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THE JUBILEE YEAR AND ABOLITIONISM

by Gary North

More startling than any degree of influence, however, is what Reconstructionists actually propose for society: the abolition of democracy and the reinstitution of slavery, for starters.¹

The sort of half-baked journalism represented by Rodney Clapp is of no consequence in the long run,² but Mr. Clapp raises a potentially disturbing point. If there was a system of permanent slavery in Old Testament Israel — and clearly there was (Lev. 25:44-46) — then on what basis can the Christian today maintain that the abolitionists were morally correct in their vision, though not always with their tactics? Are we wiser than God was in the Old Testament? If the Reconstructionists' hermeneutic (principle of interpretation) is correct — that Old Testament laws are still in force unless abrogated in the New Testament — then how can we escape the accusation of being defenders of slavery? And if we cannot find such an "escape hatch," then how can anyone take seriously the hermeneutic of the Reconstructionists?

The answer is found in the proper understanding of the jubilee land tenure laws (Lev. 25), in the middle of which the Old Testament's permanent slave laws are found. We must also understand that these slave laws related only to heathen slaves. Hebrews were temporary bondservants, and it was illegal to enslave any Hebrew, except for criminals making restitution to their victims, for more than seven years (Deut. 15).

The jubilee laws were an aspect of Israel's military spoils system, as we shall see. These laws were given by God before the invasion of Canaan to govern the post-conquest land distribution. Thus, any discussion of permanent heathen slavery must begin with a discussion of the command of God to Moses to annihilate all the residents of Canaan: "... thou shalt smite them, and utterly destroy them; thou shalt make no covenant with them, nor shew mercy to them" (Deut. 7:2). The Hebrews repeatedly violated God's requirement that they annihilate the Canaanites. Instead, the tribes made local Canaanites pay tribute to them, which was only legitimate in distant foreign wars (Deut. 20:11). The Canaanites of Ephraim's land paid tribute to them, but were not driven out (Josh. 16:10). The same was true of Manassah (Josh. 17:12-13; Jud. 1:28) and Zebulun (Jud. 1:30). The Hebrew tribes preferred to receive tribute rather than continue the war. The result, as God had predicted, was repeated apostasy. The Hebrews began to follow the gods of Canaan. For this sin, God repeatedly placed them in slavery to foreigners, whose soci-

eties were based on worshipping the demonic "first cousins" to the gods of Canaan.

Once the land was cleared of Canaanites, Israel was then supposed to use indentured servitude only to subdue evil "within the camp" — repayment for debt and criminal restitution — and, in the case of foreign slaves, to remove them from bondage to foreign gods and to place them under lifetime slavery **as a means of evangelism**. Foreign heathen adults and the children of resident aliens were to be **redeemed** — bought out of bondage to demons and placed under the authority of godly households (Lev. 25:44-46).

Permanent Slavery

The jubilee slave law unquestionably taught that it was legal for the Hebrews to import slaves from foreign lands. These outsiders were moral slaves because they were in subordination to foreign gods. They had been judged externally by God, having been sold to Hebrew families by their military conquerors or else by their nation's own slave merchants. Resident aliens in Israel could legally sell themselves and their descendants into slavery. The jubilee legislation was emphatic:

Both thy bondmen, and thy bondmaids, which thou shalt have, shall be of the heathen that are round about you; of them shall ye buy bondmen and bondmaids. 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 for ever: but over your brethren the children of Israel, ye shall not rule over one another with rigour (Lev. 25:44-46).

Because pagan slaves could be purchased for a lifetime of service, and because their children would become the property of the owner's heirs, they would have commanded higher purchase prices than Hebrew indentured servants. The present price of any asset is its expected net return over its expected term of service, discounted by the prevailing market rate of interest. The longer its expected net return, the higher the price. The pagan slave could legally produce a lifetime of service; his market price would have reflected this fact. Add to this the future value of his heirs' productivity, and we can safely conclude that pagan slaves would have commanded a higher market price than Hebrew indentured servants. An indentured servant could legally produce a stream of income for a much shorter period unless he voluntarily sold himself into permanent servitude, something that the buyer could not have predicted at the time of purchase. There was no long-term

1. Rodney Clapp, "Democracy as Heresy," *Christianity Today* (Feb. 20, 1987), p. 17.

2. Gary North, "Honest Reporting as Heresy: My Response to *Christianity Today*" (Ice, 1987).

market for non-criminal Hebrew servants. (Hebrew criminals could be purchased for prices sufficiently high to pay their victims; thus, they could be placed into lifetime slavery, just as if they were pagan aliens. Still, there were greater risks associated with bringing a convicted criminal into a household. This would have depressed their prices somewhat.)

