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ARTICLE V.

THE HISTORICAL AND LEGAL JUDGMENT OF THE OLD
TESTAMENT SCRIPTURES AGAINST SLAVERY.

By George B. Cheever, D. D., New York.
[Concluded from p. 387.]

Law of Jubilee.—Specific Enactments of the Law.

THE enacting clauses from Lev. 25: 39—46 are occupied with the regulation of the treatment of such Hebrew and heathen servants respectively, as were bound to servitude until the Jubilee. The Hebrew servants so bound were to be treated as hired servants, not as apprenticed servants; but the heathen servants so bound might be employed as apprenticed servants, and not as hired servants, up to the period of the Jubilee. And always there was to be maintained this distinction; forever the quality of apprenticeship to the Jubilee was to belong to the heathen, not to the Hebrews; the heathen were to be the possession of the Hebrews and their posterity, as an inheritance or stock, from whom, and not ordinarily from the Hebrews, they might provide themselves for such a length of time with apprenticed servants, as well as hired. Subject always to the law of freedom every fifty years, during that interval all their apprentices for longer than six years, all their servants purchased as apprentices till the Jubilee, and to be treated as apprentices up to that time, and not as hired servants, were to be of the heathen, or the stranger, forever, and not of the Hebrew. But every fiftieth year was a year of Jubilee throughout the land for all the inhabitants thereof, Hebrew or heathen, all the inhabitants, of whatever class or station. The heathen apprenticed servant was not regarded, because purchased of the heathen, as on that account not an inhabitant of the land; on the contrary, this grand statute was evidently made additional to all the other statutes of relief and release, for

the special benefit of all those whose case the other statutes would not cover.

The chapter of laws in regard to the Jubilee is occupied, first, with specific enactments as to the operation of the Jubilee on the distribution or restoration of personal possessions; secondly, with similar specific enactments as to personal liberty. It is necessary to separate the respective clauses in regard to liberty, and to analyze them with great care.

Clause First, of Personal Liberty.

The first clause is from verse 39 to 43 inclusive. We quote it in our common version, because it is essential at this point to remark the false sense put upon the law by the use of the English word *bondmen*, assumed as meaning *slaves*. The effect of this construction is like that of loading dice, or of forging an additional cipher to a ten pound note, making it worth, apparently, instead of 10, a 100. The clause is as follows: "If thy brother that dwelleth by thee be waxen poor, and be sold unto thee, thou shalt not compel him to serve as a bond-servant, but as an hired servant, and as a sojourner he shall be with thee, and shall serve thee unto the year of Jubilee; and then shall he depart from thee, he and his children with him, and shall return unto his own family, and unto the possessions of his fathers shall he return. For they are my servants, which I brought forth out of the land of Egypt; they shall not be sold as bondmen. Thou shalt not rule over him with rigor, but shalt fear thy God."

We must examine the Hebrew, phrase by phrase. In the first verse, *be waxen poor, and be sold unto thee*, *וְנָשָׂא וְנָמַךְ*, *wax poor, and sell himself unto thee*. Beyond all question, the translation of *וְנָמַךְ*, Niphal, of *נָמַךְ* (the word here used for *selling*), should be, *sell himself*. (1.) *Niphal*, as reflexive of *Kal*, admits it; (2.) the context requires it; (3.) in the 47th verse the translators have so rendered it, *if thy brother sell himself unto the stranger*, the Hebrew word and form being precisely the same, *וְנָמַךְ*. The context requires it, because,

being a Hebrew, he could not *be sold* by another; it is poverty on account of which he sells himself, and he is not sold for debt or for crime; and if any master *had* possessed the power to sell him, his waxing poor would not have been the reason. His waxing poor is the reason for selling himself, or in other words, *apprenticing* himself, until the year of Jubilee; and by law, no being but himself had this power over him, or could make such a contract. And it was perfectly voluntary on his part, a transaction which he entered into for his own convenience and relief.

The next Hebrew phrase respects the manner in which the master to whom he had thus hired himself was to treat him; it was a proviso guarding and protecting the poor servant from a despotic and cruel exercise of authority. It is translated, *Thou shalt not compel him to serve as a bond-servant*; but the Hebrew is simply as follows: לא־תַּעֲבֹדוּ בְּאָדָם, *thou shalt not impose upon him the service of a servant*, that is, the hard work of a servant, who, not being engaged *קָטָנִים*, *as a hired servant*, by the day or the year, for a particular service, could be set to any work without any new contract or additional wages. As we have clearly seen, there is no term nor phrase in the Hebrew language to signify what we mean by the words slave, bondman, or bondservant; and there was no law in the Hebrew legislation which permitted any Hebrew to be, or to be treated as, slave, bondman, or bondservant. But a poor man, making a general contract of his services till the Jubilee, might be cruelly treated by his master, when there had been some proviso specifying and limiting the power and the manner. Therefore, when it is said, *Thou shalt not impose upon him the service of a servant* (that is, an *עָבֵד*, hired as a servant of all work), it is immediately added, *As a hired servant and as a sojourner he shall be with thee*, *קָטָנִים יְהוּדִים יְהוּדִים*; and this phrase is explanatory of the other, and introduced to make the other specific and indubitable in its meaning. The freedom and independence of a hired servant and a sojourner were guaranteed to the Hebrew servant, although he had engaged to be with his master as an *עָבֵד*, until the Jubilee.

The proviso is then introduced for his return with his children to the possession of his fathers in the year of Jubilee ; and, last of all, it is repeated again (verse 42) that *they shall not sell themselves with the selling of a servant*, an עֶבֶד, and the master should not rule over him with rigor, but should fear the Lord.

Here we cannot but notice the extreme carelessness with which, for want of examination of the Hebrew and the context, and in consequence, also, of taking for granted the preconceived opinions on this subject, as if slavery among the Hebrews were a thing not to be doubted, some able writers have fallen into very gross errors. As an example, we find in Trench's work on the Parables the following assertion : " That it was allowed under the Mosaic law to sell an insolvent debtor is implicitly stated, Lev. 25: 39 ; and verse 41 makes it probable that his family also came into bondage with him ; and we find allusion to the same custom in other places (2 Kings 4: 1. Neh. 5: 6. Isa. 1: 1. 58: 6. Jer. 34: 8—11. Amos 2: 6. 8: 6)." ¹ Singular indeed that this writer should call Lev. 25: 39 an implicit statement that by the laws of Moses it was allowed to sell an insolvent debtor, when there is no reference whatever in the passage or the chapter to any such law, or to any sale for debt, nor any intimation that any such thing was possible ! The references to the passages in illustration are instances of mistakes equally gross ; but, as we have before considered those passages, we shall revert to only one, that in 2 Kings 4: 1, because it is often perverted. There is, in that passage, no mention of any sale, nor any intimation of it ; but it is said, " The creditor has come to take unto him my two sons to be servants (לְעֶבְדִים)." That is, has come demanding that my two sons be put to service till they work out the debt ; farther than this there is no demand ; and as to any law for the sale of the debtor, it exists only in the imagination of the writer ; there was no such law nor permission. But thus carelessly and frequently have assertions been made and reiterated, of which, if any student wishes to be convinced, let

¹ Trench, *Notes on the Parables*, p. 127.

him turn to Horne's Introduction, to the chapter on the condition of slaves and servants, and the customs relating to them. He will find, on a single page, almost as many mistakes and misstatements as there are lines; all proceeding from the first false assumption, taken up without investigation, that all the servitude in the Old Testament was slavery, and that, wherever the word servant occurs, it means slave. These statements have been repeated so often, that they have come to be regarded as truisms, and, by possession and reiteration, are in many minds impregnable.

The *implicit statement* Mr. Trench might have found to be, on comparing verse 42 with verse 39, that they shall *not* be sold with the selling of bondmen, "Thou shalt not compel him to serve as a bond-servant;" and, in the original, he might have found that it is the sale of the man by himself which is referred to, and under such circumstances as would put him in a condition, from being entirely poor, of so great improvement as to be able himself to buy back his contract in a short time. The making of the contract of his services, for a specified time, was said to be the selling of himself; and the securing a right, by contract, to those services, was the buying of a servant.

