

THE BOOK OF YIRMIYAHU
Shiur #22: THE PROPHECY CONCERNING THE FREEING OF SLAVES
(CHAPTER 34)
Rav David Sabato

INTRODUCTION: THE HISTORICAL CONTEXT OF THE PROPHECY

Chapter 34 opens a new unit in the book of *Yirmiyahu*. Following the unit of Yirmiyahu's prophecies of consolation, we move on to prophecies of calamities and stories of events that take place on the eve of the destruction of Jerusalem. Chapter 34 opens with a short prophecy concerning the destruction of Jerusalem and the exiling of Tzidkiyahu (1-7). The prophecy opens with a detailed note of the time: "The word which came to Yirmiyahu from the Lord, when Nevuchadnetzar king of Bavel, and all his army, and all the kingdoms of the earth of his dominion, and all the people, fought against Jerusalem, and against all its cities, saying...." This opening and the prophecy that follows it are remarkably similar to the prophecy at the beginning of chapter 32: "The word that came to Yirmiyahu from the Lord... At that time, the king of Bavel's army was besieging Jerusalem." The difference is that in chapter 32, which stands at the center of the unit of prophecies of consolation, the prophecy of calamity and the wretched situation of Jerusalem reflected in it serve as a contrasting background to the redemption of Chanamel's field and the future consolation. Our chapter, on the other hand, focuses on the destruction and exile that are coming closer and closer.¹

Verse 8 opens a new prophecy dealing with the covenant that was made in Jerusalem concerning the freeing of slaves. But there seems to be a connection between the two prophecies, as is evident from the end of the second prophecy, which parallels the first prophecy both linguistically and substantively:

¹ The prophecy ends in verse 7: "When the army of the king of Bavel fought against Jerusalem, and against all the cities of Yehuda that were left against Lakhish, and against Azeka; for these fortified cities remained of the cities of Yehuda." Lakhish and Azeka were two important fortified cities at that time. Lakhish was located southeast of Beit Guvrin, while Azeka was located about fifteen kilometers north of Lakhish. In the archaeological excavations conducted at Tel Lakhish, clay ostraca were found that shed light on the last days of the kingdom of Yehuda, and comprise the most important collection of Hebrew documents from Biblical times. One of the ostraca preserves a letter from a person named Hoshayahu to Yaush, apparently the commander of the fortification in the days of Tzidkiyahu, in which it says: "My Lord, because we cannot see Azeka." According to Yigal Yadin, this is a dramatic relic that reports the fall of Azeka into the hand of Nevuchadnetzar's army, because its fire signals were extinguished. (Another interpretation was recently proposed by Benny Begin in his book on the Lachish ostraca, "*Ki Lo Nir'e et Azeka*".)

First prophecy	Second prophecy
(2) Thus says the Lord, the God of Israel: Go and speak to Tzidkiyahu king of Yehuda , and tell him: Thus says the Lord: Behold, I will give this city into the hand of the king of Bavel, and he shall burn it with fire; (3) and you shall not escape out of his hand, but shall surely be taken...	And Tzidkiyahu king of Yehuda and his princes will I give in the hand of their enemies , and into the hand of them that seek their life, and into the hand of the king of Bavel's army, who are gone up from you. Behold , I will command, says the Lord, and cause them to return to this city ; and they shall fight against it, and burn it with fire.

It turns out that the prophecy at the beginning of the chapter, which describes the difficult situation of Jerusalem on the eve of its destruction, prepares the ground and clarifies the background to the events connected to the prophecy of the freeing of the slaves later in the chapter.

THE FREEING OF THE SLAVES AND ITS REALISTIC-POLITICAL BACKGROUND

Verses 7-11 provide the background to the prophecy:

(8) This is the word that came to Yirmiyahu from the Lord, after the king Tzidkiyahu had made a covenant with all the people which were at Jerusalem, to proclaim liberty to them. (9) That every man should let his Hebrew manservant, and every man his maidservant, go free; that none should enslave any of them, namely a man of Yehuda, being his brother. (10) Now when all the princes and all the people who had entered into the covenant heard that everyone should let his manservant and everyone his maidservant go free, that none should enslave them anymore, that they obeyed and let them go. (11) But afterwards they relapsed 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.

