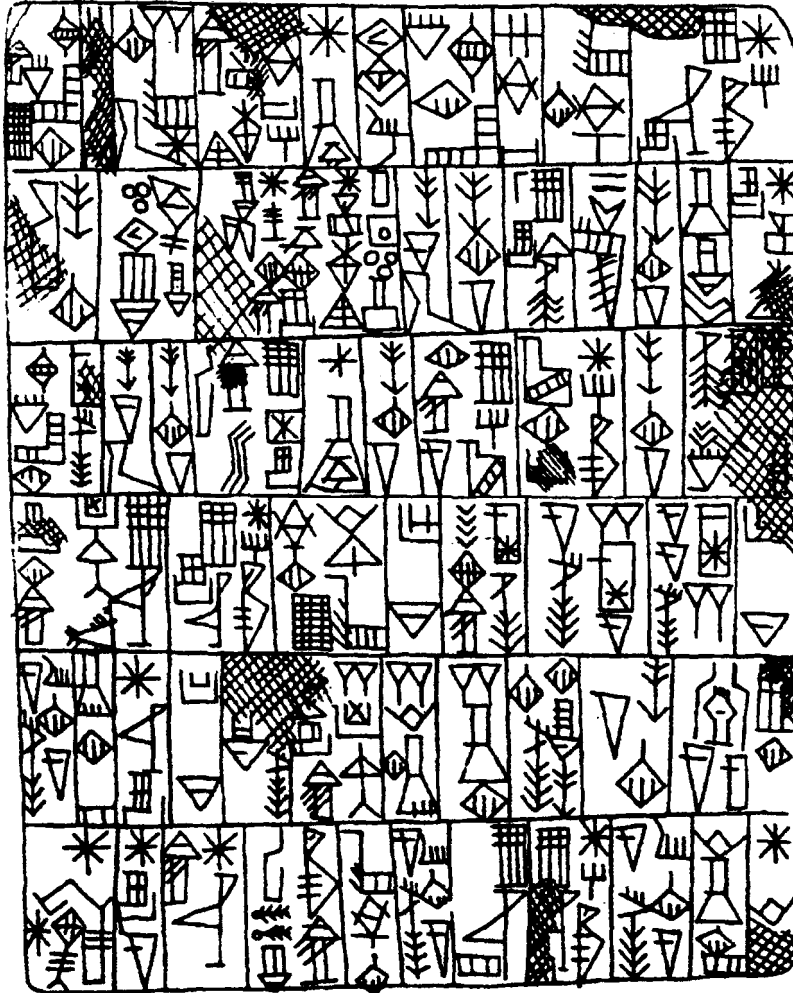


# THE LOST TRADITION OF BIBLICAL DEBT CANCELLATIONS



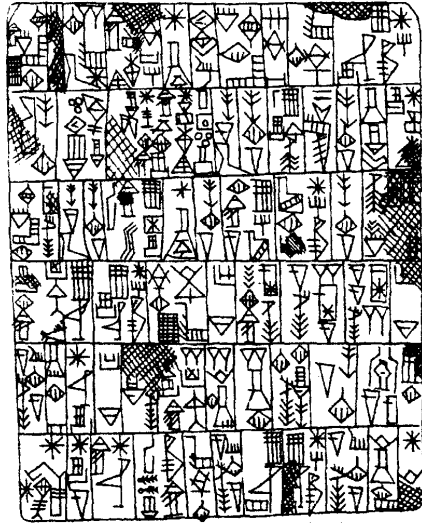
Michael Hudson, PhD.

# THE LOST TRADITION OF BIBLICAL DEBT CANCELLATIONS

Michael Hudson, PhD.

*"The rich ruleth over the poor, and  
the borrower is slave to the lender."*

Proverbs 22:7



MAURICE LAMBERT

*COVER:* A drawing of the cuneiform transcription of a debt cancellation (*amargi* law) by Enmetena (see page 18), ruler of the Sumerian city-state of Lagash, c. 2400 BC, the first known legal proclamation. (Original in the Louvre.) Cover design by Lynn Yost.

## About the Author

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# Ancient Near East and Mediterranean



## OVERVIEW

THE once-glowing core body of law within the Judeo-Christian Bible has become all but ignored - indeed, rejected - by the colder temper of our times. This core provided for periodic restoration of economic order by rituals of social renewal based on freedom from debt-servitude and from the loss of one's access to self-support on the land. So central to Israelite moral values was this tradition that it framed the composition of both the Old and New Testaments.

Radical as the idea of cancelling debts and restoring the population's means of subsistence seems to modern eyes, it had been a conservative tradition in Bronze Age Mesopotamia for some two millennia. What was conserved was self-sufficiency for the rural family-heads who made up the infantry as well as the productive base of Near Eastern economies. Conversely, what was radically disturbing in archaic times was the idea of unrestrained wealth-seeking. It took thousands of years for the idea of progress to become inverted, to connote freedom for the wealthy to deprive the peasantry of their lands and personal liberty.

So far has the modern idea of market efficiency and progress gone that today, although the Bible remains our civilization's defining book, it is perceived largely as a composite of stories, myth and wisdom literature best epitomized perhaps in spirituals and hymns, not economic laws. The Ten Commandments and the Golden Rule have

become so dissociated from the economic legislation of Exodus, Leviticus and Deuteronomy that whoever takes these laws in earnest is considered utopian and anachronistic if looking backward nostalgically, or radical if adopting there as a guide for current activism. Yet these laws formed the take-off point for Christ upon his return to Nazareth's synagogue, and for his denunciation of the money-changers who had taken over Jerusalem's temple. As late as medieval Spain the tradition of the Jubilee Year was kept alive by Maimonides and Ibn Adret. To dismiss these laws is thus to remove much of the Bible from the context of its times, above all from its Bronze Age Near Eastern matrix.

This paper accordingly traces the evolution of the Biblical debt and property laws as recorded in clay records that only recently have been deciphered and placed in their historic context. These laws which periodically cancelled debts, freed Israelite debt-servants and returned lands to their traditional holders have confused Biblical students for many centuries. They have long been virtually ignored by historians on the ground that, to modern eyes, they would seem to wreak economic havoc. Already by the first century of our era no less a theologian than Rabbi Hillel developed the *prosbul*, by which borrowers signed away their rights under the Biblical laws. Hillel explained that credit would dry up without such a clause.

Recent discoveries of Bronze Age Near Eastern royal proclamations extending from 2400 to 1600 BC throw a radically new light on these laws. Like their Biblical analogues, Mesopotamian royal edicts cancelled debts, freed debt-servants and restored land to cultivators who had lost it under economic duress. There can be no doubt that these edicts were implemented, for during the Babylonian period they grew into quite elaborate promulgations, capped by Ammisaduqa's Edict of 1646. Now that these edicts have been translated and their consequences understood, the Biblical laws no longer stand alone as utopian or otherworldly ideals; they take their place in a two-thousand year continuum of periodic and regular economic renewal.

There is no record of just how or when Babylonian legal traditions were transmitted to Israel. No doubt there were numerous periods of influence, headed by a Bronze Age inspiration early in the second millennium. One suspects that during the Babylonian captivity (586-539 BC) the Jews rediscovered much of this Bronze Age heritage, continuing a reaction against the economically polarizing impact of usury and landlordism that had gathered momentum under Josiah with the rediscovery of the Deuteronomy scroll by priests renovating the Jerusalem temple in 610.

In a sense it is almost immaterial whether the Biblical debt and land-tenure laws were introduced by Canaanite rulers celebrating New Year Clean Slates, brought by the *hapiru* or transmitted during the wars with Assyria and Babylonia. What is important is that the Bronze Age precedents provide a living historical context for these laws. The central role played by Mesopotamian Clean Slates - so important that they became synonymous with "royal edict" (*simdat*) - indicates how equally important they were to the Pentateuch. Modern readers of the Bible may skim over these laws quickly as if they were the fine print, so to speak, but to the Biblical compilers they formed the very core of righteous lawgiving.

The Mosaic tradition provided a dramatic wrapping to present these laws as being prescribed by the Lord as part of a sacred compact, to be preserved by the Israelites in

memory of the fact that they had once been enslaved and must never again permit economic oppression to develop. The Israelites are portrayed as having made a covenant to protect the economically weak by holding the land as the Lord's gift to support a free rural population. "Land must not be sold in perpetuity, for the land belongs to me and you are only strangers and guests. You will allow a right of redemption on all your landed property," and restore it to its customary cultivators every fifty years (Lev. 25:23-28). Israelite bondservants likewise were to go free periodically in the Jubilee Year, for they belonged ultimately to the Lord, not to any person (Lev. 25:54).

Until fairly recently most Biblical historians doubted that these policies really were applied in practice. Advocacy of such laws seemed to be just one more way in which the Israelites emphasized their differences from surrounding societies and gods. However, during the past half-century similar economic reorderings have been found to have been traditional in Sumer, Babylonia and their commercial periphery from about 2400 to 1600 BC. It has become clear that the freedom advocated by the Covenant Code of Exodus, the septennial year of release in Deuteronomy and the Jubilee Year of Leviticus's Holiness Code were not just abstract literary ideas, but concrete legal practices freeing rural populations from debt servitude and the land from appropriation by absentee foreclosers. *What made the revival of these releases revolutionary in Israel was their removal from the hands of rulers to become a sacred popular commandment.*

The Bible is a unique composite embedding ritual traditions and laws of social behavior in a dramatic context of stories and legends intended to appeal to the widest possible audience. This popularization was greatly aided by the spread of alphabetic writing, which made documents accessible to the population at large, in contrast to the cumbersome syllabic cuneiform prevalent prior to the first millennium BC. But the greatest innovation was to democratize liturgical texts that earlier Near Eastern societies had restricted to temple priesthods. Deut. 31:10 directs that the laws be read aloud publicly every seven years, in the year of cancelling debts (the *shemitta*), so that all the population would know they were to be freed from bondage.

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## Bronze Age Mesopotamian Debt Cancellations

(All dates are BC)

### Sumer (city-state of Lagash)

- 2400: Enmetena proclaims *amargi* upon winning regionwide suzerainty.
- 2350: by Uruinimgina, as part of his "reforms" upon becoming war-leader.
- 2130: by Gudea, upon rebuilding Lagash's city-temple.

### Ur III

- c.2100: The Third Dynasty's founder, Ur-Nammu, proclaims *nig.šiša* (as part of his legal compilation?).
- c. 2090: by his son, Shulgi.

### Ashur

- c. 1900: Ilushuma and Erishum proclaim *andurarum*, accompanied also in the 19th century BC by cancellations in its Cappadocian trade colony, Karum Kanesh.

### The Isin and Larsa dynasties

- 1974: Iddin-Dagan, third ruler of the Isin dynasty, proclaims *nig-šiša*, probably upon taking the throne.
- 1953: By Ishme-Dagan, fourth ruler, probably upon taking the throne.
- 1934: by Lipit-Ishtar, fifth ruler.
- 1923: by UR-Ninurta.
- 1800: Rim-Sim of Larsa frees his realms's debt-servants by "purifying their foreheads."

### Babylonia

- 1880: Sumulael, second ruler of the Babylonian dynasty, proclaims *misharum*.
- 1812: by Sin-Muballit.



- 1803: again by Sin-Muballit.
- 1797: also by Sin-Muballit.
- 1792: by his son, Hammurapi, upon taking the Babylonian throne.
- 1780: again by Hammurapi, after winning local victories.
- 1771: again by Hammurapi, after winning another military victory.
- 1762: by Hammurapi on the thirtieth "Jubilee" anniversary of his rule, after defeating Rim-Sin.
- 1749: by Hammurapi's son Samsuiluna, upon taking over the throne from his ill father.
- 1741: again by Samsuiluna.
- 1711: by his son, Abi-Eshuh, upon taking the throne.
- 1683: by his son, Ammiditana, upon taking the throne.
- 1662: again by Ammiditana.
- 1647: again by Ammiditana.
- 1646: by his son, Ammisaduqa, upon taking the throne.
- 1636: again by Ammisaduqa (the longest *misharum* act on record).

## NUZI

- 1500-1400: Various rulers proclaimed *shudutu* debt cancellations.

NOTE: Chronology of the dynastic rulers from J. A. Brinkman in Leo Oppenheim, *Ancient Mesopotamia* (1977), and of the early Lagash rulers from Joan Oates, *Babylon* (1979). Chronology of Babylonian debt cancellations from F. R Kraus, *Königliche Verfügungen in alt-babylonischer Zeit* (1984), and Otto Edzard, *Die 'Zweite Zwischenzeit' Babyloniens* (1957). See Bibliography.

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The core of Leviticus is the P ("priestly") document, to which is appended the Holiness Code comprising Chapters 17 through 26. Biblical scholars call this the H ("Holiness") document. Its laws, designed to preserve economic justice and supportive rituals of purity, were incorporated into Mosaic Law by being embedded in the Sinai story. (The Torah was long known as the Five Books of Moses.) Divine sanction for the Levitical and Deuteronomic laws is provided by the recurrent phrase, "I, the Lord, am your God, who brought you out of the land of Egypt, out of the land of slavery" to be free and economically self-supporting.

The Holiness Code combines some of the Torah's most ancient and latest parts. It is archaic in preserving many practices whose roots have been traced back to Bronze Age Mesopotamia, including the Jubilee Year's *deror* proclamation. It is late in its unprecedented innovation of not merely listing the sacred laws (as in the early P-source of the first 16 chapters of Leviticus), but explaining them. "In addition to stating the reasons for individual provisions, these chapters constantly refer to their overall purpose to maintain the holiness of the Israelite people. And holiness is understood not only in terms of ceremonial purity but especially in terms of personal and social righteousness" (Bamberger 1979:xviii-xix).

The Levitical exhortations, above all those dealing with debt cancellation, use phrases reminiscent of the social prophet Ezekiel, active early in the sixth century on the eve of Judah's defeat at the hands of Babylonia. This seems to reflect the fact that in the sixth and fifth centuries the archaic laws were woven into their final form. The Jewish religion's moral values were grounded not just in the priesthood, much less the palace, but in the people as a whole, by sacred covenant into which all members entered.

The new cuneiform discoveries enable us to see how, arising out of a broad Near Eastern matrix, the Biblical laws elevated to the theological plane a by-then revolutionary protest against the arrogance of wealth that had developed in the 400-year Dark Age free-for-all following the collapse of Bronze Age societies around 1200 BC. Matters came to a head during the two centuries 800 to 600 BC when the major social prophets flourished, in a line extending from Isaiah to Jeremiah. During the Babylonian "captivity" (586-516) and the return of the Jews to their native land behind Nehemiah and Ezra after 444 BC, the authors of a revived Judaism wove into the Old Testament's first five books (the Torah or Pentateuch) laws which protected the rural population from large creditors seeking to aggrandize themselves as absentee landlords. The Jews were bound by a sacred pact to proclaim the regular and universal economic renewal which worldly rulers and their priesthods no longer could be depended upon to sponsor.

Bronze Age rulers had pledged themselves to serve their local sun-gods by overseeing the rhythms of nature and society, periodically "proclaiming economic order and equity." But most such rulers were unseated by classical aristocracies which used religion and its priesthods for increasingly narrow ends. To defend popular welfare against the incursions of these aristocracies, the authors of Judaism formulated the idea of a national covenant, placing moral order in the hands of their congregations at large. This populism was the counterpart to the civil law of Athenian democracy.

Jewish populism inverted the classical hierarchies of worldly power. Although the aristocratic Pharisee element within the temples asserted its own interests throughout the Hellenistic and Roman eras, Christ sought to restore the archaic ethic by overturning the banking tables in Jerusalem's temple and preaching anew the promise of Jeremiah to

proclaim equity and liberty (*deror*) throughout the land. Indeed, it was specifically on this principle of restoring freedom to debt-slaves and unburdening the land that Christianity elaborated its ideas of redemption. In addition to redeeming souls, early Christians redeemed their co-religionists from worldly bondage. When Handel staged the first performance of his *Messiah* in Dublin in 1742, it was by no coincidence that the proceeds were used to free debtors from prison. For thousands of years, redeeming men and land from debt was the primary and most concrete form of redemption.

### **How the Axial Age took the Bronze Age proclamations of order out of the hands of kings**

*As creditor claims and private property spread outside of the public temples and palaces, the policy of regularly restoring economic freedom gave way to private accumulation of wealth at odds with overall social balance. Rather than being welcomed as ushering in an epoch of economic freedom, this privatization of hitherto communal land and public industry meant a loss of freedom for much of the population.*

The Old Testament was put into its final form in the sixth and fifth centuries BC - the Axial Age of civilization - largely as a reaction against the economic individualism and wealth-seeking erupting from classical Greece to India. Most Mediterranean lands no longer had kings to restore order and freedom by cancelling the personal debts, freeing debt-servants and returning to cultivators the lands which they had forfeited to foreclosing creditors or sold under duress. Accordingly, the cosmology of rulers governing on behalf of their local sun-gods of justice, proclaiming social order and economic equity upon taking the throne and when they celebrated their thirtieth-year "Jubilee" anniversary, was transplanted into a new context of hereditary aristocracies and absentee ownership of the land. Where kings were not overthrown by aristocracies, as they were in most of classical Greece and Rome, they acted as representatives for the governing senatorial families (as in Sparta), or became outright despots, as did Omri's son Ahab against whom Judah rebelled. The result was that interest-bearing debt spread without the countervailing royal restorations of order that had been traditional in the southern Mesopotamian core.

Social-justice proclamations were weakest in regions such as the Mediterranean lands where wealth and economic power were held by individual households rather than by the temples and palaces as was the case in Sumer. Yet it was in Sumer that civilization's first documented interest-bearing debt, profit-seeking bulk trade and other forms of enterprise were innovated in the third millennium. It was here too that agrarian usury and the foreclosure of hitherto communal land rights by absentee creditors reduced much of the population to debt bondage.

Bronze Age planners opposed these tendencies. Mesopotamian rulers patterned their social structures to reflect the rhythms of nature, and to restore economic balance when it was disturbed by military, financial or environmental pressures. To be sure, until the Amarna Age c. 1400 BC, rulers and their governments were not changed as a result of rival social policies. They were unseated, and wars were fought, simply as a result of ambitious personalities and personal rivalries and coalitions.

As creditor claims and private property spread outside of the public temples and palaces, the policy of regularly restoring economic freedom gave way to private accumulation of wealth at odds with overall social balance. Rather than being welcomed as ushering in an epoch of economic freedom, this privatization of hitherto communal land and public industry meant a loss of freedom for much of the population. It threw the archaic economic balance into disorder, for it meant a polarization of landholding patterns, a loss of fiscal revenues and a loss of the traditional obligation that wealth be used to serve the common weal. Societies became exclusive rather than inclusive. Large numbers of *hapiru* refugees came into being from Mesopotamia to the Levant, and populations began to defect to attackers promising to free them from debt and redistribute the lands that had become monopolized by the hereditarily well-placed.

By the middle of the first millennium, social protest against the privatization of land - and the concomitant debt-servitude and loss of the land for much of the population - was catalyzed by a religious break. From about 800 to 600 BC, Israel's social prophets drew on a powerful apocalyptic imagery to advocate economic renewal and equity, not as part of the traditional Near Eastern New Year reordering (replete with fertility rites and ritual copulation or "sacred marriage" between the ruler and priestess), nor as a matter for civil philosophical debate, but as sacred commandment. This religious wrapping for a doctrine of social equity transformed the Near Eastern legacy that had shaped early Canaan and Israel. It signalled a cultural revolution, if not an overtly social one.

### **The importance of Biblical debt and land-tenure laws**

*The first five books of the Old Testament were given their final form late in the fifth century, contemporary with the high tide of Greek democracy in Athens. Only in the modern era have these stories been decoupled from the laws concerning debt, land tenure and freedom from debt bondage that they originally were designed to wrap, and their social kernel thrown away.*

To the later prophets and Biblical compilers, the most important laws were the sabbath year (*shemitta*) of Deuteronomy freeing debt-servants and the Jubilee Year cancelling debts and redistributing the land to its traditional user-holders every fifty years. Yet today, although many Christians, Jews and Moslems look to the Old Testament for guidance on what is morally right, these economic sanctions have been all but ignored as representing utopian sentiments. As recently as a generation ago there was widespread doubt that restorations of economic order actually were practiced. Even scholars who viewed the Bible as a guide for worldly policy had little basis for finding concrete applications of these laws. The prophets denounced social injustice but made no reference to the Jubilee Year or similar economic laws. The only attested debt cancellations occurred in time of war, when the aristocracy acted to save its own skin, as did Zedekiah in making a covenant to free Israelite bondsmen in the face of the Babylonian king Nebuchadnezzar's attack on Jerusalem in 587 BC (as reported in Jeremiah 34). Making such promises was as much in keeping with the spirit of the times

throughout the classical world as was breaking them after the war was over (*viz.* the Roman secessions of the plebs and the story of Coriolanus).

Biblical scholarship has long been plagued by an absence of written records to confirm or deny how grounded the early narratives were in history. Matters are especially confusing with respect to the economic laws. What confirms their historicity is the discovery of Bronze Age Mesopotamian legal antecedents. These discoveries have wrought a revolution in Biblical studies in recent decades. ***Indeed, what turns out to be ironic in studying the history of Near Eastern legal practices is that precisely those parts of the Biblical narratives that hitherto have been most in doubt-- the laws cancelling debts, freeing debt servants and redistributing the land to its traditional users-- turn out to be the most clearly documented Bronze Age legacy.*** However, they are attested more in the Babylonian core than in Israel. Indeed, the Babylonian experience survives today primarily in the transmuted form that has come down to us through the Bible.

Such laws extend over two millennia, from the Early Bronze Age diffusion of Sumerian and Babylonian practices to the Babylonian "captivity" in the sixth and fifth centuries, when the transplanted Jews came into intimate contact with Babylonian scholarship. The first five books of the Old Testament were given their final form late in the fifth century, contemporary with the high tide of Greek democracy in Athens. In 444 BC, Nehemiah, a Jewish official at Persian-dominated Babylon who had risen to the position of cupbearer under Artaxerxes, was allowed to go to Jerusalem to rebuild it. He won popular support by cancelling the debts and redistributing the lands that had been forfeited to local creditors. Making a second visit to Jerusalem, he solidified the groundwork for Ezra the scribe and his associated compilers, who reworked the Holiness Code of Leviticus into the idea of nothing less than a covenant with the Lord to promote economic justice in the land.

These Biblical redactors collated the stories of Moses recoiling against Egyptian inequity and leading the Exodus, of the conquest of Canaan behind Joshua, of the transition from judges to kings, and of the latter's backslidings which led the Lord finally to throw up his hands and let Israel and Judah be conquered by the Assyrians, Babylonians and Persians. The story of Israel's divine punishment served as a parable of how it would be rewarded for following a regime of economic justice but punished for permitting the wealthy to oppress the poor. The land was to be held in trust for the common weal, not relinquished to let the economically aggressive use it as a lever to achieve patronage over domestic clients and hence secular lordship over their countrymen (as occurred most notoriously in Rome). Unlike the case with the Bronze Age rulers who would be punished by their sun-gods for failing to promote social equity, the entire Israelite nation would suffer. Only in the modern era have these stories been decoupled from the laws concerning debt, land tenure and freedom from debt bondage that they originally were designed to wrap, and their social kernel thrown away.

## I. THE BRONZE AGE SETTING FOR THE BIBLICAL LAWS

### The archaic meaning of America's Liberty Bell

The Mesopotamian cradle of enterprise has bequeathed a wealth of economic records and royal proclamations from about 2400 to 1600 BC undoing the economic disorder caused by interest-bearing debt mounting up beyond the ability of cultivators to pay. Cuneiformists studying these records have found the keys to many Biblical practices that have long been unexplained. The evidence shows that what undid the consequences of debt bondage and the forfeiture of lands was the periodic royal proclamation of economic "order and justice." Records of Near Eastern lawsuits leave no doubt that these restorations of order were indeed enforced in practice, and hardly were revolutionary, being proclaimed by rulers as part of their pledge to maintain economic justice - *amargi* and *nig.šiša* in Sumerian, *misharum* in Babylonian, *andurarum* in Assyrian, *shudutu* in Hurrian (the language spoken in Nuzi, upstream from Babylonia), and related terms elsewhere in the Near East.

