

The Torah Case for Reparations: Making Political Sense of the Spoils of Egypt

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For further study, see my article, "The Torah Case for Reparations":

<https://medium.com/@aryehbernstein/the-torah-case-for-reparations-bbe41e7763c0>

The Israelites' exodus from Egypt is narrated to include taking spoils from the Egyptians. What can we learn from this about slavery, systemic oppression, and poverty and about their repair?

I. The Core Texts

God to Avram at the "Covenant between the Pieces": Bereishit/Genesis 15

(The first mention of future slavery in Egypt; Avram has admitted anxiety about his legacy)

<p>13 And [God] said to Avram: "Know for sure that your seed shall be an alien in a land not their own, and shall serve them; and they shall abuse them -- four hundred years; 14 and also that nation, whom they shall serve, will I judge; and afterward shall they come out with significant property. 15 But you shall go to your ancestors in peace; you shall be buried in a good old age. 16 And in the fourth generation they shall come back here; for the iniquity of the Amorite is not yet complete."</p>	<p>(יג) וַיֹּאמֶר לְאַבְרָם יְדַע תְּדַע כִּי גֵר יִהְיֶה זְרַעְךָ בְּאֶרֶץ לֹא לָהֶם וְעַבְדוּם וְעָנּוּ אֹתָם אַרְבַּע מֵאוֹת שָׁנָה: (יד) וְגַם אֶת הַגּוֹי אֲשֶׁר יַעֲבֹדוּ דָן אֲנִי וְאַחֲרָי כֵּן יֵצְאוּ בְּרִכְשׁ גָּדוֹל: (טו) וְאַתָּה תָּבוֹא אֶל אֲבוֹתֶיךָ בְּשָׁלוֹם וְתִקְבֹּר בְּשִׁיבָה טוֹבָה: (טז) וְדוֹר רְבִיעִי יֵשׁוּבוּ הִנֵּה כִּי לֹא שָׁלֵם עוֹן הָאֱמֹרִי עַד הַנְּהַ:</p>
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God to Moshe at the Burning Bush: Sh'mot/Exodus 3

(God responds to Moshe's reluctance to accept his assignment to go back to liberate his people.)

<p>19 And I know that the king of Egypt will not let you go, except by a mighty hand. 20 And I will send My hand, and smite Egypt with all My wonders which I will do in its midst, and after that he will let you go. 21 And I will give this people favor in the sight of the Egyptians, so that when you go, you will not go empty; 22 but every woman shall ask of her neighbor, and of the one lodging in her house silver items and gold items, and clothing; and you shall put them upon your sons, and upon your daughters; and you shall clean out the Egyptians.</p>	<p>(יט) וְאֲנִי יָדַעְתִּי כִּי לֹא יִתֵּן אֶתְכֶם מֶלֶךְ מִצְרַיִם לְהֵלֶךְ וְלֹא בְיַד חֲזָקָה: (כ) וְשָׁלַחְתִּי אֶת יָדִי וְהִפִּיתִי אֶת מִצְרַיִם בְּכָל נִפְלְאוֹתַי אֲשֶׁר אַעֲשֶׂה בְּקִרְבּוֹ וְאַחֲרָי כֵּן יִשְׁלַח אֶתְכֶם: (כא) וְנָתַתִּי אֶת חֵן הָעַם הַזֶּה בְּעֵינֵי מִצְרַיִם וְהָיָה כִּי תֵלְכוּן לֹא תֵלְכוּ רֵיקָם: (כב) וְשָׁאַלְהוּ אִשָּׁה מִשְׁכַּנְתָּהּ וּמִגֵּרַת בֵּיתָהּ כָּלִי כֶסֶף וְכָלִי זָהָב וְשִׁמְלֹת וְשִׁמְתֶם עַל בְּנֵיכֶם וְעַל בְּנוֹתֵיכֶם וְנִצַּלְתֶם אֶת מִצְרַיִם:</p>
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Just before the Slaying of the Egyptian First-Born: Sh'mot/Exodus 11

(God has thrown Egypt into crisis via nine plagues; Pharaoh has still refused to let Israel go.)