These verses indicate that we are dealing here with a decision to fulfill the Torah's *mitzva* concerning the release of slaves, and from this perspective Tzidkiyahu's covenant is similar to the covenant made by Yoshiyahu about fulfilling the Torah's *mitzvot*. But it immediately becomes clear that this covenant did not last; after a short while, the people of Jerusalem re-enslaved their former manservants and maidservants. From this perspective as well, there is a striking parallel to Yoshiyahu's covenant, which was broken by the people, as is stated in Yirmiyahu's prophecy in chapter 11. As with respect to that prophecy, here too the breach of the covenant serves as the background to Yirmiyahu's harsh prophecy of rebuke.²

² The passages are similar even in their structure: They open with a breach of the covenant that was made "in the day that I brought them forth out of the land of Egypt," by the fathers, they continue with the making of a new covenant by the members of Yirmeyahu's generation, and they close with a breach of that covenant

Two questions arise from this account. First, why did Tzidkiyahu make a covenant specifically about the freeing of slaves? What is special about this *mitzva*? This question is sharpened by the fact that the prophecy in chapter 11 speaks of a general covenant. And second, what brought the people to their relapse and their re-subjugation of their slaves?

The key to understanding the prophecy seems to be found near its end: "And Tzidkiyahu king of Yehuda and his princes will I give into the hand of their enemies, and into the hand of them that seek their life, and into the hand of the king of Bavel's army, **who are gone up from you**. Behold, I will command, says the Lord, **and cause them to return to this city**; and they shall fight against it and burn it with fire." These verses mention the first Babylonian siege on Jerusalem, which was suddenly halted.³ Tzidkiyahu, who supported Egypt, was initially assisted by Pharaoh's army, which went up against its Babylonian counterpart, in the wake of which the Babylonians decided to retreat. This retreat, however, was only temporary; after a short break, the Babylonians once again laid siege to Jerusalem until they captured it.⁴ It seems then that the siege was the real motive for Tzidkiyahu's covenant, for during a time of siege, slave ownership can be a great burden on their masters, who must support both their own families and their slaves. During a siege, many slaves became useless, as they generally engaged in field work outside the city. On the other hand, liberating the slaves and turning them into free men contributed to the resilience of a city under siege. While slaves are indifferent to the city's fate, since they are already deprived of their liberty, freed slaves are likely to fight alongside the people of the city and help fortify it in order to maintain their freedom.

The story thus can be reconstructed as follows: During the time of the Babylonian siege, the king and princes of Jerusalem decided to free all the slaves in a sweeping manner in order to alleviate the situation of the city under siege. The masses, who were in distress, supported this decision. But as soon as the Babylonian army left Jerusalem and the siege was lifted, the motive for liberating the slaves was cancelled, and the people therefore restored the slaves to their previous status.

and with the punishment that will come in its wake. As noted by Y. Hoffman in his commentary to the book of *Yirmeyahu*, there are two striking differences between the two passages. In chapter 11, the punishment is general (11:11): "Evil, which they will not be able to escape," whereas here the punishment of Yehuda is explicit and unambiguous: destruction and burning (34:20-22). The second difference lies in the nature of the covenant. In chapter 11, the description of the covenant and its historical context are unclear, whereas here there is greater specification regarding its timing, its nature, and its content – the release of the slaves.

³ The temporary termination of the siege due to the ascent of the Egyptians is described again later in the book (37:5-11).

⁴ An allusion to this event seems to be found also in *Yechezkel* 30:20-21: "And it came to pass in the eleventh year..." It would appear that the prophet is relating here to Pharaoh's rout at the hand of Bavel, in the wake of which the Babylonians returned to Jerusalem.

Apart from the political aspect, underlying the covenant of the release of the slaves there is also a religious-spiritual outlook. This follows from its definition as a covenant and from the way that it was executed – passing through cut animals in the Temple: "And you had made a covenant before Me in the house which is called by My name." It seems that from the people's perspective, they made a kind of deal with God that by virtue of their releasing their slaves, they themselves would be released from the yoke of the Babylonians who wished to subjugate them.

THE DIFFERENCE BETWEEN YIRMIYAHU'S PROPHECY AND THE SECTIONS DEALING WITH SLAVES IN THE TORAH

While this account clarifies the context of the covenant concerning the release of the slaves, it does not explain the severity of the prophecy of calamity. As stated, as opposed to the breach of the covenant in chapter 11, here only one *mitzva* is violated. Why were the people punished so severely for the violation of a single commandment?

