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### Nação legal consciousness and its contribution to the seventeenth-century Dutch Republic debate on slavery and the slave trade

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### 3.

## **The *Curse of Ḥam* Theory in the Ibero-Dutch Context: Sephardic Rabbis and Dutch *Predikanten***

“Three copulated in the ark, and they were all punished—the dog, the raven, and *Ḥam*...*Ḥam*  
was smitten in his skin.”

(b.Sanhedrin 108b).

*Origins—The Midrash—Blackness is evil—Jewish apostates—Dutch encounters with Sephardic thought—A new justification*

### **3.1 Introduction**

At a time when many European Catholic Christians did not know how to read, the weekly sermon was rendered as divine instruction; the interpretation and the reinvention of Biblical passages often provided moral and theological justifications for irrational beliefs and actions toward others (Cavanaugh 254). An exemplary case was the so-called “Curse of *Ḥam*.” From the fifteenth century, it was utilized by Islamic scholars, Christian theologians, and rabbis, in justifying the systematic enslavement of *black* Africans and Asians. International lawyer Liliana Obregón puts forward that by the sixteenth century, “The religious view (“Ham’s Curse”) that black people were natural slaves and property had produced a racial consciousness that presented Africans and their descendants as inherently unfree” (597-615). The goal of this chapter is to understand how the “Curse of *Ḥam*” contributed to the construction of racial difference that influenced legal consciousness in the seventeenth century. This chapter surveys how this theory developed in North Africa and Iberia, and was then introduced to Dutch theological circles through Sephardic literature and direct contact between Sephardic rabbis and theologians in the “Leiden Circle” and the “Hartlib Circle.”

This chapter contextualizes the idea of the biblical *Ḥam* to examine how the Sephardim (before the fifteenth century) and the Dutch (seventeenth century) came to identify *Ḥam* with

sub-Saharan Africans. Indeed, I examine rabbinic texts written between the eleventh and sixteenth centuries, and seventeenth-century Dutch Christian texts. My aim is to substantiate the claim that this theory did not exist in the early seventeenth-century Dutch Christian context, and that Dutch Christian Hebraists appropriated Sephardic thought through rabbinic literature to generate a theological justification for the enslavement of *black* Africans. Ergo, after the mid-seventeenth century, this ideology became widespread within the Netherlands, to the effect that Dutch jurists mobilized pro-slavery arguments under the influence of the "Curse of *Ham*" theory. Ultimately, this destructive myth (as an amalgamation between Aristotelian *natural slavery* and Jewish, Christian, and Islamic theology) contributed to the conception of *dominium* and *libertas* in the Iberian sixteenth-century context (Chapter 4) and the seventeenth-century Dutch Republic context (Chapter 5).

The analysis of the "Curse of *Ham*" theory begins in section 3.2 with a reconstruction of the biblical story in detail through the eyes of medieval ethnographers. Section 3.3 introduces some medieval Jewish commentators to the discussion to demonstrate how the destructive myth was shaped within Sephardic circles. Section 3.4 details the *Respublica Hebraeorum* tradition and how the Dutch developed political thought through rabbinic literature. Section 3.5 reconstructs the close relationships between Dutch theologians and Sephardic rabbis and how they partnered to publish religious literature for a Protestant Christian audience. Section 3.6 examines when the myth appeared within Dutch theological circles. Section 3.7 discusses how Dutch theologians appropriated the "Curse of *Ham*" myth via their direct and indirect contact with Sephardim. This analysis will then set the background for Chapter 4, where legal aspects related to the enslavement of Moors in Iberia are discussed. In turn, the amalgamation between

the Iberian attitudes toward the Moors and the "Curse of *Ham*" myth became a basis for slave traders to treat dark-skinned Africans as a subhuman species.

### 3.2 The Biblical *Ham* and Canaan

At the heart of the construction of the "Curse of *Ham*" myth lies an interpretation of the Hebrew Bible (See Section 6.2 for a detailed description of the Talmud), which are reflected in Talmudic commentaries In Genesis chapter nine it states:

*Ham*, Canaan's father, saw his father naked and told his two brothers who were outside. Shem and Japheth took a robe, threw it over their shoulders, walked backward, and covered their naked father without looking at him because they turned away. When Noah woke up from his wine, he discovered what his youngest son had done to him. He said, "Cursed be Canaan: the lowest servant he will be for his brothers." He also said, "Bless the Lord, the God of Shem; Canaan will be his servant. May God give space to Japheth; he will live in Shem's tents, and Canaan will be his servant."

*(Common English Bible, Gen. 9:22-27).*

Since this passage leaves out contextual information, it raises many questions: What did *Ham* do to his father Noah? Why was Canaan cursed instead of *Ham*? What are the "tents of Shem"?

