

The Millie Arbesfeld
Midreshet Yom Rishon
Sunday Morning Learning Program for Women

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**Great Debates in
Jewish History:
Rabbis, Slavery and the
Civil War**



Ms. Sarah Gordon.
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Great Debates in Jewish History:

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Midreshet Yom Rishon

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1. Rabbi Morris Jacob Raphall, Bnei Yeshurun Synagogue, NY, 1861
“The Biblical View on Slavery”

I. I have been requested by prominent citizens... that I should on this day examine the Bible view of slavery, as the religious mind of the country requires to be enlightened on the subject... My investigation falls into three parts: First, how far back can we trace the existence of slavery? Secondly, is slaveholding condemned as a sin in sacred Scripture? Thirdly, what was the condition of the slave in Biblical times?

II. Having thus traced slavery back to the remotest period, I next request our attention to the question, “Is slaveholding a sin in sacred Scripture”... **Even on that most solemn and most holy occasion, slaveholding is not only recognized and sanctioned as an integral part of the social structure, when it is commanded that the Sabbath of the Lord is to bring rest to *Avdecha ve’Amasecha*, “Thy male slave and thy female slave” (Exod. 20:10, Deut. 5:15)...**

III. How dare you, in the face of the sanction and protection afforded to slave property in the Ten Commandments – **how dare you denounce slaveholding as a sin? When you remember that Abraham, Isaac, Jacob, Job- the men with whom the Almighty conversed**, with whose names he emphatically connects his own most holy name and to whom He vouchsafed to give the character of “perfect, upright, fearing G-d and eschewing evil” (Job 1:8) – **that all these men were slaveholders, does it not strike you that you are guilty of something very little short of blasphemy? And if you answer me, “Oh, in their time slaveholding was lawful, but now it has become a sin,” I in my turn ask you, “When and by what authority you draw the line?” Tell us the precise time when slaveholding ceased to be permitted and became sinful?**

IV. When we remember the mischief which this inventing a new sin, not known in the Bible, is causing; how it has exasperated the feelings of the South and alarmed the conscience of the North, to a degree that men who should be brothers are on the point of imbruing their hands in each other’s blood, are we not entitled to ask... **“What right have you to insult and exasperate thousands of G-d-fearing, law abiding citizens, whose moral worth and patriotism, whose purity of conscience and of life are equal to your own?**

V. I am sorry to find that I am delivering a pro-slavery discourse. **I am no friend to slavery...and still less friendly to the practical working of slavery.** But I stand here as a teacher in Israel; not to place before you my own feelings and opinions, but to propound to you the word of G-d, the Bible view of slavery.

VI. It remains for me now to examine what was the condition of the slave in Biblical times and amongst the Hebrews. And here at once we must distinguish between the Hebrew bondman and the heathen slave. The former could only be reduced to bondage from two causes, if he had committed theft and had not wherewithal to make full restitution, he was “sold for his theft” (Ex. 22:3), or if he became so miserably poor that he could not sustain life except by begging, he had permission to “sell” himself into servitude (Levit. 25:39).

But in either case, his servitude was limited in duration and character...it took care that during his servitude his mind should not be crushed to the cringing condition of the slave. Thus he is fenced round with protection against any abuse... and tradition so strictly interprets the letter of the law in his favor, that it was a common saying which Maimonides has preserved for us that "he who buys an Hebrew bondsman gets himself a master". **In fact, between the Hebrew bondman and the Southern slave there is no point of resemblance.**

VII. This indeed is the great distinction which the Bible view of slavery derives from its divine source. **The slave is a person in whom the dignity of human nature is to be respected; he has rights. Whereas the heathen view of slavery which prevailed at Rome, and which, I am sorry to say is adopted in the South, reduces a slave to a thing, and a thing can have no rights.** The result to which the Bible view of slavery leads us, is first, that slavery has existed since the earliest of time. 2 – that slaveholding is no sin and that slave property is expressly placed under the protection of the 10 commandments. 3- That the slave is a person and has rights not conflicting with the lawful exercise of the rights of his owner.