The Liberty Bell is inscribed with a quotation from Leviticus 25:10: "Proclaim liberty throughout all the land, and to all the inhabitants thereof." Over the years these words have suggested to visitors such diverse ideas as our democratic freedom to vote and the American Revolution's slogan of no taxation without representation. But the full verse in Leviticus speaks of freeing debt bondsmen. It exhorts the Israelites to "hallow the fiftieth year, and proclaim liberty throughout all the land and to all the inhabitants thereof; it shall be a Jubilee unto you; and ye shall return every man unto his family." (And also every woman, child and servant, it may be added.) Lands were restored to their traditional holders or cleared of all debt encumbrances. With the symbolic sounding of the ram's horn on the Day of Atonement of this fiftieth year, the Jubilee renewed an equitable economic balance by undoing the adverse cumulative effects of indebtedness.

The Hebrew word translated as "liberty" in the Leviticus text is *deror*, a cognate to the word *andurarum* in Mesopotamia's Semitic Akkadian language. The root meaning is "to move freely," like running water or, in the case of human movement, like bondservants who had been enslaved for debt but were freed to rejoin their families. As early as 2400 BC the Sumerian term *amargi* likewise signified the return of mothers to their families (or of daughters or other relatives to their mothers) who had been pledged for debts and forfeited to creditors. An alternative interpretation is that *amargi* proclamations restored the economy to its basic matrix of equitable balance, its "original status" or what today would be called a paradigm (Diakonoff 1982:45 and Charpin 1987:39). What is not in doubt is that *amargi* and cognate Near Eastern terms for freedom and order all were based on the idea of freedom from debt and its worst consequences - debt servitude and the loss of one's customary land-tenure rights.

Yet scholars prior to the 1970s shied away from reading these words as signifying either debt cancellations or economic order. There was a general preconception that such cancellations could not really have been proclaimed, or at least not enforced, without deranging social life. Creditor-oriented historians construed these terms in a

more innocuous way, as freedom in an abstract sense or even as free trade, connoting the movement of goods free of tariffs or other state intervention. But all doubts as to the meaning have been dispelled in one archaic language after another. The type of economic freedom being referred to was the royal act of cancelling back taxes and other personal debts, restoring traditional family landholding rights and freeing citizens who had been enslaved for debt. These royal interventions ensured rather than encroached on general economic freedom.

### Sumerian *amargi* and *nig.šiša* debt cancellations, 2400- 2125 BC

*Today, defending the interests of widows and orphans is almost invariably associated with opposing inflation. However, the widows and orphans being protected are those fortunate enough to live on pensions or trust funds invested in bonds and other blue-chip financial securities whose income's purchasing power would be eroded by inflation. Heiresses and their children thus have become public-relations stand-ins for banks, insurance companies and other large institutional investors. Needless to say, this was not the case in archaic times. Most widows and orphans were poor debtors, not rentier coupon-clippers.*

Enmetena, a ruler of Lagash c. 2404-2375, promulgated the earliest Sumerian debt cancellation on record, c. 2400 BC, after his military victory over the neighboring city of Umma. Like many subsequent such records, this edict is inscribed on a foundation brick for a local temple which he dedicated. Some 4500 years later, archaeologists unearthed the inscription. Its first translator, Maurice Lambert (1972), rendered its wording as follows: Enmetena "instituted liberty in Lagash. He restored the child to its mother, and the mother to her child; he cancelled interest," and probably the debts themselves. These debts would have been mainly crop-rent arrears or other payments owed to public collectors, for petty consumer lending was still relatively undeveloped. It should be noted that commercial claims were not affected by such edicts. Thus, merchant debtors were unaffected.

No doubt there were earlier *amargi* proclamations, as the Danish cuneiformist Niels Lemche (1979:16) believes. "Already Enmetena's inscription seems to point to an earlier development in the application of this term since it is also used in describing cancellation of interest" or debt principal, *shé.har.ra*. The word's root is *shé*, meaning barley, and seems originally to have referred to barley obligations. Thus, *amargi* proclamations cancelled personal debts and manumitted Sumerian debt-servants, but not war slaves or foreigners bought from dealers (mainly mountain girls). The Israelite practice likewise freed only Hebrew bondservants, not aliens (with the exception of the Exodus passage).

Enmetena's dynasty gave way to a series of rulers sponsored by Lagash's temples. The best known is Uruinimgina (2351-42 BC), whose famous "reform text" inscribed on colored clay cones displayed on the walls of a temple has come down to us in various versions. As typically was the case, he replaced his predecessor during the year, and at the first New Year festival of his rule (starting his "second" year) he cancelled the city-

state's agrarian debts and related fees owed to the palace and temples by cultivators and fishermen, shepherds and gardeners. Another type of debt consisted of the fines owed to compensate an injured party, which were being worked off by lawbreakers unable to pay. Uruinimgina's debt cancellation thus formed part of a general amnesty. As his clay cones put matters (SARI La 9.1), he "cleared and cancelled obligations for those indentured families." In a clay plaque version of this text (La 9.3) he says simply that "Debt servitude for theft has been abolished." Such amnesties are found in most New Year "Clean Slate" proclamations throughout the Near East, including Egypt's royal *sed* festival.

Lambert (1956:183) translates the next-to-last paragraph of Uruinimgina's text as follows: he "cleansed the dwellings of the residents of Lagash from usury (*shé.har.ra*) engrossing (of grain), famine, theft, attacks and he instituted liberty (*amar.gi*) for them." Uruinimgina concluded his reforms with a covenant with his god Ningirsu promising that the powerful man could press no claim or legal suit against an orphan or widow. This is the first known such allusion, inaugurating a 4500-year practice of political pledges to defend the economic interests of widows and orphans, from the Near East via the Biblical lands into modern usage.

Such pledges usually have been used as a stock phrase signifying society's obligation to protect the poor in general from the wealthy. But in antiquity it meant protecting debtors, by cancelling their debts. Today, defending the interests of widows and orphans is almost invariably associated with opposing inflation. However, the widows and orphans being protected are those fortunate enough to live on pensions or trust funds invested in bonds and other blue-chip financial securities whose income's purchasing power would be eroded by inflation. Heiresses and their children thus have become public-relations stand-ins for banks, insurance companies and other large institutional investors. Needless to say, this was not the case in archaic times. Most widows and orphans were poor debtors, not *rentier* coupon-clippers.

At the conclusion of Uruinimgina's text he uses the same term employed a half-century earlier by Enmetena. He states that when he "received the kingship from Girsu, he instituted *ama(r).gi*' (Lambert 1956:183n and SARI La 9.2). The analysis of subsequent *amargi* proclamations has left no doubt but that the term should not be translated vaguely as "liberty" or "freedom" in the abstract, but as an economic "Clean Slate."

Almost from the beginning of Uruinimgina's rule, Lagash came under attack from its rival city Umma. Its ruler Lugalanda conquered most of southern Mesopotamia, only to be conquered in turn by Sargon of Akkad (2334-2279 BC). Sargon's dynasty lasted over a century, and was so oppressive that southern Mesopotamia fell into a state of general rebellion. The chronology becomes weak during 2220-2120, but Lagash gradually recovered, and its ruler Ur-Bau began to rebuild the city's major temples and other sites around 2125. His son-in-law Gudea became one of the city's most renowned rulers, thanks to inscriptions he has left on many statues of himself.

The longest surviving Sumerian poem (1400 lines) commemorates Gudea's rebuilding of the temple of Gatumdug and the Clean Slate he proclaimed at the New Year festival at which the completion of the temple was celebrated. As would be the case with royal Mesopotamian legal texts for the next half-millennium, Gudea's inscription on his Statue B has a prologue and epilogue calling down curses on anyone who would deface it,



alter its judgments or substitute someone else's name. Like Uruinimgina's inscription, it promises to protect the orphan and widow against the rich and powerful, specifically by cancelling personal debts. "Within the boundary of Lagash no litigant put a man on oath, no collector (*1u.har.ra*) entered into a man's home" (lines v:5ff. in Barton 1929). Thorkild Jacobsen's recent translation reads simply, "he remitted debts and granted pardons." In keeping with the ordinances of the city's justice-goddess Nanshe and city-god Ningirsu, Gudea "gave not the waif (over to the rich man,) gave not the widow over to (the powerful) man ... A grand period of equity had dawned for him" Jacobsen 1987:440 transl. Cylinder B xvii.17f and Statue B vii.29).

The New Year festival repeated civilization's creation of order out of chaos. This was the Bronze Age cosmological antecedent of subsequent Jewish religion, whose New Year celebration was much different from the Near Eastern saturnalia-type festival. Common to both such festivals was the idea of putting the world back in order. In Bronze Age times this involved cancelling the debts which, above all other factors, disturbed traditional economic balance and self-sufficiency on the land.

### **The Third Dynasty of Ur replaces that of Lagash, 2112-2004 BC**

*An immutable aspect of the cosmic order, kittum is semantically the same as the Biblical 'met (from \* amint), the original force of which still survives in the common loan-word Amen.' The independent function of a ruler, whether divine or human, is confined to misharum, that is, just and equitable implementation." These economic order edicts restoring fixed and presumably timeless norms of justice thus were not exactly reforms, but part of a long established tradition.*

The spark of revolt against the Akkadian and Gutian occupations spread from Uruk c. 2120 BC, and in the turmoil power was seized by UrNammu of Ur (2112-2095). He founded that city's third dynasty, which governed southern Mesopotamia for a century. This period generally is interpreted as being a despotism, for Ur held a much tighter military and bureaucratic control over the land than Sargon's Akkadians had done.

Ur-Nammu's son Shulgi ruled nearly half a century (2094-2047 BC), and commemorated Ur-Nammu's rule with an extensive set of laws. Both father and son seem to have inaugurated their rule with a debt cancellation, as Shulgi pledged to "establish equity and justice in the land." The "social" section of Shulgi's text (lines 162-68) concludes with his commitment to protect the economically weak from the wealthy: "The orphan was not delivered up to the rich man; the widow was not delivered up to the mighty man; the man of one shekel was not delivered up to the man of one mina." These phrases recall Uruinimgina's text, and foreshadow the prologue to Lipit-Ishtar's laws in Isin (discussed below), as well as those of Hammurapi. In Shulgi's inscription the Sumerian terms *nig.šiša* (equity) and *nig.gina* (justice) were the antecedents to Babylonian *misharum* and *kittum* respectively. Ephraim Speiser (1953: 874 and 1963:537) describes how *kittum* represents "that which is firm, established, true" on the highest and most abstract level, while *misharum* means "equity, justice" in the sense of timely reforms to address specific

civil disequilibrium. "The two nouns are mutually complementary.... An immutable aspect of the cosmic order, *kittum* is semantically the same as the Biblical *'met* (from \* *'amint*), the original force of which still survives in the common loan-word `Amen.' The independent function of a ruler, whether divine or human, is confined to *misharum*, that is, just and equitable implementation." These economic order edicts restoring fixed and presumably timeless norms of justice thus were not exactly reforms, but part of a long established tradition.

### **The Isin and Larsa periods, 2000-1800 BC**

By about 2017 BC, Ur found itself under attack by Amorites ("Westerners") from the Arab desert and from Elam to the east. In the turmoil, a local Amorite official of Ur, Ishbi-Irra, broke away from Ur to found a dynasty in the neighboring town of Isin. It had fifteen rulers during more than two centuries of rule, but only dominated the region for about a century. During a tumultuous eight decades 1974-1896 BC, five consecutive rulers left inscriptions cancelling debts with *nig-šiša* acts. The first to do so was Iddin-Dagan (1974-1954), as did his successor Ishme-Dagan (1953-1935). It may be significant that the latter's debt annulment was associated with mounting a military campaign, for just before his coronation the northern town of Ashur seems to have attacked the south. Ishme-Dagan's *nig.šiša* proclamation may have been aimed at protecting the agricultural base of his soldier-peasantry from the encroachments of tax officials and usurers. In any case, Isin retained its independence.

The next ruler of Isin, Lipit-Ishtar (1934-1924 BC), cancelled back taxes and other debts with a *nig.šiša* act three years after taking the throne. His motive apparently was to mobilize his subjects for war against the imperial designs of a ruler in neighboring Larsa. Lipit-Ishtar left a body of laws which, like those of Ur-Nammu, led off with a *nig.šiša* debt cancellation. The prologue states that he had been chosen by the gods Anu and Enlil to establish order and equity in the land. He "procured ... the freedom (*nig.šiša*) of the sons and daughters of Nippur, the sons and daughters of Ur, the sons and daughters of Isin, the sons and daughters of Sumer and Akkad upon whom ... slaveship ... had been imposed."

Lipit-Ishtar was followed by an interloper, Ur-Ninurta (1923-1896 BC), who also proclaimed a *nig.šiša* act, as did Irra-Imitti (1868-1861), Enlil-Bani (1860-1837) and no doubt other Isin rulers. But by this time other cities were becoming dominant. The data on their proclamations are collected in Edzard 1957 and Kraus 1984.

Especially significant was the northern trading town of Ashur. It developed far-flung trade connections thanks to its favorable location on the Tigris intersecting the east-west caravan trade route along which tin was carried from the east (probably Afghanistan) to points as far west as Asia Minor. Indeed, many of the records concerning Ashur have been unearthed at one of its trade colonies, Kanesh, in central Anatolia (Cappadocia, directly north of the Phoenician coast of the Mediterranean). Commercial records show Assyrians and Anatolians falling into debt to each other at

interest charges which mounted up rapidly at the commercial rate of 20% or even 30% among the Assyrians, and twice this rate (some-times even more) for native Anatolians. According to the Turkish cuneiformist Kemal Balkan (1974:30), "Often one reads in Cappadocian tablets that, because of debt, an Anatolian not only mortgaged his property, but also was compelled to pledge one of the members of his family, or even that a whole family was obliged to 'enter the house' of their creditor until the outstanding debt was paid." When these consequences became widespread, local rulers might decree a general debt cancellation, called *hubullum* (debt) *masa'um* (to wash), literally "a washing away of the debt [records]," that is, a dissolving of the clay tablets on which financial obligations were inscribed. As a byproduct of these "washing" promulgations, concludes Balkan, "properties or persons taken as pledges for debts, or compulsorily sold against debt, would have been returned to their original owners or families."

Two Assyrian rulers from 1950-1900 BC - Ilushuma and his successor Erishum - have left building inscriptions commemorating debt cancellations. Ilushuma announces that "I have established the freedom (*andurar*) of the Akkadians and their children. I have washed their copper and established freedom" throughout southern Mesopotamia, from the Persian Gulf up to Ashur (Kraus 1984:103). The next recorded Assyrian debt cancellation is that of Erishum, who goes out of his way to be as comprehensive as possible: "I proclaimed a remission of debts payable in silver, gold, copper, tin, barley, wool, down to chaff" This would seem to cover the spectrum of whatever creditors might cite in an attempt to claim that their specific loan was exempt from the general debt remission. (There is some debate over whether this inscription refers to a debt cancellation or merely frees trade in these commodities. But in view of its context in a temple foundation, it certainly seems to be a Clean Slate.)

The strongest town in southern Mesopotamia for a century after the power of Isin waned, c. 1900 BC, was Larsa. Like Isin, it was ruled by an Amorite dynasty. In the generation preceding Hammurapi of Babylon, the Larsa dynasty's last ruler, Rim-Sin (1822-1763), proclaimed a Clean Slate, "purifying the foreheads" of his subjects who had been reduced to debt-servitude. Unlike the rulers of Isin and Babylon, Rim-Sin did not refer to "freedom" proclamations in any of his year-names, but Kraus (1958:201f. and 1984:31ff.) finds numerous references in Larsa legal contracts to imply that he cancelled debts on at least three occasions. For instance, in the 26th year of his rule Rim-Sin dug the "Economic Order/Freedom Canal" (*id nig.šiša*), apparently commemorating a *nig.šiša* proclamation. (On Rim-Sin's measures, see also Charpin 1980:273f. and 133f., and W. G. Lambert 1960:54f. and 1969:151.)

Rulers of other towns also proclaimed Clean Slates. In the north western town of Der, Nidnusha appears to be the first on record to have used the term *misharum* to signify a debt cancellation. Rulers in upstream Hana and Eshnunna also proclaimed *misharum*. All these rulers seem to have recognized that if they permitted usury, debt-servitude and the sale of debt-slaves from one town to another to continue, much of the population would end up losing its lands and thus would be unable to pay duties or taxes, provide labor services or serve as a fighting force. This economic degradation is what happened in classical Greece and Rome over a thousand years later. What

stopped emerging oligarchies from enriching themselves at the expense of the palace (and of social balance at large) was the fact that rulers repeatedly acted to subordinate mercantile wealth (especially usury claims) in the interest of promoting general freedom. The Middle Bronze Age was still far from being ripe for oligarchies to break free of palace control, to say nothing of unseating rulers.

In the early 1700s, Rim-Sin extended his military power throughout much of southern Mesopotamia, and entered into an alliance with Hammurapi of the upstream town of Babylon, who had taken the throne in 1794 BC. Thirty years later, in 1764, Hammurapi turned on his erstwhile ally and defeated Larsa. For the next century the history of Mesopotamia would be shaped by Hammurapi and his successors.

### **Debt cancellations by the rulers of Hammurapi's dynasty, 1900-1600 BC**

*Misharum acts released cultivators from the threat of debt servitude resulting from financial arrears. This gave them a stake in the society whose boundaries they were fighting to extend.*

Hammurapi's laws, inscribed circa 1762, are the period's longest and best known inscription, but they no longer are described as constituting a "code." They were more in the character of model rulings, not binding law as our epoch understands the term. Hammurapi's truly binding edicts were his proclamations of justice and economic order cancelling back taxes and other agrarian debts. It was these *misharum* edicts that maintained widespread land tenure for Babylonia's indebted soldier-peasantry, by saving the land from passing out of the hands of the population at large to creditors on more than just a temporary basis.

The designated occasion for clearing Babylonia's financial slate was the New Year festival, celebrated in the spring. Babylonian rulers oversaw the ritual of "breaking the tablets," that is, the debt records, restoring economic balance as part of the calendrical renewal of society along with the rest of nature. Hammurapi and his fellow rulers signaled these proclamations by raising a torch, probably symbolizing the sun-god of justice Shamash, whose principles were supposed to guide wise and fair rulers. Persons held as debt pledges were released to rejoin their families. Other debtors were restored cultivation rights to their customary lands, free of whatever mortgage liens had accumulated.

Sumulael (1880-1845), the second ruler of Hammurapi's dynasty, helped prepare the ground for Babylon's expansion by proclaiming freedom from debts at the start of his rule. The word he used, *misharum*, stems from the Semitic sign ISHR (Hebrew *iashar*). Its Akkadian form *esheru* is related to Sumerian *šiša* making *nig.šiša* and *misharum* linguistically related terms to cancel debts from Ur III through Isin and Babylon.\* Six consecutive rulers of Hammurapi's dynasty cancelled debts during a 166-year period extending from his father, Sin-Muballit, in 1812 through Ammisaduqa (Hammurapi's great-great-grandson) in 1646.

The underlying idea reflected a Bronze Age cosmology in which sun-gods of justice endorsed rulers as their earthly administrators. As noted above, Babylon's sun-god was Shamash, from whom Hammurapi is depicted receiving his laws. Elam and other regions had similar deities, as did the neo-Babylonians a millennium later. Shamash had two children, *kittu* and *misharu*, "right" and "justice." (Speiser 1967:313-23 discusses their mutual relations.) As the sun-god, Shamash was patron of the New Year festival, the Bronze Age solar holiday *par excellence* and the occasion on which new rulers ascended the throne, inaugurating their rule by proclaiming equity and order.

Giving Babylon's soldier-peasantry unencumbered tenancy rights on their lands was central to the military campaigns started by Hammurapi's ambitious father from the time he inherited the city's throne in 1812 BC. *Misharum* acts released cultivators from the threat of debt-servitude resulting from financial arrears. This gave them a stake in the society whose boundaries they were fighting to extend. Sin-muballit's inaugural *misharum* act was repeated in the years 1803 and 1797, apparently to consolidate popular support.

When Hammurapi succeeded his father in 1792 BC, his inaugural political act likewise was to "proclaim freedom" with a *misharum* edict. As in the case of his predecessors, this was considered so important that it was memorialized in his date formula. Also as in the case of his father, Hammurapi's debt cancellations prepared the ground for new military campaigns. He annulled debts again in 1780, 1771 and 1762, and each such occasion seems to have accompanied a conquest. The first such proclamation occurred on the eve of his initial incursion east of the Tigris. The last one, in 1762 - on the thirtieth "Jubilee" year of his rule - followed the defeat of Rim-Sin, as noted earlier. This probably was the year in which he inscribed his famous laws, for their prologue lists his conquests and public achievements down through his 1761 victory over Rim-Sin. The words of its epilogue reflect the idea of justice characteristic of Babylonian ideology: "that the strong might not oppress the weak, that justice might be dealt the orphan and widow ... to give justice to the oppressed" (xxiv:55-90).

*\* See Edzard 1957:68,125,165f, Bottero 1961:150 and Kraus 1958:196-208 and 224-32, as well as Finkelstein 1965 and 1961. Edzard finds Sumulael to be the first documented ruler to use the phrase "breaking the tablets" as a synonym for cancelling debts by a **misharum** act. The term appears in one of his date formulae, and later is used by Hammurapi's son Samsuiluna, as well as in Eshnunna. Landsberger (1939:231) points out that when Sumulael used the phrase "breaking the tablets" he "meant not only the debt obligations, but also the sale (forced sale?) and hence turning over children for adoption."*

## The cosmology of Bronze Age social reorderings and the New Year festival

*Hammurapi annulled debts again in 1780, 1771 and 1762, and each such occasion seems to have accompanied a conquest.*

As was the case throughout the Bronze Age Near East, social structuring reflected the rhythms of the celestial heavens, from the sun out to the outermost visible planet, Saturn. The latter (Nabu in Babylonian) was known as the "planet of justice." The fact that its period of revolution around the sun is just under 30 years related it to the solar calendar which divided the year into standardized 30-day months. This correlation of periodicities - "a month of years" - seems to explain the timing of the Babylonian and Egyptian Jubilee years. However, all explanations are modern reconstructions, for it would have been anachronistic for Bronze Age writers to have bequeathed an explanation of why they did things the way they did.

Cuneiformists have noted the parallel between the royal economic and social acts performed at the Babylonian New Year festival and the Creation Myth, which was publically read aloud twice. The Mesopotamian idea of creation did not involve a fresh creation of matter and life, but an ordering of chaos into formal shapes. "Like Marduk in the Creation Epic," observes Jean Bottero (1961:159), the new ruler "finds himself confronted with a kind of chaos, and he must make a cosmos," that is, reestablish traditional "normal" order, free of the imbalances that built up during the preceding period. In this way society, through its ruler (who acted the role of the sun-god in the staged battle against the lunar chaos-dragon Tiamat) won the cosmic struggle against disorder, creating the world anew - the social as well as the physical cosmos.

The guiding spirit was one of rebirth of calendrical nature combined with social justice--the regeneration of nature and society. Moral and physical blight was purged as men and beasts, houses, barns and temples were cleansed. During the course of the festival the rich and poor acted "ideally" towards each other in an auspiciously utopian atmosphere. Charpin (1987:39) points out that the Sumerian cuneiform sign for *amargi* signified the cyclical trajectory of the sun as well as the return of persons or property to their original status. The inference is that just as the sun returned each New Year to its celestial point of origin, so the Mesopotamian "rulers of justice" proclaimed what Mircea Eliade has called "the Eternal return."

Some New Year festivals were more important than others, above all when new rulers took the throne and acted the role of the sun-god for the first time-- and put the world back in order by proclaiming an economic amnesty so as to inaugurate their reign in an auspicious manner. Other important occasions were the dedication of new temples or the rebuilding or extension of existing ones. As Henri Frankfort (1953:11) has described the logic of these proclamations: "The inauguration of the temple took place on New Year's Day, so that the new beginning, which had been brought about by so great an effort of all, would be carried forward on the current of the new life which now set in."

When the ruler proclaimed justice at these festivals, he raised a flaming torch signalling his act (or possibly a golden torch symbolizing justice). This was the Bronze Age

idea of enlightenment, and it forms the takeoff point from which Biblical practices would be modified in the first millennium. The Babylonian ruler Ammisaduqa, for instance, was praised as having risen like the sun over his land to establish "straight (correct) order" for his subjects.