The Jubilee vs. Permanent Slavery

The jubilee land tenure law, **when enforced**, made it impossible for any family to amass permanent large land holdings. A family could lease a neighboring piece of property for up to half a century, but then it reverted to the original family. Large families are a sign of God's covenantal blessing (Ps. 127:3-5). The larger that Israel's families grew in response to the nation's covenantal faithfulness to God, the smaller each family's inherited land holding would become. This made it economically impossible for any branch of a family to amass a large gang of heathen slaves during periods of God's covenantal blessings, for it was illegal to amass permanently the large tracts of land that were necessary for the support of slaves.³ Thus, at the beginning of each jubilee year, when all land holdings reverted to the heirs of the original land-owners, most heathen slaves would have been released by their owners, whether or not the law allowed them to retain ownership of them indefinitely. Those heathen who remained in slavery would have been parceled out among inheriting Hebrew children when the heirs returned to their share of the family's traditional lands, thereby reducing the possibility of slave gang labor.

This economic link between the size of land holdings and the economic feasibility of gang slavery is the simplest explanation for God's inclusion of the slave laws in the section of Leviticus that deals with the jubilee land tenure laws. One obvious reason why the Bible offers no example of the nation's honoring of the jubilee land distribution laws prior to the Babylonian captivity is that politically influential owners of large slave gangs no doubt recognized that the economic value of their slave holdings would be reduced drastically if they had to return their land to the original families. Thus, any significant increase of inter-generational servitude by heathens would have testified to a refusal by the judges to enforce the original land distribution agreement that had been made prior to the conquest of Canaan. Slavery very clearly was not supposed to become a major institution in Israel.

Neither the Roman Republic nor the Roman Empire, as pagan societies already in bondage, fell under the terms of the jubilee land tenure law. That law applied to Israel because of the specific terms of the **military spoils system** of land distribution that families had agreed to prior to Israel's invasion of Canaan (Num. 36). Rome developed the latifundia, the huge family land holdings that could support the slave gang system, although the system may not have done so, if land holdings were divided into smaller units within the latifundia. Scholars still debate the issue. In any case, a legal order that permits the long-term amassing of inheritable land, and does so through such restrictions on inheritance as **primogeniture** (eldest son inherits) and **entail** (prohibition against the permanent sale of a family's land), makes economically possible the creation of huge plantations. Such permanent, inheritable land holdings, if accompanied by a legal order that permits lifetime slavery, can lead to the creation of slave gangs whenever market conditions make gang labor profitable. On the other hand, whenever the legal principle of "all sons inherit" or "all children inherit," it becomes nearly impossible to cre-

ate an agricultural economy that is based on the widespread private ownership of large gangs of slaves. Such was to have been the case in ancient Israel, for the eldest son was limited to an inheritance of only a double portion of his father's assets (Deut. 21:17).

Ten Generations to Freedom

Biblical servitude was always intended to lead men to ethical reformation and spiritual freedom. What about heathen slaves? Weren't they slaves "forever"? Leviticus 25:46 says, "they shall be your bondmen forever." Then in what way was heathen slavery a means of redemption in Israel?

We know that in one crucial case, the word "forever" meant ten generations. Deuteronomy 23:3 specifies that it was to take ten generations for sojourners from Ammon and Moab, the "bastard" nations that were the sons of Lot's incestuous relationships with his daughters (Gen. 19:30-38), to enter the congregation, thereby becoming full citizens in Israel. But Nehemiah 13:1 reads: "On that day they read in the book of Moses in the audience of the people; and therein was found written, that the Ammonite and the Moabite should not come into the congregation of the LORD for ever." The Hebrews understood "forever" to mean ten consecutive generations of covenant membership (circumcision).