VIII. If our Northern fellow-citizens, content with following the word of G-d, would not insist on being "righteous overmuch" or denouncing "sin" which the Bible knows not... they would entertain more equity and less ill feeling towards their Southern brethren. And if our Southern fellow citizens would adopt the Bible view of slavery and discard the heathen slave code, which permits a few bad men to indulge in an abuse of power that throws a disgrace on the whole body of slaveholders – **if both North and South would do what is right – then G-d... would mercifully avert the impending evil,** for with Him alone is the power to do so.

IX. ...**And above all things, Lord merciful and gracious, avert the calamity of civil war from our midst...** If Thy hast decreed that this vast commonwealth which has risen under Thy blessing shall now be separated, then we beseech Thee that the separation be peaceable; that no human blood may be shed and that the canopy of Thy peace may still remain spread over all the land.... Amen.

2. Michael Heilprin (New York)

Anti-Slavery Editorial, New York Tribune, 1861.

I. I had read similar nonsense hundreds of times before...still, being a Jew myself, I felt outraged by the sacrilegious words of the Rabbi. Have we not had enough of the "reproach of Egypt"? **Must the stigma of Egyptian principles be fastened on the people of Israel by Israelitish lips themselves?** Shall the enlightened and humane of this country ask each other, "Are these the people of G-d, who have come from His land?"

II.... **Lastly, there is nothing sufficient to fasten "the reproach of Egypt" on the law of the great fugitive slave, who inaugurated his divine mission as liberator of a people of slaves by slaying one of their overseers and who to the end of his career, repeated over and over again, "Forget not that ye have been slaves in Egypt".** "An eye for an eye" is written in the plainest of words in the same law; still you hold with all the Talmudists, that this is not to be understood literally.

IV. For these Rabbis wisely understood that there are numerous things to be explained, or explained away in our Scriptures, which, though pervaded by a divine spirit of truth, justice and mercy, they found to contain much that may be called contradictory, unjust and even barbarous. **And they know that much was yielded by the law of Moses to the stubborn passions of man, of his people of freed slaves, and of his time. You know the Talmudical “Lo dibberah Torah keneged yetzer hara”, “the law does not ignore the evil instinct”.**

3. Rabbi David Einhorn, Baltimore, 1861

Response to Raphall, Published in “Sinai” Journal (Volume 6).

I. **The question exclusively to be decided is whether Scripture merely tolerates this institution as an evil not to be disregarded, and therefore infuses in its legislation a mild spirit gradually to lead to its dissolution, or whether it favors, approves of and justifies and sanctions it, in its moral aspect.** Hah- we hear Mr. Raphall exclaim – there you have the rationalists! Not our own ideas but the word of G-d's just rule, and I am too pious to attempt to interpret these words. Whatever the Bible conceded, is morally good, and I dare not consider it a sin with my sophistry! Very well! Then we beg Mr. Raphall to instruct us about the following: According to Deut. 21, 15-17, it is directed: A man possessing two wives, and loving the one and hating the other, both bearing him sons, the first-born belonging to the hated wife, dares not transfer the right of the first-born in regard to double inheritance to the son of the beloved one. Can we conceive of a more decided recognition of polygamy or at least of bigamy? ...**Is the justification of an institution, the immorality of which Dr. Raphall will scarcely deny, and whose propagation Rabbenu Gershom sought to check through a ban, not here affirmed in the most positive manner?** With all the hollow clamor about the rationalism of our day, it **must be conceded that the Mosaic law, as in the case of blood-vengeance and the marriage of a war-prisoner here merely tolerated the institution in view of once existing deeply-rooted social conditions, or—more correctly—evils, and recognized it in reference to civil rights even (compare Exod. 21:10, Lev. 18:18), but never approved of or considered it pleasing in the sight of God,** as polygamy is in direct contradiction to the Mosaic principle “they should be of one flesh” (Gen. 2:24) concerning marriage.

II. Oh, you infidels!—our Rabbi exclaims in his pious fervor—were Abraham, Isaac, Jacob and Job not slaveholders?—This is certainly true, but it is just as true that among these pious and enlightened men there were some who had more than one wife, and it is difficult to perceive why they should serve as models to us as slaveholders more so than in this respect. It appears remarkable and very comical to have this wretched polygamy frustrate Dr. Raphall's plans.

