

# FAITH, WORK, AND ECONOMICS



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## *Are Business People the Bad Guys? Person and Property in the Pentateuch<sup>1</sup>*

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### Introduction

Recently I spoke at a workshop for businessmen and clergy and asked, “When was the last time you felt you had been looked down upon because you were involved in business?” The responses, as you can imagine, were interesting and varied, with many feeling as if they were in the cross-hairs not just in society at large (this was in the height of the Occupy movement) but also within the church. This kind of feeling is not paranoia, since it is not paranoia if someone is in fact after you! This kind of thing is too often the public face of business. For example, in the 24 February 2002 cover story in *Time*, the writer made it a point to state that Kenneth Lay was the son of a Baptist minister, an active member of the First United Methodist Church in Houston, and served on the Board of Trustees at his church—trying to paint both business and Christianity as suspect. Guilt by association.

It seems that lately the face of the villain in popular novel and film has changed. Each generation seems to have its own villain. A growing place now is reserved for business, especially transnational big business often in conjunction with environmental exploitation. This anti-business sentiment is even passed along to our children in ways we might not even be aware of or think about. For example, look at the Academy Award winning animated features between 2001–2012 and the villains we see in them: *Shrek*<sup>2</sup> (a monopoly capitalist), *Ratatouille*<sup>3</sup> (where the owner wants not only to become part of an evil transnational, but, horror of horrors, he wants to serve junk food, which is somewhat ironic since this message is being shown in movie theatres, which are, of course, known for their organic and healthy offerings), *Up*<sup>4</sup> (a property developer), and worst of all, *Wall-e*<sup>5</sup> (Walmart). Finally, a film

<sup>1</sup>Unless otherwise noted, all Scripture citations are from the New Revised Standard Version.

<sup>2</sup>DreamWorks Pictures, 2001.

<sup>3</sup>Pixar/Walt Disney Pictures, 2007.

<sup>4</sup>Pixar/Walt Disney Pictures, 2009.

<sup>5</sup>Pixar/Walt Disney Pictures, 2008.

that came out in 2012 based on a book from 1971 which was a catalyst for this kind of presentation, Dr. Seuss's *The Lorax*.<sup>6</sup>

Has business *per se* become a baddy? Has economics become an enemy? Some biblical scholars have also presented a market economy as an enemy or at least as being unbiblical or not reflecting a biblical model. For an example, see Norman Gottwald's Marxist interpretation of early Israelite history<sup>7</sup> and the more recent work of Roland Boer.<sup>8</sup> Boer in particular reflects on charges that a Marxist approach is anachronistic as regards method, since it imposes later categories on earlier texts.<sup>9</sup> While true, it is important to remember that this is equally true as regards a free-market model, which he terms "neo-classical economics."<sup>10</sup>

Biblical texts can also be brought out to show some of these same points concerning economics as enemy: Luke 18:25 (about rich men and needle's eyes), Proverbs 11:4 ("Riches do not profit in the day of wrath"), or Jeremiah 22:17 ("But your eyes and heart are only on your dishonest gain, for shedding innocent blood, and for practicing oppression and violence").

In light of these various suggestions that business, and even private ownership, might be less than ideal, what is the value of economics for biblical interpretation and vice versa, how might the Bible shed light on economic realities?

## Economics

First of all, what is "economics?" A useful dictionary definition identifies it as "the science that deals with the production, distribution, and consumption of goods and services."<sup>11</sup> From its Greek derivation, οἰκονομία (rules [νομος] of the house [οικος]) concerns household administration, or, in basic terms, how we live together as a human community. With this understanding, almost all areas of life have a social or economic aspect. Economics is not concerned only with the business of business but with the business of life.

A key element of economic understanding is the concept of ownership. There is a spectrum of views regarding ownership ranging from personal, private ownership of everything on one end to a public, state ownership of everything on the other. On one side of the spectrum is a free market economy regulated by supply and demand. Here decisions regarding such things as what to produce and the prices to charge for goods or services are determined by the individual producers and owners. "Individuals have economic freedom when (a) property they acquire without the use of force, fraud, or

<sup>6</sup>Illumination Entertainment/Universal Pictures, 2012.

<sup>7</sup>Norman K. Gottwald, *The Tribes of Yahweh: A Sociology of the Religion of Liberated Israel, 1250–1050 B.C.E.* (Maryknoll: Orbis, 1979).

<sup>8</sup>Roland Boer, *The Sacred Economy of Ancient Israel*, Library of Ancient Israel (Louisville: Westminster John Knox, 2015) and earlier works.

<sup>9</sup>Ibid., 41.

<sup>10</sup>Ibid., 11.

<sup>11</sup>*Random House Webster's College Dictionary* (New York: Random House, 1991), 423.

theft is protected from physical invasions by others and (b) they are free to use, exchange, or give their property as long as their actions do not violate the identical rights of others . . . an index of economic freedom should measure the extent to which rightly acquired property is protected and individuals are engaged in voluntary transactions.”<sup>12</sup>

The other side of the spectrum is a market where decisions concerning such things as what to produce are controlled by an external power, usually the state or some other collective in a socialistic system. I am not aware of any society operating completely at one end or other of the spectrum, but rather somewhere along its continuum. We need to remember that, in the Pentateuch, the description is of a society which, for most of the time covered in these biblical books, were slaves or refugees, living under conditions which did not allow any regular, free market forces to operate, at least in the spheres over which the Israelites might have any control.

### **Ownership, Economics, and Business in the Pentateuch**

#### **Existence of Ownership**

God, as Creator of the universe, could be considered owner of all. Humanity, according to the creation story in Genesis 1:27–28, is afforded a special relationship with God, being made in his image. “And God created man in His own image, in the image of God He created him; male and female He created them. And God blessed them; and God said to them, ‘Be fruitful and multiply, and fill the earth, and subdue it; and rule over the fish of the sea and over the birds of the sky, and over every living thing that moves on the earth.’”

The parameters of what that image means are debated, but co-creative ability, and therefore ownership, is part of that image, so ownership and authority over creation is delegated by God, according to the biblical narrative. Human beings are, in fact, secondary co-creators with God. Biological creation through reproduction is part of this mandate: to “be fruitful and increase in number; fill the earth.” Reproduction is not the entirety of this mandate, however, since both artistic, aesthetic production as well as economic production are part of the mandate as well. Humanity, like God, can and should produce things which are “good for food and pleasing to the eye” (Gen 3:6).

Abram is commanded to “Leave your country . . . and go to the land I will show you” (Gen 12:1). Upon arrival there, “The Lord appeared to Abram and said, ‘To your offspring I will give this land’” (12:7). The promise of land given to Abram is repeated on numerous occasions,<sup>13</sup> and also given to his

<sup>12</sup>James Gwartney, et al, *Economic Freedom of the World, 1975–1995 Report* (Vancouver; Fraser Institute, 1996). In 2013, Hong Kong ranked number 1 by these criteria while the US ranked number 16.