Here, again (verse 42), the common version translates as follows: *They shall not be sold as bondmen*, although the verb is the same, and the form is the same (Niphal of קָבַר) as in verse 39, and afterwards 47, where it is rendered *sell himself*. But the Hebrew is simple and clear, לֹא יִמְכְּרוּ אֶת־מִצְבְּרוֹתָם כְּבָדָר, *they shall not sell themselves the selling of a servant*, that is, an קָבַר of unlimited contract, and of all work. This phrase, קָבַר אֶת־מִצְבְּרוֹתָם, is nowhere else employed. It seems to denote a venal transaction, as in regard to a piece of goods, or a thing over which the buyer and the seller have the supreme power. Such a transaction would have been, in reference to a human being, a slave-trade; and such a transaction, in regard to a human being, was absolutely and expressly forbidden. The Hebrew people were God's property, God's servants, and they should never sell themselves, nor be sold, as the property of others. Not only was this transaction forbidden to

any one for another, and to any two for any third party, but to every one for himself. No man was permitted, or had the right, to enslave himself. The voluntary hiring of himself to a Hebrew master, or even to a stranger, as we shall see, to the year of Jubilee, was not slavery, nor any approximation thereto. And to prevent the possibility of its ever passing into slavery, the proviso was inserted, making it a crime to apprentice themselves, or to be apprenticed, beyond a limited time.

It is very plain, therefore, that the words *bond-servant* and *bondman* are a wrong and very unfortunate translation, because they convey inevitably, to an English ear, a meaning wholly different from that of the original. They seem to recognize slavery, where no such thing is to be found. By the central, fundamental law, which we have already examined, no Hebrew could be made to serve as a bond-servant or bondman, under any circumstances, but only as an apprenticed servant for six years. The object, therefore, of the enacting clause which we have now examined was simply this, namely, that if he became so poor as to be obliged to enter into a contract of service till the year of Jubilee, he should not be held, even during that time, as an apprenticed servant merely, but as a hired servant and sojourner. And if the question recurs, In what particular as a hired servant and a sojourner? the answer is plain: First, in respect to specific labor, in contradistinction from the obligation of the servant of all work. The hired servant and the sojourner could contract for themselves in some particular service, and could not be commanded to any other without a new agreement; the servant of all work was of an inferior condition, employed for any labor whatever of which his master might have need, or for which he might require him. Secondly, in respect to appointed wages at specific times, which wages must be continued, although the contract of service was till the year of Jubilee; and this in contradistinction from the condition of the servant whose purchase-money, or the payment of his services and time, for whatever period engaged, was all given to himself at the outset,

and who could, consequently, afterwards have no claim for anything more. We have already illustrated this distinction in the consideration of Job 7: 2, where the *servant*, the עָבֵד, who had already received his money for his time and services, beforehand, according to the ordinary six years' contract, *earnestly desireth the shadow*, but the *hired servant*, the שָׂכִיר, *looks for his wages*, desires his wages, which are the result of his accomplishing as an hireling his day. No servant, or עָבֵד, served without payment for his work; but the ordinary עָבֵד had received his payment beforehand, or when the contract was made, and the *distinctive* meaning of that word excluded the idea of periodical wages after the work was done.

Once more, we must remark on this clause the provision in regard to the Hebrew servant, *for himself and his children*. It presents a case in which, being hired until the Jubilee, he might have children born to him during his period of service as contracted for. These children were born in his master's house, in his master's family, but they belonged to himself, not to his master. They were not slaves, and could not be, any more than himself. Yet they were examples of the *born in the house*, as in Abraham's family, and the *trained ones*, as in his household, and בְּנֵי-בֵיתוֹ, *the sons of the house*, as in Eccles. 2: 7. They were not bondmen, and could not be made such, or held as such, but by law were free. The fact of their being born in the house of their master, while their father was in his service, did not give the master the least claim upon *them* as his servants, without a separate voluntary contract, or payment for their services. All were born free, and their freedom could not be taken from them, neither could they be made servants at the will of the master alone, nor could the father sell them, though he might apprentice them for a season, yet never beyond the period assigned by law.

This being the case, it is greatly to be regretted that our translators, for want of an English word which would express the difference between a hired servant, the שָׂכִיר, and an apprenticed servant of all work, the עָבֵד, and also for

want of a word answering to the extremest meaning of the same word עֶבֶד; which *never* meant, among the Hebrews, a *slave*, should have taken the words *bond-servant* and *bondman*, as well as the word *servant*, to translate the *same* Hebrew word for servant, giving it thus a meaning which it cannot bear in the original, and at different times meanings directly opposite. We have before noted some of the reasons why they took this course; as, for example, because the unpaid servitude into which the Hebrews were compelled in Egypt is designated by עֶבֶד צָרָה, and it is said, *Remember that thou wast an עֶבֶד in Egypt.* Our translators said, *Remember that thou wast a bondman in Egypt;* but truly the word would have been more fully rendered by the phrase *an oppressed servant*, because, as we have seen, the Hebrews were not *slaves* in Egypt, were not held as such; a fact which makes God's prohibiting of the Hebrews from laying the same oppressive servitude upon others much more significant. This *bond-service* they were forbidden by law from imposing upon their own servants, who never were, and never could be, what in common usage we understand by the word *bondmen*. But, seeing the word repeatedly used to describe a class of servants among the Hebrews, what other conclusion can the mere English reader adopt, unless he goes into a very critical comparison of passages, than that such servants were slaves? Yet the very word thus translated is the word used for native Hebrew servants, who sometimes, as this law of Jubilee under consideration proves, were held in servitude just as long as any servants of the heathen or of strangers could be, that is, *until* the Jubilee, but could not, under any circumstances, be slaves. We have sometimes admitted the word *bondman* as the translation of עֶבֶד, in our argument, to describe the rigorous rule which the Hebrews were forbidden from using in regard to their servants; but it is inapplicable as the true translation of that word, whether the servants designated are Hebrew, or adopted heathen.

We might suppose that our translators had followed the Septuagint translation; but the Septuagint frequently uses *παῖς* where the English version uses *bondman*, for the same

word עֶבֶד; as, for example, Deut. 28: 68, Ye shall be sold for *bondmen and bondwomen*, Sept. *παῖδας καὶ παιδίσκας*, Heb. עֶבְדֵי יְלִדְתֶיכוֹן. In Deut. 23: 15, *Thou shalt not deliver unto his master the servant that hath escaped*, the English version and the Sept. agree, and the word is translated *servant* and *παῖδα*, for the Hebrew עֶבֶד. But in Deut. 15: 15, "Remember that thou wast a bondman in Egypt," the same Hebrew word is translated *bondman*, and Sept. *οἰκέτης*. The same in Deut. 6: 21. But now in Lev. 25: 55, the same Hebrew word is translated by the Septuagint, in the same verse, both *οἰκέται*, and *παῖδες*, but in our English version, *servants*, not bondmen. Singular then it is, that in Lev. 25: 44, *Both thy bondmen and thy bondmaids*, וְעֶבְדֶיךָ וְאִמְתֶּךָ, is translated by the Septuagint *Καὶ παῖς καὶ παιδίσκη*, and precisely the same words at the close of the same verse are translated *δούλον καὶ δούλην*.

Clause Second, of Personal Liberty.

