

Torah Table Talk

Is Slavery Permissible from a Jewish Perspective?

If so, what do we do with laws which are morally questionable?

Parshat Mishpatim Chapter 21:1 – 24:18

Possibly the most important thing about this week's Parshah is its opening word: "V'eleh," "**And** these are the statutes that you shall set before them." Mishpatim contains a variety of laws which define every aspect of life. They cover criminal actions (homicide and kidnapping,) civil behavior (returning lost property and public nuisances,) domestic standards (marriage and divorce) and our relationship to God (holidays and idolatry.) The opening words, "AND these..." reminds us that the Ten Commandments which appear in the previous Parshah are the beginning but not the end of Jewish living. What follows in Parshat Mishpatim is a continuation of the Ten Commandments.

You might be surprised, particularly after reading the story of the Exodus, to learn that the Torah appears to condone slavery. We see this in the opening section of this Parshah as well as elsewhere in the Torah:

Exodus 21:2- 4

When you acquire a Hebrew slave, he shall serve six years; in the seventh year he shall go free without payment. If he came single, he shall leave single; if he had a wife his wife shall leave with him. If his master gave him a wife and she has borne him children, the wife and her children shall belong to the master and he shall leave alone...

1. Why would a fellow Israelite become a slave?
2. How is the slavery in this passage different from the type described in Egypt?

Deuteronomy 15:12- 15

If a fellow Hebrew, man or woman, is sold to you, he shall serve six years and in the seventh you shall set him free. When you set him free, do not let him go empty handed: furnish him out of the flock, threshing floor, and vat which the Lord you God has blessed you. Remember that you were slaves in the land of Egypt and the Lord you God redeemed you; therefore I enjoin this commandment upon you today.

1. How is this passage different from the previous one?
2. What reason does the Deuteronomy give for the treatment of the Hebrew slave?

Leviticus 25: 44 – 46, 55

Such male and female slaves as you have – it is from the nations round about you.... These shall become your property. You may keep them as a possession for your children after you for them to inherit for all time....For it is to Me that the Israelites are servants; they are My servants, whom I freed from the Land of Egypt, I am the Lord you God.

1. Read these three passages. What do they teach us about slavery in the ancient world? How these passages different from one another? How do you account for these differences?
2. This institution that troubles us; why do you think the Torah permits Jews to practice slavery after they were just freed from slavery? Does the Torah condone this practice or simply tell us what to do when it is practiced?
3. If we believe that the Torah is still relevant to our lives today how should we interpret the troubling passage? Should we simply dismiss it as antiquated or are there ways of interpreting this institution that might still be relevant for us today?
4. What do you think the Torah is trying to accomplish by creating legislation that defines the treatment of the slave?
5. Can you think of other passages in the Torah which challenge our modern sense of morality? If one believes the Torah was divinely revealed how do we explain these seeming contradictions?

Moses Maimonides, Mishnah Torah, Avadim 9:8

It is permissible to work the slave hard; but while this is the law, the ways of ethics and prudence are that the master should be just and merciful, not make the yoke too heavy on his slave, and not press him too hard; and that he should give him of all food and drink. And thus the early sages used to do—they gave their slaves of everything they ate and drank themselves, and had food served to their slaves even before partaking of it themselves... Slaves may not be maltreated or offended—the law destined them for service, not for humiliation. Do not shout at them or be angry with them, but hear them out...

1. How does Maimonides who lived in the eleventh century go beyond the legislation of the Torah in his comments on slavery?
2. What was his basis for instituting such changes?
3. Slavery still exists in some parts of the world today? What responsibilities do we have to fight against this practice?

Glossary

Moses Maimonides – One of the greatest scholars of the Middle Ages. Born in Spain in 1135, he became the personal physician to the Sultan of Egypt. Maimonides, or Rambam (Rabbi Moses Ben Maimon) as he is often called, is best known for his great Halachic work, the Mishneh Torah and his philosophical treatise, the Guide for the Perplexed in which he tried to reconcile Torah with the teachings of Aristotle.

How to use Torah Table Talk

1. *Read the sheet out loud to one another. Discuss what it has to say.*
2. *Focus on the text in the box. It is taken from Biblical, post-biblical and modern Jewish sources. What does it mean? How does it make you feel?*
3. *Try to answer the questions following the text.*
4. *This is not a test and there are many correct answers and interpretations to each question. Share your ideas with one another. Be open and honest in sharing your ideas.*

***“All it takes to study Torah is an open heart, a curious mind
and a desire to grow a Jewish soul.”***