<sup>13</sup>13:15, 17; 15:7, 18; 17:8 and 24:7.

son, Isaac,<sup>14</sup> and his grandson, Jacob.<sup>15</sup> Even for those in a nomadic lifestyle, property ownership is important, especially when some sense of geographical permanence is needed. This is the case, for example, when Abraham buys the cave, field, and trees as a burial site for his wife, Sarah, from Ephron the Hittite in Genesis 23.<sup>16</sup> Land is also important in an agricultural society such as that of Israel after settling in the land, where at least enough of a sedentary existence is needed to allow for sowing and reaping crops.<sup>17</sup>

Wider ownership of things beyond land is also evident, and often portrayed as part of God's blessing, as when Abraham's servant describes his master's good fortunes to Laban, saying: "The LORD has greatly blessed my master, and he has become wealthy; he has given him flocks and herds, silver and gold, male and female slaves, camels and donkeys" (24:35). A 2011 work concerns the importance of possessions in the story of Jacob (Gen 37–50).<sup>18</sup> Possessions do not form the *raison d'être* for the story, but thread their way throughout it. In fact, material possessions of various types are mentioned 310 times in Genesis 12–50.<sup>19</sup> Similarities between the lives of the patriarchs and that of Sinuhe in a Middle Egyptian text, where he receives the benefits of land ownership, with its produce of fruit, grain, cattle, wine and food,<sup>20</sup> shows that this concept of the desired "good life" involving ownership and consumption is viewed as a blessing beyond the borders of Israel.

Ownership is recognized and regulated in Israel's legal system. The Ten Commandments, her national foundation and constitution, clearly establish a right to private property in two of its statements, the eighth and tenth ("you shall not steal," Exod 20:15; "you shall not covet your neighbor's house. You shall not covet your neighbor's wife, or his manservant or maidservant, his ox or donkey, or anything that belongs to your neighbor," 20:17). This is not simply a random list of instructions, but constitutes the core of the ancient Israelite house or "household," which in that early period where agriculture was the main lifestyle, "was the fundamental social form, the basic unit of production and consumption."<sup>21</sup> The items are listed due to their economic significance rather than any other criterion (e.g., sexual attraction toward the wife, since that is covered in the seventh command, mentioned below).<sup>22</sup>

<sup>14</sup>26:3.

<sup>15</sup>28:4, 13.

<sup>16</sup>David L. Baker, *Tight Fists or Open Hands? Wealth and Poverty in Old Testament Law* (Grand Rapids: Eerdmans, 2009), 15.

<sup>17</sup>William G. Dever, "The Rural Landscape of Palestine in the Early Bronze IV Period," in Aren M. Maier, et al., *The Rural Landscape of Ancient Israel* (Oxford: Archaeopress, 2003), 43–60; Boer, *Sacred Economy*, 77.

<sup>18</sup>Paul D. Vrolijk, *Jacob's Wealth: An Examination into the Nature and Role of Material Possessions in the Jacob Cycle (Gen 25:19–35:29)*, VTSup, 146 (Leiden: Brill, 2011).

<sup>19</sup>Ibid, 307.

<sup>20</sup>William W. Hallo and K. Lawson Younger, Jr., eds. *Context of Scripture I: Canonical Compositions from the Biblical World* (Leiden: Brill, 1997), 79.

<sup>21</sup>Richard A. Horsley, *Covenant Economics: A Biblical Vision of Justice for All* (Louisville: Westminster John Knox, 2009), 27.

<sup>22</sup>Baker, *Tight Fists*, 31.

David L. Baker notes the theological importance of these laws when he states that, “property ownership is a divinely given right and responsibility, and therefore members of the covenant community may not deprive someone else of their personal property.”<sup>23</sup>

The ninth commandment (“you shall not give false testimony against your neighbor,” 20:16) does not simply concern lying about someone, going against his or her right to good reputation, but is also an economic wrong. It is set in the context of the court, where false testimony can put the entire legal system at risk. This perjury is protected against elsewhere in the Law by requiring more than one witness in a case (Deut 17:6; 19:15), and protection against it was given additional psychological power by requiring witnesses in a capital case to be the ones who began the punishment (17:7). Also, if a false suit was brought, the false witnesses would themselves receive the punishment which the accused would have suffered if they had been found guilty (Deut 19:16–21).

The commandments also protect a right to sexual faithfulness (“you shall not commit adultery,” Exod 20:14). It, and the call to honor one’s parents in the fifth commandment (Exod 20:12), protects the family unit, not only important for the ancient Israelite agricultural society, since it was the unit in which most economic production took place, but of any society. It is evident even today that where the family is threatened and is without all of these protections, the continued existence of a healthy human society would be, and is, in jeopardy.

Rights to, and the rights of slaves are spelled out in Exodus 21:2–11, and the rights to and obligations of other private property are spelled out in Exodus 21:28–22:15.

Ownership is also assumed in Israel’s system of religious practices. The offerings which Cain and Abel brought to the Lord were the products of their own work, and therefore theirs to offer or withhold as they saw fit. We can also assume that the materials brought by the Israelites as regulated in the laws regarding offerings and sacrifices in Leviticus 1–7—whether the offerings were from the herd, the flock, or the field—were in some way owned by the one giving the offering—whether through breeding, cultivation, or capture in the case of birds (Lev 1:14). If it were not their own personal possession, there would have been little sense of sacrifice, no giving up of some other benefit which they might have derived from using the object for their personal good. This, by the way, is one of the principles of economics—the reasoned allocation of scarce resources.<sup>24</sup>

### **Purpose of Ownership**

This is an appropriate opportunity to ask after the purpose of ownership. While it is primarily to provide for one’s self and one’s family, ownership is

<sup>23</sup>Ibid., 310.

<sup>24</sup>See e.g., Victor V. Claar and Robin J. Klay, *Economics in Christian Perspective: Theory, Policy and Life Choices* (Downers Grove: IVP, 2007), 15.

not simply for personal enjoyment and benefit. That would be like a wealthy collector who has secreted a hoard of Old Masters in his basement gallery solely for private enjoyment, barring access to anyone else. Ownership was for the purpose of aiding further production as called for in Genesis 1:28 (“be fruitful and multiply and fill the earth”); it allowed for the acquisition of working capital. In fact, it is most helpful in the case of ancient Israel to view ownership being of the produce itself rather than of the land from which it was produced. This is evident in the instructions concerning real property for the Year of Jubilee in Leviticus 25:14–16:

When you make a sale to your neighbor or buy from your neighbor, you shall not cheat one another. When you buy from your neighbor, you shall pay only for the number of years since the jubilee; the seller shall charge you only for the remaining crop years. If the years are more, you shall increase the price, and if the years are fewer, you shall diminish the price; for it is a certain number of harvests that are being sold to you.

In some ways, the Year of Jubilee could look like a Marxist redistribution of property by the state.<sup>25</sup> Who is the actual owner, however? It is good to remember another verse found in the same chapter of Leviticus, however, for 25:23 reads: “The land shall not be sold in perpetuity, for the land is mine; with me you are but aliens and tenants.” This is a reminder that there is a difference between the Owner with a capital “O,” which is God, and a small letter “owner,” his human co-rulers. In some ways, then, Israelites operated with rolling long-term leases, though it is not clear how this might impact their daily lives in any way differently than if they had outright ownership. Going back to Karl Marx, he differentiated between the capitalistic owners, or “bourgeoisie,” on the one hand, and the workers, or “proletariat,” who owned nothing, on the other. Socialism as it subsequently developed under Leon Trotsky then proposed that ownership needed to be in the hands of the collective whole, whether in the form of the state or the commune, so that there would be no owner/employee relationships, which could lead to oppression, no “us” vs. “them” mentality. The Bible takes a different slant on this, however, not advocating a collective ownership and a periodic redistribution of wealth. Rather it protected individual (or perhaps better, family or kinship group) ownership of the means of production rather than the product itself, protecting the right of everyone to be an owner, a producer, one of the “bourgeoisie.” Everyone thus could be an “us” rather than a “them.”