<p>1 And YHWH said to Moshe: "One more plague will I bring upon Pharaoh and upon Egypt; afterwards he will send you out of here; when he sends you out, he will completely expel you from here. 2 Speak, please, in the ears of the people, that they ask, each man of his neighbor, and each</p>	<p>(א) וַיֹּאמֶר יְקֹוֹק אֶל מֹשֶׁה עוֹד נֹגַע אֶחָד אָבִיא עַל פְּרַעֲוֹה וְעַל מִצְרַיִם אַחֲרָי כֵּן יִשְׁלַח אֶתְכֶם מִזֶּה כְּשִׁלַּחְתִּי כָּלָה גֵרֶשׁ יִגְרֶשׁ אֶתְכֶם מִזֶּה: (ב) דַּבֵּר נָא בְּאָזְנֵי הָעַם וּשְׁאֲלוּ אִישׁ</p>
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woman of her neighbor, silver items and gold items.” **3** And YHWH gave the people favor in the sight of the Egyptians; moreover the man Moshe was very great in the land of Egypt, in the sight of Pharaoh's servants, and in the sight of the people.

מֵאֵת רֵעֵהוּ וְאִשָּׁה מֵאֵת רֵעוּתָהּ כָּלִי
כֶּסֶף וְכֶלִי זָהָב: (ג) וַיִּתֵּן יְקֹוֹק אֶת חֵן
הָעַם בְּעֵינֵי מִצְרַיִם גַּם הָאִישׁ מֹשֶׁה
גָּדוֹל מְאֹד בְּאֶרֶץ מִצְרַיִם בְּעֵינֵי עַבְדֵי
פַּרְעֹה וּבְעֵינֵי הָעַם:

The Exodus Happens: Sh’mot/Exodus 12

29 And it happened, at midnight, that YHWH smote every firstborn in the land of Egypt...**30** And Pharaoh rose up in the night...**31** And he called for Moses and Aaron by night and said: “Get up, get out from among my people, both you and the children of Israel; and go, serve YHWH, as you have said. **32** Take both your flocks and your herds, as you have said, and go; and bless me also.” **33** And the Egyptians urged the people on, to rush to send them out of the land, for they said: “We will all be dead!” **34** And the people took their dough before it was leavened, their kneading-troughs being bound up in their clothes upon their shoulders. **35** And the children of Israel did according to the word of Moses; **and they asked of the Egyptians silver items and gold items, and clothing. 36** And YHWH gave the people favor in the sight of the Egyptians, so that they let them have what they asked; so they cleaned out the Egyptians.

(כט) וַיְהִי בַחֲצֵי הַלַּיְלָה וַיִּקְוֹק הַכֹּהֵן כָּל
בְּכוֹר בְּאֶרֶץ מִצְרַיִם... (ל) וַיִּקֶּם פַּרְעֹה
לַיְלָה... (לא) וַיִּקְרָא לְמֹשֶׁה וּלְאַהֲרֹן
לַיְלָה וַיֹּאמֶר קוּמוּ צֵאוּ מִתּוֹךְ עַמִּי גַם
אַתֶּם גַּם בְּנֵי יִשְׂרָאֵל וּלְכוּ עַבְדוּ אֶת
יְקֹוֹק כַּדְּבַרְכֶם: (לב) גַּם צֹאנְכֶם גַּם
בְּקִרְכֶם קַחוּ כַּאֲשֶׁר דִּבַּרְתֶּם וּלְכוּ
וּבְרַכְתֶּם גַּם אֹתִי: (לג) וַתַּחֲזֶק מִצְרַיִם
עַל הָעַם לְמַהֵר לְשַׁלְּחֵם מִן הָאֶרֶץ כִּי
אָמְרוּ כִלְנוּ מֵיָמִים: (לד) וַיִּשְׂא הָעַם
אֶת בִּצְקוֹ טָרֵם יַחְמֹץ מִשְׂאֵרֹתָם
צָרְתָם בְּשִׁמְלֹתָם עַל שִׁכְמָם: (לה)
וּבְנֵי יִשְׂרָאֵל עָשׂוּ כַּדְּבַר מֹשֶׁה וַיִּשְׁאַלּוּ
מִמִּצְרַיִם כָּלִי כֶּסֶף וְכֶלִי זָהָב וּשְׂמֹלֹת:
(לו) וַיִּקְוֹק נָתַן אֶת חֵן הָעַם בְּעֵינֵי
מִצְרַיִם וַיִּשְׁאַלּוּם וַיִּנְצְלוּ אֶת מִצְרַיִם:

