





*Does the Bible Have Evidence of Supernatural Design?
A Sociological Approach*

Revision 1.6

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Introduction: Questions Raised by a Skeptical Position

Question: Weren't the Bible's human authors shaped by the culture they were from? Don't they show signs of just copying ideas from their neighbors? If so, then the Bible wasn't all that original or unusual after all. And then we should also rewrite the Bible. If they had had positive experiences of polytheism, homosexuality, Gentiles, capitalism, etc. wouldn't they have written very differently? And since that's changed now, we should update their ethics.

Answer: It's unlikely. This paper explores the relationship between the biblical authors' positions and the prevailing cultures around them to show they were not easily bullied by their cultural context. Most of the examples draw from the Pentateuch, traditionally attributed to Moses as author or redactor. Look at these case studies and see if you can explain how the human authors of the biblical text would have invented these ideas.

I do not think there is a naturalistic explanation for the following examples of how the Bible sharply disagrees with its cultural context. This dramatic disagreement shows that the Bible is unique, is very important and calls out for an explanation. Historian Paul Johnson writes:

'All the great conceptual discoveries of the intellect seem obvious and inescapable once they have been revealed, but it requires a special genius to formulate them for the first time. The Jews had this gift. To them we owe the idea of equality before the law, both divine and human; of the sanctity of life and the dignity of the human person; of the individual conscience and so of social responsibility; of peace as an abstract ideal and love as the foundation of justice, and many other items which constitute the basic moral furniture of the human mind. Without the Jews it might have been a much emptier place.'¹

But historian Thomas Cahill is willing to entertain the possibility that the Bible – along with Jewish history – has a supernatural origin:

'But however miraculous Jewish survival may be, the greater miracle is surely that the Jews developed a whole new way of experiencing reality, the only alternative to all ancient worldviews and all religions. If one is ever to find the finger of God in human affairs, one must find it here.'²

In the examples below, I often use examples from time periods not from the ancient world. This is because, at times, there is a lack of physical data going back to the ancient world (e.g. clay tablets or papyri for legal documents, etc.) so a strict historical comparison needs to be reasonably inferred. Or, at times, a broader sociological comparison to modern times is interesting and conversation-worthy.

Also, this is not merely a comparison of literature or philosophy. The quotations or examples cited represent communities or broad social movements. It is always possible for one individual here or there to have interesting ideas. But to explain how entire communities are shaped, and come to hold the norms, stories, laws, and institutions they do requires a sociological approach. For the Jewish community to differ so much from other cultures – especially back then, but, in some cases, even now – requires a sociological approach. Will we find the finger of God here?

Let's explore that possibility together.

¹ Paul Johnson, *A History of the Jews* (New York: Harper Perennial, 1988), p.585. See also Rabbi Dr. Warren Goldstein, *Defending the Human Spirit: Jewish Law's Vision of a Moral Society* (Jerusalem: Feldheim Publishers, 2006), especially ch.1, 'The Vulnerability Principle'

² Thomas Cahill, *The Gifts of the Jews: How a Tribe of Desert Nomads Changed the Way Everyone Thinks and Feels* (Thorndike, ME: G.K. Hall & Co., 1998), p.260



Case Study #1: Monogamous Marriage – Invented by Men? Promoted by Men?