This verse (v. 44) constitutes the second clause, as to personal liberty, in the law of Jubilee. The English translation is, *Both thy bondmen and thy bond maids, which thou shalt have, shall be of the heathen that are round about you; of them shall ye buy bondmen and bondmaids.* We must compare this with the Hebrew in full, and the Hebrew with the Septuagint, and we shall see an important difference from the true meaning of the original. The Hebrew is as follows: וְעֶבְדֶיךָ וְאִמְתֶּךָ אֲשֶׁר יִהְיֶינָה מֵאֲרָם וְעַד כְּנָעַן אֲשֶׁר קָדְמְךָ בְּמִן הַגּוֹיִם אֲשֶׁר קָדְמְךָ וְאִמְתֶּךָ אֲשֶׁר קָדְמְךָ בְּמִן הַגּוֹיִם אֲשֶׁר קָדְמְךָ לִיטֵרַלְי, *And thy man-servants and thy maid-servants, which shall be to you from among the nations that are round about you, of them shall ye obtain man-servant and maid-servant.*

The meaning of this, at first sight, would seem to be: he shall be permitted to obtain (or *purchase*, according to the Hebrew idiom for a contract made with a servant), from as many servants as may be with you, from among the nations round about you, men-servants and maid-servants, or, the man-servant and the maid-servant. The Hebrew construction does not read, that "ye shall purchase of the nations

that are round about you," but, "of the servants that have come to you from among those nations." Ye may take such as your servants, making with them such contracts of service as you choose. But, this being a proviso under the law of Jubilee, the reference naturally is to contracts of service until the year of Jubilee. It might possibly have been argued or imagined, from such laws as that in Deut. 23: 15, 16, concerning servants that had escaped from their masters, that it was not permitted to take the heathen servants for apprentices, or to put them under contract until the year of Jubilee. This law gives such a permission. It cannot mean that your men-servants and your maid-servants thus legally bound, shall be only of the heathen; for the preceding clause is an enactment respecting the treatment of *Hebrew* servants so bound; nor is it imperative, as if it had been said, "Of them *only*, ye shall buy bondmen and bondmaids," or, "Ye shall have your bondmen and bondmaids (using our version) only from the heathen." But the statute is permissive,—ye may; it is allowed you by law to make what contracts of service ye please, with servants from the heathen, or the nations round about you, limited only by the law of Jubilee. Now, that this is the meaning of this clause, is rendered somewhat clearer by the Sept. translation of this 44th verse: *Καὶ παῖς καὶ παιδίσκη ὅσοι ἂν γένωνται σοι, ἀπὸ τῶν ἐθνῶν ὅσοι κύκλω σου εἰσὶν ἀπ' αὐτῶν κτησεσθε δούλον καὶ δούλην*, literally, "And servant, and maidservant, as many as there may be to you from the nations round about you, from them shall ye procure bondman and bondwoman." We use the words *bondman* and *bondwoman*, not because *δούλον* and *δούλην* necessarily mean that and that only, but to preserve the contrast manifest in the Sept. translation of this verse. Now it seems clear that the Sept. translators have conveyed the literal construction of the Hebrew, except only in the use of these latter words, more truly than our English translators. But we do not insist upon this, as if it were in the least degree essential to the argument; for it makes very little difference whether the law says, "Ye may procure from the nations round about you, servants and men-servants," or,

“Ye may procure from as many servants as may come to your country from the nations, your men-servants and maid-servants.” The contract in either case was of voluntary service, and not involuntary servitude or slavery. This law gave no Hebrew citizen the power or the privilege (even if it could have been considered a privilege, which it was not), of going forth into a heathen country and buying slaves, or of laying hold on any heathen servants and compelling them to pass from heathen into Hebrew bondage. But it did give permission to obtain servants, on a fair and voluntary contract, from among them, limiting, at the same time, the longest term of such service by the recurrence of the Jubilee. Such permission by statute was not only expedient, and for the sake of the heathen, benevolent, but circumstances made it necessary.

The heathen round about Judea were idolatrous nations. Now the Hebrews were so defended and forbidden by law from entering, with the Canaanitish tribes especially, into any treaties of fellowship and commerce, of relationship and intercourse, socially or otherwise, that there seemed a necessity of inserting this article in regard to servants, as an exception. The Hebrews might obtain servants of the heathen, might employ them as servants of all work, and by the longest contract. They were thus prepared for freedom, and made free. But as to making slaves of them, there could be no such thing; there was no such sufferance or permission. There were no slave-marts in Israel, nor any slave-traders, nor slave-procurers, nor *go-betweens* of traffic in human flesh. The land of Canaan itself was given to the Hebrews for a possession, but never the inhabitants, nor the inhabitants of heathen nations round about them.

How then should Hebrew householders or families get possession of heathen servants as slaves? Who, at liberty to choose, would bind himself and his posterity to interminable slavery? Even supposing it possible for Hebrew masters to make such a foray into a heathen neighborhood, and bind a heathen bondman as their slave, and bring him into Judea for that purpose; at the moment of his transfer into

Judea, he came under all the protective and liberating provisions of the Hebrew law ; he was encircled with the safeguards and privileges of religion, and was brought into the household and congregation of the Lord ; he could flee from an unjust master ; and no tribe, city, or house in Judea was permitted to arrest or bring him back as a fugitive, or to oppress him, but all were commanded to give him shelter and to protect his rights. The whole body of the Hebrew laws, as we have examined them, demonstrates the impossibility of importing slavery into Judea from the heathen nations round about the Hebrews. It is monstrous to attempt to put such a construction as the establishment of perpetual bondage upon the clause in the law of Jubilee under consideration. The respective position of the Jews and the nations round about them, renders this construction impossible. But the language itself forbids it. It is not said, " The heathen are given to you for slaves, and ye may take them and make bondmen of them ;" which is the construction put, by the advocates and defenders of slavery, upon this passage ; but, " Ye may procure for yourselves servants, from among the servants that may be with you from the nations round about you," *אֲנָשֵׁי נִזְקֵי*, *from them ye may obtain, not, them ye may take.* If the word be translated *purchase*, nor *buy*, then, as we have clearly demonstrated, it means no more than an equivalent paid for services to be rendered during a period specified in the contract. Nothing more than this can possibly be drawn from this clause.

Clause Third, of Personal Liberty.

We pass, then, to the third clause, contained in the 45th and 46th verses, in our common version rendered as follows: " Moreover, of the children of the strangers that do sojourn among you, of them shall ye buy, and of their families that are with you, which they begat in your land ; and they shall be your possession. And ye shall take them as an inheritance for your children after you, to inherit them for a possession ; they shall be your bondmen forever : " Here this clause, in the

original, stops, and the next passes to a wholly different subject, the treatment of *Hebrew* servants bound to service till the year of Jubilee. But in our version this clause is made to take up what seems, more accurately, to be a part of the next, and verse 46 is completed with the following paragraph, as if it belonged to the preceding and not the succeeding clause : " but over your brethren, the children of Israel, ye shall not rule one over another with rigor." There is nothing in the construction that forbids this connection, but the context, as we shall see, would seem rather to appropriate this to the next following clause.

The class here marked as the recruiting class for servants for the Hebrews, consists of the children or descendants of sojourning strangers, and of their families begotten in Judea. The Hebrews might obtain of them servants, whose service was purchased on such a contract that, up to the year of Jubilee, it lasted from generation to generation as a fixture of the household ; the claim upon such service, by the original agreement or terms of purchase, constituted a possession, an inheritance, from the parents who had made the bargain, to the children for whom, until the Jubilee, it was made. That this was a voluntary contract on the part of the servants, and that it did not and could not involve any approximation to what we call slavery, nor constitute them *bondmen*, an examination of their condition by law, as a class of inhabitants, will clearly show.

Two classes are clearly defined in the two clauses of the law now under consideration, the second clause contained in verse 44, and the third clause in verses 45 and 46. The first class was of the nations surrounding the Hebrew territory, in our translation, *the heathen round about*. But because they were heathen, they were not therefore the selected and appointed objects and subjects of oppression ; the Hebrews were not, on that account, at liberty to treat them with injustice and cruelty, or to make them articles of merchandise. Nay, they were commanded to treat them kindly. The fact that many of them were hired servants, proves incontestibly that they were never given to the Hebrews as slaves, and

that no Hebrew master could go forth and purchase any of them as such. They could not possibly be bought without their own consent; and, in thus selling themselves, they could make their own terms of contract. The 44th verse cannot possibly mean a purchase of slaves from third parties, but only the purchase, that is, the acquisition, by voluntary contract, for a specified consideration paid to the person thus selling his services for a particular time. There is no definition of the time. There is no qualification in this clause giving the right to hold heathen servants in any longer term of bondage or servitude than Hebrew servants; there is no permission of this kind in regard to *the heathen that were round about them*. There is no line of distinction, making slaves of the heathen, and free servants of the Hebrews.

