

JEWS AND SLAVERY

by Rabbi Berel Wein

One of the main issues that the Torah deals with in this week's parsha is that of slavery. The Torah envisioned two types of servants. One was Jewish, who was basically a hired hand for a period of six years or until the yovel (Jubilee year) arrived, whichever came first. This servant had the right to renew his indenture past the six-year period if he so desired but never past the time of the arrival of the yovel year. The Torah obviously disapproved of the renewal arrangement, for the servant first had to suffer having his ear drilled before continuing service to his master.

Rashi, quoting the Talmud states that the Lord is disappointed, so to speak, in the servant's choice of continued indenture since "they [the Jews] are my servants and are not meant to be servants to others servants." There are compelling human reasons for the arrangement of servitude. It was to repay items that had been stolen or to provide some sort of home setting and living for the very destitute and homeless. It is also humanly understandable that inertia and fear of outside social conditions and having to begin life anew may contribute to the servant wishing to remain a servant to a kind and decent master for longer than the six-year period. Nevertheless, from all of the restrictions that the Talmud discusses on the treatment of servants it is obvious that the project of slavery could not ever be of financial or economic benefit to the masters of those servants.

The prophets of Israel in later generations also spoke out strongly against the institution of slavery amongst Jews. As such, it seems that the Torah saw this arrangement as a method of social rehabilitation of petty criminals and the unfortunate dregs of society. But in its moral view of human life, the Torah had scant room for slavery as a social or economic institution. There was also a set of laws that governed the purchase and maintenance that governed the second type of servant – the non-Jewish one.

If that be the case, that the Torah did not favor at all the institution of slavery, then why did the Torah allow its existence within Jewish society at all? This difficult question has challenged all of the commentators to the Torah, especially those of the last two centuries. There is no doubt that for millennia slavery was an accepted social institution in the world, even in the civilized world. It took a four-year bloodbath with over six hundred thousand dead to end slavery in the United States in the middle of the nineteenth century. There is slavery still existent in parts of the world even today. There is a conception in Torah that the Torah dealt with the reality of the weakness of human behavior and allowed under very strict and hoarded circumstances behavior and institutions, which were not in the purview of the great moral framework.

The story of the yefat toar - the beautiful non-Jewish captive woman taken in war and permitted to the Jewish soldier under rigorous conditions and restrictions ? is an example of such a Torah attitude in a difficult situation that allows behavior because of social conditions that does not really meet the standards of Torah morality. The idea of slavery is perhaps one of those examples. In any event, slavery has been non-existent in most of the Jewish world for many centuries and the study of slavery and its laws and restrictions remains today a theoretical study without current practical implications in Jewish life.

Shabat shalom.

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