To understand the deeper meaning of this prophecy, let us examine the relationship between it and the sections dealing with a Hebrew slave found in the Torah.⁵ The *mitzva* to release slaves is found in three different places in the Torah: in *Shemot* 21, *Vayikra* 25, and *Devarim* 15. The passage in *Shemot* 21 deals with the release of a Hebrew manservant and a Hebrew maidservant during the seventh year: "If you buy a Hebrew servant, six years he shall serve you; and in the seventh he shall go out free" (2). The passage in *Devarim* 15 parallels the passage in *Shemot*, but differs from it regarding several important details. It adds the *mitzva* of outfitting the liberated slave and notes the reason for the statute – to serve as a remembrance of the exodus from Egypt:

And if your brother, a Hebrew man, or a Hebrew woman, be sold to you, he shall serve you six years; and in the seventh year you shall let him go free from you. And when you send him out free from you, you shall not let him go away empty; you shall furnish him liberally out of your flock, and out of your threshing floor, and out of your winepress; of that with which the Lord your God has blessed you, you shall give him. And you shall remember that you were a bondman in the land of Egypt, and the Lord your God redeemed you; therefore I command you this thing today. (12-15)

In contrast, the passage in *Vayikra* 25 hangs the release of the slaves on the Jubilee year:

And you shall hallow the fiftieth year, and proclaim liberty throughout all the land to all its inhabitants; it shall be a Jubilee for you; and you shall return every man to his possession, and you shall return every man to his family... And if your brother who dwells by you be grown poor and be

⁵ As we have seen several times over the course of the book, many allusions to halakhic passages in the Torah are embedded in Yirmeyahu's prophecies.

sold to you, you shall not compel him to serve as a bondservant; but as a hired servant, and as a sojourner, he shall be with you, and he shall serve you until the year of Jubilee; and then shall he depart from you, both he and his children with him, and shall return to his own family, and to the possession of his fathers shall he return. For they are My servants, whom I brought out of the land of Egypt; they shall not be sold as bondmen. (11, 39-42)

The question of the relationship between the three passages was addressed by the commentaries, from the days of *Chazal* to the modern era, and various solutions have been suggested.⁶ It seems that the first to deal with this problem was Yirmiyahu, who includes in his prophecy a synthesis of the three sections!

To which of the sections concerning slaves does our prophecy relate?

Verse 8 states that the king made a covenant with the people "to proclaim liberty to them." This expression is taken from the passage dealing with the Jubilee year in *Vayikra* 25:10: "And proclaim liberty throughout all the land to all its inhabitants."⁷ Verse 9 states: "That none should enslave any of them, namely, a man of Yehuda." This formulation parallels *Vayikra* 25:46: "But over your brethren the children of Israel you shall not rule one over another with rigor."⁸ Another connection between the passage dealing with the Jubilee year and Tzidkiyahu's covenant relates to the nature of the case. In both cases, all of the slaves are set free at the same time.⁹

⁶ As is well known, the accepted Rabbinic interpretation, cited by Rashi in his commentary to *Shemot* 21, is that the words, "And he shall serve him forever (*le-olam*)," relates to "the world (*olamo*) of the Jubilee year," and that in fact there are two circles of release. Another understanding distinguishes between a slave who sold himself into slavery and a slave who was sold into slavery for his theft. Among the various recent proposals, I wish to note the fine analysis of the different aspects of the various sections dealing with a Hebrew slave in R. Mordechai Breuer's introduction to his *Pirkei Mo'adot*.

⁷ The word "*deror*," "liberty," appears three times in the prophecy. In verse 15: "And you now turned, and did right in My sight, in proclaiming liberty every man to his neighbor"; and in verse 17: "Since you have not hearkened to Me, in proclaiming liberty, everyone to his brother, and everyone to his neighbor, behold, I proclaim a liberty for you... to the sword, and to the pestilence." These are four of the nine instances of the word "*deror*" found in the entire Bible.

⁸ Yirmeyahu replaces the term "children of Israel" (*benei Yisrael*) with "a man of Yehuda" (*Yehudi*), a designation that is reserved for the kingdom of Yehuda and emphasizes the brotherhood that should prevail among them. Interestingly, in the execution of the covenant in v. 10, no mention is made of "a man of Yehuda."

⁹ It does not say here that the freeing of the slaves took place in the Jubilee year, and it stands to reason, as stated, that the release stemmed from a royal decision that was reached owing to the historical circumstances. M. Winfeld demonstrated in his book, *Mishpat U-Tzedaka Be-Yisrael U-Ba-Amim*, that among the ancient near-eastern kings there was an accepted practice to release slaves and return ancestral land as part of a process of social reform. This generally took place at the time that the king ascended to the throne. These reforms were called "*durarum*." The primary difference between them and the Torah's law of the Jubilee year lies in their

Later in the prophecy, we find connections to the passage in *Devarim*: "That every man should let his Hebrew manservant and every man his Hebrew maidservant go free" (10). This formulation parallels *Devarim* 15:12: "And if your brother, a Hebrew man or a Hebrew woman, be sold to you, he shall serve you six years; and in the seventh year you shall let him go free from you."