How could there be? The fugitive slaves from heathen masters were free, by Hebrew law, the moment they touched the Hebrew soil. The heathen households, or families, that remained among the Hebrews, or came over into their land, were to be received into the congregation of the Lord, after the process of an appointed naturalization law, and, when so received, were in every respect on a footing of equality with the natives as to freedom and religious privileges. How then could such families, or their servants, be a possession of slaves? The children begotten of the Edomites and Egyptians, for example, were to enter into the congregation of the Lord in the third generation.

The children of Jarha, the Egyptian, the servant of Sheshan a Hebrew, were immediately reckoned in the course of Sheshan's genealogy (1 Chron. 2: 34, 35). Ruth, the Moabitess, was immediately received as one of God's people, and Boaz purchased her to be his wife. He could not, because she was a heathen, have taken her to be his slave. Nor could any heathen families, coming into the Hebrew country, engage in a slave-traffic, or set up a mart for the supply of slaves to the Hebrews. In the Hebrew land, they could no longer have slaves of their own; for by the law of God, as plain and incontrovertible as any of the ten com-

mandments thundered upon Sinai, a heathen slave was free, if he chose to quit his master; no master could retain him a moment, but by his own consent. Much less, then, could such families have had slaves for sale. The Hebrews could have no heathen servants, but by contract with the servants themselves; and that renders what we call slavery impossible.

But if this were impossible in regard to servants coming to the Hebrews from the heathen round about Judea, much more in regard to the second class, namely, the children and families of the strangers sojourning in Israel, and their posterity. This sojourning was a voluntary and an honorable thing. And their condition was better ascertained, defined, and secured than that of the class named in verse 44. They were families of proselytes. They could not be tolerated in the country at all, except on condition of renouncing their idolatry, and entering into covenant to keep the law of God. They had entered into the congregation of the Lord, or would have done so before a single Jubilee could be half way in progress. In regard to this class, as also the other, express laws were passed in their favor, protecting and defending them. Their rights were guaranteed by statute. They were as free as the Hebrews, and were to be treated as freemen. They had the same appeal to the laws, and the judges were commanded (Deut. 1: 16): "Hear the causes between your brethren, and judge righteously between man and his brother, and the stranger that is with him," בֵּי־אִישׁ וּבֵי־אָחִיו וּבֵי־זָרָה, *between man, and his brother, and his stranger.* They entered into the same covenant with God at the outset (Deut. 29: 10—13): "All the men of Israel, your little ones, your wives, and *thy stranger* (זָרָה) that is in thy camp, from the hewer of thy wood unto the drawer of thy water, that thou shouldst enter into covenant," etc. — "that he may establish thee for a people unto himself." And again, Deut. 31: 12, 13, "Gather the people, men, women, and children, and *thy stranger* (זָרָה), that is within thy gates, that they, and their children may hear, and learn, and fear."

The Sabbath, and all the many and joyful religious festivals, with all the privileges of the people of God in them,

were theirs to observe and enjoy. The greatest and most careful benevolence was enjoined towards them. "Thou shalt neither vex a stranger, nor oppress him, for ye were strangers in the land of Egypt," Ex. 22: 21. "Cursed be he that perverteth the judgment of the stranger," was one among the twelve curses, Deut. 27: 19. In the very chapter next preceding this chapter of the law of Jubilee, it is enacted, that "Ye shall have one manner of law, as well for the stranger, as for one of your own country, for I am the Lord your God," Lev. 24: 22. These injunctions were enforced in various forms, and with much emphasis and repetition. "The Lord your God loveth the stranger; love ye therefore the stranger, for ye were strangers in the land of Egypt," Deut. 10: 17, 18, 19. "Thus saith the Lord, execute ye judgment and righteousness, and deliver the spoiled out of the hand of the oppressor, and do no wrong, do no violence to the stranger," Jer. 22: 3. If, in defiance of these statutes and precepts, they had attempted to bring the strangers into subjection as slaves and articles of property, on the ground that they were heathen, it would have been regarded as man-stealing, and any single case of such crime would have been punished with death.

In Is. 66: 6, 7, the sons of the stranger are brought under a special covenant of blessing from Jehovah, to make them joyful in his house of prayer, — "the sons of the stranger, that join themselves to the Lord, to serve him, and to love the name of the Lord, and to be his servants." Moreover, in the last indictment of God against the Hebrews, in which Ezekiel, just before the captivity of Judah and the destruction of Jerusalem, enumerated the reasons why God finally poured out his wrath upon them, the last crime mentioned, as if it were the one that filled up the measure of their iniquities, was *the oppression of the stranger* (Ezek. 22: 29). "The people of the land have used oppression, and exercised robbery, and have vexed the poor and needy, *yea, they have oppressed the stranger wrongfully.*" Also, in the prophecy of Zechariah, *after* the captivity and destruction of the city, "the word of the Lord came to all the people of the land,"

referring to God's former commands, "to execute true judgment, and show mercy, and *oppress not the stranger*," and declaring that for such oppression, and for not executing judgment and mercy, God had "scattered them as with a whirlwind among the nations," Zech. 7: 9, 10, 14. Finally, in the 19th chapter of Leviticus, the same chapter that contains the precept, *thou shalt love thy neighbor as thyself*, there stands out this conclusive, emphatic, comprehensive law: "If a stranger sojourn with thee in your land, ye shall not oppress him, but the stranger that dwelleth with you shall be unto you as one born amongst you, and thou shalt love him as thyself, for ye were strangers in the land of Egypt. I am the Lord your God," Lev. 19: 34.

Now it is incredible, impossible, that this very class of persons, thus protected and favored of God, and commended to the favor and love of the Hebrew people, could have been at the same time selected as the subjects of bondage, and appointed as a class on whom the Hebrew masters might exercise the full rigor of perpetual slavery. It is impossible that they could have been doomed and treated as an inheritance of human chattels. Yet this is the argument, and this the monstrous conclusion of those who would restrict the application of the free law of the Jubilee to persons of Hebrew birth, and who contend that in the 45th and 46th verses of this chapter, there is a wholesale consignment of the heathen to the Hebrews as their chattels, their slaves.

Let us examine the Hebrew of this clause. The first phrase essential to be marked, is the designation of the class from whom servants may be taken, *of the children of the strangers that do sojourn among you*, מִבְּנֵי הַחוֹשְׁבִים הַגֵּרִים עִמָּכֶם. The same expression is used in Lev. 25: 23: *Ye are strangers and sojourners with me*, גֵּרִים וְחוֹשְׁבִים. Job uses a word derived from the same verb גִּיר from which this noun גֵּרִים is derived, to signify a dweller in the house: *They that dwell in my house, and my maids*, גֵּרֵי בֵּיתִי וְאִמָּוֹתַי, Job 19: 15. So in Ex. 3: 22, *Every woman shall borrow of her that sojourneth in her house*, הַמִּגְרָה בֵּיתָהּ. So also in Gen. 23: 4, the words גֵּר, *stranger*, and חוֹשֵׁב, *sojourner*, are almost synonymous. They

are thus used, Ps. xxxix., "I am a stranger and a sojourner with thee," גַּר אֲנִי עֶדְדָה חוֹשֵׁב . The same words are used (Lev. 25: 47) in the next clause of the law under consideration, *if a sojourner or stranger*, גַּר וְחוֹשֵׁב (*stranger and sojourner*). One might be merely a stranger passing through the land, but not a sojourner, because not making any stay in the land; but the sojourners, settling in the country, were called the strangers of the land, and their children are the class designated in the verse before us, their descendants generally.