Since the Bible does not answer these questions, it leaves the reader to imagine that *Ham* performed some type of illicit sexual act with Noah during his drunkenness.

In the next chapter of Genesis, there is a genealogy of Noah's sons: Shem, *Ham*, and Japheth. The sons of *Ham* are Kush, Egypt, Put, and Canaan. Kush's sons are Seba, Havilah, Sabtah, Raamah, and Sabteca. The scripture mentions Nimrod, son of Kush, who was a great hunter and ruler of Babel. Next, the descendants of Canaan are said to live in Sodom, Gomorrah, Admah, Zeboiim, and Lasha (*Common English Bible*, Gen. 10:6-20). A superficial analysis leads a reader to make connections between *Ham*, the African continent, sexual immorality, and rebelliousness, by juxtaposing the works of *Ham*'s descendants [*Common English Bible*, Gen.10] and the narrative at hand [*Common English Bible*, Gen. 9].

The most widely read work on travel between 1350 and 1600 was *The Travels of Sir John Mandeville* (ca. 1350), a supposed English knight in the service of both the Mamluk Sultan of Egypt and the Mongol Great Khan of China, who chronicles his travels to the Holy Land, Egypt, and the Far East (Braude 115). Although many manuscripts are extant in at least ten languages, the Paris Manuscript describes *Ham* as heir to Asia, Shem to Africa, and Japheth to Europe. *Ham* is considered the father of the Khan and his Mongol followers, Shem the ancestor of the Saracens, and Japheth the ancestor of the Europeans and "the people of Israel" (116). These geographical associations are in stark contrast to how the Bible links the Children of Israel to Shem, and not to Japheth. It was not until the sixteenth century that Jewish Bible commentary associated the sons of Noah to Europe, Asia, and Africa, which means that contact between Western European Jews and West Africans played a significant role in the shaping of Jewish attitudes and biblical interpretation (Schorsch, "The Black Mirror" 55). Most importantly, the *Travels of Sir John Mandeville* renders Europeans and the children of Israel the center of human

history, whereas the Saracens and the Mongols are constructed as the *Other*. Indeed, the world of medieval explorers was shaped by this fanciful chronicle (Braude 116).

Next, a Talmudic passage which discusses the three sons of Noah states “Three copulated in the ark, and they were all punished—the dog, the raven, and *Ḥam*... *Ḥam* was smitten in his skin” (b.Sanhedrin. 108b). The French Jewish exegete, Shelomo b. Isaac [Rashi 1040 – 1105], explains “...smitten in his skin...i.e. from him descended Kush [the negro] who is black-skinned” (Rashi on b.Sanhedrin. 108b). It is noteworthy that the Talmud does not specify what the infliction of the skin is, but Rashi asserts that *Ḥam* was smitten with *black* skin.

In Rashi's view, all dark-skinned peoples are, potentially, descendants of Kush, thereby cursed because of *Ḥam*'s transgression. However, Abraham Ibn Ezra (1089 – ca.1167), the biblical commentator from Navarre, Spain, opposed this idea stating “There are those who think that the Negroes are slaves because of Noah's curse. But they have forgotten that the very first king in the Torah after the Flood was from Kush...but obviously a king cannot be a slave” (Abraham Ezra on Gen. 9:22). It can be inferred that the link between Kush, dark-skinned peoples, the Curse of *Ḥam*, and a form of natural slavery, was familiar to twelfth-century Spanish Jews.

That “Kush” was used in Sephardic parlance for dark-skinned peoples is attested in the diary of the Spanish traveler and merchant, Benjamin of Tudela (circa 1180):

These are the sons of Kush, who read the stars, and are all black in color. They are honest in commerce. When merchants come to them from distant lands and enter the harbor, three of the king's secretaries go down to them and record their names, and then bring

them before the king, whereupon the king makes himself responsible even for their property which they leave in the open, unprotected. There is an official who sits in his office, and the owner of any lost property has only to describe it to him when hands it back. This custom prevails in all that country. [...] And throughout the island [Quilon, Malabar], including all the towns, there live several thousand Israelites. The inhabitants are all black, and the Jews are also. The latter are good and benevolent. They know the law of Moses and the prophets, and to a small extent the Talmud and *halakha* (Aaron 727).

Interestingly, both Jews and non-Jews in Malabar are described *black* in skin color, but the latter are reckoned to be descendants of Kush, who read the stars, i.e. idolaters. This ethnographic account reveals that dark skin is not exclusive to the descendants of Kush, and neither does having black skin imply that one is naturally a slave. By this line of construction, the Bible was held specifically to support the servitude of Canaan's descendants.