<p>‘And if you fear that you cannot act equitably towards orphans, then marry such women as seem good to you, two and three and four; but if you fear that you will not do justice (between them), then (marry) only one or what your right hands possess; this is more proper, that you may not deviate from the right course.’ (Qur’an 4:3) ‘Successful indeed are the believers...who guard their private parts [refrain from sex] except before their mates [wives] or those whom their right hand possess [concubines]’ (Qur’an 23:1, 5 – 6; cf. 33:50,52; 70:29 – 30)</p> <p>‘And if he have ten virgins given unto him by this law, he cannot commit adultery, for they belong to him, and they are given unto him; therefore is he justified. But if one or either of the ten virgins, after she is espoused, shall be with another man, she has committed adultery, and shall be destroyed; for they are given unto him to multiply and replenish the earth, according to my commandment, and to fulfil the promise which was given by my Father before the foundation of the world, and for their exaltation in the eternal worlds, that they may bear the souls of men; for herein is the work of my Father continued, that he may be glorified.’ (Mormon <i>Doctrine and Covenants</i> 132:62 – 63)</p>	<p>Genesis 2:18 Then the LORD God said, ‘It is not good for the man to be alone; I will make him a helper suitable for him [Hebrew: ‘a helper in opposition to him’ or ‘a helper against him’].’²¹ So the LORD God caused a deep sleep to fall upon the man, and he slept; then He took one of his ribs and closed up the flesh at that place.²² The LORD God fashioned into a woman the rib which He had taken from the man, and brought her to the man.²³ The man said, ‘This is now bone of my bones, and flesh of my flesh; she shall be called Woman, because she was taken out of Man.’²⁴ For this reason a man shall leave his father and his mother, and be joined to his wife; and they shall become one flesh.²⁵ And the man and his wife were both naked and were not ashamed.</p>
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If the Bible were written by men, wouldn’t you expect the story of creation to start off with Adam and Eve, Eva, Evelyn, Evadne, and so on? Islam and Mormonism have polygamy; those religions seem the most manufactured by men because of their suitability for empire building. It’s definitely in a man’s interest to just spread his genes around with as many women as possible. And psychologically and economically, treating women and wives like commodities was just easier and made men feel more powerful. But no: The ideal of God is monogamy. Did any man have the reason to invent Genesis 2, with its elevation of monogamy? Not that I can tell.

What about polygamy? Though it did happen and was narrated by the Bible, it was never the ideal. Polygamy is found in one of two categories.

1. In the first category are men who married more than one woman and were radically criticized for it. Kings like David and Solomon were told by Deuteronomy 17:17 not to multiply wives – for lust or for diplomatic reasons, turning marriage into a relationship of power. So they were completely wrong, and the family of Cain the murderer of Abel was the first to start that pattern in Genesis 4:16 – 25, and because the originator is the murderer Cain, it is clearly understood to be wrong.
2. The second category is when one wife is barren and the husband takes a second wife for the purpose of childbearing. The only person who really falls into this category is Elkanah in 1 Samuel 1. There was a very high value on having children, more than we totally understand in the West today. The husband could not divorce his first wife, because that would often leave her in poverty and alone. But even with this, a second marriage was not seen as approved by God. Abraham and Sarah decided to have Abraham father a child through Hagar their maidservant as a surrogate mother, but that was Sarah’s idea, she got it from the culture around her since it was commonplace, and it was not approved by God. Jacob married both Leah and Rachel but he was tricked into doing that by their father Laban, so you can’t blame Jacob, and he honored the first marriage to Leah once he was in it. The Bible is against polygamy. When it happens, it’s generally criticized or shown to be inappropriate. So, once again, I cannot imagine any man inventing Genesis 2 and the story that follows. I am left with the strong impression that there is a God who authored this material.

In fact, the literal Hebrew of Genesis 2:18 – ‘a helper against you’ – implies some kind of opposition between wife and husband, which was interpreted by rabbis as a realistic view of marriage! (See *Genesis Rabbah* 17.2 – 3; ‘if he is fortunate, she is a help; if not, she is against him’)



Case Study #2: Wives Are Protected from Their Husbands Sexually – Invented by Men?

In Israel in 1981, there was a Supreme Court case called *Cohen v. State of Israel*. Mr. Cohen had violently attacked his wife and forced her to have sex with him against her will. Subsequently, they were divorced. He was accused of rape retroactively. He appealed his conviction on the principle that a man cannot be guilty of legally raping his wife.

Judge David Belchor noted the position of English law at the time, since English law influenced the State of Israel before 1948. ‘Judge Belchor stated that he was ‘delighted’ not to have to follow English law on this issue because that would involve endorsing the marital rape exemption... He said, ‘The people of Israel can take pride in the progressive and liberal approach of their blessed heritage and *the position of Jewish law on this matter from time immemorial.*’³

‘Jewish Law’ consists of three sources: (1) The Bible, which is considered divine revelation; its final organization is between ~450 BCE and 70 CE; (2) the Talmud, the ‘oral law’ of the Torah (Mishnah, compiled 200 CE), and further commentary (the Gemara, compiled 500 CE); and (3) Commentaries and codifications.