### ***Misharum acts after Hammurapi***

*By the time Ammisaduqa (1646-1626) took the throne, misharum acts had become very detailed in order to block creditor attempts to evade them. These periodic restorations of the status quo ante were made relatively easy by the fact that even when the land was pledged, sold or temporarily relinquished to creditors foreclosing on personal or tax obligations, the debtors rarely were expelled from their lands.*

*The ideas of Sumerian amargi and nig.šiša, Assyrian andurarum, Babylonian misharum, Hebrew deror and related Near Eastern terms signify social justice not in an innovative reformist sense, but in a truly conservative one - a social cosmos that periodically restores a pre-existing status quo.*

Hammurapi lay dying in 1749 BC, having ruled for forty-two years. A letter by his son Samsuiluna tells how, upon taking the throne, he found the land so burdened by debt that he remitted the payments in kind due from many types of royal tenants. To strengthen their position he "restored order (***misharum***) in the land," remitting tax arrears and directing that all tablets be broken recording non-commercial debts. "In the land, nobody shall move against the 'house' of the soldier, the fisherman and other subjects." His inaugural (second) year accordingly was named "The year in which Samsuiluna established freedom (***amargi***) in Sumer and Akkad," using the old Sumerian term from nearly eight hundred years earlier.

His proclamation cancelled all agrarian debts that had accumulated since the last such ***misharum*** act some thirteen years earlier. Hammurapi had delegated substantial economic power to local leaders in exchange for their support, but neither Samsuiluna nor subsequent rulers found their interest to lie in benefiting these officials, merchants and other creditors at the expense of cultivators. Indeed, not to have restored the ***status quo ante*** would have violated social tranquility as well as the balance of Babylonia's economic cosmos that good rulers were supposed to oversee.

Even so, larger towns began to break away from Babylon during Samsuiluna's rule (1749-1712). He proclaimed ***misharum*** again in 1741, but by this time much of Babylonia was so devastated that the marshy Sealand in the far south managed to conquer the land as far north as Nippur. Under these conditions traditional restrictions limiting the sale of rural land outside of local kin groupings were loosened. Fields and other properties passed into the hands of temple and palace officials with ready cash.

Samsuiluna's successor Abi-Eshuh (1711-1684 BC) proclaimed ***misharum*** upon taking of the throne, as did his successor Ammiditana (1683-1647), who repeated these

acts in 1662 and 1647. By the time Ammisaduqa (1646-1626) took the throne, *misharum* acts had become very detailed in order to block creditor attempts to evade them. Ammisaduqa declared *misharum* upon his accession and again ten years later, in 1636. His act is the longest and most detailed of all the Mesopotamian rulers. It is the only complete *misharum* act on record, and is the last major document of the Amorite dynasty. A key document for understanding the Bronze Age economic cosmos, it provides a virtual map of the various type of financial relations and land tenure arrangements in the eighteenth and seventeenth centuries BC.

Ammisaduqa's inaugural 1646 edict annulled the agrarian debts that had been run up by cultivators during the preceding reign, that is, since 1662. Creditors or tax officials who had foreclosed on such debts were obliged to "refund whatever he received through collection. He who does not make a refund in accordance with the royal decree shall die" (§5, in ANET<sup>3</sup> lines 36-41). If a creditor "prematurely collected by means of pressure, he must refund all that he received through such collection or be put to death."

Obviously we are not dealing with a merely literary cosmological principle. Ammisaduqa's act goes out of its way to "anticipate a certain amount of skullduggery and fraud aimed at circumventing the effect of the edict," observes Finkelstein (1969:58). Law suits of the period bear this out. It seems that when rulers proclaimed *misharum*, all tax and debt tablets were supposed to be handed over to the authorities to be broken, along with all rural property contracts. "Astounding as it must appear to our normally skeptical eyes," he concludes (1965:244ff.), instead of the *misharum* institution being "a pious but futile gesture," the fact is that "at the promulgation of the *misharum* formal commissions were established to review real-estate sales."

Anticipating that some creditors might try to perpetrate a deception by having their claims "drawn up as a sale or a bailment and then persist in taking interest," Ammisaduqa's edict voided such documents, thereby annulling the transfers (§6). As in §5, creditors arrogant enough to try and "sue against the house of an Akkadian or an Amorite for whatever he had loaned him" were threatened with the death penalty. The following paragraph laid down a similar punishment for creditors who tried to conceal their barley or silver loan as a *bona fide* mercantile investment for an equity share in the profit rather than for interest. Subsequent paragraphs provide more details elaborating the edict's legal force.

These periodic restorations of the *status quo ante* were made relatively easy by the fact that even when the land was pledged, sold or temporarily relinquished to creditors foreclosing on personal or tax obligations, the debtors rarely were expelled from their lands. Harvesting and other rural functions continued with the same personnel and in much the same way. Unlike the case in Roman Republican times, lands passing into the hands of creditors were not stocked with slaves. What changed was the nominal but usually only temporary ownership of the land, and consequently the distribution of crops or income as between the cultivator-occupant and absentee creditor-become-owner. The important thing is that cultivators were able to survive without losing their land and personal freedom permanently, and hence without having to flee the country as would become a widespread practice throughout the Near East by about 1400.



Ammisaduqa's edict (§20) proclaims freedom for debt-bondservants, much as Hammurapi's laws had advocated their freedom after three years (compared to six years in Deuteronomy). However, neither set of laws freed outright slaves. Household servants simply were returned to their former families. Thus, what was restored was not universal liberty, but the *status quo ante*, as Charpin 1987 has rightly emphasized. For the Babylonians, mountain girls and other "bought" slaves would have remained in servitude, just as non-Israelites in the later Biblical laws. The liberty was restricted to bondservants who had lost their freedom or lands through debt.

The ideas of Sumerian *amargi* and *nig.šiša*, Assyrian *andurarum*, Babylonian *misharum*, Hebrew *deror* and related Near Eastern terms signify social justice not in an innovative reformist sense, but in a truly conservative one -- a social cosmos that periodically restores a preexisting status quo (inevitably an idealized one, to be sure). This normalized state of affairs included a world economically in balance, above all one with a free land-tenured peasant infantry. Perhaps we should think of these edicts more as "restoration" or "renewal" acts. With regard to their integration of cosmological and practical social renewal, both the Babylonians and the Biblical authors used calendrical periodicities as the most convenient, traditional and hence conservative peg for their social ethic of cancelling debts and restoring liberty to the land and its citizens. When a local chieftain named Shunuhrrahalu wrote to Mari's ruler Zimri-Lim urging him to get a neighboring headman in Gashera to emulate him by proclaiming *andurarum*, this certainly was not merely cosmological proselytizing but a policy considered to be socially (and probably militarily) necessary (Charpin 1987:41).

No *misharum* proclamations are found after the rule of Ammisaduqa. In 1595 BC Babylon fell to Iranian mountain tribesmen, the Kassites, who ruled for nearly half a millennium, until 1155 BC. The absence of centralized palace control during this Dark Age is indicated by the lack of written records or laws. The implication is that trade and even management of local temples was passing into the hands of private families who did not need to keep formal records. The major trade documents that have survived are letters between Kassite rulers and their foreign counterparts exchanging prestige-gifts and arranging dynastic intermarriages in the cosmopolitan Amarna Age.

Proverbs of the period reflect how Babylonian society was getting poorer for most folk. "The strong man lives off what is paid for his strength, and the weak man off what is paid for his children," i.e. debt slavery (Lambert 1960:248). "The opulent *nouveau riche*... heaps up goods" and "has multiplied his wealth" (*ibid*:52f). This proverb is from a Babylonian "Theodicy" deploring how the gods have come to "speak in favor of a rich man" and let riches go to him despite the fact that the rich "harm a poor man like a thief. . . and extinguish him like a flame." In the so-called Dialogue of Pessimism, "the *awilum* who makes (grain) loans as a creditor - his grain remains his grain, while his interest is enormous (*ibid*:149).

## Nuzian *shudutu* proclamations

Many Babylonian institutions survived by way of upstream Euphrates border states, such as Nuzi, a Hurrian-speaking town in the land of Arrapha. Its word for debt cancellation was *shudutu*, a translation of Babylonian *simdat*, "proclamation," connoting a general release or *andurarum* for real estate as well as for bondservants. Public acts of notification seem to have been "necessary in all business transactions involving slaves and land, and whenever the status of a person underwent a change" (Lacheman 1965:233). *Shudutu* proclamations required "all who may have had claim upon the property involved to present them, doubtless within a certain period of time, to the authorities."

The *shudutu* clause is first found in contracts for Ennamati, the son of a local headman and palace collector Tehib-Tilla, whose business affairs were so extensive that he employed over forty scribes. Subsequent Nuzian contracts contain much the same assurances as are found in Babylonia, stating that they were drawn up since the last proclamation and hence were immune from annulment until the ruler should make a new such edict. Finkelstein (1965:241) concludes that "The attitudes amounted essentially to a resistance in principle to the alienation of patrimonial land, the establishment of procedures and institutions for the redemption of such land after it had been alienated, or - as was the case at Nuzi - to cloaking such alienation in a formal dress that would retain the pretense of loyalty to the sacrosanct principle."

## Expropriation of cultivators from the land to become *hapiru*

*The shorthand phrase "justice and righteousness" carries the same meaning in the first millennium that it had earlier, not as a harmlessly abstract idea of "freedom" or an otherworldly expression of utopian philosophy, but a highly specific renewal of general liberty by thwarting the consolidation of a predatory economic aristocracy such as ultimately cannibalized the Hellenistic and Roman world.*

Prior to the second millennium, Mesopotamia's ethnic intermixing had catalyzed the formation of cities as entrepôts, of temples as sponsors of commercial equity, and cultural breakthroughs such as syllabic cuneiform (largely to render alien names). But subsequent contracts took the form more of an overlaying, from Mesopotamia to the Mediterranean. This was associated with deurbanization, transforming the countryside and its economic relations, and also with a decline in recordkeeping (which is what makes the epoch "dark" to historians).

Despite conservative reactions against the land's privatization by wealthy creditors - a reaction long backed by palace rulers to prevent the emergence of economically powerful rivals - the land was being closed off to a growing proportion of the rural population. No urban industry yet existed to absorb free labor, so that many individuals left their native lands to become *hapiru* (LuSA.GAZ in Sumerian ideograms), landless have-nots working sometimes as migrant seasonal labor or as mercenaries, or simply joined robber bands. Many seem to have been of Amorite stock, fleeing the feudal-type privatization that spread from Mesopotamia through the rest of the

Near East, but the agrarian problem was so widespread that the term *hapiru* did not yet signify a national or ethnic identity such as the Hebrews subsequently were represented to be. Diakonoff (1982:55f , 96) finds the major motive for their exodus to have been usury. "They appear simultaneously with the mass enslavement for debt at the coming of the 2nd millennium BC, and disappear without leaving [a] trace when enslavement ceases to play an important role, shortly before the coming of the 1st millennium BC."

Thus, whereas southern Mesopotamia originally had been settled by neolithic fugitives, the new fugitives poured *out* of Mesopotamia, to the northwest. Unable to take over any major region, they were confined to the least desirable areas such as the mountainous areas of eastern Canaan, where the archaeological record picks them up around 1400 BC. Egyptian officials complain about their incursions behind an opportunistic leader Abdi-Ashirta.

Here, in Amarna Age Canaan, we see for the first time armed uprisings based on political policy. Lines are being drawn between rich and poor, landowners and landless, and above all between creditors and debtors. A local administrator Rib-Addi writes to the pharaoh: "Behold now, Abdi-Ashirta has taken Shigata for himself and has said to the people of Ammiya: 'Kill your chiefs and become like us; then you shall have peace.' And they fell away in accordance with his message and became like GAZ/*hapiru*" (Greenberg 1955:34, which gives all the extant references; on this phenomenon see also Artzi 1964, Mendenhall 1973 and Liverani 1989). Abdi-Ashirta is reported to have promised his army that "we shall drive the governors out of the midst of the lands, and all the lands will go over to the GAZ/*hapiru*" Although there is no specific appeal here to cancelling the population's debts and redistributing the lands, this seems implicit. It certainly became the revolutionary cry throughout Greece from the seventh century BC through the remainder of antiquity (Finley 1973:173; see also 1981:161 and 1983:108f.).

## **Egypt and its *sed* festivals**

*Few Christians today recognize that when they pronounce the word "Hallelujah," they are repeating the ritual term alulu chanted to signify the freeing of Babylonian debt-slaves, a rite followed by anointing the manumitted individual's head with oil. The term putam ... ullulu referred to cleansing the former slave's forehead - a term used by second millennium rulers in their misharum proclamations Dandamaev 1984:445).*

We owe our modern understanding of hieroglyphics to the Rosetta Stone. Unearthed in 1799 by Napoleon's soldiers during his campaign into the Nile Delta, it is a trilingual ceremonial text honoring the 13-year old ruler Ptolemy V in 196 BC. By comparing its Greek, hieroglyphic and demotic Egyptian scripts, the French decipherer Champollion was able to translate the old writing. Ever since, the term "Rosetta stone" has been a symbol for an intellectual key unlocking a puzzle.

What is less well-remembered is the Rosetta Stone's content. It commemorates a debt cancellation by the young king. Such proclamations had become traditional for pharaohs prior to the conquest of Egypt by Alexander the Great's general Ptolemy, who founded his dynasty in 305 BC. After more than a century of rule, the Ptolemies finally were getting into the flow of ancient tradition. Acting more like the pharaohs of old than as a military overlord, Ptolemy V was welcomed by the priesthood as "the living image of Zeus/Amon, son of the Sun." The inscription records that "he has remitted the debts to the crown which were owed by the people in Egypt and those in the rest of his kingdom, which were considerable, and he has freed those who were in the prisons and who were under accusation for a long time from the charges against them," as well as remitting various taxes and duties, including "the debts of the temples to the royal treasury up to the 8th year" of his rule (198/7). (The entire text is translated in Austin 1981:374ff.).

Weinfeld (1982:501f. and 1985:319) traces the pedigree of such proclamations back to the early pharaohs and, beyond them, to the Sumerian *amargi* and Babylonian *misharum* acts as part of a general Near Eastern practice. The phrase signifying an Egyptian amnesty meant "to let everyone return to his home" (or "home-town"), i.e. a return to their origin or mother, recalling Sumerian *amargi*. Rameses IV (1153-1146) proclaims "that he has caused those who had fled to return to their home(towns).... The naked are clothed ... those who were in bonds are free again: those who were in chains rejoice." A paean composed for his accession or its anniversary festival announces that "those who were in bonds are free again" (Smith 1968:212). An inscription on a temple block at Elephantine by his father, Rameses III (1184-1153), announces that he freed temple personnel from corvée duties and performed other good works "after justice was established in this land."

To be sure, Egyptian *ma'at* does not have the same connotation of restoring order economically as is found in Babylonian *kittum* and its analogues for "justice." Indeed, Egyptian society was in many ways antithetical to that of Mesopotamia. Egyptian religion and temples were more otherworldly, being concerned more with the pharaoh's afterlife than with worldly commercial relations (Helck 1975:282f). Still, like other Bronze Age laws, those of Egypt reflected principles of equity associated with the sun-god of justice. The accession ceremonies were similar, as Mesopotamia's New Year festival found its counterpart in Egypt's *sed* festival, long tailed a "Jubilee" because of its kinship with the Hebrew *yobel* year of release. However, the early Clean Slates proclaimed by the pharaohs took the form mainly of political and fiscal amnesties forgiving exile, other punishments and tax arrears - not private debts.

The extent to which debt-servitude existed is not documented in Early Dynastic times. Records have survived mainly on stone ceremonial monuments, not on the more perishable papyrus used for civil record-keeping. Where slaves are documented, they are captured war prisoners, not debt servants. It is near the end of the New Kingdom (1552-664 BC) that a pharaoh whose name was Grecianized as Bocchoris (717-711 BC?) is reported to have freed Egyptians from debt-servitude and banned debt-slavery. Diodorus Siculus (1.79) attributed to him a logic which certainly seems characteristic from Bronze Age times onward: Bocchoris reputedly felt that "the bodies of citizens should belong to the state, to the end that the state might avail itself of the services which its citizens owed it, in times of both war and peace. For it would be absurd, he

felt, that a soldier, at the moment perhaps when he was setting forth to fight for his fatherland, should be haled to prison by his creditor for an unpaid loan, and that the greed of private citizens should in this way endanger the safety of all."

It was precisely the private seizure of lands and their cultivators for debt that royal economic order proclamations was designed to prevent. But as palace power waned, such seizures occurred - and with them arose a general flight from the land throughout much of the Near East.

### **Neo-Assyrian *andurarum* acts to maintain peasant-army loyalty**

Records dwindle throughout the Near East after about 1350, and events become completely undocumented after 1200. Out of the general turmoil emerged a new Assyrian empire, this time as a military rather than commercial force. Recognizing the folly of letting the economy be polarized by debt relations, its rulers consolidated their military strength by proclaiming *andurarum* to maintain a free (and hence, loyal) peasant army. Postgate (1973:231 and texts #10 and #248) finds that Assyrian rulers "might initiate an 'amnesty,' and that this would lead to the cancellation of enslavement for debt." Anticipation of such proclamations is attested in surviving contracts for slave sales, with the sellers promising to reimburse buyers if the bondsmen should be freed. Noting the absence of Assyrian royal titles such as "preserver of law and lover of justice," he concludes (1974:417 and text #132) that Sargon II and his successors adopted the practice from Babylonia, where proclaiming order and freeing debt-servants remained a sacred royal duty.

### **How Babylonian practices inspired Biblical debt cancellations and land redistribution**

The Israelites likewise seem to have picked up the Clean Slate idea from Babylonia, although the Hebrew word *deror* is cognate to Assyrian *andurarum* rather than to Babylonian *misharum*. The first period of transmission would have been during the Bronze Age as part of the general diffusion of southern Mesopotamian practices. The second transmission would have occurred during the century-and-a-half Babylonian "captivity," 586-444 BC.

No doubt a diffusion of Babylonian practices occurred in both periods. In any event the shorthand phrase "justice and righteousness" carries the same meaning in the first millennium that it had earlier, not as a harmlessly abstract idea of "freedom" or an otherworldly expression of utopian philosophy, but a highly specific renewal of general liberty by thwarting the consolidation of a predatory economic aristocracy such as ultimately cannibalized the Hellenistic and Roman world.

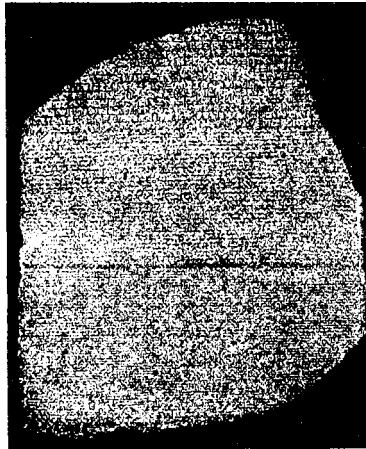
One vehicle for the diffusion of *misharum/andurarum/deror* would have been the Babylonian New Year festival, still celebrated in the first millennium as a royal vanquishing of the forces of disorder. (The ruler acted the role of the neo-Babylonian sun-god of justice, Marduk.) A universal Near Eastern phenomenon, such New Year reordering, and their proclamations of justice are found in the neo-Assyrian

empire and in the religion of Canaanite Baal as well as in Israelite law. Thomas Gaster's *Thespis* (1950), reviews the impact of the Babylonian New Year and Baal literature on Jewish holidays, psalms and other religious manifestations, while Weinfeld (1982) surveys this continuum in Near Eastern legal ideology. (Especially significant for this continuum are Psalms 96-99, 68-69 and 33). So prevalent was the influence that few Christians today recognize that when they pronounce the word "Hallelujah," they are repeating the ritual term *'alulu* chanted to signify the freeing of Babylonian debt-slaves, a rite followed by anointing the manumitted individual's head with oil. The term *putam ... ullulu* referred to cleansing the former slave's forehead - a term used by second millennium rulers in their *misharum* proclamations (Dandamaev 1984:445).

### *Summary*

We do not have the original version of Deuteronomy as presented to Josiah, but only the post-exilic elaboration of the laws. In this final form they were once again subjected to nearly two centuries of Babylonian cultural influence by the Jewish community in exile. To call the septennial freeing of debt servants and the institution of the Jubilee Year a "folk memory" is to dodge the issue of just how the practice survived and was modified into Jewish law. Josiah's anger that the old Deuteronomic laws had been abandoned suggests that the memory had lapsed. In such cases, practices must be introduced anew. In this case the Deuteronomic laws were made public by royal edict, under the council of the temple priesthood. This centralized policy-making nexus enabled the laws to be restated in a new, theocratic context. Thus, while the idea of periodic renewal is found even in the religion of Baal and other rivals to the Yahweh religion, the central core idea had once been so widespread as a common denominator that it would be futile to try to pinpoint a given instant of transmittal to the Canaanite and Israelite lands.

The subsequent Biblical narrative telescopes this transmittal into a single dramatic episode - that of Moses bringing the laws from Zion after the exodus from Egypt. But whereas the Egyptian *sed* festival mirrored the Sumerian and Babylonian model, proclaiming amnesty for exiles, the debt laws seem specifically Mesopotamian. The only precedent for debt cancellations - and indeed, for interest-bearing debt - is in Mesopotamia and the rest of the Near East outside of Egypt.



British Museum

**The Rosetta Stone**, discovered in 1799 by members of Napoleon's expedition to Egypt, made possible the deciphering of hieroglyphics in 1822 by Jean-François Champollion. What is less well known is that the inscription commemorates a debt cancellation by Ptolemy V (204-180 BC) in 196 BC.

Following ancient tradition, the 13-year-old Pharaoh was crowned at Memphis and proclaimed a general amnesty on the occasion of his coming of age and accession to the throne.

The basalt stone has three parallel texts. Egyptian hieroglyphics (archaic official script) are on top, and Egyptian demotic (a popular script) is in the middle. On the bottom is Greek text, reflecting the fact that the dynasty was founded by Alexander the Great's general, Ptolemy, who seized Egypt in 305 BC after Alexander's death.

Ptolemy V's debt cancellation reflects a declining economy plagued by "pressure of taxes, rapid accumulation of arrears and ... confiscations, prisons full of criminals and public and private debtors ... fugitives scattered all over the country and living by robbery, [and] compulsion applied in every sphere of life," including military conscription. "The natural results were scarcity of labour, gradual depopulation of villages, abandonment of fields, deterioration of land, neglect of dikes and canals, and ... an atmosphere of war and unrest.\*

**Philanthropa** edicts (royal good works) were a time-honored tradition going back to the Bronze Age. They "were first and foremost proclamations of peace or grants of amnesty. They all began with the same formula: the kings give general pardon to all their subjects for errors, crimes, accusations, condemnations, and charges of all kinds' up to a certain date. . . . "there followed a general concession to all the population: a remission of taxes until a certain date" (*ibid.*:879f).

\*Mikhail Rostovtzeff, *Social and Economic History of the Hellenistic World* (1941:11, 713).

## II. THE SEVENTH- AND SIXTH-CENTURY DEBT CRISES, AND THE BIBLICAL RESPONSE

During the Dark Age 1200-750 BC, invaders or leaders of domestic upheavals parcelled out the land among their own ranks and forced indigenous peoples to work it. Populations were divided into citizens and non-citizens, free and unfree. (The most notorious example is Sparta with its helots.) The major direction of mobility was downward, mainly as a result of debt and insolvency. Citizens became aliens, even to the point of being sold abroad as debt-bondsmen by the seventh century BC.

In Babylonia, the vanquisher of Judah, Nebuchadnezzar II (604-562 BC), promised in the prologue to his laws to rectify a state of affairs in which people "devoured one another like dogs, the strong robbed the weak," judges accepted bribes and did not defend the poor, those in authority treated cripples and widows badly, money lenders lent money at high rates of interest, and many broke into other people's houses and seized fields which belonged to others" (translated in Lambert 1965. See also the *andurarum* proclamation of Esharhaddon, 680-669).