### **3.3 The Conception of the Curse of *Ḥam* among Sephardic Jews<sup>1</sup>**

An analysis of the conceptions of the “Curse of *Ḥam*” among Iberian Jews will suffice to reconstruct the debate surrounding the myth. Benjamin Braude asserts that “the initial construction of the destructive image of dark-skinned Africans in medieval Europe lies with the Portuguese explorers during the time of King Henry the Navigator (1415 – 1460)” (Elazar-

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<sup>1</sup> This section contains some information from my blog *The Conception of the Curse of Ḥam among Sephardic Jews and the Atlantic Slave Trade* on the Global Cities Project website: <https://www.asser.nl/global-city/news-and-events/the-conception-of-the-curse-of-h-am-among-sephardic-jews-and-the-atlantic-slave-trade/>, reproduced here with permission.

DeMota, “The Conception of the Curse of *Ḥam*”; Braude 127). He argues that before that time, the connection between *black* Africans and the biblical son of *Ḥam* was not always made, albeit it was common among Islamic literature in Africa, due to the Arab-Berber slave trade which began in the eighth century (Savage, “Berbers and Blacks”). The ambiguities of Talmudic, exegetical Jewish texts, and non-Jewish texts, and interpretations thereof, played a role in inventing the tradition of the “Curse of *Ḥam*” (Braude 130). In addition, David H. Aaron maintains:

In assessing the impact of these isolated passages, we have not established evidence for centuries of a Jewish Hamitic myth, for the existence of such a “myth” can only be derived from sources subsequent to the *midrash* that would reflect this early exegesis. Indeed, what should impress the reader with regard to the ancient material is the relative paucity of sources reflecting this motif and the impoverished development (748; Elazar-DeMota, “The Conception of the Curse of *Ḥam*”).

The *midrash* [an exegetical study of the Hebrew Bible] to which he refers is the *Tanḥuma*:

..as for *Ḥam*, because he saw with his eyes the nakedness of his father, his eyes became red: and because he spoke with his mouth, his lips became crooked [*qumoth*] and because he turned his face the hair of his head and his beard became singed [*nithareq*] and because he did not cover his [father's] nakedness, he went naked and his prepuce became stretched, [all this] because all of God’s retributions are commensurate to a transgression.

Even though this was the case, the Holy One Blessed be He, returned and had mercy on him, for his mercy extends to all his creations  
(Levy- Epstein edition, Noah, par.13; para. 29; Zondel edition, para 17; Aaron 736; Elazar-DeMota, “The Conception of the Curse of *Ḥam*”).

Remarkably, this *midrash* challenges the idea of complete damnation of any sort, since God applies mercy to *Ḥam*. The synthesis of New World and Old World slavery notions were reworked by theologians and jurists to produce an array of justifications for the slave trade (Schorsch, “Jews and Blacks” 10). The biblical commentaries of David Kimhi [Radak] (1160 – 1235) and Isaac Abarbanel (1437 – 1508) contributed to the amalgamation of ideas. These two Sephardic commentators juxtapose the “curses of *Ḥam*” with the Kushites [Descendants of the biblical Kush, son of the biblical *Ḥam*], as perpetual in nature, hence condemning them to eternal enslavement (“Jews and Blacks” 20; Elazar-DeMota, “The Conception of the Curse of *Ḥam*”). As such, In *Jews and Blacks in the Early Modern World* (2004), Jonathan Schorsch reads Isaac Abarbanel’s conflicted statements [*Commentary on the Pentateuch published in Venice, 1571*] about *blacks* as a reflection of the attitudes of a certain class toward the historical juncture of the beginnings of the systematic enslavement of *black* Africans by the Iberian powers (*ibid*).

Another association found in medieval Sephardic commentaries is *blackness* with *ugliness*. In the biblical narrative when Abraham enters Egypt, he tells his wife Sarah to tell the Egyptians that she is his sister, lest they kill him. Rashi comments “I have long known that thou art fair of appearance: but now we are traveling among black and repulsive people, brethren of

the Ethiopians [Kushites], who have never been accustomed to see a beautiful woman” (Rashi on Gen. 12:11). This commentary demonstrates how dark skin, Kush, and repulsiveness, are linked. Radak, the Sephardic commentator describes the beauty of Jacob’s wife, Rachel—black hair and white-ruddy skin (Radak on Gen. 29:17). These two commentaries convey the idea that *ugliness* is related to dark skin, whereas *beauty* is related to *white* skin. When commenting on Genesis 10:1, Abarbanel associates beauty and other positive attributes with fifteenth-century European *whiteness* “How beautiful are all their deeds, their conduct, their politics, the manner of their rule and their prowess; all of them are beautiful in form and appearance” (Abarbanel on Gen. 10:1). A few sentences later, he comments on *Ham’s* descendants:

And you will see how the characteristics of these three fathers are found in the nations which come from them, for from *Ham* comes “Kush and Egypt and Libya, and Canaan” [*Common English Bible*, Gen. 10:6], for they are all until today ugly looking and their figures are black as a raven, steeped in licentiousness and drawn after the animal lusts, lacking intelligence and knowledge and lacking [political] states and the degrees of good qualities and bravery (*ibid*).