Why do you think the Torah includes the taking of spoils as an element of this exodus story?

II. The Torah Processes this Lore into Law: Devarim/Deuteronomy 15

(Forty years later, the Israelites are on the cusp of crossing into the Land where they will have sovereignty and responsibility to manage a fair and just society and economy. Anticipating that people will sometimes be made economically vulnerable Moshe commands the following law.)

12 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 send him free from you. **13** And when you send him free from you, do not send him empty; **14** Furnish him liberally from your flock, and from your threshing floor, and from your winepress; of that which YHWH your God has blessed you, give to him. **15** And remember that you were a slave in the land of Egypt, and YHWH your God redeemed you; therefore I command you this thing today.

(יב) כִּי יִמְכַר לְךָ אַחִיר הָעִבְרִי אוֹ
הָעִבְרִיָּה וְעַבְדְּךָ שֵׁשׁ שָׁנִים וּבַשְּׁנָה
הַשְּׁבִיעִת תִּשְׁלַחנּוּ חֲפָשִׁי מֵעִמָּךְ: (יג)
וְכִי תִשְׁלַחנּוּ חֲפָשִׁי מֵעִמָּךְ לֹא תִשְׁלַחנּוּ
רִיקִים: (יד) הֶעֱנִיק תַּעֲנִיק לוֹ מִצֹּאֲנֶךָ
וּמִגִּרְנֶךָ וּמִקִּבְךָ אֲשֶׁר יִרְכֶּךָ יְקֹוֹק
אֱלֹהֶיךָ תִּתֵּן לוֹ: (טו) וַזְּכַרְתָּ כִּי עֶבֶד
הָיִיתָ בְּאֶרֶץ מִצְרַיִם וַיִּפְדֶּךָ יְקֹוֹק אֱלֹהֶיךָ
עַל כֵּן אֲנִי מְצַוְךָ אֶת הַדְּבָר הַזֶּה
הַיּוֹם:

- If you lent money to someone, or they stole from you, and they couldn't pay you back, so they pay you back with labor, how would you react to these restrictions?
- The last clause of verse 13 is, strictly speaking, extraneous; what's it doing there?

- What is the significance of reminding you that you were a slave in Egypt?

Rashi's comment, here (Rav Shlomo Itzhaki, 1040-1105, Troyes, France)

<p>'And remember that you were a slave' and I furnished you and gave to you twice over, from the spoils of Egypt and the spoils at the sea; so, too, you must furnish and give to [your departing indentured servant] twice over."</p>	<p>'וזכרת כי עבד הייתי - והענקתי ושנית לך מביזת מצרים וביזת הים, אף אתה הענק ושנה לו."</p>
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III. But Were these Really Reparations?

