

ESSAY:
**“How Might the Old Testament’s Concern for
Justice Impact Contemporary Slavery? ”**

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Introduction

Slavery is not only a phenomenon of the past. It is estimated that 29.8 million people are forced to live in slavery around the world today. Modern slavery is present in almost every country. Wherever people are sold, traded, bought or tricked into a job, one can talk of 'slavery'.¹

Sometimes the claim is made that the Bible approves of slavery since rules governing slavery can be found in the both the Old and New Testament (OT and NT).² Throughout this paper it will become apparent that this is not as straightforward as one might think. For this a closer look will be taken at the OT's laws on slavery with a focus on justice.

One will see, while comparing modern ideas of slavery with the OT and other ancient near east (ANE) rules, that the OT view has been *and* can still be of great impact on slavery.

OT View

OT vs Contemporary view

There is no monolithic model of slavery in Scripture. The OT demonstrates different forms of relations of what might be called 'slavery'. Many forms are no longer treated as such in contemporary understandings of the period and area. For example: When an Israelite could not pay back a loan the person could sell himself as a 'slave' to the creditor until the debt was settled (Leviticus 25:39-41). Today when a bankrupt party cannot meet its obligations, the party may voluntarily assign itself into bankruptcy by a creditor. The debtor's property passes to the trustee in bankruptcy who, in turn, tries to satisfy the creditor. Clearly one would not call this 'slavery'.

The OT Israelite was not permitted to abduct a person in order to sell him. This was punishable with

1 Walk Free Foundation.

2 E.g. Jacobs, *Why*, 27-36.

death (Exodus 21:16). Furthermore, injuring or killing a slave or making the slave work on Sabbath, was punishable.³ This in stark contrast with for example 17th century slave-trade or contemporary exploitation.

Slave or Servant

The OT words 'slave' or 'servant' both come from '*ebed*', and denotes persons in subordinate positions. Addressing Moses and prophets, the Israelites called themselves their servants (Num 32:25; 1 Sam 12:19). The same broad use of the word was also common among other ancient near east (ANE) societies. For example, a soldier of the Babylonian king Nebuchadnezzar II was considered to be the king's *ebed* (2 Kings 24:10). Another example can be seen in the Athenian silver mines (5th century BC), where the management was in the hands of a 'slave'.⁴

The ANE knew two important distinctions: between debt and chattel slaves, and between native and foreign slaves. The laws mediated first and foremost to protect the debt and the native slaves—these citizens were mostly victims of debts they could not pay or severe famine. The debt or native slaves were normally under a contractual arrangement.⁵

Voluntary Institution?

Westbrook argues that Deuteronomy's (23:15-16) prohibition to return an escaped slave to the owner was meant to be a cop-out for slaves who were not treated correctly.⁶ Craigie notes, deduced from the wording of verse 16, that this law only applies to slaves who fled to Israel from foreign countries.⁷ However, verse 16 *does not* say 'the slave who fled from a foreign country'. Westbrook states that there was *no* real involuntary slavery in Israel. In other words, slavery was advantageous

3 Exodus 21:20, 26-27; 23:12, Leviticus 19:20.

4 Reynolds, 'Slavery,' 795-796.

5 Westbrook, et al., *A History*, 42.

6 Ibid, 1007.

7 Craigie, *The New*, 300-301.

to the poor, and they could leave if they were not treated well. However, one cannot presume this required to shelter those who had wronged their masters, or left their duty without reason.⁸ This rule urged the masters to treat their slaves well, with Israel's enslavement in Egypt in mind.⁹

Other ANE Societies

Comparing Israel's law with other ANE rules reveals three differences. Israel had laws *against* injury and abduction. Third there was the prohibition to return runaway slaves.

Injury

Hammurabi's code allowed disciplining the slave by cutting of an ear.¹⁰ In contrast, Mosaic law treated these sanctions as an offence and consequently demanded the release of the victimised slave (Exodus 21:26-27). Moreover, if a slave died as a result of being disciplined by the master, *the master* was to be punished (Exodus 21:20). ANE practise was to financially compensate the master (not the slave) for any injuries inflicted to the slave.¹¹ By contrast, the Mosaic law held masters legally accountable for the way they treated their own slaves and others.

Abduction

Hammurabi's code had a law against abductions but it did not include slavery.¹² In case of kidnapping a free Hittite, the Hittite law demanded that the abductor *and* his household had to become slaves of the victim's family.¹³ The Hittite punishment is harsh, but less severe than that required in the Pentateuch. For stealing a human being for capital gain, the abductor had to be put to death (Exodus 21:16, cf. Deuteronomy 24:7).