<p><u>England</u></p> <p>In the 1980’s and 90’s, three cases dealt with the crime of indecent assault within marriage. A wife was deemed to have consented to sexual intercourse with her husband at marriage, even if he had later contracted a venereal disease; additionally:</p> <ul style="list-style-type: none"> • <i>R v. Caswell</i> (1984): A married woman’s consent to sexual intercourse covered all acts preliminary to that intercourse • <i>R v. H</i> (1990): The marital rape exemption applied even to an estranged couple <p><u>United States</u></p> <p>‘Despite vast differences between the fifty states..., until the late 1970’s they all shared this in common: a man was legally entitled to rape his wife.’</p> <p>‘A husband cannot be guilty of raping his wife unless he forces her to have sexual intercourse with a third person. Immunity shields the husband even though all the other elements of the offense are present – force, penetration, and lack of consent. He is immune from a rape charge in most states, however violent the force he uses and however long he and his wife have been living apart...For instance, a wife whose husband comes home drunk every night and violently forces sex on her...is not protected by the rape laws of forty-six states.’ (<i>New</i></p>	<p><u>The Bible</u></p> <ul style="list-style-type: none"> • ‘In the image of God He made them, male and female, He created them’ (Gen.1:27) • ‘He may not reduce her food, her clothing, or her conjugal rights’ (Exodus 21:10) • ‘When a man takes a new wife, he shall not go out with the army nor be charged with any duty; he shall be free at home one year and shall give happiness to his wife whom he has taken.’ (Deuteronomy 24:5) <p><u>The Talmud</u></p> <ul style="list-style-type: none"> • ‘A man is forbidden to compel his wife to have intercourse with him.’ (<i>Talmud Eiruvin</i> 100b) • ‘This Talmudic ruling appears in all the major codifications of Jewish law.’ (Goldstein, <i>Defending the Human Spirit</i>, 2006, p.170; cf. Rambam, <i>Hilchot Ishut</i> 15:17; Tur and Code of Jewish Law, <i>Orach Chaim</i> 240:3; <i>Even HaEzer</i> 25:2) <p><u>Commentaries and Codifications</u></p> <ul style="list-style-type: none"> • ‘He may not rape her by having intercourse with her against her will, but rather, he must do it with her consent and in an atmosphere of open communication and joy.’ (Rambam (1135 – 1204 AD), <i>Hilchot Ishut</i> 15:17) • ‘If she finds her husband repulsive, she is freed from her conjugal duties.’ (Rambam, <i>Hilchot Ishut</i> 14:8, quoted by Warren Goldstein, 2006, p.172) • ‘Certainly she is not subject to him incessantly when she does not wish it...’ (<i>Responsa Maharit</i> 1:5) • ‘Even those who would permit [unconventional sexual intercourse] do so only when the woman is willing, but if a husband forces it upon the woman he is called a sinner’
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³ Rabbi Dr. Warren Goldstein, *Defending the Human Spirit: Jewish Law’s Vision for a Moral Society* (New York: Feldham, 2006), p.168; italics mine