Talmud Bavli Sanhedrin 91a

<p>Another time, Egyptians came for judgment with Israel before Alexander Macedon. They said to him: "It says, 'And Hashem gave the people favor in the sight of the Egyptians, so that they lent to them' (Sh'mot 12:36). Give us the silver and gold that you took from us!"</p> <p>Geviha ben Pesisa said to the Sages: "Give me permission and I will go and argue the case with them before Alexander. If they defeat me, say to them, 'You defeated one of our civilians', but if I defeat them, say to them, 'The Torah of Moses our Rabbi has defeated you.'</p> <p>They gave him permission and he went and argued with them.</p> <p>He said to them: "From where do you bring evidence?" They said to him: "From the Torah."</p> <p>He said to them: "I, too, will bring you evidence only from the Torah, as is said, 'And the Israelites' residence, which they resided in Egypt was 430 years' (Sh'mot 12:40). Give us payment for the labor of 600,000, whom you enslaved in Egypt for 430 years."</p> <p>Alexander Macedon said to them: "Give them an answer!"</p> <p>They said to him: "Give us three days' time."</p> <p>He gave them time, they investigated, and found no answer.</p> <p>Immediately, they left their seeded fields and their planted vines and fled, and that year was a Sabbatical.</p>	<p>שוב פעם אחת באו בני מצרים לדון עם ישראל לפני אלכסנדרוס מוקדון, אמרו לו: "הרי הוא אומר 'וה' נתן את חן העם בעיני מצרים וישאלום וינצלו את מצרים' (שמות יב:לו)."</p> <p>- תנו לנו כסף וזהב שנטלתם ממנו!"</p> <p>- אמר גביהא בן פסיסא לחכמים: "תנו לי רשות ואלך ואדון עמהן לפני אלכסנדרוס, אם ינצחוני - אמרו להם: הדיוט שבנו נצחתם, ואם אני אנצח אותם אמרו להם: תורת משה רבינו נצחתכם."</p> <p>נתנו לו רשות והלך ודן עמהן.</p> <p>אמר להן: "מהיכן אתם מביאין ראיה?" - אמרו לו: "מן התורה."</p> <p>- אמר להן: "אף אני לא אביא לכם ראיה אלא מן התורה, שנאמר, 'וּמִוֹשֵׁב בְּנֵי יִשְׂרָאֵל אֲשֶׁר יָשְׁבוּ בְּמִצְרַיִם שְׁלֹשִׁים שָׁנָה וָאַרְבַּע מֵאוֹת שָׁנָה' (שמות יב:מ) - תנו לנו שכר עבודה של ששים ריבוא, ששיעבדתם במצרים שלשים שנה וארבע מאות שנה."</p> <p>אמר להן אלכסנדרוס מוקדון: החזירו לו תשובה! - אמרו לו: תנו לנו זמן שלשה ימים. נתן להם זמן, בדקו ולא מצאו תשובה.</p> <p>מיד הניחו שדותיהן כשהן זרועות, וכרמיהן כשהן נטועות וברחו, ואותה שנה שביעית היתה.</p>
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Rabbeinu Hannan'el, commentary to **Sh'mot 11:2** (990-1053, Kairouan, modern Tunisia)

