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A Freedom That Is No Freedom: Jeremiah 34 and the Sabbatical Principle

ROLF A. JACOBSON

The second half of Jer 34 contains a “word” of judgment that Jeremiah proclaimed to the Judean King Zedekiah and all the residents of Jerusalem.¹ This message, which was delivered in the twilight hours of Jerusalem in 588 B.C.E.,² was precipitated by a shocking display of faithlessness on the parts of both the king and the people. They made a covenant to release their slaves, but then reneged on the covenant and forced the slaves back into bondage. Jeremiah’s message likewise was a resounding word of judgment. Just as the people’s covenant with their slaves had been broken, so the Lord’s covenant with Jerusalem was broken; the people would be “released” to go into exile. Although Jeremiah’s ancient message was tailored to fit the particular sins and problems of sixth-century B.C.E. Jerusalem, it still has a relevant message for today’s church. Far from being a dead word, those with ears to hear may still hear “the word that came to Jeremiah from the LORD” (Jer 34:8a).

¹The title for this essay is borrowed from a treatment of Jer 34:17-19 by Patrick D. Miller: “Those who have given a freedom that is no freedom shall be dealt with in the same way.” (“Sin and Judgment in Jeremiah 34:17-19,” *Journal of Biblical Literature* 103 [1984] 612).

²The dating here follows John Bright, *Jeremiah: Introduction, Translation, and Notes*, Anchor Bible 21 (Garden City, NY: Doubleday, 1965) 223.

The “release” of the Hebrew slaves during the time of the Babylonian siege was a cynical affair, setting the slaves “free” from being provided food and shelter by their owners in a time of scarcity. The passage raises important questions about the nature of freedom: freedom from? freedom unto? freedom for?

THE SETTING AND THE SIN

As most commentators agree, the setting for Jeremiah's message was the last days of Jerusalem. The army of King Nebuchadnezzar of Babylon had invaded Judah in 589, capturing most of Judah's outlying fortresses and drawing an ever-tightening noose around the city of Jerusalem. It was after Nebuchadnezzar had laid siege to Jerusalem that the king and citizens of Jerusalem entered into a covenant "to make a proclamation of liberty," granting freedom to their slaves:

That all should set free their Hebrew slaves, male and female, so that no one should hold another Judean in slavery. And they obeyed, all the officials and all the people who had entered into the covenant that all would set free their slaves, male or female, so that they would not be enslaved again; they obeyed and set them free. (Jer 34:9-11)

The release that was granted to the slaves bears some relationship to the pentateuchal laws commanding periodic manumission of slaves, although the relationship is not perfectly clear (see Exod 21:2-11; Deut 15:12-18).³ Perhaps the most important difference between the pentateuchal laws and the manumission that Zedekiah proclaimed is that the Pentateuch requires slaves to be released *regularly* every seven years, while Zedekiah's release seems to have been occasioned simply by royal pronouncement.⁴

This significant difference has been the subject of much discussion. In particular, commentators have debated the possible motives that the king and his citizens might have had for entering into such a covenant of release at this particular time. Three possible motives have been suggested. First, some have suggested the motive was Torah obedience—that although the text of Jeremiah does not mention it, the release was issued because it was a sabbatical year, which required slaves to be released.⁵ Second, it has been suggested the motive was repentance:

The people, as people at other times and places have been, were moved by their desperate plight to repentance. It being pointed out to them that they could hardly expect God's favor while disregarding important points of his law, they straightway took steps toward compliance, and then, to show the sincerity of their repentance, went on to release not only such slaves as were owed their freedom, but Hebrew slaves generally.⁶

³For a detailed study of the relationship between Jer 34 and the pentateuchal laws, see Simeon Chavel, "Let My People Go!": Emancipation, Revelation, and Scribal Activity in Jeremiah 34:8-14," *Journal for the Study of the Old Testament* 76 (1997) 71-95.

