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ARTICLE I.

PHILOSOPHICAL GRAMMAR, OR THE LAWS OF THOUGHT AS  
APPLIED TO SYNTAX BY DR. KARL FERDINAND BECKER.<sup>1</sup>

By N. Porter, Professor in Yale College.

'WHAT is language?' Few questions occur to the philosopher more frequently than this. Few questions have in fact been discussed more frequently or in a greater variety of forms by

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<sup>1</sup> Organism der Sprache von Dr. Karl Ferdinand Becker. Zweite neubearbeitete Ausgabe. Frankfurt am Main. 1841.

Das Wort in seiner organischen Verwandlung. Von Dr. K. F. B. Frankfurt. 1833.

Die deutsche Wortbildung oder die organische Entwicklung der deutschen Sprache in der Ableitung. Von Dr. K. F. B. Frankfurt. 1824.

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Auszug aus der Schulgrammatik der deutschen Sprache. Von Dr. K. F. B. Frankfurt. 1845.

Leitfaden für den ersten Unterricht in der deutschen Sprachlehre. Von Dr. K. F. B. Fünfte Ausgabe. Frankfurt. 1845.

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## ARTICLE III.

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

By George B. Cheever, D. D., New York.

In this investigation, the words, or periphrastic expressions, employed for *servants* and *bond-servants*, *servitude* and *bondage*, first claim our attention. Not a little is depending on their history and usage. The modern definition of the word *slavery* cannot, with the least propriety or truth, be assumed as the meaning of the word used for *servant* or *bond-servant* in the Hebrew Scriptures.

The ordinary word for *servant* is עֶבֶד. The verb עָבַד, *to labor*, constitutes the root. The primary signification of the verb has nothing to do with that afterwards attached to the noun, but is independent, separate, generic. It is an honorable meaning; for labor is the vocation of freemen, or was so before the fall, when the father of mankind was put into the garden of Eden to dress it and to keep it, and to till the ground; to *work* upon the ground, to cultivate it. The first instance of the use of the verb is in Gen. 2: 5, *There was not a man to till the ground*, לְעָבֹד, *to labor upon it, to cultivate it*.

So in Gen. 3: 23, The Lord God sent him forth from the garden of Eden, *to till the ground*, from whence he was taken; לְעָבֹד, *to work upon it*.

So in Gen. 4: 2, Cain was a tiller of the ground, עֹבֵד, a man *working* the ground; that was his occupation.

Also, Gen. 4: 12, in the sentence of Cain, the same word is made use of, the verb in the second person, *when thou tillest the ground*, תְּעָבֵד.

The generic signification of the word, and the only signification possible in primeval society, is that of *labor, work*, personal occupation. The same universal meaning is in the commandment, Six days shalt thou *labor*, תְּעָבֵד, Ex. 20: 9.

In process of time comes the secondary meaning, with the idea included of laboring for another; that additional idea *constitutes*, indeed, the *secondary* meaning. At first it is only the idea of working for another willingly, or for a consideration, for wages;

as might be done by brothers and sisters, or other blood relatives in the same family. See Malachi 3: 17. As a man spareth his own son that *serveth* him, וְהַעֲבֵד. There is yet no signification of subjection or of servitude. In Gen. 29: 15, it is used concerning the service of Jacob to Laban: *Shouldst thou serve me* for nought? Tell me what shall thy wages be? וַעֲבֹדְחֵנִי, a voluntary service. — And Jacob *served*, etc., וַיַּעֲבֹד, 29: 20. — *For the service which thou shalt serve*, 29: 27, בְּעַבְדָּהָ אֲשֶׁר תַּעֲבֹד.

Next comes the added significance of *subjection*, first, politically, the subjection of tributary communities under one lord, as in Gen. 14: 4, Twelve years they served Chedorlaomer, פָּדַדְלֹמֶר, עָבְדוּ אֹתוֹ. — So in Deut. 20: 11, All the people shall be tributaries unto thee, and *they shall serve thee*, וַעֲבָדוּךָ. So in Gen. 25: 23, of the subjection of Esau to Jacob, The elder *shall serve* the younger, יַעֲבֹד. — Also, Gen. 27: 40, in Isaac's prediction, *Thou shalt serve* thy brother, תַּעֲבֹד. — Also in Jeremiah 25: 11, These nations *shall serve* the king of Babylon, וַעֲבָדוּ אֶדְמֶטְלֵקָה. So Gen. 27: 29, Let people *serve* thee, וַעֲבָדוּךָ.

Second, both politically and personally. Gen. 15: 13, spoken of the bondage in Egypt, *Thy seed shall serve them*, יַעֲבֹדוּם. — Gen. 15: 14, That nation *whom they shall serve*, will I judge, אֶת־תְּמוֹנֵי אֲשֶׁר יַעֲבֹדוּ. Also, Ex. 1: 13, The Egyptians made the children of Israel *to serve* with rigor, וַיַּעֲבֹדוּ. Also, Ex. 14: 12, Let us alone, *that we may serve* the Egyptians, וַיַּעֲבֹדוּ אֶת־מִצְרָיִם. Also, Jer. 5: 19, *Ye shall serve* strangers in a land not yours, תַּעֲבֹדוּ. Also, Jer. 17: 4, I will *cause thee to serve* thine enemies, וְהָעֲבַדְתִּיךָ אֹיְבֵיךָ.

Third, spoken of personal servitude. Ex. 21: 2, concerning a Hebrew servant, *six years shall he serve thee*, שֵׁשׁ שָׁנִים יַעֲבֹד. — Ex. 21: 6, *shall serve him forever*, וַעֲבָדוּ לְעֹלָם. — Lev. 25: 39, *Thou shalt not compel him to serve as a bond-servant*, בּוֹ עֲבֹדָה עָבֵד. — Lev. 25: 40, *Shall serve thee*, unto the year of Jubilee, וְעָבְדוּ לְךָ. The personal servitude embraces the idea of laboring for another, in subjection and inferiority, either on contract, for wages, or as a bond-servant without wages. And thus the meaning and reality of the verb עָבַד passes gradually from voluntary labor for oneself into service performed for another, at first for wages, then in bondage.

There are several other modes of usage in which the verb is employed, as first, and most commonly, *of the service of God*. Deut. 6: 13, Thou shalt fear the Lord thy God, and *serve him*,

הַעֲבֹד. — Josh. 22: 5, To love the Lord your God, *and to serve him*, וְלַעֲבֹדוֹ. — 1 Sam. 7: 3, Prepare your hearts unto the Lord, *and serve him only*, וְיַעֲבֹדוּהוּ. Also, 7: 4, The children of Israel *served the Lord only*, וַיַּעֲבֹדוּ אֶת־יְהוָה. — Ps. 72: 11, All nations *shall serve him*, יַעֲבֹדוּהוּ.

Second, of the service of idols. Ps. 97: 7, Confounded be all they that *serve graven images*, עֲלֵ־עֲבָדֵי טָסֵל. — Ezek. 20: 39, *Serve ye every one his idols*, עֲבֹדוּ, עֲבָדוּ. — Deut. 12: 2, The nations *served their gods*, עֲבָדוּ־שֵׁם. — Deut. 17: 3 and Judg. 10: 13, *served other gods*, וַיַּעֲבֹדוּ אֱלֹהִים אֲחֵרִים. — 2 Kings 21: 3, worshipped all the host of heaven, *and served them*, וַיַּעֲבֹדוּ אֹתָם. — Jer. 22: 9, worshipped other gods, *and served them*, וַיַּעֲבֹדוּם.

Third, it is used once as synonymous with עָשָׂה, to perform, in the sense of presenting sacrifice to God; doing sacrifice. as our translation has it, Isaiah 19: 21, The Egyptians *shall do sacrifice and oblation*, וַיַּעֲבֹדוּ זֶבַח וּמִנְחָח.

Fourth, imposing labor on others. Ex. 1: 15, all their service wherein *they made them serve*, עֲלֵ־עֲבָדוֹתָם אֲשֶׁר־עֲבָדוּ בָהֶם, *service served upon them*. Similar is Lev. 25: 46, rendered in our translation, *They shall be your bondmen forever*, בָּהֶם תַּעֲבֹדוּ, *on them ye shall impose bond-service*. So, Jer. 22: 13, with his neighbor's *service* without wages, בְּרֵעֵהוּ יַעֲבֹד הָעָם, upon his neighbor *imposeth work* for nothing. — Jer. 25: 14, Greek kings shall *serve themselves of them*, עֲבָדוּ־בָהֶם. — Jer. 30: 8, Strangers shall no more *serve themselves of him*, that is, of Israel, וְלֹא־יַעֲבֹדוּ־בּוֹ עוֹד זָרִים, shall no more *impose servile bondage* on him, shall no more play the bond-master with him. This is as far as the verb ever goes toward the signification *to enslave*, an expression for which there is no equivalent in Hebrew, though the verb מָכַר, *to sell*, is used for the transaction, as in the enslaving of Joseph, when his brethren sold him to the Ishmaelites.

Now upon the verbal עָבַד, which is the word all but universally employed in Hebrew for servant, it is the secondary meaning, and not the primary, that has descended from the verb עָבַד. The noun עָבֵד never means a laborer, a worker, in the generic sense, as Adam and Noah were laborers, but always a worker with reference to the will of another, a worker in subjection, either on contract by hire, or by compulsion. In Eccl. 5: 12, it is said, Sweet is the sleep *of a laboring man*; but here the verb is used, and not the noun; הַעֲבֵד, him that worketh, or him working, the working man. The noun עָבֵד means, indeed,

a working man, but always under direction of another, or in subjection as a servant, a *servant* man. This is the generic meaning of the noun, not labor, but servile labor.

In Deut. 26: 6, 7, we have examples of several words used for labor, in the same connection, that is, the condition of Israel in bondage, The Egyptians laid upon us *hard bondage*, עֲבָרָה קָשָׁה, *hard labor*. And the Lord looked on *our labor and our oppression*, עָבַדְנוּ וְאָרַדְנוּ לְחַיִּי. עָבַד is the verb frequently used for *laboring* to weariness, and עָבָד, the verbal from it, for wearisome *toil*, employed frequently in Ecclesiastes, as in Eccl. 2: 10, 11, 19—22, both the verb and the noun, both concerning labor of the mind and the body. So Ps. 127: 1, they labor in vain, עָבָדוּ.

In Ps. 128: 2, yet another word for labor, which is frequently used, יָנַע, thou shalt eat *the labor of thy hands*, יָנַע, the verbal, used also in Gen. 31: 42, Hag. 1: 11, Job 10: 3, *the labor of the hands*. But none of these words besides עֲבָרָה are used of servile labor exclusively, or with any definition that restricts their meaning, and decides it as applied to bond-service, as is the case with עָבַד and עֲבָרָה, for example, in Lev. 25: 39, עֲבָרָה עָבַד, *the labor of a bond-servant*.

Then, secondarily, עָבַד is applied by persons of noble station and life in speaking of themselves to other noble personages, instead of using the personal pronoun *me*. It is an oriental peculiarity. Gen. 33: 5, in Jacob's address to his brother Esau, The children which God hath graciously given *thy servant*, עֲבָדִי. — So Gen. 42: 13, *Thy servants* are twelve brethren, עֲבָדֶיךָ. — In the same manner, speaking of their father Jacob, Gen. 44: 27, *Thy servant* my father said unto us, עֲבָדֶיךָ. — So in Isa. 36: 11, the style of Eliakim, Shebna and Joab with Rabshakeh, Speak, I pray thee, unto *thy servants*, עֲבָדֶיךָ.

This is the style of deference, politeness, humility. It may be the formal style of equals toward one another in high life, or the style of the inferior toward the superior. The effect is an elaborate and elegant courtesy toward equals, and a deferential, respectful homage toward superiors. The abruptness of an immediate address is prevented, and the form of language seems to have the effect of employing an ambassador or mediator between potentates. That which, in the courtesy of a formal politeness is connected by us with the signature at the bottom of letters, as, *your obedient and humble servant*, or, *faithfully and truly your friend and servant*, the men of the East applied in daily conver-

sation. See, for example, David's interview with Saul, 1 Sam. 17: 34, Thy servant kept his father's sheep, etc. Also, David's conversation with Jonathan, 1 Sam. 20: 7, 8, Thou shalt deal kindly with thy servant. Also, Abigail's address to David, 1 Sam. 25: 24—31, When the Lord shall have dealt well with my lord, then remember thine handmaid. And likewise David's address to Achish, 1 Sam. 28: 2, Surely thou shalt know what thy servant can do. See also Dan. 1: 12, Prove thy servants. Also 2: 7, the address of the Chaldean astrologers to the king, Let the king tell his servants the dream.

Now to trace the delicate distinctions of intercourse in the use or neglect of such a form, and the manner in which the necessity of an independent spirit may compel its abandonment, let the reader mark the fact, that Shadrach, Meshach, and Abednego, in their interview with Nebuchadnezzar, when they encountered the rage and authority of the king in full conflict with the authority of God, threw aside utterly the formal and deferential mode of address, and exclaimed, in the first person: "O Nebuchadnezzar, we are not careful to answer thee in this matter. Be it known unto thee, O king, that we will not serve thy gods, nor worship the golden image which thou hast set up." This defiance of the tyrant was far more bold, direct, and energetic, than if they had said: "The king's servants will not worship the image of the king." But their indignation annulled this form of homage, and even the intimation of being the king's servants, so grateful to the sense of power, they rejected from their language, and, rising to the dignity of equals and of freemen, they said: We, O king, will not obey thee, be it known unto thee. We will not serve thy gods. It was much as when, with us, to make defiance stronger, it is added, I tell thee to thy face, I will not heed thee.

But this deferential form is more especially and commonly the usage of the word קָבַר in all addresses to God, and in prayer. Gen. 18: 3, My Lord, if now I have found favor in thy sight, pass not away, I pray thee, from thy servant. And so 1 Kings 8: 28—32 and 1 Chron. 17: 17—19, What can David speak more to thee for the honor of thy servant, for thou knowest thy servant. So Ps. 27: 9, Put not thy servant away in anger. Ps. 31: 16, Make thy face to shine upon thy servant. Dan. 9: 17, O our God, hear the prayer of thy servant, אֱלֹהֵינוּ קָבַר.

In the same manner in which the verb קָבַר is used to signify

the *service* of God, the verbal עָבַד is also used to signify the *servant* of God; whether the application be to men of piety generally, those who trust in God, or to persons called and appointed of God to particular offices and undertakings. Ps. 34: 22, *The Lord redeemeth the soul of his servants*, יוֹדֵהוּ יְהוָה נַפְשׁ עַבְדָּיו. — Neh. 1: 10, Now these are *thy servants*, עַבְדֶּיךָ. — Ps. 105: 42, He remembered Abraham *his servant*, עַבְדּוֹ. — Ps. 105: 26, He sent Moses, *his servant*, עַבְדּוֹ. So likewise the verbal עֲבָדָה is used of the service of God, and of his temple, and of the righteous, as in Num. 4: 47 and Isa. 32: 17, the verbal עָשָׂהוּ, from עָשָׂה, *to do*, being here also used as synonymous with עֲבָדָה. — 1 Chron. 9: 13, able men *for the work of the service* of the house of God, מְלָאכֵי עֲבֹדָה בֵּית־הָאֱלֹהִים. The expression in Num. 4: 47 is illustrative לְעֹבְדֵי עֲבָדָה וְעֲבָדָה עֲבָדָה לְעֹבְדֵי עֲבָדָה עֲשָׂה, *to do the service of the ministry*, and the *service of the burden* in the tabernacle of the congregation.

Now, then, we have seen how the meaning of the verb עָבַד passes from the general idea of *labor*, to that of service for *another*, at first for wages, afterwards in *bondage*. But the derivative, the verbal עָבַד, is never used in any sense corresponding to the first and generic sense of the verb, *to labor*, a laborer. It never means an independent laborer, as when it is said that Cain was a tiller of the ground. The verb, or participle, has to be used with reference to Cain, and not the noun, for as yet, the thing answering to the noun, the *servant*, was not; there is no mention of service at the will or wages of another, no intimation of labor for hire, and no mention of servants.

When Adam delved, and Eve span,  
Where was then the serving man ?

Cain was a tiller of the ground, Gen. 4: 2, יָרָה עָבַד אֲדָמָה. He was a man tilling the ground, a man cultivating it, but he was not a servant. There was labor, but as yet no servitude; it is the participle employed, but not the noun. It is somewhat remarkable, that the noun is never once employed, nor does the word *servant* come into view in the sacred record, till after the history of the Antediluvian posterity of Adam is finished. Doubtless, there was the reality of servitude; there must have been oppression in some of its worst forms, for the earth was filled with violence, but there is no intimation of slavery, and the example of some modern nations is sufficient to show that there

may be violence, despotism, and oppression of the most terrible nature, even where the system of personal slavery does not exist.

The curse pronounced upon Canaan contains the first instance of the use of the word עֶבֶד, Gen. 9: 25, *a servant of servants*, עֶבֶד עֲבָדִים. No mention had been made of servants or slaves in the whole Antediluvian history. There were neither servants nor slaves in the ark. There was no slave upon the earth, when God entered into covenant with Noah. The whole earth was peopled with freemen, for God would have the new experiment begin with such, and the curse of servitude, predicted and denounced as a curse, grew directly out of sin. "Cursed be Canaan; *a servant of servants* shall he be unto his brethren."

The use of the word עֶבֶד by Noah, as a word of degradation, a word of inferiority and subjection, the meaning of which was well understood, shows that the thing indicated by it was not then a new and strange thing. At the same time, the after history of the word, and its indiscriminate application to servants in general, and service of all kinds, proves conclusively that it was not a *specific* word for that *kind* of servitude which we call slavery. But if there had been the thing, there would have been the name, and if Noah had intended the particular thing, he would have used the specific name. If slavery had existed among the Antediluvians, it cannot be questioned that there would have been a term exclusively denoting it; and if Noah had designed to threaten *that* curse, or to predict it, concerning a part of his posterity, he would inevitably have used that term, and not a term applied to all kinds of service. There is no word for slavery in the Hebrew language, answering to *our* word slavery, nor to the Greek word δουλεία, although that word is sometimes employed in the Septuagint to translate the Hebrew עֲבָדָה, as in Ex. 6: 6, for מִיַּעְבְּדָהֶם, *from their bondage*, viz. *Egyptian bondage*. It is certainly a fact of no unimportant significance, that there is no word in Hebrew which specifically signifies *slave* or *slavery*; and there is the best of all reasons for it: the reality did not exist, and from the outset, when the language was formed, the root-word *labor* was of necessity taken for *service*, and from that the various constructions have been formed, and no word for slavery has been created.

In this curse upon Canaan there is, therefore, no proof that what we call slavery was intended; no proof that the state of

slavery was either in the mind of the speaker, Noah, or in the will of God, considered as inspiring the prediction. There is, indeed, no declaration that either the curse or the prediction was God's, no intimation that Noah was inspired of God in uttering it, no more than in planting his vineyard; and were it not for the gift of the land of Canaan to Abraham, and the subjection of the Canaanites to the Hebrews, there would be no reason for supposing a Divine inspiration in the case, since there is no reference anywhere to the prediction as inspired. But whether it were or not, it is not probable that the word *servant*, used by Noah, had the signification sometimes attached to it a thousand years afterwards. They assume too much, who suppose that slavery existed among the Antediluvians, there being not the least trace of it, and no more proof of it than that the immediate posterity of Adam were idolaters. It is most likely that man-stealing and man-selling came into practice along with idolatry, fit accompaniments or consequences of such wickedness, after the deluge.

The use of the words עֶבֶד and עֲבָדִים by Noah cannot, therefore, be assumed to mean anything more than servants and under-servants, even were the passage applied in a personal sense, which, however, is not the sense of the prediction. It is applied, as in many other cases, to the subjection of nations. The same word precisely is used by Isaac in regard to the dominion of Jacob over Esau, Jacob's posterity being the subject of Isaac's prediction as the dominant power. Gen. 27: 37, All his brethren have I given to him *for servants*, לְעֲבָדִים. I have made him (Jacob) *thy lord*, גִּבּוּר. This did not mean that Jacob and his posterity were to be slaveholders, and Esau and his posterity slaves, but that one nation should be under the government of the other. *Let people serve thee*, רַעְבְּדוּהָ עַמִּים, Gen. 27: 29. Just so in the original prediction, Gen. 25: 23, *The elder shall serve the younger*, וְיָעֲבֹד; *nation in subjection to nation*; the phrase employed by Gesenius is *populus populo*; people shall be tributary to people. The prediction in the blessing given to Esau, as well as that to Jacob, and the completion of both, leave no doubt as to the meaning of the word, and the nature of the service designed. See Gen. 27: 40, *Thou shalt serve thy brother*, אָעֲבֹד אֶתְעִבְדְּךָ, but shalt break his yoke from off thy neck. So accordingly in 2 Sam. 8: 14, the posterity of Esau are recorded as in subjection to the posterity of Jacob, but not as slaves. David put garrisons

in Edom, and all they of Edom became David's *servants*, עֲבָדִים. But in 2 Kings 8: 22, it is recorded that under the reign of Jehoram, 892 B. C., Edom revolted from under the hand of Judah, and made a king over themselves. This kind of service and rebellion is recorded in similar language in Gen. 14: 4, Twelve years they *served* Chedorlaomer, עָבְדוּ; in the thirteenth, rebelled, קָרְדוּ.

After Gen. 9: 25, it is full five hundred years before we meet the word עָבַד again, or any indication that the reality answering to it exists in human society; and then we meet it first in the family of Abraham, or rather, first of all, in the family of Pharaoh, where Abraham for a season resided. After Abraham went down into Egypt, and was received into Pharaoh's house, and entreated well, he is represented, Gen. 12: 16, as having sheep and oxen, and he-asses, and *men-servants*, עֲבָדִים, and *maid-servants*, וְשִׁפְחוֹת. Here we have, as yet, no commentary on the word, nothing by which we might be permitted to imagine or assert that these in Abraham's family, were slaves. Hagar, Sarah's handmaid, was an Egyptian; and, doubtless, was taken into Abraham's household, and given to Sarah, in this, his first visit to Egypt. But Abraham did not go down into Egypt to copy Egyptian manners, or to adopt into his own household, and set at the foundation of the domestic and national policy, of which the Divine Being had informed him he was to be the stock, the civil and social principles and customs of a people of idolaters. He had gone on compulsion into Egypt, by reason of the great famine; but his idea of the morals and manners of the Egyptians may be gathered from his anxiety and distress in behalf of Sarah, Gen. 12: 11, 12. He knew that the fear of God was not in Egypt. The question, therefore, very naturally comes up: Did Abraham, on receiving these men-servants and maid-servants into his household, receive and treat them according to the principles of servitude then prevalent in Egypt? The consideration of the nature of God's covenant with Abraham will enable us the better to determine this question.

But, in the meantime, let us suspend our inquiry as to the word עָבַד, and consider the meaning of the two words applied to Hagar, and designating her situation in Abraham's family. These are the Hebrew words שִׁפְחוֹת and אֲמָתָי. Hagar is first introduced to us under the name שִׁפְחוֹת, Gen. 16: 1, 2, 3, 5, 6, 8, and under this name Sarah gives her to Abraham to be his wife,

and by her Ishmael is born unto him, and the condition of Ishmael has no taint of bondage from the condition of his mother. The Hebrew patriarchs neither held nor sold their own children for slaves. Some fifteen years after Hagar's first appearance as a *שִׁפְחָה*, Sarah, enraged at the mocking of Hagar's son Ishmael, calls her *אֲמָתָי*, rendered by our translators, *a bondwoman*, and her son the *son of a bondwoman*, Gen. 21: 10. But there is no reason for translating this word *bondwoman* rather than *servant*. God, speaking to Abraham concerning the whole transaction, calls her *אֲמָתָי*, most generally translated *handmaid* or *maid-servant*, and says to Abraham: "Of the son of the *handmaid*, *בְּרֵךְ אֲמָתָי*, will I make a nation." Now this same word *אֲמָתָי* is used in Ps. 116: 16, of the mother of David, I am thy servant, and the *son of thine handmaid*, *בְּרֵךְ אֲמָתָי*. It is also used by Hannah, 1 Sam. 1: 11, addressing the Lord, Look on the affliction of *thine handmaid*, *אֲמָתָי*, repeated in the same verse three times. Also addressing Eli, 1: 16, Count not *thine handmaid*, *אֲמָתָי*. This usage corresponds with that of the word *עַבְדִּי* under similar circumstances. But in the 18th verse, also addressing Eli, she says, Let *thine handmaid*, *שִׁפְחָתִי*, find grace in thy sight. It is obvious, therefore, that the words *אֲמָתָי* and *שִׁפְחָה* are synonymes, one being no more indicative of a state of bondage than the other. Another instance of the use of both interchangeably is in 1 Sam. 25: 41, in Abigail's address to David, Behold, let *thine handmaid*, *אֲמָתָי*, be for a *servant*, *לְשִׁפְחָה*, to wash the feet of the *servants*, *עַבְדֵי*, of my Lord. Here, then, are these two words, at periods of nearly a thousand years distance, employed in the same manner, applied to the same persons. The impossibility of making a distinction between the two, as to dignity, will be further evident by examining the following passages:

Gen. 20: 14, And Abimelech took sheep and oxen, and *men-servants and women-servants*, *וְעַבְדֵי וְשִׁפְחוֹת*, and gave to Abraham.

Gen. 20: 17, God healed Abimelech and *his maid-servants*, *וְאֲמָתָיו*.

Gen. 12: 16, Abram had *men-servants and maid-servants*, *שִׁפְחוֹת*.

Gen. 21: 10, Cast out *this bondwoman*, *תִּזְאַתָּה*.

Gen. 30: 43, Jacob had *maid-servants*, *שִׁפְחוֹת*.

Gen. 31: 33, Jacob's *maid-servants'* tents, *אֶתְנֵי*.

Ex. 11: 5, The first born of the *maid-servant*, *וְהַשִּׁפְחָה*.

Ex. 20: 10, Man-servant nor *maid-servant*, *אֲמָתָי*.

Ex. 23: 12, The son of thine *handmaid*, אֲנִי־אֲמָרָה.

Deut. 5: 14, Man-servant or *maid-servant*, אֲנִי־אֲמָרָה; also 12: 18. 15: 17. 16: 11, 14.

Ex. 21: 7, If a man sell his daughter to be a *maid-servant*, אֲנִי־אֲמָרָה.

Ex. 21: 27, 32, Man-servant or *maid-servant*, אֲנִי־אֲמָרָה.

Judges 9: 18, Jotham calls Abimelech the son of his father's *maid-servant*, אֲנִי־אֲמָרָה, who was his father's concubine at Shechem.

Ruth 2: 13, applied by Ruth to herself and the *handmaidens* of Boaz, אֲנִי־אֲמָרָה.

Ruth 3: 9, used by Ruth twice, *thy handmaid*, אֲנִי־אֲמָרָה.