In Egypt, interest rates of over 100% on an annualized basis are attested. The pharaoh Bocchoris (Egyptian Bakenranof, 663-609 BC) forbade creditors from seizing debtors, and stipulated that money could be exacted only from their estates. Diodorus (1-79) believes that this act helped influence Solon to do the same in Athens. Certainly popular leaders in many Greek cities overthrew the landed aristocracies, distributed the land to their followers and cancelled the creditor claims which likewise were monopolized by the most economically powerful families. In 657 BC Cypselus seized power in Corinth, exiled the city's ruling Bacchiads, redistributed their lands and cancelled rural debts. His successors held power until 580. Much the same happened in Sicyon under Cleisthenes, and also in Megara and other cities. The wave culminated in Athens, whose leading families appointed Solon *archon* (premier) in 594 BC to save the city from social revolution. Solon resolved matters by banning debt-servitude for native Greeks, and redeemed Athenian debt-slaves who had been sold abroad by foreclosing creditors.

### **The finding of the Deuteronomy scroll during the reign of Josiah in 610 BC**

Similar debt tensions were sweeping Jerusalem. In the year 639 the eight-year old Josiah ascended the throne of Judah. He was much under the influence of advisors linked to the social prophets, above all Jeremiah, who was active during 626-586 BC in denouncing usury and kindred social injustices. Matters reached a head in 610, when priests repairing the temple found an ancient law scroll, the basis for Deuteronomy. 2 Kings 22-23 tells how Josiah, now twenty-six years old, became angry upon discovering



that "our fathers have not obeyed the words of this book." He called together the elders and convened all the people at the temple, read to them the law and got them to reaffirm its stipulations by acclamation. He then set about removing the pagan priests worshipping Baal, Asherah and other sky-gods and their images.

### **The Babylonian impact**

These reforms were interrupted when Josiah died in 604 BC at Megiddo, fighting against the Egyptian pharaoh Neco, who was making an incursion against Babylonia to support Assyria. A few months later Neco captured Josiah's son Jehoahaz, held him for ransom, selected another son (Eliakim) to become king, and changed his name to Jehoiakim, in exchange for another ransom. Soon thereafter Babylonia reconquered Judah, and Jehoiakim became a vassal king. He subsequently rebelled, and his son was defeated in 587 when the Babylonian king Nebuchadnezzar captured Jerusalem, looted its temples and palace of their treasures and whatever movable property could be carried back to Babylonia, and also captured the capital's craftsmen, officers and soldiers (reportedly ten thousand men). The next king, Zedekiah, likewise rebelled and was crushed. This time the Babylonians burned Jerusalem's palace, temple and houses, and broke down its walls, leaving only the poorest people to work the fields and vineyards.

This was the "captivity" period. It lasted from 586 to 539, ending when Babylon was conquered by the Persian king Cyrus. The Persians were more tolerant toward subject peoples and their religions, seeking to stabilize matters (and the flow of tribute) by permitting many Jews to resettle their homeland. Judah was organized as the "Across the River" province of the Persian empire, which for its part became largely "Babylonianized," adopting the centralized administrative practices that Mesopotamian regimes had refined for over two millennia. Babylonians, including Jews, were appointed to leading positions.

The upshot was that for the next 150 years the most successful Jews accommodated themselves to the Babylonians and Persians, becoming familiar with Babylonian traditions. These figured prominently in shaping the final compilation of the Torah/Pentateuch. The pedigree of the Jubilee year and Deuteronomy's septennial year of release of debt-servants probably can be traced to these times, as is suggested by the long-recognized kinship between Hammurapi's periodic proclamations of economic order/liberty and his rulings (Laws, §117) freeing bond-servants after they had served three years. Biblical laws and their cosmological imagery, as well as the algebraic numerology of the patriarch list and other pseudo-historical compositions, reflect Babylonian traditions going back to Sumerian times (3500-2000).

## Nehemiah's debt cancellation of 444

*Nehemiah linked his debt cancellations and related reforms with Ezra's religious separatism to make certain that the Jews would not again "fall away" from their past, which was placed in the context of a sacred covenant with Yahweh.*

In the mid-fifth century, around the time of the high tide of democracy in Athens, a Jew named Nehemiah rose to the position of cupbearer to Artaxerxes. Nehemiah's autobiography represents the Persian ruler as giving him permission to rebuild Jerusalem (following local attacks, probably by Arabs) as a personal favor, unconnected with any particular policy interest save to re-establish the normal flow of tribute.

The situation Nehemiah found in Judah was much more extreme than had been the case in the Babylonian core itself, where the institution of slavery was dying out. Dandamaev (1984:648) finds that by the sixth century the major slaveowners were the temples and the palace. Individuals found it more remunerative to give their erstwhile slaves their own plots of land and to extort an economic surplus via usury rather than by brute physical coercion.

As for the Persians, they were traditionally free of debt (*viz.* Herodotus 1.138), and had no desire to see their lands pass into the hands of an alien ruling class notorious for putting its own interests as creditor-landlords above those of the palace. (This habit of wealthy officials taking crops to pay interest on their own financial claims before seeing to those of the palace was a problem from the time of Hammurapi in the Old Babylonian period through the Byzantine empire three thousand years later.) By the time of Persian suzerainty, finds Dandamaev (1990:S14), creditors "could not sell a debtor into slavery to a third person. Usually the debtor paid off the loan by antichresis (free work for the creditor), preserving thereby his freedom. The practices of pledging one's own person for debt and of selling oneself into slavery had totally disappeared by the Persian period."

Nehemiah 5:3-5 describes Judah's residents as having mortgaged their fields, vineyards and houses to buy bread for subsistence, consigned their children to slavery, and were unable to buy back their freedom. In 444 and eleven years later, in 433 (upon bringing many Jews from Babylonia to resettle in Judah), Nehemiah responded with his famous reforms, including those of Deuteronomy and Leviticus not hitherto attested. He relates how, on completing the rebuilding of Jerusalem's walls in autumn 444, he found cultivators facing the harvest-time obligation to pay interest to the local gentry and creditors or lose their lands. To block this result - and win favor for himself in the process, at the expense of the landlord-dominated assimilationist party - he remitted all debts and released the lands. This won local support by freeing bondservants who had lost their liberty and land to local headmen and other wealthy families.

Morton Smith (1971:131) finds in these actions a parallel with those of the Greek populist tyrants. Like Solon, Nehemiah "dwelt on the efforts of his party to ransom Judeans sold into slavery; he contrasted this with the local gentry's practice of selling Judeans for debt; he paused dramatically to hear what his opponents had to say;

without pausing too long, he pointed out that they were silent; he denounced their practices, emphasizing their impiety and the disgrace to which they had exposed the Judeans in the eyes of the neighboring peoples; he slipped in the admission that he and his family and staff had also been lending money and grain at interest; and he demanded the abolition of interest and the return of the properties seized. Of course - in front of the crowd - the offenders consented. He made them swear to it on the spot. The consequent increase of his popularity can be imagined."

Nehemiah further bolstered his standing "by remitting the taxes formerly imposed for the support of the governor and his staff. The expense of his establishment he met out of his own pocket - he must have had large private means. He entertained daily at his table...a hundred and fifty Judeans and lesser officials (but none of the local gentry!) and numerous visitors from abroad" (5.14-17 as summarized in Smith 1971:257. See also Yamauchi 1980).

Nehemiah followed up his acts by expelling an important ally of the assimilationist party, Tobias the Ammonite, who had been given a room in Jerusalem's temple by the High Priest. Although a layman, Nehemiah ordered that the rooms be purified of the pollution which Tobias's residence had created. Smith (1971:132f.) finds in this act "the first conspicuous instance of the clash between priestly authority and pious laymen's traditions of scriptural interpretation. The Maccabees, the Essenes, the Pharisees, the early Christians, and the leaders of the Reformation will spring from this root." Nehemiah thus struck at the priests' social position and revenue by removing their control of the temple, replacing them with the Levites, whose administration he financed with a tithe on the land's produce.

### **From debt cancellation to religious covenant**

*The land would be lost not only militarily but spiritually if rulers failed to sponsor economic justice and righteousness. What made Nehemiah, Ezra and other contemporary founders of Jewish religion unique was the way in which they reworked these archaic cosmological traditions to elevate the spirit of social justice to the plane of sacred covenant.*

Nehemiah linked his debt cancellations and related reforms with Ezra's religious separatism to make certain that the Jews would not again "fall away" from their past, which was placed in the context of a sacred covenant with Yahweh. Intermarriage with gentiles and worship of gentile gods were denounced as threatening to dilute Jewish identity. This was linked inextricably with the Biblical laws, which Nehemiah and his fellow anti-assimilationists cast in a new religious context. The Biblical tradition already had become anti-monarchical by the late ninth century, in the epoch of the great social prophets starting with Isaiah and Amos. Rather than leaving proclamations of freedom and order to rulers, the Biblical lawmakers made them automatically periodic as a sacred covenant.

They thus did what no Greek or Italian popular leader did: they brought religion to bear in weaving Clean Slates into the warp and woof of Jewish religion and its idea of righteousness. Abdi-Ashirta had appealed to the have-nots to support him, but (as far as we know) without an explicit plan save for his own personal patronage, it being customary for leaders to reward their supporters. In any event a social program would have been anachronistic in the Late Bronze Age, as it would have been in Egypt under Bocchoris. Certainly most first-millennium debt cancellations, from the neo-Assyrian empire down through Zedekiah during Babylon's attack on Jerusalem in 586, belong to the sphere of military tactics rather than a political philosophy of equity.

The seventh-century Greek tyrants were expected to exile the old local oligarchies, redistribute their lands and cancel the debts, but this never seems to have become an explicit party program or civic philosophy. The term "tyrant," coined by opponents of these programs, indicates that these policies never became part of the democratic or any other political ideal. Solon's poetry is the closest we come to an explicit civic program. Portraying both rich and poor as extremists, he writes that he sought a middle ground. His cancellation of debt servitude was a response to emergency conditions (and indeed, slavery for non-Greeks was maintained).

Looking over the entire first-millennium florescence, one finds the most explicit economic programs in the preachings of the Biblical prophets, from Isaiah c. 800 through Jeremiah c. 586 BC. These speeches may have been filled out by later compilers, but the core of their programs certainly was that the land would be lost not only militarily but spiritually if rulers failed to sponsor economic justice and righteousness - terms which, as Ephraim Speiser has shown, date back to third-millennium Mesopotamia to connote Clean Slates.

It is with these preachings in mind that the Biblical compilers retrojected their populist programs back through all the extant books of the Torah.\* The story of Moses was elaborated into a foundation myth, spliced into memories of the *hapiru*, who were transformed from Mesopotamian refugees into the Biblical Hebrews seceding from Egypt, much as the Roman plebs walked out in the fifth century until they got their way by receiving promises of debt cancellation and other reforms by the patricians who needed their manpower.

This kind of behavior is new to the sixth and fifth centuries. "It was only in relatively late times that Moses was understood as a lawgiver," concludes Lemche. Furthermore, as Smith (1971:141) has noted (and subsequent Biblical historians have confirmed), "none of this social legislation is known to have been enforced before Nehemiah's time - a fact which indicates the regard felt for this legal tradition by the ruling class of restored Jerusalem. When action did come, it came from a reformer seeking support against the established aristocracy." Smith finds that this "fits exactly the sociological and economic history of the age of the tyrants - the seventh to fifth centuries."

\*Lemche 0985:314f) finds that although Isaiah mentions Egypt a few times, neither he nor Micah refer to the Exodus traditions, nor even to Moses. The main ingredient of the Sinai revelation, where the Lord hands Moses the laws and establishes "the covenant, does not seem to have played any significant role in the religious life of Israel before the sixth century." On this ground he attributes the social legislation and the idea of a united Israel to the post-exilic period (pp. 384, 435).

The Greek tyrants also reformed their civic cults, yet certainly Nehemiah and his fellow Jewish reformers achieved something more than the Greek *populares* had done. They placed in an entirely new context the Bronze Age proclamations of order cancelling debts, freeing debt-bondsmen and restoring the land to its cultivator tenants. These became populist social programs elaborated to the plane of religion as a moral guideline. As such, they transcended the calendrical and numerological cosmology that characterized derivative local cults such as those of Baal, Ashereth and other celestial deities.

All religion incorporates sanctification of the law and of the existing or hoped-for social structures. These are represented as having been ordained by the gods "in the beginning." However, over the millennia these ideas of order had become increasingly authoritarian, dropping the idea of periodic reordering in the Clean Slates found in Bronze Age times as aristocratic families took over most public cults. Greece's popular tyrants (no better phrase exists) such as Peisistratus and his sons sought to replace the older aristocratic festivals with less aristocratic Homeric and Dionysian ones. In the third century BC, Sparta's great reformer kings Agis and Cleomenes (followed by Nabis) elaborated the semi-mythical Lycurgus into a lawgiver, much as the post-Exile Jews elevated Moses. As Arnold Toynbee has emphasized, these images of archaic political rulers/lawgivers/religious founders are late reconstructions, retrojected to consolidate a new social order putting the common weal ahead of the oligarchic appropriation of the land and reduction of much of the population to debt-servitude. Still, there was no classical counterpart to the Bronze Age Near Eastern reorderings. Athenian philosophy remained largely aristocratic. No social reformers ever appeared approaching those of Judah. As for Rome, its plebeian platform (such as existed apart from retrojections of the Social War, 133-39 BC) never made significant incursion into the religious sphere. Babylonian New Year coronation ceremonies were incorporated into the Roman military triumph (Versnel 1970) with no trace of the social reordering that had formed the core of these festivals in the Early Bronze Age.

What made Nehemiah, Ezra and other contemporary founders of Jewish religion unique was the way in which they reworked these archaic cosmological traditions to elevate the spirit of social justice to the plane of sacred covenant. This is why Jews and Christians still look back to sixth/fifth-century Judah as the source of their deepest convictions even while crediting Greece and Rome with the secular democratic traditions that have helped make western civilization what it is.

Israelite history was construed as sponsoring a social revolution as a policy of domestic self-preservation. Instead of the debt cancellations being merely a military tactic to win or hold the loyalty of domestic populations, the Biblical authors appealed to a national covenant with the Lord of Justice and Righteousness.

## **The Biblical laws of economic renewal, contrasted with the market equilibrium transfer of property from debtors to creditors**

The laws of Exodus 21-23 (the Book of the Covenant), the Holiness Code of Leviticus and the laws of Deuteronomy place interest-bearing debt, land tenure and the periodic renewal of economic freedom from debt at the center of their economic program. In this respect they retained the central element of Bronze Age royal proclamations: periodic restoration of economic equity by administrative fiat.

Today's response to economic imbalance is to let the market resolve matters. Bronze Age rulers saw that this would create an adverse new equilibrium, disenfranchising peasant-cultivators and favoring the rich at the expense of the poor, and also strengthening the wealthy against the palace, as antiquity's aristocratic unseatings of the kings showed. Such a result would have been social suicide for most realms, for it would have undercut the economic basis of the peasant army, leaving the land prone to invasion from without and dissolution from within. Thus, one need not explain Bronze Age "economic order" acts in terms of self-sacrificing altruism, but as a simple matter of survival.

By the end of classical antiquity, aristocracies grew strong enough to block economic renewal. Ever since, societies have relied on "market equilibrium," counterpoising creditor claims to shrinking debtor abilities to pay. These dynamics determine the particular kind of balance that society would end up with. This balance typically leads to a shift in property ownership patterns, and hence, land use. The shift has been from debtor to creditor ownership, from cultivators growing their own food crops to absentee owners assembling vast estates by "joining field to field till no space is left and you live alone in the land" (Isaiah 5.8), and shifting the land to export crops, headed by wine and olive oil, produced by servile labor.

For two thousand years such shifts were reversed by royal fiat. It would be superficial to translate the meaning of a complex Bronze Age philosophy into a single modern word, but the essence of what Mesopotamian rulers did was to "proclaim equity," and "restore order."

### **How Hillel's *prosbul* yielded power to creditors and mortgage-holders**

**The fact that Hillel could establish the *prosbul* waiver as part of Jewish religion showed how far Israel had moved with the same tide of privatization that was sweeping the rest of antiquity into a new Dark Age. (Still, the obedience paid to the Jubilee Year debt forgiveness was strong enough as late as thirteenth-century Spain to inspire Rabbi Maimonides and Ibn Adret to insist that without the *prosbul* waiver, debts among Jews were to be forgiven.**

The Near Eastern sanctity of releasing bondservants and land from debt bondage stands in sharp contrast to the Roman principle of making the loss of status permanent. It was the debt obligations that became sacrosanct, not their cancellation. By the time of Christianity, the creditor/landlord class had grown too strong for any popular leader to

take on with any hope of worldly success. A shift occurred away from denouncing existing social injustice to millennialist preaching about the ultimate judgment of souls, taking redemption and social equity as a spiritual metaphor rather than as a worldly political program. This otherworldliness was bolstered by interpretations of the Biblical laws as being of a literary character, a celestial ideal that never could work in practice. The reformer prophets and their social-justice exhortations were played down in favor of Biblical stories taken as a genre of wisdom literature. Indeed, it became positively irreligious to apply sacred moral values to everyday life and political policy-making.

Near Eastern religions maintained the wrappings of the New Year festival and the royal titles of "rulers in justice and righteousness," but dropped the Clean Slate "order proclamations" so central in Sumerian and Babylonian times. The festival thus was decontextualized, with its formalities surviving in such manifestations as the Roman triumph as noted above, as well as the English coronation ceremony (Raglan 1936), but without proclamations of economic reordering.

By Roman imperial times, Judaism too had become dominated by representatives of the wealthy- the very class against whom the great prophets and reformers had preached from the eighth through fifth centuries BC. Excluded from gaining temple office, advocates of the poor and weak, such as the Essenes and subsequent Christians, formed their own sects, standing apart from the mainstream. The Biblical commandments cancelling agrarian debts and redistributing lands which had been forfeited to absentee holders were superseded by Rabbi Hillel's *prosbul*, a legal clause by which borrowers signed away their rights to avail themselves of the Jubilee Year.

Hillel's *prosbul* closed a two-thousand-year struggle. Almost as soon as credit became privatized, lenders sought to make themselves immune from the royal proclamations restoring economic order. Since the second millennium, creditors employed various stratagems to hold onto their land by resisting or circumventing debt cancellations. The Danish cuneiformist Niels Lemche (1979:17) cites a document from the upstream town of Mari (ARM 8 33:13f.) dating from early in the eighteenth century BC when the city was ruled by one of Hammurapi's contemporaries, Zimrilim. It stipulates that "this money shall not be released if a liberation should take place." This meant "that a loan is not canceled in case an *andurarum* should be carried out." Here is a literal anticipation of Hillel's *prosbul* formulated to nullify the Jubilee Year debt amnesties.

For many centuries Near Eastern rulers took pains to override such attempts to evade their proclamations. When first-millennium kings began to ally themselves with local aristocracies rather than with the population at large, the Israelites responded by grounding their Jubilee Year in a sacred covenant, thereby making wealthy evaders guilty of something near heresy rather than merely civil lawbreaking. The fact that Hillel could establish the *prosbul* waiver as part of Jewish religion showed how far Israel had moved with the same tide of privatization that was sweeping the rest of antiquity into a new Dark Age. (Still, the obedience paid to the Jubilee Year debt forgiveness was strong enough as late as thirteenth-century Spain to inspire Rabbi

Maimonides and Ibn Adret to insist that without the *prosbul* waiver, debts among Jews were to be forgiven. See Neuman 1942:219f. and 295).

### **Why was the tradition lost?**

For one thing, by classical times the public sector no longer was the major creditor. During the first millennium wealthy individuals had taken the place of temples and palaces as the major industrial and financial households. Whereas most debts in third-millennium Mesopotamia represented accruals of obligations to the palace and temples - and increasingly to their collectors - by the first millennium debt represented classical usury: small amounts of money lent to cultivators and other individuals who could not make ends meet. Commercial lending, mainly investment in trade ventures, always was exempt from such restorations of order. Only consumer lending - that is, what economists call unproductive lending (usury) --was wiped off the books.



### III. CHRISTIAN PERSPECTIVES IN THE MODERN AGE

#### Jesus' teachings on debt forgiveness

Luke 4:17ff. describes one of Jesus' first public acts upon his return to Nazareth. Going to the synagogue, he is handed a scroll and unrolls it to the passage in Isaiah 61, where that prophet announces that the Lord has sent him "to proclaim freedom (*deror*) for the prisoners and ... to release the oppressed, to proclaim the year of the Lord's favor." Jesus informs his audience that he has come to fulfill that prophecy.

He hardly could have chosen a passage more concerned with the debt burden. Treating debt servitude as a real problem to be solved in itself as well as being an analogue for spiritual bondage, he set about preaching redemption literally as well as figuratively. His Parable of the Unmerciful Servant (Matthew 18) leaves little doubt that the poor should be forgiven their debts. Admonishing Peter to excuse his brother's sins, Jesus explains that admission to heaven depends on how one conducts his own life in accordance with Lev. 19:18: "Love thy neighbor as thyself," repeated by Jesus near the eve of his crucifixion (Matthew 22:39). It forms the basis for what today is called the Golden Rule, that we should not do unto others what we would not wish them to do to us.

The story Jesus composes to illustrate this principle concerns a king who called his servants together to settle accounts. The first man brought in owed ten thousand talents, but was unable to pay. In accordance with the practice of the time, the master ordered that the insolvent servant, his wife, children "and all that he had be sold to repay the debt. The servant fell on his knees before him and begged, 'Be patient with me and I will pay back everything.' The servant's master took pity on him, canceled the debt and let him go. But when that servant went out, he found one of his fellow servants who owed him a hundred denarii. He grabbed him and began to choke him. 'Pay back what you owe me!' he demanded. His fellow servant fell to his knees and begged him, 'Be patient with me, and I will pay you back.'" But the first servant refused, and had the man thrown into prison until he could pay the debt.

The other servants told their master what had happened, and he called the first servant back. "'You wicked servant,' he said, 'I cancelled all that debt of yours because you begged me to. Shouldn't you have had mercy on your fellow servant just as I had on you?' In anger the master turned him over to the jailers until he should pay back all he owed." Jesus warns that "This is how my heavenly Father will treat each of you unless you forgive your brother from your heart." As some versions of the Lord's Prayer put it: "Forgive us our debts, as we forgive our debtors." (In many languages the words "debt," "trespass," and "sin" are interchangeable, e.g. German *Schuld*)

Christ's title of the Redeemer reflects the idea of saving debtors from debt-bondage. If it was their souls that he ultimately was redeeming from worldly shackles, financial power over debtors presented the ultimate test of a creditor's moral goodness. The moral is that charity toward debtors and other poor calls for forgiving their debts.

Lending is put forth as the characteristic test for admission to heaven, for it is the most prevalent mode of exerting either coercive power or generosity with regard to one's fellow beings. Luke 6:35 cites Jesus' admonition to "lend, without expecting to be repaid." Centuries of commentary on this passage by medieval Churchmen elaborated how this exhortation meant that a creditor should not demand to be repaid if the debtor cannot do so without injuring himself

Jesus drove home the conflict he felt to exist between Jewish religious values and the selfish worldliness of creditors in his famous act of overturning the banking tables in Jerusalem's temple. The story is told in all four gospels (Luke 19, Matthew 21, Mark 11 and John 2). Upon entering Jerusalem, Jesus went directly to its temple, where he overturned the benches of the moneychangers and emptied out their moneybags on the floor. He also overturned the tables of merchants selling animals, and made a scourge of cords and "drove them all out of the temple, and the sheep, and the oxen" (John 2:15). Echoing the words of Jeremiah (7:11) some four centuries earlier, he announced that "My house will be a house of prayer, but you have made it `a den of thieves.'" This is the only report in the Scriptures of his using violence, and it inspired the city's leaders to plot his death.

Jesus' citation of Jeremiah was deliberately significant, for in this passage the prophet describes the Lord as threatening the Israelites not to make their land and its temples a den of thieves by oppressing aliens, orphans and widows, that is, the most seriously afflicted debtors. To prey on the weak, to monopolize the land and wealth is to seize what belongs to the Lord and his community. The relevant commandment accordingly is the Eighth: Thou *shalt not steal*. The great absentee landlords were stealing the land and freedom of the Israelites, and thus their destiny. Should the people fail to recall the Lord's spirit and rectify matters, they would suffer national perdition.

