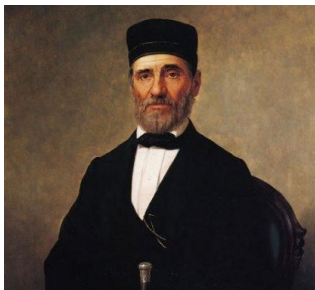


## Judaism's Perspective on Slavery Before the Civil War...and After

**Rabby Bernard Illoway-** <http://www.jewish-history.com/Illoway/sermon.html>

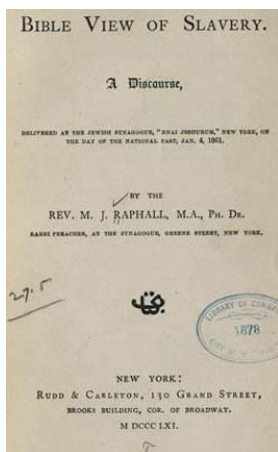


All these are irrefutable proofs that we have no right to exercise violence against the institutions of other states or countries, even if religious feelings and philanthropic sentiments bit us disapprove of them. It proves furthermore, that the authors of the many dangers, which threaten our country with ruin and devastation, are not what they pretend to be, the agents of Religion and Philanthropy.

Therefore, my friends, there is only one rampart which can save our country from degradation and ruin, and shield it against all the danger arising within and threatening from without. This is, the good will, the good sense and feelings of the great mass of the people. They must have no other guide than the book of G-d and the virtues which it teaches, and make their hearts inaccessible to the pernicious influence of some

individuals who exert all their efforts to mislead them, under the disguise of Religion and Philanthropy, from the TRUE PATH OF TRUE RELIGION.

**Rav Morris Jacob Raphall, B'nai Jeshurun, Jan. 4, 1961** <http://www.jewish-history.com/civilwar/raphall.html>



"Having thus, on the authority of the sacred Scripture, traced slavery back to the remotest period, I next request your attention to the question, "Is slaveholding condemned as a sin in sacred Scripture?" How this question can at all arise in the mind of any man that has received a religious education, and is acquainted with the history of the Bible, is a phenomenon I cannot explain to myself, and which fifty years ago no man dreamed of. But we live in times when we must not be surprised at anything."

"I would therefore ask the reverend gentleman of Brooklyn and his compeers—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,

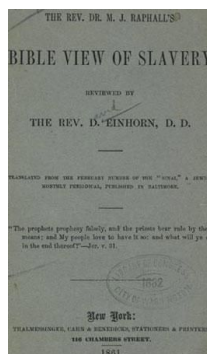
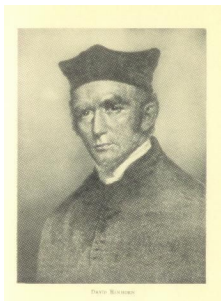
Isaac, Jacob, Job—the men with whom the Almighty conversed, with whose names he emphatically connects his own most holy name, and to whom He vouchsafed to give the character of "perfect, upright, fearing G-d and eschewing evil" (Job i. 8)—that all these men

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?"

"My friends, I find, and I am sorry to find, that I am delivering a pro-slavery discourse. I am no friend to slavery in the abstract, 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. With a due sense of my responsibility, I must state to you the truth and nothing but the truth, however unpalatable or unpopular that truth may be."

"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 the slave to a *thing*, and a thing can have no rights."

**David Einhorn**



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 *favours, 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 God must rule, and I am too pious to attempt to interpret these words. Whatever the Bible concedes, 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 Deuter. 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? Does it make any difference whether the hated one, whose son was granted the rights of the first-born, had been wedded before or after the loved one? 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?

Even the Rabbis teach: the law permits the marriage of prisoners only of necessity! Divorce is also a striking proof how the law of Moses recognized certain institutions, though at the same time positively disapproving of them. No matter what interpretation דעות דבר (Deuter. 24, 1.) is given here, that of the School of Shammai or Hillel it must be conceded that though opposed to Jewish practice the law considers a woman's divorce binding, when the husband has sent her forth without having found her to have done anything morally wrong, and a remarriage on her part is then not considered adultery

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.