1 Sam. 25: 14, Let *thine handmaid*, אֲנִי־אֲמָרָה.

1 Sam. 25: 25, But I *thine handmaid*, אֲנִי־אֲמָרָה.

1 Sam. 25: 27, *Thine handmaid* hath brought, אֲנִי־אֲמָרָה.

1 Sam. 25: 28, Trespass of *thine handmaid*, אֲנִי־אֲמָרָה.

1 Sam. 25: 31, Remember *thine handmaid*, אֲנִי־אֲמָרָה.

1 Sam. 25: 41, Let *thine handmaid*, אֲנִי־אֲמָרָה, be a *servant*, לַשְׂפָחָה.

2 Sam. 14: 15, Thy *handmaid*, אֲנִי־אֲמָרָה.

2 Sam. 14: 15, The request of *his handmaid*, אֲנִי־אֲמָרָה.

2 Sam. 14: 16, To deliver *his handmaid*, אֲנִי־אֲמָרָה.

2 Sam. 14: 17, *Thine handmaid* said, אֲנִי־אֲמָרָה.

2 Sam. 14: 19, The mouth of *thine handmaid*, אֲנִי־אֲמָרָה.

2 Sam. 14: 6, 7, 12, *Thine handmaid*, אֲנִי־אֲמָרָה.

2 Sam. 6: 20, *Handmaids*, of his servants, אֲנִי־אֲמָרָה.

2 Sam. 6: 22, David calls the same, *maid-servants*, אֲנִי־אֲמָרָה.

Job 31: 13, My *maid-servant*, אֲנִי־אֲמָרָה.

Jer. 34: 9, 10, 11, 16, the same word is used six times, singular and plural, for *maid-servants* of the Hebrews, coupled with *men-servants*, אֲנִי־אֲמָרָה.

These instances determine the usage of the words. They are evidently used for precisely the same relation, being each applied, indifferently, to the maid-servant, whether Hebrew or heathen, just as the word אֲנִי־אֲמָרָה is applied to the man-servant. Neither word seems to indicate a higher grade than the other, Job using אֲנִי־אֲמָרָה, Jeremiah אֲנִי־אֲמָרָה, and Moses אֲנִי־אֲמָרָה and אֲנִי־אֲמָרָה, indiscriminately, for persons held as maid-servants, both Hebrew and heathen, and the usage in Samuel putting both words indifferently into the mouth of free women, speaking of themselves.

The Septuagint translation uses the word *παῖδίσκῳ* for both the Hebrew words אֲנִי־אֲמָרָה and אֲנִי־אֲמָרָה. The same word is used of Ruth,

where the Hebrew is the feminine of נַעַר, a young man, נַעֲרָה, this young woman. So Ruth is the *παῖδισκη* as well as Hagar. Also, of all the maidens of Boaz the same word is used, as in Ruth 2: 22, his *maidens*, נַעֲרֹתָי, his *young women*, and 2: 23, the *maidens* of Boaz, נַעֲרוֹת בֹּעַז, the *young women*. Boaz himself uses the same word, 2: 8, my *maidens*, נַעֲרָי, my *young women*, or damsels. And in 2: 5, 6, Boaz asks concerning Ruth, Whose *damsel* she is? נַעֲרָהּ, and the servant answers, the Moabish *damsel*, נַעֲרָה מוֹאָבִית, *young woman*.

But in the New Testament, the same word *παῖδισκη* is employed in contrast with the word *ἐλευθέρως*, with reference to the case of Hagar, Gal. 4: 22, *the servant*, in contrast with *the free-woman*, the word servant being translated *bondwoman*, though the same is in other places simply translated servant or damsel or maid, as in Matt. 16: 69. Mark 14: 66, one of the maids of the high priest, *μία τῶν παιδισκῶν τοῦ Ἀρχιερέως*. If this had been translated one of the bondwomen of the high priest, it would have been an unjustifiable assumption, if by the term *bondwoman* were signified slave. The ordinary usage in the New Testament may be learned from Matt. 26: 69. Mark 14: 66, 69. Luke 12: 45. 22: 56. John 18: 17. Acts 12: 13. 16: 16. Only in one of these cases is it clear that the word probably signifies a slave, and that is the case in Acts 16: 16, of the damsel possessed of the spirit of divination, who brought much gain to her masters. On the other hand, the word *δούλη* is used only three times, Luke 1: 38, 48 and Acts 2: 18, in all three spoken of servants and handmaidens of the Lord.

It is, therefore, impossible to determine, merely from the word *παῖδισκη*, the exact condition signified; for the term in the New Testament, though it implies service, in a state of servitude, does not imply necessarily bond-service or slavery, but may be used also of a free person hired, a hired servant, as the שָׂכִיר of the Hebrews, or also a free maiden, in no respect under servitude. As applied to Hagar, the term used by Sarah in the Old Testament, and by Paul in the New, would seem to apply more directly and specifically to her original condition among the Egyptians, and not to her state in the family of Abraham. In Abraham's family, and as his wife, she certainly was not his bond-servant or slave, and the sarcasm of Sarah is directed to her former state, out of which she had been raised, and especially when presented by Sarah to Abraham to be his wife.

Continuing now our investigation through the life of Abraham, Isaac, and Jacob, the next step is found in Gen. 14: 14, 15. Abram armed his *trained ones*, as our translation has it, *born in his own house*, הַנִּיבְּיוֹ וְיֶלְדֵי בֵיתוֹ. There were in number three hundred and eighteen; and he divided himself against the enemy, he and *his servants*, עַבְדָּיו.

In this passage, the word הַנִּיבְּיוֹ, the verbal from הִנְיָה, *instructed ones, experienced, proved*, seems to be used as synonymous with עַבְדָּ, servant, and both words are equivalent with יְלִידֵי בֵיתוֹ, *the born in his own house, the sons of his house*. In the 24th verse the same are called young men, הַנְּעָרִים, that which the *young men* have eaten. These young men, though born in Abraham's house, were not slaves, and an examination of the circumstances of the case, and of the phrases יְלִידֵי בֵיתוֹ, the born of the house, and בְּרֵיבֵיתוֹ, the son of the house, will show the extreme mistake of defining either of these expressions as signifying necessarily a slave; for Hebrew servants might be *the born of the house*, but could not under any circumstances be *slaves*.

In Gen. 15: 3, the phrase used is בְּרֵיבֵיתִי, *the son of my house*, one *born in my house* is mine heir.

But it is clear that at this time Abraham had other servants besides those born in his house; at a previous period he had received such in Egypt, where, as a consequence of Pharaoh's favor, he had *men-servants* and *maid-servants*, or an increasing number of them.

In Gen. 12: 5, there is mention of the souls that Abram and Lot had gotten in Haran. At Bethel they were so rich in cattle and silver and gold, in flocks and herds and tents, that the land was not able to bear them together, and the quarrels among their herdmen led to their separation. At this period they were Nomadic chiefs, and those that were born in their tents belonged to their households, and were dependent upon them under the guardianship and care of the patriarchal authority. A patriarchal community, that could muster 318 young men to bear arms, born under Abraham's government, and under allegiance of service to him, must have been numerous; and, besides these dependents, he had other servants, gained by purchase of the stranger; among these his herdmen may have been comprised, for the phrase *bought with money* was applied, though not exclusively, to such a purchase or contract as secured the right to their time and labor for a limited period. In regard to the Hebrews, this is

clearly demonstrated from the very first law on record in this matter, Ex. 21: 2, *If thou buy an Hebrew servant, six years he shall serve, וְיִרְכַּשׁ אִישׁ אֶת-אֶחָיו, if thou buy, the same word being used as in the description of the portion of Abraham's household designated as bought with money.* Parents were accustomed sometimes thus to sell the services of their children. It was something like the purchase of apprentices, or the contract of an apprenticeship for a number of years. Hosea bought his wife, Hos. 3: 2. The term *בְּקִנְיַת-כֶּסֶף*, *bought with money*, or the *purchase of money*, does not, therefore, necessarily imply an unlimited servile sale; and, as we shall see, a restriction was finally imposed on all such transactions by the Laws of Jubilee, rendering the system of what we call slavery impossible.

Here, then, are three phrases demanding careful consideration: *בְּרֵייתוֹ בֵּיתוֹ*, *בְּרֵייתוֹ בֵּיתוֹ*, and *בְּרֵייתוֹ בֵּיתוֹ*. In Eccl. 2: 7, we have the *בְּרֵייתוֹ בֵּיתוֹ*, thus, I acquired *servants and maidens, בְּבָרִים וּבְשָׂפוֹרוֹת*, and *sons of my house* were mine, *וּבְנֵי-בֵיתוֹ חֵדָה לִי*. In Gen. 16: 3, a *son of my house* is mine heir, *בְּרֵייתוֹ בֵּיתוֹ*. These two phrases, *בְּרֵייתוֹ בֵּיתוֹ* and *בְּרֵייתוֹ בֵּיתוֹ*, seem to be nearly synonymous, but the *בְּרֵייתוֹ בֵּיתוֹ*, *the son of the house*, is descriptive of a class of servants more affectionately attached, and enjoying greater privileges, with greater confidence reposed in them. The whole 318 of Abraham's young men are called *בְּרֵייתוֹ בֵּיתוֹ*, born of the house, that is, of the families under his authority and patriarchal government and care; but the *בְּרֵייתוֹ בֵּיתוֹ*, the son of his house who might be his heir, may have been of his own immediate household. In Gen. 17: 12, 13, 23, 27, in the detail of the covenant of circumcision, and the execution of that rite on all born in Abraham's house, the phrase used is *בְּרֵייתוֹ בֵּיתוֹ*. Elsewhere it is very seldom found, once in Lev. 22: 11, concerning the priest's family, and who in it may, and who may not, eat of the holy things; no stranger, nor any sojourner, nor any mere hired servant of the priest shall eat thereof; but the servant bought with his money, and he that is *born in his house, וְיִלְדוּ בֵּיתוֹ*, may eat of it. The hired servant was not regarded as an inseparable part and fixture of the priest's family, in the same manner as the servant born in his house was, and had not the same privileges. A hired servant might be a foreigner, but a servant born in the house was a native of the land, and might be also a native Hebrew.

Neither can this phrase *born of the house*, with safety or correctness be assumed as always specifically implying servitude

of any kind, or a servile state; for it might be right the opposite. It might be used of freemen as well as servants, and of the children of the master and mistress of the house. In Lev. 18: 9, a similar phrase is employed of the daughter of the family, *daughter of thy mother, born of thy house*, בַּת-אִמְךָ מוֹלְדָת בֵּית. In Jer. 7: 14, it has been supposed to be used as synonymous, or nearly so, with עֶבֶד. *Is Israel a servant*, עֶבֶד? *Is he a home-born*, אֶבְרָאָה בֵּית. But these words are not synonyms, and a very different translation of this verse is possible, as may be seen in the note of Blayney, in his translation and commentary on this Prophet, a passage which is worthy of consideration. He translates Jer. 2: 14, thus: *Is Israel a slave? Or if a child of the household, wherefore is he exposed to spoil?* And he remarks "that יֶלֶד בֵּית answers to the Latin word *filius-familias*, and stands opposed to a slave." The same distinction is made, Gal. 4: 7, and an inference drawn from it in a similar manner: "Wherefore, thou art no more a servant (a slave), but a son; and if a son, then an heir of God through Christ." As Christians now, so the Israelites heretofore, were the children of God's household; and if so, they seemed entitled to his peculiar care and protection."

The passage is susceptible of this rendering. *Is Israel a servant*, עֶבֶד? *but if a home-born*, אֶבְרָאָה בֵּית, why is he yet spoiled? If he were an עֶבֶד merely, he might be expected to be rigorously treated, to be carried into captivity, and "sold with the selling of a bondman." But if a home-born, then under a care and privilege, which would preserve him from such treatment. The ordinary interpretation is different, grounded on the idea that the question is equivalent to a negation. Israel is *not* a servant, neither עֶבֶד nor יֶלֶד בֵּית, but is God's own son, and free born, Why then is he become a prey? Because of his own wickedness.

That the phrase יֶלֶד בֵּית does not necessarily mean a servant, or a bond-man in contradistinction from a freeman, appears from Gen. 17: 27. After relating the circumcision of Abraham and Ishmael his son, it is added that *all the men of his house, born in his house, and bought with money of the stranger, were circumcised with him*. It is absurd to suppose that of all Abraham's dependent community or tribe, for such are the households here designated, not one male was accounted a freeman. Every male among the men of Abraham's house was circumcised, and all the men of Abraham's house are divided into these two classes only, *born*

*in the house, or bought with money of the stranger.* In the next chapter, 18: 7. Abraham is described as fetching a calf from the herd, and giving it to a *young man*, וְיָצֵר, to dress it. This young man was in Abraham's service, of Abraham's household, but there is no intimation whatever of his being in the condition of a slave. In fine, we might as well assert that our domestic household animal, the *cat*, was precisely the same animal with the South American *Jaguar* or the Bengal *tiger*, as assume that the servants of Abraham's household were what we call slaves. There might be families beneath his patriarchal authority, neither the head nor the children of which, though born in his house, dependent on him, as the וְיָלִיד בְּיָרְחָא, were in any condition approximating to that of slaves.

From the building of Babel to the time of Terah, Abraham's father, it was but two hundred years, and during this period there is not the slightest intimation of any such vast social inequality in the community as that of slavery on the one hand and freedom on the other; nor is there time and scope, nor are there causes sufficient, in the generations of Shem, to produce such a condition, where the population was sparse, and the whole race, within little more than three generations, on a perfect equality. It is easy to conceive how the habits of patriarchal government and life could arise and be established, but that a state of slavery should become the social state, while Noah and his family were still living, is incredible. There are no intimations of slavery in Bethuel's family, nor in Laban's after him, in Mesopotamia. We find Rachel feeding her father's sheep, and performing servile labor, and all the indications are of a simple social life, in which slavery was unknown. Up to the time of his sojourn in Canaan, Abraham had been engaged in no wars or predatory excursions, so that that which was afterwards so pregnant a source of captivity and slavery, did not in his family exist, and indeed the very first war in which we find him a conqueror, we find him also refusing to hold any of the conquered as his captives. There was no black color as yet to stigmatize a servile race as the legitimate property of the white races. There were no laws by which free persons might be seized and sold for their jail-fees, not being able to prove their freedom. In short, a more gross and gratuitous assumption can hardly be imagined than that the three hundred and eighteen young men born and trained under Abraham's jurisdiction, of his household, were slaves!

The tie between him and them was assuredly not of compulsion, or oppression, or legal chattelism, but of service and obedience at least as justly required and freely yielded as that of hereditary clans in Scotland, or tribes and families in Arabia.

The other phrase, *קָנִיתִי בְמָוֶה*, Gen. 17: 12, the *possession of money, the thing bought with money*, is applied to any acquisition gained by purchase, and also to the price paid. In Gen. 23: 9, 18, 20 it is used as synonymous with *אָחֻזָּה*, the *possession of his burying place*. According to the use of the verb *קָנָה*, *to buy*, from which it is derived, it would be suitably applied to acquisitions transitory as well as permanent, and to attainments of the mind as well as earthly riches. The same verb *קָנָה*, *to buy*, is applied by Boaz to his purchase of the field that was Elimelech's, and also to his purchase of Ruth herself to be his wife. *I have bought, קָנִיתִי, all that was Elimelech's, moreover, Ruth have I purchased, קָנִיתִי, to be my wife*. It is also applied, Prov. 4: 7, to the acquisition of wisdom. Prov. 15: 32, to the getting of understanding. So also 16: 16, and 19: 8. It is applied in Isa. 11: 11, to the Lord's *recovering* of cattle. Cain's name, *קַיִן*, that is, *gotten* from the Lord, was given because Eve said, Gen. 4: 1, *קָנִיתִי, I have gotten a man from the Lord*. In Ps. 78: 54, God is said to have *purchased, קָנָה*, this mountain with his right hand. And in Prov. 8: 22, God is said to have *possessed* wisdom in the beginning, *קָנִי*.

It is clear, then, that the circumstance of the servile relation being acquired by money, and called the purchase or possession of money, did not necessarily constitute it slavery, any more than the purchase of a wife constituted *her* a slave, or the purchase of wisdom constituted *that* a slave. Abraham could acquire a claim upon the service of a man during his life by purchase from himself; he could acquire the allegiance of a man and his family, and of all that should be born in the family, by similar contract, not to be broken, but by mutual agreement; and, in this way, in the course of years he might have a vast household under his authority, born in his house and purchased with his money, but not one of them a slave. He might in the same way purchase of the stranger whatever claim the stranger possessed to the service of the person thus sold, and yet the person thus transferred to Abraham's household might be a voluntary party in the transaction, and in no sense a slave. It is not possible to suppose that, if a servant were offered to Abraham for his purchase,

who could say *I was stolen* by my master, as Joseph could say, it is not possible to suppose that Abraham would consider such a purchase as just, or that he could rightfully make such a person his servant, without his own consent. There is no intimation whatever of any such unrighteous or compulsory service in Abraham's household; there is no ground for the supposition that he either bought slaves, or traded in slaves, or held slaves in any way.

In Lev. 25: 47 there is mention of two modes in which a poor man might sell himself for a servant, namely, being a Hebrew, he might sell himself to a stranger or sojourner, or, *to the stock of the stranger's family*. Here we have great light cast on these transactions. The poor man sells himself on account of his poverty, but not as a slave. He may sell himself not merely to one master, during that master's life, but to the *stock of the family*, לְעַקֵּר בְּטַיְתָרָה, as a fixture of the household. It is supposable that he might thus sell himself with his children, or make a contract for the service of his children that might be born to him during the time of this stipulation; and the children so born would be the יְלֵדֵי בֵּיתוֹ, the born of the house of his master, or בְּנֵי בֵּיתוֹ, the sons of the house. But from this contract he might be redeemed by any one of his kin, or he might redeem himself, if he were able, by returning a just proportion of the price of his sale, the price of his services; and whether redeemed or not, the contract should be binding no longer than up to the period of the jubilee.

In the case of the household of Abraham, the phrase in Gen. 17: 12, בְּקָנָה בָּסֶמֶךְ, *the possession or purchase of money*, is qualified with reference to a *stranger only, which is not of thy seed*. In the 27th verse, all the men of Abraham's house are designated as either born in the house, or bought with money of the stranger. They were all circumcised, at the commandment of God.

But Hebrew servants might also be bought with money, as in Ex. 21: 2. Lev. 25: 47. Deut. 15: 12. Jer. 34: 14.

But only for six years ordinarily could such a purchase bind the person bought; the seventh year he was free. Deut. 15: 12. Ex. 21: 2.

He might sell himself, that is, sell his own time and labor, for seven years. In such a case, as when a master sold him, he was a servant bought for money, and distinct from the servant

born in the house. The rule was the same for men-servants and maid-servants.

Supposing him to have been a married man, and himself and his wife sold, and that during their six years of servitude they had children born to them, then, in the seventh year all would go free. Supposing his master to have given him a wife, if a Hebrew, then his wife could not be retained beyond the period of *her* six years of servitude by law, neither her sons nor daughters. But yet, on comparison of Ex. 21: 2—6, with Lev. 25: 39—41 and 47—54, and Deut. 15: 12—18, and Jer. 34: 14, it is manifest that Hebrew servants, husbands, wives, and children, might be retained, under certain conditions, until the year of jubilee, in servitude. Many of them, in such cases, would be servants born in the house, *sons of the house*; yet, even then and thus, no master could compel them to serve as bond-servants, but they were to be treated as hired servants and sojourners. If a man with a household already thus composed, should buy a Hebrew servant, and give him a wife from among the number of maid-servants that were already, by rightful contract, the fixtures of his family until the jubilee, then he would have no right, if he chose to go out free at the end of his six years, to take away his wife, and the children she might have borne him, but they were to remain until the jubilee; and, if he chose not to avail himself of his legal privilege of quitting his master's residence and service, but preferred to remain with his wife and children, the sons of the house, then he too must remain till the jubilee. He could not quit, after making this choice, at the expiration of another seven years; but all were free in the year of jubilee, men, women, and children.

It is clear, then, that, while the servants born in the house might, under certain conditions, be born under a claim of continued service till the jubilee, those bought with money could be bound only for a period of six years. On the other hand, the master was obliged by law to treat those who were under servitude until the jubilee, not as bond-servants, but as hired-servants, giving them their stated and covenanted wages. The question then comes up as to the specific difference between bond-servants and hired-servants, and the nature of their respective treatment. This we shall have occasion to examine historically, in considering the successive developments of the law; but much light may be gained from the examination of the words.

But, before considering this, we have to ask how far it is safe to draw conclusions as to Abraham's household, from the laws made for his posterity more than four hundred years after his age? The gross perversions and mistakes made by commentators taking the state of things in Modern Egypt and in Pagan Rome in the horrid prevalence of the lowest and most universal slave-life and manners, and carrying that picture and those ideas back for supposed originals and illustrations of the servitude in the time and even the household of Abraham, may teach us the necessity of caution. Even the words coined out of Roman despotism and slave-customs have been taken by lexicographers to interpret Hebrew words that had no such meaning; and hence the assumption with which *קָנָה* and *אָמְנוּ* and *קָנָה אֶת־אֶמְנָתוֹ* are sometimes rendered by *mancipium*, *verna*, and *slave*, when there was neither Hebrew word, nor personal chattel, answering to any such appellative.

But conclusions and illustrations from the completed theocracy and system of Hebrew law and life back to Abraham as chosen and instructed for its beginning, cannot be very erroneous. The general principles on which God would govern and train the Hebrew nation were certainly revealed to Abraham, along with the great covenant that separated them from the heathen world as a peculiar people, and the appointed seal of that covenant, in the rite of circumcision. The application of that rite to servants as well as masters, and to those purchased from the stranger as well as those born in the house, and the admission of all to the privileges of the same national covenant, was a remarkable equalizing interposition, doing away, by itself alone, with most of the injustice and evil of the system of slavery as it came to exist in the heathen world. All were to be instructed in religion, and treated with kindness. According to the nature of the Divine law as revealed to Abraham, Abraham could not, if obedient to God, treat his servants that were bought with his money, or those born in his house, whether obtained in Egypt or elsewhere, according to the principles of idolatry and servitude prevalent in the countries where he travelled and dwelt. When they came into his household, they came on very different principles, and under very different regulations, from those of the system of an irresponsible despotism, or of what we call slavery.

There is really no such thing as slavery discoverable in Abraham's household, though there were servants that had been

given to him by the most despotic slave-holders then in the world, and others whose service was bought with money, of strangers, and others, doubtless, who were in his family as servants for a stipulated time. But, concerning his administration of the whole, God declares: "I know him, that he will command his children and his household after him, and they shall keep the way of the Lord, to do justice and judgment," Gen. 18: 19. This is sufficient proof that there never was, in Abraham's household, that thing which the Romans called *mancipium*, nor that iniquitous system, which in modern times we call *slavery*. His was a system of paternal and patriarchal kindness, instruction, and well-regulated service, but not of enforced and unpaid servitude. It was a system of generosity and confidence on one side, and of free and affectionate obedience on the other. It was neither power without right, nor submission without willingness. There were no fugitive slave laws, nor any need of them, nor do we find traces of any such custom as that of training hounds to hunt runaways. It is manifest that a confidence almost unlimited was reposed by Abraham in the faithfulness and contentment of those under his authority. The oldest servant of Abraham's house, who ruled over all that he had, and had been trained himself under the influence of the laws and manners of his household, bears witness, by his own character, to the nature of the whole system. This man was called, Gen. 24: 2, עבדו זקן, *his eldest servant of his house*, or, his servant, the elder of his house, the *major-domo*, the word used being the same employed to designate the elders of Israel. The arming of the whole multitude of his servants, and committing to their steadiness and bravery the conduct of a war, argues for them all a participation in the same character, and the enjoyment of a freedom among them, and of privileges and blessings so great and valuable under their allegiance to Abraham, that he could repose the utmost confidence in that allegiance, and in their contentment under his authority and service. The only case in which there is any intimation of oppression or severity in the household, is on the part of Sarah, and the subject of it takes an immediate opportunity to flee from such oppression. And such opportunity, in that state of society, was open to all, nor were there, in the sojournings and life of the patriarchs, any of those safeguards of law and State-power, to keep down the oppressed, without which a system such as that of Roman or of modern slavery could not be maintained for a single generation.

It is scarcely to be doubted that slavery grew out of idolatry, and in its perfection was one of the last and most perfect fruits of the execrable system of Egyptian and of Roman paganism. The exalting of men of gigantic vice and ability into gods, and the consequent consecration of tyrannic power as a celestial attribute, and the obedience of its instruments to its despotism, the superstitious debasement of the soul before it, and the necessity of slaves as the victims and tools of its ambition and success, very naturally suggest and account for the progress and fixture of slavery in the old heathen social life. Everything evil and abominable grew in such society, out of the bestial and oppressive idolatrous systems into which men fell. There were near five hundred years from Abraham to Moses, during which the idolatry of the Egyptians and the Canaanites, and every depraved habit along with it, grew more dreadful and inveterate. It was a prominent article of the Divine law: "When the Lord thy God shall cast out the nations from before thee, take heed to thyself that thou inquire not after their gods, saying, How did these nations serve their gods? even so will I do likewise. Thou shalt not do so unto the Lord thy God: for every abomination which he hateth have they done unto their gods: for even their sons and their daughters have they burnt in the fire to their gods."

Now as to the difference between bond-servants and hired servants, we take, first, the word for bond-servants, which is none other than the general term עֶבֶד, defined by the context, or the circumstances of the case. It is sometimes by our translators rendered *servant*, and sometimes *bondman*. The peculiar signification *bondman* is determined by reference to the nature of Egyptian bondage, which was the ultimate standard of rigor, of cruelty, and oppression. *Remember that thou wast a bondman in Egypt*, Dent. 15: 15, an עֶבֶד, without mitigation, held to rigorous and unpaid bondage. Thou shalt not compel thy brother to serve as such a bond-servant. 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. Lev. 25: 39, 42, 43, *They shall not be sold as bond men*, לֹא יִמְכְּרוּ כְּמִכְרֵת עֶבֶד, *not with the sale of a bondman*. And in verse 44, *Of the heathen shall ye buy bondmen and bondmaids*, עֶבֶד וְאִמָּה, *the servant and the maid-servant*. There was no separate word for *bond-servant*, no word for *slave*. There was only the word, honorable in its origin, and free in its original meaning,

which they had to adopt and use. But a man might be an עֶבֶד, a servant, and yet be a freeman. It is not the term, therefore, but the context, that limits and particularizes the signification. In 2 Kings 4: 1, "The creditor is come to take my two sons to be bondmen," that is, to be לְעֶבְדִים, to be servants, but not bondmen, for by law, being Hebrews, they could not be sold as bondmen, though they might be taken as servants, at a valuation of their time and labor, for the term of six years, for payment of the debt, to work out the debt. But if that did not suffice, but they must be held longer, then it was not lawful to hold them as bondmen, but as hired servants. See the law, Lev. 25: 39, 40: "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 a hired servant and a sojourner he shall be with thee." Not as עֶבֶד but as שָׂכִיר. *Thou shalt not compel him to serve as a bond-servant, לֹא-תַעֲבֹד בּוֹ עֶבֶד עֶבֶד.* — *Thou shalt not task upon him the tasking of a bondman.*

The service of the bond-servant thus designated was frequently compared, for illustration, with the servitude endured by the Israelites in Egypt. This was despotic and without wages, without stipulated reward; no agreement or bargain between master and servant, but the latter forced into the service and under the rule of the former; a degradation and a yoke, under which no right of a freeman could be asserted. See Lev. 26: 13. Deut. 16: 12. 24: 18, 22. 26: 6. 28: 68. It was the bondage endured by the Jews in their captivity, Ezra 9: 9. Neh. 5: 8. It was the bondage into which Joseph was sold, Gen. 37: 28, 36 and Ps. 105: 17. Various legal privileges, to which even the lowest class of servants among the Hebrews were entitled, and various liminary statutes, controlling the system of servitude, made it impossible for the Hebrews to impose the same despotic slavery upon others; they could not rule over the servants purchased from the heathen with the same unlimited authority with which the heathen ruled over their own slaves. Both the Hebrew servants, and the servants bought with money of the stranger, were under protection of the same laws against cruelty, and were in the same relation to the church by circumcision, and entitled to their rights in all the religious festivals and privileges of instruction and of worship. The Sabbath, and also the Sabbathical year of rest, was theirs as well as their master's, and, as we shall see, the recurrence of jubilee was a limit beyond

which no form or period of bondage could in any case be continued.