8 Jenks, *The Comprehensive*, 615.

9 E.g.: Deuteronomy 5:6; 6:12, 21; 7:8; 15:15; 16:12; 24:18-19.

10 Hammurabi, 'Code,' 282.

11 E.g. Ibid., 199,252.

12 Ibid., 14.

13 USC, 'Hittite,' 19. Cf. Block, *Israel*, 144-145.

Returning Runaways

ANE laws forbade harbouring runaway slaves, and international treaties required nations to hand them over.¹⁴ Hammurabi's code demanded the death penalty for those helping runaway slaves.¹⁵ The Hittite law only required a penalty. The slave however, was still to be returned to the master.¹⁶ Deuteronomic law does not apply to these treaties and offers a permanent asylum (Deuteronomy 23:15-16). Additionally, reading the preceding verses, 'that he see no unclean thing in thee' (verse 14), it looks like 'unclean' includes hindering fled slaves from becoming part of Israel's society.¹⁷ With this, Israel stood apart from other societies.

Abolishing or Transforming.

Compassion for justice can be seen in the comparison above. OT rules did not abolish slavery, rather they gave directions that transformed the concept of slavery. This transformation continued in the NT (e.g. Galatians 3:28)—it did not tear down the concept of slavery but rather worked subversive like yeast: slowly but surely.¹⁸ According to Dandamayev, the OT gives the first demands in world literature to treat slaves as human beings for their own good and not just for the good of their master.¹⁹

Justice and Righteousness

Neglecting the Poor

The OT has much more to say about justice. An important rule can be found in Leviticus 19:18 '...thou shalt love thy neighbour as thyself...' (cf. Leviticus 19:34). However, Israel neglected this rule. The prophet Amos charged Israel with major crimes: the sale into debt slavery of the innocent and poor; the oppression of the poor; the misuse of unfortunate women; and the extortion of

14 Tigay, *The JPS*, 215.

15 Hammurabi, 'Code,' 16.

16 USC, 'Hittite,' 22-24.

17 Thompson, *Deuteronomy*, 172-173.

18 Maggay, 'Justice,' 129-130.

19 Dandamayev, 'Slavery,' 65.

debtors. One can see the resemblance with contemporary slavery, which includes debt bondage, the sale or exploitation of children and human trafficking. Many are victims for insignificant reasons—because the rich value money over people (cf. Amos 2:6).

Restoration

Contemporary Western societies have rules to help people with debts and those who cannot manage on their own. There are also rules for schooling, healthcare and personal development. When these rules are not in place some regard this as unjust and unrighteous and long for judgement.²⁰ However, Amos did not use the term 'justice' to express judgement. In the OT, 'justice' communicates to the solution and not to the problem. Justice has to do with life, not judgement. Amos' disciplinary words have a conclusion in 9:11-15. Some suggest that these verses are added later because Amos' task was not to ensure people of a hopeful future.²¹ Yet, it is more reasonable to state that Amos understood the OT purpose of justice: restoration *not* punishment. Amos' message thus states: 'do justice and live—do injustice and face judgement.'

Productive

Only demanding judgement is not productive and therefore the OT laws also demand practical care for the poor.²² Timothy was warned with the words: 'For the love of money is the root of all evil' (1 Timothy 6:10). Looking at the OT one can see the writer's concern. Justice would mean to change systems from within. To be just is to look at the heart of the problem and to endeavour change—this starts with looking after the needy instead of spending *all* time (and money) in chasing the guilty. Only when people venture to share their riches with the poor one will see change. People who are taken care of are less vulnerable for exploitation.²³

20 E.g.: Civil Rights Movement by African Americans (mid-1950s to late 1960s).

21 E.g.: Simundson, *Abingdon*, 238-239.

22 E.g.: Deuteronomy 10:19; 14:28-29;.

23 Cf. Jones, *Understanding*, 131-133.

Impact

Mercifulness

Comparing the asylum offered to runaway slaves in Deuteronomy (23:15-16), one can see the contrast with contemporary inhospitable asylum laws which are used to reduce the number of asylum seekers.²⁴ Many asylum-seekers gave everything (often to ruthless gangs) to come to Western countries, only to hear that they have to leave again. Some disappear in the illegality, often to be abused by hustlers or dealers. Research has demonstrated the ineffectiveness of the contemporary Western asylum laws. Initially fewer people tried to come into Western countries which triggered gangs to ask lower prices for their 'smuggle' services—consequently more people are tempted to try their luck.²⁵ Micah 6:8 states that it is God's will 'to do justly, and to love mercy, and to walk humbly with thy God.' Human-trafficking can only be solved by actively following and helping newcomers—not doing so can be considered as merciless and unjust as many will disappear in illegality and are therefore excluded from state protection²⁶. The OT law said that the newcomers could live among the Israelites in one of their gates—not somewhere hidden away, but in the middle of society.