The prophecy itself includes an almost precise quotation from that passage (14): "At the end of seven years,¹⁰ shall you release every man his brother being a Hebrew, who has been sold to you, and when he has served you six years, you shall let him go free from you."

There is, however, no allusion whatsoever to the passage concerning the release of a Hebrew slave in the book of *Shemot*.¹¹ The reason for this seems to be that in the books of *Vayikra* and *Devarim*, the *mitzva* of freeing slaves is based explicitly on the exodus from Egypt. In contrast, in the book of *Shemot*, there is no explicit mention of the exodus from Egypt and the *mitzva* of freeing slaves is apparently based on the *mitzva* of Shabbat. The importance of the exodus from Egypt in the *mitzva* of releasing slaves is evident also from the beginning of the prophecy, where it is stated: "In the day that I brought them forth out of the land of Egypt, out of the house of slavery" (13). In several places in the book of *Yirmiyahu*,¹² the covenant made at Sinai is presented as a covenant that was made on the day of the exodus from Egypt, but only here does it say, "out of the house of slavery." This is intended to emphasize the significance of the covenant regarding the release of slaves in connection with exodus from the house of slavery in Egypt. The exodus from bondage in Egypt should leave a deep impression on the people and their moral character, in the form of a ban on the enslavement of their fellow members. This is stated explicitly in the passage dealing with the Jubilee

dependence on the political context and motive – the ascent of a new king to his throne and his desire to give his kingdom broad legitimacy, rather than on a fixed cycle, as in the Torah. This is not the forum to expand on the profound meaning of this difference. From this perspective, the covenant made by Tzidkiyahu was similar to both types of release. On the one hand, it involved a fulfillment of a Torah *mitzva*, but the motive and timing was primarily political. It is interesting to note that in *Seder Olam Rabba*, chap. 27, the covenant is dated to the seventh year of Tzidkiyahu's kingdom, so that the release of the slaves is connected also to a seventh year.

¹⁰ The phrase "at the end of seven years" does not appear in the section dealing with slaves in *Devarim*, but appears at the beginning of the chapter in connection with the sabbatical year: "At the end of every seven years, you shall make a release" (*Devarim* 15:1). Regarding the meaning of this phrase, see Ramban, who learns from the expression in our prophecy that the word *miketz* means "when the last year arrives," and not "at the end of the seventh year."

¹¹ Although the Sages chose our prophecy as the *haftara* for *Parashat Mishpatim* due to the connection between it and the section dealing with a Hebrew slave at the beginning of the *parasha*, as already stated, the clearest connection is actually to the other sections dealing with slaves.

¹² See especially the description of Yoshiyahu's covenant in chapter 11, whose connection to the our prophecy was noted above.

year: "For they are My servants, whom I brought out of the land of Egypt; they shall not be sold as bondmen" (*Vayikra* 25:42). The liberty granted to Israel upon their leaving Egypt is the foundation for the freedom which they must grant to their slaves. In contrast, in our passage, we learn of a breach of this covenant – the people who are in danger liberate their slaves.

The Ramban explains the deeper meaning of this commandment in his commentary to the section dealing with slaves in *Parashat Mishphatim*:

The laws begin with the Hebrew slave because the release of a slave in the seventh year serves as a reminder of the exodus from Egypt, which is mentioned in the first of the Ten Commandments, as it is stated: "And you shall remember that you were a bondman in the land of Egypt and the Lord your God redeemed you; therefore I command you this thing today" (*Devarim* 15:15). It serves also as a reminder of the creation like Shabbat, because the seventh year of the slave involves rest from working for his master, like the seventh day [of the week]. There is another seventh year, namely the Jubilee year, because the seventh is the choicest of days, years, and Sabbatical years. They all relate to the same idea... Therefore, it is fitting that this commandment should be first, it being exceedingly weighty, alluding to great things in creation. **Therefore, the prophet was very severe about it, saying: "I made a covenant with your fathers... At the end of seven years, shall you release every man his manservant, and every man his maidservant (*Yirmiyahu* 34:13-14), and decreeing exile on its account (*Yirmiyahu* 34:17-22), just as the Torah decrees exile for [violation of] the sabbath of the land (*Vayikra* 26:34-35).**

THE COVENANT CONCERNING THE SLAVES AND THE COVENANT BETWEEN THE PARTS

Apart from the covenant made at Sinai the significance of which we discussed above, another covenant stands behind our prophecy – the covenant between the parts (*Bereishit* 15). Our chapter mentions the cutting of an animal into two and the passing between the sections as part of the covenant.¹³ The word *batar* ("cut into two") is found only in these two places.