⁴In this respect, Zedekiah's release seems to be more similar to the Akkadian *andurarum* and *mišarum* edicts than to the pentateuchal manumission and sabbatical laws (see for example "The Edict of Ammisaduqa," trans. J. J. Finkelstein, in *Ancient Near Eastern Texts relating to the Old Testament*, ed. James B. Pritchard, 3rd ed. [Princeton: Princeton University Press, 1969] 526-528, and Hannes Olivier, "The Periodicity of the *Mešarum* Again," in *Text and Context: Old Testament and Semitic Studies for F. C. Fensham*, ed. W. Claassen [Sheffield: Sheffield, 1988]).

⁵See for example Nahum Sarna, "Zedekiah's Emancipation of Slaves and the Sabbatical Year," in *Orient and Occident: Essays Presented to Cyrus H. Gordon on the Occasion of His Sixty-fifth Birthday*, ed. Harry A. Hoffner (Neukirchen: Neukirchener, 1973).

⁶Bright, *Jeremiah*, 224.

Third, it has been suggested the motive was selfishness—that in a time of siege food and other vital provisions grow scarce, and the privileged class conveniently used the manumission laws as a way to relieve themselves of the responsibility of providing for extra mouths.

Although it is not wise to fix upon any singular motive to explain a group action, the third possibility makes the most sense to me. Several factors support this conclusion. First, the major disjunction between the pentateuchal insistence that slaves be released regularly and the seemingly unique occurrence of Zedekiah's proclamation argues against the reason being a sabbatical year. Second, the fact that the privileged class reenslaved their emancipated brothers and sisters as soon as they had the chance argues against repentance being the motive. If genuine repentance were the motive, one might have expected the manumission of the slaves to remain in effect at least until Nebuchadnezzar's army had departed the region. Third, based on what we can reconstruct about the conditions in Jerusalem during the sieges in the time of Isaiah (cf. Isa 7:1-16), there is sufficient reason to assume that food and water would have been scarce in Jerusalem during a time of siege—and it is necessary to assume such a shortage in order to conclude that selfishness was the motive for the release of the slaves. One major factor argues against concluding that selfishness was the main motive for the release. In Jer 34:15 the prophet explicitly commends the release of the slaves: "You yourselves recently repented and did what was right in my sight." But it should be noted that this commendation was given only after the slaves had been forcibly reenslaved. It is also worth pointing out that simply because Jeremiah approved of the people's action does not mean that their motives were pure. Many of us have often done the right thing for the wrong reason. While again noting that it is risky to fix too narrowly on a single motive to explain a group's action, the present exposition of Jer 34 assumes that the main motive of the people in releasing their slaves was selfishness.

Whatever the motive for the emancipation, one thing is painfully clear: as soon as the slave owners were given the chance, they forcibly reenslaved the freed men and women. What appears to have happened is that Nebuchadnezzar's siege of Jerusalem was temporarily lifted in the summer of 588. Most likely, Nebuchadnezzar received reports that an Egyptian army was drawing near, and the Babylonian king withdrew temporarily from Jerusalem to deal with this threat at his rear (see Jer 37:6-11).⁷ For a brief moment, it appeared to the citizens of Jerusalem and the king that the prophets who had so long promised "Peace! Peace!" had been correct. The citizens of Jerusalem took advantage of this false peace to "repent" (v. 11) of their covenant and to commit a gross act of violence against their newly freed countrymen and women.

⁷Ibid., 223.