<p><i>York University Law Review</i> 52 (1977): 306 – 323)</p> <p><u>Hinduism</u></p> <p>‘Men may be lacking virtue, be sexual perverts, immoral and devoid of any good qualities, and yet women must constantly worship and serve their husbands.’ (Hindu <i>Manusmriti</i> 5.157)</p> <p>‘Women have no divine right to perform any religious ritual, nor make vows or observe a fast. Her only duty is to obey and please her husband and she will for that reason alone be exalted in heaven.’ (Hindu <i>Manusmriti</i> 5.158)</p> <p><u>Islam</u></p> <p>‘If a man calls his wife to his bed and she refuses, and he spends the night angry with her, the angels will curse her until morning.’ (Hadith al-Bukhaari, 2998, 4795; cf. Hadith Sunan Abu Dawd 2159 and Qur’an 2:223).</p> <p>‘It is not permissible for her to rebel against him or to withhold herself from him, rather if she refuses him and persists in doing so, he may hit her in a manner that does not cause injury.’ (Majmoo’ al-Fataawa, 32/279)</p> <p>‘No woman can fulfill her duty towards Allah until she fulfills her duty towards her husband. If he asks her (for intimacy) even if she is on her camel saddle, she should not refuse.’ (Sunan Ibn Majah 1853)</p> <p>‘When a man calls his wife to fulfill his need, then let her come, even if she is at the oven.’ (Jami at-Tirmidhi 1160)</p>	<p>(<i>Responsa Yaskil Avdi</i> 6:25)</p> <ul style="list-style-type: none">• ‘The vulnerability principle is the most influential one when it comes to Jewish law’s outlawing of rape in marriage.’ (Goldstein 2006, p.176)• ‘A woman’s conjugal duty is limited to having intercourse at certain regular intervals [‘determined with reference to, on the one hand, the wife’s needs and, on the other hand, the husband’s capacity’ (p.186)]...She is not required at all to ensure that her husband is sexually satisfied. He is responsible to guarantee to the best of his ability that his wife never feels unfulfilled sexual desire, which means that according to Jewish law a man must with great sensitivity constantly attune himself to his wife’s sexual needs...The reason is that fulfilling her desires constitutes a Biblical commandment, whereas fulfilling his does not.’ (Goldstein 2006, p.184 – 9)• ‘According to Jewish law, sexual satisfaction is primarily the husband’s duty and the wife’s right. Married women need legal protection to ensure that their husbands treat them sensitively in the potentially volatile area of sexual relations. Men do not need to be protected; they need to be restrained and educated to think of their wives and not to view them as their sex objects.’ (Goldstein 2006, p.190)
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Note: Laws concerning the rights of a wife have since changed in England and the U.S.



Case Study #3: Your Spouse Over Your Parents – Invented Amidst Patriarchal Societies?

<p>Ancient Assyria: ‘And if my daughter K. dies, then A. my adopted son shall under no circumstances leave my house, because he has to care for my gods and my dead ancestors.’⁴</p> <p>Confucian China, Japan, Korea: ‘The Master said, ‘Observe what a man has in mind to do when his father is living, and then observe what he does when his father is dead. If, for three years, he makes no changes to his father’s ways, he can be said to be a good son.’⁵ ‘Meng Yi Tzu asked about being filial. The Master answered, ‘Never fail to comply.’⁶</p>	<p>Genesis 2:24 For this reason a man shall leave his father and his mother, and be joined to his wife; and they shall become one flesh.</p> <p>‘In Genesis 2 a profound, even revolutionary autonomy and dignity is afforded the married couple...Here is a departure from any social arrangement that would violate the integrity of this one-flesh union in the name of filial piety or honor.’⁷</p>
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The issue here is that we need to understand how all ancient societies worked, as far as we can tell. Most traditional societies still do not treat a married couple as their own family. Usually the wife comes into the husband’s family. For example, I am ethnically Japanese, and when my mom married my dad, she came to live in the house my dad grew up in. His mom – my grandmother – treated my mom like a slave. And my mom was frustrated that my dad didn’t stick up for her. She hated it, and when I got older, my mom said, ‘Mako, don’t grow up to be a mama’s boy – a man who listens to his mother over his wife.’ She learned the hard way. That’s why it’s so radical that God said from the beginning that a man would leave his father and mother to be joined to his wife. It was taken for granted that a woman would leave her father and mother. But it wasn’t the case that a man would leave his family. Instead, the new wife would become part of the husband’s family, and be another ‘daughter’ to the family. Who had the power in the family? The oldest person alive, or the oldest male. That is true patriarchy. But God said that that must not happen. It’s only in the family of Cain, the murderer, that this reverses. Cain makes it hard for his son Enoch to leave him. Cain was cursed to wander, but he said, ‘Forget that. I’m going to settle anyway, and make my son work the land, defend me, justify me.’