III. Had Dr. Raphall searched for the spirit of the law of God... he would have preferred to trace his way as far back as the history of creation, where the golden words shine: *God created man in His image. This blessing of God ranks higher than the curse of Noah. A book which sets up this principle and at the same time says that all human beings are descended from the same human parents, can never approve of slavery and have it find favor in the sight of God...* A law... which prescribes that the Hebrew, who after six years will not cease from serving as a slave, must as a sign of shame, submit to having his ear pierced, considers no human being to be property. ... The ten commandments, the first of which is: "I am the Lord, thy God, who brought thee out of the land of Egypt,—out of the house of bondage" can by no means want to place slavery of any human-being under divine sanction...

IV. At the moment that I am writing this down, January 9th, the thunder-cloud still hangs heavily over our head, and hides the future of our beloved land in dense mist. Perhaps some of you in our midst may consider it unjustifiable that at such a time I have thus unequivocally expressed my conviction in the foregoing regarding the law of Moses about slavery. **The Jew has special cause to be conservative, and he is doubly and triply so in a country which grants him all the spiritual and material privileges he can wish for, he wants peace at every price and trembles for the preservation of the Union like a true son for the life of a dangerously sick mother...** From the depth of my soul, I share your patriotic sentiments, and cherish no more fervent wish than that God may soon grant us the deeply yearned-for peace... I am no politician and do not meddle in politics. But to proclaim slavery in the name of Judaism to be a God-sanctioned institution—the Jewish-religious press must raise objections to this, if it does not want itself and Judaism branded forever.

4. Rabbi David Einhorn

Sermon for Sabbath Zachor, "War With Amalek"

Congregation Keneseth Israel, Philadelphia

March 19th 1864

Is it anything else but a deed of Amalek, rebellion against G-d, to enslave beings created in His image, and to degrade them to a state of beasts having no will of their own? Is it anything else but an act of ruthless and wicked violence, to reduce defenseless human beings to a condition of merchandise and relentlessly tear them away from the hearts of husbands, wives, parents and children?

5. Rabbi Bernard Illowy

"The Wars of the Lord", Fast Day Sermon, Lloyd Street Synagogue, Baltimore

Jan. 4th 1861

I. Who can blame our brethren of the South for **seceding from a society whose government can not, or will not, protect the property rights and privileges of a great portion of the Union against the encroachments of a majority misguided by some influential, ambitious aspirants and selfish politicians** who, under the color of religion and the disguise of philanthropy, have thrown the country into a general state of confusion, and millions into want and poverty?

II. If these magnanimous philanthropists do not pretend to be more philanthropic than Moses was, let me ask them, "Why did not Moses, who, as it is to be seen from his code, was not in favor of slavery, command the judges in Israel to interfere with the institutions of those nations who lived under their jurisdiction, and make their slaves free, or to take forcibly away a slave from a master as soon as he treads the free soil of their country? Why did he not, when he made a law that no Israelite can become a slave, also prohibit the buying and selling of slaves from and to other nations? **Where was ever a greater philanthropist than Abraham, and why did he not set free the slaves which the king of Egypt made him a present of?** Why did Ezra not command the Babylonian exiles who, when returning to their old country, had in their suit seven thousand three hundred and thirty-seven slaves, to set their slaves free and send them away, as well as he commanded them to send away the strange wives which they had brought along?"

6. Rabbi Max Michelbacher, Congregation Beth Ahabah, Richmond, Virginia
Sermon Delivered On the Day of Prayer for the CSA, March 27th, 1863.
Prayer for the Confederacy

Again we approach Thee, O God of Israel — not as a single meeting of a part, but as the whole congregation of all the people of the land...**The man-servants and the maid-servants Thou has given unto us ... the enemy are attempting to seduce, that they too may turn against us, whom Thou hast appointed over them as instructors in Thy wise dispensation!** We believe, O God, that piety cannot subsist apart from patriotism—we love our country, because Thou has given it unto us as a blessing and a heritage for our children ... bring salvation to the Confederate States of America.