Disguised Enslavement

MacDonald argues that Free-trade, as advocated by the World Trade Organisation (WTO), makes it very hard for poor countries to compete with subsidy-supported goods from the West. This creates a situation in which people are forced to work and live under degrading situations. Forcing third world farmers to grow their crops against unsustainable prices is akin towards enslavement. The farmers are forced to work with the entire family and often have to rely on a creditor, while Western farmers can live comfortably on their subsidies.²⁷ The OT laws entail an equality between people.

To live out justice means that the West should treat third world countries as equals. Some

²⁴ Gibney, *The Ethics*, 107.

²⁵ Monheim, *Human*, 17-18.

²⁶ Ibid.

²⁷ MacDonald, *Third*, 74-76; cf. WTO, Understanding.

economists argue that equality is secured as developing countries are free to compete.²⁸ This argument only goes when countries have enough financial resources to compete. OT laws display a mutual interest for both the master and the slave. One way to establish this is to implement Fair-trade certificates on products. This way workers can sustain their families, and children are no longer forced to work alongside their parents.²⁹

Jubilee

A Hebrew slave was to be set free in the seventh year, without paying anything (Exodus 21:2, Deuteronomy 15:12). Many third-world countries are in high financial debt to Western countries. The human costs of this debt burden are immense—an estimation in 1997 states that if these countries were relieved of their annual repayments the countries could make investments 'that in Africa alone would save the lives of about 21 million children by 2000 and provide 90 million girls and woman with access to basic education.'³⁰ The OT commands Israelites to avoid poverty by lending freely to the poor and not charging them interest.³¹ Poverty and international debt are both ingredients for high percentages of slavery.³² The principle of the seventh year can be used to help these countries in their ongoing battle against poverty. A step further can be found in Leviticus 25:8-10. This passage was the philosophy behind the campaign 'Jubilee 2000'. One cannot expect that this will end slavery at once but at least it will give the countries in debt a chance to invest in more sustainable frameworks.³³

Justice

The Hebrew word '*tsēdaqah*' can be translated with the words 'justice' and 'righteousness'. Justice includes accountability, transformation, and restoration—as well as bringing perpetrators to trial.

28 E.g.: Ward, *The Free-Trade*.

29 Provided that governments develop better control mechanisms; cf. Reed, 'What,' 3-26.

30 United Nations Development Programme, *Human*, 93.

31 Deuteronomy 15:4,7-8; Exodus 22:25; Leviticus 25:36-37.

32 Bales, *Ending*, 243-246.

33 MacDonald, *Third*, 71-73.

The longing to see this justice in action helped to abolish slavery in the 17th - 19th centuries.³⁴ It is this same longing that can greatly impact contemporary slavery.³⁵

Slavery mostly comes forth out of poverty and/or bad regulations. Implementing the OT ideas will help to prevent situations in which people are forced or lured into slavery. When Jesus cited the prophet Isaiah in Luke 4:17-20, it was not just lip-service—His whole life testified of this mission. Being a follower of Christ means to take Him as an example by trying 'to deliver those who are crushed' by working deeds of justice and righteousness.

Conclusion

Comparing the OT view with the severe exploitation of 17th century *or* contemporary slavery is invalid. A slave in the OT was to be treated fair and just. Israel is constantly reminded of her own history of slavery and therefore urged to treat slaves justly. Furthermore, evidence points out that slavery in Israel, in contrast to other ANE laws, was based on a voluntary institution—beneficial for both the masters and slaves.

Equality, mercy and justice are terms that apply both to slaves *and* masters. These terms do not only apply to Israelites, but also to foreign slaves which is unique and demonstrates a transforming attitude. Unlike other ANE laws, the Mosaic slavery laws worked subversive and ultimately transformed the whole concept.

Justice in the OT seeks to restore. Living justly means to look for solutions and to seek restoration of that what is damaged. The golden rule to love our neighbours as ourselves is important in this. Knowing this by heart can greatly impact contemporary slavery issues.

34 Cochran and Willard, 'The Kingdom,' 164-165.

35 Ibid.

This impact starts with individuals who are willing to pay more for their groceries by buying goods with quality-marks. Furthermore, subsidising in order to out-compete farmers from other countries contributes to even more inequality and contributes to a system where people are forced to work under disgraceful situations. People should stand up against unjust government policies concerning e.g. foreigners seeking asylum. Justice also means that the West must stop asking third world countries to pay high interests over their debts—even better, the West could embrace the philosophy of jubilee.

Amos' message was clear: none can justly prosper at the expense of others, or even in the light of the poverty and need of others.

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