Jonathan Schorsch asserts that Abarbanel had admired the Europeans [Japheth] above Africans [*Ham*] (“Jews and Blacks” 48). Expressing the same idea by way of a parable, Moses Maimonides [Rambam] ( 1135 – 1204) states:

Those who are outside the city [i.e. most distant from God, but also most removed from the *polis*, the site of civility] are all human individuals who have no doctrinal belief, neither one based on speculation nor one that accepts the authority of tradition: such individuals as the furthestmost Turks found in the remote North, the Negroes [*Al-Zanj*] found in the remote South, and those who resemble them from among them that are with us in these climes (“The Guide for the Perplexed” 618-19).

Evidently, Iberian Jews shared their *whiteness* with Iberian Catholics (Schorsch, “Jews and blacks” 48). Essentially, these attitudes and ideologies about the biblical *Ḥam* and *blackness* were developed in Iberia by medieval Sephardic commentators. The sum of the matter is that scholars agree that the myth of the “Curse of *Ḥam*” did not always exist among Iberian Jewish circles until about the eleventh century, but emerges as an amalgamation of ideas and interpretations of Jewish texts between the eleventh and eighteenth centuries. Ultimately, medieval Jewish sources applied the curse of the biblical Canaan to all of *Ḥam*’s descendants (31).

Neither the Bible nor the Talmud associate dark skin, the African continent, and slavery with *Ḥam*. However, Islamic, Christian, and Jewish interpretations of biblical narratives led to the infamous “Curse of *Ḥam*” theory (Whitford 77). As Europeans traveled to remote places throughout Eurasia, they created ethnographic sketches of the peoples thereof (Braude 111). At length, these chronicles served as factual accounts not only for historians, but also for theologians.

After Jews were expelled from Spain in 1492 and Portugal in 1496, they took these ideas to their new places of residence. Also, the *Nação* still in Iberia participated later in the Atlantic slave trade and, together with their expelled brethren, contributed to the construction of racial difference for the next hundred years. In West Africa *whiteness* and *blackness* were associated with social status and not necessarily skin color, such that an enslaved African was considered to be *black*, and a *free mulatto* was *white* (Silva Horta and Mark 18).

After the commencement of the Protestant Reformation (1517), some Iberian *conversos* relocated to Protestant pockets in France, Germany, and Belgium. After the Inquisition expanded to Belgium, many of them moved to the Netherlands with their slaves (Schorsch, “Jews and blacks 55). Around that time, Christian Hebraist Joseph Justus Scaliger (1540 – 1609) stated that Jews needed to return to the west because “we need to learn from them,” not just for their wealth (Israel, “European Jewry in the Age of Mercantilism” 45).

### **3.4 Hebrew Republic Literature in the Dutch context**

The intellectual history that I can narrate is limited to what is written, being that there are no alternative sources of what was discussed by the participants of the Leiden and Hartlib Circles. In this section I argue that the encounter between Dutch theologians with Sephardic literature and thought throughout the Dutch Republic contributes to the Hebrew Republic tradition. Thereafter, the Leiden Circle is steered in a direction of pro-slavery argumentation motivated by the myth of the “Curse of *Ham*.” The seventeenth-century Dutch Republic saw a new wave of scholarship written by Protestant thinkers in Western Europe, namely the

*Respublica Hebraeorum* tradition. At the center of the Hebrew Republic tradition was the “understanding of the land laws and the theory of property underlying them” (Nelson 72).

Most importantly, the Christian Hebraists of the Renaissance had Jewish mentors and tutors. These Jews were all baptized Christians, serving as the sole available source of Hebraic knowledge, until the mid-seventeenth century, when Christians taught other Christians post-biblical Hebrew (Nellen and Rabbie 130). Many of these converts adopted a “theological-rhetorical convention common among late medieval and early modern Jewish convert scholars,” i.e. taking the name Paul (Dunkelgrün 221).<sup>2</sup>

Moreover, Christian humanists corresponded in Hebrew with Jewish scholars, Jewish apostates, and with each other throughout the Catholic and Protestant world (247). Ultimately, the Hebrew Republic movement was able to flourish in the Netherlands, with the assistance of the Sephardic community in Amsterdam, and access to printed materials (*ibid*). Among Dutch Hebraists were: Franciscus Junius (1591 – 1677), Henry Ainsworth (1571 – 1622), Hugo Grotius, Peter Cunaeus (1586 – 1638), and Constantijn L’Empereur (1591 – 1648). It was Junius, as the theology chair at Leiden, who employed classical paradigms to understand the Hebrew land laws in *De Politiae Mosis Observatione* (1592) (Nelson 73). Indeed, his disciple Johannes Althusius (1557 – 1638) compares the biblical Jubilee to the Athenian *seischtheia* [the release of burdens] instituted by Solon in the sixth century B.C.E. (*ibid*). In doing so, he argued that any land confiscated as collateral from serfs should be returned to their initial owners.

