

Parashat Behar – ideas from R. Jonathan Sacks

This week we read Parasha Behar. It's on p. 531 in Hertz.

Behar gives us directions for celebrating the Sabbatical and Jubilee years, as well as laws regulating commerce and the redemption of slaves.

God states that every 7th year is a Shabbat for the land. There will be no planting or harvesting - the land must experience a complete rest. The seventh year is called Shemittah, meaning to release. During Shemittah all outstanding debts were cancelled; we release those who owe us money. I find that an extraordinary act of humanity. Indeed, Behar gives us what Rabbi Jonathan Sacks, former chief rabbi of Great Britain, describes as "a revolutionary template for a society of justice, freedom and human dignity." (repeat that)

After 7 of these 7-year cycles, the 50th year called "yovel" or the Jubilee year, takes place. All Hebrew slaves are set free at the end of 6 years - this includes those who wish to remain slaves. A Biblical inscription to this effect was inscribed by our country's founding fathers on the Liberty Bell in Philadelphia. The text reads, "And thou shalt proclaim liberty in the Land for all its inhabitants." (Lev. 25,10) God also said to return land that has been sold, to its hereditary ancestors.

This is, as Rabbi Sachs writes, a truly revolutionary text. Slaves are freed. Debts are forgiven. Land is returned to original owners. The earth rests. And because commandments are so extraordinary and so liberating to the poor and oppressed, I kept wondering while reading it: Why doesn't God also outlaw slavery?

In addition to acts promoting justice, freedom and human dignity, the parasha also deals with practical matters. For instance, how will the Israelites eat every 7th year? And what about years 49 and 50, when the land couldn't be harvested for two years? Not to worry, the text tells us; God will provide abundant harvests during the 6th year, enough for 2 years of food (and enough for three years as the Jubilee approaches).

As to the treatment of Hebrew slaves God directed that they must be treated with respect: do not make him do demeaning labor. Treat him like an employee.

Do not give slaves unnecessary labor. If you see a non-Jewish slave owner making a Jewish slave do harsh labor, you must stop him. These directions to act with mercy and justice are so powerful that our founding fathers chose to inscribe part of the text on the Liberty Bell in Philadelphia: "Proclaim liberty throughout all the land, and unto all the inhabitants thereof." Words describing universal values. And again I wonder -- God was setting limits on the treatment of slaves, God is directing us to act with mercy and respect; why didn't God simply outlaw the practice all together? This is the paradox in Behar. God regulates a practice – slavery – that goes directly against so many injunctions in the Torah, God places limits on its use, yet by doing so God allows it to continue. How do we understand that? In a few minutes I'll ask for your thoughts on this question.

Here are a few answers to my question, provided by others:

1. **The Torah was a very practical document.** Our sacred text challenged us to live a righteous life, but it also took people as they were in ancient times. Perhaps, this argument goes outlawing a practice that was very widespread, and was of economic importance, would have been a step too far.

Maybe. But it's also true that Many of God's commandments were radical in ancient times: thou shalt not murder, or commit adultery, or covet. Perhaps most radical: thou shalt have no other Gods before me. If God, or the inspired souls who wrote the Torah, were willing to go against prevailing practices in those areas, why not with slavery? Why didn't God abolish slavery?

2. **A second reason, offered by Rabbi Jonathan Sacks. He writes:**

"G-d wanted mankind to abolish slavery, but by their own choice, and that takes time. Ancient economies were dependent on slavery. The challenge to which Torah legislation was an answer is: how can one create a social structure in which, of their own accord, people will eventually come to see slavery as wrong, and freely choose to abandon it?"

I think those last 5 words are the key part of his message: “freely choose to abandon it.” God, Sacks argues, wanted us to use our free will, and in doing so to come to the right conclusion about slavery.

Sacks continues: “The Torah did not abolish slavery, but it set in motion a process that would lead people to come of their own accord to the conclusion that it was wrong. How it did so is one of the wonders of history.”