<p>“That they ask, each man of his neighbor, and each woman of her neighbor, silver items and gold items.” -- The meaning of “ask” here is not the same as when women “ask for/borrow kitchen utensils and the like (as in Sh’mot 22:13), which is a loan with the purpose of returning it. Rather, he commanded the people to ask them for outright gifts, and the Holy Blessed One “gave the people favor in the sight of the Egyptians” so that they gave to them. And this was not deception that the Holy Blessed One commanded them, God forbid. On the contrary: this was all permitted to them since, after all, the labor that they had done for them was inestimable, and the value of their wages knew no end or boundary. And isn’t it Torah law that an indentured servant who served their indenturer for seven years must be furnished liberally, as is said, “And when you send him free from you, do not send him empty; Furnish him liberally from your flock, and from your threshing floor, and from your winepress” (Devarim 15:13-14)? All the more so for the Egyptians, who had Israelite labor for 210 years!</p>	<p>וַיִּשְׁאַלוּ אִישׁ מֵאִתּוֹ רְעֵהוּ וְגו' כְּלֵי כֶסֶף וְגו'. אֵין שְׁאֵלָה זֹאת כְּשֵׁאלָה הָאִמּוּרָה בְּכֵלִים (פ' מִשְׁפָּטִים כ"ב:ב"ג) שֶׁהוּא שְׁאֵלָה עַל מִנְתְּ לַחֲזִירָה. אֲלֵא צוּה שִׁישְׁאֵלוּ מֵהֶם בְּמִתְנָה. וְהַקְדוּשׁ ב"ה יִתֵּן לָהֶם חֵן בְּעֵינֵי הַמִּצְרִים וְיִתְּנוּ לָהֶם. וְאֵין זֶה גִּבְּוֹת דַּעַת שִׁישְׁאֵלָה בַּהּ הַקְדוּשׁ ב"ה חֹס וְשִׁלוֹם. אֲבָל הִיא הַדְּבָר מוֹתֵר לָהֶם שֶׁהִיא הָעֲבוּדָה שֶׁעָשׂוּ לָהֶם אֵין לָהּ עֶרֶךְ וְאֵין לְשִׁכְרָה הַמְּלָאכָה וְלִשְׁוִיָּה סוֹף וְתַכְלִית. וְהֵלֵא דִין תּוֹרָה הִיא בְּעַבְדָּה שֶׁעָבַד אֶת אֲדוֹנָיו שֶׁבַע שָׁנִים שֶׁהוּא חַיִּיב בַּהֶעֱנָקָה שְׁנֵאֵמַר "וְכִי תִשְׁלַחְנוּ חֶפְשִׁי מֵעִמָּךְ לֹא תִשְׁלַחְנוּ רִיקָם: הֶעֱנִיק תְּעִנִּיק לוֹ מִצֹּאֲנֶךָ וּמִגֶּרְנֶךָ וּמִיִּקְבֶּךָ" (דְּבָרִים טו:יג-יד). עַל אַחַת כַּמָּה וְכַמָּה הַמִּצְרִים שֶׁהִיתָה אֲצֵלֶם עֲבוּדַת יִשְׂרָאֵל שֶׁל רַד"ו שָׁנִים:</p>
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IV. Echoes of Reparations in Jewish Religious Practice

Pesach Haggadah: *Dayeinu*

This famous poem toward the end of the Maggid section lists numerous component parts of God’s liberation of the Jewish people, each one of which on its own would be sufficient cause -- “Dayeinu” -- for us to offer praise and celebration through singing the freedom songs of Hallel. Notice the fifth act of redemption mentioned.

<p>How many good steps did the One-Who-is-Every-Place take for us! If God had taken us out of Egypt and not made judgements on them, <i>Dayeinu!</i> If God had made judgments on them and had not done so on their gods, <i>Dayeinu!</i> If God had done so on their gods and not killed their firstborn, <i>Dayeinu!</i> If God had killed their firstborn and not given us their money, <i>Dayeinu!</i> If God had given us their money and not split the Sea for us, <i>Dayeinu!...</i></p>	<p>כַּמָּה מַעֲלוֹת טוֹבוֹת לְמָקוֹם עָלֵינוּ! אֵלֹהֵינוּ הוֹצִיאָנוּ מִמִּצְרַיִם וְלֹא עָשָׂה בָּהֶם שְׁפָטִים, דַּיֵּינוּ. אֵלֹהֵינוּ עָשָׂה בָּהֶם שְׁפָטִים, וְלֹא עָשָׂה בְּאֱלֹהֵיהֶם, דַּיֵּינוּ. אֵלֹהֵינוּ עָשָׂה בְּאֱלֹהֵיהֶם, וְלֹא הָרַג אֶת בְּכוֹרֵיהֶם, דַּיֵּינוּ. אֵלֹהֵינוּ הָרַג אֶת בְּכוֹרֵיהֶם וְלֹא נָתַן לָנוּ אֶת-מָמוֹנָם, דַּיֵּינוּ. אֵלֹהֵינוּ נָתַן לָנוּ אֶת מָמוֹנָם וְלֹא קָרַע לָנוּ אֶת הַיָּם, דַּיֵּינוּ....</p>
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