THE SANCTION

Both the Lord and Jeremiah were enraged by the infidelity of the king and the privileged class. With consummate passion and artistry, the prophet pronounced the word of the Lord:

I myself made a covenant with your ancestors when I brought them out of the land of Egypt, out of the house of slavery, saying, “Every seventh year each of you must set free any Hebrews who have been sold to you and have served you six years; you must set them free from your service.” But your ancestors did not listen to me or incline their ears to me. You yourselves recently repented and did what was right in my sight by proclaiming liberty to one another, and you made a covenant before me in the house that is called by my name; but then you turned around and profaned my name when each of you took back your male and female slaves, whom you had set free according to their desire, and you brought them again into subjection to be your slaves. Therefore, thus says the LORD: You have not obeyed me by granting a release to your neighbors and friends; I am going to grant a release to you, says the LORD—a release to the sword, to pestilence, and to famine. I will make you a horror to all the kingdoms of the earth. And those who transgressed my covenant and did not keep the terms of the covenant that they made me, I will make like the calf⁸ when they cut it in two and passed between its parts [as part of the covenant-making ceremony]....I am going to command, says the LORD, and will bring [the Babylonian army] back to this city; and they will fight against it, and take it, and burn it with fire. (Jer 34:13-19, 22)

The judgment that Jeremiah pronounced upon the city of Jerusalem and its inhabitants is a poetic masterpiece of rage and symmetry. Jeremiah’s announcement of judgment proper is contained in vv. 17-22, which contains three separate announcements of punishment (vv. 17, 18-20, and 21-22, respectively). According to Jeremiah, the threefold punishment will be tailored to fit the crimes of the people.

INITIAL ACTION	INTERMEDIATE ACTION	FINAL ACTION
I myself made a covenant (ברית) with your ancestors when I brought them out of...the house of slavery (עבדים, v. 13)	You made a covenant (ברית) before me (v. 15); [but then] you took back your male (עבדו) and female slaves (v. 16)	Those who transgressed my covenant (ברית)...I will make like the calf when they cut it in two (v. 18)
Every seventh year each of you must set free any Hebrews (v. 14); You recently did what was right...by proclaiming liberty (לקרא דרור, v. 15)	You have not obeyed me by granting a release (לקרא דרור) to your neighbors and friends (v. 17)	I am going to grant a release (קרא...דרור) to you...to the sword, to pestilence, to famine (v. 17)
You yourselves recently repented (והשבו, v. 15)	But then you turned around (והשבו) and profaned my name (v. 16)	I am going...to bring [the Babylonian army] back (והשבתי) to this city (v. 22).

⁸Following many commentators, Hebrew דעגל (the calf) is amended to קעגל (like the calf).

Jeremiah has constructed his prophetic speech in such a way that the vocabulary of an initial action is matched by the vocabulary of subsequent intermediate and final actions.⁹ In each case, the initial action is either the direct gracious action of God on behalf of the people or is the result of God's graciousness. In each case, the vocabulary that had been a sign of God's graciousness is turned on its head as an indication of the way in which the people betrayed both God and their neighbors. Finally, the vocabulary is transformed into a third usage in which it signals how God will make the punishment fit the crime. Each of the above examples deserves further comment.

The covenant with slaves

Jeremiah's speech contains a satirical reference to the tragic irony of the people's infidelity. The nation of Judah owed its existence to a gracious act of God in which God redeemed an enslaved people, set the people free, and entered into a gracious covenant with that people. Thus it is particularly unfitting, according to Jeremiah, that this same people would make and then break a covenant with their own slaves. Jeremiah draws on the covenant-making ceremony itself to describe the consequences that the people have earned. As is described in Gen 15:7-21, some ancient covenant ceremonies were literally "cut"—the participants would cut an animal in two, then pass between the halves as part of the ceremony. One symbolic meaning of this "cutting" was to suggest that if someone broke the covenant, they would be made like the dead animal. This interpretation is supported by one of the ritual curses that was a part of a covenant that we know of from one of Israel's neighbors. In an eighth-century B.C.E. Aramaic treaty we read: "[Just as] this calf is cut up, thus Matti'el and his nobles shall be cut up."¹⁰ Jeremiah announces that this is exactly the wages that the people of Jerusalem have earned by their sin.