Why ten generations? This was the judicial curse imposed on bastards. There was also a ten-generation prohibition against a bastard's heirs' entering into the congregation of the Lord (Deut. 23:2). Judah and Tamar produced a bastard son, Pherez. David was symbolically the tenth-generation son of this illicit union (Ruth 4:18-20). He then became the mightiest king in Israel's history. He "entered the congregation" as the supreme civil judge. As Rushdoony writes, "There is no reason to doubt that eunuchs, bastards, Ammonites, and Moabites regularly became believers and were faithful worshippers of God. *Congregation* has reference to the whole nation in its governmental function as God's covenant people."⁴ Those who were the circumcised heirs of bastards had to wait patiently until their own heirs could regain legal access to the civil office of judge. Rushdoony continues: "The purpose of the commandment is here the protection of authority. Authority among God's people is *holy*; it does require a separateness. It does not belong to every man simply on the ground of his humanity."⁵ What about heathen slaves? Would they ever regain freedom? Yes: if they maintained faith in God in the household for ten generations, they became full congregation members. At that point, they came under the laws that regulated Hebrew bondservants. At age 20, a Hebrew male became a legal adult, subject to military numbering (Ex. 20:14). It would have been illegal to keep such an adult, tenth-generation heathen slave in slavery after he reached age 20, if all of the preceding generations had remained faithful to the covenant. Thus, it took ten generations of faithful service to God and the household to escape slavery. But escape was legally possible for one's distant heirs. Better to serve as a slave in a Hebrew household than to be at ease in paganism outside the land. Pagans, then as now, went to hell if they were outside the household of faith. They then become eternal slaves under God, the Eternal Slave-Master. Thus, enslavement in ancient Israel was a means of potential liberation for the heathen.

Jesus and the Jubilee Year

The fulfillment of the jubilee year by Jesus at the outset of His ministry (Luke 4:17-21) made plain the liberating aspects of the rule of Christ in history.⁶ He announced His

3. Patrick Fairbairn, *The Revelation of Law in Scripture* (Grand Rapids, Michigan: Zondervan, [1868] 1957), p. 118.

4. R. J. Rushdoony, *The Institutes of Biblical Law* (Nutley, New Jersey: Craig Press, 1973), p. 85.

5. *Idem*.

ministry with the reading of Isaiah 61, "to preach delivery of the captives" (Luke 4:18). His intention was clearly the spiritual liberation of His people, and this leads to progressive maturity in the faith, which in turn is supposed to lead to liberation out of chattel slavery, **if offered by the owner** (I Cor. 7:21b). We have our "ears pierced" (Deut. 15:17) spiritually by Christ; we become permanent adopted sons of His household. Yet even in the case of Leviticus 25, God's goal was always liberation. These pagans were being purchased out of their covenantal slavery to demonic religion. They were being **redeemed** (bought back). They were being given an opportunity to hear the gospel and see it in operation in households covenanted to God. They were being given an opportunity to renounce paganism and thereby escape eternal slavery in hell.

Obviously, if the legal provision that allowed Hebrew families to retain the lifetime services of heathen slaves, as well as to transfer ownership of the heathens' children to the Hebrews' children, is severed from the jubilee land tenure law, then the economic possibility of establishing slave gangs becomes a reality. The legal restriction against the permanent amassing of land disappears. Thus, to argue that the lifetime slave-holding provisions of Leviticus 25 were not an integral part of the jubilee land tenure system is to argue that the history of chattel slavery in the West was in principle sanctioned by the Bible. I am arguing the opposite: **the lifetime slave-holding provisions of Leviticus 25 were an integral aspect of Israel's jubilee land tenure laws, and therefore when God annulled the latter, He also annulled the former.** By transferring legal title to His kingdom to the gentile world (Matt. 21:42), and by visibly annulling Israel's legal title to the land of Palestine at the time of the fall of Jerusalem in A.D. 70,⁷ God thereby also annulled the Hebrew land tenure laws. What had been a God-approved spoils system for a unique historical situation — the military conquest of Canaan by Israel — became a dead letter of biblical law after the fall of Jerusalem.

Constantine ruled in 315 that slaves who had been condemned to work in the mines or as gladiators were to be branded on the hands or legs, not on the face.⁸ This act of comparative charity led the owners, who had formerly branded their slaves, to have metal collars put around their slaves' necks. Clearly, Constantine was no abolitionist. Later legislation under Christian rulers in Rome and Byzantium was not noted for any tendency toward abolitionism.

Because the Christian West did not honor God's abolition of permanent slavery through Christ's fulfillment of the jubilee year, the West later followed the example of the Roman Empire when the development of sugar plantations in the second half of the fourteenth century,⁹ the Western hemisphere's plantations from the sixteenth century onward, and especially the American South in the nineteenth, made slave gang agriculture profitable again. The church did not recognize that God does not allow His people and those under His civil covenant the legal right to amass and deed human beings to the next generation.

It was the creation of huge land grants in Virginia especially, but also in other southern colonies in the United States, from the late seventeenth century through the eighteenth, that made economically possible North American Ne-

gro slavery, with its extensive use of gang labor. The Virginia legislature repeatedly made land grants to politically favored families of many thousands of acres per family.¹⁰ In New England, the towns did not make such huge land grants. They multiplied towns rather than allowing individual families to amass huge tracts of land.¹¹ Without large plantations, slave gang labor was not economically possible.