### **Purpose of the Laws?**

Israel’s laws seem to have been established to protect the rights of individuals and families against encroachment by the state. The Old Testament

<sup>25</sup>For example see, Robert North, *Sociology of the Biblical Jubilee*, Analecta Biblica, 4 (Rome: Pontifical Biblical Institute, 1954), especially 175–89.

has examples of two kinds of laws. One comprises the static, fixed laws like the Ten Commandments. These formed a foundation of society, their Constitution, if you like. On the other hand, there were the much more numerous case laws, laws of a type with which we are more familiar. These grow (seemingly without end) and change as situations, or cases, change. The case laws show the development of the concept of ownership when new situations are encountered. A textbook example of this is the daughters of Zelophehad who, in two encounters with Moses, bring about two different sets of property ownership laws. In Numbers 27:1–11, Zelophehad's five daughters present to Moses the problem of their father dying without male descendants, who are the ones who customarily receive the landed family property at the death of their father, the same kind of holdings which Joseph had given to his father and brothers much earlier in Egypt (Gen 47:11).<sup>26</sup> This makes the land distribution to 601,730 men as described in Numbers 26:53 irrelevant for them since they are daughters, not sons. Moses, after prayer, extends property rights to women (and other near relatives) in such a case. The pesky sisters later return to Moses for further clarification in Numbers 36:1–13. What happens if they marry outside the clan, taking the inherited clan property with them and so diminishing the clan's ability to provide for itself? Here Moses announces that the daughters have property rights but also are limited through marriage restrictions in order to prevent the property from being alienated from the family tribe. This serves as an example of both the intricacies of personal land ownership and the importance of personal land ownership. These stories are described by Michael Moore as "one of the most remarkable socioeconomic pronouncements in the Bible," partly due to its opening up of land ownership to women.<sup>27</sup>

### Production

We return now to the topic of production, which was briefly mentioned in the discussion of ownership. At a foundational level, the Bible starts off with an example of production when God creates or produces "the heavens and the earth" as already mentioned. One of the Hebrew verbs translated "create, make," קָנָה used for example in Genesis 14:19, where God is described as "maker of heaven and earth," is an economic term, regularly referring, among other things, to the acquisition of property through purchase.<sup>28</sup> The first occurrence of creative activity using this verb with humanity as its subject, it is the woman, Eve, who says in Genesis 4:1 in relation to the birth of her son Cain, whose name is a play on this verb 'create', "With the Lord's

<sup>26</sup>Michael S. Moore, *Wealthwatch: A Study of Socioeconomic Conflict in the Bible* (Eugene: Pickwick, 2011), 147.

<sup>27</sup>*Ibid.*, 166.

<sup>28</sup>Francis Brown, et al., *A Hebrew and English Lexicon of the Old Testament* (Oxford: Clarendon Press, 1907), 888–89. See this usage of the cognate Akkadian word *qanû*, Erica Reiner, ed., *The Assyrian Dictionary of the Oriental Institute of The University of Chicago*, vol 13 (Chicago: Oriental Institute, 1982), 91.

help, I have *produced* (or “*created*”) a man! (NLT; cf. NRSV). Male and female, man and woman, are both in God’s image and both are co-creators and producers in the world as he created it to be.

One can unpack the creation account in Genesis 1–2 a bit more from the prospect of economics and business. This is an appropriate place to start since that is where God started: in the beginning. It reflects what left his hand and what he considered to be “good,” which occurs seven times in as an evaluation of God’s creation in chapter one.<sup>29</sup>

When God created heaven and earth (1:1), it is the material world which is in mind. God has an interest, an “investment” if you like, in this stuff with which we have to do every day. This stuff of creation includes water (v. 2), light (v. 3), the air/atmosphere (vv. 6–8), the dry land and the seas (vv. 9–10), vegetation (vv. 11–13), the heavenly bodies (vv. 12–19), and living creatures of the sky, sea, and earth (vv. 20–25). The account mentions things useful for human production including the power production capabilities of water and light, minerals and plant products, which would include fossil fuels, animals for food, power, and transportation, and humans as a management and work-force.

As is well known, there are several ways in which Israel and its view of the created world differed from the views of some of her neighbors.<sup>30</sup> In the *Enuma-lish* creation story from Mesopotamia, the home territory of Abram before he moved west, the heavens and the earth were formed from the slain body of a goddess, Tiamat, and humanity was formed as kind of an after-thought from the blood of one of her semi-divine minions, Kingu, mixed with clay. Humans were formed in order to be a labor saving device for the younger gods, who had been up to that point responsible for providing food and drink for their divine peers.<sup>31</sup> Unlike Israel’s view of humanity, which placed them at the top of the creation hierarchy, right under God and in his image, Mesopotamian humans were at the bottom rung.

Additionally, Israel’s God was not a physical part of his creation, that is, no part of him was used to provide the material of creation, unlike in Mesopotamia with the use of body and blood. Creation itself is in no way divine, not a god, but a separate reality apart from the essence of God. This leads to a different way of approaching the “stuff” of creation. If it were divine, we would need to worship it, not use it, manipulating or re-functioning it in some way. One writer has said that modern science is “the legitimate child of [Judaean-]Christianity” since we can study it objectively as an “it” rather than a “you.”<sup>32</sup> The same can be said for the area for human production, which could not be easily done if its raw source material was viewed as divine.

<sup>29</sup>Gen 1:4, 10, 12, 18, 21, 25, 31.

<sup>30</sup>See, as representative of a vast bibliography, Christopher B. Hays, *Hidden Riches: A Sourcebook for the Comparative Study of the Hebrew Bible and Ancient Near East* (Louisville: Westminster John Knox, 2014), 41–73.

<sup>31</sup>Hallo and Younger, *Context I*, 390–402.

<sup>32</sup>John MacMurray, *Reason and Emotion*, 2<sup>nd</sup> ed. (London: Faber and Faber, 1962), 179.

One more comment on the creation account in Genesis 1: it is a clear picture of order, with a place for everything and everything in its place.<sup>33</sup> This is shown not only by the structured layout of the creation in seven days, but also by how much of the account involves separating into different spheres, dark and light, water and dry land. Things are also made “after their own kind,” according to discernible categories. Even the purpose for which the heavenly bodies were made shows ordering: they were made “for signs and for seasons and for days and years” (1:14), thus providing regularity to the seasons, so vital for the planting and reaping of Israel’s agricultural society. The constancy and consistency, the repeatability and reliability of creation is what is necessary not only for agriculture but also for chemistry and physics, for engineering, and so many other areas of human endeavor. Imagine what life, if it were possible, might be like without this kind of regularity. We get messed up twice a year when daylight savings time comes or goes. What if each day was a different length through variations in the movements of the earth? At least our animals naturally seem to have an understanding of these things. We might want to get up an hour later, but they are coming to get milked today the same time they did yesterday before we changed our clocks.