The Hebrew term for hired servant, טָבֵר, the *hireling*, is from the verb שָׂבַר, *to hire*. Lev. 19: 13, *the wages of him that is hired*, טָבֵר. — Ex. 22: 15, of a person who has hired himself out with his ox, or ass, or implement of husbandry, *If he were a hireling*, אִם-טָבֵר. So in Ex. 12: 45, a hired servant, טָבֵר; also, Lev. 22: 16, *a hired servant of the priest*; also, Lev. 25: 40, 50, 53. In Isaiah 16: 14, we have an illustrative passage, *Within three years, as the years of an hireling*, מִשְׁנֵי טָבֵר; also Isa. 21: 16, *Within a year, according to the years of an hireling*, מִשְׁנֵי טָבֵר, computed as the years of a servant hired by the year are computed. But the טָבֵר, *the hired servant*, might be hired by the day, while the ordinary servant, the עֶבֶד, had no such compensation. Job 7: 2, *As a servant*, עֶבֶד, earnestly desireth the shadow, and as an *hireling*, טָבֵר, looketh for his wages. Here the contrast between the two words, and their respective signification is marked. The עֶבֶד, the ordinary servant, looks for no wages, but longs for the evening and for rest, or for a shadow from the sun, and for some relief from his toil. But *the hired servant*, טָבֵר, looks for the reward of his work, according to the law in Lev. 19: 13. So, likewise, Job 14: 6, *that he may accomplish, as an hireling, his day*, מִשְׁנֵי טָבֵר.

Now it is to be noted that the word עֶבֶד is never used in conjunction with any adjective to signify a hired servant; for the עֶבֶד, *the servant*, was one whose whole services were purchased at the outset for a specified time, longer or shorter, as the case might be, from himself, or from some one to whom for such time he owed those services; it might be for a term of years, it might be till the jubilee. It is quite clear that the distinctive signification of עֶבֶד excluded the idea of wages, or of serving for hire. In Lev. 25: 39, 49, the particular difference between the ordinary servant and the hired servant is legally drawn out, "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 shall he be with thee." Here it is not said, *Thou shalt not compel him to serve as a bond-servant, but as a hired bond-servant*, though this seems to be the point in view; but, there being ordinarily no such thing as a hired bond-servant, a hired עֶבֶד (the time and labor of the עֶבֶד being purchased ordinarily for years or for life), the specific word טָבֵר is

used; thou shalt not compel him to serve as an עֶבֶד, but as a עֲבוּדָה, and a sojourner shall he be with thee. Yet this is spoken of one who is sold, one who is bought with money. The buying with money did not imply ownership, did not render consequent or extant the condition which we call slavery; this is perfectly clear. All the Hebrew servants so bought were merely servants bound out for a term of years, and if longer than six years, then to be treated as hired servants, not as bond-servants. So in Ex. 21: 7, where it is said, *If a man sell his daughter*, the thing signified is merely a six years' contract for her services; her service for six years is sold for so much.

A Hebrew might sell himself to a stranger, sojourner, or alien in Israel, or to the stock of the stranger's family, to the heir, for an unlimited time, that is, for the period of time from the making of the bargain to the jubilee. But this sale had two conditions: first, he was to be with his master "as a yearly hired servant," בְּשָׂכָר שָׁנָה בְּשָׁנָה, Lev. 25: 53, as a hireling from year to year, or year by year; second, he could at any time be redeemed, that is, could buy back his own time, or have it bought back for him, and his owner was compelled to grant the redemption and take the money. The price of redemption was reckoned from the year that he was sold to the year of jubilee, so much a year, according to the price and time of a yearly hired servant. If more years remained to the jubilee, a greater price, if fewer, a less price, was to be paid for his own time. If not redeemed, he and all his family were to be free at any rate in the year of jubilee, and meanwhile he was to receive wages as a yearly hired servant, a שָׂכָר, and not an עֶבֶד, a bondman. It is added that his master shall not rule with rigor over him. And in Lev. 25: 46, when it is enacted that the bondmen of the Hebrews shall be purchased of the strangers or the families of strangers, the heathen or their descendants in the land, it was added, "but over your brethren, the children of Israel, ye shall not rule, one over another with rigor." The rigorous rule, as contrasted with the lenient rule over hired servants, consisted partly in the very fact of their being bound to serve without stipulated wages. This was the grand difference between the עֶבֶד and עֲבוּדָה.

There were other differences by statute, as described in Ex. 12: 43—45 and Lev. 22: 10, 11. No uncircumcised stranger or foreigner, nor any man's hired servant might eat of the passover. But the servant bought for money might eat thereof, when cir-

circumcised. It was a household ordinance, to be observed by families, as well as national. The home-born servants were regarded in this respect as belonging to the family, but the hired servants, not. Yet this could not have been intended to operate to the exclusion of hired servants under all circumstances, from the passover; it *may* mean, hired servants uncircumcised. Certainly, Hebrews themselves were sometimes in the state of hired servants, and could not have been excluded. But again, in the priest's family, Lev. 22: 10, 11, while the servant bought with money, or born in the house, was permitted to partake of the holy things, the hired servant was forbidden, was not regarded as belonging to the priest's household.

In Deut. 15: 18, there is a computation of the comparative worth of a bond-servant, עֶבֶד, and the hired servant, שָׂכִיר. "The Hebrew servant, serving thee six years by sale, *hath been worth a double hired servant to thee, in serving thee six years;*" or perhaps it means, duplicate the wages of a hired servant for six years; that is, if you had kept a hired servant for six years, by yearly wages, it would have cost you double the price you paid for the six years' Hebrew servant. The servant bought for six years, you had no yearly wages to pay; but the hired servant you must pay by the year. On this account, when the Hebrew servant was set free at the end of his six years' service, the master was by law enjoined to give him a parting gift, was not permitted to send him away empty, but was bound to "furnish him liberally out of the flock, the floor, and the wine-press." It was an outfit, intended in some measure to supply to him the absence of yearly wages. Deut. 15: 13, 14.

From all this it appears that, so far as the Hebrew servant was an עֶבֶד, he was such only for the term of six years, an עֶבֶד, without wages; but if in longer servitude, then he was an עֶבֶד שָׂכִיר, a servant, an hireling, a servant on wages. The mere עֶבֶד was ordinarily the servant bought for money, and was considered as bound to pay, by his labor, for the sum of money given as the purchase of his whole time. If the master had to pay him yearly or daily wages in addition, then the servant bought with his money would have cost him much more than the hired laborer. It was the difference between a six years' apprenticeship, and a six years' service on wages.

Such were the relations between master and servant in the Hebrew household four or five hundred years after the time of

Abraham. Such was the system of servitude as regulated by law, to which God's regulations with Abraham, in the founding of the Hebrew nation and policy, looked forward. Abraham, five hundred years before the operation of the Mosaic statutes, had servants that were born in his house, servants that were given him, and servants that were bought with his money. They were all circumcised and instructed, and his children and his household were to keep the way of the Lord, to do justice and judgment. God's testimony to Isaac concerning Abraham, after his death, was this: "because that Abraham obeyed my voice, and kept my charge, my commandments, my statutes, and my laws." Gen. 26: 5. There were men in Abraham's house, born in his house, and there were those bought with money of the stranger; they were all circumcised, along with Ishmael his son, and formed one and the same religious family.

It is in Abraham's household that we first find mention of servants under the form נָעַר, a *young man*, Gen. 18: 7. This designation is repeated in Gen. 22: 3, 5, 19, where Abraham's *young men* accompanied himself and Isaac to the mount of the appointed sacrifice. They were employed in menial services, though the word does not necessarily mean servants, and Isaac himself is called by the same designation, rendered in his case *lad*. Indeed, the generic signification is *lad*, or *boy*, while it is often applied to designate *servants*, as also is the feminine of נָעַר applied to a *maid-servant*. Thus we find Abraham, on these two important occasions, personally waited on (as also his illustrious guests) by his young men, נְעָרָיו.

There is the same usage in the following instances: 2 Kings 4: 22, 24, used to designate the servants of the Shunamite, and verse 25, applied to Gehazi, the servant of Elijah. Also, 5: 20 and 8: 4. In 2 Kings 6: 15, it is one of two terms applied to designate the servant of Elisha, the first from the verb שָׁרַר, to serve, to minister, and the second נָעַר, as also in verse 17. In 1 Kings 19: 3, Elijah left his servant at Beersheba, נָעָרָיו. It is used also in 1 Kings 20: 14, 15, 17, 19, and in like manner in 2 Kings 19: 6. The same designation is applied in Neh. 4: 16, 22, 23, and 5: 15, 16, and 6: 5. It is applied to Nehemiah's servants, the people's, Sanballat's, and the former governor's servants. But in the same history Tobiah, *the servant*, the Ammonite, is designated with intended contempt as the נָעָר, probably a runaway slave of the heathen, though he was the son-in-law

of Shechaniah, the son of Arah. Neh. 2: 10, 19, and 6: 18, and 13: 19. In Num. 22: 22, the term נַצֵּר is applied to the two servants of Balaam.

After the overthrow of Sodom, Abraham sojourned in Gerar, and there Abimelech took sheep, and oxen, and men-servants and women-servants, עֲבָדִים וְשִׁמְרוֹת, and gave to Abraham, Gen. 20: 14. And all that Abraham had, he gave unto Isaac, flocks and herds, and silver and gold, and men-servants and maid-servants, and camels and asses, Gen. 24: 35, 36 and 25: 5. After the death of Abraham we find Isaac dwelling in Gerar, under the Divine blessing, so that he had possession of flocks, and possession of herds, and great store of servants, וְעַבְדָּהוּ רַבָּה, Gen. 26: 14. Precisely the same words are used of Job, that he had a *very great household*, עַבְדָּהוּ רַבָּה, *the whole body of domestics and dependents*, Job 1: 3.

But the servants are here called, as in Gen. 22: 3, and other places referred to above, *young men*, הַנְּעָרִים, Job 1: 15—17, three times: first, the servants are slain; second, the sheep and the servants are consumed; third, the camels are carried away and the servants slain by the Chaldeans. These נְעָרִים were certainly a part of the great household, עַבְדָּהוּ, the domestics and servants of Job. But in the 19th verse the same word is used to describe Job's own sons as destroyed in the falling of the house; they too are called the young men, הַנְּעָרִים. In Job 41: 5, the feminine plural is used for maidens. Wilt thou bind him for thy maidens? לְנַצְרוֹתָיִךְ.

This peculiar usage prevails in Judges, Ruth, and the first book of Samuel. Judges 7: 10, 11, Phurah the *servant* of Gideon, נַצֵּר. Judges 19: 3, His *servant* with him, and a couple of asses, נַצֵּר. 19: 9, 11, 13, 19. The master to the servant, and the servant to the master, the distinction being that of אֲדֹנָיִךְ and נַצֵּר. Ruth 2: 5, 6, Boaz to his *servant* over the reapers, his young men, לְנַצְרָיו. Also 2: 9, 15, 21. The feminine of the same word in this book is used for maidens, as 2: 8, *my maidens*, נַצְרוֹתַי. 2: 22, 23, the maidens of Boaz. It is the servants of Boaz that are thus designated, and Ruth calls them in 2: 13, handmaidens, שִׁמְרוֹתַי. The young men and the maidens, as servants to Boaz, were at work in his fields, and Ruth gleaned among them and after them. In this book the word עֲבָד for servant, is not once employed; an indication that there was no approximation to slavery known in the household of Boaz, though he was a mighty man of wealth of the family of Elimelech.

In 1 Sam. 9: 3, 5, 8, 7, 22, 27, and 10: 14, there is the same usage. Kish said to Saul, take now one of *the servants*, נַדְוָנָרִים, with thee, and seek the asses. Then said Saul to *his servant*, נַצְרִי, and so repeatedly. The same usage in reference to maidens employed in drawing water, in 9: 11, they are called נַצְרוֹת. And so in 1 Sam. 2: 13, 15, the masculine of the same noun is used for the priest's servant, נַצְרִי.

In 1 Sam. 30: 13, the word is used as follows, *a young man* (נַצְרִי) of *Egypt*, servant (עַבְדִּי) to an Amalekite. In 2 Sam. 9: 2, compared with 9: 9, 10, and 16, 1, and 19: 17, the terms עַבְדִּי and נַצְרִי are applied to the same person, Ziba, of the house of Saul; and a close examination of the passages indicates the condition signified to be quite different from anything implied in the appellation of slave. Ziba is first called a servant, עַבְדִּי, of the house of Saul, and then he is named the נַצְרִי of the house of Saul, with twenty servants, עַבְדָּיִם, under him, in his own house, and all that dwell in the house of Ziba were servants, עַבְדָּיִם, unto Mephibosheth. 9: 9, "The king called to Ziba, Saul's servant, נַצְרִי, and said unto him, I have given unto thy master's son all that pertained to Saul, and to all his house. Thou, therefore, and thy sons, and thy servants, עַבְדֶּיךָ, shall till the land for him." 16: 1, Ziba is called the servant, נַצְרִי, of Mephibosheth, and meets king David with provisions. 19: 17, again he is called Ziba the servant of the house of Saul, נַצְרִי בֵּית שָׁאוּל, the *young man* of the house of Saul. Very evidently, Ziba was an officer of some importance in Saul's household, but it is equally clear that he was not a slave, though called both the עַבְדִּי and the נַצְרִי of his master the king. The *naarism* would seem to have been a form of service, or a class of servants, more honorable, and of a higher grade, than the *evedhism*. The indication, wherever נַצְרִי is employed, is certainly that of free service, and not bond-service.

For the present we stop, in our investigation, with the Abrahamic period. From the survey of this period, as it lies in the Scriptures, we find no trace whatever of the existence of *slavery*, except among idolatrous and despotic nations. There is no proof that it ever existed in the household of Abraham. There is evidence of the revealed judgment of God against it. God's description to Abraham of the bondage which his seed should be compelled to undergo in Egypt, was a reprobation of involuntary unpaid servitude, as a crime on the part of those who enforced it. *The nation whom they serve will I judge.* Know of a surety

that thy seed shall serve them, and they shall afflict them. The sentence is as clearly condemnatory, as if God had said, They will be guilty of great and cruel oppression, and for the crime of such oppression, I will punish them. Is it possible to conceive that the individual, with an enlightened moral sense, to whom this revelation was made, could himself, as the head and founder of a social race and system, establish in his own family and nation the same reprobated state of enforced, unpaid, involuntary servitude? Could Abraham make *another* seed his prey and property, by the same spoliation and affliction denounced of God as a crime to be punished, when inflicted on *his own* seed? The crime of the Egyptians against the Hebrews was the enslaving of them, and treating them as slaves. The enslaving of *others*, and treating *them* as slaves, would be the same crime in Abraham; it would be the founding of the same system of oppression and cruelty, which God plainly informed Abraham was wrong.

Even when, in the execution of God's judgments against the heathen nations expelled from the promised land, the Hebrews were commanded to put the remnant of those nations to tribute and service, they were forbidden to treat *them* as they themselves had been treated in Egypt. The system of servitude under which they were to be brought, was hemmed in and restricted by such legal limitations and periodical closures, that what we call slavery could not grow out of it, but would, on the contrary, be abolished by it. It is impossible that the system which God thus predestinated to abhorrence, as a system of iniquity, could at the same time be set in the household and line of the patriarch as an example and model of social and domestic life. There must be positive proof, of the most unquestionable clearness, before we can admit the existence of such an anomaly; but no proof is found. It is no proof to take assumptions from the existence and nature of slavery in ancient Greece and Rome, or in modern ages, and carry them back to the foundation of the patriarchal society, and force them there, as a supposititious conclusion in regard to that society. It is no proof to take from modern times and languages a name, a term, of which there is no trace in the Hebrew tongue, and apply it to Hebrew usages, that have no reality corresponding to it, and then, notwithstanding all this, draw from such application of the term an opinion that the thing itself existed. Strange to say, this has been the

case with not a few commentators, almost without reflection, with not the slightest examination of the question; so that we find the term *slave* most carelessly, incongruously, and groundlessly applied, even in books and essays assuming to be critical.

If we could suppose a species of crab-apple to have been grafted on the antique olive-tree, so that, from the time of Julius Caesar down to this day the most ordinary fruit of the olive should be a bitter, oily, poisonous crab-apple, used for the purpose of intoxication and intemperance, it would certainly be a somewhat serious error to assume the existence and use of this artificial corruption of the olive in the land of Palestine in the time of Joshua and the Judges. If this modern perverted fruit had its own peculiar name, it would be an extraordinary stupidity, or wilful perversion, for any lexicographer or commentator to call the fruit of the oriental antique olive by that name. And it would be a most disastrous and absurd confusion to carry in our minds the idea of that poisonous and vicious modern invention, when reading of the habitual use of the olive as a native and most precious production of the Holy Land, one of the most gracious gifts of God to its inhabitants. But even this would be not more absurd, than for us to carry the name or the idea of *slavery* back to the household life of Abraham.

Should the permission afterwards distinctly given from God for the Hebrews to buy, from the stranger and the heathen, their servants for a possession and inheritance, their עֲבָדִים, their bond-servants, occur to any mind at this stage of our investigation, as a difficulty, let it be remembered that, besides, and even apart from, the benevolent law of Jubilee, which we are to consider, such purchase and adoption into Hebrew families was an appointed redemption from a worse state. There could not, consequently, be any sentiment of injustice, under this revealed will of God, in regard to the purchase from heathen masters of servants possessed by them as slaves, and treated as such. Such purchase brought the slaves themselves out from an irresponsible, unlimited slavery into a system of guardianship and protection, a system of religious instruction, and of family and national privileges. The children of such would be circumcised, adopted, and become *sons of the house*. In purchasing of a heathen there was no violence, no injustice, but a favor conferred. The heathen laws and fixtures of society included slavery in its worst forms. Captives in war, criminals, hereditary slaves,

and slaves for debt, were numerous among them. In no other way than by purchase, could the Hebrews redeem them, even if they had started on such an emancipation of the nations; and it was only the land of Canaan that had been given them. If, therefore, they had been forbidden to buy; if they had been restricted to hired servants of their own race alone, they could not have got possession of heathen slaves, even to redeem them, except as runaways; and thus multitudes would have been kept in heathen bondage, who, the moment they passed into Hebrew bondage, passed into a state of comparative freedom. Fugitives from the heathen, as well as from cruel masters of the Hebrews themselves, the people were bound by law to shelter and protect, and were not permitted to deliver them back to their masters.

[To be concluded.]

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#### ARTICLE IV.

EMANUEL GEIBEL.<sup>1</sup>

By James B. Angell, Professor in Brown University.

ON Sunday, the first day of May, 1853, a sad, but illustrious, assembly were gathered together in Berlin. Rauch, the sculptor, was there, at the head of a deputation from the Academy. Von Raumer, Werder, Waager, and the great Humboldt were there. The hearts of all were heavy with grief. For before them lay all that was mortal of Ludwig Tieck. Loving hands had strewed the coffin with flowers. The tears, which moistened many an eye, told of a deeper and holier feeling than mere admiration of a world-renowned author. On every face was depicted sorrowing love for the Friend and the Man. In an eloquent discourse, Dr. Sydow portrayed the character and the genius of the deceased.

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<sup>1</sup> 1. Gedichte von Emanuel Geibel. Sechszwanzigste Auflage. Berlin, 1851.

2. Juniuslieder von Emanuel Geibel. Neunte Auflage. Berlin, 1853.

3. German Lyrics, by Charles T. Brooks. Boston, 1853.

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ARTICLE I.

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

By George B. Cheever, D. D., New York.  
[Concluded from Vol. XII. p. 770.]

*Patriarchal establishments of Isaac and Jacob.*

LEPSIUS has noticed the great personality of Abraham, and what he calls the *non-prominent activity of Isaac*. The contrast is indeed striking; and the only interval in which we behold, in his circumstances, the patriarchal greatness and prosperity of his father, is the period of his sojourn in the land of the Philistines, recorded in the 25th chapter of Genesis. But Abraham gave all that he had unto Isaac (25: 5); and the account given of him some twenty years after Abraham's death, is as follows: "The Lord blessed him, and the man waxed great, and went forward and grew until he became very great; for he had possession of flocks, and possession of herds, and great store of servants" (26:12—14). Here the appellative for the greatness of his household is the Hebrew עַבְדָּי, the verbal from עָבַד, signifying the whole body of his domestics, or of those in his employment, including, of course, the herdsmen and well-diggers. Compare

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(Job 1: 3) the description of Job's very great household, עֲבָדָה רַבָּה זָיָא. There is no intimation of slavery, nor any approximation thereto, in Isaac's family or jurisdiction.

From him the same gifts of inheritance descended with the right of the first-born to Jacob, in whose family the patriarchal dominion and opulence passed from one person to twelve, in the Constitution of the Jewish State. During the sojourn of Jacob with Laban, there is no change of manners, no introduction or appearance of any form of slavery. Jacob himself is said to have served Laban for wages; he was Laban's servant as well as his son-in-law; and it is said that "the man increased exceedingly, and had much cattle, *and maid-servants and men-servants,*" וַיִּשְׁתַּדְּלוּ וַיִּבְרְרוּם (Gen. 30: 43). These went with him, when he fled from Laban; they were his עֲבָדָה, his patriarchal establishment, when he met Esau, and sent messengers to his brother, saying: "I have oxen and asses, flocks, and men-servants, and women-servants (Gen. 32: 5). But his two wives, and his two women-servants, and his eleven sons, are described as his immediate family, and are set apart by themselves,— the handmaidens with their children, and Leah with hers, and Joseph and Rachel (Gen. 33: 6, 7). After a favorable interview with Esau, he travels on slowly, with his flocks and herds, to Succoth and Shalem, and erects an altar.

But here at Shechem was perpetrated that murderous outrage, by the sons of Jacob, in the sacking and spoiling of that city; remembered by the Patriarch, with a solemn curse, upon his dying bed. After destroying the males of the city, "all their wealth, and all their little ones, and their wives, took they captive." There is no account of the final disposition made of these unfortunate captives; but in this infamous transaction we have the first intimation of any possibility of the possession of servants, by violence and fraud, among the descendants of Abraham.

Among the heathen nations, captivity in war was one of the most common modes by which men became slaves; but in the history of Abraham we see the patriarch refusing to sanction such a transaction by his example. When he had

conquered those heathen marauders who took Lot captive, the king of Sodom proposed that Abraham should give him *the persons*, and take the goods to himself, dividing thus the spoil between them, on grounds easy to be guessed at from our knowledge of the morals of the Sodomites. But Abraham declared that he would enter into no bargain with him, neither for goods nor persons: from a thread to a shoe-latchet he would take nothing. Aner, Eshcol, and Mamre the Amorite, might make what terms they pleased, but he himself would take nothing.

Jacob's abhorrence of the conduct of his sons is marked: he denounced the whole wickedness of the murder and captivity of the Shechemites, and was beyond measure distressed by it. He seems to have made it the occasion of a religious reformation, commanding his household, *and all that were with him*, to put away the strange gods that were among them, and be clean (Gen. 35: 2). Thus Jacob returned to the habitation of Isaac his father, who died in Hebron at the age of one hundred and eighty years, and his sons Esau and Jacob buried him. "And Esau took his wives and his sons and his daughters, *and all the persons of his house*, וְאָתֵּי-קַלְנֶשֶׁתוֹ בְּיָתוֹ, and all his substance which he had gotten in the land of Canaan, and went into the country from the face of his brother Jacob; for their riches were more than that they might dwell together, and the land wherein they were strangers could not bear them because of their cattle" (Gen. 36: 6, 7). Here the expression וְאָתֵּי-קַלְנֶשֶׁתוֹ בְּיָתוֹ is clearly synonymous with אֲבָדָה in the description of the households of Isaac and Job; it comprehends domestics and dependents, the *born in the house*, הַלְוִי בֵּית, and the hired servants, and all whose time and services, in a limited or definite apprenticeship, were bought with money of the stranger.

The blessing of a birth-right conferred in itself no superior authority upon one brother over the other; but Isaac's peculiar blessing upon Jacob, on the occasion recorded in Gen. xxvii., made Esau tributary to his brother, as unexpectedly to Isaac as to himself; for the arrangement had been quite the reverse, but for Rebecca's deceit and Isaac's

blindness. "Let people serve thee, and nations bow down to thee: be lord over thy brethren, and let thy mother's sons bow down to thee" (Gen. 27: 29). There was the solemnity of a divine inspiration or compulsion in this, for Isaac felt that he could not revoke or change it; yea, and he shall be blessed, in spite of his stratagem and our disappointment. Behold, I have made him thy lord, and all his brethren have I given to him for servants (Gen. 27: 33, 37). The expression *for servants* is לְעַבְדֵיךָ, so that an unscrupulous advocate for the divine right of slavery might much more plausibly find it here, in the blessing upon Jacob, than in the curse upon Canaan. But the nature of this domination is instantly defined, and the definition applies to both transactions. "By thy sword shalt thou live, and shalt serve thy brother; and it shall come to pass, when thou shalt have dominion, that thou shalt break his yoke from off thy neck." Here a national subjection was meant, and not a personal servitude.

#### *Captives in War.*

That the divine reprobation rested upon the custom of making slaves out of captives taken in war, is manifest from many passages. God never permitted it among the Jews themselves, when there were two kingdoms in conflict, and among other nations it is not unfrequently presented as a sin and misery, the result of a marked retributive providence.

Among heathen nations it was a custom to dispose of the captives taken in war by *casting lots* for them. This was the fate endured by some of the Jews themselves, who were thus disposed of, in some cases, for the most infamous purposes conceivable (Joel 3: 3). They have *cast lots* for my people, and have given a boy for an harlot, and sold a girl for wine, that they might drink." It was thus that the cities of Egypt were laid waste, and the inhabitants carried captive. No Amon is mentioned in Nahum, and it is stated that "they *cast lots* for her honorable men, and all her great men were bound in chains" (Nahum 3: 10). In the pro-

phesy of Obadiah, the Edomites are threatened of God for their violence against the Israelites, and for standing aloof when the heathen carried them away captive, and foreigners entered their gates, and *cast lots* upon Jerusalem (Obadiah xi). They are also accused of "standing in the crossway to cut off those that escaped," and of "delivering up those that remained," and it is declared that, as they had done to others, so should it be done unto them (Ob. 14: 15).

