והגישו אדניו, אל-האלהים, והגישו אל-הדלת, או אל-המזוזה; ורצע אדניו את-אזנו במרצע, ועבדו לעלם. ז. יב מכה איש ומת, מות יומת. יג. ואשר לא צדה, והאלהים אנה לידו--ושמתי לך מקום, אשר ינוס שמה. יד. ויזד איש על-רעהו, להרגו בערמה--מעם מזבחי, תקחנו למות. טו. ומכה אביו ואמו, מות יומת. טז. וגנב איש ומקרו ונמצא בידו, מות יומת. יז. ומקלל אביו ואמו, מות יומת. יח. וכי-יריב אנשים--והכה איש את-רעהו, באבן או באגרף; ולא ימות, ונפל למשקב. יט. אם-יקום והתהלך בחוץ, על-משענתו--ונקה המכה: רק שבתו יתן, ורפא ורפא.</p>

The Mitzvah to be Free, The Freedom in Mitzvot

רמב"ן – פירוש לספר שמות כא, ב

כי תקנה עבד עברי" - התחיל המשפט הראשון בעבד עברי, מפני שיש בשילוח " העבד בשנה השביעית זכר ליציאת מצרים הנזכר בדבור הראשון....

ויש בה עוד זכר למעשה בראשית כשבת, כי השנה השביעית לעבד שבתון ממלאכת אדונו כיום השביעי. ויש בה עוד שביעי בשנים שהוא היובל. כי השביעי נבחר בימים ובשנים ובשמיטות, והכול לעניין אחד: והוא סוד ימות העולם מבראשית עד "ויכלו". ולכן המצווה הזאת ראויה להקדים אותה שהיא נכבדת מאד, רומזת דברים גדולים במעשה בראשי.

ולכך החמיר בה הנביא מאד, ואמר, "אנכי כרתי ברית את אבותיכם מקץ שבע שנים תשלחו איש את עבדו ואיש את שפחתו" (ירמיה לד, יג - יד), וגזר בעבורה הגלות (שם, יז -כב) כאשר תגזור התורה גלות על שמטת הארץ (ויקרא כו לד - לה)...

וכאשר השלים משפט המצווה הזאת בעבדים העברים, החל במשפט לא תרצו שהיא החמורה, ובכבוד האבות, ובלא תגנוב, וחזר למשפט מכה איש בלי שימות בה, ואחרי כן לרציחת העבד שהיא חמורה ממיתת הולדות, ואחרי כן לאברי הישראלים והעבדים, ואחרי כן לנזקי הבהמות במיתה וכל הפרשיות בסדור ובכוונה נכונה.

Chavel Translation

2. IF THOU BUY A HEBREW SERVANT. G-d began the first ordinance with the subject of a Hebrew servant, because the liberation of the servant in the seventh year contains a remembrance of the departure from Egypt which is mentioned in the first commandment, just as He said on it, *And thou shalt remember that thou wast a bondman in the land of Egypt, and the Eternal thy G-d redeemed thee; therefore I command thee this thing today.*²¹ It also contains a remembrance of the creation, just as the Sabbath does, for the seventh year signals to a servant a complete rest from the work of his master, just as the seventh day of the week does. There is in addition a 'seventh' amongst the years, which is the jubilee, for seven is the chosen of the days [to be the Sabbath], and of the years [to be the Sabbatical year], and of the [seven] Sabbaticals [to be the jubilee]; and they all point

The Mitzvah to be Free, The Freedom in Mitzvot

to one subject, namely, the secret of the days of the world – from *bereshith* (*in the beginning*) till *vayechulu* (*and they were finished*).²² Therefore this commandment deserved to be mentioned first, because of its extreme importance, alluding as it does to great things in the process of creation.²³ This is why the prophet Jeremiah was very stringent about it and said, *Thus saith the Eternal, the G-d of Israel: I made a covenant with your fathers;*²⁴ *At the end of the seven years ye shall let go every one his manservant, and every one his maidservant.*²⁵ And on account of its violation, G-d decreed the exile,²⁶ just as the Torah decreed exile for the Sabbatical rest of the land which was not observed,²⁷ as I will yet write,²⁸ with the help of the Rock.

When He finished stating the ordinance of this [first] commandment as it applies to Hebrew servants, He began the ordinance of the commandment, *Thou shalt not murder,*²⁹ since it is the worst [sin] and then [He stated the ordinances of the commandments] to honor one's parents, and of *Thou shalt not steal,*²⁹ and then He went back to the ordinance of one who smites his fellow-man but did not kill him,³⁰ and then to the murder of a bondman, which is worse than the killing of an offspring,³¹ and after that to [injury to] the limbs of Israelites

and bondmen,³² and then to cases of death inflicted by cattle which cause injury.³³ All the sections are thus arranged in logical sequence and in proper order.

3. Rabbi Prof. Eliezer Berkovits, *Crisis and Faith*, 1976, section 2, The Personal Life, chapter 4, Meaning, Value and Person pp. 45 - 47

The Mitzvah to be Free, The Freedom in Mitzvot

3. Rabbi Prof. Eliezer Berkovits, *Crisis and Faith*, 1976, section 2, The Personal Life, chapter 4, Meaning, Value and Person pp. 45 - 47

When modern man seeks meaning in his life, he usually thinks of self-realization or self-fulfillment. Very often, however, self-realization becomes a form of depersonalization. What is the self?... That what is complete within itself knows nothing of the desire for self-realization or the drive for self-fulfillment. A tree, for instance, knows nothing of self-realization... It is complete in itself... It is fully comprehended in each now; fully realized in its momentary existence.

To strive for self-realization presupposes freedom. One must be free to choose among different courses of action the one that will lead to self-fulfillment. But freedom is a possibility of being, i. e. a form of non-being, something yet to-be, a not-yet. What is complete within itself has no freedom, it is already realized.

Thus, the self is forever unfinished, is always what it may be. By way of its freedom the not-yet is incorporated in every Now of the Self. Its Now is open ended; it is in anticipation of the future. The not-yet is ever present in the life of the Self. Because of the element of freedom that is part of his destiny, man's presence is expectation. What does he expect? Himself!!

In freedom man reaches out towards the not-yet of his being for selfhood. The self of the moment is the self that has to be transcended in order that man may come more richly and more authentically to himself.

If one accepts the moment-self as the authentic one, one should not really speak of self-realization. The self of the moment is already realized. In this case the self-fulfillment can only mean living completely in a Now that has lost its open-endedness toward the future.

When God addressed Adam and gave him the first commandment, He called him from the innocence of completed "thinghood" in an eternal Now into the personal reality of the not-yet, and revealed to him human freedom as the source of responsibility.

Only because man is forever not-yet, because his humanity consists in self-transcendence, can he be the recipient of Divine commandments. Responsibility is the freedom of self-transcendence. Only because of that could man be entrusted with revelation of God's word for him.

If then man seeks for the specific meaning of his individual existence in "self-realization" within the process of self-transcendence, forever breaking out of the of the imprisoning Now along the road, he may be granted to hear the Word, guiding him to his own personal self-transcending destiny.