Genesis 4:17 Cain had relations with his wife and she conceived, and gave birth to Enoch; and he built a city, and called the name of the city Enoch, after the name of his son.

So the son was made to serve the father for the rest of his life. That is the origin of human civilization. But would it be in the interest of a patriarchal society to promote Genesis 2? And to maintain it in your culture? No way. No one would invent this. It destroys all the power dynamics of one generation over the other.

By contrast, in Genesis, God made the first married male and female couple in His image (Gen.1:27), because they, like God, could produce human life. The quality of their relationship is part of being in His image.

⁴ K.R. Veenhof, ‘Old Assyrian and Anatolian Evidence’, Marten Stol and Sven Vleeming, editors, *The Care of the Elderly in the Ancient Near East* (Leiden, The Netherlands, 1998), p.133. Beyond Assyria, in the Ancient Near East generally, ‘The head of household or paterfamilias, whether the father (the eldest male) or the eldest son, had complete charge of the household’s property, represented the household in court, and was responsible for maintaining its prosperity and credibility within the community...marriages served not only to produce children and a new generation to inherit property, but they also established social ties, economic connections and a network of association that was designed to benefit both parties [families].’ Victor H. Matthews, ‘Marriage and Family in the Ancient Near East’, Ken M. Campbell, editor, *Marriage and Family in the Biblical World* (Downers Grove, IL: InterVarsity Press, 2003) p.2 and 7

⁵ Confucius, *Analects* I, 11

⁶ Confucius, *Analects* II, 5. ‘In serving his parents, a filial son reveres them in daily life; he makes them happy while he nourishes them; he takes anxious care of them in sickness; he shows great sorrow over their death; and he sacrifices to them with solemnity.’ Confucius, *Classic of Filial Piety*, discussed by Charlotte Ikels, *Filial piety: Practice and discourse in contemporary East Asia* (Stanford: Stanford University Press, 2004), p. 2–3. ‘...The three real obstacles to the spread of Christianity in China...are, first of all, the Confucian dogma that man is born good; secondly, the practice of ancestral worship, which, as has already been shown, is incompatible with Christian doctrine; and thirdly, the rules and practice of filial piety, due directly to the patriarchal system which still obtains in China. It has indeed been seriously urged that the unparalleled continuity of the Chinese nation is a reward for their faithful observance of the fifth commandment. In the face of this deeply implanted sentiment of reverence for parents, it is easy to see what a shock it must give to be told, as in Mark x. 7, 29, 30, that a man shall leave his father and mother and cleave to his wife; also, that if a man leaves his father and mother for Christ’s sake and the gospel’s, he will receive an hundredfold now in this time, and in the world to come eternal life.’ <http://www.sacred-texts.com/cfu/cair/cair10.htm>.

⁷ Erwin Fahlbusch, editor, ‘Family’, *The Encyclopedia of Christianity*, Volume Two, (Grand Rapids, MI: Eerdmans Publishing Company, 2001) p.284



Case Study #4: The Value of Each Human Life – Invented by Defenders of Social Order?

Genesis 1 – 11 is aware of the challenge and question, ‘How do we treat other people’s children?’ Many people and nations asked the same thing. Genesis 1 – 11 and other ancient creation stories seem to follow the same five part structure. However, Genesis 1 – 11 aggressively critiques them. Here is a comparison of those stories:⁸