7. Rabbi Isaac Mayer Wise, Cincinnati
The Israelite, Dec. 14th 1860

It is with utmost regret that we record the fact of the thousands of our fellow citizens speaking of the dissolution of the union... Providence reserved this continent for the last and highest triumphs of humanity. This great and blessed land was not reserved for separatists; it is for G-d and freedom, for the highest interests of humanity which to protect we must have the power of union – union and peace... **We do not know by what policy, compromise or amendments this can be effected easiest and quickest, but we know and feel that the storm must abate and the union must be maintained.**

8. Rabbi Isaac Mayer Wise, Cincinnati
The Israelite, April 19th, 1861

We are the servants of peace, not of war. Hitherto, we thought fit to say something on public affairs, and it was our ardent hope to assist those who wished to prevent civil war, but we wasted our words. What can we say now? ...Should we choose sides with one of the parties? **We cannot, not only because we abhor the idea of war, but also we have dear friends and near relations, beloved kinsmen in either section of the country... therefore silence must henceforth be our policy.**

9. Rabbi Sabato Morais, Philadelphia
The Opening of the Civil War, April 20th, 1861
Mikveh Israel Synagogue

I have stood with my mind, on the summit of Pisgah, to survey this land of promise, which has beckoned to this land of promise the weary and the oppressed. More fortunate than the moral seer of old, **I have been permitted to enter this new Canaan, every spot of which is sanctified by the footsteps of revolutionary heroes. I have often gazed upon the face of liberty... I have contemplated the work of that righteous founder of American greatness,** whose memory alone ought to blend all feelings into one of indissoluble brotherhood. I have witnessed and rejoiced over the gigantic strides which this once , united country, has taken towards the perfection of arts and science... Oh Ichabod, Ichabod, my brother! Ichabod! Let me sorrowfully exclaim... where is the glory, that lent orators their burning eloquence? The glory so vaunted in the halls of legislation, so blazoned in the forum and in the pulpit? It has vanished. **O land! O land!! O land!!! Erez!!! Erez!!! Erez!!!...Thy prosperity has seduced thy way from the path**

marked out by the noble founders, therefore hath trouble befallen thee. Degeneration fostered by luxury, corruption engendered by satiety, have conspired against thee. Thou has hatched in thine own bosom, the serpents that have poisoned thy vitals, fraudulence, perjury, and rebellion.

10. Rabbi Sabato Morais, Philadelphia
Sermon on Thanksgiving Day, 1864
Mikveh Israel Synagogue

Not the victories of the Union, but those of freedom my friends, we do celebrate. What is Union with human degradation? Who would again affix his seal to the bond that consigned millions to [that]? **Not I, the enfranchised slave of Mizraim.** Not you, whose motto is progress and civilization. **Cast, then, your vision yonder, and behold the happy change wrought by the hand of Providence. . . . Thy name shall no longer be called Maryland, but Merry-land, for thou hast verily breathed a joyous spirit into the souls of all thy inhabitants...** (referencing the abolition of slavery in Maryland on Nov. 1st, 1864).

11. Rabbi Sabato Morais, Philadelphia
Philadelphia Inquirer, Nov. 25th, 1864

A history is connected with it - Copperheads became so enraged by reason of it that I got a hornets' nest around my ears. **Men . . . would have stopped my speaking altogether, but I appealed to my constituents and after three months silence renewed my free speech as formerly.**