The Blindness of the Church

We need to find an answer to this question: How was it that Christianity did not pioneer the abolitionist movement, either in England or the United States, even though evangelical Christians later became ardent abolitionists in both nations?¹² Why did slavery flourish in the Christian West until the nineteenth century? Why was there never an organized anti-slavery movement anywhere in the world until the essentially non-trinitarian Quakers of the mid-eighteenth century finally took steps to cleanse their ranks of this evil? Christian evangelicals were the ones who successfully pushed laws through the British Parliament that abolished the slave trade (1808) and then slavery (1833), but the Quakers had pioneered the abolition movement. Why the long delay? The early Church fathers were indifferent to the existence of the slave trade. Why?

Paul's answer was that slavery is punishment for sin. It is indeed, and the Old Testament presents it as such, but how does this explain why the New Testament does not call for abolition? Isn't ours the new order of Christ? Why should Christians be placed in permanent bondage to pagans or to each other? Paul sent Onesimus back to Philemon. Why would he have done this if slavery is inherently wrong? Why condone it implicitly by not insisting that Philemon free Onesimus? Why encourage slavery by silence? John Murray, a Presbyterian theologian and ethicist, stated the ethical problem quite bluntly: "If the institution is the moral evil it is alleged to be by abolitionists, if it is essentially a violation of basic human right and liberty, if slave-holding is the monstrosity claimed, it is, to say the least, very strange that the apostles who were so directly concerned with these evils did not overly condemn the institution and require slave-holders to practice emancipation. If slavery *per se* is immorality and, because of its prevalence, was a rampant vice in the first century, we would be compelled to conclude that the high ethic of the New Testament would have issued in its proscription. But this is not what we find."¹³

Breaking With the Old Covenant

The biblical answer to Murray's question cannot be grasped without a redemptive-historical understanding of history. The definitive break with the Old Covenant was made with the death and resurrection of Christ. But then came His ascension and the coming of the Holy Spirit at Pentecost. Then came the New Testament, book by book. Finally, the fall of Jerusalem ended Israel's old order, leaving Christ's new order as the covenantal basis of redeemed society. All of this took at least 40 years. In other words, **it took time**, yet it was essentially **one event**, covenantally

6. Gary North, *Liberating Planet Earth: An Introduction to Biblical Blueprints* (Ft. Worth, Texas: Dominion Press, 1987).

7. David Chilton, *The Days of Vengeance and The Great Tribulation* (Ft. Worth, Texas: Dominion Press, 1987).

8. Theodosian Code 9:40:2; cited in M. I. Finley, *Ancient Slavery and Modern Ideology* (New York: Viking, 1980), p. 127.

9. David Brion Davis, *Slavery and Human Progress* (New York: Oxford University Press, 1984), pp. 59-66.

10. Leonard Woods Larabee, *Conservatism in Early American History* (Ithaca, New York: Cornell University Press Great Seal Books, [1948] 1962), pp. 32-36.

11. John W. Reps, *Town Planting in Frontier America* (Princeton, New Jersey: Princeton University Press, [1965] 1969), ch. 5; Sumner Chilton Powell, *Puritan Village: The Formation of a New England Town* (Garden City, New York: Doubleday Anchor, [1963] 1965), chaps. 2, 8, 9; Kenneth A. Lockridge, *A New England Town: The First Hundred Years* (New York: Norton, 1970), pp. 10-13, 70-72.

12. Bertram Wyatt-Brown, *Lewis Tappan and the Evangelical War Against Slavery* (Cleveland, Ohio: Case Western Reserve University, 1969).

13. John Murray, *Principles of Conduct* (Grand Rapids, Michigan: Eerdmans, 1957), p. 94.

speaking: the coming of Christ's New World Order.¹⁴

The legitimacy of lifetime heathen slavery and inherited slaves ended with Israel's final jubilee year in A.D. 70. In principle, that jubilee event came with Christ's announcement of the meaning of His ministry (Luke 4:16-21). But the development of this jubilee principle of release progressed for one generation until God destroyed Jerusalem, in order to destroy the liturgical and political foundations of the Jewish religious leaders who had refused to let their spiritual slaves go free. The leaders had rejected Christ's message of final jubilee release, and so had most of their spiritually enslaved followers; in response, God destroyed their civilization.