Stasinus’ Cypria (European)	Atrahasis (Babylonian/Akkadian)	Zoroastrian Avesta (Old Iranian)	Genesis 1-11 (Hebrew)
Problem: Overpopulation , wickedness, earth burdened	Creation (I.1 – 351): the work of the gods and the creation of humans	Creation: Ahura Mazda tells Yima (human) to be king over creation	Creation (1:1 – 2:3): God creates the world and humans and blesses them to multiply
First Threat: Zeus sends the Theban War; many destroyed	First Threat (I.352 – 415): Humans numerically increase; plague from the gods to limit overcrowding ; Enki’s help	First Threat: Overpopulation ; Yima asks the earth goddess Armaiti to expand herself	First Threat (2:4 – 4:25): Humans corrupt themselves; God promises a deliverer to undo it; Cain kills Abel and builds a city ‘on’ his son for his own security; Seth hopes in God
Second Threat: Zeus plans to destroy all by thunderbolts; Momos dissuades Zeus	Second Threat (II.i.1 – II.v.21) Humanity’s numerical increase; drought from the gods; Enki’s help	Second Threat: Overpopulation; Yima asks the earth goddess Armaiti to expand herself	Second Threat (5:1 – 9:29): Human violence threatens Noah and family, the last family of faith hoping for the deliverer; God protects them through the flood
Third Threat: Momos suggests that Thebis marry a mortal to create Achilles and that Zeus father Helen of Troy; war results between the Greeks and the barbarians	Third Threat (II.v.22 – III.vi.4): Humanity’s numerical increase, Atrahasis Flood, salvation in boat	Third Threat: Overpopulation; Yima asks the earth goddess Armaiti to expand herself	Third Threat (10:1 – 11:9): Humans build the city and tower of Babel, led by Nimrod the dictator; God disperses humanity
Resolution: Many destroyed by Trojan War, earth lightened of her burden	Resolution (III.vi.5 – viii.18): Numerical increase; compromise between Enlil and Enki; humans cursed with natural barrenness, high infant mortality rate, cult prostitution (to separate sex and procreation)	Resolution: Ahura Mazda sends a deadly winter with heavy snowfall to punish overcrowding; Yima told to build a three storied enclosure to survive; humanity destroyed outside while a boy and girl born in enclosure every 40 years	Resolution (11:10 – 26): Introduction of Abram as the heir of faith (In 11:27ff., God calls Abram and Sarai out of Ur to be a new ‘Adam and Eve.’)

The other creation stories come from urban settings and argue for population control. Human beings get too numerous, so there are things that happen that eliminate human life. Whose interest does it serve to promote that kind of social ethic? The rich and powerful, who want to regulate the masses. We have that attitude today. That’s why many Americans ask immigrant families (e.g. Latino Catholics), ‘Why do you have so many kids?’ That’s why we abort so many babies. That’s why we choose not to feed the world’s poor even though we do have enough food.⁹

⁸ I have slightly modified the structure ascribed to Genesis 1 – 11 by Kikawada and Quinn and also Duane Garrett by placing a genealogy at the start of each subsection, which seems to me a more natural way to break up the text.

⁹ Human overcrowding today is more of a legitimate concern than in this original phase of human history as narrated by these creation stories. Even so, the U.N. tells us that we have enough food to feed everyone in the world. We could eliminate desperate hunger. Other sources show that global poverty could be alleviated by 1% of the world’s income. We simply lack the moral and political will to solve these problems. ‘We



The rich and powerful always use the label ‘our way of life’ or ‘human civilization’ as a reason to destroy human life.

Genesis 1 – 11 elevates human life at the expense of ‘human civilization’ or a particular ‘social order.’ In Genesis 1 – 11, human life is always good because each person is made in the image of God (Gen.1:26 – 28). God says, ‘Be fruitful and multiply.’ Kikawada and Quinn argue, ‘This command, so long familiar to us, is in its cultural context utterly startling, as unexpected as the monotheism.’¹⁰ Frymer-Kensky says that this command to be fertile is ‘an explicit and probably conscious rejection of the idea that the cause of the flood was overpopulation and that overpopulation is a serious problem.’¹¹ In Genesis, the flood happens not because of human overcrowding, as it does in the other stories, but because of human sin and violence threatening Noah and his family, the only family of faith left. They are important because they will partner with God in the redemption of human nature.

Kikawada and Quinn conclude: ‘Genesis 1 – 11 then constitutes a rejection of Babel and Babylon – of civilization itself, if its continuance requires human existence to be treated as a contingent [or secondary] good. For Genesis the existence of a new human was always good.’¹² And that human being calls for an ethical and relational response from other human beings. Being made in God’s image means to be generous to others with the created world, because God was generous to us with the created world.