Of them shall ye buy, and of their families that are with you, which they begat in your land. This is an additional description. *Their families that are with you*, מִשְׁפְּחֵיהֶם אֲשֶׁר עִמָּכֶם, i. e. separate and independent families, living by themselves, settled in the land under protection of its laws, and in the enjoyment of its privileges; not families in bondage, nor in any way under tribute, but free families, under protection of Jehovah. Of these, *begotten in the land*, and consequently citizens, proselytes, covenanters, with all the Hebrews, a naturalized part and parcel of the nation, might the Hebrews *buy* (יָקַח is the word used), *obtain*, by purchasing their services, servants for themselves, as in the verse preceding, עֶבֶד וְאִמָּה, *the serving man and serving woman, the servant and maidservant.*

Then it is added, *and they shall be your possession*, יְהִי לָכֶם לְאִמְוָה, *they shall be to you for a possession*; that is, the servants so obtained by purchase of their services on contract for time, shall be your possession; not the families, not the race of sojourners, but such of the children or descendants of the sojourners, or members of their families, as might enter into such contract of service for money; as, in Ezek. 44: 28, God says of himself, that he is the possession of the priests, the Levites, אֲנִי אֲתֵימָר, *I am their possession.* Still, it is not absolute; they shall be to you *for* a possession, not absolutely, *your possession.* Nor is it any stronger than where it is said in Ex. 21: 21, of the servant purchased, that is apprenticed according to the legal contract, for money paid beforehand to the servant for his services, that he is his master's money, *for he is his money*, כִּי בְקֶסֶף הוּא . He

might be a Hebrew servant, and yet be called, in this sense, his master's money, his master's possession, his services belonging to his master for so long a time as might have been specified in the terms of the contract. But the servant himself was never, and could not be, the property of the master, though he might be bound for a term of service, extending from master to son, as would be the case, if bound until the Jubilee. It would be regarded in the light of a long lease, conveyed for an equivalent, in consideration of which, though the servant making the contract was not the master's property, yet the *service*, promised and paid for, *was*. And this claim, up to its legal expiration, would with propriety be spoken of, be described, as conveyable from the master to his children, for any period within the limit of its legal conclusion at the Jubilee. If the master who made the contract with the servant, died, while any part of the contract remained unfulfilled, the claim belonged as an inheritance, or family possession, to his children after him.

For example, if, during the first year after the year of Jubilee, when many new contracts would be made, and householders would be looking out for servants on the most profitable terms, a master could agree with a servant, could hire or apprentice him, could *buy* him, as the Hebrew phrase is ordinarily translated, from a family of strangers or sojourners, to serve in his household till the next Jubilee, this would be an engagement for at least forty-seven years. Now supposing such a master to be of the age of fifty, and at the head of a family, the contract would bind this servant, in effect, as a servant to the children of the household; and supposing the master to die at the age of seventy-five, the claim upon his services would descend as a possession, as an inheritance to the children for some twenty-two years longer. The servant might be said to belong to the family still, for that period of the unfulfilled engagement. It was an engagement which had bound the servant, in Hebrew phrase, forever.

But this phrase, in respect to legal servitude, is, absolutely and beyond dispute, demonstrated to mean a period no

longer than to the Jubilee. Two prominent instances, in the case of Hebrew servants, put this beyond possibility of controversy, showing that the *forever*-contract (לְעֹלָם) had always its termination, by the law of Jubilee, at that period; nor could any contract override that law; nor was there ever a pretence, because the servant was bound to his master, technically, forever, that therefore he was bound to him beyond the Jubilee, or was not to be free at the coming of the Jubilee. One of these cases is that of the Hebrew servant renewing his contract with his master to the longest period (Ex. 21: 6): his master shall bore his ear through with an awl, *and he shall serve him forever*, וַיַּבְרֵךְ לְעֹלָם. But at the Jubilee, on the sound of the trumpet, he was free, and must return to his own family, he and his children with him.

The second instance of this illustration of the usage and meaning of the word and the law, is in Deut. 15: 17, comprehending Hebrew men-servants and maid-servants under the same rule. At his own agreement and desire, the Hebrew servant has his ear bored, and is bound until the longest period ever admitted by the law: *and he shall be thy servant forever*, וַיַּבְרֵךְ לְעֹלָם. *And also unto thy maid-servant thou shall do likewise.* Nevertheless, at the Jubilee they were to be free; this contract, which was said to be forever, terminated by a law that lay at the foundation of the whole system of Hebrew jurisprudence and polity, at the Jubilee; it could not be made to run across that limit; no one could be held in servitude, no matter what were the terms of his contract, beyond that illustrious year of liberty.

A similar usage and illustration are found in 1 Sam. 27:12: "And Achish believed David, saying, He hath made his people Israel utterly to abhor him; *therefore he shall be my servant forever*, וַיַּבְרֵךְ לְעֹלָם, *he shall be to me for a servant forever.* In the book of Job there is another illustration (40: 28 — in our translation, 41: 4): "Will he make a covenant with thee? wilt thou take him for a servant forever?" The phraseology here is strikingly illustrative; for it seems to be drawn from the very contract made with servants who were willing to enter into the longest apprenticeship, and the man-

ner of sealing it, that is, by boring the ear of the voluntary bondman. "Can any man bore the nose of leviathan with a gin, and take him in his sight? Canst thou bore his jaw through with a thorn? Will he speak soft words unto thee? *Will he make a covenant with thee* (וְהִירָחַת עִירִיחַ עִמָּךְ)? *Will thou take him for a servant forever* (תִּשְׁתָּקַח לְעַבְדְּךָ עוֹלָם)?" It is to be marked that the word here translated *take*, is the very word used for purchasing or buying the contract with a servant: "Wilt thou buy him for a servant forever?" In buying a servant, the covenant or contract was made with himself, not with a third party. Hence the condition here referred to, for the possibility of taking leviathan for a servant,— "will he enter into covenant with thee?" Thou canst take him for thy servant in no other way. Will he agree with thee to be thine עַבְדְּךָ, thy bounden servant of all work, for thyself and thy family? Wilt thou bind him for thy maidens? Will he consent to be a fixture in thine household?

Nothing is requisite, nothing needed, to strengthen this demonstration. It is as clear as the noon that the longest period of servitude among the Hebrews was entered into by voluntary contract, and was terminated by the Jubilee. Hebrew servants were apprenticed forever, and so were a possession, an inheritance, until the Jubilee, but never slaves. The children of strangers and sojourners, in like manner, were apprenticed forever; and, in like manner, were a possession, but never slaves. With Hebrew servants, the long term was the exception, and the ordinary term was six years; and even during the long term, they were to be treated as hired servants, rather than as apprentices, though they were legally bound. With servants from the heathen, or from the families of strangers, the long term of apprenticeship would seem to have been the ordinary term, and the six years, or less, the exception; and during the long term there was no such legal provision for them as for the Hebrews, requiring that they should be treated as hired servants. But the advent of the Jubilee put an end to both periods and both kinds of servitude, and all were free, all the inhabitants

of the land. We shall advert to some of the reasons for the difference that was made between the Hebrew servants and those from the families of sojourners, or of proselytes, or from the heathen. But we are now prepared to consider the 46th verse, the remainder of the third clause of the Jubilee-enactment, in its true meaning. In our version it runs thus: *And ye shall take them as an inheritance for your children after you, to inherit a possession; they shall be your bondmen forever.*

Taking the Hebrew, phrase by phrase, it is as follows: *And ye shall take them as an inheritance*, אַתָּם יִקְחוּם לְיִרְשָׁה. The verb is Hithpael of קָחַ, *to receive, or to inherit*, and with לְ following it, is rather transitive than active; so that, instead of meaning, "Ye shall take them for an inheritance," it rather means, "Ye shall leave them behind as an inheritance," Ye shall bequeath them as an inheritance; or, Ye shall possess them to be bequeathed. Gesenius renders the phrase thus: *Eosque possidebitis relinquendos filiis vestris post vos, Ye shall possess them to be left to your children after you, — to your children after you, to inherit a possession; not them for a possession, but, simply, to inherit a possession; that is, the right to their services during the legal, contracted period.* The Hebrew phrase is: יִרְשָׁה אֲחֵיהֶם, *to occupy a possession, to receive as heir a possession.* Comp. Gen. 15: 3, 4. 21: 10. Jer. 49: 1, 2. Num. 27: 11. 36: 8.