In the same manner, the tribes and inhabitants of Tyre and Zidon, and of the coasts of Palestine, are arraigned, and assured of God's vengeance, because they *had sold the children of Judah and the children of Jerusalem to the Grecians*, that they might be removed far from their border (Joel 3: 6). For this iniquity, God declares: "I will sell your sons and your daughters into the hand of the children of Judah, and they shall sell them to the Sabeans, to a people far off, for the Lord hath spoken it" (Joel 3: 8). As a direct testimony of God in regard to the sinfulness of such a traffic, these passages are very important. The being sold in bondage is presented as one of the most terrible judgments of God upon a guilty nation. The same judgment is threatened against the sinful Hebrews themselves (Deut. 28: 68), as the climax of all the curses pronounced against them for their sins: "Ye shall be sold unto your enemies for bondmen and bondwomen, and no man shall buy you;" ye shall be tossed to and fro for sale, as so many cattle, with the shame and the misery of being so despised and abhorred that no master will be willing to buy you.

The despotism of such a dominion, even when it was in some measure lightened, and God began to redeem them from it, is graphically set forth in the confession, prayer, and covenant of Nehemiah and the people, returning from their captivity. "Behold we are servants this day in the land thou gavest to our fathers, and it yieldeth much increase to the kings whom thou hast set over us because of our sins; also, *they have dominion over our bodies*, and over our cattle at their pleasure, and we are in great distress" (Nehemiah 9: 36, 37).

*The First Instance of Man-Stealing.*

There needed no law against man-stealing to assure the conscience of its being a crime; and it has been a subject of wonder that the sons of Jacob could so deliberately and remorselessly plunge themselves into such guilt. But the steps in the history are logical forerunners and sequences. Events follow upon character, and one act produces another, with a perfect moral fitness and fatality. Anything might have been expected, any development could not have been surprising, after the dreadful tragedy at Shechem. The murderous sacking of that city, and the disposal of the captives, had prepared the sons of Jacob, "moved with envy," (the former passion having been revenge), for the crime of kidnapping. They took their choice between murdering their brother and selling him, it being only the providence of God in the passing of the Ishmaelites just then, from Gilead towards Egypt, with their caravan of camels, laden with spices, and balm, and myrrh, that suggested to them the merchandise as more profitable. So they sold Joseph to the Ishmaelites, for twenty pieces of silver. And the Midianites sold him into Egypt (Gen. 37: 28, 36). The word used for this transaction is in both cases the same, *קָנָה*. And Potiphar bought him, *וַיִּקְנֵהוּ*. (39: 1). The word *bought* is from *קָנָה*, and the same is applied (Neh. 5: 8) to the purchase, for redemption, of the Jews that had been sold unto the heathen. Joseph is called by Potiphar's wife (39: 17), the Hebrew servant, *הָעֶבְרָיִם*. Joseph describes the transaction by which he was brought into bondage in Egypt as *man-stealing*; for indeed I was stolen away out of the land of the Hebrews, *גִּזְבֵּי עֶבְרָיִם*. The chief butler's description or designation of Joseph, is that of a young man, a Hebrew, servant to the captain, *עֶבְרָיִם עֶבְרָיִם* (Gen. 41: 12).

In the course of Joseph's interview with his brethren, the word *עֶבְרָיִם* is very frequently employed, and they and Joseph use it to signify a bondman for crime. "Should we steal silver or gold? With whomsoever of thy servants it be

found, both let him die, and we also will be my lord's bondmen," לְאֲדֹנָי לְגַבְרִים (Gen. 44: 9, 17). "And he said, He shall be my servant" עֶבֶד. "Let thy servant abide instead of the lad, a bondman to my lord," עֶבֶד לְאֲדֹנָי (Gen. 44: 33). It signifies here the most degraded slavery, but it was a slavery into which the brethren of Joseph well knew they had themselves, many years previous, most diabolically sold their own brother, for twenty pieces of silver. They were now threatened with the same bondage.

### *Condition of the Israelites in Egypt.*

The question next arises, in the order of the history, whether any of the *great store of servants* spoken of as formerly belonging to Jacob's household, went down with him into Egypt to settle there. No mention is made of them, and only his own posterity are particularized in the census. "And Jacob rose up from Beersheba, and the sons of Israel carried Jacob their father, and their little ones, and their wives, in the wagons which Pharaoh had sent to carry him. And they took their cattle, and their goods, which they had gotten in the land of Canaan, and came into Egypt, Jacob, and all his seed with him. His sons and his sons' sons with him, his daughters and his sons' daughters, and all his seed brought he with him into Egypt" (Gen. 46: 5, 7). "All the souls that came with Jacob into Egypt, which came out of his loins, besides Jacob's sons' wives, all the souls threescore and six (46: 26). The enumeration here is simply all that came out of Jacob's loins; it does not prove that none others were with them; and Joseph is said to have "nourished his father, and his brethren, and all his father's household, with bread, according to their families" (47: 12). וַיֵּאֵת כָּל-בֵּיתוֹ. Joseph's own enumeration to Pharaoh was: "My father, and my brethren, and their flocks, and their herds, and all that they have, are in the land of Goshen." The two years of sore famine must have greatly reduced the הֶבְרֵה, the household establishment of the patriarch, once so rich and numerous. Servants and dependants

would be dismissed, their herds and their flocks would be diminished; nevertheless, we cannot certainly conclude that no servants whatever went with them into Egypt. But there we shortly find the testimony (Ex. 1: 7) that "the children of Israel were fruitful, and increased abundantly, and multiplied, and waxed exceeding mighty, and the land was filled with them."

Though they occupied a separate province, yet manifestly at the time of Moses and the Exodus there was much commingling with the Egyptians in social life and in neighborhoods. There was visiting and sojourning between Egyptian and Hebrew families. This is clear from Ex. 12: 21—23 and Ex. 3: 21, 22: "Every woman shall borrow of her neighbor, and of her that sojourneth in her house." A degree of intimacy and familiarity is here intimated, which the oppressive edicts and cruel measures of the Pharaohs had not broken up. Up to the time of the death of Jacob and Joseph and all that generation, their condition in Egypt had been one of honor and prosperity, and their intercourse with the Egyptians was disastrously productive of increasing looseness, luxury, and idolatry in social life, and was full of evil morally, as it was of advantage financially. The system of cruelty at length adopted by the government of Egypt, did not find nor create a corresponding cruelty on the part of the Egyptian people, and their friendly communion with the Hebrews was kept up even to the last.

From Ex. 1: 11, it would seem that the avenue or pretence on which their oppressors began to afflict them, was the collection of the tribute for the king. Operating by means of officers, tax-gatherers, for the collection of the impost, they seem to have required its payment in labor, and to have increased the severity of that labor at their pleasure: "Let us deal wisely with them. Therefore they did set over them מְסִיִּים *captains for the tribute*, to afflict them with their burdens." Under these exactors, other officers were appointed, called afterwards מְשִׁיבֵי *taskmasters* (Ex. 5: 10); and under them, from among the Hebrews themselves, were appointed מְשִׁיבֵי *overseers* (Ex. 5: 14—19); in fact, slave-drivers. How

large a proportion of the people were drafted for these burdens, or how many were exempt, we have no means of knowing. It was a servile conscription; but it did not make the whole people, personally, slaves.

*Nature of tributary servitude. Case of the Canaanites generally, and of the Gibeonites particularly.*

In the prophetic blessing of Jacob upon his children, it is said of Issachar that "he bowed his shoulder to bear, and became a servant unto tribute," לָזַס צַבֵּר (Gen. 49: 16). As our line of induction and of argument is historical, taking up the points of statutory law in their regular succession, we propose here to examine the nature of the tributary and personal servitude imposed by the Mosaic laws, and set in practice by Joshua, upon the Canaanitish nations. This phrase, לָזַס צַבֵּר, *a servant unto tribute*, applied by Jacob to Issachar, is the generic expression descriptive of that servitude. Let us carefully trace the principle, the law, and its operation.

In Deut. 20: 11, it was enacted that, when any city of the heathen was conquered by the Hebrews, "all the people found therein shall be tributaries unto thee and they shall serve thee," וְהָיָה לָךְ לָזַס וְנִצְבְּרוּךְ. The same expression is found in Josh. 16: 10, of the conquered Canaanites serving the Ephraimites under tribute. The form is exactly that used by Jacob in reference to Issachar, וְהָיָה לָזַס צַבֵּר. In Judges 1: 28, 30, 33, 35, we have four instances of the same expression applied to the treatment of the Canaanites — by Manasseh, by Zebulon, by Naphtali, and the house of Joseph. They did not drive out nor exterminate the inhabitants, but they became tributaries unto them, וְהָיָה לָהֶם לָזַס; in verse 28, they put the Canaanites to tribute, וְנִקְשָׁם אֶת־הָאֲרִי־הַנְּנָגִי לָזַס. In Josh. 17: 13 the same expression, varied only in the use of the verb נָתַן, they set, or appointed, the Canaanites (לָזַס) to tribute. So in Isa. 31: 8, the young men of the conquered Assyrians shall be for tribute, shall serve as tributaries, לָזַס יִהְיוּ. We shall see, from comparison of 1 Kings 9: 21, 22 and 2 Chron.

8: 8, 9, precisely what this kind of tributaryship was, in personal service.

The law in regard to the Hittites, Amorites, Canaanites, Perizzites, Hivites, and Jebusites, was this: that they should be exterminated; nothing should be saved alive "that breatheth," in any of the cities of the people whose land God had given to the Hebrews for their inheritance (Deut. 20: 15, 16, 17; also, Deut. 7: 1—4). And the reason was plain, namely, "that they teach you not to do after all their abominations, which they have done unto their gods" (20: 18. Ex. 23: 23, 33). Only to the cities of other and distant heathen nations was peace to be proclaimed; and, if accepted, then the people were to be tributaries, as above. But if not accepted, and war was preferred, then all the males were to be destroyed, and the women and the little ones preserved (Deut. 20: 12—14). See, for an example of the manner in which this law was fulfilled, Num. 31: 7—18, in the war against the Midianites. The children of Israel took the women of Midian captives, and their little ones. See also, in regard to the cities of the Canaanites, Josh. 6: 21 and 8: 26; also, 10: 32, 35, 37, 39; and 11: 11—19. And, for example of the different treatment of cities not of the Canaanites, see Josh. 9: 15, 27, the league that was made with the Gibeonites under the supposition that they were a distant people; and which was fulfilled, according to the law, as above, by which the distant nations were to be treated. The Gibeonites were made tributaries: "There shall none of you be freed from being bondmen, and hewers of wood and drawers of water for the house of my God" (Josh. 9: 23).

More than four hundred years afterwards, under the reign of David, this treaty was remembered, and a most tremendous judgment came upon the kingdom in consequence of its violation by Saul. The three-years' famine mentioned in 1 Sam. 21: 1 was declared, of God, to be for Saul and for his bloody house, because he slew the Gibeonites. According to the treaty made with them by Joshua, they were to be always employed in the menial service of God's house. The treaty was kept. The city of Gibeon, with most of its de-

pendencies, fell to the lot of the tribe of Benjamin for an inheritance (Josh. 18: 25). It was also, with its suburbs, appointed of God, by lot, to be one of the cities of the Levites, given to them for an inheritance out of Benjamin (Josh. 21: 17). But more than this, it became the place of the Tabernacle<sup>1</sup> of the Congregation of God (1 Chron. 16: 39 and 21: 29, and also 2 Chron. 1: 3), and the great high-place of sacrifice (1 Kings 3: 4), and of the brazen altar before the Tabernacle (2 Chron. 1: 5), where Solomon offered a thousand burnt-offerings at once, and where God appeared to Solomon, and entered into covenant with him (1 Kings 3: 5).

There is a remarkable coincidence between this historic fact and the tenor of the treaty with the Gibeonites (Josh. 9: 27): "For Joshua made them hewers of wood and drawers of water for the congregation, and for the altar of the Lord, even unto this day, in the place which he should choose." No one could have foreseen that he would choose Gibeon; but so it was. Yet not in that city only did the Gibeonites serve the altar; but when the city was passed to the inheritance of the Levites, the Gibeonites and their race must have become the servants of the Priests, "for the congregation and for the altar of the Lord," wherever the tabernacle was set up, as at Nob, the city of the Priests, where David received the hallowed bread from Ahimelech (1 Sam. 21: 1 and 22: 19). In his wrath against Ahimelech, and against all that harbored David at that time, Saul not only slew the priests, fourscore and five, but destroyed the whole city of the priests, with all its inhabitants (1 Sam. 22: 18, 19). This was the most atrocious and the hugest crime of all his reign. Nothing is to be found that can be compared with it.

Several points are now determined: 1st, The separation of a particular race to be bondmen of the altar, servants of the Priests, for the service of God's house, in a class of labors indicated by the proverbial expression "hewers of wood and drawers of water." There is no intimation of the Gibeonites or their posterity ever being bondmen in any other

<sup>1</sup> "Being brought thither as to the chief residence of the sons of Ithamar, who waited on the sanctuary when Shiloh fell." — Lightfoot, Vol. II. p. 198.

way, or in private families. 2d, This service, and their separation and consecration for it as a race, was a boon granted them instead of death, which otherwise, by the Divine law, they must have suffered. They were spared, in consequence of the treaty with them; and the covenant with them was of life and labor as the servants of the sanctuary. The life was pleasant, the service was not over-toilsome; they accepted it with gratitude. 3d, The treaty was kept for hundreds of years; and from generation to generation the Gibeonites and their posterity fulfilled their part of it, continuing, as at first appointed, the servants of the Sanctuary. Saul was the first who broke this treaty; and God's own view of its sacredness may be known by the terrible manner in which he avenged its breach, and continued to protect the Gibeonites. Saul had not only destroyed the city of Nob, but had "devised means by which the Gibeonites should be destroyed from remaining in any of the coasts of Israel (2 Sam. 21: 4).

#### *Case of the Nethinim.*

It has been supposed that the Gibeonites constituted a part of the Nethinim, so often mentioned as the servants of the Tabernacle and of the Temple. The first trace of this name we meet in Num. 3: 9 and 8: 19, where the Levites are said to be given as a gift (תְּתִיבֵם) from God to Aaron and his sons for the service of the tabernacle. Also, Num. 18: 6. The verb from which this word is derived (נָתַן), is used by Joshua in describing the result of the treaty made with the Gibeonites: he gave or granted them to become, he set or established them, hewers of wood, etc., for the altar of the Lord (Josh. 9: 27); he *nethinized* them for the service of the Priests. So, in 1 Chron. 6: 48, the Levites are said to have been *appointed*, נָתַן תְּתִיבֵם *nethinized*, unto all manner of service in the tabernacle. In the same manner, for the service of the Levites, others were given, appointed, *nethinized*; and this class, under the Levites, included the Gibeonites, and came to be designated, at length, apart from them, and from other servants, as the Nethinim (תְּתִיבֵם), 1 Chron. 9: 8, where the

name first occurs as of a separate class ; the people returned from the captivity in Babylon being designated as Israelites, priests, Levites, and *the Nethinim*. Then the term occurs in *Ezra* 2: 43, 58, coupled with the children of Solomon's servants (נְתִינִים), in one and the same classification ; all the Nethinim and the children of Solomon's servants, in number—392. The priests, and the Levites, and some of the people, and the singers, and the porters, and *the Nethinim*, dwelt in their cities ; and all Israel in their cities " (*Ezra* 2: 70). Priests, Levites, singers, porters, and Nethinim are again specified in *Ezra* 7: 7 ; and, in verse 24, the edict of Artaxerxes is specified, forbidding any toll, tribute, or custom from being laid upon priests, Levites, singers, porters, *Nethinim*, or ministers of the house of God.

In *Ezra* 8: 17—20 a message is sent to Iddo and his brethren *the Nethinim*, at the place Casiphia, for ministers for the house of God ; and in answer to this message, there were sent, along with a number of Levites, two hundred and twenty Nethinim, of the Nethinim whom David and the Princes had appointed for the service of the Levites. In *Neh.* 3: 26, the Nethinim are recorded as having repaired their portion of the wall of Jerusalem, near their quarter in Ophel. They are also enumerated, as in *Ezra*, along with *the children of Solomon's servants*, as having come up from the captivity (*Neh.* 7: 60, 73). They are also recorded with the Levites, priests, and others, as parties in the great covenant which the people renewed with God, to observe his statutes (*10: 28*). The particular quarter of Jerusalem where they dwelt is pointed out, and the names of the overseers that were over them (*Neh.* 11: 21). Others of them, as well as of the priests, Levites, and children of Solomon's servants, dwelt in other cities, according to their respective possessions and engagements (*Neh.* 11: 3).

Their return to Jerusalem from the captivity was voluntary ; they might have remained abroad. It was not a return to slavery, but a resumption, of their own accord, of the service of the Sanctuary, to which they had been devoted. So it was, likewise, with "the children of Solomon's ser-

vants;" they resumed their position in their native land, of their own choice, and by no compulsion. And both the Nethanim and the descendants of Solomon's servants, had their families and lineal ancestry preserved in the genealogical register of the nation; they had "entered into the congregation of the Lord."

#### *Case of the Servants of the Captive Jews.*

The enumeration, given by Ezra, of the returned people, is, for the whole congregation, 42,360, besides their servants and their maids (אֲנָשִׁים וְאִמֹּתַיִם), of whom there were seven thousand three hundred thirty and seven; and there were among them two hundred singing men and singing women. At first sight it might have been supposed that these singing men and singing women formed a part of the train of servants; but it does not appear so from the corresponding record of Nehemiah; they were an additional class. They, with the servants, and the maids, may all have been "bought" by the Jews during their captivity; but the purchase of a servant was no indication of slavery, where this language was customary to describe even the acquisition of a wife, or the buying of a Hebrew servant, who could not be a slave. The case of the free-born Hebrew *selling himself* for money (Lev. 25: 47) is in point; and the same person who has thus voluntarily sold his own time for money, is afterwards said to have been *bought* (25: 51). Such was the common usage of the term, not at all implying slavery.

It seems remarkable that they should return from their captivity in such array: men-servants and maid-servants (אֲנָשִׁים וְאִמֹּתַיִם), seven thousand three hundred and thirty-seven; singing men and singing women two hundred and forty-five (Neh. 7: 67). To account for this, we have to turn to the prophet Isaiah, to the prediction of God, that, when he should have mercy upon his captive people, and set them again in their own land, "*the strangers should be joined with them, and should bring them to their place, and the house of Israel should possess them in the land of the Lord for servants*

and handmaids (לְבָנֹתֵי עַבְדֵי יִשְׂרָאֵל), and they shall take them captives whose captives they were" (Isa. 14: 2). Here is a most remarkable fulfilment of prophecy. At the same time it is obvious that the whole arrangement of their servitude must have been to a great degree voluntary, a service for which remuneration was required and given. It must have been, in every respect, a service contracted and assumed according to the principles and laws laid down in the Mosaic statutes, and in no respect a slavery such as those statutes were appointed to abolish.

It is to be noted that, in the language of Nehemiah, the term עַבְדֵי is not used in designating servants, but the word נָעַר *young man*; as, for example, Neh. 5: 16, spoken of the governor's servants (נְעָרֵי הַמֶּלֶךְ) having borne rule over the people; also 5: 16, all Nehemiah's servants (נְעָרַי); also 4: 22, of the people with their servants, *every one with his servant* (אִישׁ וְעַבְדּוֹ); also 4: 23, *I, nor my servants* (אֲנִי וְנְעָרַי). The same in 5: 10 and other places. The usage is plain, and not to be mistaken. The same usage prevails in the book of Ruth.

On the other hand, when Nehemiah intends to express the idea of bond-service, and to describe what the Jews themselves had been in their captivity, he uses the word עַבְדֵי. For example, chap. 5: 5, We bring into bondage our sons and our daughters to be servants, בְּעַבְדֵי יִשְׂרָאֵל. Also 2: 10, *Tobiah the servant*, יְשׁוּעָה הַעֲבָדָה. Also 9: 36, We are servants, עַבְדֵי; and 11: 3, The children of Solomon's servants, עַבְדֵי. There was "a mixed multitude" that came up with the Israelites from the captivity (13: 3); and of this multitude, the 245 singing men and singing women must have formed a part. The servants belonged to the same class; and there were a large number of strange women, of the Moabites, Ammonites, Egyptians, and others, with whom the people had intermarried, and formed families. These would bring their household servants with them; but the class designated by Nehemiah as עַבְדֵי, must have been of a different character. They may have been free, and free-born in every respect, making their own contracts of service, and choosing their own masters. And whether עַבְדֵי or נָעַר, whether strangers or

natives of Palestine, they belonged, when circumcised, to the Jewish nation, and might "enter into the congregation of the Lord." They might have been slaves in Egypt, or Ethiopia, or Assyria, but they could not be such in Judea; on the contrary, however degraded, in whatever country from which they came, the Mosaic Institutes immediately began to elevate and emancipate them.

We find an interesting and important instance in the episode related in 1 Chron. 2: 34, 35—the case of the Egyptian Jarha, the servant of Sheshan, and adopted by him as his son, to whom he gave his daughter to wife, and the Jewish genealogy of the family continued uninterrupted in the line of their children. This is an instructive commentary on the laws; and, being a case nearly parallel, in point of time, with the transactions in the book of Ruth (for Sheshan must have been nearly contemporary with Boaz), it indicates, as well as that history, the admirable contrast between the freedom prevalent in Judea and the despotism in every other country. "I am the Lord your God, which brought you forth out of the land of Egypt, that ye should not be their bondmen, and I have broken the bands of your yoke, and made you go upright" (Lev. 26: 13). The same emancipating power, exerted by God's interposing and protecting providence and discipline upon the Jews themselves, was also exercised by the system of statutes, privileges, and instructions, under which the poorest and humblest creature in the land was brought, upon the bond-servants taken from the heathen: the bands of *their* yoke were broken, and they were made to go upright. "Thou shalt not abhor an Edomite, for he is thy brother; thou shalt not abhor an Egyptian, because thou wast a stranger in his land. The children that are begotten of them shall enter into the congregation of the Lord in their third generation" (Deut. 23: 7, 8).

*Case of the Children of Solomon's Servants, and of the Strangers appointed to labor.*

The children of Solomon's servants, as well as the Nethi-

nim, have the honor of being registered according to their genealogy by families, as in Neh. 7: 57—60. Ten individuals or heads of families are named; and their children are the children of Solomon's servants, numbering, together with the Nethinim, only three hundred and ninety-two. From the context it would appear that their fathers' house was considered of Israel; and they, being able to show their genealogy, were honorably distinguished from others, who could not show their fathers' house, nor their pedigree, whether they were of Israel (Neh. 7: 62). On the whole, it would seem that they were a favored class, and honorably distinguished by their service, which was to them an hereditary privilege worthy of being retained, and not an ignoble or a toilsome separation, nor a mark of bondage.

We must, however, consider their state and probable employment, in connection with the following passages and proofs in regard to the tributary service levied by Solomon upon them and similar classes. In 2 Chron. 2: 17, 18, we find it recorded that Solomon numbered all the strangers that were in the land of Israel, after the numbering where-with David his father had numbered them; and they were found a hundred and fifty-three thousand and six hundred. And he set threescore and ten thousand of them to be bearers of burdens, and fourscore thousand to be hewers in the mountain, and three thousand and six hundred overseers, to set the people to work. See also 1 Kings 5: 15, 16. To this is added, on occasion of the mention of Solomon's vast enterprises in the building of cities, the following historical record (2 Chron 8: 7, 8, 9): "All the people left of the Hittites, and the Amorites, and the Perizzites, and the Hivites, and the Jebusites, that were not of Israel, but were of their children who were left after them in the land, whom the children of Israel consumed not, them did Solomon make to pay tribute unto this day. But of the children of Israel did Solomon make no servants for his work." Comparing this with the similar record in 1 Kings 9: 20, 21, 22, we find some additional light as to the kind of tribute exacted: "Their children that were left after them in the land, whom the children

of Israel were not able utterly to destroy, upon these did Solomon levy a tribute of bond-service (לְיָסֵעַ עֲבָדִים), a tribute of labor; but of the children of Israel did Solomon make no bondmen. The tribute, then, was an appointed value, paid in manual labor, furnished by these tributary races, in the person of laborers, who labored not as hired servants, but as working out the taxes of such service imposed by the monarch.

All the strangers were numbered, דְּיִגְרִים, the same word used in Lev. 19: 34, 35 and other passages, as Ex. 22: 21: "Thou shalt not oppress the stranger; the stranger shall be as one born amongst you, for ye were strangers in the land of Egypt." But these nations of Canaan, that were to have been utterly destroyed (see Deut. 20: 17), had never been exterminated, and the different tribes, in their inheritance, could not drive them out; but as far and as fast as possible put them to tribute, made them serve under tribute, לְיָסֵעַ עֲבָדִים (Josh. 16: 10), being precisely the same expression used in 2 Chron. 8: 9 and 1 Kings 9: 21 of the tribute of bond-service levied by Solomon. See Josh. 15: 63 and 17: 12, 13; also Judges 1: 21, 27, 28, 30, 33, 35; also 3: 3, 5. This tributary service did not make them all hereditary bondmen; but was a tax of service to a certain amount, levied according to fixed rules, so that these foreign races must supply a sufficient number of laborers to work out that tax. The tax was a perpetual tribute; consequently, the bond-service by which it must be paid, was perpetual, unless there had been a system of commutation, of which however we find no direct evidence. It was only the races of the land of Canaan, such as are mentioned in 1 Kings 9: 20, 21 and 2 Chron. 8: 7, that could by law be thus treated; and such treatment was itself, in reality, a merciful commutation, instead of that destruction to which they had originally been devoted.

The numbering of these strangers for the work of building the Temple, was begun by David; that work was a public national and religious service, such as that to which the Gibeonites, more especially from the outset, had been consecrated, at a time when it was supposed that they only, of all the inhabitants of Canaan, would have been spared. But

a great many others were spared also; so that, in the general numbering of the people by Joab, at David's command (2 Sam. 24: 2 and 1 Chron. 21: 2), the cities of the Hivites and of the Canaanites are particularly designated (2 Sam. 24: 7); and comparing this with Josh. 17: 12 and Judg. 1: 27—33, there is reason to suppose that the particular designation is with reference to the class of inhabitants. In this general census of the people, Joab seems to have noted these "strangers" by themselves; and after this census "David commanded to gather together *the strangers* that were in the land of Israel, and he set masons to hew wrought stones to build the house of God" (1 Chron. 22: 2). It is doubtless to this that the reference is made in 2 Chron. 2: 17, "Solomon numbered *all the strangers* that were in the land of Israel, after the numbering wherewith David his father had numbered them."

That the strangers numbered and appointed for their work by David, and those numbered and appointed by Solomon, were of the same class, and that this class comprised the races named in Solomon's catalogue of tribes from whom he levied his tribute of bond-service, is rendered more certain by an examination of the number of foreigners or strangers of all classes that must have been, at this time, under the royal government of Israel. In 1 Chron. 5: 10, 19, 20, 21, there is an account of a battle between the Reubenites and a very numerous tribe of Hagarites, in which the children of Israel gained a great victory, insomuch that they captured a hundred thousand souls. This was in the days of Saul. Besides these Hagarites, it is evident that the number of tributaries must have greatly increased from David's own wars, as is proved in 2 Sam. 8: 4, 14. We should have a census of more than a hundred and fifty thousand "strangers," from these transactions alone; so that the number recorded in 2 Chron. 2: 17 (a hundred and fifty-three thousand and six hundred) as being all the strangers in the land of Israel, must be taken as rated for legal bond-service, from the nations or remaining races of the Canaanites only.