## The Eighth Commandment in Canon Law, Lutheranism and Calvinism

*Neither Hebrew, Greek nor Latin had separate words to distinguish between "interest" and "usury." The distinction is a product of Canon Law seeking to carve out a form of financial gain (interesse) that could be taken by Christians legitimately in the face of the Biblical strictures against neshek (Hebrew), tokos (Greek) and Faenus (Latin).*

The thirteenth-century Dominican scholar Thomas Aquinas engrafted the teachings of Aristotle on those of the Church. His *Summa Theologica* (2.2, Questions 77 and 78) deal with trade, just profit, and interest loaned on money. Charging interest is a form of mercantile relationship, whose natural character is to produce mutual advantage for both sides. The proper motivation for one to acquire wealth is to help others. Natural wealth, including the land and its subsoil riches, belongs to mankind as a whole to be used in accordance with its needs (Question 66). As the economic historian Albert

Hyma (1951:76) summarizes Aquinas's argument: "When the need of a certain article is extremely great, especially in case death may be the result of the deprivation, one may either openly or secretly take something from another person. Such action is not of the nature of theft or robbery."

In 1516 Martin Luther preached a sermon on the Eighth Commandment, classifying usury as a form of theft and warning that it was destroying cities much as a worm destroys an apple from within its core. Jews were forbidden from taking interest from one another (permitted to charge it only to outsiders), but Christians charged it to their own brethren. The papacy itself sponsored the Italian bankers to drain money to Rome. In a similar vein, John Calvin, in the final year of his life, wrote a commentary on Ezekiel (published in 1565), defining fraud and usury as theft. He held that wealthy lenders were as guilty as robbers and highwaymen in breaking the Eighth Commandment (Hyma 1951:283ff., 443ff.).

The relevant passages of Ezekiel 18 are verses 8, 13 and 17 (see Appendix, page 83), in which the Lord commands the people not to lend at interest. The modern Revised Standard Version of the Bible translates this sanction anachronistically as referring to "excessive" interest, i.e. to usury over and above the legal rate approved by civil authorities. This perverts the text's original meaning, for neither Hebrew, Greek nor Latin had separate words to distinguish between "interest" and "usury." That distinction is a product of Canon Law seeking to carve out a form of financial gain (*interesse*) that could be taken by Christians legitimately in the face of the Biblical strictures against *neshek* (Hebrew), *tokos* (Greek) and *Faenus* (Latin). Like Sumerian *mash*, these words all refer to the idea of birth, specifically of young animals (goat-kids in Mesopotamia, calves in Greece and Rome). It was on the basis of this etymology that Aristotle pointed out how ironic it was that interest (*tokos*) was charged on barren metal. In classical antiquity most credit had indeed become parasitic and usurious. There was not yet a rationale for distinguishing some kinds of "breeds of barren metal" from others.

Canon Law was developed largely to rationalize the charges of Lombard bankers sponsored by the papacy to transfer royal tribute in the twelfth and thirteenth centuries. The effect of Scholastic strictures against usurers preying on the poor was to channel lending via the foreign exchange, where bankers might charge a fee for international money conversion (*agio*) rather than interest as such. The largest borrowers could readily obtain credit, above all Norman princes and aristocracies outfitting themselves for the Crusades or for war. Charging usury on such lending was the ground on which Dante condemned the papacy's Florentine war bankers to the deepest circle of hell.

A key premise of Canon Law was important as a theoretical statement, although not yet as a practical guide in these early centuries of finance-capitalism. The Schoolmen endorsed productive commercial loans that provided the borrower with resources to undertake trade on which he could earn sufficient profit to repay the debt with interest and still come out ahead. Only unproductive loans (mainly to the poor, for consumption purposes) were condemned as being usurious. Luther and Calvin said essentially the same. In making this distinction Canon Law and early Protestantism reflected the same policy that had guided Bronze Age rulers when they cancelled agrarian barley debts but not

commercial silver-debts. By contrast, today's creditors face no obligation to charge interest only on loans made for productive purposes. All the onus of payment rests on the debtor, to the point where entire nations are being sacrificed on the altar of unrepayable debts.

### **The absence of the Biblical idea of liberation (*deror*) from liberation theology**

Modern ideologies inevitably shape Biblical scholarship to reflect our epoch's own economic philosophy. Nowhere has this ideology moved further away from that of Biblical times than in its tolerance of absentee landownership and interest-bearing debt regardless of their polarizing economic consequences. (The third great objective of Biblical Clean Slates, freeing debt-bondsmen, fortunately is no longer around to plague us.)

If there is any one region where social protest against debt and great landed estates (*latifundia*) logically should be most intense, it is Latin America. Yet the continent's liberation theologians seem to have a blind spot with regard to the Biblical economic laws. The upshot is a "liberation theology" without liberation in the single most important Biblical sense of the term - freedom from the impoverishing consequences of debt (now international as well as personal), and freedom of the earth from absentee appropriation (now by foreign corporations backed by World Bank underdevelopment programs as well as by individual landlords). One looks in vain for a liberation-oriented recognition of the Biblical social revolution in terms of its single leading element - cancellation of the debts that were the major lever leading to the foreclosure of the land and its privatization, removing it from the community's possession.

The Biblical idea of "freedom and justice" connoted a concrete debt cancellation and the return of the land to its cultivators for their own self-support. For the Biblical authors, alien appropriation of the land was to be ended. The Lord provided the earth for the welfare of all, not just for the wealthy to achieve patronage power over the poor and disinherited. Israel was threatened that foreigners would take possession of its land if it veered from the path of social righteousness. Isaiah (1.7) thundered against Sodom that "Your fields are being stripped by foreigners right before you," and that (1.23) "Your rulers are rebels, companions of thieves; they all love bribes and chase after gifts." But today's churches refrain from condemning the policies that have led to the IMF-World Bank transfer of Latin American resources to foreign creditors.

Hyma (1951:76) has pointed out that in 1937, in the midst of the Great Depression, the right-wing Father Coughlin echoed Aquinas's views on the Eighth Commandment in telling his radio audience that "To take something from another person when the latter is unreasonably unwilling to part with it, is not theft." This idea has been repeated in the most recent (1992) papal catechism. Jean Valjean would not be morally guilty for stealing his piece of bread. How can anyone who believes this not endorse land reform?

Understandably the moral dimension of wealth and credit has become a central focus of religious discussion in times of poverty and spreading bankruptcy. What is remarkable in today's circumstances is that no similar statement is heard -- no calls for debt forgiveness for the bank loans and government credits that have worked only to underdevelop Latin America, and other third world regions, not to put in place the means to repay their debts.

The Cold War and anti-Communism are hardly to be blamed for this silence, for the Levitical laws restoring lands to their occupants were anything but communistic. Just the opposite: They upheld the ideal of subsistence land tenure for all. As Robert North (1954:175) has observed in his study of the Biblical Jubilee Year, "Yahweh's ownership is verified in Socialism only in the sense that the State must supply deficiencies of self-centered ownership. Common ownership is barely hinted in the Bible; the natural term of family expansion is the privately-owning community. Where Communism decrees 'None shall have property,' Leviticus decrees 'None shall *lose* property; but both are against unhealthy *latifundism*."

The political labels of right and left thus have little relevance in today's debt crisis. The idea of a modern Jubilee debt forgiveness finds discussion mainly among fundamentalists, while "liberation theology" has stripped away the Biblical idea of liberty (*deror*) in its primary original sense of financial freedom from unpayable debts. Hopes for a papal encyclical on the subject of international debt have not yet been rewarded, nor have those for an initiative on domestic debt and land reform.

A modern Isaiah or Jeremiah would warn that the financial, environmental, economic devastation was a sign from the Lord that the land had veered from the righteous path and that the Day of Judgment was at hand. The recent scourge of disease would be interpreted as a portent. As Billy Graham recently put it, "Okay, God, you've got our attention, now what?" If today's debt and landholding patterns are wrong, they should be restructured, and all political philosophy and religious fervor should aim at achieving this economic freedom. Certainly if Hammurapi and his fellow Babylonian rulers found themselves confronted with this kind of situation, they would proclaim a Clean Slate to restore order in the social cosmos.

The Old Testament prophets would announce that the time has come to restore equity (appropriately at the turn of the Millennium).

Jesus would find in the international and domestic debt burden a moral test of national self-centeredness vs. openheartedness.

Medieval Canon Law would find that most of today's debts have no counterpart in creating mutual gains between borrower and lender, and thus constitute parasitic usury rather than economically valid loans deserving interest.

Classical economists would draw the same distinction between productive and unproductive loans.

Only in the most recent decades have minds shut to questioning the social, moral and economic consequences of debt. What once was the core of social renewal and religious ethics has now become the Unthinkable. That is the ultimate irony which may strike future social historians looking back on our era.

## APPENDICES

### Mesopotamian Debt Cancellations, 2400-1600 BC

The third millennium Mesopotamian city of Lagash, in southeastern Sumer, is the best documented. Its ruler Enmetena (2404-2375) achieved suzerainty over southern Mesopotamia by defeating neighboring Umma and its allies. After his victory he inscribed the earliest known *amargi* law (c. 2400) cancelling agrarian debts and obligations.

A half-century later Uruinimgina (formerly read Urukagina, 2351-42) reformed economic relations. Upon becoming war-leader (*lugal*) in his second year to defend Lagash against Umma, his "reform text" cancelled agrarian debts (2350).

During his reign Lagash and the rest of Sumer was conquered first by Lugalzagesi of Umma and Uruk (2351-2327), and then by the northerner Sargon of Kish, who ruled Mesopotamia as a military overlord from the new capital he built at Akkad.

In the revival after the collapse of the Akkadian dynasty, the Lagash ruler Gudea restored broad trade relations between Sumer and Egypt, Ethiopia, Anatolia and the Taurus range, Dilmun (Bahrain) and Elam. He has left many inscribed statues, and one of his cylinders contains the longest surviving Sumerian poem (1400 lines) commemorating his rebuilding of the city-temple and how he restored order by cancelling the land's debts at the New Year festival celebrating this occasion c. 2130.

The neo-Sumerian Third Dynasty of Ur (2112-2004 BC) was founded by Ur-Nammu (2112-2095). After defeating Lagash and killing its ruler Namhani (Gudea's brother-in-law) in battle in 2112, Ur-Nammu led a great extension of trade and installed provisional governors in Elam (Susa), Ashur and Mari. He drew up an extensive body of legal rulings and cancelled debts with a *nig.šiša* act.

His son Shulgi (2094-2047) consolidated Sumerian domination over Mesopotamia. He inscribed the laws of his father and seems to have proclaimed his own debt cancellation.

In the city of Isin the ruler Ishbi-Irra (2017-1985) founded a dynasty comprising fifteen rulers in 223 years. Ishbi-Irra was an Amorite subordinate of Ur's last ruler, breaking away when related Amorite tribesmen and Elamites invaded the land. Many debt cancellations of the Isin rulers survive, starting with the *nig.šiša* acts of Iddin-Dagan (1974-1954) and his successor Ishme-Dagan (1953-1935).

Lipit-Ishtar (1934-1924) left a body of legal rulings which, like those of Ur-Nammu, led off with a *nig.šiša* debt cancellation. During his rule an Amorite dynasty in Larsa established itself with Elamite backing. Its first ruler was the Amorite chieftain Naplanum (2025-2005). The city became a dominant power a century later under Gungunum (1932-1906), who defeated Lipit-Ishtar of Isin. Larsa reached the peak of its influence a century later under two Elamite brothers, Warad-Sin (1834-1823) and Rim-Sin (1822-1763). Rim-Sin reasserted palace authority over the private sector which had been growing steadily since the demise of Ur III's centralized economy. He "purified the foreheads" of the land's debt-servants. After six decades of rule, in 1763, he was defeated by Hammurapi of Babylon.

**The Amorite dynasty of Babylon** comprised eleven rulers in three hundred years (1894-1595). Benefiting from the city's upstream position, its dynasty was founded by Sumaubum (1894-1881). His successor Sumulael (1880-1845) cancelled debts with a *misharum* act. The dynasty's fifth ruler, Sin-Muballit (1812-1793) oversaw the first great assertion of Babylonian power. He declared *misharum* debt cancellations in 1812, 1803 and 1797. His son Hammurapi (1792-1750) headed an alliance which carried Babylon to the height of its power. He declared *misharum* acts in the year of his accession (1792) and in 1780, 1771 and 1762.

Hammurapi's son Samsuiluna (1749-1712) declared *misharum* to restore order upon taking the throne, and again in 1741. Abi-Eshuh (1711-1684) likewise declared *misharum* upon taking the throne. Ammiditana (1683-1647) likewise cancelled agrarian debts upon his succession, and again in 1662 and 1647. Ammisaduqa (1646-1626) declared *misharum* upon his accession, and again in 1636. His *misharum* act is the longest and most detailed of all such proclamations. It also is the last Babylonian act on record, for in 1595 the city was raided by the Hittites, and then occupied for 370 years by the Kassites, a tribe from the Iranian highlands.

**The Old Babylonian period (2000-1600)** rulers of many other cities also proclaimed *misharum* acts. In Hana (near Mari on the Euphrates) the rulers Kastiliash, Ammirabih and Sunuh-Rammu cancelled debts. In Eshnunna, Abi-Madar, Naram-Sin and Ipalpiel (or Dadusha) proclaimed *misharum*. In Der, Nidnusha appears to be the first Mesopotamian ruler to use the term *misharum* to signify a debt cancellation, replacing *nig.šiša* and the Assyrian term *andurarum*, used by Ilushuma and Erishum in the nineteenth century BC, and by contemporary rulers in Asia Minor with which Ashur had established trade relations. This term *andurarum* evolved into the Hebrew *deror* to underlie the Old Testament debt cancellations and Jubilee Years called for in Leviticus and Deuteronomy.

## Debt Cancellations in Canaan/Israel/Judah

c. 1400 BC: The Amarna Age. Abdi-Ashirta leads *hapiru* attacks on Canaan's mountainous area, bidding for local support against the large landowners who have reached an accommodation with Egyptian puppet rulers. Many *hapiru* are uprooted fugitives from debt pressures in their native lands.

1200: End of the **Bronze** Age, beginning of the Dark Age through a combination of folk-wanderings and natural disasters, including a little Ice Age. The "Sea Peoples" settle the coast of Palestine. Drought in the Hittite kingdom.

1250-1150: Reported time of the Exodus from Egypt.

926: Following the death of Solomon, the northern kingdom of Israel (926-722) withdraws from the southern kingdom of Judah ruled by Rehoboam.

845-817: The cult of Baal is suppressed and the followers of Omri and his son Ahab (who married the Phoenician, Jezebel) are eliminated. Leading the Jehovah counter-movement, the prophet Elijah is followed by Amos and Hosea who identify the Jehovah religion with the ideal of protecting the poor from the increasingly powerful landed aristocracy. Israel's destruction is predicted if it fails to maintain social equity. Tribute-levying Assyria is represented as the Lord's tool of vengeance against the resented oligarchy.

722: Sargon defeats Israel and incorporates it as an Assyrian province, resettling many of its citizens in Mesopotamia and Media.

740-700: (possibly later): Isaiah preaches social justice. (However, the Biblical book of Isaiah took its present form only after the exile ended in 537.)

639-609: Josiah ascends the throne at age eight. In 610, in the process of renovating the temple at Jerusalem, the Deuteronomy scroll is found and becomes the basis for Josiah's reforms. These are made in conjunction with the preachings of Jeremiah.

626-604: The prophet Jeremiah denounces usury, much as did his contemporary Greek "tyrant"-leaders in Corinth, Megara, and Sicily.

597: When the Babylonian king Nebuchadnezzar prepares to attack Judah, Zedekiah frees the Jewish slaves cancelling the debts which bind them in servitude. (See Jeremiah 34:8-19, 2 Chronicles 32 and 2 Kings 25.) First deportations to Babylonia occur.

587: Jerusalem is captured by Nebuchadnezzar.

586-516: The "Babylonian captivity." Judah's inhabitants are resettled in Babylonia, much as Sargon resettled Israel's inhabitants after 722.



516: Rebuilding of the Temple in Jerusalem, marking the end of the "Babylonian captivity."

539: The Median-Persian Cyrus (559-529) defeats Babylonia. Persia permits the Jews to resettle their homeland. (In 538 Judah becomes a province of the Persian empire.)

458: In the seventh year of Artaxerxes' reign (465-425), some exiles returned with Ezra.

444: Nehemiah, cup-bearer to Artaxerxes, makes his first visit to Jerusalem to become the first great reformer of the post-exile school.

432: After his second visit Nehemiah leads the second "return from exile," resettling the Babylonian Jews in their homeland. The land is returned to its families, freeing them from the debts owed to local creditors and landlords. Ezra the scribe and others compose the Torah (Pentateuch) in their modern form.

350: The Jews once again are carried away to Babylonia, probably because of a renewed revolt against the Persians.

131: The Hasmonians liberate Israel from the yoke of debts and taxation. Under Simon the high priest this marks the beginning of a new era. (See I Maccab. 13-14.)

## Debt Crises in Classical Antiquity

### Egypt

663-609: Bocchoris/Psammeticus cancels consumer debts, freeing the debt-servants.

### Greece and Rome:

650-580: Popular reformers ("tyrants") come to power in Corinth, Megara, Sicyon (under Cleisthenes) and other Greek cities, overthrowing landed aristocracies (often including their own relatives), redistributing their lands and cancelling the debts.

594: When Athens succumbs to a similar debt-polarization crisis, Solon is given powers to act as *archon* ("premier"). He cancels the debts, bans personal debt-servitude for Athenians and alien landownership (thereby preventing foreign creditors from foreclosing), but avoids the more drastic land redistributions carried out in other cities.

500-450: Rome's secessions of the plebs over the debt issue. Indebted Romans refuse to fight until their debts are cancelled and economic polarization mitigated.

450 (443?): Rome's XII Tables set interest rates at  $8\frac{1}{3}\%$  per annum, but this tradition and its fourfold penalty is repeatedly violated by creditors and must be reiterated (e.g. in 357). Meanwhile, the law permits debt-servitude (the *nexum* institution).

367: After an impoverished thirty years, plebeian legislation permits debtors to deduct interest payments from the principal, and to pay off the balance in three years instead of all at once.

357: A public commission is appointed to lend Roman funds to save bankrupt debtors from slavery and loss of their lands (revived in the 217 Punic War emergency).

347: Rome's legal interest rate is cut in half, to  $4\frac{1}{6}\%$ , and a moratorium is declared on existing debts, which are to be paid off in four equal installments. (To ameliorate matters further, the war tax and levy are lifted.)

342: The plebeian tribune Lucius Genucius moves to ban outright the charging of interest.

326: After popular riots, Rome's Poetillian-Papirian laws ban *nexum* debt-servitude.

264-241: First Punic War with Carthage, followed by a second war in 218-201.

220-200: Sparta's kings Agis, Cleomenes and Nabis cancel the debts, seeking to return to the legendary Lycurgan golden age with its egalitarian ethic. The objective is to restore a freely land-tenured peasant-army.

Sparta is defeated when oligarchic cities call in Roman aid. Greece passes into the Roman sphere of influence after the Peace of Apamia in 188.

204: After Rome levies huge reparations on Carthage, wealthy contributors to the war effort in 216 demand repayment, representing that their pledges actually were loans. The money is to be paid in three installments.

200: With its treasury bare after paying two installments, Rome has only the public land to turn over, above all the rich Campagna. Instead of being settled by war veterans as had been customary, this land is turned over to wealthy war-contributors in lieu of reimbursement. It is to be taxed at only a nominal rate. Beginning in 198, foreign slaves are imported en masse to cultivate the resulting *latifundia*.

193: The Sempronian law extends the XII Tables'  $8\frac{1}{3}\%$  interest-rate ceiling to cover non-Romans within the expanding Republic as Greece and other regions are absorbed.

133: Attalos III of Pergamum bequeaths his kingdom to the Romans. In 129 it becomes a Roman province. Aristonicus, the local claimant, mobilizes the population against Rome, promising to cancel their debts and establish a "Kingdom of the Sun" (Heliopolis), a political ideal probably influenced by the Stoic philosopher Blossius. Rome defeats local armies by poisoning the water supply. After looting local temples, it burdens Asia Minor with huge reparations debts, paving the way for over half a century of warfare. Regular tribute starts in 126.

133-30: Rome's domestic Social War is fought largely over the debt issue. In 133 the brothers Tiberius and Gaius Gracchus sponsor land reform (in particular to limit the extent of large estates) on the public domain. They also sponsor a general financial reform, creating a class of *publicani* "knights" to act as creditors and financiers, so that senators will not perform this function. Tiberius Gracchus is murdered by oligarchic senators in 133, the first tribune to be killed. A decade later, in 123, his brother Gaius and his supporters are defeated when they occupy the Aventine, and Gaius has a slave kill him in 121.

111: The oligarchic Agrarian Law declares all occupied public domain to be the property of existing holders, thereby defeating plebeian hopes for land reform.

100: The tribune L. Apuleius, supported by the Consul Marius, sponsors a land-settlement reform, but the Optimates oppose it, and repress a popular revolt.

89: The praetor Asellio is murdered for sponsoring restoration of the XII Tables law punishing creditors fourfold for charging excessive interest (over  $8\frac{1}{3}\%$ ). In the ensuing riots, debtors agitate for "new account books," that is, a Clean Slate debt cancellation.

88: The Vespers of Ephesus: As many as 80,000 Romans are killed in Asia Minor in retaliation against Roman tax farming and moneylending. During 88-84 Mithradates of Pontus turns what had begun as a local war in 92 into a regionwide by Asia Minor against Rome.

86: The Valerian Law remits three-quarters of the debts of all Romans. Publican financiers and senators join forces in the face of their common fear that demagogues might bid for popular support by endorsing a general debt cancellation and land redistribution.

86-85: The Roman general Sulla sacks Asia Minor and imposes a huge tribute, forcing many cities and much of the population into debt to Italian bankers. This helps make Sulla the richest man in Rome in 83. His army takes over the city and he kills many of his opponents during his dictatorship of 82-79.

73-71: Slave revolt led by the Thracian war-captive Spartacus.

70: Rome declares a moratorium on Asia Minor's war tribute, which had multiplied sixfold from the 20,000 talents imposed by Sulla in 84 to 120,000 talents, despite the fact that 40,000 talents already had been paid out (not including the looted treasure of Asia Minor's temples). The local Roman general, Lucullus, sets a 12% interest rate and decrees that where interest payments have exceeded the original principal, the debt is to be considered paid. Debt service is limited to a quarter of the debtor's income.

63-62: Catiline and some three thousand supporters are killed in battle. A major plank of their program (which Cicero called a "conspiracy") is a cancellation of debts.

60: In the ensuing civil war, Pompey, Crassus and Caesar form the First Triumvirate. The next year, in 59 BC, Julius Caesar becomes Consul.

49: Caesar marches on Rome and defeats Pompey and his supporters. In the turmoil he allows debtors to deduct interest payments from their principal, and introduces Rome's first bankruptcy law, but it alleviates debt pressures only on the wealthy. His *cessio bonorum* saves them from having to sell off their property under distress conditions by letting them turn over real estate at pre-Civil War prices. To support collapsing land prices, Caesar also directs that two-thirds of all capital assets must be held in the form of Italian real estate.

This is not much help to the landless and smallholding population at large. Demagogues such as Caelius (Rufus) and Milo are killed after leading a popular insurrection. In 47, Cneius Cornelius Dolabella likewise advocates cancellation of debts, and is killed for leading riots in the Forum. This is the final defeat for Rome's indebted poor. Henceforth, lending is concentrated mainly among the wealthy.

45: Caesar becomes dictator, but is killed the following year by members of the Senate.

31 BC - AD 235: The Roman Principate: Twelve emperors in 266 years. In 27, Octavian is crowned as Emperor Augustus, inaugurating the Roman Empire.

AD 33: A financial crisis results from emperors hoarding coinage in the imperial treasury, aggravated by private hoarding and a drain of bullion to the East (largely to purchase luxuries). Tiberius reimposes the traditional  $8\frac{1}{3}\%$  interest-rate ceiling, and Caesar's decree

that two-thirds of all personal capital be invested in Italian real estate. This leads to widespread foreclosure on mortgages as lenders convert their financial claims into land. Tiberius decrees that debtors are obligated only to pay two-thirds of debts that are called due, but his measures nonetheless aggravate the general financial crisis.