The release

This part of Jeremiah's judgment speech also contains a biting reference to the people's infidelity. As the direct quotation in v. 14 of the pentateuchal law of manumission (Deut 15:1; cf. Exod 21:2ff.) indicates, the background for this incident is God's gracious gift of the law to the people at Sinai. The phrase "to proclaim a release" comes from the sabbatical laws of Lev 25. Once again, the painful irony of the situation is quite clear. The descendants of Jacob, who were heirs to the gracious law of the Torah, have traded their inheritance for a mess of pottage. Through this foolish duplicity, the people have earned a "release" from God's care and guidance. God is handing them over to themselves.

The repentance

The third element of Jeremiah's judgment speech depends on the well-known meaning of the Hebrew word "repent" (שׁוּב). It is almost a cliché to point out that

⁹The above description of the correspondence between God's actions and the people's actions departs from and develops the work of Patrick D. Miller, "Sin and Judgment."

¹⁰"The Treaty Between PTK and Arpad," trans. Franz Rosenthal, in *Ancient Near Eastern Texts*, 660.

the word literally means to “turn.” The irony in the passage is that whereas God graciously allowed the people to repent (turn) by freeing their slaves, the people added to their woes by literally “turning away” from repentance and reenslaving their neighbors. Therefore the Lord would cause the Babylonian army, which had marched away, to “turn” again to attack the city. And this time, said Jeremiah, there would be no deliverance. The city would be destroyed.

*“to a culture that has bent the knee to the idol of ‘freedom,’
Jeremiah’s message contains an important word about the limits of
absolute freedom”*

THE MESSAGE

Even though this ancient prophetic speech is hardly even comprehensible when severed from its historical context, Jeremiah’s “word” is still worth hearing today. First, the message remains a vital reminder of the purpose of the biblical sabbatical tradition. Second, the passage speaks forcefully of the ways in which the powerful and privileged can turn even the most just laws into tools of oppression. Third, to a culture that has bent the knee to the idol of “freedom,” Jeremiah’s message contains an important word about the limits of absolute freedom.

The sabbatical tradition

One relevant word that Jer 34 contains for the church today has to do with the meaning and purpose of the Sabbath commandment and the biblical sabbatical tradition. Most Christians—perhaps especially most pastors—think of the commandment to “remember the Sabbath day” primarily as a command to attend worship and to refrain from work and/or recreation on the Sabbath. While the Old Testament does contain warrants for the view that the Sabbath is for the purpose of worship and rest from work, this predominant view obscures that the Sabbath commandment at heart has to do with *mercy* and *justice*. As the motive clause in the Deuteronomic version of the commandment makes clear, the Sabbath is concerned that even slaves and beasts of burden be granted a release from the endless cycle of work. Note the emphasis in Deut 5:12-15 on the rights of slaves and how the passage links the memory of the Israelite’s slavery with how they treat their own slaves:

Observe the sabbath day and keep it holy, as the LORD your God commanded you. Six days you shall labor and do all your work. But the seventh day is a sabbath to the LORD your God; you shall not do any work—you, your son or your daughter, *your male or female slave*, or your ox or your donkey, or any of your livestock, or the resident alien in your towns, *so that your male and female slave may rest as well as you. Remember that you were a slave in Egypt*, and the LORD your God brought you out from there with a mighty hand and an outstretched arm; therefore the LORD your God commanded you to keep the Sabbath day. (Deut 5:12-15, emphasis added)

If we take Deut 5 as our guide, the Sabbath is first of all an institution of mercy in which God's concern for slaves, manual laborers, and beasts of burden is primary. The point is that the life of labor is not to be an endless, unbroken cycle. The Sabbath is a gracious intrusion into such an unbroken cycle, with the purpose of granting a merciful reprieve to the oppressed.¹¹ As such, the Sabbath is a fundamental element in a more just and equitable social arrangement in which wage-workers and slaves are guaranteed rest and release from toil.