In this connection we must remember the law in regard to all

heathen nations conquered in war (except the Hittites, Amorites, Canaanites, Hivites, Perizzites, and Jebusites, devoted to extermination), which was as follows (Deut. 20: 10, 11): "When thou comest nigh to a city to fight against it, then proclaim peace unto it; and it shall be, if it make thee answer of peace, and open unto thee, then it shall be that all the people that is found therein *shall be tributaries unto thee, and they shall serve thee.*" Between these and the races of the Canaanites there seems to have been a distinction as to treatment always maintained. It would seem that Lev. 25: 45, "Of the children of the strangers that do sojourn among you, of them shall ye buy," must refer particularly to the Canaanitish races, as we shall see more particularly in the examination of that passage. These nations and their descendants were to be made to pay a tribute of bond-service, such as the Hebrews could not exact from all the heathen, and were forbidden to impose on one another. Accordingly, in the account of such bond-service, as laid by Solomon on the descendants of these races, it is expressly stated in contrast, that "of the children of Israel did Solomon make no bondmen." A levy was raised at the same time, from all Israel, of thirty thousand men who labored in Lebanon, ten thousand a month, by courses (1 Kings 5: 13, 14); but this was very different from the tribute of bond-service levied, which comprised the three-score and ten thousand that bare burdens, and fourscore thousand hewers in the mountains. Along with these tributary and hereditary laborers, there were united the laborers obtained from Hiram, king of Tyre, for whose service Solomon paid Hiram, but not them: "unto thee will I give hire for thy servants, according to all that thou shalt appoint" (1 Kings 5: 6).

That the condition of the races under this law of tributary service was not one of general or oppressive bondage, is clear from the position in which Araunah the Jebusite appears before us in the interview between him and David, 2 Sam. xxiv. Araunah, although of the tributary race, is a substantial householder and farmer, dwelling amidst his own possessions, and making a bargain with king David, as in every respect a free-

man. Uriah, also, though high in the service of David, and having his house at Jerusalem, was a Hittite. The tributary service was evidently a very different thing from universal personal servitude. In the same way, from the transaction recorded in Ex. 2: 9, we learn that the servitude of the Hebrews in Egypt was not so universal as that all were slaves, or treated as such. Pharaoh's daughter makes a bargain with the mother of Moses, for a nurse's service, and gives her her wages. The woman is free to make such a bargain, and to receive such wages on her own account. There is no master over her, notwithstanding that the tyranny of Pharaoh is so terrible that she dare not acknowledge her own child, lest he be put to death.

*The Exodus from Egypt, and the Mixed Multitude.—Law of the Passover.*

The first moral judgment of God concerning the slavery of Egypt, was impressed upon the mind of Abraham in the covenant which God made with him: "Know of a surety that thy seed shall be a stranger in a land that is not theirs, and they shall serve them, וַיַּבְרִיחַם; and they shall afflict them, וַיַּצִּי; and also that nation whom they shall serve will I judge." The moral sense of Abraham was sufficiently enlightened to know that not simply because the subjects of oppression were of his seed, was such oppression sinful, but that the bondage, unless inflicted of God as a punishment for sin, was itself sinful. The slavery prevalent in Egypt is here condemned as a crime worthy to be punished.

The first historical description of it, after this prophetic judgment, is in Ex. 1: 11, "They did set over them taskmasters, to afflict them with their burdens, שָׂרֵי מַסִּים לְמַעַן עֲבֹדוּם, overseers of tribute, on purpose for their oppression in their burdens. "And the Egyptians made the children of Israel to serve with rigor, and they made their lives bitter with hard bondage, בְּעִבְרֵי קָשָׁה, hard labor, in mortar, and in brick, and in all manner of service in the field; all their service wherein they made them serve was with rigor" (Ex. 1:13,14).

— Now therefore behold the cry of the children of Israel is come unto me: and I have also seen the oppression (לָחַץ) wherewith the Egyptians oppress them (Ex. 3: 9). The same word is used in Ex. 23: 9, "Thou shalt not oppress a stranger." This dreadful bondage was a type of the slavery of sin; as also the passover, in memory of their deliverance, was a most affecting and powerfully significant type of redemption by the blood of Christ.

Out of this bondage, when God delivered them, they went up "about six hundred thousand men, on foot, besides children; and a mixed multitude went up also with them, and flocks and herds, very much cattle" (Ex. 12: 37, 38). The mixed multitude, (מִצְרַיִם,) are nowhere definitely described. The question whether they had bond-servants of their own, whom they carried away with them from Egypt, might possibly be settled, could we have a classification of that *mixed multitude*. On the whole it seems not probable that any Egyptians were under bond-service to them, and their own race were certainly not slaves to one another, though they might be servants. If they had foreign servants, not of their own race, we judge (from the manner of the enumeration in a similar case, namely, the return of the Jews from the captivity in Babylon) it would have been distinctly stated. In Ezra 2: 64, 65 and Neh. 7: 66, 67, as already noted, the number of the whole congregation of Israel is first given, as in Exodus, and then it is added: "besides their man-servants and their maid-servants, of whom there were seven thousand three hundred and thirty-seven." The whole number of the people to be cared for and to be fed, are again mentioned by Moses, in Num. 11: 21, as six hundred thousand footmen, no reference being made to any others than those named in the first census. The mixed multitude, also, are again referred to, in the same chapter, by themselves: "the mixed multitude that was among them fell a lusting" (Num. 11: 4), but no reference is found to the servants among them.

In regard to this point, it is impossible to determine absolutely from the law of the passover; because that law looked to the future condition of the congregation, providing for

future emergencies. No uncircumcised stranger might eat of the passover; but every man's servant, bought for money and circumcised, might eat of it. The uncircumcised foreigner and hired servant might not eat of it; and both the home-born and the stranger were under one and the same law in regard to it (Ex. 12: 43—49. Num. 9: 14). The servant bought for money was bought into the Lord's family; he was, in point of fact, redeemed from bondage into comparative freedom, taken under God's especial care, and from a system of lawless slavery, passed into a system of responsibility to God, both on the part of his master, and on his own part. It was a change of amazing mercy, from hopeless heathenish bondage to the dignity of citizenship in the commonwealth of Israel.

*Religious Privileges of Servants.—Law of the Sabbath.*

After the law of the Passover, the first indication looking to the condition of servants is in the law of the Sabbath, Ex. 20: 10: "Thou shalt not do any work; thou, nor thy son, nor thy daughter, *thy man-servant nor thy maid-servant,* עֲבָדֶיךָ וְעַמֶּיךָ." This was a provision unheard of in the world, a provision necessary for the religious privileges and freedom of those under servitude, a provision which alone, if there had been no other, would have separated the condition of servants and the system of menial service, among the Hebrews from that among any other people on earth, raising it to a participation in the care and sanction of God, and transfiguring it with social dignity and liberty. Such would be the effect of the Sabbath, fully observed according to its intent and precept, upon the system of labor and the condition of the laboring man, all the world over; for the Sabbath is the master-key to all forms and means of social regeneration, freedom, and happiness. But it was a new thing in the world for the leading, governing gift, privilege, and institution of instruction, refinement, and piety to be conferred upon the poor as well as the rich; upon the serving and laboring classes equally with the ruling; and appointed as directly and on pur-

pose for the enjoyment and benefit of the one class as of the other. The work of the transfiguration of the toil and bondage into a system of free and voluntary service, carefully defined, protected, and rewarded, adopted and adorned of God with all the equalizing religious rights flowing from a theocracy to the whole people; this work, thus begun in the appointment of the Sabbath, was carried on, as we shall see, in the same spirit, and with the same purpose, in all additional regulations; till society, in this its normal form, became (as it would have continued, in reality, if the appointed form had been carried out) a fit type of the Christian dispensation to come," where there is neither Jew nor Greek, circumcision nor uncircumcision, barbarian, Scythian, bond, nor free; but Christ all and in all" (Col. 3: 11 and Gal. 3: 28). Such an institution of free and willing service, guarded by the law as an integral portion of a free and happy State, was preparing and moulding, by divine command, and in form was perfected, as should not need to be put away or unclothed, at Christ's coming, but was fitted to be clothed upon with his Spirit, and sanctioned by his benediction. This was to take the place of slavery, was to put slavery out of existence; and, wherever and whenever the oppressed of other communities should be gathered beneath its operation, was to make freemen of slaves.

There is a striking particularity in one of the repetitions of the law of the Sabbath (Ex. 23: 12), where the servile classes specified in the first normal form are omitted, and the purpose of the Sabbath's rest is stated to be "*that the son of thine handmaid, and the stranger, may be refreshed.*" Here the expression "son of thine handmaid," is בְּנֵי אֲמָתֶיךָ, the same as used, in Psalm 116: 16, of David: "I am thy servant, and *the son of thine handmaid.*" I am not *a* servant, but *thy* servant, and the son of thine handmaid. The son of the handmaid, in Ex. 23: 12, is catalogued in the same class and standing with the free stranger; and the passage is certainly, in some measure, a key to the interpretation of the expressions בְּנֵי אֲמָתֶיךָ and גֵּרֵי אֲרָצְךָ, Gen. 15: 3; 17: 12, 13; Lev. 23: 11; Eccl. 2: 7 and Jer. 2: 14. These expressions, so far from

indicating *slaves*, as the assumptions and perverse interpretations of some lexicographers and translators might lead the English reader to suppose, do not necessarily even mean *servants*, but are a form of expression purposely separate and different from the generic appellation for servants, because they intimated a relation to the master and the family which was *not* that of servants. The condition of the child did *not* follow that of the parent; but, after the period of natural dependence and minority, the בְּנֵי-בֵיתָא and the יְלִידֵי בֵיתָא, the *sons of the house*, and the *born of the house*, or *home-born*, were their own masters, free to choose for themselves the master whom they would serve, and the terms on which they would serve him. This is susceptible of demonstration beyond possibility of denial in regard to children of Hebrew descent; because, not even the parents could, by law, be kept as servants longer than six years; and of course the children, being Hebrews equally with the parents, and coming under the same law, could no more be so held than the parents themselves. This shows how monstrous is the assumption and perversion of the Lexicons, beginning with the *fons et origo* of modern interpretation, that of Gesenius, when they deliberately, and without one particle of proof, render these expressions by the Latin word *verna*, followed by English translators with the word *slave*. Neither by periphrasis, nor literal signification, can these expressions be so interpreted; never, in any case, in which they are used. And if the literal interpretation had, in every case, been adhered to, *sons of the house*, and *born of the house*, instead of the word *slave*, employed in the Lexicons, or *servant*, which is mostly used in our translation, no one could have connected the idea of servitude with these expressions, much less the idea of slavery. For example, the literal translation of Eccl. 2:7 is thus: "I obtained servants and maidens, *and there were to me sons of the house*," וַבְּנֵי-בֵיתָא הָיָה לִי, a relationship of dependence, certainly, and showing wealth and perpetuity in the family, whose servants were not hirelings merely, but voluntary domestic fixtures, of choice as well as dependence; but not a relationship of compulsory servitude, or slavery, or of servants considered as property.

Now the transfer of the degrading and infamous chattelism signified in the Latin word *verna* and the English word *slave* to such a relationship, and to the phrase *son of the house*, or *born of the house*, as its true meaning among the Hebrews, is one of the most unauthorized and outrageous perversions ever inflicted upon human language. It is almost blasphemous, as designed to fix the blot and infamy of slavery upon what was and is the noblest, most benevolent, most carefully-guarded, freest, and most affectionate system of domestic service in the world.

It is a system of such freedom and benevolence, and so ingeniously designed and adapted to conquer every surrounding and prevailing form of slavery, and subdue it to itself, that its infinite superiority to the selfish law and oppressed condition of the world, and its enthronement of benevolence instead of power as the ruling impulse and object (in that part of social legislation especially, where the law and custom of mankind have made selfishness not only supreme, but just, expedient, and even necessary), are something supernatural. The contrast and opposition of this system over against the creed and habit of power, luxury, oppressive selfishness, and slavery, so long prevalent without question of its right, is, by itself, an impregnable proof of the Divine inspiration of the Pentateuch. It is a proof, the shining and the glory of which have been clouded and darkened by the anachronisms, prejudices, and misinterpretations of Biblical archæologists and translators, but which is destined to be yet cleared and acknowledged by the Christian world with gratitude to God. We shall at length cease to look to Arab or Egyptian Sheikhs and Pashas for illustrations of the life of Abraham, and to Roman or American slaves for pictures of the Hebrew households.

#### *The Year-Sabbath and the Annual Feasts.*

But besides the weekly Sabbath of devotion, every seven years the land should keep a Sabbath of a whole year unto the Lord, the seventh year, a Sabbath of rest for the land,

and, in consequence, for all classes of servants: "And the Sabbath of the land shall be meat for you; for thee, and for thy servant, and for thy maid, and for thy hired servant, and for thy stranger that sojourneth with thee" (Lev. 25: 27). Here the עֲבָדֶיךָ, the servant of all work, the אֲמָתֶיךָ, the maid-servant, and the שִׂכְרִיר, the hired servant, are all specified; the seventh year belongs to them as well as to their masters. In Ex. 23: 11, 12, these two institutions of the year-sabbath and the seventh-day Sabbath are coupled, and the purpose specified is that of rest and refreshment "for the son of thine handmaid and the stranger," בְּרֵאֲמָתֶיךָ וְהַגֵּר. Here are already two-sevenths of the time of life guaranteed to the servants for rest and sacred discipline. The injunction of a circumspect piety is added to the enactment of both these ordinances.

Then, in the same chapter, the three great annual feasts follow, enacted in order, Ex. 23: 14—17, these enactments being drawn out with minute detail and precision in Deut. 16: 2—16, and they are designated as the Feast of Unleavened Bread, the Feast of Weeks, and the Feast of Tabernacles. In Ex. 34: 21—23, the weekly Sabbath and these three annual festivals are coupled in the same manner as the Sabbath and the Seventh year of rest in Ex. xxiii. The spirit of these festivals and their duration are described in Deut. xvi. and Lev. 23: 34—43. And the equalizing benevolence of these institutions is the more marked by the repetition of the rule: "Thou shalt rejoice in thy feast, before the Lord thy God; thou, and thy son, and thy daughter, and thy man-servant, and thy maid-servant, and the Levite that is within thy gates, and the stranger, and the fatherless, and the widow that are among you" (Deut. 16: 11). Taking into consideration the time necessary for going and returning to and from each of these great Festivals, together with their duration, we have in their observance some six weeks, or nearly another seventh of the whole time devoted, for the servants as well as the masters, to religious joy, and rest, and refreshment.

Then, in addition, are to be reckoned the Feast of Trumpets (Lev. 23: 24), the Day of Atonement (23: 27—34 and

16: 29), the Feast of the New Moon (Num. 28: 11. Hos. 2: 11; Ezek. 46: 1, 3). If to these we add the Feasts of Purim and the Dedication, and the oft-recurring joyous family festivals (1 Sam. 20: 6. Gen. 21: 8), we have more than three-sevenths, or nearly one half the time of the servants given to them for their own disposal and enjoyment, instruction and piety, unvexed by servile labors, on a footing of almost absolute equality and affectionate familiarity and kindness with the whole household: father, mother, son, daughter, man-servant and maid-servant, all having the same religious rights and privileges — “They go from strength to strength, every one of them in Zion appearing before God.” How beautiful, how elevating, how joyous was such a national religion, and how adapted to produce and renew continually that spirit of humility and love, in the exercise of which the whole law was concentrated and fulfilled.

*Time and Treatment of the Hebrew Servant.—The Six Years' Contract.*

The section in Ex. 21: 2—11, prescribing time and treatment for the Hebrew servant, is full of instruction: “If thou buy a Hebrew servant (הַקָּנִיָּה אֶבְרָתִי), six years he shall serve, וְיֵצֵא; and in the seventh he shall go out free for nothing” (וְיָצָא לְחֵפְזֵי הַיָּמִים); his term of service expires, and he is free without cost. He had himself sold his own time and labor to his master, by contract, for six years — no longer; and this was called buying a Hebrew servant. Such a servant was not the master's property, nor is ever called such, although he might have been described as “his money;” that is, he had paid in money for his services, for so long a time, and, in that sense, he was his money, but in no other. We have already noted the usage of the word קָנָה, to buy; and its application in describing the purchase of persons in such relations as forbid the idea of property or slavery. This is one of those instances. The Hebrew servant was bought with money, yet he was in no sense a slave, or the property of his master. In entering into a six years' contract of service, h

was said to have sold himself; yet he was not a slave. He might extend this contract to the longest period ever allowed by law, that is, to the Jubilee; yet still he was not property, he was not a slave; his service was the fulfilment of a voluntary contract, for which a stipulated equivalent was required, and given to himself. The reason for the adoption or appointment of six years for the ordinary legal contract of Hebrew servitude, may very likely be found in the example of Jacob's service of six years with Laban for his cattle.

This section is to be compared with Deut. 15: 12—18. Here, it is: *If thy brother be sold, that is, if he have hired himself to thee, and serve thee six years; or if a Hebrew woman do the same; then, when this period of service is ended, not only is he free, as above, but "thou shalt not let him go away empty. Thou shalt furnish him liberally out of thy flock and out of thy floor, and out of thy wine-press."* This extraordinary provision of an outfit was some offset, and was intended to be such, for the comparatively low wages of a six years' עֲבָדִי, or servant, as compared with the wages of a hired servant, by the year or by the day. It was a great inducement to continue the engagement to the end of the contract, and not be seeking another master. And at the same time it is enjoined as a reason why the master should be liberal in this outfit, that he has gained so much more from the labor of the servant for six years, than he could have done if he had contracted with him as a טָבִיבִי or hired servant. The computation is made as follows: *He hath been worth a double hired servant, in serving thee six years; מִשְׁנֵי שָׂבִיר טָבִיר עֲבָדֶיךָ, double the wages of a hireling serving thee; that is, if thou hadst hired a servant by the year, and kept him six years, he would have cost thee twice as much as a servant whom thou buyest, or contractest with, for six years at a time.*

Supposing that for a six years' term a man could be engaged for eighteen shekels; then a yearly hired servant could not be got for less than six shekels the year; it would therefore, in most cases, be more desirable to engage a six years' עֲבָדִי, than to hire by the year; and, notwithstanding the difference in price, it might, in many cases, be more desirable

for the servant also. Micah, in the case recorded in Judges xvii., hired a young Levite from Bethlehem Judah, to dwell with him as his priest, for wages; and he gave him ten shekels of silver, and a suit of apparel, and his victuals, *by the year*. There are no such examples of specific contracts with ordinary servants recorded; but the price of Joseph's sale to the merchant-men of the Midianites, was twenty shekels of silver. The sum to be paid when a man-servant or maid-servant was gored to death by an ox, was thirty shekels of silver to the master (Ex. 21: 32), the price, perhaps, of a six years' contract. The price of the prophet, in Zech. 11: 12, or the hire, or wages (שִׂכָּרִי is the word used), at which he and his services were valued, and paid, was thirty shekels of silver. The redemption-price for a man who had vowed himself to the Lord, was fifty shekels of silver from twenty years of age till sixty; and for a woman, thirty shekels; from five years to twenty, twenty shekels for a man, ten for a woman; from a month to five years old, five shekels for the man-child, three for the girl. And it is added: from sixty years old and above, fifteen for the man, ten for the woman. This was the priest's estimation of the persons for the Lord (Lev. 27: 2—7). Now this seems an estimate adopted from the value of labor or service at these different periods, the value of a man's time and labor.

Now the *wages* of a man as a servant, are often the subject of consideration in the scriptures, but the *price* of a man never. There is no such idea recognized as the price of a servant considered as property, or as if he were a thing of barter and sale; his owner is never spoken of; there is no such thing as the owner of a man, and no such quality is ever recognized as that of such ownership. When the recompense is appointed for the master whose servant has been killed by another's ox, it is the master, not the owner, to whom the recompense is to be made, *as* master, not as owner. There was no servant without wages, either paid beforehand, for a term of years, or paid daily, if hired by the day, or annually, as the case might be. The three kinds of contract or service, and of corresponding wages, are spe-

cified Lev. 19: 13; the wages of him that is hired shall not abide with thee all night until morning, תַּגְּזִיל אֶתְכֶם, the *reward* of the hired servant. Job 7: 1, his *days* like the *days of an hireling*. Lev. 25: 53, as a *yearly hired servant*. Ex. 21: 2, where the rule seems referred to as most common, of a six years' service and contract. There was no indefiniteness in any of the legal provisions, no difficulty in ascertaining each servant's rights, and they were not only secured by law, but such tremendous denunciations were added in the prophets, as that in Jer. 22: 13: *Wo unto him that useth his neighbor's service without wages, and giveth him not for his work; and Mal. 3: 5, I will be a swift witness against those who defraud the hireling in his wages, and keep the stranger from his right. The stranger comprehended servants, as well as sojourners, of heathen extraction.*

Now when the recompense of thirty shekels was ordained for the master, whose servant had been gored by another man's ox, they were to be paid, not because the servant was his, as property, or as being worth that price, as if he were a slave, a chattel, belonging to an owner, but because the master *had paid to him* the price of a certain number of years of labor, which years the servant owed; and therefore the recompense was for the loss of that part of the service which had been paid for, but, by reason of death, could not be fulfilled. The master did not and could not own *him*, in any case, but only had a claim to his time and labor, so far as it had been contracted and paid for. It must have been paid for beforehand, because otherwise, if the servant's pay had not been promised till after the time of the contract, the master would have been owing the servant at his death, and could have no claim, but the nearest of the family of the servant would have had the claim. But the case being that of the שָׂכָר, the six years' hired servant, or perhaps the servant obtained from among the heathen, the master has the claim for services which was paid for, but not fulfilled.

The legal term of service for six years could not be lengthened, *except at the pleasure of the servant*. The man-servant and the maid-servant were equally free in making

their contracts; neither of them could be held at the pleasure of the master, nor could be disposed of, but at their own pleasure. They were perfectly free, except so far as by their own act and free will they had bound themselves for an equivalent to a term of service. Under certain contingencies they could, by law, compel their master to keep them, but he could never use them as property, never make merchandise of them, never transfer them over to another. If a maid-servant chose to contract herself to her master's family, in such manner that he on his part could keep her till the Jubilee, and she on her part could forbid his sending her away, then both herself and her children were to remain till that time. The covenant was legal and explicit. They were bound to him, in his service, and could not quit, but with his consent, till that time. On the other hand, he was bound to them, and could not transfer them to another family, country, or household, nor any one of them, nor convey their service to any other person.

This is to be regarded in examining the next clause, which states the *one only condition* on which the servant could be retained by the master until the Jubilee. If, during his period of six years' service, his master had given him a wife, and she had borne him children, then, at the end of the six years, he could not, in quitting his master's service, compel the master to relinquish the contract, whatever it was, which had given him a right to the service of the maid-servant, his wife, for a still longer period, or to the Jubilee. It was optional with him to leave his wife and children with his master, and go out from his service by himself alone, or he could stay, and with his wife and children engage with his master anew, until the Jubilee; and his master could never separate the family, nor send any one of them away, nor violate any of the terms of the contract; and both for time and for wages the covenant was at the pleasure of the servant, as well as the master, and by law the master was compelled to treat him as a שָׂרָד בְּשָׂרָדוֹ, as a yearly hired servant, and not as an עֶבֶד, or servant of all times and all work; as a servant on stipulated monthly or

yearly wages, and not as one whose whole time of service until the Jubilee had been bargained for and paid for in the lump. The whole covenant was determined and ratified in court, before the Judges, with the greatest care and solemnity, on the affirmation of the servant that he loved not only his wife and children, but his master also, and his house, and was well with him, (comp. Deut. 15: 16,) and would not go away from him. The sign of the covenant, and its proof positive and incontrovertible, so that neither master nor servant could by fraud have broken it, was the boring of the ear, both of man-servant and maid-servant.

This transaction was entered into by the servant, notwithstanding the claim of a liberal outfit from his master, from the flock, and the floor, and the wine-press, to which he was entitled by law, if he chose to leave his service. The receiving a wife from his master, during any time of his six years' service, was also at the servant's own pleasure; all the conditions of such marriage being perfectly well known to him, the dowry which he would have to pay for his wife, if he remained with her, being in part the assuming of a new contract of service with the master, as long as hers had been assumed, or to the Jubilee. And then, they and their children would go from his service, with all the property they had been able to acquire by their wages and privileges in his household. This, if they had been provident and sagacious in the use of lawful means and opportunities, might at length amount to an important sum. The servant might become possessor of a competency, during a twenty-five or thirty years' sojourn in his master's family. And the servant born in the house, his son (יְלִיד בֵּיתוֹ), the home-born (וְיִבְנֵי-בֵיתוֹ), or of the *sons of the house*, might become his master's heir, as in the household of Abraham; or he himself might be his master's steward, with all the wealth of the establishment under his hand.

The position of such an עֶבֶד, or Hebrew servant, or even heathen servant (as in the case of Eliezer of Damascus), might be more desirable than that of the hired servant not belonging to the family. It was only households of com-

paratively considerable wealth, that could afford to enter into such contracts with their servants, or to keep a retinue of retainers born in the house. Hence the fact of having such a class of servants is referred to in such a manner as proves it to have been esteemed a mark of greatness and prosperity (Eccl. 2: 7). And these domestic servants, born in the family and holding by law such a claim upon it, were attached to it, and its members to them, with an affection and kindness like that of its sons and daughters, one toward another. Perhaps the passage in Jer. 2: 14 may be rendered with reference to this fact: "Is Israel a servant (עֶבֶד)? If a home-born (אֶם-יְלִיד), why is he a spoil? How should he be carried away and made a prey, if he belongs to the household, if he is the home-born of his God? These home-born servants, and those whose contract of service lasted beyond the six years' term of ordinary legal indenture, were at the same time to be treated on the same footing with the hired servants and sojourners, with the same careful regard to all their rights and privileges.

In connection with the case of the master giving his servant a wife, the instance of Sheshan is illustrative (1 Chron. 3: 34, 35). Sheshan had no sons, and he gave one of his daughters as a wife to one of his household servants named Jarha, an Egyptian. This Egyptian servant, beyond all doubt, was received into Sheshan's service on the legal conditions laid down in Lev. xxv., on a contract voluntary and for a stipulated equivalent. There is not the slightest indication of his ever having been a slave. Egyptian strangers and sojourners among the Hebrews, as well as those from other nations, often sold themselves to service in this manner in the Holy Land. Yet with such reckless confidence and mistake, characterizing the assertions of too many commentators on this whole subject, it is asserted in Kitto's Cyclopaedia (article Sheshan), that Jarha was not only a slave, but that his marriage took place while the children of Israel were themselves in bondage in Egypt! This is said, notwithstanding the fact that the recorded genealogy of Sheshan demonstrates that he was contemporary with Boaz, Obed,

and Jesse, being in the seventh generation in direct descent from Hezron the grandson of Judah.