AD 325: The council of Nicea bans the practice of usury by members of the Christian priesthood.

AD 425: Charging interest is banned for the lay population generally.

# Biblical Passages Dealing with the Usury Problem and Debt Forgiveness

Revised Standard Version

## I. The Biblical Law Codes

**The Book of the Covenant** in Exodus 21-23. The Lord becomes king and protector of Israel, whose people make a covenant, a sacred compact with the Lord to protect the economically weak-- significantly (but anachronistically) without the intermediary of kings.

21:1-11: The Lord instructs Moses that "These are the rulings you are to set before them: If you buy a Hebrew servant, he is to serve you for six years. But in the seventh year he shall go free without paying anything.

"If he came in alone, he shall go free alone; but if he has a wife when he comes, she is to go with him. If his master has given him a wife and she has borne him sons or daughters, the wife and her children shall belong to her master, and only the man shall go free.

"But if the servant declares, 'I love my master, my wife, and my children and do not want to go free,' then his master must take him before the judges. He shall take him to the door or the doorpost and pierce his ear with an awl. Then he will be his servant for life.

"If a man sells his daughter as a servant, she is not to go free as menservants do. If she does not please her master who has selected her for himself, he must let her be redeemed. He has no right to sell her to foreigners, because he has broken faith with her. If he selects her for his son, he must grant her the rights of a daughter. If he marries another woman, he must not deprive the first one of her food, clothing and marital rights. If he does not provide her with these three things, she is to go free, without any payment of money."

22:22-27: "Do not take advantage of a widow or an orphan. If you do and they cry out to me, I will certainly hear their cry. My anger will be aroused, and I will kill you with the sword; your wives will become widows and your children fatherless.

"If you lend money to one of my people among you that is needy, do not be like a moneylender; charge him no interest. If you take your neighbor's cloak as a pledge, return it to him by sunset, because his cloak is the only covering he has for his body. What else will he sleep in? When he cries out to me, I will hear; for I am compassionate."

23:9-13: "Do not oppress an alien; you yourselves know how it feels to be aliens, because you were aliens in Egypt.

"For six years you are to sow your fields and harvest the crops, but during the seventh year you let the land rest 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.

"Six days you shall work, but on the seventh day do not work, so that your ox and your donkey may rest and the slave born in your household, and the alien as well, may be refreshed.

"Be careful to do everything I have said to you. Do not invoke the names of other gods; do not let them be heard on your lips."

**The Holiness Code** of Leviticus 17-26 (esp. 25 for debt). (Numbers 36 refers to it. See also Num. 29 with regard to blowing the horn at the world's creation/New Year recreation.)

25:8-43: "Count off seven sabbaths of years -- seven times seven years -- so that the seven sabbaths of years amount to a period of forty-nine years. Then have the trumpet sounded everywhere on the tenth day of the seventh month; on the Day of Atonement sound the trumpet throughout your land. Consecrate the fiftieth year and proclaim liberty throughout the land to all its inhabitants. It shall be a Jubilee for you; each of you is to return every man unto his possession, and ye shall return every man unto his family. The fiftieth year shall be a Jubilee for you: do not sow, nor reap that which grows of itself or harvest the untended vines. For it is a Jubilee and is to be holy for you. Eat only what is taken directly from the fields.

"In this Year of Jubilee everyone is to return to his own property.

"If you sell land to one of your countrymen or buy any from him, do not oppress one another. You are to buy from your countrymen on the basis of the number of years since the Jubilee. And he is to sell to you on the basis of the number of years left for harvesting crops. When the years are many, you are to increase the price, and when the years are few, you are to decrease the price, because what he is really selling you is the number of crops. Do not take advantage of each other, but fear thy God, for I am the Lord your God.

"Follow my decrees and be careful to obey my laws, and you will live safely in the land. Then the land will yield its fruit, and you will eat your fill and live there in safety. You may ask, 'What will we eat in the seventh year if we do not plant or harvest our crops?' I will send you such a blessing in the sixth year that the land will yield enough for three years. While you plant during the eighth year, you will eat yet from the old crop and will continue to eat from it until the harvest from the ninth year comes in.

"The land must not be sold permanently, because the land is mine and you are but aliens and my tenants. Throughout the country that you hold as a possession you must provide for the redemption of the land.

"If one of your countrymen becomes poor and sells some of his property, his nearest relative is to come and redeem what his countryman has sold. If, however, a man has no one to redeem it for him but he himself prospers and acquires sufficient means to redeem it, he is to determine the value for the years since he sold it and refund the balance to the man to whom he sold it; he can then go back to his own property. But if he does not acquire the means to repay him what he sold will remain in the possession of the buyer

until the Year of Jubilee. It will be returned in the Jubilee, and he can then go back to his property.

"If a man sells a house in a walled city, he retains the right of redemption a full year after its sale. During that time he may he redeem it. If it is not redeemed before a full year has passed, the house in the walled city shall belong permanently to the buyer and his descendants. It is not to be returned in the Jubilee. But houses in villages without walls around them are to be considered as open country. They can be redeemed, and they are to be returned in the Jubilee.

"The Levites always have the right to redeem the houses they possess in the Levitical towns. So the property of the Levites is redeemable – that is, a house sold in any town they hold – and is to be returned in the Jubilee, because the houses of the town of the Levites are their property among the Israelites. But the pastureland belonging to their towns must not be sold, for it is their permanent possession.

"If one of your countrymen becomes poor and is unable to support himself among you, help him as you would an alien or a temporary resident, so he may continue to live among you. You must not lend him money at interest or sell him food at a profit. I am the Lord your God, who brought you out of Egypt to give you the land of Canaan and to be your God.

"If one of your countrymen becomes poor and is unable to support himself among you and sells himself to you, do not make him work as a slave. He is to be treated as a hired worker or a temporary resident among you; he is to work for you until the year of the Jubilee. Then he and his children are to be released, and he will go back to his own clan and to the property of his forefathers. Because the Israelites are my servants, whom I brought out of Egypt, they must not be sold as slaves. Do not rule over them ruthlessly, but fear thy God."

**The Priestly Code** occurs in Deuteronomy, esp. 15 with regard to the *shemitta*, the septennial release of debt-servants from their servitude and the obligations that caused it.

Deut.15:1-18: "At the end of every seven years you must cancel debts. This is how it is to be done: Every creditor shall cancel the loan he has made to his fellow Israelite. He shall not require payment from his fellow Israelite or brother, because the Lord's time for cancelling debts has been proclaimed. You may require payment from a foreigner, but you must cancel any debt your brother owes you. However, there should be no poor among you, for in the land the Lord your God is giving you to possess as your inheritance, he will richly bless you, if only you fully obey the Lord your God and are careful to follow all these commands I am giving you today. For the Lord your God will bless you as he has promised, and you will lend to many nations but will borrow from none. You will rule over many nations but none will rule over you.

If there is a poor man among your brothers in any of the towns of the land that the Lord thy God is giving you, do not be hardhearted or tightfisted toward your poor brother. Rather be openhanded and freely lend him whatever he needs. Be careful not to harbor this wicked thought: 'The seventh year, the year for cancelling debts, is near,' so that you do not show ill will toward your needy brother and give him nothing. He may then cry unto the



Lord against you, and you will be found guilty of sin. Give generously to him and do so without a grudging heart: then because of this the Lord your God will bless you in all your work and in everything you put your hand to. There will always be poor people in the land.

Therefore I command you to be openhanded toward your brothers and toward the poor and needy in your land.”

Deut. 23:19-20: “Do not charge your brother interest, whether on money or food or anything else that may interest. You may charge a foreigner interest, but not a brother Israelite, so that the Lord your God may bless you in everything you put your hand to in the land you are entering to possess”

Deut. 24:6: "Do not take a pair of millstones --not even the upper one -- as security for a debt, because that would be taking a man's livelihood as security."

Deut. 24:10-13: "When you make a loan of any kind to your neighbor, do not go into his house to get what he is offering as a pledge. Stay outside and let the man to whom you are making the loan bring the pledge out to you. If the man is poor, do not go to sleep with his pledge in your possession. Return his cloak to him by sunset so that he may sleep in it. Then he will thank you, and it will be regarded as a righteous act in the sight of the Lord thy God”

Deut. 24:17-18: "Do not deprive the alien or the fatherless of justice, or take the cloak of the widow as a pledge. Remember that you were slaves in Egypt and the lord your God redeemed you from there. That is why I command you to do this."

Biblical scholars have noted that there are no traces of Deuteronomy's ideas in the preachings of Amos, Hosea and Isaiah, yet their influence is manifest in Jeremiah and Ezekiel. This indicates the recomposition of Deuteronomy following its discovery c. 610 BC. The original text must have been shorter than its ultimate version, for in the reign of Josiah it took only an evening to be read aloud.

## **II. Historical Books of the Bible**

Nehemiah 5: Upon returning from Babylonia to Israel, Nehemiah relates how he found many of the land's poor inhabitants "saying, 'We are mortgaging our fields, our vineyards and our homes to get grain during the famine.' Still others were saying, 'We have had to borrow money to pay the king's tax on our fields and vineyards. Although we are of the same flesh and blood as our countrymen and though our sons are as good as theirs, yet we have to subject our sons and daughters to slavery. Some of our daughters have already been enslaved, but we are powerless, because our fields and our vineyards belong to others.'

"When I heard their outcry and these charges, I was very angry. I pondered them in my mind and then accused the nobles and officials. I told them, 'You are exacting usury from your own country men!' So I called together a large meeting to deal with them and said: 'As far as possible, we have bought back our Jewish brothers who were sold to the Gentiles. Now you are selling your brothers, only for them to be sold back to us!' They kept quiet, because they could find nothing to say.

"So I continued, 'What you are doing is not right. Shouldn't you walk in the fear of our God to avoid the reproach of our Gentile enemies? I and my brothers and my men are also lending the people money and grain. But let the exacting of usury stop! Give back to them immediately their fields, vineyards, olive groves and houses, and also the usury you are charging them - the percentage of their money, grain, new wine and oil.'

"'We will give it back,' they said. 'And we will not demand anything more from them. We will do as you say.'

"Then I summoned the priests and made the nobles and officials take an oath to do what they had promised."

### **III. Wisdom literature**

Psalm 15: "Lord, who may dwell in your sanctuary? Who may live on your holy hill? He whose walk is blameless and who does what is righteous ... who lends his money without usury and does not accept a bribe against the innocent."

Proverbs 22:7: "The rich ruleth over the poor, and the borrower is slave to the lender."

### **IV. The Social Prophets**

Prophetic statements with regard to justice and righteousness, specifically concerning land tenure and its debts, were retrojected throughout the Biblical narrative. I Samuel 8:10ff., for instance, warns (anachronistically) about the danger of kings hurting the people.

Around the time of the Lycurgan reforms in Sparta, Isaiah (c. 700 BC), the greatest and most influential of all Old Testament prophets, preached against economic injustice, and especially against usury.

#### **Isaiah**

Isaiah 1:2, 7, 10, 16-17, 21-23: O heavens! Listen, O earth! For the Lord has spoken:

"Your country is desolate, your cities burned with fire; your fields are being stripped by foreigners right before you ...

"Hear the word of the Lord, you rulers of Sodom; listen to the law of our God, you people of Gomorrah! ...

"Take your evil deeds out of my sight! Stop doing wrong, learn to do right!

"Seek justice, encourage the oppressed. Defend the cause of the fatherless, plead the case of the widow . . .

"See how the faithful city has become a harlot! She once was full of justice; righteousness used to dwell in her - but now murderers!

Your silver has become dross, your choice wine is diluted with water. Your rulers are rebels, companions of thieves; they all love bribes and chase after gifts. They do not defend the cause of the fatherless; the widow's case does not come before them."

Isaiah 3:14-15: "The Lord enters into judgment against the elders and leaders of his people: `It is you who have ruined my vineyard; the plunder from the poor is in your houses. "What do you mean by crushing my people and grinding the faces of the poor?"

Isaiah 5:8-9: "Woe to you who add house to house and join field to field till no space is left and you live alone in the land.

"The Lord Almighty has declared in my hearing: Surely the great houses will become desolate, the fine mansions left without occupants. A ten-acre vineyard will produce only a bath of wine; a homer of seed only an ephah of grain...

"So man will be brought low and mankind humbled, the eyes of the arrogant humbled.

"Woe to those who call evil good and good evil, who put darkness for light and light for darkness, who put bitter for sweet and sweet for bitter.

"Woe to those ... who acquit the guilty for a bribe, but deny justice to the innocent."

Isaiah 10:1-3: "Woe to those who make unjust laws, to those who issue oppressive decrees to deprive the poor of their rights and rob my oppressed people of justice, making widows their prey and robbing the fatherless. What will you do on the day of reckoning? To whom will you run for help? Where will you leave your riches?"

Isaiah 11:1-2, 4-6: "A shoot will come up from the stump of Jesse; from his roots a Branch will bear fruit. The Spirit of the Lord will rest on him -- the Spirit of wisdom and of understanding ... with righteousness he will judge the needy, with justice he will give decisions for the poor of the earth. He will strike the earth with the rod of his mouth; with the breath of his lips he will slay the wicked. Righteousness will be his belt and faithfulness the sash around his waist.

"The wolf will live with the lamb, the leopard will lie down with the goat, the calf and the lion and the yearling together, and a little child will lead them."

Isaiah 13:11: "I will put an end to the arrogance of the haughty and will humble the pride of the ruthless."

Isaiah 42:21-24: "It pleased the Lord for the sake of his righteousness to make his law great and glorious. But this is a people plundered and looted, all of them trapped in pits or hidden away in prisons. They have become plunder, with no one to rescue them; they have been made loot, with no one to say, 'Send them back.'

**\* See above, pp 55f for my criticism of the Revised Standard Version's anachronistic translation of usury as meaning *excessive* interest.**

"Which of you will listen to this or pay dose attention in time to come? Who handed Jacob over to become loot, and Israel to the plunderers? Was it not the Lord, against whom we have sinned? For they would not follow his ways; they did not obey his law."

Isaiah 46:6-7: "Some pour out gold from their bags and weigh out silver on the scales; they hire a goldsmith to make it into a god, and they bow down and worship it. They lift it to their shoulders and carry it; they set it up in its place, and there it stands. From that spot it cannot move. Though one cries out to it, it does not answer; it cannot save him from his troubles."

Isaiah 61:1-2, 5, 8: "The Spirit of the Sovereign Lord is upon me, because the Lord has annointed me to preach good news to the poor. He has sent me to bind up the brokenhearted, to proclaim freedom (*deror*) for the captives and release for the prisoners, to proclaim the Year of the Lord's favor and the day of vengeance of our God ...

"Aliens will shepherd your flocks, foreigners will work your fields and vineyards. .  
'For I, the Lord, love justice; I hate robbery and iniquity.'"

Isaiah 62:4-6: "For the day of vengeance was in my heart, and the year of my redemption has come. I looked, but there was no one to help, I was appalled that no one gave support; ... I trampled the nations in my anger."

## Jeremiah

Around the time of Solon (594 BC), Jeremiah (c. 626-586), the last pre-exilic prophet, picked up the theme of social justice. Jeremiah 7:6-7, 11 proclaims; "If you do not oppress the alien, the fatherless or the widow and do not shed innocent blood in this place ... then I will let you live in this place, in the land I gave your forefathers for ever and ever ... Has this house, which bears my Name, become a den of robbers to you? I have been watching! declares the Lord."

Jeremiah 34:8-22 describes Zedekiah making a covenant in the face of Nebuchadnezzar's attack. (Note Rome's parallel legend of Coriolanus and the secession of the plebs c. 500 BC.) "The word came to Jeremiah from the Lord after King Zedekiah had made a covenant with all the people in Jerusalem to proclaim freedom (*deror*) for the slaves. Everyone was to free his Hebrew slaves, both male and female; no one was to hold a fellow Jew in bondage. So all the officials and people who entered into this covenant agreed that they would free their male and female slaves and no longer hold them in bondage. They agreed, and set them free. But afterward they changed their minds and took back the slaves they had freed and enslaved them again.

"Then the word of the Lord came to Jeremiah: This is what the Lord, the God of Israel, says: I made a covenant with your forefathers when I brought them out of Egypt, out of the land of slavery. I said, 'Every seventh year each of you must free any fellow Hebrew who has sold himself to you. After he has served you six years, you must let him go free.'

Your fathers, however, did not listen to me or pay attention to me. Recently you repented and did what is right in my sight: Each of you proclaimed freedom to his countrymen. You even made a covenant before me in the house that bears my Name. But now you have turned around and profaned my name; each of you has taken back the male and female slaves you had set free to go where they wished. You have forced them to become your slaves again.

"Therefore, this is what the Lord says: You have not obeyed me; you have not proclaimed freedom for your fellow countrymen. So I now proclaim 'freedom' for you, declares the Lord --'freedom to fall by the sword, plague and famine. I will make you abhorrent to all the kingdoms of the earth. . . I will hand Zedekiah king of Judah and his officials over to their enemies who seek their lives, to the army of the king of Babylon, which has withdrawn from you. I am going to give the order, declares the Lord, and I will bring them back to this city. And I will fight against it, take it and burn it down. And I will lay waste the towns of Judah so that no one can live there."

### **Ezekiel**

Biblical scholars have found that the writings of Ezekiel bear the closest kinship to the Holiness Code of Leviticus, suggesting that the book was rewritten in his period (early sixth century BC, around the time of the early Babylonian captivity).

Ezekiel 7:1-3, 10-14: The word of the Lord came to me: 'Son of man, this is what the Sovereign Lord says to the land of Israel: The end! The end has come upon the four corners of the land. The end is now upon you and I will unleash my anger against you. I will judge you according to your conduct and repay you for all your detestable practices....'

"The day is here! It has come! Doom has burst forth, the rod has budded, arrogance has blossomed! Violence has grown into a rod to punish wickedness; none of the people will be left, none of that crowd -- no wealth, nothing of value.... Let not the buyer rejoice nor the seller grieve, for wrath is upon the whole crowd. The seller will not recover the land he has sold as long as both of them live, for the vision concerning the whole crowd will not be reversed. Because of their sins, not one of them will preserve his life. Though they blow the trumpet and get everything ready, no one will go into battle, for my wrath is upon the whole crowd."

Ezekiel 16:1-3, 15, 44-51: "The word of the Lord came to me: 'Son of man, confront Jerusalem with her detestable practices and say, 'This is what the Sovereign Lord says to Jerusalem: Your ancestry and birth were in the land of the Canaanites; your father was an Amorite and your mother a Hittite...'

"You trusted in your beauty and used your fame to become a prostitute. You lavished your favors on anyone who passed by and your beauty became his. . .'

"Like mother, like daughter.' . . . Your mother was a Hittite and your father was an Amorite. Your older sister was Samaria, who lived to the north of you with her daughters; and your younger sister, who lived to the south of you with her daughters, was Sodom. You not only walked in their ways and copied their detestable practices, but in all your ways you soon became more depraved than they. . . .

"Now this was the sin of your sister Sodom: She and her, daughters were arrogant, overfed and unconcerned; they did not help the poor and needy. They were haughty and did detestable things before me. Therefore I did away with them as you have seen'."

Ezekiel 18:5-8, 13-18: "Suppose there is a righteous man who does what is just and right.... He does not oppress anyone, but returns what he took in pledge for a loan. He does not commit robbery but gives his food to the hungry and provides clothing for the naked. He does not lend at usury or take ... interest. . . . '\*

"Suppose he has a violent son, who sheds blood or does any of these other things ... He lends at usury and takes . . . interest. Will such a man live? He will not!

"But suppose this son has a son who sees all the sins his father commits, and though he sees them, he does not do such things.... He does not oppress anyone or require a pledge for a loan. He does not commit robbery but gives food to the hungry and provides clothing for the naked. He withholds his hand from sin [Heb."from the poor"] and takes no usury. . . He keeps my laws and follows my decrees."

"He will not die for his father's sin; he will surely live. But his father will die for his own sin, because he practiced extortion, robbed his brother and did what was wrong among his people.... The soul who sins is the one who will die. The son will not share the guilt of the father, nor will the father share the guilt of the son."

Ezekiel 33:1, 12-16: "The word of the Lord came to me: . . . `Son of man, say to your countrymen, `The righteousness of the righteous man will not save him when he disobeys, and the wickedness of the wicked man will not cause him to fall when he turns from it. The righteous man, if he sins, will not be allowed to live because of his former righteousness.' If I tell the righteous man that he will surely live, but he trusts in his righteousness and does evil, none of the righteous things he has done will be remembered; he will die for the evil he has done. And if I say to the wicked man, `You will surely die,' but he then turns away from his sin and does what is just and right -- if he gives back what he took in pledge for a loan, returns what he has stolen, follows the decrees that give life, and does no evil, he will surely live."

Ezekiel 34:2-4: "Woe to the shepherds of Israel who only take care of themselves! Should not shepherds take care of the flock? You eat the curds, clothe yourselves with the wool and slaughter the choice animals, but you do not take care of the flock. You have not strengthened the weak or healed the sick or bound up the injured. You have not brought back the strays or searched for the lost. You have ruled them harshly and brutally."

Ezekiel 45:9-12: "This is what the Sovereign Lord says: You have gone far enough, O princes of Israel! Give up your violence and oppression and do what is just and right. Stop dispossessing my people..."

Ezekiel 46:16-18: "This is what the Sovereign Lord says: If the prince makes a gift from his inheritance . . . to one of his servants, the servant may keep it until the year of freedom; then it will revert to the prince. His inheritance belongs to his sons only; it is

theirs. The prince must not take any of the inheritance of the people, driving them off their property. He is to give his sons their inheritance out of his own property, so that none of my people will be separated from his property.

## Hosea

Hosea 4.1-6, 10, 16: "Hear the word of the Lord, ye children of Israel: for the Lord hath a controversy with the inhabitants of the land, because there is no truth, nor mercy, nor knowledge of God in the land.

"By swearing, lying and killing, stealing and committing adultery, they break all bounds, and bloodshed follows bloodshed."

Because of this the land mourns, and all who live in it waste away; the beasts of the field and birds of the air and the fish of the sea are dying....

"You stumble day and night, and the prophets stumble with you. So I will destroy your mother -- my people are destroyed from lack of knowledge.

"Because you have rejected knowledge, I also reject you as my priests, because you have ignored the law of your God ...

"They will eat but not have enough; they will engage in prostitution but not increase, because they have deserted the Lord ... They consult a wooden idol and are answered by a stick of wood. A spirit of prostitution leads them astray; they are unfaithful to their God. The Israelites are stubborn, like a stubborn heifer."

Hosea 12:7: "The merchant uses dishonest scales; he loves to defraud."

## Amos

Amos 2:6-8: "This is what the Lord says: For three sins of Judah, even for four, I will not turn back my wrath. They sell the righteous for silver, and the needy for a pair of sandals. They trample on the heads of the poor as upon the dust of the ground and deny justice to the oppressed.

"They lie down beside every altar on garments taken in pledge. In the house of their god they drink wine taken as fines."

Amos 5:12-16: "I know how many are your offenses and how great your sins. You oppress the righteous and take bribes, and you deprive the poor of justice in the courts. Therefore the prudent man keeps quiet in such times, for the times are evil.

"Seek good, not evil, that ye may live; . . .

"Hate evil, love good; maintain justice in the courts. Perhaps the Lord God Almighty will have mercy on the remnant of Joseph."

## Micah

Micah 2:1-2: Woe to those that devise iniquity... they covet fields and houses, and take them by force. 'They defraud a man of his home and his inheritance'.

## Malachi

Malachi 3:1-6: "Behold, I will send my messenger, and he shall prepare the way before me ... He will be like a refiner's fire or a launderer's soap. He will sit as a purifier of silver; he will purify the Levites and refine them like gold and silver . . . `So I will come near to you for judgment. I will be a swift witness against the sorcerers, adulterers and perjurers, against those who defraud laborers of their wages, who oppress the widow, and the fatherless, and deprive aliens of justice, but do not fear me,' says the Lord Almighty."