This sabbatical principle, which can be traced through the case law of Exodus, Deuteronomy, and Leviticus, applies this principle of *regular and gracious intrusion* that breaks into a cycle of oppression to other aspects of ancient life. Exod 21:2-6 and Deut 15:12-18 contain the laws of manumission that have already been mentioned. These laws command that slavery should not be a permanent status in Israel. Rather, in the seventh year, slaves were to be given release. It is important to note that, in the ancient world, slavery was often the result of economic bondage. People who found themselves in debt would be forced to sell their children or themselves into slavery. But the sabbatical principle commanded that such economic bondage would not be permanent. The manumission laws provide the basis for a more just social system by promising a gracious intrusion into the cycle of poverty.

The sabbatical principle as reflected in the case law of the Pentateuch goes on to extend the regularized intrusions of mercy. In Exod 23:10-11 the earth is given a rest from production after six years. The purpose of this interruption in the cycle of plowing, planting, and reaping is "so that the poor of your people may eat; and what they leave the wild animals may eat." Likewise, Deut 15 and Lev 25 extend the sabbatical intrusions to mandate the regular erasure of debts and the return of land to those who were forced to sell.

"the biblical sabbatical principle is really about God's desire to create a more equitable society and to provide mercy for the oppressed"

All of these laws suggest that the biblical sabbatical principle is really about God's desire to create a more equitable society and to provide mercy for the oppressed—the slave, the wage-based worker, the beast of burden. The principle is at heart a humanitarian policy that promises release from the endless cycles of poverty, productivity, work, and economic loss. These laws exist to "rehumanize" life for slaves after the dehumanizing effects of slavery. In this light, it is significant to note that the language in both Deuteronomy and Jer 34 describes the released slaves as "brothers/sisters," "neighbors," and "friends."¹² The sabbatical principle

¹¹In this sense, the Sabbath can be seen as an amelioration of the curse of Gen 3:17-19 that human labor will consist of "toil" and "sweat."

¹²Patrick D. Miller, "The Book of Jeremiah," in *The New Interpreter's Bible*, vol. 6, ed. L. Keck and D. Petersen (Nashville: Abingdon, 2001).

teaches us to see in the least fortunate around us a “neighbor,” a “brother,” a “sister,” and a “friend.”

The insufficiency of the law

Yet even as Jer 34 points back to a more vital and rich meaning to the sabbatical principle, it likewise points out a fundamental problem with all laws and statutes. Namely, it makes clear that every law, no matter how it is constructed, can be manipulated by those in power to oppress the powerless and sustain unjust hierarchical systems.

Perhaps this problem is most clearly signaled by the little phrase in Jer 34:16: “according to their desire.” In the broader context of a full sentence, the phrase signals that the manumission of the slaves was not to be at the whim of the owners but was to be the free decision of the slaves:

You yourselves recently repented and did what was right in my sight by proclaiming liberty to one another, and you made a covenant before me in the house that is called by my name; but then you turned around and profaned my name when each of you took back your male and female slaves, whom you had set free according to their desire, and you brought them again into subjection to be your slaves. (Jer 34:15-16)

This principle that the slave is the one who is in charge of the decision whether to go free or not also exists in the manumission law in Exod 21:2-6. The statute states that slaves are to be freed after six years.

But if the slave declares, “I love my master, my wife, and my children; I will not go out a free person,” then his master shall bring him before God. He shall be brought to the door or the doorpost; and his master shall pierce his ear with an awl; and he shall serve him for life. (Exod 21:5-6)

Both Jer 34 and Exod 21 acknowledge that some forms of freedom are no freedom at all, but are actually a more heinous form of bondage. Anyone who has been the unwilling partner in a divorce or been laid off from a job can testify to this. For that reason it is the slave—and not the owner—who is given sovereignty over the decision to go free. *If the slave chooses* to stay a slave, the master is to join the slave symbolically to his house, where he shall stay for life.