It’s a compelling argument. The adult Israelites weren’t ready for freedom, God saw that, and God required 38 more years of wandering in the desert until the adults who had experienced slavery in Egypt had died out.

But, does this analysis by R. Sacks square with other key parts of the Torah? If God wanted us to *learn* that slavery must be wrong, to exercise free will, which is one of the important themes in the Torah, why is Leviticus and parts of the other 4 books of the Torah filled with laws regulating how to live so many aspects of our lives? In other words, why are we given free will to determine that slavery is highly immoral, but not given the freedom to determine many of the other moral obligations – those in the 10 Commandments, the golden rule, indeed many of our 613 laws??

And one more explanation for the allowance of slavery in the Torah:

3. Slaves weren’t slaves in Biblical times, as we think of slavery today. That is, they had far more rights and opportunities:

- They could inherit their master’s estate when the master had no children to inherit it
- They could acquire property of their own if they had the means
- A slave who prospered could purchase his own freedom
- The killing of a slave resulted in the same punishment as the killing of a free person.

To put it another way, perhaps the word “slave” is inappropriate. Perhaps a better word would be “servant.” Indeed, the word we translate as slave, or

bondman – “eved” – comes from the Hebrew word for “work.” And some historians do believe that slaves (or servants) who were owned by Jews, at least the Jewish servants, were in fact treated far better in ancient times than they were in many countries then, and since then. Maimonides, commenting on the rules governing Jewish slaves, wrote that they were laws of “mercy,, compassion and forbearance. Your duty is to see that the slave makes progress; you cannot hurt him with words ...”

Let’s assume that this kind treatment was God’s intent, and was carried out in practice. To say that Jewish slaves weren’t treated in hideous ways certainly does not mean that they had the same rights and freedoms that others did. Slaves (or servants), including Jewish ones, weren’t free, they couldn’t come and go as they pleased. Their masters could choose their wives, and those spouses then became slaves.

It’s true that our text notes the reality that some people, often those deeply in debt, could ask to become slaves, suggesting that slavery was preferable to their current state. Yet our text also states that the Israelites were able to buy non-Jews from nations that lived outside the Promised Land – there is no mention here of buying indebted people. In chap. 25, Verses 44-46, we read, “And as for thy bondmen and thy bondmaids, whom thou mayest have, of the nations that are round about you, of them shall ye buy bondmen and bondmaids. Moreover of the children of the strangers that do sojourn among you, of them may ye buy ... (skipping a few lines) to V. 46): and ye may make them an inheritance for your children after you to hold for a possession...”

Our ancestors were told that they could buy human beings, and that they had to treat those people in certain humane ways. This doesn’t square with so many other portions of our sacred text, that tell us why and how to live a virtuous life.

Time for your thoughts. Why did a God who emphasized justice, respect for the poor, freedom and human dignity allow the existence of bondage? Why did God allow us to enslave others?

My thoughts:

To me, this question about God and slavery reminds me of other baffling aspects of the Torah. The God described in our Torah who demonstrates extraordinary compassion at some points and speaks to our noblest instincts, at other times acts in extraordinarily vengeful ways. The same God who tells us not to curse the deaf nor put a stumbling block before the blind also killed Aaron's sons on the greatest day of Aaron's life, and told Moses that he would never enter the Land of Israel after he hit the rock twice, rather than speak to it.

I honestly don't have a way to understand God's stance toward slavery, any more than I can make sense of God's statement in Deuteronomy that the rebellious son is to be killed. So what I choose to do is accept my confusion about this aspect of God, and also adopt a **grateful attitude** – grateful that we live at a time and in a place where slavery is seen as a hateful practice, one that won't be tolerated in any fashion. And grateful, too, that our tradition gives us the responsibility to understand the Torah using our own sensibilities, and, when necessary, to argue strenuously with God.