Genesis 2 has an emphasis on community more than the ordering seen in Genesis 1. It provides further insights into the area of human production. God’s Sabbath (vv. 1–3) indicates that we humans, in his image, must not be only about work. Creation mandates a time of rest, a time to “be still and know that I am God” (Ps 46:10), not only for humans, but for the fields and flocks as well (Exod 23:11). In contrast to the picture of human beings as simply the slaves of the Mesopotamian gods, needing to supply the gods’ needs 24–7,<sup>34</sup> Israel’s God gives them a day off, relief from the daily grind.<sup>35</sup> In the Exodus 20 version of the Sabbath command, it is tied to creation, since “For in six days the LORD made heaven and earth, the sea, and all that is in them, but rested the seventh day; therefore the LORD blessed the Sabbath day and consecrated it.” In the Deuteronomy 5 version of the commandment, the motivation is different, “Remember that you were a slave in the land of 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.” God created the opportunity for all to rest, and he wanted to make sure that this is not only the human’s own selfish privilege, but also that of all the rest of God’s creation.

God provides the garden (2:8), a place of nourishment where humanity may flourish and fulfill the mandate given by God. Here also God does not skimp in his creation. He lavishes good on his creation: plants and fruit trees

<sup>33</sup>See John H. Walton, *The Lost World of Genesis One: Ancient Cosmology and the Origins Debate* (Downers Grove: IVP, 2009).

<sup>34</sup>See *Enuma elish*, 6:31–36 (Hallo and Younger, *Context I*, 401); the Igigi myth, part of the Atra-hasis Epic (ibid., 450–51).

<sup>35</sup>Richard A. Horsley, *Covenant Economics: A Biblical Vision of Justice for All* (Louisville: Westminster John Knox, 2009), 25.

all over for use as food. Humanity has all it needs, but also there is a limitation, one garden resource which was restricted according to humanity's contract with God (2:16–17). The nature of the restriction is not relevant here, but what is important is that just because humanity is able to do something does not mean that it should do something. We might not understand why God made this restriction, but there must have been something potentially harmful from which the Creator of the universe was protecting his creatures for their own good.

Human responsibility for creation is spelled out more clearly in Genesis 2:15: "The LORD God took the man and put him in the Garden of Eden to till it and keep it." Tilling, or more accurately, "working" the soil is necessary for its fullest production, but this is not to be done to its hurt, but rather "to keep" or care for it.<sup>36</sup> This is not a license to rape nature, but to nurture it. While nature and creation are not divine, they are sacred, things of God's own which he has entrusted to us, his human co-creators and co-sustainers.<sup>37</sup> Work is not only for the benefit of the earth, it is also for the benefit of the worker, providing occupation, product/result, but also significance. Martin Luther stated: "But it is appropriate here to point out that man was created not for leisure but for work, even in the state of innocence."<sup>38</sup>

God brings the animals to the man (vv. 19–20) for him to name, showing human ability, like God's in chapter one, of categorizing and organizing: he engages in information management. When the man does not find someone like himself among the animals, no other in God's image who could serve as a helper, God creates the woman (vv. 21–24), not as man's apprentice or servant but as his equal in fulfilling God's creation mandate, both being co-creators with God. The idea, or at least the possibility, of division of labor has thus been established.

As one writer explains the scene as we have it at the end of Genesis 2:

The foundations for a market economy have been laid—the means of production (the garden itself, and the earth, atmosphere, and sun), labor (to till), management (to tend), and the cooperative impulse to divide (share) the roles and efforts required—as part of God's created temporal order. In this first human relationship, the marketplace is established not as a place necessarily for profit

<sup>36</sup>Let me digress for a moment to make a theological comment on the Hebrew verb translated 'work, till' here. It has a similar range of meaning as the Greek verb used in Romans 12:1, a familiar passage about offering our bodies either as "your reasonable service" (KJV) or as "your spiritual act of worship" (NIV). The verb is often used in religious contexts, indicating that in the Judeo-Christian view, work/service and worship are aligned rather than separated.

<sup>37</sup>See John R. Schneider, *The Good of Affluence: Seeking God in a Culture of Wealth* (Grand Rapids: Eerdmans, 2002), 44–45.

<sup>38</sup>*Lectures on Genesis 2:15*, cited in Raymond Bakke, et al., *Joy at Work: Bible Study Companion* (Seattle: PVG, 2005), 25.

but as a place of bonded relationship and full of the potential for human practice of an equitable and just society.<sup>39</sup>

Before moving on, let me make some management observations on this Genesis creation account noted by a student a number of years ago. I cannot even remember her name, but she had some interesting insights. God had a vision, the creation of the universe, something which every business venture, in fact every human venture, including the church, must have. Where are we going, what is our goal, our aim? Filling the pews? Making the budget? Forming disciples? Without knowing where you are going, how will you know if you get there, or even where “there” is? Albert Einstein said, “A perfection of means, and confusion of goals seem, in my opinion, to characterize our age.”<sup>40</sup> This is what made it difficult for Abram when he received his call in Genesis 12:1, “Now the LORD said to Abram, ‘Go from your country and your kindred and your father’s house to the land that I will show you.’” He was to leave what he knew, his familiar surroundings, to go where? As Angus Buchan said, however, “Abraham didn’t know where he was going, but he knew who was leading him,” and he trusted that God, his travel companion, did know the destination.<sup>41</sup>

God also had a strategic plan as to how to attain his vision; he had thought things out in advance. This is stated in Proverbs 8, where Wisdom is speaking (8:22–31). Wise planning accompanied God in creation, and it is also necessary for humans, his co-creators (8:32–36).<sup>42</sup> Joseph, in his job as “Chief Operating Officer” in Egypt,<sup>43</sup> also had a plan when presented with Pharaoh’s vision of the seven fat cows and seven skinny cows in Genesis 41:33–36.

Part of the plan of creation was to reach the goal through smaller, incremental steps. In Genesis 1, there were eight of these, and they were assessed when they were finished: “God saw that it was good.” The goal was reached, the vision actualized sequentially and one step at a time.

While God was the creator, he did not do everything directly on his own. He spoke and created light, but Genesis 1:11 and 24 both read, “Then God said, ‘Let the land produce.’” He had other elements take part in the creation. This is a management principle often easier understood than practiced, since, as an entrepreneur who started the business, it is hard to let go and trust the enterprise to someone else, for many reasons. Moses had to learn this from the advice of a seasoned old-timer, his father-in-law Jethro, who observed Moses’ business model and had some comments on it (Exod

<sup>39</sup>David B. Doty, *Eden’s Bridge: The Marketplace in Creation and Mission* (Eugene, OR: Wipf & Stock, 2011), 15; material for the above presentation is taken from 2–15.

<sup>40</sup>Albert Einstein, *The Theory of Relativity and other Essays* (Secaucus, NJ: Carol, 1996), 67.

<sup>41</sup>Angus Buchan, *Now is the Time: A Daily Devotional* (Oxford: Monarch, 2014), 90.