In the early seventeenth century, Ainsworth argues:

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<sup>2</sup> Some examples are: Paul de Bonnefoy, Paul of Burgos, Pable Christiani, Pablo Coronel, Paulus de Heredia, Paul Joseph, Paolo Medici, Paolo Paradiso, Elchanan Paulus, Paul Altdorfer, Paolo Ricci, Giovanni Paolo Eustachio, and Johannes Pauli.

It is necessary to consult Hebrew doctors of the ancients sort, and some later of best esteem for learning, as *Maimony*, or Rabbi Moses ben Maimon, and others if one wishes to give light to the ordinances of Moses touching the external practice of them in the commonwealth of Israel, which the Rabbis did record, and without whose help, many of those legal rites (especially in Exodus and Leviticus) will not easily be understood (Ainsworth Preface).

Ainsworth cites Maimonides' *Mishneh Torah* frequently in his *Annotations Upon the Five Books of Moses* (1627), demonstrating its vital contribution to the Hebrew Republic tradition (Nelson 74). In addition, Cunaeus praises Maimonides' *opus magnum* "the greater writer, Rabbi Moses ben Maimon, he that in his divine work entitled *Mishneh Torah* hath happily collected all the Talmudical doctrine except the trifles, an Author above our highest commendation" (Cunaeus 51-3).

Knowing Hebrew was crucial for the study of the Jewish tradition in the early seventeenth century, since only *Pirque Aboth* [Chapters of the Fathers] and *More Nebukhim* [Guide for the Perplexed] had been translated to Latin by 1620 (Rabbie 102). In the 1630s the first Latin translations of rabbinical texts had become widely-available. Johannes Cocceius (1603–1669) had translated the Mishnaic tractates *Sanhedrin* and *Makkoth* in 1629. In his *De Ratione*, chapter eight, he demonstrates his familiarity with seven Jewish exegetes, including: Saadia Ga'on (882–942), Isaac Abarbanel, Rashi, Moses b. Nahman [Nahmanides] (1194–1270), Levi b. Gershon [Gersonides] (1288 – 1344), and Radak. Furthermore, Constantijn

L'Empereur translates tractate *Middoth* in 1630 and *Baba Qamma* in 1637 (114). L'Empereur owned biblical commentaries of Spanish Jews: Moses Albelda, Moses Alshekh, Isaac Arama, Isaac Caro, Bahya b. Asher and Isaac Abarbanel, in addition to the classical Jewish biblical scholars, Rashi, Abraham Ibn Ezra, and Radak (Rooden, "Theology, Biblical Scholarship and Rabbinical Studies" 96). Moreover, he had purchased rabbinic literature from Amsterdam rabbis: Menasseh b. Israel (1604 – 1657), Isaac Aboab da Fonseca (1605 – 1693), and Saul Levi Mortera (1596 – 1660) (101).

Undeniably, the seventeenth-century Dutch Republic harbored a plethora of Christian Hebraists, who sought to understand Christian faith through the eyes of the Jews. Rabbinic literature played an important role in Dutch political thought in the seventeenth century. At an early stage, the Jewish contribution to the Hebrew Republic tradition came from Jews that had converted to Christianity. Later, as the Sephardim gained prominence in the Netherlands, Dutch Christian Hebraists befriended rabbinic scholars and even joined together in projects. Overall, no Dutch theologian could study the Hebrew Bible or rabbinic literature without assistance from Jews or Jewish proselytes to Christianity, simply because they did not have access outside of Jewish teachers (Burneet 3-5).<sup>3</sup> The legal contributions of the Dutch Sephardim will be discussed in Chapter 7, here however it suffices to bear in mind that Sephardic thought and literature played a huge role in early-modern Dutch political and legal thought.

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<sup>3</sup> For more details see Rooden 100-101.

### 3.5 Partnerships between Rabbis and Dutch Theologians in the Seventeenth Century

Most theologians of the Hartlib Circle drew their information about Jews and the Jewish tradition through secondary sources. I argue that Sephardic literature influenced the theological conceptions (millenarianism, political economy, philo-Judaism) of notable Dutch Christian scholars (Kaplan, “Jews and Judaism in the Hartlib Circle” 190). In the seventeenth century, some Dutch Christian Hebraists maintained communication with Sephardic rabbis and even worked together on translation projects.