The next phrase, translated, *they shall be your bondmen forever*, contains no word for 'bondmen,' but is as follows, in the original: לְעֹלָם יִשְׁעוּ בָהֶם הַעֲבָדִים, *forever on them ye shall lay service, or, from them ye shall take service; or, as in similar passages it is sometimes translated, shall serve yourselves of them.* Comp. Jer. 30: 8. 25: 14. 22: 13. In this last passage in Jeremiah, this form of phraseology is applied to the serving one's self of his neighbor without wages. And so, Ex. 1: 14, *all their service which they served upon them*, בְּעִבְדוֹתָם אֲשֶׁר-עָבְדוּ בָהֶם. The same phrase would be applied to designate the employment of a Hebrew servant, the ordinary six years' servant, so that there is no meaning of a bondman, or of bond-service, connected with it. It means, "Ye may have them for

your servants forever ;" that is, as we have seen, for the longest permissible and legal time of contract.

Or, the qualifying epithet of duration may belong to the previous phrase, *to inherit a possession forever* ; and then the phrase of service would stand alone, *of them ye shall serve yourselves*. It makes little or no difference with whichever member the word of duration, עַד־עַד, be coupled. Whether applied to the individuals, as a class, or to the service contracted for, as a possession, it is clearly limited by the statute itself, as in Deut. 15: 17, and in Ex. 21: 6. It is simply the permission to engage and keep until the Jubilee, servants from among the heathen and from the families of sojourners in the land. Such contracts should be binding in law, and in fact they served to incorporate the strangers and sojourners more immediately and closely with the people, and constituted a process of naturalization eminently wise and favorable, considering the character and habits which those born and bred in heathenism, and but recently come to sojourn in the Hebrew country, must have assumed. This would seem to be one of the reasons for the difference put by law between the nature and extent of the lease by which Hebrew servants might be hired, and that by which the heathen might be bound ; the former being by law always treated as hired servants, even when bound till the Jubilee, but the latter subjected according to the letter of the contract.

Fourth Clause, of Personal Liberty.

But the meaning of this verse is settled still more entirely beyond question by the next clause in the enactment, where the phrase *a possession and inheritance for your children after you*, is defined and explained by a phrase in the 47th verse, where the case is supposed of a native Hebrew selling himself to a stranger or sojourner, to be taken in the same manner as an inheritance for their children after them ; the Hebrew selling himself for a servant TO THE STOCK OF THE STRANGER'S FAMILY. Here is the whole meaning of the pre-

ceding contract as applied to servants from the families of the strangers and sojourners selling themselves to the Hebrews until the Jubilee, that is, *to the stock of the Hebrew's family*. If such sale on the part of the Hebrew servant did not constitute *him* a bondservant or a slave, neither on the part of the heathen servant did it constitute *him* a slave; and, if such sale, by which the Hebrew servant became an inheritance belonging to *the stock of the stranger's family*, did not interfere with the law of Jubilee, by which every inhabitant of the land was free in the fiftieth year, neither did it so interfere on the part of the heathen servant, when he had become an inheritance belonging to *the stock of the Hebrew family*.

We suppose this fourth clause, in regard to Hebrew servants and their treatment, to commence with the last paragraph in the 46th verse; and so commencing, it reads as follows: "Moreover, over your brethren, the children of Israel, ye shall not rule one over another with rigor. But if a stranger or sojourner wax rich by thee, and thy brother that dwelleth by him wax poor, and sell himself unto the stranger or sojourner by thee, OR TO THE STOCK OF THE STRANGER'S FAMILY, after that he is sold, he may be redeemed again," etc. The Hebrew here for *the sale* is נָקַדְתָּ, as in Ex. 21: 7, and Lev. 25: 39, 42, translated in verse 39 *be sold*, but in verse 47 *sell himself*, which latter is the true translation. But the phrase most important to be considered is *the stock of the stranger's family*, וְנָקַדְתָּ לְעֵקֶר בְּשֵׁם־הַזָּרְ אֲשֶׁר־נָקַדְתָּ, i. e. if he sell himself to the stock, or *family tree*, of the stranger, to the trunk of the family of the stranger. The meaning is exactly that of the phrase in the 46th verse, "an inheritance for your children after you to inherit a possession." The apprenticeship is to the stock of the family for fifty years.

The case in this clause is of a Hebrew waxing poor, and selling himself on this long lease of his services, limited only by the Jubilee, to the family of some rich stranger. He is said to have sold himself, in this transaction, to the stock of the family; that is, he has made a contract to abide in the family and serve them, and their children after them, until

the Jubilee. This is precisely what the strangers were supposed to do, when they were taken as an inheritance for the Hebrews and their children after them. They sold themselves to the stock of the Hebrew family, that is, they made a lasting contract for service, not to be interrupted till the Jubilee, unless they were redeemed, bought back again before the conclusion of the contract. A relative might redeem the Hebrews thus sold, or, if they were able, they might redeem themselves, that is, might buy back the right to their own services, for which they had been paid beforehand.

For they had received the money for the whole fifty years, or rather forty-nine, when the contract was made. This is proved by verse 51, and by the provisions of the enactment regulating the manner of the re-purchase. The servant redeeming himself was to reckon with his master, and pay back part of the money for which he had sold himself, according to the number of years remaining of his unfulfilled contract up to the Jubilee. If more years remained, he would have to pay more, if less, less, as the price of his redemption. And the reckoning was to be year by year, according to the reckoning by which the yearly hired servant was paid for his services; for the peculiarity of the treatment of a Hebrew servant bound to his master's family until the Jubilee, was just this, that he should be treated as a yearly hired servant would have to be treated; this is apparent from verses 50 and 53, compared with verse 40. It seems to have been considered a generous and gentle treatment of the servant on this long contract, if he were treated as a hired servant, a *שָׂכִיר*, but if not, then this long contract was a rigorous rule. It was enacted in behalf of every Hebrew servant that during this long contract he should be with his master as a yearly hired servant, *כְּשָׂכִיר שָׂכָרָא*, and that his master should not rule with rigor over him. But no such specification was made in behalf of the heathen servant, or the servant from the families of the sojourners and strangers, and in this important respect the native Hebrew was preferred before the foreigner, and greater privileges were secured to him by law. Indeed, the specific

clauses of enactment in this Jubilee chapter, from verse 38 to the close, are occupied mainly with establishing these distinctions between one and the same class of Hebrew and heathen servants, namely, those whose lease of service extended to the Jubilee.

In this view, it is not important whether the latter half of the 46th verse, which we have preferred to read as the opening or preamble of the fourth clause, be joined to what follows or to what precedes. In our translation it belongs to what precedes, and the Hebrew conjunction has been translated *but* instead of *and*; so giving the force of contrast, as if the families of strangers might be subjected to a more rigorous service than of native Hebrews. In the respect which we have pointed out, this is true; but the word *bondmen* in the preceding part of the verse so translated, not being in the original, nor anything to justify it, a wrong impression is produced; it is made to appear as if the heathen might be used as bondmen or slaves, but the Hebrews not; whereas, there is no consideration of the state of a bondman or slave at all, nor any possibility of such state admitted, but only a specification of the respective manner in which the Hebrew and heathen servant, under the same contract as to time, should be treated during that time. Over such servants of the children of strangers as the Hebrews might buy, they might rule for the whole period of the contract, without being obliged to treat them during that time as hired servants must be treated; "but over your brethren, the children of Israel, ye shall not rule one over another with rigor." That this is the only point of contrast is proved by the 53d verse: "As a yearly hired servant shall he be with him, and his master shall not rule over him with rigor in thy sight."