<sup>42</sup>Richard Rumelt, *Good Strategy, Bad Strategy: The Difference and Why it Matters* (New York: Crown Business, 2011).

<sup>43</sup>Horsley, *Covenant Economics*, 13.

18:13–26). God also is shown to have consulted in the creation process, “let us make man in our image” (Gen 1:26).

Note finally what happened when creation was finished, the goal was reached, the vision achieved. God stopped and had a party, what is called the “Sabbath.” Marking milestones is a vital part of building morale and helping those involved celebrate their help in reaching a goal.<sup>44</sup>

Production is not only important at the point of creation, but plays an important role throughout the Pentateuch and beyond. To encourage Israel to keep the Sinai covenant, it concludes with numerous blessings. These include, in Deuteronomy 28:3–5, “Blessed shall you be in the city, and blessed shall you be in the field. Blessed shall be the fruit of your womb, the fruit of your ground, and the fruit of your livestock, both the increase of your cattle and the issue of your flock. Blessed shall be your basket and your kneading bowl.” God wants his creatures not simply to eke out an existence by living on the poverty-line, he wants them to experience abundance, which is in some ways tied in with *shalom*. “Peace,” its common translation into English, is only an anemic representation of the term. “Peace” is mainly a negative term, indicating the lack of war, no more armed conflict. Hebrew has a much richer, more positive concept behind this word. True, there is no conflict, but all things are right with the world. Not only do I not fight my neighbor, I love my neighbor and want the best not only for me and my family but also for them and their family. Its ultimate goal is rest, not the idea of not working, but in not striving, struggling vigorously against resistance to reach a goal, enjoying and being energized by one’s labors rather than being depleted by them. Abundance is a difficult concept to discuss in situations in which there is much scarcity, but it is nevertheless an important biblical concept.<sup>45</sup>

## The Fall

### Free Markets?

A question that arises from a study of personal ownership and production is whether any system, inside the Bible or anywhere else, can enjoy a pure, free-market economy. Can humanity, or specifically a human institution such as a market, operate without constraint? Scripture also addresses this issue, though in such a way that the problem is clearly seen not to be economic, not a problem with how markets work, but theological, how the human heart works. The pristine, “very-good” creation as it left the hand

<sup>44</sup>The Bible, which is not a business manual, has many valuable business insights. It is a revelation of God’s workings in his creation, an ‘owner-operator’ manual written by the manufacturer. If so, we should not be surprised to find it relevant not only in issues of religious practice but also how to live in so many other areas of daily life. A number of business gurus have noticed this, and have been presenting insights in the secular world which are derived from Scripture even though their direct source might not be mentioned. These include Peter Drucker, Ken Blanchard, Steven Covey, and Patrick Lencioni, to name just a few.

<sup>45</sup>John R. Schneider, *The Good of Affluence: Seeking God in a Culture of Wealth* (Grand Rapids: Eerdmans, 2002).

of God in Genesis 1–2 encountered the reality of human disobedience in Genesis 3, and there the destructive potential of fallen self-rule is clearly evident. God had established one prohibition in his good creation, one which restricted access to part of his creation: “And the LORD God commanded the man, ‘You may freely eat of every tree of the garden; but of the tree of the knowledge of good and evil you shall not eat’” (2:16–17). The humans subjected this prohibition to their own evaluation, and found it wanting from their perspective: “So when the woman saw that the tree was good for food, and that it was a delight to the eyes, and that the tree was to be desired to make one wise, she took of its fruit and ate; and she also gave some to her husband, who was with her, and he ate” (Gen 3:6).

A hierarchy of authority had been established at creation, with God at the top, humanity in his image just below, followed by animals and plants. The Creator of the universe established how his creation would best run, but in Genesis 3 his creatures question what he had set in place. In discussing what God meant, rather than acquiescing to his wishes, humans were raising themselves up one level in the hierarchy, claiming equality with God in at least some ways. This had catastrophic results, altering relationships at every level. Male and female, each made in the image of God and without shame in their openness before each other (Gen 1:24), now lost their own sense of dignity, hiding themselves (3:7). This also had the result of separating the man from the woman, and this distance becomes even more apparent when God confronts them. The man responds, “The woman whom you gave to be with me, she gave me fruit from the tree, and I ate.” (3:12). “It’s her fault, but really it’s your fault, God!” This shows that the good relationship between God and humanity has also been shattered. This relationship break is pictured starkly in Genesis 3:8–9, “They heard the sound of the LORD God walking in the garden at the time of the evening breeze, and the man and his wife hid themselves from the presence of the LORD God among the trees of the garden. But the LORD God called to the man, and said to him, ‘Where are you?’” God’s question here is not geographical, but theological. He wants his creatures to be aware of the rift now existing between them as he asks where they now stand in relation to him.

This is not the end of things as regards the results of the fall, for Genesis 9:2–3 says, “The fear and dread of you shall rest on every animal of the earth, and on every bird of the air, on everything that creeps on the ground, and on all the fish of the sea; into your hand they are delivered. Every moving thing that lives shall be food for you; and just as I gave you the green plants, I give you everything.” Humanity lost closeness to the rung above in the hierarchical ladder, but also with the rung below: the animals. One more verse is also relevant. Genesis 3:17–19 reads, “And to the man [God] said, ‘Because you have listened to the voice of your wife, and have eaten of the tree about which I commanded you, ‘You shall not eat of it,’ cursed is the ground because of you; in toil you shall eat of it all the days of your life; thorns and thistles it shall bring forth for you; and you shall eat the plants

of the field. By the sweat of your face you shall eat bread until you return to the ground, for out of it you were taken.” The lowest rung on the hierarchy is affected by the fall: the inanimate plants, and even the earth itself, the raw material for human economic production. Now the man has to undertake laborious toil against recalcitrant nature much as that the Igigi-gods were happy to pass on to humanity in the Atra-hasis Epic.<sup>46</sup> It was this event of the Fall that changed the entire game. God started play, getting everything moving well together in his creation, and then passed the ball to humanity, who fumbled the ball on the very first play. If it was not for Genesis 3, there would be no need for the rest of the Bible. Fallen self-rule led to destruction at many levels, and the rest of the story involves restoration.

### Rule of Law

Socioeconomic relationships are not immune to the myriad of problems caused by disobedience. They were an important element included among those things that suffered breakdown. While one assumes that a life without sin inside the Garden of Eden would have not needed such a thing in the same way, a fallen life outside the garden needs the rule of law to protect the rights of God’s creatures, including private property rights. Since the problem was internal to the nature of humanity, not an external one regarding the nature of markets, there needed to be a theological response to the theological problem. Since the human heart had been affected, there needed to be “heart surgery” to establish justice within the community, a topic found especially in the Prophets (e.g. Ezek 11:17–20).

Daily life during the period of settlement in the land, a life that many of the pentateuchal laws anticipate and regulate, is agricultural for the majority of the population. This “subsistence–survival” pattern, as it is called by Boer,<sup>47</sup> was the lot of the rural population throughout Israel’s history. This increased the importance of land ownership, since a loss of land led to destitution and the inability to care for oneself and one’s family. For this reason, laws had to be established in two areas. First was protecting land ownership from being lost and its restoration if it were lost. This includes the Jubilee laws and the cases brought by the daughters of Zelophehad in Numbers 27 and 36, which we referred to earlier.<sup>48</sup>

Second, Israel also had to establish protection of the marginalized, the landless, those within her society who were unable to protect themselves.<sup>49</sup> The powerful had less need for this type of law, since they were able to take

<sup>46</sup>Hallo and Younger, *Context I*, 450–51.