Such was the case for theologian and Hebrew scholar, Adam Boreel (1602–1665)<sup>4</sup>. He was born in Middelburg and devoted his life to the *Mishnah*. His goal was to publish a vocalized version of the *Mishnah*, translate it into Spanish, and then Latin (Wall, “The Dutch Hebraist Adam Boreel” 240). He made this feat possible by collaborating with the Jewish scholar, Jacob Judah Leon (1602–1675) (Kaplan, “Jews and Judaism in the Hartlib Circle” 199). While in Middelburg, both Boreel and Leon shared a house, in which they spent countless hours vocalizing the *Mishnah* and translating it into Spanish (240). This vocalization project came to fruition when it was printed in Amsterdam in 1646. At that time, Boreel made contact with Menasseh b. Israel (241). That same year, Leon finished his model of Solomon’s Temple, which was funded by Boreel. Around 1660, Boreel was in contact with the Jewish scholar, Jacob Abendana (1630–1685), who had been educated in *Academia de los Pintos* in Rotterdam. Boreel commissioned him to translate the *Mishnah* into Spanish, which was later used by Christian scholars (Rooden, “Theology, Biblical Scholarship and Rabbinical Studies” 110-30).

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<sup>4</sup> The research of Sephardim in Middelburg and slave trade is outside of the scope of this research, but for more information consult Israel, “Sephardic Immigration into the Dutch Republic”; Bruyn Kops, “The Sephardim and the Dutch”; Wall, “The Dutch Hebraist Adam Boreel and the *Mishnah*.”

Apart from Adam Boreel, other Dutch Christian Hebraists were in contact with Menasseh and Yosef Pardo (1624 – 1677) (Rabbie 104), including Isaac Vossius (1618 – 1689), Hugo de Groot (Kuhn 173-180),<sup>5</sup> and Dutch merchant, Gerbrand Anslo (1612 – 1643). Since Anslo was deeply affected through his direct contact with the Jews and Jewish learning, he began to financially support projects in which Christian scholars came to grapple with the Jewish tradition and Jewish literature (Rauschenbach 99). The German scholar, Georg Gentius (1618 – 1687), studied oriental languages at Leiden and communicated directly with Sephardi scholars in Amsterdam. As a result of his correspondence, he produced a Hebrew edition and Latin translation of a section of Maimonides' *Mishneh Torah*, and a long Hebrew epistle in praise of Jewish learning, approved by the Amsterdam rabbis (Dunkelgrün 248).

Furthermore, Hebrew professor in Groningen, Jacob Alting (1618 – 1679), corresponded in Hebrew with the Sephardi printer, Abraham Senior Coronel (b. 1637). Senior Coronel added Alting's letters in the appendix to his treatise on Hebrew vowel-points (250). Apart from a few names, there is much conjecture as to the extent to which Dutch Hebraists had contact with Sephardic Jews. Undoubtedly, Dutch Christian scholars were indebted to Sephardic thought. Together, Christian theologians and Sephardic rabbis constructed a racial difference which then influenced Dutch legal consciousness.

### **3.6 The "Curse of *Ham*" in Dutch Christian theology**

Herein I utilize the *other within* to denote the *Nação* as residents of the Netherlands, yet stemming from Iberian Jewish culture. This ascribed *otherness* did not permit them access to

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<sup>5</sup> For information on the correspondences see Cardoso de Bethencourt 98-109.

political activity within the Netherlands. Having shown that Dutch theologians forged links with the *other within*, in this section I argue that seventeenth-century Dutch theologians appropriated the “Curse of *Ḥam*” via Sephardic thought (Rabbie 114). In turn, “Curse of *Ḥam*” provided a theological justification for seventeenth-century Dutchmen and *Nação* merchants active in the odious trade of African peoples and solidified humanist arguments in favor of their enslavement. Upon reaching its maturity, this myth influences the development of *ius gentium and naturae* among Dutch jurisprudence, such that Aristotle’s theory of *natural slavery* takes on a new form (this section demonstrates how Dutch theologians appropriated Sephardic thought and Chapter 4 and 5 demonstrate how it influenced Iberian and Dutch theological and legal thought, respectively).

Throughout the sixteenth and seventeenth centuries, professional Catholic clergy, theologians, and university professors removed the presence of Canaan from the story of Genesis nine. In the biblical story involving *Ḥam* and Noah, Noah curses Canaan as a “slave of slaves” to Shem and Japheth. Historian and religious studies scholar, David Whitford argues that Canaan disappears from Christian sermons on Genesis nine (Whitford 77). He disappears from biblical commentaries and dictionaries too.