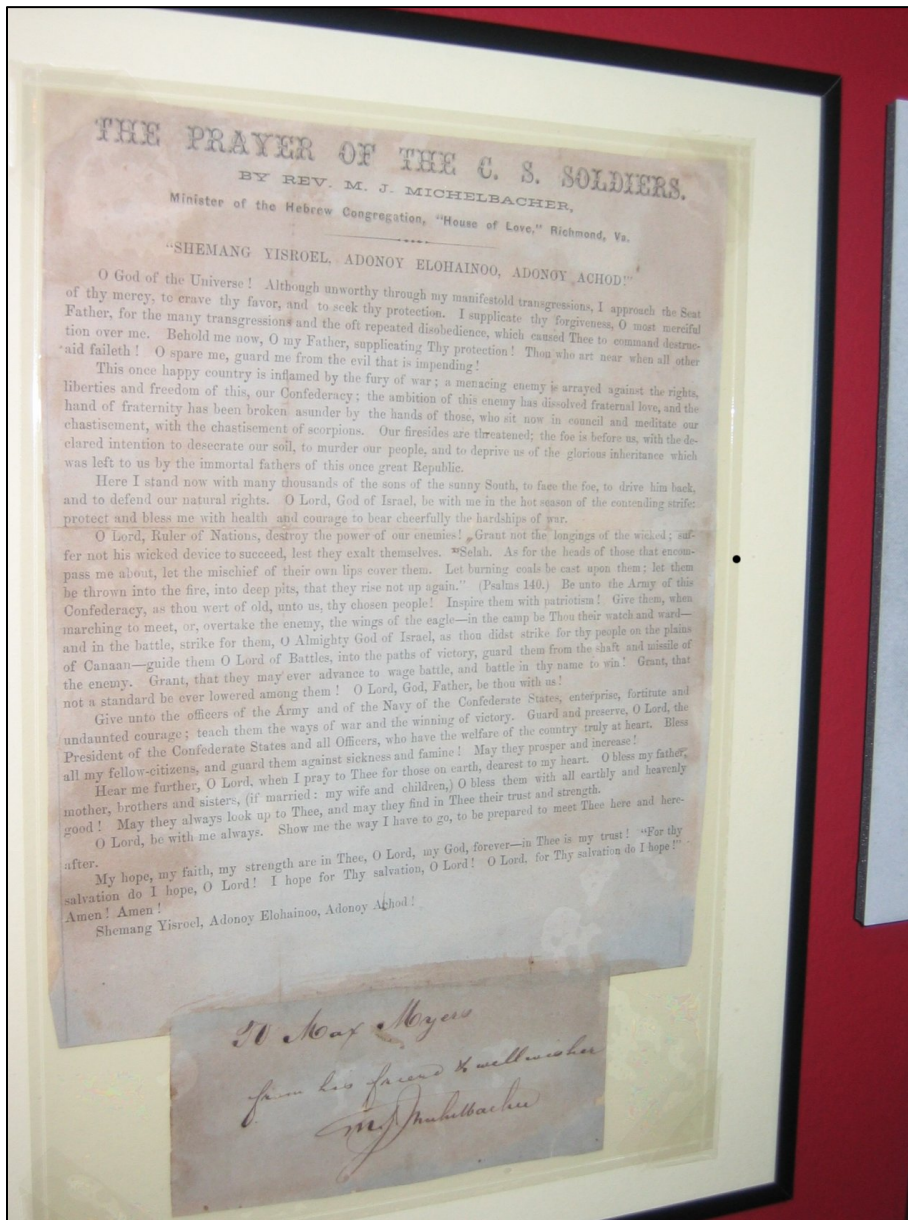
12. Rabbi Jonathan Sacks, Covenant & Conversation, Parshat Mishpatim:

That is exactly what G-d does in the case of slavery. **He does not abolish it, but he so circumscribes it that he sets in motion a process that will foreseeably, even if only after many centuries, lead people to abandon it of their own accord.** A Hebrew slave is to go free after six years. If the slave has grown so used to his condition that he wishes not to go free, then he is forced to undergo a stigmatizing ceremony, having his ear pierced, which thereafter remains as a visible sign of shame. Every Shabbat, slaves cannot be forced to work. All these stipulations have the effect of turning slavery from a lifelong fate into a temporary condition, and one that is perceived to be a humiliation rather than something written indelibly into the human script. **Why choose this way of doing things? Because people must freely choose to abolish slavery if they are to be free at all. ...**

G-d can change nature, said Maimonides, but He cannot, or chooses not to, change human nature, precisely because Judaism is built on the principle of human freedom. **So He could not abolish slavery overnight, but he could change our choice architecture, or in plain words, give us a nudge, signaling that slavery is wrong but that we must be the ones to abolish it, in our own time, through our own understanding. It took a very long time indeed, and in America, not without a civil war, but it happened. There are some issues on which G-d gives us a nudge. The rest is up to us.**

Further Reading:

- "Jews and the Civil War", Ed. Jonathan Sarna and Adam Mendelsohn
- "American Jewry and the Civil War", Bertram Korn
- "Jewish Preaching in Times of War", Marc Saperstein
- <http://www.jewish-history.com/civilwar/Default.htm>
- <http://opinionator.blogs.nytimes.com/2011/03/07/the-rabbi-and-the-rebellion/>
- "The Encrypted Sermons of Sabato Morais", David M. Cobin, Earl Schwartz and Dorothy Roberts. Journal of Law and Religion, Vol. 23:1, 2007-2008.



Pictures taken at the
"Museum of the
Confederacy" in
Richmond, Virginia