<sup>47</sup>Boer, *Sacred Economy*, 31 and *passim*.

<sup>48</sup>See Baker, *Tight Fists*, 15–107. This was the area in which the US fell from its number 2 position in the 2000 *Freedom of the World Report* to 17 in 2013. “It is clear that the increased use of eminent domain to transfer property to powerful political interests, the ramifications of the wars on terrorism and drugs and the violation of the property rights of bondholders in the auto bailout case have weakened the U.S. tradition of rule of law. James Gwartney, et al., *Economic Freedom of the World: 2015 Annual Report* (Vancouver: Fraser Institute, 2015), 16.

<sup>49</sup>Baker, *Tight Fists*, 111–304.

matters into their own hands, looking after their own interests by force if necessary. Many people were not able to do so, and therefore needed protection by fiat, or law. The widow, the orphan, and the stranger/resident alien, not having access to land ownership in most circumstances, and thus having lost access to any means of production, were at a serious disadvantage when it came to providing for their own basic needs. Not having any Social Security, Medicare, or pension system, these folks could easily face starvation.

In a non-Fall world, one in which sin had not entered (if one can even imagine such a thing), it would have been expected that the larger family or tribe would look after the needs of those who found themselves on the margins, protecting those who, like them, are also made in God's image. Since this needy group is likely to be ignored, however, provision for its members needed to be made by such laws as Leviticus 19:9, "When you reap the harvest of your land, you shall not reap to the very edges of your field, or gather the gleanings of your harvest. You shall not strip your vineyard bare, or gather the fallen grapes of your vineyard; you shall leave them for the poor and the alien: I am the LORD your God" (see also 23:22). It is significant that this law comes immediately before a repetition of several of the Ten Commandments, the first being "You shall not steal" (v. 11). The latter gives the negative ethic, what not to do, which is countered by the positive ethic, what to do by providing for those who are in need.<sup>50</sup>

Additional support for these poor was also required every seven years, the sabbatical year when fields were to lie fallow.<sup>51</sup> Farmers will note the agricultural value of not depleting a field's nutrients through continual planting, especially in a culture without fertilizers. This is not, however, the reason given for this practice in Exodus 23:10–11, "For six years you are to sow your fields and harvest the crops, but during the seventh year let the land lie unplowed and unused. Then the poor among your people may get food from it, and the wild animals may eat what they leave. Do the same with your vineyard and your olive grove."

This, by the way, relates to one of the positive advantages of personal ownership and production. Most often the landowner, the "entrepreneur" if you like, was able to produce in excess to the needs of the family, and so could supply others, either through sale or barter or, as in the case in point in Exodus 23 and Leviticus 19, though an indirect donation. In these cases what is taking place is not economic redistributionism, taking from those with plenty and giving to those with nothing so that everyone ends up having an equal amount, working toward some socialist ideal. Rather, it is giving to those in need so that their immediate, basic survival needs might be met.

### **Interest and Profit**

An issue that is often a critique of a capitalist or market-driven economy concerns lending at interest. Isn't lending money like this forbidden in

<sup>50</sup>Ibid., 232–39.

<sup>51</sup>Ibid., 223–32

the Bible? Yes and no, so the relevant texts, especially in Exodus 22, need, as always, to be read carefully to be sure what the text actually says:

If you lend money to my people, to the poor among you, you shall not deal with them as a creditor; you shall not exact interest from them. If you take your neighbor's cloak in pawn, you shall restore it before the sun goes down; for it may be your neighbor's only clothing to use as cover; in what else shall that person sleep? And if your neighbor cries out to me, I will listen, for I am compassionate.<sup>52</sup>

In an agricultural society, there is no guarantee of production in any given year. Drought or other natural calamities, like the locust plague mentioned in the book of Joel, can and did cause economic desolation. In such a situation, one would need to turn to a family or community member who was better off for needed help. This is the situation as stated in Leviticus 25:35 (“If any of your kin fall into difficulty and become dependent on you”) and seems also to be in view in the law in Deuteronomy, where “food” is mentioned in relation to the loan (23:19). That is where the law comes in, first positively (Exod. 22:25, “lend to them;” Lev 25:35, “you shall support them”) and then in the form of a negative law, what you are *not* supposed to do: charge interest. The text does speak of loaning “money,” or more accurately, “silver” (Exod 22:25; Lev 25:37; Deut 23:19), which was used as a medium of exchange by weight, since actual coinage, what we would call “money,” did not come on the scene until much later. What is needed by the poor person in this situation is not the medium of exchange, the silver, but what it could buy, the food with which to feed the family (part of the “anything” that is lent in Deut 23:19), or the grain seed needed to plant the crop for the next season. This is more likely what would have been loaned, with its value reckoned in silver.

More positively, what *are* you supposed to do if you have been blessed more than your destitute neighbor? “If there is among you anyone in need, a member of your community in any of your towns within the land that the LORD your God is giving you, do not be hard-hearted or tight-fisted toward your needy neighbor. You should rather open your hand, willingly lending enough to meet the need, whatever it may be” (Deut 15:7–8). Interestingly enough, even though the poor borrower has nothing, their credit is good because of their “co-signer” as mentioned in Proverbs 19:17, “Whoever is kind to the poor lends to the LORD, and will be repaid in full.” The possible abuse of the system seems to have been known, and God’s opinion of this is expressed in Psalm 37:21, “The wicked borrow, and do not pay back, but the righteous are generous and keep giving.”

Back to the discussion of interest, is this a blanket ban on loaning with interest? It is a prohibition of expecting interest when the borrower’s life is at

<sup>52</sup>Heb vv. 24–26; see also Lev 25:35–38 and Deut 23:19–20 [Heb 20–21].

risk, but it does not seem to be so when this is not the case. The law in Deuteronomy (23:20) allows charging interest to the foreigner (the **יִרְכָּנִי**), those from “distant lands” (29:21), those who would not be dependent on Israel for assistance in immediate, life-endangering situations of need. Existence needs to be supported for free, but economic expansion can be charged interest so as to be able to benefit from the potential increase. Assistance is different from investment. Aid is not incompatible with profit, since they are each directed toward a different clientele and each meets a different need.