Slavery - By Rav Elchanan Samet - <http://etzion.org.il/vbm/english/parsha.63/18mishpatim.htm>

#### A. HEBREW SLAVE VS. CANAANITE SLAVE

It is easy to illustrate the Torah's essential opposition to slavery by reviewing the laws of the "eved Ivri" (Hebrew slave, or indentured servant) in our parasha and in parashat Behar (Vayikra 25:39-43). Indeed, the laws in both sources represent an almost total nullification of the institution of slavery WITHIN THE NATION OF ISRAEL. There is no comparison between the slave of the ancient world and the eved Ivri described by the Torah. In essence, the eved Ivri is simply somebody who is employed for a lengthy period – "he has been worth double a hired servant to you, serving for six years" (Devarim 15:18), and the only limitation that he has in common with a regular slave is that within the period of indenture to which he is committed he may not change his mind and leave.

It is no coincidence that our parasha introduces these laws with the declaration, "If you should acquire an indentured Hebrew servant – he shall work for six years, and in the seventh year he shall go free, for nothing." This is a declaration nullifying slavery in its traditional sense as pertaining to Am Yisrael, and it complements what the nation heard previously at Mt. Sinai (20:2), "I am the Lord your God Who took you out of the land of Egypt, from the house of slavery

Nevertheless, even the laws of the indentured Hebrew servant are of some significance in clarifying the Torah's stand on slavery. The almost complete nullification of slavery within Am Yisrael shows that slavery in itself is considered an improper social situation, and therefore it should not exist within the Jewish nation. Although the reason given is historical and religious – the Exodus from Egypt made Bnei Yisrael servants to God alone – the foundation for this reason may be broadened to include all of mankind. Everyone is worthy of being a servant of God on some level, by virtue of being His creature and by virtue of the obligation to serve Him. This being the case, there is theoretically no justification for the enslavement of someone who was created in the Divine image in order to serve God.

#### **The Way of Torah Rav - Nahum Eliezer Rabinovitch – Edah 3,1**

Just as an individual's training proceeds step by step until he attains his full spiritual stature, the history of Israel as a whole comprises periods that correspond to the various stages of human maturation. In each of them, the Torah serves as guide and regulator, for the Torah was given not to one generation alone but to all generations. The Torah thus encompasses guidance for each stage of development along the way as well as instruction on how God is to be served by the perfected man and the generation that has attained full wisdom.

The Torah revolutionized the institution of slavery. Some fundamental principles could not be violated, and they set a floor that prevented descent to the vile conduct of the nations. So, for example, in contrast to the laws of other nations, the slave's soul did not become the master's property but remained that of the Master of all: "If a man strike his slave or his maidservant with a rod, causing death, the death shall be avenged."<sup>57</sup> The slave may be given over to labor for the master, but the Torah remains concerned about the slave's soul as well. The Sabbath is sacred not only for the master but also for the slave. "On the seventh day you shall rest"—referring to the master; but also "so that your ox and ass may rest and the child of your maidservant and the stranger may be refreshed."<sup>58</sup> You are obligated to provide rest even for the animals that work for you, but the Sabbath affords the slave more than rest and respite from enslavement; in his case, Scripture says "be refreshed," and you are obligated to allow him to cease working.

The Sages directed so much attention to remedial legislation related to slaves, and the doctrine of equality so penetrated the national consciousness, that these attitudes eventually became characteristic of Judaism and oppressive regimes attempted to uproot them. A *baraita* tells<sup>59</sup> that in a time of oppression, the authorities arrested R. Elazar b. Parta and accused him of five "offenses." One of the charges was "Why did you emancipate your slave?" Rashi comments, "[the regime] had forbidden [emancipating slaves] because the practice was a Jewish religious precept."