Essentially, he even disappears from the Bible itself. The removal of Canaan from the story of Genesis nine did not begin as a defense for the transatlantic slave trade, even though it would provide a theological justification for it onwards. To justify or at least explain African slavery required the loss of Canaan because the Hebrew Bible states that Noah cursed Canaan and not *Ḥam* (*ibid*). Moreover, the use of the "Curse of *Ḥam*" to justify the transatlantic slave trade and American slavery required a curse on Africans. In order to ascribe the curse onto

Africans it was necessary to move the curse back a generation and onto *Ham* directly. To do that required the loss of Canaan (*ibid*).

In the late seventeenth and then eighteenth century, when the transatlantic slave trade required a myth of legitimacy, the fact that the narrative of Canaan had been lost allowed for easier acceptance of the Curse of *Ham* in both elite and popular circles. This silencing of Canaan became commonplace and allowed for Noah's curse to fall directly upon *Ham* (Whitford 78). The use of this biblical story by both Dutch slave traders and *Nação* investors—as the *other within*—indirectly helped disseminate the idea of white supremacy, since dark-skinned Africans were seen as being descendants of their accursed ancestor, the biblical *Ham*.

Whitford asserts “Hugh Broughton in 1614 serves as a marker pointing to the dangerous shoals that await when this curse is severed from a connection to Canaan when he writes ‘For whatsoever plagues doth befall the Egiptians [*sic* Egyptians], the Canaanites, Ethiopians, Blackemores, Babylonians, and such like, is contained within Chams’s [*sic Ham*’s] curse” (Whitford 85). The association of *Ham*'s curse with Africa and slavery in Christian biblical commentaries remained relatively rare throughout the sixteenth and seventeenth centuries (*ibid*). However, in 1660 the German-Dutch physician and preacher, Johan Picardt (1600–1670) argued that the Hamites—identified with negroes—are cursed and condemned to perpetual slavery under the Shemites—identified with Jews—and Japhethites—identified with Europeans (Picardt 43 and 74). In 1680, Morgan Godwyn (1640 – ca.1686), the Anglican clergyman and missionary, considered the idea that the Natives of Africa were descendants of *Ham* and “under the curse” to bondage, the chief strength behind an argument on behalf of their

perpetual slavery (103). The Curse of *Ḥam* theory changed theological thinking concerning skin color and slavery, which later influenced Dutch legal thought (Chapter 5). Eventually, all dark-skinned Africans were equated with the offspring of *Ḥam*, thereby condemned to perpetual servitude (Postma 11).

### **3.7 Heart of the Matter: Dutch Theologians and Jurists Appropriate the "Curse of *Ḥam*" Through Sephardic Thought**

The "Curse of *Ḥam*" theory developed over a period of about six centuries, initially in North Africa and Iberia, then in the rest of Western Europe. By the eleventh century, western European Jews began to make a link between the enslavement of dark-skinned Africans and *Ḥam*. This was afforded through the connection of the rabbinic understanding of Kush, who is a descendant of *Ḥam*, such that all of *Ḥam*'s descendants are said to have been punished with dark skin and cursed with eternal enslavement. During the developmental stages of the Portuguese slave trade of West Africans, Isaac Abarbanel synthesizes Aristotle's natural slavery theory with Rashi's understanding of Kush, in order to provide a reason for the enslavement of dark-skinned Africans.

Professor of Jewish philosophy Avraham Melammed asserts that Abarbanel was influenced by Aristotle by way of scholastic philosophical commentaries ("Isaac Abravanel and Aristotle's Politics" 55). He argues that Abarbanel became acquainted with Aristotelian philosophy by reading Aquinas (*ibid*). Certainly, he was familiar with Aquinas' exposition of the *Imago Dei* and free-will. However, he did not apply this to *black* Africans within the slaveholding society of his day. Schorsch puts forward that there were plenty of Jewish

commentators from the same slaveholding societies as Abarbanel who produced positive evaluations about Kushites, yet Abarbanel did not do so in his commentary to Genesis (“Jews and Blacks” 39).

As cited by Schorsch, in his commentary to the book of Genesis, Abarbanel reiterates Aristotle’s *natural slavery* theory:

And about Ham it said: “And Canaan will be a slave to him,” meaning to say that Canaan his son, most beloved to him [of all his sons] will serve Shem and Japheth. For just as the philosopher [Aristotle] mentioned in his book on the leadership of the state, for sages the desire for authority and mastery is natural while for those who work the ground the desire [is] for servitude and being ruled over, which according to this is called Canaan, from the language of “submission,” as I explained, for the animal life serves the aesthetic life and yields to the intellectual life (Abarbanel on Genesis 9:25; Schorsch, “Jews and Blacks” 22).

Abarbanel draws on Aristotelian thought to explain the serving nature of Canaan and his descendants. It is evident that Abarbanel equates *Ham* with Canaan, thereby contributing to the construction of the destructive myth. Commenting on Abarbanel’s political philosophy, Jewish philosopher, Leo Strauss (1899 – 1973) asserts that Abarbanel occasionally adopts Aristotelian doctrine of natural masters and servants (Leo Strauss: *Gesammelte Schriften* 204).