Craig Blomberg suggests regarding this law in Deuteronomy that “Commercial loans, however, which are the staple of international trade, seem only to have been granted to foreigners, in which case a reasonable amount of interest was permitted.”<sup>53</sup> While such loan transactions are important for international trade (which is clearly present in the Old Testament; e.g., Gen 37:18), they are also vital for domestic commerce and are well-documented in the ancient Near East in both legal and commercial documents.<sup>54</sup> Many of these documents mention the payment of interest,<sup>55</sup> which would suggest that similar transactions would be present in Israel as well, though not as clearly documented in the Pentateuch (though see Neh 5:1–6). Using Kenneth Kitchen’s aphorism, “Absence of evidence [of domestic commercial transactions in Israel] is not evidence [of their] absence.”<sup>56</sup>

But what is “profit?” In contemporary society it is usually understood as financial gain, and is usually thought of from the perspective of the seller, the one who gains financially. This is only one-sided, however, since the seller is not going to get any profit from a transaction if the buyer does not receive added value in some way as well, or at least, if they do not get value, the transaction is likely going to take place only the one time: there is little likelihood of repeat business. Self-serving, one-sided gain or profit is the one condemned by the prophets, as when Ezekiel says in 22:27, “Its officials within it are like wolves tearing the prey, shedding blood, destroying lives to

<sup>53</sup>Craig L. Blomberg, *Christians in an Age of Wealth: A Biblical Theology of Stewardship* (Grand Rapids: Zondervan, 2013), 70, referring to Duane L. Christensen, *Deuteronomy 21:10–34:12*, WBC (Nashville: Nelson, 2002), 555.

<sup>54</sup>From among many examples, see Claus Wilcke, *Early Ancient Near Eastern Law: A History of Its Beginnings: The Early Dynastic and Sargonic Periods*, rev. ed. (Winona Lake: Eisenbrauns, 2007), 110–14; Code of Hammurabi, laws 49, 100, 111, M.E.J. Richardson, *Hammurabi’s Laws: Text, Translation and Glossary*, Biblical Seminar 73 (Sheffield: Sheffield Academic Press, 2000), 58–59, 72–75, (Old Babylonian period); Nicholas Postgate, *Bronze Age Bureaucracy: Writing and the Practice of Government in Assyria* (New York: Cambridge University Press, 2014), especially 123–126 (Middle Assyrian period); Shalom E. Holtz, *Neo-Babylonian Trial Records* (Writings from the Ancient World 35; Atlanta: Society of Biblical Literature, 2014), 45–47, 125–128; (Neo-Babylonian period).

<sup>55</sup>E.g., A. Leo Oppenheim, ed., *The Assyrian Dictionary*, vol. 6, H (Chicago: The Oriental Institute, 1956), 217–18; Erica Reiner, ed., *The Assyrian Dictionary*, vol. 18 T (Chicago: The Oriental Institute, 2006), 125; Julius Levy, *Keilschrifttexte aus Kleinasien*, TuM 1 (Leipzig: J.C. Hinrichs, 1932), 23n14 (60% annual interest on silver); Edict of Ammisaduqa, laws 4 and 7, James B. Pritchard, ed. *Ancient Near Eastern Texts Relating to the Old Testament*, 3rd ed. (Princeton: Princeton University Press, 1969), 526; on barley or silver.

<sup>56</sup>Kenneth A. Kitchen, *Ancient Orient and Old Testament* (London: IVP, 1966), 31–32.

get dishonest *gain*.” In acceptable transactions the “mutually beneficial” aspect needs to be kept in mind. The Hebrew term עָצָר used for “profit/gain” is morally neutral, not a bad or good thing in itself, but it can surely be used, or gained, by either good or evil means.<sup>57</sup> A search for return on investment should not only be one sided, only selfishly looking after one party in the transaction; value must be added to both sides of the transaction.

One thing getting in the way of thinking in this way is the economic concept of scarcity mentioned briefly earlier. If there are six apples and I give you one of them, that means I have one less. God does not seem to view economics from this zero-sum perspective, a perspective where there needs to be a winner to match each loser. God does not work like the stock market. Instead, he says to the people of Israel in Deuteronomy 8, “This entire commandment that I command you today you must diligently observe, so that you [plural; all of you] may live and increase. . . . You [singular, each person individually] shall eat your fill and bless the LORD your God. . . . But remember the LORD your God, for it is he who gives you power to get wealth.” This wealth seems to be expanding beyond zero-sum, to be limited only by a diminished vision and response to existing needs rather than by saying that there is only so much to go around. Looking back to God’s promises to Abram in Genesis 12:2–3, where are the limits? “I will make of you a great nation, and I will bless you, and make your name great, so that you will be a blessing. I will bless those who bless you, and the one who curses you I will curse; and in you all the families of the earth shall be blessed.”

Secured loans were also regulated in ancient Israel. Exodus 22:25–27 (the verses following the prohibition of interest on the poor) reads, “If you take your neighbor’s cloak in pawn, you shall restore it before the sun goes down; for it may be your neighbor’s only clothing to use as cover; in what else shall that person sleep? And if your neighbor cries out to me, I will listen, for I am compassionate.” This impoverished neighbor owned at least something to use as collateral, but again, taking advantage of his unfortunate, and apparently life-threatening, situation was unacceptable. That such protective laws were needed to protect those lacking power is illustrated by the Hebrew ostrakon found at Metsad Hashavyahu. This seventh century B.C. document is a plea by a harvester for his unjustly confiscated cloak.<sup>58</sup>

If an Israelite became completely destitute and totally unable to provide enough for survival through either production or loan, that person could enter into a servant relationship with someone who had more economic resources. An Israelite so enslaved did not become a simple chattel, property for the unbridled exploitation of the owner, as the slave laws in Exodus 21 indicate. This was still not a good situation, being a position of last resort,

<sup>57</sup>The majority of uses of the term are in negative contexts (e.g., Exod 18:21; 1 Sam 8:3; Isa 33:15), though some are also positive (e.g., Mal 3:14). That Hab 2:9 specifically modifies the noun with “evil” (רָע) indicates that the noun itself does not include this negative connotation.

<sup>58</sup>Pritchard, *Ancient Near Eastern Texts*, 563.

but in this case, freedom with starvation might appear less attractive than the servitude. However, if this did arise, the owner or master was required to provide food and clothing for slaves (Exod 21:10).

As we close, let us explore with you several examples of biblical case law, one of which is very troubling, but which, if looked at through an economic lens, takes on a different, more palatable shape.

### Economic Case Studies

**Case 1:** An agricultural economy such as that in early Israel places a high importance on family, including women and children, as workers on the land. The labor intensive agricultural basis of most family's economies in the period of the Pentateuch required large families, though even with them there were times of the year when labor demands exceeded supply and help was needed from beyond the immediate family. Even at the best of times, the marginally fertile land in the hill country was extremely demanding. As Carol Meyers states, "The physical work required for subsistence agriculture would have taken up all available daylight hours virtually year-round."<sup>59</sup> Women as well as men needed to be an active part of this labor force, especially during the seasonal periods of high demand for labor in agriculture such as times of planting and harvesting, both shown in Egyptian scenes which show males and females involved in farm labor. Before her marriage, Rachel tended her father's flocks (Gen 29:7, 9), and we can assume that this would continue after marriage as well, at least until children became old enough to do the job. For the woman, this labor would have only supplemented the time demanded by food production and processing, textile manufacture and clothing production, building and maintaining the physical structure of the house, and many other tasks, some shared by the men and some within their sole purview. The education of at least the smaller children would also fall to them.