The significance of this connection was noted by Martin Buber in his essay "*Leshona shel Besora*," published in his collected essays, *Darkho shel Mikra* (pp. 278-281):

The word *batar* appears again in only one other place, in *Yirmiyahu* 34:18. Among the important repetitions of words in the Bible, this is one of the most important cases. One can, of course, try to explain it as

¹³ The meaning of passing through the sections of the calf might be that if they breach the covenant their fate will be like the fate of the cow's carcass, as it says in the description of the punishment: "And their dead bodies shall be for food to the birds of the heaven and to the beasts of the earth" (20). However, the relationship between the various covenants requires further clarification.

following from the necessity in both cases to use the same technical term, but one quickly understands that this sort of explanation merely pushes the problem aside without resolving it. The practice of making a covenant by way of the two parties passing through the sections of animals is known from many popular traditions, but Scripture recognizes it only in these two stories, and it is clear that some special idea, common to the two, and to them alone, is the critical factor here. At least in the first story, only one party to the covenant passes through the sections, and in both of them only one of them accepts an obligation upon himself. The obligations themselves in the two instances, as different as they are one from the other, share a common aspect: Slaves that must be redeemed from bondage... The people of Jerusalem in their distress, when what awaits them is slavery to the Kasdim who are laying siege on the city, propose to God a mutual deal of liberty for liberty. They accepted upon themselves and even fulfilled the commandment to release their slaves, which they had apparently ignored for a long time. However, as soon as the Egyptians intervened and the enemy army was driven away from the walls of the city, they re-enslaved those whom they had just now liberated. Now the prophet heralds for them the return of the Kasdim and the destruction of the city. The messenger builds this prophecy on a grand system of plays on words...

At the beginning of God's speech, this covenant that was made and also breached by the princes of Jerusalem is joined not to the covenant made with Avraham, but rather to the covenant at Sinai... However, there is a linguistic allusion, even a double one, to the story in *Bereishit*. The expression "*karat berit*" ("made a covenant") is used in its tangible sense, which is based on no other biblical source, but on *Bereishit* 15... The verb "*avar*" ("pass") which is taken from *Bereishit* 15:7 comes here not only for its own sake, as needed for the situation, but rather it is presented by way of a weighty play on words. The princes and all the people passed between the sections of the calf... But afterwards they "transgress (*overim*) My covenant."

REPENTANCE AND RETURN – SIN AND ITS PUNISHMENT

The root "*shuv*" appears six times over the course of the prophecy, reveals the sin of the people, and alludes to the connection between the sin and its punishment. Let us examine the various instances of the word "*shiva*":

"And you now turned (*vatashuvu*), and had done right in My sight" (15). Initially, they turned away from the sins of their fathers and freed their slaves, and thus they fulfilled the covenant. However, after the Babylonians left the city, they turned away from their repentance, and once again subjugated their slaves:

"But afterwards they relapsed (*vayashuvu*), and caused the servants and the handmaids, whom they had let go free, to return (*vayashivu*)" (11).

This is described once again from a prophetic perspective: "Nevertheless, you relapsed (*vatashuvu*) **and have profaned My name**, and everyone of you has caused his servant and his handmaid to return (*vatashivu*) (16). Against the background of the communal repentance and the making of a covenant in the house of God, "And you have made a covenant before Me **in the house which is called by My name**" (15), breaching the covenant involves a profanation of God's name.

Their punishment will be that the Babylonian enemy will return to the city, and this time they will remain there until it is destroyed: "Behold, I will command, says the Lord, and cause them to return (*vahashivotim*) to this city; and they shall fight against it, and burn it with fire" (22).

This is the way Buber explains the people's punishment, measure for measure, for having breached the covenant and the historical covenants upon which it was founded – the covenant between the pieces and the covenant at Sinai:

This people which had been redeemed from serving the nations and dedicated to the service of God, betrays its freedom – which is based on freedom for all – and its service. It follows, then, that now they should return from freedom to service of the nations, to a new house of bondage. And from the law of the Jubilee year he draws the rare and precious word "*deror*" ("liberty"). People who are hungry for freedom, but not lovers of freedom, upon them God proclaims liberty to all the vicissitudes of fate.

(Translated by David Strauss)