Jesus Christ was an abolitionist, for He was the incarnation of the jubilee year principle, but He did not propose an overnight program of manumission or abolition to His people in the first century, or for seventeen centuries thereafter. That task had to wait until the advent of the modern world — specifically, until the Industrial Revolution made possible new sources of economic productivity that dwarfed anything that the old slave and serf systems could produce. This does not mean, however, that the Industrial Revolution as such led inevitably to the abolition of slavery. Historical causation is more complex than this. The issues and pressures behind abolitionism were far more complex than mere economic determinism or "mere" anything else. Nevertheless, it was in non-slave cultures that the new industrialism flourished. For the first time in history, exponential growth became a fixture in society, and a new era dawned. Men were ripe for radical changes as never before, especially changes in law and philosophy.

Positive Feedback in History

Christianity is a force for total transformation, even of the cosmos (Rom. 8:18-22). Nevertheless, it is not self-consciously revolutionary. It does not seek to overthrow civil governments by force. There is a system of positive feedback between new ideas and social change, but when the whole of a civilization refuses to consider a new idea, God is content to let the members of that civilization suffer the consequences. When a Bible-based group at last began challenging slavery in the late eighteenth century, God made possible the extension of abolition into society at large. His means of change was the advent of industrial capitalism, which opened the labor markets to price competition and widespread mobility. Slavery became an economic anachronism in the minds of the majority of those who believed in the rhetoric of the free market. A few diehards held out in the American South, but they could not resist the floodgates of history.

Does this mean that God works through history, bringing theological anomalies to light, pressuring His people through historical forces to rethink their theological presuppositions? Quite clearly, He does exactly this. There is no better proof of this than the history of slavery. Lifetime chattel slavery was wrong in principle from the start of Christ's earthly ministry (Luke 4), but it was not so great an evil that God felt compelled to reveal to the New Testament authors that they should stand against it publicly, making it a major dividing line between Christians and non-Chris-

tians. Slavery was not among the *adiaphora* — things of no importance — but it was not a major ethical issue, either. It was like representative constitutional government: implicit in the principles of biblical self-government, but not of pressing importance.

That Paul did not write his epistle to Philemon in order to condemn chattel slavery should be no more surprising to modern readers than the fact that he did not write Romans 13 in order to promote parliamentary democracy. What should also not surprise us is that privately owned chattel slaves are today a thing of the past, as are kings. There are but five kings left in the world today, said deposed Egyptian "King" Farouk: the king of England, and the kings of spades, hearts, clubs, and diamonds. That would not have been a believable possibility for most Europeans in A.D. 1900. By 1918, it was an inescapable reality. For the first time in three millennia, we no longer hear the cries of God's people: "We will have a king over us, that we may be like all the nations" (1 Sam. 8:19b20a).

God still operates in history, making clear to His people what His principles are, and enabling them to conform their lives to His word. It takes time, but eventually we learn. He does not have to spell out everything in His word in order for us to work out His principles in our lives and in our societies over time. We have the Ten Commandments and the case laws; we do not need an edition of a heavenly version of the U.S. government's daily *Federal Register*, with its 200 pages of new bureaucratic regulations.

Conclusion

No matter how much Christian commentators wriggle to get free, they cannot escape: there is one passage in the Old Testament that unquestionably condones perpetual, or nearly perpetual, chattel slavery, Leviticus 25:44-46. The Creator and Sustainer of the universe, the Trinity, the Lord God Jehovah, unquestionably sanctioned slavery, at least for fourteen hundred years. Thus, at least for fourteen hundred years, the permanent enslavement of heathens, **when regulated by God's law**, was not immoral. To have challenged its moral legitimacy and to have sought to abolish it during that period would have been an act of revolution against God. Whether or not modern Christian and Jewish commentators feel comfortable with this fact, it is nonetheless a fact.

The Old Testament unquestionably authorized certain forms of slavery, and the New Testament does not explicitly alter these Old Testament institutions. Only an implicit change can be said to have resulted in the annulment of one form (and only one form) of Old Testament slavery, the perpetual enslavement of heathens: Christ's fulfillment of the provisions of the jubilee year (Luke 4:16-21). If we deny that the jubilee land tenure laws have been abolished, as some Christian leaders, both radical and fundamentalist, have denied, then we face a major problem: explaining the New Testament basis of the abolition of permanent heathen slavery. Let us not make needless trouble for ourselves. Let us admit that Israel's jubilee laws were annulled through their fulfillment by Christ. I argued this way half a decade ago, and I have not changed my mind.¹⁵

14. On Christ's New World Order, see Gary North, *Healer of the Nations: Biblical Blueprints for International Relations* (Ft. Worth, Texas: Dominion Press, 1987).

15. Gary North, "The Fulfillment of the Jubilee Year," *Biblical Economics Today* (April/May 1983).

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