For this reason, there was an economic loss to the family at the marriage of a daughter. In compensation for this loss, the prospective husband or his family paid a bride-price,<sup>60</sup> such as when Shechem offered a blank-check for Dinah in Genesis 34:12 ("Put the *marriage present* and gift as high as you like, and I will give whatever you ask me; only give me the girl to be my wife"). This custom is not the outright purchase of the woman, which is a separate situation. Exodus 21:7–11 indicates that such a purchased slave can be resold, but such is not the case here in a marriage. Apparently the girl's father could use any gain obtained through these funds, but the principal was to remain accessible to her in case of the husband's death or of divorce.<sup>61</sup> This

<sup>59</sup>Carol Meyers, "The Family in Early Israel," in *Families in Ancient Israel*, edited by L.G. Perdue, et al. (Louisville: Westminster John Knox, 1997), 23n61.

<sup>60</sup>E. Lipiński, "מְבָרָה *mbar*," *Theological Dictionary of the Old Testament*, edited by G. Johannes Botterweck, et al. (Grand Rapids: Eerdmans, 1997) 8, 142–49.

<sup>61</sup>Roland de Vaux, *Ancient Israel* (New York: McGraw Hill, 1965), I 27.

is probably why Rachel and Leah were so upset at the father Laban, “who used up what was paid for us” (Gen 31:15).

**Case 2:** The bride-price is also part of a legal case in Exodus 22:16–17 (Heb 15–16): “When a man seduces a virgin who is not engaged to be married, and lies with her, he shall give the bride-price for her and make her his wife. But if her father refuses to give her to him, he shall pay an amount equal to the bride-price for virgins.” Having *de facto* married the woman through having intercourse with her, the man must now “do the right thing by her,” paying the customary bride-price to her father and marrying her legally.

This brings us to yet another, similar legal situation whose problematic nature was an impetus for engaging in this research in the first place. Deuteronomy 22:28–29 reads, “If a man meets a virgin who is not engaged, and seizes her and lies with her, and they are caught in the act, the man who lay with her shall give fifty shekels of silver to the young woman’s father, and she shall become his wife. Because he violated her he shall not be permitted to divorce her as long as he lives.”<sup>62</sup> The action here is coerced and non-consensual, an actual rape rather than another example of seduction or consensual sexual activity.<sup>63</sup> Here one needs to look at differences between the 21st century A.D. and the 15th century B.C. Classroom discussion of this law invariably shows horror, not just at the rape, which is horrific enough, but also at the fact that the sexually abused victim must marry her offender! While the rape is horrific, the law must be seen against some of the economic and legal background which has just been laid in this paper. The situation is different from the law in Exodus, where there seems to have been a level of mutual consent, seduction rather than rape. This money paid here is not designated as a bride price,<sup>64</sup> but its fixed, high amount (compared, for example, to the penalty for the death of a female slave of 30 shekels in Exod 21:32) indicates that it is rather a penalty. In a Middle Assyrian law from about this same period, the penalty is either a third higher than, or even triple the regular bride-price.<sup>65</sup> The offender is required to marry his victim, though some commentators assume, based on the law in Exodus 22 and the Middle

<sup>62</sup>See CH §156 “If a man has chosen a bride for his son, but his son has not got to know her, and he himself copulates with her, he shall pay her half a mana of silver. Furthermore he shall repay her all that she brought from her father’s house and she shall choose the husband she wants” (Richardson, *Hammurabi’s Laws*, 91).

<sup>63</sup>Hilary Lipka, *Sexual Transgression in the Hebrew Bible*, Hebrew Bible Monographs 7 (Sheffield: Sheffield Phoenix Press, 2006), 174–76 and references there to supporters of both positions.

<sup>64</sup>Contra Lipka, *Sexual Transgression*, 176–78 and Eugene Merrill, *Leviticus, Numbers, Deuteronomy*, Cornerstone Biblical Commentary (Carol Stream, IL: Tyndale House, 2008), 605.

<sup>65</sup>Middle Assyrian Laws, number 55, William W. Hallo and K. Lawson Younger, Jr., ed. *Context of Scripture II: Monumental Compositions from the Biblical World* (Leiden: Brill, 2000), 359; John A. VanSeters, *A Law Book for the Diaspora: Revision in the Study of the Covenant Code* (Oxford: Oxford University Press, 2003), 123; Eve Levavi Feinstein, *Sexual Pollution in the Hebrew Bible* (Oxford: Oxford University Press, 2014), 79.

Assyrian law, that the marriage can be declined by the girl or her father.<sup>66</sup> Be that as it may, whether the marriage is required or optional, the question arises as to what it would do psychologically for a victim to continue to live with her offender as man and wife, especially of forced by law to do so. Is this not compounding the rape?

The father is explicitly visible and economically “central” in the law due to his receipt of 50 shekels. However, two items should be noted in relation to this law, one economic and one legal, both of which could serve to at least raise the rights of the virgin woman. The first is the last clause of the law in verse 29, “he shall not be permitted to divorce her as long as he lives” (a clause which also appears in the Middle Assyrian law).<sup>67</sup> The obligation is on him to provide for her economically for his entire lifetime. Her victimization, even though no fault of her own, still results in the loss of her virginity, making it much harder for her to find a spouse to provide her home and help. She, for her own economic protection, becomes the rapist’s financial obligation in perpetuity.

On the legal side, the 142nd law in the earlier Law Code of Hammurabi reads, “If a woman has despised her husband and has said, ‘You shall not take me,’ her situation shall be assessed by her community. If she has been looked after and there is no blame, but her husband has erred and greatly disparaged her, that woman has no guilt. She shall take away her marriage gift and go to her father’s house.”<sup>68</sup> This seems to suggest a situation of a wife withholding herself sexually from her husband. The even earlier “Exaltation of Inanna,” shows how Inanna, goddess of love, punishes a rebellious city, “its woman no longer speaks of love to her husband; in the deep of the night she does not have intercourse with him.”<sup>69</sup> Both indicate that even within a marriage relationship, a wife could have control over her own body and sexuality. If this understanding also held in Israel, though it is not specifically mentioned there, the rape victim could withhold herself sexually from her offender, who would still be obligated to provide for her. If the provisions of the 142nd Hammurabi law also held, there would be an even more intriguing possibility—the woman could return to her parental home and, since her offending husband could not divorce her, she could still draw upon his financial resources. If these suggestions are valid, an analysis based on economics and law changes this law concerning a raped virgin from being simply a thing of horror to a means of protection and provision for this unfortunate victim.

<sup>66</sup>E.g., J.G. McConville, *Deuteronomy*, Apollos Old Testament Commentary (Downers Grove: InterVarsity Press, 2002), 342.

<sup>67</sup>See note 65.

<sup>68</sup>Richardson, *Hammurabi’s Law*, 87.

<sup>69</sup>S.N. Kramer, “The Woman in Ancient Sumer: Gleanings from Sumerian Literature,” in *La Femme dans le Proche-Orient antique*, edited by J.M. Durand (Paris: Éditions Recherche sur les civilisations, 1987), 110. A similar motif is found in Aristophanes’s fifth century B.C. comedy Greek comedy “Lysistrata” where the eponymous heroine seeks to bring the Peloponnesian War to an end by having all women withhold their sexual favors.

### **Conclusion**

Returning to the question asked in the title: Are business people the bad guys? Hopefully it has been shown that production and property are good things in the world as made by the Creator. Unfortunately, the world as it left Creator's hand has been reshaped through the hand of the creature in ways that have left people, production, and property open to evil rather than good. A human goal should be to work for the restoration of relationships at every level which have been marred by the fall.