There is no other instance, save this in Ex. 21: 4, (which is plainly mentioned as an exception to a general rule,) in which any claim of the master to the children of his servants is ever intimated. The home-born וְיִלְדֵי-בֵיתוֹ — and the sons of the house בְּנֵי-בֵיתוֹ — though in subjection to him, as the father of the family, and lord of the household, were not his property, in any sense; and because he had a servant-maid, her children were not on that account his servants, except by a separate specific contract. No child, whether Hebrew or heathen, in the land of Judea, was born to involuntary servitude, because the father, or mother, or both, were servants; but every child of the house was born a member of the family, dependent on the master for education and subsistence. If married persons engaged themselves as servants, or *sold themselves*, according to Hebrew phraseology, then, when the six years' time of their service expired, they went forth free, and their children with them; there was never any claim upon the children to retain them merely because they were בְּנֵי-בֵיתוֹ, sons of the house; but their parents had authority over them, and possession of them. The phraseology in the case before us, *the wife and her children shall be her master's*, הָאִשָּׁה וְיִלְדֵיהָ תִהְיֶה לְאִדְמֶיךָ, conveys no meaning of possession, but simply of *remaining with* the master, as long as the contract specified, as long as he had a right by law to her services. Inasmuch as she herself was not, and could not be, *her master's*, except only by voluntary contract, for a price paid to herself, and for a time specified, neither could the children be her master's. The only way in which he could give her to her husband to be his wife was, (1) either by paying to her father the dowry required, and so purchasing her for a wife for his servant, in which case he would have a claim upon his or her services or both, additional to the amount of that dowry; or (2) she was his maid-servant already according to the ordinary or extraordinary legal contract, for the six years (Deut. 16: 12), or for the time from the making of a new contract, till the

Jubilee (Deut. 16: 17), and as such he gives her in marriage. In either case, she being bound to him for a longer time than her husband, her children would, of right, and by law, remain with her, under subjection in her master's household, and could not be taken away by the father, if he chose to quit. The children could not be taken from their parents, but after a certain age they were at liberty to chose their own masters, and to make their own terms of service. This resulted inevitably from the law limiting and defining the period of service in every case; even when until the Jubilee, still, most absolutely and certainly defined and limited by that. There was nothing left indefinite, and no room for the assumption of arbitrary power, so long as the provisions of the law were complied with. And it was the breaking of those provisions, and the attempt on the part of the masters to force their servants into involuntary servitude, and so change the whole domestic system of the state from freedom to slavery, that, by the immediate wrath of God in consequence, swept the whole country into a foreign captivity, and consigned the people to the sword, the pestilence, and the famine, Jer. 34: 17. The horror with which any approximation again towards any infraction of the great law of liberty, was regarded, after the return of the Jews from that retributive captivity, is manifested in Neh. 5: 5, and is instructive and illustrative.

Let us now see what would be the actual operation of the exceptional contract in Ex. 21: 4—6, running on to the Jubilee. That this is the meaning of the word *forever*, in the terms of this contract, is not disputed, and is incontrovertible from Lev. 25: 39, 40, the law of the Jubilee overriding all others and repressing all personal contracts within itself. At the recurrence of the Jubilee, all were free. Then, after the year of Jubilee, when every family has returned to its original possessions, new engagements were necessarily entered into with servants, new contracts were made. It does not seem likely that, at the outset, any indentures of service for the next forty-nine years would be deemed desirable, either by masters or servants. Almost all contracts would be the

ordinary legal ones of six years. But after the expiration of one or two *septenniums*, there might be cases of contracts looking to the Jubilee. On a probable computation, the instances would be rare of such engagements beginning before the middle, or near the middle, of the period. In that case, if a master gave a wife to his servant, and the covenant was assumed by boring the ear, the children, as *בְּנֵי-בֵיתוֹ*, home-born, the sons of the house, would be under subjection to the master, at the very farthest, not longer than our ordinary period of the minority of children. For example, take the contract of a maid-servant as occurring in the fourth *septennium*, or say in the twenty-fifth year, an agreement to serve in the family for twenty-three years, or until the Jubilee, and according to the Hebrew idiom for contracts till that time, *forever*. During the first *septennium* of this maiden's service, a Hebrew servant is engaged for six years, and soon forming an attachment, asks of his master the maid-servant for a wife. She is given to him by his master, and they have children; and, at the expiration of his six years, he avails himself of his legal privilege, and enters into a new contract with his master till the Jubilee. At that time the oldest of his children would be about twenty-one years of age, and the youngest might be five or ten; they are all free by the operation of the law of Jubilee. From twenty to twenty-five years would ordinarily be the utmost limit of any contract of service, whether for parents or children.

The penalties against the master for cruel or oppressive treatment of his servants, were the same, whether the servants were Hebrew or of heathen extraction. Whatever injury was committed against any servant, was to be avenged; for the loss of an eye or a tooth the servant should have his freedom, whatever might have been his contract with his master, whatever sum his master might have paid him beforehand, no matter how many years of unfulfilled service might remain (Ex. 21: 26, 27). In connection with a similar section it is added: "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). The application of this

principle is beautifully and pointedly illustrated in Job 31: 13—15, and the reason given is the same, namely, that the same God and Creator is the God both of master and servant: "If I did despise the cause of my man-servant or of my maid-servant, when they contended with me, what shall I do when God riseth up? and when he visiteth, what shall I answer him? Did not he that made me in the womb, make him? and did not one fashion us in the womb?" If a servant were killed by his master, the punishment was death; if the servant died after some days (Ex. 21, 20, 21), in consequence of blows inflicted by the master, then, in mitigation of the punishment, the presumption was admitted in law that the killing was not intentional; because, the master having paid the servant beforehand for his services up to a certain time, "he was his money," and he could not be supposed to have intended to kill him, unless he did kill him outright; and then the penalty was death.

*Phraseology for contracts with servants.— Selling, or Hiring out.*

We have illustrated the position of the *buyer*, and the meaning of the word used for the *purchase* of servants. Let us now examine the usage of the word which is applied to designate this transaction on the part of the *seller*. We take the first example from the law of contracts with servants, Ex. 21: 7, 8, *if a man sell his daughter to be a maid-servant*. Here the subject of the sale, so called, is a Hebrew daughter. Her sale as a servant could not possibly be anything more than an engagement for six years' service, at the end of which she was again free. The person who purchased her, had no property in her, for she was as free as he was, except in the engagement of service for a limited time. But in the case before us she is sold for a wife, and is purchased as such, and the law defines and secures her rights with her master, who has betrothed her to himself. He buys her for his wife, and must treat her as such, and cannot transfer her to another. If he put her away, she is free with-

out money. She is described as being sold at one and the same time, to be a maid-servant and a wife. She is at once the *אָמָה* and the *אִשָּׁה* of the husband. Her master may be the husband himself, or he may marry her to his son; but the section shows that her father has engaged her in the service of the master on condition of her marriage either to one or the other; and if this engagement is not fulfilled, she returns to her father free without money.

(1) The word here used for this transaction is the verb *מָכַר*, to sell. It is used of contracts with free persons, both as servants and wives. The first instance is in Gen. 31: 15, where Rachel and Leah declare that their father *had sold them*, *מָכַרְתִּי*, merely the concise description of his giving them in marriage to Jacob, who had paid for them to Laban, seven years' personal service for each. The instances in Ex. 21: 7, 8, Gen. 31: 15, and Deut. 21: 14, are the only cases in which the word is employed in reference to a wife. These cases form a class by themselves.

(2) Then there is the class of passages in which the same word is applied to the ordinary legal contract of a Hebrew servant with his master or employer. Deut. 15: 12, if a Hebrew man or woman be sold unto thee, *גֵּר־יִשְׂרָאֵל לְךָ*. Jer. 34: 14, hath been sold unto thee, *יִשְׂרָאֵל*. Lev. 25: 39, 42, 47, 48, 50, different forms of the same word, *מָכַר*. To these cases we add the instance of a similar purchase, but forced beyond what the law admits, that is, an arbitrary contract, forbidden in regard to the Hebrew servant. *Will ye sell your brethren? or shall they be sold unto us?* *יִמְכְּרוּ, תִּמְכְּרוּ*. Both the sale and the purchase are forbidden, except on the conditions in Ex. 21: 2—11.

(3) The same word is used to designate the crime of *man-selling*, the idea of contract for service being excluded. It is the sale of persons as of chattels, by way of merchandise. The first instance is in Gen. 37: 27, the selling of Joseph by his brethren, *מָכַרְתֶּם*, *let us sell him*. Also, 37: 28, *יִמְכְּרוּ*, *they sold him*. The same Gen. 45: 4, 5, and Ps. 105: 17. This crime of selling a man is described by the same word, and forbidden under penalty of death, Ex. 21: 16, and Deut. 24: 7.

(4) A fourth class describes selling as the penalty for theft, Ex. 22: 3. But here the sale is not indefinite; it is in case of the thief not being able to make restitution, in which case he must be sold, that is, put to compulsory service, for such a period as would make up the sum by the customary wages for labor. In this class of passages we include the cases of selling for debt: Is. 50: 1, To which of your creditors have I sold you? Compare Matt. 18: 25. The selling for debt is simply an engagement of service for so long time as would be sufficient, by the ordinary legal wages, to pay the legal claim. It was not slavery, nor any selling as of slaves.

(5) A fifth class of passages, in which God is described as selling his people for their sins, or causing them to be sold to the heathen. Deut. 28: 68, sold unto their enemies for bondsmen, *ye shall be sold*, הִתְמַכְּרוּם. Deut. 32: 30, *except their rock had sold them*, אִם-לֹא כִי צִוְּיָם קָדְשָׁם. Judges 2: 14; 3: 8; 4: 2; 10: 7. 1 Sam. 12: 9. Ps. 44: 13. Joel 3: 8. The sense in these cases is that of delivering up into the power of another. Of this meaning is Judges 4: 9, *the Lord shall sell Sisera*. To this class, must be added Is. 50: 1, and 52: 3, where the Jews are described as selling themselves for their transgressions; that is, they did, *by* their sins, what God did, *for* their sins, delivered themselves over into the power of their enemies.

(6) A sixth class comprehends 1 Kings, 21: 20, 25, Ahab selling himself to work wickedness, and 2 Kings, 17: 17, the people selling themselves to do evil; that is, giving themselves up unrestrainedly, in consideration of the wages of sin for a season.

(7) In a seventh class of passages, the word is employed to describe the bondage of the Jews in their captivity, Neh. 5: 8, הִתְמַכְּרוּם לַגּוֹיִם. Add instances in Esther 7: 4, where the word is used to signify delivering or betraying into the power of another, first, for destruction, second, for bondage.

(8) In another class still, the heathen are arraigned for the curse of selling Hebrew captives. Joel 4: 3, 6, 7, *sold a girl for wine*, קָדְרִי; *sold the children to the Grecians*, קָבְדָתָם. Here

the meaning obviously is that of traffic as in merchandise, and the denunciation of God's wrath follows accordingly.

The crime of selling one another is also described by the same word in Amos 2: 6, "*they sell the righteous for silver* (those that have committed no crime, they sell), *and the needy for a pair of shoes*. Compare Amos 8: 6, where the oppression of buying the poor with silver is denounced along with the crime of perjury and false balances in traffic. The *giving*, or, in Hebrew phraseology, the *buying*, of servants, *as provided by law*, was a just transaction, *voluntary* on both sides; but in the cases before us, the thing forbidden is the buying and selling of persons against their own consent, who are compelled by their poverty to be thus passed as merchandise; and this is denounced as crime. So in Zech. 11: 5, *They that sell them say, Blessed be the Lord, for I am rich*; adding to this monstrous crime the iniquity and hypocrisy of invoking and asserting God's blessing upon it.

From all these cases it is clear, that in law the word קָנָה, to sell, when applied to persons, signified a voluntary contract, such as ours of hiring workmen, or the contract between a master and his apprentices; and that in any other cases, except as making restitution for theft, or to work out a just debt, the buying and selling of persons was a criminal transaction. The buying as well as the selling, in such a transaction, is denounced as criminal. It was making merchandise of men, a thing expressly forbidden in the divine law, on penalty of death. Accordingly, even in anticipation of the law, its principles were already acted on. There is not one particle of indication that Abraham, Isaac, or Jacob ever sold one of their servants, nor any supposition of the power or right to do so. Nor ever, from the Patriarchs down, is there any instance of any man or master selling a servant. The history of the word fails to disclose one single case of such merchandise. On the contrary, it proves that it was forbidden, and was regarded as sinful; and that either the holding, or selling, or both, of a servant for gain, and against his will, or without his voluntary contract, was an oppression threatened with the wrath of God.

And here belongs the consideration of Deut. 21: 14, the case of the captive woman taken from the heathen for a wife, but afterwards rejected. Two things are forbidden in the treatment of her: 1. *Thou shalt not sell her at all for money*; וְקָבַר לֹא-תִקְדָּמָהּ בַּכֶּסֶף. Comp. Ex. 21: 8.

2. *Thou shalt not make merchandise of her.* Thou shalt not bind her over to another, thou shalt not transfer her to the power of another. She shall not so be subject unto thee, that thou canst deal with her as merchandise or property. The word in this second prohibition is תִּקְדָּמָהּ, from קָדַם, *to bind*. Our English translation seems to make it exegetical of the preceding prohibition; but it is not a synonyme with קָדַם, neither was intended as paraphrastic of that. It is the same word employed in Psalm 129: 7, of the mower binding sheaves to be carried away for use or traffic. לֹא-תִקְדָּמָהּ בָּהּ, thou shalt not play the master or oppressor over her.

A comparison of this with Ex. 21: 8, where the English translation speaks of *selling a Hebrew woman to a strange nation*, which is forbidden, will show that in that passage the translation does not convey the proper meaning; for it was *never* permitted on *any* ground, or for any reason whatever, to bind a Hebrew woman to a heathen, or to deliver over to a foreign nation any Hebrew man or woman, as servant or wife. In the case before us (Deut. 21: 14), this is forbidden in regard to the captive taken from the heathen in war; how much more in regard to any Hebrew! The expression in Ex. 21: 8, לֹא-יִשְׁטַל לְמִקְדָּמָהּ, *to a strange nation he shall have no power to sell her*, should be rendered, *to sell her to a strange tribe, or to a strange family*; and the meaning evidently is, that she shall not be transferred from her master to *any other* family, but is wholly free. For the usage of נִקְדָּמָהּ, compare Lev. 21: 1, 4. Eccl. 6: 2. It might mean, *to a family of strangers*, sojourning in the land, and joined to the congregation by circumcision. The hiring, selling, apprenticing, or disposing of her *in any way at all for money*, is strictly forbidden. She is perfectly free.

*The Law against Man-stealing—What it proves.*

Immediately after the laws determining the nature and time of contracts with servants, the legislator passes to the crime of murder and the death-penalty against it. Then follows the great fundamental statute, which demonstrates the criminality of slavery in the sight of God : HE THAT STEALETH A MAN AND SELLETH HIM, OR IF HE BE FOUND IN HIS HAND, HE SHALL SURELY BE PUT TO DEATH (Ex. 21 : 16). As the stealing of men is the foundation of slavery in most cases, and especially of modern slavery, this statute condemns it as sinful, intrinsically, absolutely. The stealing, the selling, the holding, of a man in slavery, is death ; either form of the crime shall be so punished. Whether the kidnapper keep or sell his victim, the crime is death. But the purchaser, with knowledge of the theft, is equally guilty, and would be treated as conspirator and principal in the same crime. This law, in connection with the other provisions in the Hebrew system, would render slavery impossible. The limitation of legal servitude to six years, and the law of universal freedom on the recurrence of the Jubilee, would alone prevent it ; but the law against man-stealing made it as criminal a system as an organized system of murder would have been. The stealing a man is the stealing him from himself ; the buying of him is the receiving of stolen property ; the enslaving of his children is the stealing of them both from themselves and from him, so that the crime is exasperated in its descent ; by transmission, the crime is at once increased in extent and undiminished as to the original iniquity.

This law must effectually and forever have prevented any traffic in human beings. It denies the principle of property in man ; the selling is the assumption of property in the stolen person, and the selling is punishable by death. The stealing alone, if the thief did not sell, might not be the assertion of property, or of the *principle* of property in man ; but the *selling* of him *would* be ; and either stealing and hold-

ing, or stealing and selling, the crime is put on a level with murder. The stealing of human beings *as* property, and the converting of them *into* property, is worse than the stealing *of* property; as much worse as murder is than stealing. Such is the distinction which God makes between this and a common theft, between the stealing of a *man* and the stealing of *property*. The theft of property was punished by fine; but the stealing of a man, by death: "If a man shall steal an ox, or a sheep, and kill it or sell it, he shall restore five oxen for an ox, and four sheep for a sheep" (Ex. 22: 1). "If the theft be certainly found in his hand alive, whether it be ox, or ass, or sheep, he shall restore double" (22: 4). Comp. 22: 9. If slavery had had any existence among the Hebrews, any toleration, if man had been considered as property, then the penalty for such theft could not have been death, but the restoration of five slaves for a slave, or the payment of five times as much as the stolen man would bring in the market. And the near and striking contrast between these crimes and the respective penalties attached to them, must have made men feel that the assertion of property in man was itself a crime.

Accordingly, there is no indication of any traffic in human beings except where it is indicated as a crime, with the wrath of God pointed against it. There was such traffic among other nations, but no approach to it in Judea. The trade in human beings is set down by the prophet Ezekiel as among the commercial transactions in the market-place of Tyre; but no Hebrew had anything to do with it (Ezek. 27: 13). It is set down by Joel as a damning trade of Tyre and Zidon, of the heathen, and the Grecians (Joel 3: 2—8), and every approximation to it, on the part of Israel, is marked for divine vengeance. But no such traffic was allowed, or existed, under the law of God; no such thing as slavery was either recognized or tolerated. There is no instance of the purchase even of servants from a third person, as if they were articles of possession that could be passed from hand to hand, from master to master, without their own agreement. There is no instance of the *sale* of any servant *to* a third person. There is no indication that masters ever had any power to sell their servants to others, or

to put them away from their own families, except in perfect freedom. Our English translators, and the lexicographers, have indeed, in most cases, *assumed* slavery and the slave-trade as existing in Judea; but the Mosaic laws and the Jewish history demonstrate the contrary. A single assumption, by Gesenius, that the word for souls in Gen. 12:5 — נַפְשֵׁי (souls that Abraham and Lot had gotten in Haran), means *slaves*, shall be followed, without examination, by other lexicographers, and shall set the tide of opinion to run on without questioning.

But the statute under consideration shines like a sun upon such an investigation, and throws its light backwards as well as forwards in history and law, as a light of supreme defining and controlling principle. *Human beings cannot be treated as property.* There is no restriction; the universality of the law is unquestionable, the subject of it being a man, not a Hebrew man exclusive of a stranger, but a man, whosoever he might be. The universality of this law is as evident as that of the law in verse 12: "*He that smiteth a man so that he die, shall surely be put to death.*" There is no more ground for restricting the application of the statute against stealing a man to the Hebrew stolen, than that against killing a man. So with the statute against killing a servant; there is no restriction. A comparison of this with Lev. 24: 17, 21, 22, makes it still clearer. In this place the statute is also concerning the death-penalty, and the form is as follows: He that killeth any man shall surely be put to death; and it is added: 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. So with the laws concerning the treatment of one's neighbor; if any man ask: But who is my neighbor? willing to restrict their application to a countryman, the commentary of our Lord in Luke 10: 30, settles the matter. But if so in a smaller injury committed, or benefit required, much more in the greater. Along with this statute is placed the law, Thou shalt not vex a stranger, nor oppress him, Ex. 22: 21; and again 23: 9. But finally, the matter is settled by Paul, in 1 Tim. 1: 10: "The law is made for man-

slayers, *men-stealers*, and others named, without restriction as to lineage or land. The reference is unquestionable; the application, equally so.

*He that stealeth* A MAN. If it had been (as some modern supporters of the system of slavery affirm) a statute for the support, sanction, and better protection of slavery and slave-property, a statute against stealing *slaves* or servants, the distinguishing word would have been used (had there been a word in the Hebrew tongue signifying slave); and for want of such a word, the nearest approximation to it would have been taken. The statute must have read, *He that stealeth a servant*, עֶבֶד; not, *He that stealeth a man*, אִישׁ. So gross a blunder could never have been committed by the lawgiver as the introduction of the *genus* instead of the *species*, in a case involving the penalty of death; so gross a blunder as that by which the *slave-holder* instead of the *slave-stealer* might have been obnoxious to the penalty. If it had been a law against the stealing of another man's *slaves*, then the slaveholder might have stolen *a man* and *made* him a slave, with perfect impunity; and only the thief who should dare to steal from *him* the slave so *made*, would be subject to the penalty. The law would have been, not against the stealing of a man *as man*, and making him property, but against the stealing of him as property, *after he is so made*. The assumption of those who would maintain that Moses promulgated this law for the protection of slavery, is just this: that man *as man* is not sacred against kidnapping; but man as kidnapped and made property, *man as property*, is so sacred and inviolable a possession, that the theft of him *as a slave* must be punished with death.

An attempt has been made to deny the universality of this first statement against man-stealing, by the other and second statute in Deut. 24: 7, where the application is directly to the Hebrew. "If a man be found stealing any of his brethren of the children of Israel, and maketh merchandise of him, or selleth him, then that thief shall die." But this statute, which was passed forty years after the other, and without any connection with, or reference to, the same,

cannot be regarded as a statute of limitation or interpretation merely, much less of abrogation, as if the specific abrogated the general. Rather, if any such reference were supposed, might it be contended that it having been found in the course of forty years that the first and general law might have been claimed as applying only to the stranger or the heathen, and not to the stealing of a Hebrew, whose servitude, even if stolen, could not last more than six years (so carefully by law was this adjusted), it was found necessary, for greater security and definiteness, to add the second enactment, specifying also the Hebrew. But here again, any limitation of the first statute by the second is forbidden in the same chapter, by the application of verse 14: "Thou shalt not oppress a hired servant that is poor and needy, whether he be of thy brethren, or of thy strangers that are in thy land within thy gates." Now if a hired servant that was not a Hebrew could not be oppressed, any more than a native, much more could not such a one be stolen with impunity, or the thief escape the penalty. He would not be permitted to plead that, because there was a law against stealing *a Hebrew*, therefore the law against stealing *a man* was null and void.

If the law had been against stealing Jews, instead of men, then the apostle, in transferring it, must have said the law was made for Jew-stealers, not *men-stealers*, for *Ἰουδαιονποδισταῖς*, not *ἀνδραποδισταῖς*. And so, if the law had been against stealing *slaves*, not *man*, for the protection and sanction of *slave-property*, and not to declare God's protection of men, as human beings, against theft, or for the security of slave-owners, and not for the sacredness of men as created in God's image; then the apostle, in translating that law into the wider dispensation, and defining its application, must have said, the law was made for *slave-stealers*, *δουλοποδισταῖς*, or *δουλοπαταιῖς*, not *men-stealers*. The context in Exodus, and context in Timothy, nail the passages as beyond all disputation referring to the same law. In Exodus it lies alongside with statutes against man-slayers, cursers and murderers of father and mother; in 1 Tim. the con-

junction is the same, so that no man can for a moment doubt the precise law in Exodus, which is referred to by Paul in writing to Timothy. He could not therefore, in referring to it, have wholly distorted its meaning, its application. He could not have made so great a mistake as that of levelling against the very foundations of slavery and the slave trade, a law published originally and intended of God for the protection of slave property. He could not have interpreted in behalf of the rights of men against slave-holders, a law intended to secure the rights of slave-holders against men.

[To be continued.]

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## ARTICLE II.

### PERPETUAL SIN AND OMNIPOTENT GOODNESS.<sup>1</sup>

By L. P. Hickok, D. D., Union College.

How can perpetual sin consist with omnipotent goodness? The apparently inherent contradiction of the two terms of this question, is the Conflict of Ages; the attained harmonious unity of the two will be the Problem Solved.

Merely as a speculation, there is here opened a wide field for profound thinking and ingenious theorizing, which might have secured for itself an unfailling intellectual interest. But the interest in this question has been much more quickened and perpetuated, because it involves considerations which take hold on the most controlling susceptibilities of the hu-

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<sup>1</sup> The Conflict of Ages: or, The Great Debate on the Moral Relations of God and Men. By Edward Beecher, D. D. Boston: Phillips, Sampson & Co. 1853.

The Problem Solved, or Sin not of God. By Miles P. Squier, D. D., Professor of Intellectual and Moral Philosophy, Beloit College. New York: Published by M. W. Dodd, Corner of Spruce Street and City Hall Square.

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ARTICLE I.

THE MORAL FACULTY.

By Rev. Joseph Haven, Professor in Amherst College.

THE subject proposed is one of which it would not be easy to decide which is the greater, the importance or the difficulty. Its importance is seen in the fact that it concerns, at once, the psychologist, who would explain the laws of the human mind; the moralist, who would propound a system of ethical truth; the theologian, who would base his doctrines on a correct philosophy of mind and of morals; and, more than all, the individual man, who seeks to conform, in the practical government of the conduct, to the dictates of his moral nature. Its difficulty is apparent from the fact that it has, for so long a period, employed the energies of the ablest minds, giving rise to so many questions, so many discussions, by so many writers, with conclusions so diverse.

In entering upon the investigation of this subject, it is hardly necessary to raise the preliminary inquiry, as to the *existence* of a moral faculty in man. That we do possess the power of making moral distinctions, that we do discriminate between the right and the wrong in human conduct, is an obvious fact in the history and psychology of the race. Con-

By this thoughtful and prolonged perusal of the products of the master-minds of the literature, the student will preserve and strengthen what is national and idiomatic in his mental structure, while at the same time he will more genially appreciate, and heartily relish, what is national and idiomatic in other literatures. And, what is not less important, he will be storing his mind with the best sense and reason of the nation to which he belongs; he will be planting the seeds and germs of all noble and ennobling truths, thereby preparing himself to be an original and influential thinker and author in his own day and generation. For the words of Chaucer are as true now as ever:

Out of the olde fieldes, as men saithe,  
Cometh all this newe corn fro yere to yere;  
And out of olde bookes, in good faithe,  
Cometh all this newe science, that men lere.<sup>1</sup>

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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.

[Continued from p. 48.]

#### *Statute for the Protection of Oppressed Fugitives.*

THE Mosaic legislation, the more it is examined, is seen to be a system of supernatural, divine wisdom. Amidst a congeries of particulars, sometimes seemingly disconnected, great underlying and controlling principles break out. The principle revealed in the statute against man-stealing, is the same developed in the next statute which we are to consider, in the order of the logical and historical argument from the

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<sup>1</sup> Assembly of Foules. Stanza IV.

Old Testament Scriptures against slavery. The principle is that of the sacredness of the human personality, which cannot be made an article of traffic, cannot be bought and sold, without a degree of criminality in the action like the criminality of murder. As the sacredness of human life is guarded by the penalty of death for the crime of maliciously *killing* a man, so the sacredness of human liberty, the property of a man's personality, as residing solely in himself, is guarded by the same penalty against the crime of *stealing* a man. The theft is that of himself *from* himself, and from God his Maker. As murder is the destruction of the life, so man-stealing and selling is the destruction of the personality, the degradation of the man into a thing, a chattel, an article of property, transferred, bartered for a price, as if there were no immortal soul nor personal will in existence.

The statute in Deut. 23: 15, 16, is properly to be examined next after that in Exod. 21: 16 and Deut. 24: 7. The whole form of the statute is as follows: "Thou shalt not deliver unto his master the servant which is escaped from his master unto thee. He shall dwell with thee, even among you, in that place which he shall choose in one of thy gates, where it liketh him best: thou shalt not oppress him." Of the *interpretation* of this statute, there cannot be the least doubt; as to its *application* only can there remain, in any mind, some little question.