If the above interpretation of Jer 34 is correct, however, we see that one of the central principles of the manumission laws has been turned on its head. Jeremiah notes in v. 14 that the Judeans’ ancestors had not obeyed the manumission law. That means, at least in part, that slaves had been deprived of the choice of whether to go free or not. But if it is correct, as I argued above, that when food became scarce in the besieged city of Jerusalem the slave owners freed their slaves because they no longer wished to provide for them, then the owners made the decision *for the slave*. Thus the manumission law, which existed in part to protect the interests and humanity of the slaves, was used against them in order to do them even further harm. And worse, from Jeremiah’s perspective, King Zedekiah and the citizens of

Jerusalem dressed this travesty up in religious clothing, calling it a “covenant” with God.

“freedom is an intermediate good; it is part of a larger web of relationships and obligation”

A freedom that is no freedom

Jeremiah’s ancient judgment speech also speaks a word of warning to our modern culture, which has made a false god out of the concept of freedom. As a friend of mine likes to say, “If you want to stump an American, ask, ‘What is freedom for?’” I take his point to be that freedom is not itself an absolute good. Or, to use an Aristotelian category, freedom is not “an end in and of itself.” Rather freedom is an intermediate good; it is part of a larger web of relationships and obligation. Freedom exists in order to serve other good goals.

The Judeans sinned against both God and neighbor by breaking the covenant they had made to release their slaves. In doing so, they abrogated the covenant that they had made with God. The result was that they were now free: free from obligation to God and free from obligation to their neighbor. But they were also free from God’s care, God’s compassion, God’s mercy, and God’s commitment to them. In Patrick Miller’s harrowing phrase, the Judeans had forced upon their slaves “a freedom that is no freedom.”¹³ As has been argued, they had cast off their slaves when it was inconvenient to feed and provide for them. Now God was granting them a reciprocal form of freedom: freedom from the steadfast love that God had pledged to them as part of the covenant. The tight correlation between freedom and covenant—both in Jer 34 and in the discussion here—is not accidental. Freedom is not truly freedom when it severs us from our covenantal relationships with God or neighbor. For example, to be free in a romantic or sexual relationship is not to be uncommitted with one’s options permanently open. On the contrary, to be free in such a relationship is to be a fully committed partner in a marital covenant.

One way to track how we are thinking about freedom is to be alert to the implied prepositions that follow the word freedom. There is “freedom from,” “freedom unto,” and “freedom for.” Modern people are old pros at thinking about “freedom from”—freedom from oppression, authority, fear, and so on. We are less adept at thinking about “freedom unto.” To be set free can mean to be cast forth into an indifferent world. The Judeans had released their slaves “unto” the cold realities of a city under siege. Their reward was a reciprocal release unto the realities of the Babylonian exile. When modern people trumpet freedom for themselves and others, we need to be aware of the harsh realities unto which we are allowing our neighbors to be freed. Jer 34 begs us to ask whether our covenantal responsibilities

¹³Miller, “Sin and Judgment,” 612.

to our neighbors have been met if we simply allow them this sort of indifferent freedom. Modern people are even less likely to think about “freedom for.” As St. Paul writes in Galatians, “For freedom Christ has set you free” (5:1a). But later St. Paul adds, “only do not use your freedom as an opportunity for self-indulgence, but through love become slaves to one another” (5:13). I take Paul’s point to be that Christian freedom is never merely freedom from, it is always freedom for: freedom for the neighbor.

One of the implications of Jer 34 is the paradoxical truth that freedom is only liberating when it also binds a person to his or her neighbor. Genuine freedom does not consist of the absence of responsibility. Rather, genuine freedom exists only within the context of mutual responsibility to the neighbor. To borrow the language of Martin Luther, we are only the “perfectly free lord of all” when we are simultaneously the “perfectly dutiful servant of all.”¹⁴ It is for such a freedom as this that the Son of God died. And if the Son makes you free, you are free indeed. ⊕

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¹⁴Martin Luther, “The Freedom of a Christian,” in *Luther’s Works*, 55 vols., ed. Jaroslav Pelikan and Helmut Lehmann (Philadelphia and St. Louis: Fortress and Concordia, 1955-1986) 31:344.