Malachi 4:1-3: "`Surely the day is coming: it will burn like a furnace. All the arrogant and every evildoer will be stubble, and the day that is coming will set them on fire,' says the Lord Almighty. `Not a root or a branch will be left to them. But for you who revere my name, the sun of righteousness will rise with healing in its wings. And you will go out and leap like calves released from the stall. Then you will trample down the wicked; they will be ashes under the soles of your feet on the day when I do these things,' says the Lord Almighty.

"Remember the law of my servant Moses, the decrees and laws I gave him at Horeb for all Israel ... or else I will come and strike the land with a curse."

The Old Testament thus ends with a call for reform. Looking backward, the *yobel* trumpets provide a linkage to Bronze Age New Year festivals; looking forward, they call for a messenger to redeem Israel leading to the Christian New Testament whose closing book of Revelation (8:11) returns to the sabbatical theme with seven *yobel* trumpets played by seven angels.



## V. Testament Acts, Epistles and Revelation

The Church Fathers discussed usury in the context of wealth in general, taking their lead from Christ's contrast between worldly riches and the treasures in heaven, as described e.g. in Matthew 7:19-24: "Do not store up for yourselves treasures on earth, where moth and rust destroy, and where thieves break in and steal. For where your treasure is, there your heart will be also..."

"No one can serve two masters. Either he will hate the one and love the other, or he will be devoted to the one and despise the other. You cannot serve both God and Money."

**Acts 4:32-35** reflects the shift from the Old Testament's call for periodic debt cancellation to the Christian idea of charity, that is, charity in the context of existing *status quo* property and debt relations. All the believers were one in heart and mind. No one claimed that any of his possessions was his own, but they shared everything they had... There were no needy persons among them. For from time to time those who owned lands or houses sold them, brought the money from the sales and put it at the apostles' feet, and it was distributed to anyone as he had need."

The subsequent epistles continue in the same vein, reflecting the victory of oligarchic creditor power throughout the Roman Empire.

**1. Timothy 6:6-12, 17 -19** exhorts that "Godliness with contentment is great gain. For we brought nothing into the world, and we can take nothing out of it. But if we have food and clothing, we will be content with that. People who want to get rich fall into the temptation and a trap and into many foolish and harmful desires that plunge men into ruin and destruction. For the love of money is a root of all kinds of evil. Some people, eager for money, have wandered from the faith and pierced themselves with many griefs..."

Fight the good fight of the faith. Take hold of the eternal life to which you were called when you made your good confession in the presence of many witnesses..."

Command those who are rich in this present world not to be arrogant nor to put their hope in wealth, which is so uncertain, but to put their hope in God, who richly provides us with everything for our enjoyment. Command them to do good, to be rich in good deeds, and to be generous and willing to share. In this way they will lay up treasure for themselves a firm foundation for the coming age, so that they may take hold of the life that is truly life."

**2 Timothy 3:1-5:** "There will be terrible times in the last days. People will be lovers of themselves, lovers of money, boastful, proud, abusive, disobedient to their parents, ungrateful, unholy, without love, unforgiving, slanderous, without self-control, brutal, not lovers of the good, treacherous, rash, conceited, lovers of pleasure rather than lovers of God -- having a form of godliness but denying its power. Have nothing to do with them."

**James 5:1-5:** "Now listen, you rich people, weep and wail because of the misery that is coming upon you. Your wealth has rotted, and moths have eaten your clothes. Your gold and silver are corroded. Their corrosion will testify against you and eat your flesh like fire. You have hoarded wealth in the last days. Look! The wages you failed to pay the workmen who mowed your fields are crying out against you. The cries of the harvesters have reached the ears of the Lord Almighty. You have lived on earth in luxury and self-indulgence."

This denunciation recalls the cries of Sodom. (See Ezekiel 16:49.)

**1 John 2:15-17:** "Do not love the world or anything in the world. If anyone loves the world, the love of the Father is not in him. For everything in the world - the cravings of sinful man, the lust of his eyes and the boasting of what he has and does -- comes not from the Father but from the world. The world and its desires pass away, but the man who does the will of God lives forever."

**Revelation** reports John's vision of the Lord speaking with a voice like a trumpet to announce the Day of Judgment. This is the occasion for re-creating the world, much as archaic rulers restored order out of chaos at the New Year celebrations over which they presided in the names of their sun-gods of justice.

The Lord sits on the throne in heaven. On his right is a scroll sealed with seven seals. One by one they are opened, unleashing tribulations upon the earth. After the seventh seal is opened, there was silence in heaven for about half an hour. Then seven trumpets were given to the seven angels standing before God.

Blowing the first trumpet brought a hail of fire, burning up much of the earth. The second trumpet brought a huge blazing mountain thrown into the sea. The third trumpet turned the earth's fresh water bitter. At the sounding of the fourth trumpet, a third of the sun, moon and stars turned dark.

The fifth angel's trumpet opened the shaft of the Abyss, darkening the sky with a host of scorpion-like locusts. The sixth trumpet released four avenging angels to destroy a third of mankind by the three plagues of fire, smoke and sulfur.

The seventh angel prepared to sound his trumpet, announcing that the mystery of God was about to be accomplished. The visionary John was given "a reed like a measuring rod," recalling how archaic rulers ruled by proclaiming just measures.

More wondrous signs appear. Babylon is destroyed, the source of export trade from which "merchants of the earth grew rich from her excessive luxuries." These merchants bewailed her doom, for "no one buys their cargoes any more --- cargoes of gold, silver and precious stones and pearls; fine linen, purple silk and scarlet cloth; every sort of citron wood, and articles of every kind made of ivory, costly wood, bronze, iron and marble; cargoes of cinnamon and spice, of incense, myrrh and frankincense, of wine and olive oil, of fine flour and wheat; cattle and sheep; horses and carriages; and bodies and souls of men...."

The merchants who sold these things and gained their wealth from her will stand far off, terrified at her torment ... and cry out...In one hour such great wealth has been brought to ruin!" But the multitude in heaven would shout "Amen, Hallelujah!" The New Jerusalem would appear on earth -- the millennium restoring equity and righteousness, the Year of the Lord which Christ had prophesized in the tradition of the Old Testament prophets.

### **Debt servitude comes full circle**

The New Testament's idea of righteousness changed from the concrete legal restorations of order found in Mesopotamian New Year celebrations to something more abstract. The words were the same -- righteousness, equity and justice -- but their significance was altered to reflect the changing conditions on earth as the Roman Empire sank into economic and monetary decay. Instead of uprooting the sources of worldly economic inequity and dependency by cancelling the debts and returning forfeited lands and debt-servants to their former families, the Christian spirit of moral righteousness is grounded on the idea of sharing wealth through charity. The focus of the new morality is no longer the worldly economic system but the personal souls of the wealthy and poor.

What henceforth is asked of creditors is charity, not social restructuring. There is no longer thought of anything like administering on earth the Levitical laws designed to promote economic and financial equity here and now. The Church Fathers played little role in Rome's banning of usury in the fourth and fifth centuries of our era. By that time the world seemed hopelessly lost, and all that one could do was to await the Millennium. The more gloomy hopes for worldly reform became, the more the temptation grew for all eyes to turn to the Hereafter.

So much has this turning inward occurred that it is now possible even for liberation theologians to speak abstractly of social justice without reference to freedom from debt or free access to the means of self-support. Not only individual families but entire nations are losing their economic self-dependency, their ability to provide themselves with food, housing and related basic needs. Isaiah's prophesy has come true:

Lands have been taken over by foreigners, in many cases to grow export crops (*viz.* the olive oil and wine of *Revelation*) rather than to feed local populations. National economies have fallen into debt-servitude, often to their own wealthy classes operating out of offshore banking enclaves.

This state of affairs recalls that in which the Old Testament prophets foretold national destruction for having fallen away from the commandments to preserve economic freedom and self-dependency, on pain of the entire country losing its political freedom, having lost its soul.

## Glossary

*These definitions pertain mainly to the Mesopotamian emergence of formal economic relations in the third and second millennia BC.*

**Absentee ownership.** Control of property by a party other than its cultivator or direct operator. The earliest attested absentee owners were the Sumerian temples or palace, and in time the public collectors or *damgar* "merchants" who worked via these institutions.

Domestically, the major impulse for absentee ownership was debt. Creditors foreclosed on the debtor's animals and the land's crops, and later appropriated the land itself, often by roundabout stratagems such as fictive adoption, q.v. A major external impulse for absentee ownership came from foreign conquest. In Babylonia the first properties to be taken over by Amorite warlord chieftains were the temples (from 2000 BC onwards; see Prebend, Temple). In these two ways communal lands and public properties were privatized, or at least their usufructs were taken as debt-service or tribute.

**Adoption (fictive).** An early means of alienating land by the fiction of adopting the creditor as an heir. First documented in Babylonia (Stone and Owen 1991), this stratagem was elaborated in Hurrian-speaking Nuzi, upstream along the Euphrates (Eichler 1973).

**Alienation.** The transfer of property ownership or control. Today this occurs mainly through direct sale, but in archaic times, before a land market developed, the major ways of transferring property were upon death by the inheritance process and by pledging the asset as collateral for a debt obligation and then forfeiting it. Such alienations almost invariably were made under economic duress, and hence were restricted to only temporary duration, being subject to reversal by royal Clean Slate proclamations. Only gradually did outright irreversible sale develop for essential capital assets such as land and the tools of trade.

*Amargi.* The earliest Sumerian term for a royal proclamation of order cancelling the land's debts. The first on record is that of Enmetena, ruler of Lagash c. 2400 BC. Its first translator, Maurice Lambert (1972), interpreted it as a return of the mother pledged for debt to her family, or a return of child-pledges to their mother. Charpin (1987) translates its meaning metaphorically, as the original paradigmatic "mother" status, the *status quo ante*.

**Ammisaduqa.** Great-great-grandson of Hammurapi, ruler of Babylonia for 21 years, 1646-26. He proclaimed *misharum* (q.v.) upon taking the throne in 1646, and again in 1626. His edict is the most complete on record in detailing just what debts were to be cancelled and closing loopholes. (See Kraus 1958, 1984, Finkelstein 1969, 1965 and 1961.)

**Andurarum.** An Assyrian royal proclamation of economic order, including a debt cancellation, found in the 19th century BC.

**Antichretic loan.** A loan in which the lender is compensated by the economic services generated by the borrower's own collateral - a servant, animal, or (relatively late in time) land and its usufruct. However, to prevent debt-foreclosure from interrupting normal subsistence

activity, tools of trade and essential means of livelihood such as the land traditionally were exempt from being pawned.

**Aristotle.** Macedonian-Athenian philosopher (fourth century BC), the most famous student of Plato, and tutor to his own countryman Alexander the Great. His discussion of interest in *Politics* became the basis for medieval Canon Law at the hands of Thomas Aquinas. His *Constitution of Athens* (discovered only in 1891) describes Solon's debt cancellation.

**Calendar.** A precondition for the economic regime sponsored by the Sumerian temples was to construct a regularized calendar to standardize the distribution of rations, compute interest accruals and schedule other periodic flows. By creating uniform 30-day administrative months for use by the temple and palace institutions, the Sumerians broke away from traditional timekeeping in terms of lunar months of varying length. The resulting 360-day administrative year went hand in hand with Sumer's sexagesimal system of fractional arithmetic, whose unit fraction ( $1/60^{\text{th}}$ ) became the basis for computing commercial silver-interest each month (12/60ths annually, or 20% in the decimal system).

Also calendrical were the New Year festivals -- the archaic occasions for cancelling personal debts and restoring order. (See Saturn, *Shemitta*.)

**Class and Rank v. Estate.** The word *class* derives from the Roman classification of citizens by census according to their wealth for the purpose of assigning military rank, in an epoch when soldiers had to outfit themselves using their own resources. In Athens, Solon divided the citizens into five property-holding classes. The richest citizens traditionally made up the cavalry, requiring sufficient wealth to provide oneself with a horse, armor and leisure time to practice tactics. The lowest and most common rank was the light-armed infantry.

Marxist historians define members of an economic class in terms of their ownership of (or other relationship to) the means of production. Capitalists own capital, landlords own land, but laborers are obliged to work for wages, not possessing their own means of production or self-support. In ancient society, however, it was normal for all citizens to own their own means of self-support on the land. Indeed, possession of subsistence landholdings typically was a precondition for citizenship. Large-scale industry was public in character.

Marx himself was careful to distinguish pre-capitalist economic formations from those of modern capitalism. As the Soviet ancient historian M. Dandamaev (1984) points out, slavery and debt-servitude are best viewed as *estates*, defined politically and legally rather than economically. Slaves might own capital or, for that matter, other slaves. A landholder might fall into debt-servitude or be captured in war and sold as a prisoner.

Mesopotamia's Early Bronze Age temple and palace labor force was composed of individuals taken out of their normal family context on the land, not as a result of economic factors but because physical infirmity prevented them from working at agricultural tasks. The blind, elderly and infirm, (war-widows and orphans became temple wards, not because of property or income, but because of physical qualification. (See Gelb 1965, 1972, 1973)

**Clean Slate.** A royal edict restoring economic order, that is, the (idealized) *status quo ante*. See *Amargi, Andurarum, Deror, Misharum, Nig.šiša* and *Shudutu*. By the end of the third millennium BC the leading element of such Clean Slates had become their debt cancellations, freeing bondservants and returning subsistence lands to their formerly indebted holders.

**Communal.** Belonging to the community members in common rather than set aside as public "state" property or owned by individual households. Land-cultivation rights, for instance, typically were assigned on a user-need basis. If alienated through debt, the community retained periodic reassignment rights.

**Debt.** An obligation to pay or make restitution. The most archaic debt obligations show no indication of accruing interest, nor do they presuppose prior loans of money or any other advance. The most characteristic liabilities were personal restitution payments such as *vergild*. The idea of compensation (that is, "making whole") is indicated by such words for debt as German *Schuld* (meaning "sin" as well as its compensating restitution payment, cognate to English *should*), French *devoir* ("duty").

**Decontextualization.** To transfer to a new context. Often in the geographic diffusion of social institutions from the core to the periphery, only parts of the "original" complex of checks and balances are retained. The charging of interest on debt obligations, for instance, was brought to Greece and Italy by Phoenician and Syrian traders (probably in the eighth century BC) without the originally associated practice of periodically cancelling agrarian and other noncommercial debts.

Over time, contexts change in a given region. Mesopotamian property-holding and commercial innovations were removed from their communal and public-sector matrix after about 2000 BC (see Property).

**Deror.** Hebrew cognate to Assyrian *andurarum*. The Jubilee year described in Leviticus 25 is to be proclaimed every fiftieth year. America's Liberty Bell is inscribed with a translation of this passage's exhortation to "Proclaim liberty (*deror*) throughout all the land, and to all the inhabitants thereof." Rather than signifying general political liberty, the idea was more akin to freeing bondservants from debt-servitude. It meant the liberty to rejoin their natural families rather than having to remain in their creditor's household. Israelite families who had lost their land as a result of economic hardship were to be assured new plots in their traditional ancestral lands so as to provide them with the means of self-support.

**Distress.** A debtor's collateral which has been distrained by a claimant, either to compel him to pay or to satisfy the debt obligation directly. The earliest distrainers were not money-lenders but injured parties. (See Maine 1888 and Ireland's Brehon Laws.)

**Enki and other Commerce Deities.** Egyptian Thoth, Greek Hermes, Roman Mercury and Scandinavian Loki all share similar characteristics with Sumerian Enki ("Lord of the earth"). All are patron gods of commerce and its related social practices, including the calendar-keeping and astronomy needed to schedule markets and the industrial division of labor, as well as the writing and arithmetic needed to keep accounts. By extension these deities

became patrons of the related applications of writing and mathematics, including music and magic.

Enki was the social planner par excellence. In the Sumerian myth of "Enki and Ninmah" (in Kramer and Maier 1989) he assigned a distinct task to every individual, even finding useful tasks for the crippled and infirm to perform.

**Enmetena.** Ruler of Lagash c. 2404-2375 BC, proclaimer of the first *amargi* act on record, cancelling personal debts following his victory over neighboring Umma. (See Lambert 1972.)

**Enterprise.** An economic activity conducted systematically to produce a surplus or usufruct, and to reinvest this profit in extending the scale of the endeavor. Tribally organized communities often erect social barriers against such enterprise, on the ground that mercantile gains tend to be at the expense of the community as a whole and counter its ethic of mutual aid. However, the Sumerians needed commercial enterprise to obtain raw-materials imports. They reconciled this need with their social-value system by setting their export industry corporately apart from the family households. They endowed their temples with land, herds of animals, and a dependent nonagricultural labor force which was put to work in the weaving workshops and at other handicraft professions. In this way temples became civilization's first true entrepreneurs and the pioneers of corporate planning. Their public enterprise provided the model for subsequent private enterprise. (See Lambert 1960, .and Merchant, Public Sector, Temple.)

**Entrepot.** Entrepots tend to be neutral zones. To foster arms-length exchange free of favoritism to any local group, they often are multiethnic. Archaic exchange occurred mainly at the geographic margin, often on islands (such as Bahrain/Dilmun for trade between Sumer and the Indus valley), the intersection of trade routes (e.g. Ashur), or --- for local trade --- the quay areas outside the city gates. Rather than being centers of law and regulation, these entrepots typically were enclaves *from* the laws of the land. Their trade often was subject to sacred protection, and temples typically received votive offerings from merchants or a share of their earnings.

Southern Mesopotamia's urban areas typically were coterminous with their temple and palace precincts. In time such free-enterprise zones, or what Karl Polanyi called ports of trade, became archaic society's prototypical urban areas. (See Temple, Urban.)

**Feudal.** A decentralization of authority and economic control to designated local administrators in exchange for a stipulated flow of resources -- food contributions, money, and above all the supply of fighting men or other manpower for public tasks. Hammurapi (1794-50 BC) built up Babylonian suzerainty through such arrangements, gaining the alliance of local head-men in exchange for delegating legal and economic power to them. Individuals who felt oppressed might appeal to the palace if they did not find justice available locally, but access to Babylon often was difficult. Over time an aristocracy of local leaders became increasingly powerful, often blocking the palace from collecting its stipulated revenues.

**Fine-debt.** An obligation to make restitution to an injured party (e.g. *wergild* q.v.), or, in Babylonia, fines or compensation for negligence, e.g. the failure to maintain one's dike, causing a neighbor's land to be flooded (laws of Hammurapi §48).

Such debts do not presuppose money-lending, which seems to have come later and to have made use of collection practices first developed to enforce payment of fine-debts. There is no hint of fine-debts accruing in non-Mesopotamian societies.

**Freedom/Liberty.** The archaic Mesopotamian words often translated into English as freedom or liberty actually meant a return to an (idealized) *status quo ante*, the paradigmatic way that the world was supposed to have been organized when freshly established under the direction of the gods. An equitable and free order did not occur automatically. The polarizing financial workings of debt and other market forces had to be reversed by rulers acting to restore the primeval order. Rulers were expected to do this upon taking the throne, and occasionally as circumstances called for, e.g. following military conflicts, droughts or crop failure. (See Clean Slate, Market Equilibrium and Order.)

**Gudea.** Ruler of Lagash c. 2130 BC. His inscribed cylinders contain Sumer's longest literary work. They describe a dream in which his city-god Ningirsu instructs him to rebuild Lagash's temple, and the New Year celebration at which he dedicates it and cancels personal debts as part of renewing economic order in the land.

**Hallelujah.** The ritual term *'alulu* was chanted to signify the freeing of Babylonian debt-slaves in a rite which was followed by anointing the manumitted individual's head with oil. The term *putam ... ullulu* referred to cleansing the former slave's forehead, and was used by Babylonian rulers in their *misharum* proclamations. (See Dandamaev 1984.) Christians later adopted it as signifying redemption in a broader sense, although based originally on their redemption of brethren from bondage.

**Hammurapi.** Babylonian ruler 1794-50 BC, most famous for his guideline rulings (not really a "code") inscribed on a diorite stele captured by an Elamite army in the 12th century BC and taken by French archaeologists in 1901, now in the Louvre. More concrete and binding in character were Hammurapi's *misharum* edicts restoring order by cancelling the land's debts, freeing debtors from bondage to their creditors, and returning forfeited lands to their customary holders. (On his rulings see Bottero 1992, Diakonoff 1982 and 1991, Kraus 1961; Feudal and Talion.)

**Hapiru** In the Late Bronze Age (after about 1600 in Mesopotamia) the land became closed off to a growing number of rural poor. Many left to become *hapiru* (LUSA.GAZ in Sumerian ideograms), landless have-nots working sometimes as migrant seasonal labor, mercenaries or joining robber bands. Diakonoff (1982) finds the major motive for their exodus to have been usury. Many were of Amorite stock, but the agrarian problem was so widespread that the term *hapiru* did not yet signify an ethnic identity such as the Hebrews subsequently were represented to be. They are found pressing into Canaan in the Amarna Age c. 1400 BC.



**Hillel.** Jewish rabbi and leader of the Sanhedrin from about 30 BC to AD 10. By his time, debts were owed more to private merchants rather than to public institutions as in the Bronze Age. Hillel reasoned that if the debt-forgiveness laws called for in the Jubilee Year (Leviticus 25) were observed, creditors would refrain from lending money. This led him to devise the *prosbul*, a clause in loan contracts whereby debtors relinquished their protection under the Torah's pro-debtor laws.

**Inalienable.** Not subject to (permanent) loss or other transfer of ownership through forfeiture or (distress) sale. To the extent that such transfers occurred, they were kept only temporary by periodic Clean Slates "restoring order." However, some conditions calling for sale were recognized, as long as they were economically voluntary and "at a fair price."

The first inalienable land was that which southern Mesopotamian communities set aside for their temples for public beneficial use. Under Sargon's Akkadian regime (c. 2320-2200) the palace purchased land from communal groupings, as attested by the Stele of Manishtushu. Such inalienable lands were marked off by boundary stones, in contrast to the more temporary markers used for landholdings in the subsistence-based communal sector.

**Interest.** The periodic return to money-capital, specified in advance and accruing regularly on stipulated dates. In antiquity these dates typically were those on which time was "reborn": the new moon for monthly accruals such as silver-loans (silver being associated cosmologically with the moon), and the New Year for annual (hence "solar") obligations such as barley debts. Indeed, the terms for interest in most ancient languages signified birth (see Livestock).

The charging of interest seems to have first developed in third millennium Sumer. It is first attested as being due to public bodies, beginning with the tribute owed by Umma to neighboring Lagash on the Guedena buffer territory following battles for this land in the 25th century BC. (See Steinkeller 1981.) From Mesopotamia it diffused westward to the Mediterranean lands, reaching Greece and Italy in the eighth century BC, becoming privatized in the process. Each society set its rate of interest at the unit fraction, that is, the smallest measure: 1/60th (per month) in Mesopotamia, 1/10th annually in decimal-based Greece, and 1/12th ( $8^{1/3}$  %) annually in Rome. These rates dovetailed into the local systems of measures and weights, calendrically based except for the decimalized rate. The fact that they remained constant century after century indicates their insulation from market forces, profit or productivity rates, being built into the numerological cosmos as it were. This is in contrast to our own era's rule of thumb that interest rates normally are half the (anticipated) profit rate.

**Investment v. Loan.** A commercial investor shares in the entrepreneurial risk, not knowing in advance what his specific return will be; a lender's interest is stipulated in advance, throwing all risk onto the debtor. Consumer loans usually lack the protective safeguards (e.g. against loss of the cargo through shipwreck or piracy) found in commercial credit.

**Justice. Righteousness** or *rectitude*, typically characterized as being *straight*. This geometric imagery reflects an ideology of economic symmetry, at least as far as meeting basic needs for self-support is concerned. The envisioned equality is one of self-sufficiency.

**Lagash.** Located in southeastern Sumer near the mouth of the Persian Gulf, Lagash often dominated southern Mesopotamia during the second half of the third millennium BC. Much archaeological interpretation of Sumerian economic relations is based on the administrative records and royal promulgations unearthed in Lagash. Debt cancellations were proclaimed by its rulers Enmetena c. 2400 BC, Uruinimgina c. 2350 and Gudea c. 2130

**Liberty.** Freedom from slavery or other unfree status of subjection. Such self-sufficient autonomy presupposed land-tenure rights to ensure one's economic livelihood. Hence, Bronze Age Clean Slates restored the communal land-tenure rights of debtors as well as freeing them from bondage to their creditors.