The first thing to be considered is the language: "Thou shalt not deliver up the servant to his master, which is escaped unto thee from his master." *The servant to his master*, עֶבֶד אֶל-אֲדֹנָיו. It is not, *the slave to his owner*, or the *heathen slave to his owner*, which would have been the proper form of expression, if either *slaves* at any rate were under consideration, or *heathen slaves* alone. The word for servant is the ordinary עֶבֶד, and the word for his master is אֲדֹנָיו, which is to be compared and contrasted with the word for owner (בַּיֵּל), the latter word being used when a beast or an article of property instead of a human being is spoken of. The contrast may be fairly and fully seen, and the usage demonstrated, by comparing Ex. 21: 4, 5, 6, 8, with Ex. 21: 28, 29

32, 34, and 36, and likewise Ex. 22: 11, 12, 14, 15. Here, in the first case, where the subject is a human being (the servant), the *master* (אֲדוֹנָי) is spoken of, but never the *owner*. The relations and responsibilities are brought to view between master and servant, but never between owner and slave. But in the other cases, where the subject is property, as an ox, ass, sheep, or article of raiment or furniture, the *owner* (בַּעַל) is spoken of, not the master. The distinction is one of purpose and care, and not accidental; and in no case is any such relation between human beings brought to view as of the one being owner of the other, with sanction of such relation. The history of such relationship is the history of crime, and the selling of human beings is always a criminal transaction. The whole transaction of the selling of Joseph is described as the crime of stealing; and no person in Judea could ever have sold any human being, no matter by what means in his power, without the conviction of doing what was forbidden of God. Man-selling was no more permitted than man-stealing. Accordingly, there are no instances of its being practised.

Now if there had been in Judea, from Abraham downwards, the system of what we call slavery, the system of chattelism, the purchase, ownership, and sale, of human beings as articles of property, there must have been some traces of such purchase, ownership, and sale, in the history of the people. Their domestic life is so fully set before us, that, if this system were a fixture of it, the evidence could not fail to have leaked out; nay, the proof would have been glaring. If this fixture, with all its concomitant transactions and habits, had existed, had been maintained, as a national institute, *against* the divine law, we should as certainly have found it in the history and the books of the prophets, as idolatry itself; we do find it instantly recorded, in the only cases in which it was attempted; and the case in which the crime was completed, occasioned the instant vengeance of God, in the destruction of the Jewish State. But if it had existed by *appointment* of the divine law, under the sanction and favor of God, then much more should we have found some traces of

it, not only in the law itself, but in the manners and customs of the people, and in their historical and commercial records.

But in the whole history, from that of Abraham, Isaac, and Jacob, down through the whole line of their descendants, not one instance is to be found of the sale of a man, a servant or a slave. The only approximations to such a thing are treated and denounced as criminal; as for example in Amos 2: 6, thus saith the Lord, "For three transgressions of Israel and for four, I will not turn away the punishment thereof, because they sold the righteous for silver, and the poor for a pair of shoes." When they obtained servants, or purchased them, as the phrase was, they purchased their time and labor from themselves; but if they attempted to sell them, it could not be done without stealing them; it was making articles of property out of them; it was asserting and violently assuming ownership in them; it was man-stealing. But if slavery had been a legal institution appointed of God, a righteous policy and habit of the domestic life, we should have found, somewhere, some traces of the transactions by which always it is attended and maintained. We should have found mention not only of obtaining servants by contracts made *with* them, but of buying *them*, as slaves, from others, and of ownership in them, and of the sale of them; and if they were considered in law as chattels, as articles of property, we should have found legal provisions for reclaiming and securing them when lost, fugitive, or stolen; just as we do in the cases of oxen, asses, sheep, or property of any kind, lost, strayed, or stolen. It would not be possible, for example, to write the history of laws and customs in the United States for a single century, without such traces of slavery and of slave-laws coming out.

When, therefore, we search for such traces in the Mosaic legislation, what do we stumble upon? The first thing in regard to fugitives is this law before us, a law made *for their protection against their masters*, and not in behalf of the masters, or to recover their lost property. The judgment gathered from this law in regard to slavery is in condemna-

tion of the whole system, and remains in full, to whatever class of inhabitants the passage be applied. The question is, whether its operation was intended to comprehend Hebrew servants, or heathen servants only; whether it was a law for Judea at home, or for the nations abroad, or equally for both.

1. There is no restriction or limitation expressed; it would have to be supposed, and a construction forced upon the passage, which the terms do not indicate, and will hardly permit. It would be unfortunate to have to treat any passage in this manner, to make out a case, unless the context required it, or the history and some more comprehensive laws enforced it. Compare, for illustration, the command in Isaiah 58: 6, 9, where it is enjoined: "to loose the bands of wickedness, to undo the heavy burdens, to let the oppressed go free, and that ye break every yoke." And again: "If thou take away from the midst of thee the yoke." We might assert concerning these passages that they referred only to the heathen, whereas it is notorious that they applied to abuses and oppressions committed, not among the heathen, but in Judea itself, by the Hebrews themselves, and not against strangers only, but against their own countrymen, as in Amos 2: 6, and 8: 6, and Jer. 22: 13-17, and Hab. 1: 14-16, and other places. But when it is said, *that ye break every yoke*, it is not meant that the lawful and appointed contracts with Hebrew servants or others were to be broken up, for those were not yokes, nor regarded as such; and it only needed the application of common sense to know perfectly the application of the passage to unjust and illegal oppressions. But again, if a stranger or a heathen was thus oppressed and subjected to the yoke, it applied to him, as well as to the Hebrew; and the distinction was well known between oppressive and involuntary servitude, which was forbidden of God, and the voluntary service for paid wages or purchase-money, as appointed by the law. The command *to take away the yoke from the midst of thee*, applies to every form of bondage imposed upon any persons whatsoever in the land, contrary to the

divine law, and without agreement on the part of the servant. The fugitive from such oppression was to be relieved and protected, and not delivered back to bondage. The Hebrew is emphatic, אִם-תִּסְרֹף מִתּוֹכָהּ מִיָּדָה, if thou remove *from the midst of thee* the yoke; the yoke in thine own country, not in a heathen country. And so, in the statute before us, the oppression, the escape, and the protection are neither, nor **all**, exclusive of Hebrews.

2. But second, it is contended by some, that this is merely a law to prevent heathen slaves that were escaping into the land of Judea, from being sent back to their heathen masters. It certainly comprehends this class of persons, and this would be an inevitable result of its operation, at any rate, whether Hebrew servants were excluded, or not. But no intimation can be found, either in the text, the context, or the whole history, of its application being restricted to the heathen. The word in this statute used for *servant* is עֶבֶד. It is not a statute concerning the *hired servant*, the עֶבֶד הַיָּמִים, nor the six years' hired servant, who could not be compelled to remain at service any longer than that period, but was free as soon as his engagement was over. It certainly could not apply to him, for he received his pay from his master beforehand, and the law would have been an incentive to dishonesty and villany, if he could have received his six years' wages, on entering into covenant of service, and the next week could have decamped from his master with the money in his pocket, secure against being retaken. Such a person was not the עֶבֶד contemplated in this law, nor could there have been any danger of its being so perverted. At the same time, the proofs are numerous that in the land of Judea, among the Hebrews themselves, there were, and would be, persons unjustly held as servants beyond their time of service, as contracted for, persons oppressed in such bondage, and for whose protection such a statute as the fugitive law before us, might be more necessary than for persons fleeing from idolatrous masters in heathen lands.

3. In the third place, then, we must remember, that there were servants in Judea, both of the Hebrews and the hea-

then, whose term of service was not limited to six years, but extended, with somewhat more undefined dominion of the master, to the Jubilee. There were servants of all work, indentured servants, bound, by their own contract, for the whole number of years intervening between the time of the contract and the Jubilee. These were mostly of heathen families, though also of Hebrew, and were much more in the power of their masters for ill treatment and oppression, if they were cruelly disposed. Now it is most likely that the statute in question was interposed for the protection of just this class of servants from the cruelty of their masters; servants, the nature and the term of whose service was, to such a degree, undefined and unlimited. There certainly was such a kind of service, and such a class of servants, to which and to whom the expressions עֲבָדִי, and *service of an עֲבָדִי* peculiarly applied. See, for example, Lev. 25: 39, 40: the Hebrew servant, contracting till the Jubilee, shall not be compelled to serve with the service of an עֲבָדִי (the servant of all work), but as a hired servant and a sojourner. But the *term* of service was unlimited, except by the Jubilee; and so, in some respects, was the power of the master.

The statute before us seems to have been passed for the protection of such servants from the possible cruelty of their masters. Although it was not deemed best entirely to abolish that kind and tenure of servitude, but to lay it mainly upon the idolatrous nations who were to be conquered by the Jews; yet God imposed such protective safeguards in respect to it, as would keep it from being a cruel and unjust treatment, even of them; such safeguards, that the masters should find kindness towards their servants not only commanded by the letter and spirit of the law, but the only safe and profitable policy. Therefore it was enacted that, if any servant chose to flee from a tyrannical and cruel master, and could succeed in getting away, the master should not be able by law to recover him, should not be able to force him back; or, at all events, that none should be obliged to return him to his master; on the contrary, that those to whom he might flee from the oppression of a cruel master, should be bound

to protect him, should not be permitted to deliver him up, but should give him shelter, and suffer him to dwell in safety, wherever he chose, without oppressing him.

This beneficent statute was, in this view, a key-stone for the arch of freedom which the Jewish legislation was appointed to rear in the midst of universal despotism and slavery; it formed a security for the keeping of all the other many provisions in favor of those held to labor or domestic service; it opened a gate of refuge for the oppressed, and operated as a powerful restraint against the cruelty of the tyrannical master. There might be cruelty and tyranny in the land of Judea, but there was a legal escape from it; the servant, the עֶבֶד, if men attempted to treat him as a slave, could quit and choose his master, was not compelled to abide in bondage, was not hunted as a fugitive, nay, by law was protected from being so hunted, and everywhere, on his escape, found friends in every dwelling, and a friend and protector in the law.

It is impossible that such a provision as this should be made only in regard to the heathen slaves of the Canaanites, or of the nations around Judea, since the Jews were forbidden to enter into any treaties with the Canaanites, and were commanded to bring under tribute of service as many of them as were spared. Their whole legislation, in regard to all the heathen, was by no means that of amity with masters or kings, but of opposition and of jealousy against them. They were forbidden to enter into covenant with them. Nor was there any more need of a statute for not restoring heathen slaves that had fled into the country of the Hebrews, than there would be of a law in Great Britain for not restoring the slaves of Egypt, or of the South-Sea Islanders, or of the cannibals or savages in New Zealand, that had got away from their masters. But there might be need of such a law among the Hebrews, to mitigate the evils of servitude, to preserve the עֶבֶד, the indentured servant of all work, from cruelty and oppression, to prevent his service from passing into slavery, and to render it for the master's interest to treat him well and kindly, as knowing that, if he did not, the in-

jured servant could escape from him, and seek another master, with impunity. So, if he would not lose him altogether, he was compelled to treat him kindly.

There was no such law as this, no such humane statute, among the heathen ; and hence the heathen masters were ferocious despots, and were accustomed to restore fugitive slaves, even for the support of the system of slavery, that there might be neither relief nor release from their own authority, nor restraint nor check upon their own cruelty. Accordingly we see the terror of the Egyptian slave whom David encountered after the foray upon Ziklag, lest he should be sent back to his master (1 Sam. 30: 15). The slave called himself a *young man* of Egypt (נַעַר מִצְרַיִם), *the servant* (עַבְדִּי) to an Amalekite (1 Sam. 30: 11), and his master had left him to die, because he fell sick. He made David swear that he would not send him back into that slavery. There was no such system of slavery among the Hebrews, and, with this humane law, there could be none. The operation of this law, in connection with other statutes, was certain, at length, to destroy all remains of slavery among the people, and to make all within the limits of the Hebrew nation wholly free. To bring about this desirable end, God so surrounded the system of servitude with wholesome checks, and entangled and crippled it with such meshes of benevolent legislation, such careful protection of the servants, such guardianship of their rights, such admission of them to all the privileges of the covenant, such instruction of them, and such adoption of them at length as Hebrews, even when they were foreigners at first, that, in that land, among that people, there could be no such thing as that system of injustice, cruelty, and robbery, which we call slavery. It did not, and it could not, exist.

*Force of the demonstration from this Statute against the possibility of Property in Man.*

This law, like the grand statute against man-stealing, strikes at the principle of property in man. It shows that

God would not permit human beings to be regarded as property, as slaves in our day are considered property. Even if they had been *called* slaves, it is clear that their masters were not considered to be their *owners*, for they could take themselves off at pleasure, if oppressed, and nevertheless no wrong was charged upon them for thus escaping from bondage. They did not belong to the master in such manner that wherever found he had a claim upon them, and they must be given back. When they fled away, they were not considered as having stolen themselves; and the man who found them neither acquired any claim over them himself, nor was under any obligation to the master to return them or to inform against them. The master, in such a case, was not the owner.

This statute must be compared, under this view, with the laws concerning the restoration of articles of property, whether found or stolen, and it will at once be seen what a difference is made between the ownership of a man over his servants, and over his cattle, his lands, his houses, and all riches. Ex. 23: 4: "If thou meet thine enemy's ox or his ass going astray, thou shalt surely bring it back to him again." So in Deuteronomy: "Thou shalt not see thy brother's ox or his sheep go astray, and hide thyself from them; thou shalt in any case bring them again unto thy brother. And if thy brother be not nigh unto thee, or if thou know him not, then thou shalt bring it unto thine own house, and it shall be with thee until thy brother seek after it, and thou shalt restore it to him again. In like manner shalt thou do with his ass; and so shalt thou do with his raiment; and with all lost things of thy brother's, which he has lost and thou hast found, shalt thou do likewise; thou mayest not hide thyself" (Deut. 22: 1—3).

Now as to the force of this demonstration that men cannot be property, that men-servants and maid-servants were not and could not be the property of their masters, it makes no difference whether this statute be restricted to the heathen or not. It was incumbent on the Jew, if he saw the ox or the ass, even of his enemy, even of a heathen, or a stranger,

going astray, to inform him of it, or bring the animal back; it *belonged* to the man who had lost it, from whose power it had escaped. But if the servant of the same man, worth to him fourfold, escaped from him, and the Jew knew it, there was not only no obligation to let the master know, or to help return the fugitive, but a direct command from God *not* to do this, but on the contrary to aid and protect the fugitive. It is impossible to deny or condemn more forcibly the assumption of property in man. Yet that is the assumption on which slavery is grounded, and if God condemns the one, he does the other.

We may add that, if the servant in any class, either the עֶבֶד or the שִׁפְיָר, had been regarded as property, and if the law against the recapture or restoration of fugitive servants was intended only with reference to foreigners, and did not apply to the Hebrews, then must the exception necessarily have been made clear in such a statute as Deut. 22: 1-3. "All lost things" of his brother's, a Hebrew was bound to restore; and if slaves were property, and the Hebrews had held slaves, then inevitably must lost or escaped slaves have been enumerated as among the things to be restored. Compare Ex. 22: 9, "For all manner of trespass, whether it be for ox, for ass, for sheep, for raiment, or for any manner of lost thing, which another challengeth to be his, the cause of both parties shall come before the judges, and whom the judges shall condemn, he shall pay double unto his neighbor." If men had not been forbidden thus to challenge the fugitive עֶבֶד, the escaping *servant*, as their property, a like provision must inevitably have been made for trying *this* claim also before the judges. But in the whole history of the Hebrews, there are no instances on record of the reclamation of fugitive slaves in their country, under their laws. There are cases mentioned of servants escaping; and the statute itself was the supposition that they *would* escape, and formed a protection and a safeguard for them; but there is never a case named, nor any intimation of any such event, of a master hunting for slaves, going in search of, or reclaiming, his runaway property, in the country of

the Hebrews. There are instances of men going from Dan to Beersheba to hunt up and reclaim an ox or an ass, but never a hint of any such thing as a man hunting, or reclaiming, or recapturing, a fugitive servant.

And yet, from incidental testimony, the more striking because it falls out naturally in the course of the history of David, we said that it was no uncommon thing for servants to escape, and to be going at large, unmolested. Nabal's complaint to the messengers of David proves this; "there be many servants (עֲבָדִים) nowadays, that break away every man from his master (1 Sam. 25: 10);" and the manner of the complaint argues the anger of Nabal because such a thing could be, and the servants get off with impunity. But no instance can be found of any man undertaking, with marshals, or otherwise, to recapture them. There is no hint of any *posse comitatus* at the disposal of the master for this purpose. Had there been such a thing as a Fugitive Slave Law *against* the slave, instead of one for his protection, Nabal's language would rather have been that of threatening, than complaint. "You rogues, if you do not take yourselves off, I will have you arrested as fugitive slaves, such as you doubtless are, you vagrant rascals. I will have you lodged in the county jail, and, if your master does not appear, you shall be sold to pay the jail fees." But Nabal's language is that of "a son of Belial," who is furious because there is no help for such insubordination against tyranny.

The case of Shimei must be considered in illustration, because, at first thought, it might seem to be an exception, and might appear as an instance of reclamation. 1 Kings 2: 39, 40. Two of the servants (עֲבָדֵי שִׁמְעִי) of Shimei ran away to Achish, king of Gath, son of Maachah, and from thence information came to Shimei; and in his blind haste to recapture these runaways, forgetting or despising his oath to Solomon, he saddled his ass and went to Gath, and found his servants, and brought them back to Jerusalem. It is no wonder, from the description given of Shimei's cursed manners and disposition, that his servants, even purchased, as they may have been, from the heathen, could

not endure his service, but preferred to run away even into a heathen country; and it is not a little singular that the first and only instance of a slave-hunter figuring in sacred history is that of this condemned liar, hypocrite, and blasphemer. But he captures his servants in the country of the Philistines, and not in a land under Hebrew law. Doubtless, they were foreigners and heathen, not Hebrews, or they would not have fled away to Achish king of Gath; they would have been secure against Shimei's claim in their own country, but there was no law for the protection of slaves in the land of the Philistines; and, although they imagined themselves more secure from pursuit there, especially as they must have known that their master himself was a prisoner of State within certain limits in Jerusalem, yet the rage of Shimei defeated their calculations, and they were brought back. It may have been by some friendship of Achish with Shimei, and a spite against king Solomon, that this was accomplished, which made king Solomon the more ready to inflict upon Shimei, without any farther reprieve, the sentence he had brought upon himself.

The history in 2 Chron. 28: 8-15, has an important bearing in illustration of this and other statutes, especially those for the protection of the Hebrews from becoming slaves. The kingdoms of Judah and Israel were at war, and the latter had taken captive of the former two hundred thousand, whom they proposed to keep for bond-men and bond-women, the ordinary fate of those taken captive in war. But the fierce wrath of God was instantly threatened, if they carried this intended crime into execution; and some able and patriotic leaders of the tribe of Ephraim resisted the proposition with such effectual energy, that the men of the army left the captives to their disposal; whereupon they generously clothed and fed them and carried them back free to their own country. The intention had been, contrary to the divine law, to bring them into bondage in a manner expressly forbidden. It is to be feared that in some instances the legal prohibitions against such slavery had already been set at defiance both by rulers and people in the two king-

doms; but never yet had the attempt been made in so bold and public a manner, and on so huge a scale, to over-ride the laws.

There are very decisive intimations, however, that look as if this iniquity of a forced and continued bondage, by which the Jewish masters retained their servants contrary to law, had become, at a later period, one of the great outstanding crimes of the nation. After the divulsion of the kingdom into two, those persons unjustly held in bondage would be likely to take refuge from cruel taskmasters in one kingdom by fleeing into the other; and the law in Deuteronomy was unquestionable and explicit: "Thou shalt not deliver unto his master the servant which is escaped from his master unto thee. He shall dwell with thee, where it liketh him best. Thou shalt not oppress him." Contrary to this great statute of Jehovah, there may have been compacts or compromises, between the two kingdoms, for the delivering up of such fugitives; or if not between the kingdoms, at least between confederacies of masters. But, whatever fugitive slave laws might be passed, or compacts entered into, they were all as so many condemned statutes, judged and condemned beforehand by the law of God, and to be held null and void by those who would keep his commandments. Nevertheless, with the example once set, first in one kingdom, then in the other, of such unrighteous statutes, it might become comparatively easy, through powerful local interests, by the combination of large holders, or of those who could profitably become slave-masters by trading with the heathen, not only to evade the divine law, but at length to get statutes passed, though manifestly and directly contrary to it, for the protection of slave-property, or to assist in retaining or recovering such property. There might be enactments for the interest of the masters, setting at nought all the provisions of the divine law for the limitation of servitude, the preventing of slavery, and the protection and emancipation of indentured servants.

That some such form of oppression began to be prevalent soon after the separation of the kingdoms of Judah and Is-

rael, the tenor of the Prophets and the Psalms, from Joel to Malachi, leads us to suppose. It is probable that this legislation for the masters, this care for their interests and their favor, this oppression of those whom they held in bondage, and this disregard of the divine law in their behalf, are referred to by the prophet Amos, especially in the fourth chapter of his prophecy, where God rebukes the princes, the rulers, and the wealthy and great men, for oppressing the poor and crushing the needy, but saying to their *masters*: Bring business and wealth, and let us trade and drink together (Amos 4: 1. Compare also Amos 2: 6.): "They sold the righteous for silver, and the poor for a pair of shoes." Scott's note on the first of these passages presents the case in a manner not improbable: "They crushed and trampled on their unresisting brethren, and sold them for slaves. Having made the iniquitous bargain, perhaps on low terms, they required from the purchaser, in this *slave-trade*, to be treated with wine." It may have been partly in reference to such sins as these, that the rebuke of God by the prophet Micah was directed, that "the statutes of Omri were kept, and all the counsels of the house of Ahab" (Micah 6: 16). For, immediately after that indictment, it is asserted that 'men are hunting every man his brother with a net, and the prince asketh, and the judge asketh, for a reward, and the great man uttereth his mischievous desire, and so they wrap it up, the best of them being as a brier, and the most upright sharper than a thorn-hedge' (Micah 7: 2, 3, 4).

It was in reference to such iniquity, this great and glaring guilt of oppression especially, that many passages in the Prophets and the Psalms were written. "Wo unto them that decree unrighteous decrees, and that write grievousness which they have prescribed, to turn aside the needy from judgment, and to take away the right from the poor of my people" (Isa. 10: 1). "He looked for judgment, but behold oppression" (Isa. 5: 7). "Hear the word of the Lord, ye rulers of Sodom; give ear unto the law of our God, ye people of Gomorrah. Your hands are full of blood. When ye make many prayers, I will not hear. Put away the evil of

your doings. Seek judgment ; relieve the oppressed ” (Isa. 1: 10, 17). “ Wo unto them which justify the wicked for reward, and take away the righteousness of the righteous from him. Therefore, as the fire devoureth the stubble, and the flame consumeth the chaff, so their root shall be as rottenness, and their blossom shall go up as dust, because they have cast away the law of the Lord of Hosts, and despised the word of the Holy One of Israel ” (Isa. 5: 23, 24. Comp. Jer. 6: 6 and 7: 5, 6 and 22: 17).

It is in the light of such historic references, showing to what a degree the Jews had corrupted justice, and set up oppression, in a system of precedent and law, in contempt of the divine law, that we come to the consideration of the great illustrative record in Jer. xxxiv. The progress of the iniquity and the ruin therein recorded had been gradual, from father to son, from generation to generation (Jer. 34: 14); but at length it arose to the crisis of an open, combined, and positive rebellion against God, in entirely trampling under foot the great ordinance against Hebrew slavery, contained in Ex. 21: 2, and confirmed and guarded by other statutes. The crime of injustice and rebellion was the more marked and daring, because it had been preceded by a fitful penitence and acknowledgment of the oppression, and acceptance of the law as righteous, and a return to its observance, with a new covenant to that effect. So the whole people, princes and people, loosed their grasp upon the servants they had been unjustly retaining in bondage, and for a season, at the word of the Lord, let them go. But on reflection, they felt that it was too great a sacrifice of power, and a relinquishment of property, to which they would not submit. “ So they turned, and caused the servants and the handmaids, whom they had let go free, to return, and brought them into subjection for servants and for handmaids ” (Jer. 34: 11). Then came the word of the Lord, and its execution followed, as the lightning doth the thunder : “ Because ye have not hearkened unto me, in proclaiming liberty, every one to his brother, and every man to his neighbor, behold I proclaim a liberty for you, saith the Lord, to the sword, to

the pestilence, and to the famine, and I will make you to be removed into all the kingdoms of the earth" (Jer. 34: 17).

It throws a solemn light of additional warning upon this transaction, to compare with this chapter of Jeremiah, the contemporary prophecy of Ezekiel, in the twenty-second chapter of that prophet. As men gather silver, brass, iron, lead, and tin, into the midst of the furnace, to blow the fire upon it, to melt it, so God informed Ezekiel that he was now gathering the whole house of Israel, that had become dross, priests, princes, prophets, and people, in the midst of Jerusalem, to pour out his fury upon them, and melt them as refuse metals in the midst of the fire. The indictment of their wickedness in this chapter, issued just three years before the prediction of Jeremiah, in the thirty-fourth of his prophecy, closes with these words: "*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.* And I sought for a man among them that should make up the hedge, and stand in the gap before me for the land, that I should not destroy it, but I found none. Therefore have I poured out mine indignation upon them; I have consumed them with the fire of my wrath; their own way have I recompensed upon their heads, saith the Lord God."

Almost at the same moment, and in view of the same predicted event, though residing at so wide a distance from each other, these two prophets were charged with God's denunciation against the same sin of oppression, as the one climacteric occasion and cause of the destruction of the nation. God refers the people back to the first covenant of freedom (in Ex. xxii), abolishing and forbidding slavery forever; and the violation of that covenant, in the attempt to establish the forbidden sin, is distinctly and with sublime and awful emphasis, marked by Jehovah in his one, final, conclusive reason for giving over the nation into the hand of their enemies, and sweeping the whole community into bondage. It would not be possible to transmit, in historic form, a more tremendous reprobation of the sin of slavery,

and of slavery as a sin. From Ezek. xxii. and Jer. xxxiv., this lesson stands out as the one grand lesson of God's vengeance in the captivity.

We have now to consider the institution and law of the Jubilee, as the completion of the system of social benevolence and freedom embodied in the Mosaic statutes.

Meantime we have before us, even if we stopped short of that, a body of laws embracing, as thus far traced, beyond all comparison, the most benign, protective, and generous system of domestic servitude, the kindest to the servants, and the fairest for the masters, ever framed in any country or in any age. The rights of the servants are defined and guaranteed as strictly and with as much care, as those of the employers or masters. Human beings could not be degraded into slaves or chattels, or bound for involuntary service, or seized and worked for profit, and no wages paid. The defences against these outrages, the denouncement and prohibition of them, are among the clearest legal and historical judgments of God against slavery. The system of slavery in our own country, even in the light only of these provisions, holds its power by laws most manifestly conflicting with the divine law, and stands indisputably under the divine reprobation.

Four forms of statute-law combined, in this divinely-ordered social arrangement, to render slavery forever impossible among a people regardful of justice and obedient to God. First. The law of religious equality and dignity, gathering all classes as brethren and children of one family before God. Instruction, recreation, and rest, were secured in the institution of the Sabbath, and its cognate sacred seasons, following the same law; and freedom, not slavery, was inevitable.

Second. By the same system, the original act of oppression and violence, which has been the grand and almost only source of all the slavery in our own country, was branded and placed in the catalogue of crime, on a level with that of murder, to be punished by death. It requires no particular acuteness of vision to perceive that what was an injustice to the parents, worthy of death, cannot be transformed, in the

next generation, or the next after, to a righteous institution, sacred by the grace of God. By covenant, the curse of the Almighty is upon it.