This phrase, *rule over him with rigor*, as in verses 53, 46, and 43, *thou shalt not rule over him with rigor*, לֹא תִקְרָהּ בּוֹ מִסָּרָה, is found only in this chapter of Leviticus, and in connection with this law of Jubilee. But in the first chapter of Exodus a *similar* phrase is employed, descriptive of the rigorous service imposed by the Egyptians on the children of Israel in the time of their oppression: They made the children of Is-

rael to serve with rigor. All their service, wherein they made them serve, was with rigor, כְּבָרָה בְּיָדָם אֲשֶׁר לְקָרְוֵי בָנִים אֲשֶׁרָּה. Any such oppressive rule was forbidden; it was a crushing oppression, from which God had delivered them, and they were defended, by special edict, from ever exercising the same upon others. It only needs to repeat, in this connection, the benevolent command in the nineteenth chapter of Leviticus: "If a stranger sojourn with thee in your land, ye shall not oppress him, but the stranger that dwelleth with you shall be unto you as one born amongst you, and thou shalt love him as thyself, for ye were strangers in the land of Egypt," and to connect with this the statute in Lev. xxiv. : "Ye shall have one manner of law, as well for the stranger, as for one of your own country," and we shall feel it to be impossible that, in one and the same breath of divine legislation, an oppressive treatment, forbidden for the Hebrews, was permitted and appointed for the strangers.

If it had been plainly said, Ye shall not oppress the children of the Hebrews, but ye may oppress the children of strangers, what must have been thought, what would have been said, of such legislation, so contradictory in itself, and so glaringly inconsistent with previous legislation in regard to the same classes? Yet this is the very inconsistency, and contradiction, and moral obliquity, implied and involved in the assertion of those who contend that the forbidding of a rigorous treatment of the Hebrew servants, licenses and authorizes, and was intended so to do, an oppressive treatment of the heathen servants, even as slaves. Never was a more monstrous argument instituted, subversive of the very first ideas of the Divine benevolence and justice taught in the Mosaic books themselves, as well as in all the other Scriptures. The argument could hardly have been proposed, had it not been for the use of the word *bondmen* in our English version, in the 46th verse of this chapter, where there is no such word, nor anything answering to it, in the original Hebrew. And even in the margin our translators have put the more literal and truthful rendering, so that a careful English reader may see that there is no such word as *bondmen* in the text.

The Jubilee Statute, the great crowning statute of universal personal liberty, was passed for all the inhabitants of the land, and no statute of limitation or exception was, at any time, afterwards added ; but only statutes were added specifying the manner of treatment *up to the time of release*. But if there is nothing in the great Jubilee Statute itself that limits it, expressly and undeniably, then it must be interpreted in accordance with the humane and free spirit of other Hebrew legislation on the same subject. It should be our desire not to give to despotism, but freedom, the benefit of any doubt. Were it not for a desire to interpret the statute as against universal freedom, and were it not for the careless assumption that slavery existed among the Hebrews, it could never have been so interpreted. Men have looked through the glass of modern slavery, and the history of ancient, to find the same system among the Hebrews. But, in reality, there is found a set of laws and causes to prevent and render it impossible, and at length to break it up, all over the world. The system of Hebrew Common Law would, by itself, have put an end to slavery everywhere. The Hebrew laws elevated and dignified free labor, and converted slave-labor into free.

Slavery could not be utterly abolished in any other way than by a system of such laws. A people must be trained for freedom. The heathen slaves could not be admitted to dwell among the Hebrews, except in such subjection, preparatory to complete emancipation. The subjection itself was a voluntary apprenticeship, and not involuntary servitude ; and by reason of the privileges secured, and the instruction enjoined by law, it was a constant preparation for entire emancipation, a constant elevation of character ; and then, every fifty years, the safety of complete emancipation was demonstrated. The Jubilee Statute cannot be understood in any other light. But when the veil of prejudice is taken away, it is especially by the tenor of the Hebrew laws in regard to slavery, that the beauty and glory of the Hebrew legislation, its justice, wisdom, and beneficence, become more apparent than ever.

The law of heathen servitude until the Jubilee, was a naturalization law of fifty years' duration. It was a fifty years' probation of those who had previously been idolaters and slaves, for freedom. It was a contrivance to drain heathenism of its feculence. The heathen slaves were in no condition to be admitted at once to the privileges of freedom and of citizenship among the Hebrews. They needed to be under restraint, law, and service. They were put under such a system as made them familiar with all the religious privileges and observances which God had bestowed and ordered, a system that admitted them to instruction and kindness, and prepared them to pass into integral elements of the nation. It was a system of emancipation and of moral transfiguration, going on through ages, the taking up of an element of foreign ignorance, depravity, and misery, and converting it into an element of native comfort, knowledge, and piety. And the Statute of the Jubilee, the statute of liberty to all the inhabitants of the land every fifty years, was the climax of all the beneficent statutes, by which the sting was extracted from slavery, the fang drawn; and by this statute, in conjunction with all the rest, the Hebrew republic was to hold to the world the glory of an example of freedom and equality, in marvellous and delightful contrast with the system of horrible oppression, cruelty, and bondage, everywhere else prevailing.

The distinction between the tenure and the treatment of Hebrew servants and foreign, was not arbitrary. It grew naturally out of God's whole revealed and providential system, as well as being in conformity with the necessity of the case. But if there had been no necessity, it was only in keeping with the favor of God towards his own chosen people, that the servants from among the heathen should be held for a period seven times longer than the servants from among the Hebrews, and in a less exalted and more general service than their own. A Hebrew servant was free every seventh year; a heathen servant, every fiftieth. It would have been a strange thing, a solecism, if there had not been some such distinction. Yet the distinction itself was voluntary; that is,

it was at any heathen servant's option to make a contract for the whole period to the next Jubilee, or not. If, rather than make such a contract, he chose to return to the heathen country, he was at perfect liberty to go; and if he staid, and could find any master to take him as a hired servant, and not as a servant of all work, till the Jubilee, there was no law against that; he was at liberty to hire himself out on the best terms, and to the best master, that he could find. So much is indisputable, and so much is absolutely and entirely inconsistent with slavery.

General Argument from the After-History.

The argument and evidence from the after-history of the Jews, in regard to the unlimited application of the law of Jubilee to the strangers as well as native Hebrews, is nearly as demonstrative and irresistible as that from the statute itself. It is clear that if the heathen had been given and appointed of Jehovah to be taken as perpetual slaves by the Hebrews, a race of slaves must have been constituted, who would have increased, in the course of a few centuries, to the number of hundreds of thousands. But that no such race was ever in existence, is equally clear, not the least trace of them being found in the sacred records. Had there been such a race in the time of Jeremiah, the Jewish masters would not have been so eager to convert their Hebrew servants into slaves; that conspiracy against the law indicates that they had, at that time, very few heathen servants. Indeed, by the natural process of the law of Jubilee, in connection with other statutes, each generation of heathen servants, instead of being perpetuated and increased, passed into free and integral elements of the Hebrew State; so that, after the lapse of no very long period, the supply of heathen servants must have been greatly diminished, and almost the only prevailing form of service must have been the six years' period, as appointed in the twenty-first chapter of Exodus.