**Livestock.** As the paradigmatic form of movable capital (from Lat. *caput*, a *head* of livestock) in agrarian economies, livestock were the major denomination for calculating compensation for *vergild*-type offences (q.v.). Of course, livestock were too valuable to be used as means of payment for retail transactions, which are a relatively late development in the use of money. (See Money.)

Ancient words for interest were based on the birth metaphor (the offspring of livestock), beginning with Sumerian *mash*, "goat-kid," late in the third millennium BC (after interest already had been charged under other names; see Steinkeller 1981). This birth metaphor for interest was picked up in Greek *tokos*, "calf," and Latin *faenus*, also meaning calf. However, there is no indication of offspring literally being paid as interest (nor any hint of anyone in antiquity borrowing livestock).

The words for offspring are used in a metaphoric sense, and postdate the innovation of interest. In classical antiquity monthly debt and rental obligations were due on the new moon. Just as the moon was born afresh, so the capital-principal yielded ("gave birth to") a "calf (*tokos*). Aristotle remarked upon the irony that metal was barren, hence coin-money was incapable of reproducing itself as did living beings. Medieval Canon Law picked up this observation, and Shakespeare disparaged usury by calling it a "breed of barren metal."

**Market Equilibrium.** Bronze Age rulers saw that market forces, if left to themselves, would polarize their societies by subjecting insolvent debtors to a state of bondage to their creditors, while redistributing property into the hands of merchants through foreclosure. To have thus disenfranchised cultivators while favoring a nascent mercantile oligarchy would have been to commit social suicide. It would have undercut the economic foundation of the peasant-army, leaving the land prone to invasion from without and dissolution from within. Rulers accordingly undid the effect of commercialization and "market equilibrium" by proclaiming Clean Slates to restore economic balance and ensure land-tenure rights to all citizens.

**Marx, Karl.** The first economic historian to undertake a systematic analysis of ancient economies. Discussions of antiquity prior to Marx were couched in political rather than economic terms. Marx distinguished antiquity's economic structures from those of modern capitalism in his 1857 *Critique of Political Economy*. He defined the "ancient mode of

production" as characterized by slave labor rather than by wage labor, and its major economic usufruct as usury-interest earned on money capital rather than industrial profits earned by employing free wage-labor.

**Merchant, mercantile.** The earliest Mesopotamian merchants (Sumerian *damgar*, Babylonian *tamkaru*) seem to have worked for the public institutions directly as collectors or at least on their behalf. Often the temple provided merchants with transport and rations. Although mercantile activities became increasingly privatized, merchants long legitimized their activities by their quasi-public status.

Debts among merchants were not cancelled in royal Clean Slates, but only those of the needy. These debts were owed mainly to palace or temple merchant-collectors. (See Yoffee 1977 and Leemans 1950 on the merchant's position in Bronze Age Mesopotamia.)

**Misharum.** Babylonian cognate to Sumerian *amargi* and Assyrian *andurarum*. A royal proclamation of economic order, headed by a cancellation of personal debts, liberty for individuals subjected to debt-servitude, and restoration of lands to peasant-cultivators who had forfeited them to creditors or sold them under distress conditions since the last such proclamation. The first *misharum* edict on record is that of Nidnusha of Der, in northwest Babylonia. (See Clean Slate.)

Subsequent edicts were greatly elaborated by the rulers of Hammurapi's dynasty to countermand creditor attempts to evade them, culminating in Ammisaduqa's acts in the late 1600s. (See Finkelstein 1961, 1965 and 1969, and Kraus 1958 and 1984.) They may have been signalled by the ruler raising a sacred torch. Their guiding spirit was much broader than a debt cancellation as such; they were proclamations of overall social order. However, as debt balances became more prevalent with the spread of commercialization and economic decentralization, debt cancellations became the paramount feature.

**Money.** A means of settling an obligation, originally of a capital character (such as the capital crime of manslaughter, typically compensated by the payment of heads of cattle, Lat. *caput*.) Such fines seem to have been civilization's first formal "prices." As capital payments, they were too expensive for use in retail trade. The Sumerians and subsequent economies used two major monetary commodities: silver (supplemented by gold and sometimes tin) and barley. For official account-keeping these two commodities were made freely convertible into each other, with a unit of barley exchanging for a shekel of silver. (§89 of Hammurapi's laws rules that if a debtor lacks the silver to repay a loan, he may repay in barley at the official price.) (See Laum 1924 and Grierson 1978.)

**Nabu (Saturn).** The Babylonian god of Saturn, patron of justice and as such, the counterpart to the sun-god of justice. (See Jastrow 1909.) As the slowest-moving planet visible to the naked eye, Saturn signifies firmness, and was the foundation for Bronze Age chronological periodicity. Its period of revolution around the sun (to return to the same zodiacal point where it began) takes nearly 30 years, a number corresponding to the solarized 30-day administrative month used in Bronze Age Mesopotamia, Egypt and their culture-area. From this correlation follows the 30-year periodicity of Egypt's royal *sed* festival and Babylonia's *misharum* "order" proclamations, such as that of Hammurapi in 1764 celebrating the thirtieth anniversary of his ascending the throne.

The New Year festival at which these royal proclamations were handed down re-enacted the creation of order in the social as well as the physical cosmos. By classical antiquity, as rulers were overthrown and the Bronze Age of Saturn gave way to the Iron Age of Zeus/Jupiter, these festivals became Saturnalia, stripped of their social-justice character. (See Bourboulis 1964 and Versnel 1970).

***Nig.šiša*** (pronounced *neeg-SHEE-sha*). Sumerian word akin to *amargi*, used from Ur III onward to indicate a royal Clean Slate edict.

**Order.** (See also Freedom.) An ideology of economic symmetry in which each citizen's family was (at least in principle) assured the means of self-support on the land, free of accumulated debt obligations, exile or other punishments and imbalances. The accumulation of mercantile wealth was compatible with economic order except in the form of financial claims impairing the liberty and self-sufficiency of individuals. Communities restored this paradigmatic *status quo ante* when their rulers proclaimed Clean Slates they cancelled non-mercantile debts, freed individuals who had fallen into debt-servitude, and restored the lands to debtors who had lost them or had sold them under economic duress.

**Palace.** The "state" arm of government. Palaces are first found emerging from within the temple precincts in early third-millennium Sumer, although they became increasingly secular as their military role increased throughout antiquity. (See Royal, State.)

**Pledge or pawn.** Collateral which the borrower turns over to the creditor to ensure payment of the money owed. Often such pledges were forfeited, but in Bronze Age Mesopotamia they were returned to debtors after rulers proclaimed Clean Slates restoring economic order (or in the Biblical laws of Leviticus and Deuteronomy, after a given period of time had passed.)

**Prebend.** The revenue yielded by temple property set aside to support an administrative official. In time, prebend revenues were dissociated from temple offices, being appropriated by individuals and, by the 1700s BC, bought and sold freely in Babylonia. (See Temple.)

**Priest.** No general word for "priest" in our modern religious sense of the term existed in the Sumerian or Babylonian languages. Most temple officials were administrators, scribes and accountants, not preachers of religious doctrine as a separate moral sphere, much less an otherworldly one.

**Private.** Strictly speaking, "private" economic activity is that which is conducted for one's own personal gain. Communalistic value systems tend to subordinate private drives to an ethic of mutual aid. Where wealth is accumulated, it is dissipated in the form of conspicuous consumption, feast-giving, burial of one's ancestors or contributions to public institutions.

Individualism is documented in early Sumer mainly in the palace sector, culturally as well as economically by the ruler and his household. (The first "signed" literary text is a poem authored by Sargon's daughter Enhuadanna.) Most "merchants" (q.v.) were public collectors. Unlike the case today, their personal business archives were freely intermixed with their official portfolios, indicating their ambivalent role.

In Early Bronze Age Mesopotamia the family-based rural sector was subordinate to communal oversight and to the originally communalistic temple and palace institutions. Families became autonomous from communal and public oversight either by virtue of alien warlordship -- e.g. the Amorite chieftains who became personal owners of southern Mesopotamia's temples from about 2000 BC onward --or by the lever of interest-bearing debt, initially by creditors emerging out of the temple and palace bureaucracies, acting increasingly on their own account. (See Absentee Ownership.) Under Hammurapi's sponsorship of feudal-type arrangements, property and related local economic power was delegated to headmen who promised specified obligations to the palace, above all to supply troops and contributions of crops and livestock. (See Feudal.) In this way the boundary between private control and public service became blurred.

**Productive credit.** Loans in which the borrower invests the lender's advance to generate a profit, out of which to repay the loan and its stipulated interest. Bronze Age Clean Slates did not relate to such commercial debts, but only to rural/ consumer obligations.

**Property.** An asset which is owned (from Latin *Privus*, "alone, by one-self"). The idea of private/appropriations and "self"/"own" is reflected in the semantics of *ownership*. Movable property consisted mainly of livestock and money/jewelry; immovable property consisted of real estate. Communities "originally" allocated land to individual users for the duration of their productive use (usually coterminous with their adult lifetime), subject to their fulfilling traditional communal obligations such as serving in the army.

The tendency over time was for communally and publically owned property to pass into private hands, starting with those of public merchant-collectors and foreign overlords acting on their own behalf, lending money and converting the overdue obligations of insolvent community members into claims on property, which they then seized. Property became increasingly hereditary, remaining within the closed family than reverting to the communal pool. (See Private.)

**Public Sector.** The Sumerians set public temple and palace property corporately apart from the community at large, that is, from the landed citizenry's collective holding of subsistence land. They incorporated public institutions to undertake their profit-generating enterprise (q.v.). This was deemed inappropriate for individual families to undertake inasmuch as this would have presupposed a disproportionate scale of wealth in their hands. Public enterprise had the virtue of concentrating the economic surplus, industrial handicrafts and the accumulation of communal savings of precious metals in the hands of permanent civic institutions--- the temples, and in time the palace--- rather than leaving

these functions in private hands, as subsequently occurred under more oligarchic social formations. (See Enterprise, Palace, Royal, State, and Temple.)

**Redeem.** To liberate a pledge from debt bondage by paying off the obligation due. Under Christianity this became a synonym for salvation from bondage, including worldly suffering in general.

**Religion/sacred.** Religion provided archaic societies with their underlying cosmology of order, and justice, that is, with the ideology which was their social ligament. Bronze Age cosmology sanctified an ideology of economic equity to the extent of ensuring citizens the basic means of self-support through land-tenure rights, and periodic release from debt obligations. Sun-gods of justice handed rulers their iconographic symbols of office, the measuring-rope and measuring rod.

As Babylonian society polarized and dissolved after about 1700 BC, religion began to turn inward, to subjective personal deities in contrast to the city-deities sponsoring overall social balance. (See Justice, Nabu, Order, Priest, Sun-God and Temple.)

**Rent.** The usufruct yielded by land or townhouses, originally accruing to temple or palace owners and later to private owners. In Early Bronze Age Sumer, before land became freely and irreversibly alienable, the "price" of a parcel of land was essentially its yield.

Rents varied, but one-third of the crop became typical by the end of the third millennium in the Ur III period, as did the typical agricultural barley-interest rate of  $33\frac{1}{3}\%$ . These rates equated the returns on sharecropping rent and moneylending. In modern economic terms, an interest rate of  $33\frac{1}{3}\%$  would indicate a land value of three years' purchase - low by modern standards, but normal by archaic ones. (A one-year purchase price for a property would indicate, in effect, ownership of the land's usufruct for the period of just one year. (See Property.)

**Royal, ruler.** A ruler's function was to rule, that is, to administer equity in the land. The major way to rule (the linguistic root of *regal*) was to proclaim order (q.v.), above all by cancelling debts. In these Clean Slates rulers in effect cancelled debts owed to themselves. This tradition was phased out by Biblical times as kings came to represent the wealthy nobility rather than being their overseers or antagonists as in Bronze Age Mesopotamia.

The word "king" is anachronistic as applied to Bronze Age rulers. Sponsored by their local temples, they rarely spoke of their ancestral families but represented themselves as sons of the city-deity (as did Sargon) or as having been picked from the crowd by this deity (e.g. Uruinimgina). This imagery signified their transition from private family representatives to public administrators serving the common weal, ideologically obedient to the city-deity. (See Palace, Order.)

**Samsuiluna.** Son of Hammurapi, he ruled for 38 years, 1749-1712. Taking the throne in 1750 when his father became too ill to rule, Samsuiluna restored order by proclaiming *misharum* (also using the old Sumerian term *amargi*), cancelling all the debts that had accumulated since Hammurapi had proclaimed *misharum* in 1761, some thirteen years earlier. (Samsuiluna again proclaimed *misharum* in 1741). His letter to a subordinate official

explaining the logic behind his edict is a major source of information reflecting the Babylonian ideology of rulership. (See Kraus 1965.)

**Saturn, Saturnalia** See Nabu.

**Shemitta.** The septennial year of release called for in Deut. 23, freeing debt-servants after six years of service paying off their family's creditors (compared to three years in Hammurapi's laws). The number seven also figures in the Jubilee Year of Leviticus: As the 50th year, it follows seven septennial periods.

**Shudutu.** Hurrian word for "economic order" corresponding to Babylonian *misharum*.

**Solon.** Athenian lawgiver, an aristocrat who was appointed archon in 594 BC to resolve the city-state's debt crisis (*stasis*), which threatened to culminate in a popular tyranny that would exile the aristocrats, confiscate and redistribute their lands, as had occurred in other Greek cities. (See Tyrant.) Solon cancelled the personal debts of Athenian citizens and permanently forbade their debt-servitude. His political poetry describes how he went so far as to redeem Athenians who had been sold into debt-slavery abroad. In time both democrats and oligarchs claimed Solon "the Lawgiver" for their own.

**State.** Modern political theorists define states as having the authority to raise armies and declare war, make laws, and levy taxes. These functions did not belong to Mesopotamia's Early Bronze Age rulers. A passage in the Gilgamesh epic suggests that wars could be declared only by communal acclamation by the collective body of fighting men and elders (see Jacobsen 1941). Temples and palaces were endowed with the resources to support themselves instead of having to levy taxes. (Indeed, they were creditors rather than debtors.) The land was ruled mainly by oral common law; written royal laws such as those of Hammurapi applied mainly to the public sector and its members.

**Sun-god of Justice.** Bronze Age social ideology is epitomized by the qualities attributed to local sun-gods of justice: Shamash in Babylonia and corresponding deities in other lands. The sun became the paramount symbol of *rectitude* and *regularity* (which has the same linguistic root as *royal* and *ruler*). Hammurapi's stele shows him showing his laws to Shamash or perhaps even receiving them from him.

The ritual combat between the ruler (acting the role of the sun-god Marduk in Babylonia's New Year celebration) counterposed him to the lunar goddess of chaos, Tiamat. Public administrative calendars were solarized on the basis of standardized 30-day months, in contrast to the lunar months which varied in length and thus could not well serve as a basis for allocating rations and other monthly economic flows. Geographically, the sun traced the east/west axis to which ancient urban areas and their public buildings were aligned. In myth, the sun was likened to an all-seeing eye ferreting out and vanquishing evil.

**Talion.** Hammurapi's law of talion (retaliation) applied to poorer Babylonians lacking the means to pay compensation. Legal records of the period show that in practice, injuries normally were resolved by the guilty party paying monetary compensation rather than suffering physical retaliation-in-kind. **Talion** thus seems to have been a late emergency measure to deal with offenders too poor to pay damages.

**Temple.** Southern Mesopotamia's most characteristic and important public entity was the temple. It was here that communities saved their food, and also their monetary treasure and economic records. Set corporately apart from the community at large, temple precincts originally comprised the urban area as such. Whereas rural land periodically was redistributed among community members, temple estates were permanently endowed and demarcated as self-supporting entities, and indeed as the focus of commercial surplus-generating activities.

The motive for concentrating these activities in the temples evidently was to create an alternative to leaving industry and dependent labor in private hands. To have done so would have led to some families dominating the rest of the population, a familiar occurrence in tribally organized "chieftain" communities. Instead, handicraft industry was concentrated in temple workshops (and later, those of the palace). Dependent hand-labor was provided by widows and orphans, the blind and infirm who could not make a go of things on the land. In carrying out these specialized functions, Sumer's temples innovated writing and account-keeping, weights and measures, corporate modes of organization and forward planning in general. (See Diakonoff 1982, Falkenstein 1954, Gelb 1965 and 1972, Lambert 1960, Oates 1972, Renger 1984, Lundquist 1983 and Makkay 1983.)

Temple administrators were assigned prebend lands (q.v.) which provided food-rations -- often more than were needed for the administrator's own use. The balance was sold, a perquisite of their office. But around the turn of the second millennium, as Amorite chieftains moved into southern Mesopotamia, rulers from Ur III onward turned over to these warlords temples in Nippur, Ur and other towns. Their prebends were privatized, divorced from the actual performance of temple duties to become pure claims on the usufruct produced by temple properties. Bequeathed from one generation to the next, these prebends became increasingly subdivided by the 18th century BC, and became marketable--civilization's first income-yielding securities. (See Charpin 1986 and Stone 1987.)

Temples were major creditors throughout antiquity. In war emergencies they lent their precious metal objects to the palace or other civic regime, in an epoch when public war debts to individual creditors did not yet exist. They lent money to the poor and needy, and to slaves to buy their freedom (including ransom money for captured war prisoners; see Hammurapi's laws §32). Temple workshops also seem to have consigned inventories to merchants at interest. In sum, they were the dominant economic focal point of Early Bronze Age communities, the pioneers of corporate organization and planning. (See Enterprise, Prebend, Priest, Public Sector, Religion, Sacred, Urban, War Debts, Widows and Orphans.)

N.B. For many years cuneiformists believed that Sumer was a "temple-state," but Igor Diakonoff and Ignace Gelb independently have demonstrated the existence of a landed, family-based communal sector. Community members belonged both to their own family grouping and to the local temple. Sumerian society was bifurcated between



the public and communal sectors; indeed, trifurcated between the urban temples, the palace, and the landed family-based communal sector. This trifurcation led to a specialization of functions and interest-bearing debt balances emerging in Mesopotamia before they did so elsewhere.

**Tyrant.** The term "tyrant" was used primarily by aristocratic parties to denigrate popular leaders from the seventh century BC onwards. As economic life polarized between landed creditors and indebted cultivators falling into debt-servitude, equilibrium was restored by leaders (often themselves from the most prominent aristocratic families) who exiled the major families, cancelled debts and redistributed the lands among their followers. Tyrants came to power in Corinth (when Cypselus exiled the Bacchiads), in Miletus (under Thrasybulus), in Sicyon (under Cleisthenes), in Olbia Megara and other Greek towns. Solon (q.v.) managed to steer a path midway between the two extremes, but he was followed by Peisistratus and his sons, and then by Cleisthenes of Athens, who in 504 BC redesigned the Athenian constitution to vest power in the democracy.

**Unproductive Debts.** Loans or other claims for payment that do not find their counterpart in income-earning assets. In such cases debtors must pay their creditors out of their own resources, earning the money in ways unrelated to the loan or else forfeiting their collateral.

In most societies only mercantile lending is productive. Consumer loans are inherently unproductive, as are public debts to pay for wars or for tribute. Public debt would be productive only if its proceeds were used to finance a resource generating goods or services that earned the money to repay the loan - with its stipulated interest, e.g.- as in public mining, shipping and other commercial ventures.

**Urban.** Belonging to the town as distinct from the countryside. Early Bronze Age urban precincts consisted mainly of the public temple area (what the Greeks called the *temenos*) and palace estates. Throughout antiquity the entire urban area and its gates were sanctified by ritual, and often aligned cosmologically. Urban/mercantile activities were governed mainly by written royal laws, while the land remained governed by customary oral common law. (See Diakonoff 1982 and 1991.)

In antiquity, as today, the countryside was indebted to urban creditors (including the temples). Cultivators owed public fees and obligations, and also money or food advanced by public merchant-collectors acting on their own behalf. Royal order/liberty proclamations annulled these rural debts, but did not restore the urban/mercantile *status quo ante* as they did that of the land. Commercial debts among merchants were not cancelled, nor were townhouses that had been sold since the last such proclamation returned to their former owners. The logic at work seems to have been that urban property holdings and mercantile credit did not impair subsistence self-support; that was ensured by maintaining customary landholding rights. The Biblical debt laws maintain this same urban/rural distinction.

**Usufruct.** The net yield produced by an asset: rent from land, profits for physical capital (including trading inventories), and interest for money-capital.

**Usury.** Ancient languages had no words to distinguish *usury* from *interest*. The word *usury* signifies *usus fructus* "use of the fruits," Churchmen in the thirteenth and fourteenth centuries were the first to distinguish between productive (commercial) lending and parasitic consumer debt. Their objective was to rationalize lending by the Lombards and other major international banking families, permitting loans when a foreign-exchange conversion (*agio*) was involved. Such loans typically were made to merchants, to royalty (mainly to wage wars or pay tribute to Rome) and to the nobility. To be sure, most of these latter loans were economically unproductive. But Canon Law's main concern was to distinguish loans to the poor from those to the well-to-do. Bronze Age Mesopotamian rulers had done this by applying their Clean Slate decrees only to personal barley-debts, not to commercial silver-debts.

The return earned by legitimate mercantile loans came to be called *interesse*, signifying that lenders/investors shared an equity-type interest in sharing the commercial venture's risks. The term *usury* hence forth narrowed to represent lending at above-legal rates, typically to the poor for consumer purchases.

**Warfare and War Debts.** Warfare forced ancient economies into debt, but not into public debt. Indeed, public borrowing from private creditors was unknown until the Roman oligarchic epoch, when the wealthy took advantage of the state of emergency near the end of the Punic Wars to enrich themselves at the expense of society at large. To the extent that palaces or civic regimes borrowed, it was from the temples, e.g. as Athens melted down the Parthenon's statues of Winged Victory, and Rome drew on the treasure in the temple of Juno Moneta (whence our word *money* derives). Temple credit to the palace usually took the form of precious metals, including from Sumerian times the (removable) golden garments of the city-deities, which could be melted down.

The major financial consequence of warfare throughout antiquity was to force the rural population into debt. Indeed, military disruption was the single major dynamic disturbing archaic economic balance, forcing populations (but not regimes) into debt and thus polarizing economic life between debtors and creditors. The return to peace following the end of wars became occasions for rulers to cancel the debts both of their victorious peasant-infantry and that of the defeated city (see Enmetena, Hammurapi). This won the peace by consolidating the loyalty of the land's cultivators, who also were its infantrymen.

By the fourth century BC the Greek military writer Tacticus cited the stratagem of weakening a city's defense by promising its citizens to cancel their debts if they would defect. This often obliged the local oligarchy to match the bid, as occurred from Jerusalem's promise to its debtors by Zedekiah in 597 BC (on which the creditors later welshed), Rome's secession of the plebs (a promise on which the creditors also welshed), and in Ephesus during the Mithradatic wars in the first century BC.

But ultimately, by being called away from their lands to fight, the Roman peasantry was, in effect, fighting for its own disenfranchisement. The families of soldiers often fell into debt and ended up losing their lands. For many centuries it was normal policy to resettle returning war veterans in new colonies, but as the oligarchy grew stronger it monopolized all available land for itself.

Wars also were a major impetus for coinage from the seventh century BC onwards. Armies brought their own minters to melt down booty to remunerate their victorious soldiers. Major markets (mainly for food and sex) also developed around military camps.

***Wergild.*** Compensation for personal injuries ranging from insults to manslaughter. (Deliberate murderers were exiled or killed by retaliation.) By providing an alternative to "feud justice," such compensation replaced vindictiveness in an attempt to preserve the community intact.

**Widows and orphans.** Mesopotamian rulers pledged themselves to protect "the orphan and the widow" (see Urukagina's "reform" text, the prologue to the laws of Shulgi/Ur-Nammu and Hammurapi, and the biblical laws). In the Early Bronze Age such individuals lost their families as a result of warfare or infirmity. Epitomizing the most needy persons, they were the paradigmatic debtors to the extent that they remained on the land in the absence of husbands and fathers. Job 24.3 deems it iniquitous for a creditor to take the widow's ox as a debt pledge. But for the most part, unable to support themselves alone on the land, they became public wards. Many were put to work in the temple weaving workshops. Rulers were charged with overseeing their welfare by ensuring satisfactory ration levels.

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