Third. The right of possession to himself, is recognized as resting, by the nature of humanity and the authority of God's law, in each individual ; and the sacredness of the human personality is demonstrated by the same law to be such, that a human being cannot, but by the highest violence and crime, be degraded into an article of property and merchandise. From the Mosaic statutes, it is indisputable that such is the judgment of God ; and the successive history, which takes its course and coloring from them, or from their violation, confirms the demonstration. From the statutes and the history together, it is as clear that slavery is a moral abomination in the sight of God, as it is from the history in Genesis that the iniquity of Sodom and Gomorrah was a sin. The destruction of Judah and Jerusalem for the iniquity of oppression, *in this particular form, of a forced involuntary bondage*, was a more stupendous and enlightening judgment by far, all things considered, than the overwhelming of the cities of the plain with fire. How can it be possible for any unprejudiced reader of the word of God to avoid acknowledging our own condemnation in this light ?

Fourth. The protection, by statute, of the servant escaping from his master, instead of any provision for the master's regaining possession of the servant, was another interposition in behalf of the weaker party, in the same design of rendering slavery impossible, and is another plain indication of the judgment of God as to the iniquity of American slavery, and of the laws for the support of it. The Hebrew system was so absolute and effective a safeguard against oppression, and rendered any form of slavery so impracticable, and in its legitimate working would have so inevitably subdued the slavery of all surrounding nations to its own freedom, that it stands out as a superhuman production, the gift of God. The wisdom and benevolence of the Almighty appear in it to such a degree, in comparison and contrast with the habits and morals of the world, that the claim of the Pentateuch to a divine

inspiration might, in no small measure, be permitted to rest upon it.

*The Law of Jubilee.—Universality of its Application  
Demonstrated.*

We come now to the consideration of the Law of the Jubilee, in Lev. 25: 10, 35–55. This great statute of personal freedom was as follows: “Ye shall hallow the fiftieth year, and proclaim liberty throughout the land unto all the inhabitants thereof: it shall be a Jubilee unto you, and ye shall return every man unto his possession, and ye shall return every man unto his family.” LIBERTY THROUGHOUT THE LAND UNTO ALL THE INHABITANTS THEREOF. The expression is chosen on purpose for its comprehensiveness. It is not said to all the inhabitants of the land, *being Hebrews*, or such as are Hebrews, which restriction would have been made, had it been intended; as is manifest from the case in Jeremiah xxxiv, where the restriction is carefully and repeatedly announced. But the phrase *all the inhabitants of the land*, seems to have an intensity of meaning, comprehending, purposely, all, whether Hebrews or not; it being well known that many of the inhabitants of the land were *not* Hebrews. This phrase, the inhabitants of the land, had been frequently used to describe its old heathen possessors, the Canaanites, and others, as Ex. 23: 31; 34: 12, and Num. 32: 17; 33: 52. It is used, Josh. 2: 9; 7: 9; 9: 24, in the same way. It is never used restrictively for Hebrews alone; not an instance can be found of such usage in the Mosaic books. It is used in Jer. 1: 14, *an evil on all the inhabitants of the land*, and in Joel 1: 2, and 2: 1, *let all the inhabitants of the land tremble*. In this statute in Leviticus, it is the whole number of inhabitants of the land, *held in servitude*, that are included. Ye people of Israel shall do this, shall proclaim liberty to all the inhabitants of the land.

*And proclaim liberty throughout the land to all the inhabitants thereof.* The Hebrew is as follows: וְקָרְאתֶם דְּרוֹר בְּאַרְץ וְקָרְאתֶם דְּרוֹר בְּאַרְץ, *and preach freedom in the land to all the dwellers*

*thereof.* The expression is emphatic; the proclamation to be made throughout the length and breadth of the land, not to those only who inhabited it as Hebrews by descent, but to all that dwelt in it. Had it been intended to restrict the application of this statute, the class excluded from its application would have been named; another form of expression would have been used. Had it been intended to make a law broad, universal, unexceptional in its application, no other phraseology could be used than that which is used. If it had been a form of *class-legislation*, it must necessarily have been so worded as to admit of no mistake. But the expression employed is found, without exception, in all cases, with an unlimited, universal meaning. It is *never* used where a particular class alone are intended. The proof of its usage, and the demonstration from its usage may be seen by examination of the following passages.

Is. 18: 3, *All ye inhabitants of the world, and dwellers on the earth.* כָּל-יֹשְׁבֵי תֵבֶל וְשֹׁכְנֵי אֶרֶץ. Here are two words used as synonymous. The first is the word employed in the law under consideration, from the verb יָשַׁב, with the meaning to *continue*, to  *dwell*, to  *inhabit*; and this is the word ordinarily employed to designate the whole people inhabiting a country. The second is from the verb שָׁבַן, to  *encamp*, to  *rest*, to  *dwell*, employed much less frequently, as in Job 26: 5, the waters and the inhabitants thereof, מַיִם וְשֹׁכְנֵיהֶם. Also, Prov. 1: 33; 8: 12; 10: 30. Ps. 37: 29; 102: 28. In Is. 32: 16; 33: 24, and in Joel 3: 20, and some other places, as in Ps. 69: 35, both these verbs are used interchangeably. But the verb שָׁבַן is used exclusively in a number of passages which speak of God as dwelling among his people, or in his temple. And hence the use of the word Shechinah, שְׁכִינָה, the tabernacle of God's presence. In Is. 33: 24, we have the noun שָׁבַן for *inhabitant*, and the verb יָשַׁב for the *people that dwell*. But the noun שָׁבַן is very seldom used, while the participle from יָשַׁב is employed in more than seventy passages to signify the inhabitants of the land, or of the world without any restriction. For example:

Lev. 18: 25, the land vomiteth out *her inhabitants*, וְשֹׁבְתֶיהָ.

Judges 2: 2, make no league with *the inhabitants of the land*, לִישְׁבֵי הָאָרֶץ.

Ps. 33: 8, all the inhabitants of the world, כָּל־יֹשְׁבֵי הַכֶּבֶד.

Ps. 33: 14, all the inhabitants of the earth, כָּל־יֹשְׁבֵי הָאָרֶץ.

Is. 24: 1, 5, 6, 17, inhabitants of the earth. Also, 26: 9, inhabitants of the world, יֹשְׁבֵי הַכֶּבֶד.

Jer. 25: 29, 30, *inhabitants of the earth*, and Lam. 4: 12, *of the world*.

Joel 2: 1, let all the inhabitants of the land tremble, כָּל־יֹשְׁבֵי הָאָרֶץ.

And so in multiplied instances. There is no case to be found in which this expression signifies only a portion of the inhabitants, or a particular class. Of the two words to which we have referred, the form שָׁבֵן would most probably have been employed, if only a portion of the inhabitants, and not all classes, had been intended. There would be just as good reason to restrict the denunciation in Joel 2: 1, or 1: 2, *give ear all the inhabitants of the land*, to a particular and limited class, as to restrict the expression in which the law of Jubilee is framed.

Indeed, according to the universal reason of language, and especially according to the necessity of precise and accurate phraseology in the framing of laws, had the blessings and privileges of the Jubilee been intended only for native-born Hebrews, or guaranteed only to such, the expression universally employed on other occasions when that particular portion of the inhabitants alone are concerned, would have been employed on this. There being such a well-known phrase, capable of no misunderstanding, the law would have been conveyed by it. The phrase must have been the common one, of which one of the earliest examples is in Ex. 12: 19, כִּנְחַת יִשְׂרָאֵל בְּאֶרֶץ, *the congregation of Israel born in the land*. In Ex. 12: 48, the same distinctive expression, to particularize the native Hebrew, is used along with אֶרֶץ, thus, אֶרֶץ הָאָרֶץ, *the born in the land*, the native of the land, of Hebrew birth or origin.

Whenever there was danger of misinterpretation, misapplication, or confusion, as to the class intended by a law, this

phrase was employed, and the distinction, whatever it was, which the law intended, was made plain; or, if there was danger of making a distinction where none ought to be made, *that* was equally plain. For example (Lev. 16: 29), the fast and Sabbath of the day of atonement being appointed, its observance is made obligatory on the stranger as well as the native Hebrew, by the following words: *הָאֲזֻרָה וְהַגֵּר בְּתוֹכְכֶם*, *both the native born and the stranger that sojourneth among you.* So in Lev. 18: 26: "Ye shall not commit any of these abominations, *neither any of your own nation, nor any stranger*, *הָאֲזֻרָה וְהַגֵּר*. Again (Lev. 19: 34): *As one born among you, shall the stranger be that dwelleth with you, הָאֲזֻרָה מִכֶּם יְהִיָּה לָכֶם חֵן*; and it is added: *Thou shalt love him as thyself*, for ye were strangers in the land of Egypt. Again (Lev. 24: 16): He that blasphemeth the name of the Lord, *as well the stranger as he that is born in the land, בְּגֵר קְאֻזְרָה*. And, Lev. 24: 22, Ye shall have one manner of law, *as well for the stranger as for one of your own country, בְּגֵר קְאֻזְרָה*.

So in regard to the passover (Num. 9: 14): Ye shall have one ordinance, *both for the stranger, and for him that was born in the land, וְלִגֵּר וְלְאֻזְרָה הָאֲרָץ*. The same in regard to atonement for sins of ignorance, and punishment for sins of presumption (Num. 15: 29, 30), two instances of the same expression, employed where there was any danger of a misapplication or insufficient application of the law. In the first instance, the expression, *him that is born among the children of Israel, הָאֲזֻרָה בְּבְנֵי יִשְׂרָאֵל*, is set over against *the stranger that sojourneth among them*. In the second instance, the comparison is more concise: *whether the born in the land, or the stranger, מִן־הָאֻזְרָה וּמִן־הַגֵּר*. Josh. 8: 33 affords a striking example where, to prevent the expression *all Israel* from being restricted so as to exclude the stranger, it is added: *as well the stranger as he that was born among them, בְּגֵר קְאֻזְרָה*. The expression *all Israel* not being necessarily so universal as the expression *all the inhabitants of the land*, its *enlarged* meaning is defined; and just so, if the expression *all the inhabitants of the land* had been used in any case where *not* all the

inhabitants of the land, but only all the native Israelites were meant, the *restrictive* meaning must have been defined; otherwise, it would inevitably include both the native and the stranger, both the אֲזֻרָה and the גֵּר.

This word אֲזֻרָה, used to designate the native Hebrew in distinction from the stranger or any foreigner, is a very striking one, from the verb זָרַח, *to rise, to grow or sprout forth*, as a tree growing out of its own soil. It is used in Psalm 37: 35, to signify a tree in full verdure and freshness; in the common version, *a green bay-tree*, אֲזֻרָה יָרֵנֶנֶת. It is thus a very idiomatic and beautiful word for particularizing the Israelite of home descent, the child of Abraham. There cannot be a doubt that this expression must have been used in framing the law of Jubilee, had it been intended to restrict its privileges as belonging *not* to the stranger, but to the home-born.

Moreover, it is obvious that, if this comprehensive and admirable law meant that only Hebrew servants were to be set free, but that others might be retained in servitude at the pleasure of the masters, or in other words might be made slaves, the law would have acted as a direct premium upon slavery, offering a very strong inducement to have none but such servants as could be kept as long as any one chose, such as were absolutely and forever in the power of the master. So far from being a benevolent law, it would thus become a very cruel and oppressive law, the source of infinite mischief and misery. If the choice had been offered to the Hebrews, by law, between servants whom they could compel to remain with them as slaves, and servants whom they would have to dismiss, at whatever inconvenience, every sixth year, and also at the Jubilee, it would have been neither in Jewish, nor in human, nature, to have refused the bribe that would thus have been held out, in the law itself, for the establishment of slavery. Even in regard to Hebrew apprentices, it was so much more profitable to contract with them for the legal six years' service, than to hire by the day, or month, or year, that we are informed (Deut. 15: 18), that the עָבֵד, the servant of six years' apprenticeship, was worth double the price of the שָׂכִיר, *the hired servant*. This difference at length

came to be felt so strongly, and operated with such intensity upon the growing greed of power and gain, that the Jewish masters attempted a radical revolution in the law. And what they would have done, had the law allowed, is proved by what they did attempt to do *against* the law, when they forced even Hebrew servants to remain with them as slaves ; and because of this glaring iniquity and oppression, in defiance of the statute ordaining freedom forever, they were given over of God to the sword, the famine, and the pestilence. The intention and attempt to establish slavery in the land, constituted the crime for which, and the occasion on which, God's wrath became inexorable. There is no possibility of a mistake here. God's indictment was absolute, and we have already examined and compared the passages.

The motive for this crime was profit and power ; and now it is clearly demonstrable that, if the people of Judea had had a race of human beings at their disposal, whom, by their own law, they could possess and use as slaves, chattels, property ; and if the law had marked off such a race for that purpose, and established such an element of superiority and of despotism in the native Hebrew nation, over such a race, consecrated for their profit to such slavery,—it is demonstrable that the Hebrews would not have degraded any of their own to such a state. It would have been quite a needless wickedness to set up slavery as a crime, if they had it already legalized as a necessary virtue. Their attempt to make slaves of the Hebrews, is a demonstration that they were not permitted, by law, to make slaves of the heathen.

The analogy of other statutes is in favor of this interpretation, nay, requires it. This statute is a statute of liberty going seven-fold beyond any other ; intended to be as extraordinary in its jubilee of privileges, as a half century is extraordinary above a period of seven years. But already, by the force of other statutes, a septennial jubilee was assured to the Hebrews ; the law would never permit a Hebrew to be held as an apprenticed servant more than six years ; in the seventh he should go free. Every seventh year was already a year of release to most of the inhabitants of the land, so

that the fiftieth year, if that jubilee was restricted to the Hebrews, would have been little more to them than the ordinary recurrence of the septennial jubilee. What need or reason for signaling it, if it brought no greater joy, no greater gift of freedom, than every seventh year of release must necessarily bring? But it was a jubilee of seven-fold greater comprehensiveness and blessing than all the rest; and whereas the others were *not* designated nor bestowed for all the inhabitants of the land, this *was*; and in this circumstance lay its emphasis and largeness of importance and of joy. This constituted its especial fitness as a prefiguration of the comprehensiveness and unconditional fulness of our deliverance and redemption by the gift of God's grace in Christ Jesus. It was a jubilee, not for those favored classes only, who already had seven such jubilees secured to them by law during every fifty years, but for those also, who, otherwise, had no such gift bestowed upon them, and could look forward to no such termination of their servitude. It was a jubilee of personal deliverance to all the inhabitants of the land, Hebrews or strangers, whatever might have been the tenure of their service. The servants, apprenticed or hired, were all free to seek new masters, or to make new engagements, or none at all, according to their pleasure. The Hebrew land-owners were to return to the possessions of their fathers, "every man unto his possession, every man unto his family" (Lev. 25: 10). But no man could carry his apprenticed servants, his עֲבָדִים, with him, or his hired servants, except on a new voluntary contract; for all the inhabitants of the land were free.

The clause preceding this statute is an enactment concerning every seventh year, to be observed as a Sabbath of rest for the land, but not necessarily of release for the servants; consequently, provision is made in the promise of sustenance through that year, "for thee, and for thy servant, וְלַעֲבָדֶיךָ, and for thy maid, וְלַאִמָּתֶיךָ, and for thy hired servant, וְלַשֹּׁכֵרֶיךָ," all of each class, being supposed still with the family. But when the enactment of the fiftieth year as a year of rest is announced, it being announced as a year of

liberty for all the inhabitants of the land, nothing is again said of the servants of the family; neither in regulations as to buying and selling, with reference to the proximity of the Jubilee, is there any exception made in regard to servants, as though they were not included in the freedom of the Jubilee. But in regard to some things there *are* such exceptions stated, as in Lev. 15: 30, of a house in a walled city, and verse 34, of the field of the Levites; showing that, if any exception had been intended in regard to servants, it must have been named.

We come, next, to consider the phrase וּקְרָאתֶם דְּרוֹר, *proclaim liberty*, announce deliverance. The strongest corresponding passage is Isa. 61: 1, to proclaim liberty to the captives, and the opening of the prison to them that are bound; to proclaim the acceptable year of the Lord. In this passage, it is called שְׁנַת־רְצוֹן, *the year of acceptance*, or of benefits, or, as it might be rendered, *of discharge*. In Ezek. 46: 17, it is called by the word with which the law is framed in Leviticus, שְׁנַת דְּרוֹר, *the year of liberty*. And the passage in Ezekiel is emphatic in more respects than one. (1) It is a recognition of the year of Jubilee at a late period in the history of the Hebrews; it is also a notice of a prince giving an inheritance *to one of his servants*, לְאֶחָד מֵעֲבָדָיו, who *might* be, not a Hebrew; but in the year of liberty, the servants were free, and the inheritance returned to the original owner, or to one of his sons. (2) It is an incidental argument against the existence of slavery, when we find the servants made coheirs with the sons. It cannot be slaves who would be so treated. (3) Ezekiel's designation of the year of liberty corresponds with that of Isaiah, at a period more than a hundred years earlier. The allusion, in both prophets, to the Jubilee, is unquestionable; and, in both, the grand designation of the year is that of a period of universal freedom. In Isaiah it is *deliverance to captives and prisoners*, לְשִׁבּוּיִם דְּרוֹר וְלְאִסּוּרִים. *Those that are bound*, includes those under any servile apprenticeship; but if any one should contend that it means slaves, then it is very clear that the Jubilee was a year of deliverance to such, and therefore certainly

applied to the heathen, inasmuch as among the Hebrews there were no slaves, and by law could be none. But if it was a year of freedom for heathen slaves, admitting they could be called such, then it was the complete extinction of slavery; it was such a periodical emancipation as abolished slavery utterly and entirely, and rendered its establishment in the land impossible.

Here we see the inconsistency of lexicographers and commentators between their own conclusions, when they assume that the Jubilee was a year of deliverance to *slaves*, and at the same time restrict its emancipating operation to the Hebrews. For example, under the word *הַיְרֻר*, we read in Gesenius the definition of *the year of liberty*, שָׁנַת הַיְרֻר as "*the year of deliverance to SLAVES, namely, the year of jubilee.*" This is either assuming the Hebrews to be slaves, contrary to the well-known law which made this impossible, or, of necessity, it assumes and asserts the application of the law of Jubilee to other classes, namely, of strangers and of the heathen; and interprets that law (as, beyond all question, its phraseology demands) as applying to all the inhabitants of the land. The Septuagint version of the proclamation is, ἀφῆσω ἐπὶ τῆς γῆς πᾶσι τοῖς κατοικοῦσιν αὐτήν, *deliverance to all the inhabitants*; and the Sept. version of Ezek. 46: 17 is, ἔτος τῆς ἀφέσεως, *the year of discharge or deliverance*; and the Hebrew for *the year of jubilee*, שָׁנַת הַיְיָבֵל, is translated, in the same version, by ἔτος τῆς ἀφέσεως and ἐνιαυτὸς ἀφέσεως, *the year of freeing, of discharging, of letting go.*

It is of little consequence whether the Hebrew appellation was adopted from the *instrument*, the species of trumpet, used in making the proclamation of the jubilee, or from the meaning of the root-word, from which the name of that instrument itself was derived. The Jubel-horn may have been a ram's horn, or a metallic trumpet. But the name *יְבֵל*, to designate, repeatedly, *a jubilee*, and *הַיְיָבֵל*, *the jubilee*, and *בְּיְיָבֵל*, *in jubilee*, and *שָׁנַת הַיְיָבֵל*, *the year of jubilee*, besides the expression *שָׁנַת הַיְיָבֵל הַזֶּה*, *the year of this jubilee*, would lead us more naturally to the verb *יָבַל*, *to go, to flow, to run*, as the origin of the appellation, by its peculiar meaning of *deliver-*

ance, freedom, remission, a flowing forth as a river. This is the more probable, because the appellation יוֹבֵל, *jubilee*, is not first given in connection with the blowing of the trumpet, but with the proclamation of liberty. When the forty-nine years are passed, "then shalt thou cause the trumpet of rejoicing to sound—in the day of atonement ye shall make the trumpet to sound" (Lev. 25: 9). The Hebrew, here, is not the trumpet יוֹבֵל, *of jubilee*, as might be supposed from our version, but טוֹפֵר תְּרוּמָה, *the trumpet of rejoicing* or of *shouting for joy*. After this trumpet-sounding, comes the proclamation of liberty; and then, first, we have the name *jubilee*. The Hebrew, in its connection, is full of meaning: וְקראתם דְּרוֹר בְּאָרֶץ לְכָל-יֹשְׁבֵיהָ יוֹבֵל הוּא תְּהִיָּה לָכֶם, *and proclaim liberty throughout the land unto all the inhabitants thereof: a jubilee it shall be unto you*.

The leading idea in the law is that of freedom from servitude, and the *proclaiming clause* is the proclamation of liberty; and *from that proclamation*, and not from the *enacting clauses* immediately following, in regard to restitution of property and the return to patrimonial possessions, is the name of the jubilee taken. The trumpet of rejoicing shall sound, and ye shall hallow the fiftieth year, and shall proclaim liberty to all the inhabitants of the land, AND THIS SHALL BE YOUR JUBILEE. And in the year of this jubilee, ye shall return, every man, unto his possession. And so on, with the detailed enactments of the law. It is manifest that this great year is called the jubilee, *from its ruling transaction of liberty*: that joyful announcement, in the proclamation, gives it its reigning character; it would have been worth little or nothing without that. It was the breaking of every yoke, and the letting of every man go free.

[To be concluded.]

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ARTICLE I.

THE THEOLOGY OF DR. CHALMERS.

By Rev. J. M. Manning, Medford, Mass.

THOMAS CHALMERS [D. D. LL. D.] was born on the 17th of March, 1780, at Anstruther, Scotland. While yet in his twelfth year, he joined the United College of St. Andrew's. In 1803, he was ordained as minister of the parish of Kilmany. During this ministry, he published his first volume, "On the Evidences and Authority of the Christian Revelation;" and also gained celebrity by his enthusiasm in the study of science. In 1815, he was transferred to the Tron Church in Glasgow. Here he preached the Astronomical Discourses, and started his noble enterprises in behalf of the poor. He became the incumbent of the chair of Moral Philosophy, at St. Andrews, in 1823; and of the chair of Divinity, in the University of Edinburgh, in 1828. He was a leader in the movement which resulted in the organization of the Free Church of Scotland; and was appointed "Principal of the New College" in 1846, which post he occupied till his death, which took place May 30, 1847. The last years of his life were devoted to the preparation of his "Institutes of Theology." This work contains his theological system,

## 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*, הָיָה עָנִי וְנִמְכַר לְךָ, *wax poor, and sell himself unto thee*. Beyond all question, the translation of נִמְכַר, Niph'al, of קָנָה (the word here used for *selling*), should be, *sell himself*. (1.) *Niph'al*, 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, נִמְכַר. 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 servè as a bond-servant*; but the Hebrew is simply as follows: לֹא־תַעֲבֹדוּ בְּבִרְתָּא עֶבֶד, *thou shalt not impose upon him the service of a servant*, that is, the hard work of a servant, who, not being engaged עָשָׂה כְּשִׂכָּרִי, *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 עֶבֶד, hired as a servant of all work), it is immediately added, *As a hired servant and as a sojourner he shall be with thee*, כְּשִׂכָּרִי כְּתוֹשֵׁב יְהוּדָה עִתָּה; 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 עֶבֶד, 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 לִמְכֹרֵם, 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)." <sup>1</sup> 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 (לְעֹבְדֵימִי)." 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

<sup>1</sup> 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 הִמְצִיָּהוּ קָבַר, *they shall not sell themselves the selling of a servant*, that is, an קָבַר of unlimited contract, and of all work. This phrase, קָבַר הִמְצִיָּהוּ, 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 עֶבֶד, 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 טָבִיר, *looks for his wages*, desires his wages, which are the result of his accomplishing as an hireling his day. No servant, or עֶבֶד, served without payment for his work; but the ordinary עֶבֶד 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 הַלְוִי בֵּיתָא, *the born in the house*, as in Abraham's family, and *the trained ones*, as in his household, and בְּנֵי-בֵּיתָא, *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 טָבִיר, and an apprenticed servant of all work, the עֶבֶד, 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 עֶבְדוֹתָא עֶבֶד, 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. עֶבְדִּים וְלִשְׁפָחוֹת. 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*, וְעֶבְדֶּיךָ וְאִשְׁתֶּיךָ, 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: וְעֶבְדֶּיךָ וְאִשְׁתֶּיךָ אֲשֶׁר יִהְיוּ-לְךָ מֵאֶת הַגּוֹיִם אֲשֶׁר סְבִיבֹתֶיכֶם מֵהֵם תִּקְנוּ עֶבֶד וְאִשָּׁה literally, *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 γέγωνται 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," *בְּיָדָם תִּקְנֶינָהּ*, *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," בֵּין אֲחֵיךָ וּבֵין גֵּרֶךָ, *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* (וְגֵרְךָ) that is in thy camp, from the hewer of thy wood unto the drawer of thy water, that thou shouldest 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* (וְגֵרְךָ), 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 תְּגָרִים עִמָּכֶם. The same expression is used in Lev. 25: 23: *Ye are strangers and sojourners with me*, גְּרָיִם וְחוֹשְׁבִים. Job uses a word derived from the same verb גָּר from which this noun גְּרָיִם is derived, to signify a dweller in the house: *They that dwell in my house, and my maids*, גְּרֵי בֵיתִי וְאִמָּהוֹתַי, Job 19: 15. So in Ex. 3: 22, Every woman shall borrow *of her that sojourneth in her house*, מִגֵּרָתָא 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 אֲנֹכִי עִמָּךָ הוֹשֵׁב. The same words are used (Lev. 25: 47) in the next clause of the law under consideration, *if a sojourner or stranger*, גַּר וְרוֹשֵׁב (*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*, מִשְׁפְּחֹתָם 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* (תִּקְנִי 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*, רִדְיוֹ לָכֶם; *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 אֲחֻזְתָּם, *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 בְכֶסֶף 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*, וַיַּצְרֵדוּ 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*, וַיַּחֲרֶה לָּהּ צֶבֶר לְעֹלָם. *And also unto thy maid-servant thou shalt 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*, וַיַּחֲרֶה לִי לְצֶבֶר עֹלָם, *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* (וְהִיבְרִיתָ בְּרִיתָ עִמָּוּ) ? *Wilt thou take him for a servant forever* (הֲתִקְחֶנּוּ 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*, וְהָיְתָה לָכֶם אֲחֻזָּה. The verb is Hithpael of נָחַל, *to receive, or to inherit*, and with הַ 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: לְרִשְׁתָּהּ אֲחֻזָּה, *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 בְּרָחֵם תַּעֲבֹדוּ, *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*, בְּלִי-עֲבָדָתָם אֲשֶׁר-עָבְדוּ בְרָחֵם. 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 מִשְׁפַּחַת זָר, 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, אֶרְכָּשִׁי, 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, כְּשָׂרְפָה שָׂרְפָה, 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־תִרְדֹּם בּוֹ בְּקִרְבּוֹ, 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, קָל-עֲבֹדָתָם אֲשֶׁר עָבְדוּ: בָּהֶם בְּהָרָה. 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.

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## 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 ὑπὸ τοῦ Θεοῦ βραδέως 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.