By the time of the Expulsion of the Jews from Spain, this theory became an integral part of the Sephardic ethos. Thus, it was the Sephardim which introduced the “Curse of *Ham*” theory

to Dutch theologians in the seventeenth century. At that time, the commentaries of the Sephardic luminaries—Radak, Maimonides, and Abarbanel—had been translated to Latin, for the use of non-Jewish scholars. Access to these commentaries ushered in a new era of Protestant Christian scholarship in the Netherlands, leading to what is called the Hartlib Circle. In addition, the joint projects between Dutch theologians and Sephardic rabbis granted Protestant Christian scholars direct access to Sephardic thought in regards to the contemporary descendants of *Ḥam*.

There is no doubt that the Hartlib Circle and Leiden theologians had knowledge of the aforementioned biblical commentaries on the “Curse of *Ḥam*.” As more rabbinic commentary to the Bible and Talmud were translated to Latin in the early seventeenth century, Dutch theologians gained access to Sephardic thought. Once there are sufficient Hebrew teachers in the Dutch Republic, Christians teach each other from the Hebrew sources. Johannes Cocceius (1603–1669) was such a Dutch Hebraist who mastered the Hebrew language and Jewish literature [he is discussed in depth in Chapter 5]. Indeed, it was Cocceius who had produced his own commentary on the Torah, based on seven medieval Jewish commentators. While it is clear that that Cocceius and his students identified dark-skinned Africans with the biblical *Ḥam* in order to justify the enslavement and slave trade of Asians and Africans in the East and West Indies, further research of the primary sources is lacking (Vink “A Work of Compassion”; Amponsah, “Christian Slavery, Colonialism, and Violence).

Medieval Sephardic thought became the harbinger of a new era, with rabbinic texts serving as the justification for the systematic enslavement of *Ḥam*'s descendants in West Africa. Even though slavery was not permitted on Dutch soil, the "Curse of *Ḥam*" myth was influential in setting the moral tone concerning overseas slavery and slave trade among the Dutch elite

around 1621, when the Dutch West India Company was established. Thus, Sephardic thought becomes intimately fused with the theology among some Dutch Protestant Christians (Rooden, “Theology, Biblical Scholarship and Rabbinical Studies in the Seventeenth Century”; Katchen, Christian Hebraists and Dutch Rabbis”). Proximity with the Sephardim forged a new consciousness in the mind of Johannes Cocceius and his sympathizers, such that the enslavement and the systematic trade of *black* Africans was not subject to divine retribution. Chapter 5 contains a full description of how Cocceius’ reception and application of Sephardic thought contributed to the development of the conception of the law of nations and nature.

### **3.8 Conclusions**

In this chapter, I argued that Sephardic Jews introduced this idea indirectly and directly to seventeenth-century Dutch theologians (Udemans, “’t Geestelyck Roer vant’t Coopmans Schip”; Picardt, “De Nederlandse Hundingten Aazien van de Slavenhandel en de Slavernij”; Witsius, “The Economy of the Covenants Between God and Man” Book 3, Chapter 5, para. xix). This chapter discussed the origins and development of the myth of the “Curse of *Ham*” within medieval Sephardic thought. We explored the biblical passage in Genesis from where the myth was constructed, and how Talmudic rabbis and medieval Jewish commentators interpreted it within their respective social contexts. While, the Talmudic commentary to the three sons of Noah does not associate any geography nor ethnicity to them, Rashi does make this association. Sephardic commentators such as Radak, Maimonides, and Abarbanel construct *whiteness* and *blackness*, where the latter is linked to *ugliness* and *natural servitude*. At the time of the

expulsion of Spanish Jews, Abarbanel links *Ḥam* with Aristotelian *natural slavery* in his biblical commentary to Genesis.

Overall, this chapter serves to lay the ideological context within early modern Iberia and the Dutch Republic. The “Curse of *Ḥam*” theory is the tool by which theologians and jurists construct arguments in favor of enslaving *black* Africans, under the pretense of divine volition. The “Curse of *Ḥam*” myth weaves Iberian, Dutch, and Jewish legal consciousness throughout the entire research project. Essentially, the “Curse of *Ḥam*” myth contributed to the construction of racial difference which influenced the law of nations and nature debate. The next chapter will discuss Sephardic and Iberian jurists and the involvement of *Nação* merchants taking the slave trade along. Therein, I will discuss the influence of this synthesis on Iberian traders on the move and Iberian thinkers. In the seventeenth century, when the Sephardim began to integrate into Dutch society, these Jewish ideas reach a limited, but influential audience.