In *Tight Fists or Open Hands?* (TFOH), David Baker offers a helpful compendium of moral stipulations, drawn primarily from the Pentateuch, intended to inform the socio-economic life of early Israel (albeit with an eye to the use of this material to inform morally the contemporary world). The text occasionally gets a bit technical (e.g., no clear definition is provided of “apodictic” and “casuistic” as these terms are applied to biblical laws), and portions of the argument assume some familiarity with the biblical studies literature that the typical social scientist today most likely would not possess. Yet generally TFOH is very readable by one not trained in biblical studies. The fifty-five page bibliography is a resource I dearly would have treasured when I first began working through this material several decades ago (and worth the price of the book). Baker describes his analysis as the first “thorough study of wealth and poverty in Old Testament law,” which is accurate regarding the breadth of stipulations examined, but not necessarily in providing a careful socio-economic context that helps us grasp how the stipulations most likely were understood and applied; we still need the insight provided in works such as those by Christopher Wright (1990), Norman Gottwald (1979), Roland de Vaux (1965), and C.H.J. DeGeus (1976), among others.

Baker’s organizing framework treats initially provisions constraining the use of property (especially land), followed by consideration of “marginal people”—slaves, resident aliens, widows and orphans. The concluding section on “justice and generosity” gathers other stipulations that affect socioeconomic transactions and outcomes: shared harvests, loans, and commercial transactions (including labor). The biblical materials are considered in the context of similar provisions found in other societies of the ancient Near East, an exercise that both notes the similarity of many provisions (posing the possibility that early Israel used these law-codes to frame its laws) and flags crucial differences. For example, Israel’s provisions regarding theft and the protection of property rights applied equally to all members of society, with no special rights granted the king—“a revolutionary idea in the ancient world, where rulers tended to regard the property of their people as their own” (p. 27).
The Bible assigns property (of a wide variety of assets) privately to families but expects those owning property to be generous in its administration—as “a resource for the common good, with an emphasis on responsibility and compassion rather than possession and power” (p. 16). Baker bundles the Tenth Commandment, which prohibits coveting, into the lead chapter on property, acknowledging that not all moral admonitions can become subject to legal treatment (hence, my use of stipulations rather than laws). For Baker, Emerson’s aphorism (sow a thought and you reap an action; sow an act and you reap a habit; sow a habit and you reap a character; sow a character and you reap a destiny) clearly was anticipated by the Tenth Commandment, leading him to discern a crucial element of the Bible’s preferred economic arrangement: “the purpose of the Tenth Commandment is the safe-guarding of access by all members of the human community to the basic requirements for a productive and satisfying life” (p. 35). If this claim, reminiscent of statements from the World Council of Churches in the modern era, intends immediate fulfillment (in contrast to serving as an eschatological ideal towards which we are to strive), it presumes a level of abundance unavailable to most economic actors in all earthly contexts to the present.

Baker concludes his treatment of property with a helpful analysis of the Jubilee institution of Lev. 25. The Old Testament contains no record of an Israelite selling land outside of his extended family. God is the true owner of the land, with Israelite families serving as stewards; moreover, “the jubilee law was intended to protect the interests of ordinary people for whom ancestral land was the primary source of sustenance” (p. 91). Understood in this way, the Jubilee worked toward the goal of keeping biblical Israel free of social stratification. Though chattel slavery was common in the ancient Near East and Israelites are recorded as owning slaves, no Israelite was to be enslaved by another Israelite, and Israel was cautioned not to abuse slaves they owned and to protect run-away slaves from others (a unique distinctive of Israel’s law, reflecting its history of being saved by God from harsh slavery in Egypt).

Bond servitude, whereby one or several members of a household became servants of another household for a specified period of time to repay debts, was allowed (and regulated) in early Israel. Baker’s solution to a presumed inconsistency in the provisions governing bonded servitude of fellow Israelites, in Ex. 21:2ff and Deut. 15:12ff (which limit service to six years), and Lev. 25:39ff (extending service until the next Jubilee year), that the shorter service applies to dependent members of larger extended families and the Leviticus stipulation to the land-holding head
of the extended family, assumes that the years of service in the Leviticus case normally would be far longer than six years. Were the Jubilee-related loans redeemed much sooner than the fifty year maximum—the desired alternative, given the charge to related extended families to affect that outcome (Lev. 25:25-27)—then the seeming problem becomes less problematic.

Baker’s last piece of substantive analysis considers early Israel’s proper treatment of more vulnerable members of that society—resident aliens, widows, and orphans—and measures designed to address the realities they face. On the one hand, God’s desire for justice demands that impartiality (no favoritism) characterize legal and economic dealings between people, seen especially in the strong condemnation against bribery (distinct to Israel’s law code). On the other hand, a prescribed form of partiality should be practiced towards members of society subject to unusual vulnerability. Such partiality is manifested in measures which include access to the fruit of sabbatical year production and special tithes, gleanings, compassionate (zero interest) loans, and debt relief. The following three quotations from TFOH reveal the distinctiveness of Israel’s instructions in its response to the vulnerable poor in its midst:

The idea that the produce of the land is God’s gift to his people, to be shared with all, is distinctive to the Old Testament, as is the specific application of this idea to the observance of the sabbatical year. Although fallowing of land for agricultural reasons was common in the ancient Near East, no law outside the Old Testament specifies doing this for the benefit of the poor, nor as a religious observance (p. 231).

The right of the landless to glean, and the duty of the landowner to facilitate this, is stipulated in both the Holiness Code [Lev. 18-26] and the Deuteronomic Laws. This provision for the poor involves the recipients in the work of gleaning, maintaining a balance between generosity and dignity. The landowner is not burdened with extra work in being generous to the poor and the poor have the privilege of working to supply their needs. This is unique in ancient Near Eastern law (p. 237).

There is a marked contrast between the laws of the ancient Near East and those of Israel on the subject of interest. In the ancient Near East, interest is assumed to be the right of a lender, and several
law collections set rates for loans of money and grain; whereas the Israelite laws forbid charging interest on loans to other members of the covenant people, particularly the poor. Nonlegal passages of the Old Testament also refer to the giving of loans without interest as characteristic of a righteous person (p. 264).

As nations today react to the so-called Great Recession in the opening decade of the twenty-first century (generally limiting the amount of and access to subsidies designed to assist the poor in the post-World War II period), struggling to reset the incentives adopted in reaction to the Great Depression of the 1930s, the incentives embedded in the biblical provisions rehearsed in TFOH would provide useful insight. For example, a work obligation characterizes most stipulations—such as gathering sabbatical year produce and gleanings, and having to repay the principal of the compassionate loan. While a work obligation is present (most likely to help protect the dignity of the poor, as Baker notes), these provisions nonetheless were compassionate; Boaz made sure Ruth was treated properly as she gleaned in his fields (Ruth 2:8ff).

Baker could have improved his careful assessment of Old Testament stipulations intended to inform economic and social realities (and especially those designed to assist the poor) for early Israel by being more explicit about the hermeneutical status of the biblical stipulations for societies today. For example, Christopher Wright (1990), understands God’s explicit dealings with early Israel as paradigmatic of the way God would want any society to conduct its economic and social affairs. I suspect Baker shares this understanding, but he could have been clearer about this than he is in this otherwise excellent assessment of the social and economic stipulations God provided for early Israel.

References