If the Hebrew families and masters could, by law, have held as many heathen as they chose for slaves, and the chil-

dren, born of such slaves, followed the condition of their parents, then, nothing could have prevented such a set of men as were ready to undertake and carry through a revolution from freedom to slavery in respect to their own countrymen, from buying and breeding heathen slaves without limit, especially if God's law for the land had absolutely given and bequeathed the heathen to them for that express purpose. This would have been such an establishment of slavery by the Divine law as would have rendered inevitable and permanent the most diabolical and venal licentiousness and cruelty that ever, in any systematic shape, has cursed the earth. But by the law of the land, after an appointed time, the strangers and sojourners, and children of strangers from among the heathen, all became denizens, citizens, proselytes, and could claim the privileges of Hebrews. By the time one season of Jubilee had been run through, they would "enter into the congregation of the Lord;" and thus slavery was effectually and forever prevented, both by law and the practical working of the institutions of society. Hence the grasping avarice of the Jews, turned at length against their own native servants, and hence their daring and cruel attempt to change, by violence, those fundamental and far-reaching statutes of freedom and a free polity, appointed for them by Jehovah.

To those who have not examined the subject, it seems strange that not the sin of idolatry, but the sin of slavery, the violation of the law of freedom, should have been marked of God, among the catalogue of Jewish crimes, as the one decisive act of wickedness that filled up the measure of their iniquities, and brought down the wrath of God upon them without remedy or repeal. But the wonder ceases, when the nature of the crime is taken into consideration. Being a crime concocted and determined by all the princes, priests, and people, together with the king, it was really making the whole nation a nation of men-stealers; and man-stealing was a crime appointed in the law of God to the punishment of death; so that the adopting of it by the government and the people, was an enshrining of the iniquity in public and

most glaring defiance of God's authority, in the form of their state policy. They had thus contrived, as they imagined, a security even in the midst of their oppression, against punishment. It was doing that, as a corporation of usurpers, in safety, which they could not have done as individuals without exposure to the penalty of death. But though hand join in hand, God's vengeance is but the surer and more terrible. And the sword of God came down upon them in the very midst of this appalling crime, as swift, almost, as the lightning.

Beyond all question there were many who lent themselves to this iniquity for the sake of gain and power, who never were guilty of the sin of idolatry; they would have abhorred *that* wickedness, as worse than any sacrilege; and the sin of idolatry was not, at that time, adopted by the government and the nation, in open defiance of Almighty God. But the sin of bringing free servants into a forced, involuntary servitude, the sin of changing freemen into articles of property, the sin of stealing men from themselves, and *chattelizing* them in perpetual slavery, *was* so chosen and adopted; and God's extremest wrath came upon the whole nation in consequence. Many at that time were strenuous for rites, but not for righteousness; for the law as to religious ceremonies, but not for humanity and justice; for sacrifice towards God, but not mercy nor common honesty towards man. They would kill an ox for worship, and steal their neighbor's wages, and slay his freedom, in the same breath. They "trusted in oppression and perverseness, and staid themselves thereon;" and these are crimes, the lurid light of which burns in the pages of the prophets Isaiah, Jeremiah, Hosea, and others, in such a manner that we see how the nation went into the establishment of slavery against the repeated warnings and denunciations of God's messengers, in every faithful, free pulpit all over the land. Amazement at God's wrath, as if slavery were, in his sight, a guilt greater than idolatry, passes, under these circumstances, under a true knowledge of the case, into amazement at God's forbearance, and at the infatuation of the Jewish people.

They were deliberately inaugurating a crime, as their chosen state policy, which they knew would increase in a numerical ratio from generation to generation. If it could have been restricted to the first persons stolen and deprived of their liberty, the iniquity would have been comparatively small. But for every two immortal beings forced into this chattelism, there would be five others stolen and forced, in like manner, by the next generation; the guilt of oppression on the one side, and the sufferance of cruelty on the other, enlarging as it ran on into posterity. Now to set a-going such a system of injustice, which was to branch out like the hereditary perdition from the depraved head of a race, increasing as the Rio de la Plata or the Amazon; to set a central spring of thousand other springs of domestic and State tyranny coiled, and coiling on, in geometrical progression; and a central fountain of thousand other fountains of inhumanity and misery; and to do this in opposition to the light of freedom and religion, and of laws in protection of liberty, given from God, and maintained by him for a thousand years, was so extreme and aggravated a pitch of wickedness, that it is not wonderful that God put an instant stop to it, by wiping Jerusalem and Judea of its inhabitants, as a man wipeth a dish and turneth it upside down; it is not wonderful that we find the king and the nation cut off at once, by this enormous crime, from all possibility of God's further forbearance.

The evil of such a crime was the greater, because, while it is enlarging every year, both in guilt and hopelessness, it *seems* lessened in intensity, as it passes down into posterity. Posterity are content to receive and uphold that slavery as a comfortable domestic institution, which, at the beginning, was acknowledged as a glaring crime. The sons of the first men-stealers would, with comparatively easy consciences, take the children of those whom their parents had stolen, and claim *them* as their *property*, being slaves born. But, in fact, in a nice adjustment of the moral question, we find that the guilt is doubled; because, while the parents may have been stolen only from themselves, the children are stolen

both from the parents and from themselves. The stealing and enslaving of the parents could create no claim upon the children as property, nor produce any mitigation or extenuation of the sin of stealing the children also, and holding them as slaves. And so the guilt runs on, nor could the progress of whole ages diminish it, or change its character.

To complete our investigation historically, it will be necessary to examine the condition of the Jews from Nehemiah and Malachi to the coming of Christ, and then to trace the operation of the spirit and laws of the Old Testament in the teachings of the New. Meantime, although never a word had been found bearing on this subject in the New Testament, it is manifest that a large space is given to it in the Divine revelation, and if there is any silence in the New Testament, it is because so much and so plainly was spoken in the Old. It may be said, If ye hear not Moses and the prophets, neither will ye be persuaded though one rose from the dead. If the Pentateuch be received as the word of God, we need no farther testimonial or expression of God's judgment against slavery. And it is a fearful thing for any man to endeavor to distort the tenor of this revelation from justice to injustice, from kindness to oppression, from the advocacy of freedom to the sanction of slavery. Let no man, because slavery is the sin of his own country, therefore seek to defend it from the Scriptures, handling the word of God deceitfully, acting with it as a dishonest dealer with a pack of cards, or a gambler with loaded dice. Strangely intense must be the prejudice that, for the sake of shielding slavery from being reprobated as a sin, would rather rejoice to have found it commended and commanded in the word of God, than admit the demonstration that it stands in the condemnation of the Almighty.

The word of God is as an electric or galvanic battery, composed of many parts, all of them being directed to the object of overcoming and removing sin, and establishing love to God and man as the rule and habit on earth as in heaven. Then what a piece of villany it is towards mankind as sinners, to draw off, as it were, over night, the power from any

part of this battery, its power to rouse the conscience, its power to startle the moral sense into the noting and abhorring of moral abominations long practised as forms of social expediency and luxury. Both historical and preceptive, the word of God is a warning against sin; many things in it are light-houses on dangerous reefs. Therefore, no greater treachery is possible, nor more malignant treason against mankind, than to creep into one of these light-houses and, under pretence of being its keeper, to put out its light; or, still worse, to put up the signal of its being a safe harbor, when the man or the nation that makes for it will inevitably be dashed in pieces.

ARTICLE VI.

PLUTARCH ON THE DELAY OF PROVIDENCE IN PUNISHING THE WICKED.

By Horatio B. Hackett, Professor in Newton Theological Institution.

THE treatise, of which it is proposed to give an abstract in this Article, is entitled in Greek: *Περὶ τῶν ἐπὶ τοῦ Θεοῦ βραδείας τιμωρουμένων*. The common title in Latin is: *De sera Numinis vindicta*. An edition of the original work, with notes, was published by the writer a number of years ago (in 1844), and is now out of print. The analysis of the argument inserted in that edition has been revised and very considerably enlarged in the form in which it is here placed before the reader. Stillingfleet's outline of the principal ideas, in his *Origines Sacræ* (B. III. c. iii. § 21), is the best, perhaps, that we have in English; but omits so many of the minor thoughts, and is so brief, even on the main topics, that one can obtain from it only an imperfect impression of the spirit and power of the original treatise.