C.S. Lewis aptly remarked, ‘Christianity asserts that every individual human being is going to live for ever, and this must be either true or false...And immortality makes this other difference, which, by the by, has a connection with the difference between totalitarianism and democracy. If individuals live only seventy years, then a state, or a nation, or a civilisation, which may last for a thousand years, is more important than an individual. But if Christianity is true, then the individual is not only more important but incomparably more important, for he is everlasting and the life of the state or civilisation, compared with his, is only a moment.’¹³

will not apologize for our way of life,’ said President George H.W. Bush first in response to environmental concerns at the Kyoto Conference during his presidency (and repeated by several others). The point here is still that a human life, once present, is precious and valuable, and must be honored as bearing God’s image.

¹⁰ Isaac Kikawada and Arthur Quinn, *Before Abraham Was* (Ignatius Press: San Francisco, 1989), p.38

¹¹ Tikva Frymer-Kensky, ‘The Atrahasis Epic and its Significance for Understanding Genesis 1-9,’ *Biblical Archaeologist* 40 (1977):152. See also B.S. Yegerlehner, *Be Fruitful and Multiply* (Dissertation, Boston University, 1975) and David Daube’s *The Duty of Procreation* (Edinburgh: Edinburgh University Press, 1982)

¹² Isaac Kikawada and Arthur Quinn, *Before Abraham Was*, p.51

¹³ C.S. Lewis, *Mere Christianity* (New York, NY: Collier Books, 1943, 1945, 1952), p.73



Case Study #5: The Value of Foreigners and Immigrants – Invented by Human Law-Makers?

In the Code of Hammurabi, and in many other social codes up to today, a person’s wealth determined their worth. People who were poor, enslaved, or foreign often did not – and do not – count as full human beings. But in the Law of Moses, it was the reverse; a person’s worth determined their relatedness to others and their minimum level of wealth. This ‘one standard...for the stranger as well as the native,’ regardless of whether the victim was poor or rich, was a startling practice given Israel’s historical context.

One of the most noteworthy and unusual patterns in the Pentateuch is God valuing human beings first, and then secondarily designing social institutions and laws to reflect that reality. This value came from God making humanity in His image. Look at this comparison:

<p><i>Code of Hammurabi:</i> ¹⁹⁷ If a man has broken another man’s limb, his own shall be broken. ¹⁹⁸ If a man has destroyed an eye or a limb of a <i>poor man</i>, he shall pay one maneh of silver. ¹⁹⁹ If a man has destroyed an eye or a limb of <i>the servant</i> of another man, he shall pay one-half of a mina. ²⁰⁰ If a man has made the tooth of another to fall out, one of his own teeth shall be knocked out. ²⁰¹ If the tooth be that of a <i>poor man</i>, he shall pay one-third of a maneh of silver.</p>	<p><i>Leviticus 24</i> ¹⁷ If a man takes the life of <i>any human being</i>, he shall surely be put to death. ¹⁸ The one who takes the life of an animal shall make it good, life for life. ¹⁹ If a man injures his neighbor, just as he has done, so it shall be done to him: ²⁰ fracture for fracture, eye for eye, tooth for tooth; just as he has injured a man, so it shall be inflicted on him. ²¹ Thus the one who kills an animal shall make it good, but the one who kills a man shall be put to death. [The victim’s right to name a compensation instead is also found in Exodus 21:22 and 30.] ²² There shall be <i>one standard</i> for you; it shall be <i>for the stranger as well as the native</i>, for I am the LORD your God.</p>
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Furthermore, look at how we have only had citizens’ rights and not human rights. At one point in the U.S., ‘citizen’ was defined as being a white, landowning male; and everyone else who wasn’t that had to fight to be included as a ‘citizen.’ We’ve moved more towards human rights, but despite all our talk about human rights, despite the U.N. Declaration of Human Rights, we have never really had human rights, and will probably never have human rights. Why? Because no nation-state has much interest in using citizens’ tax-payer dollars to care about non-citizens. This is why we don’t really know what our responsibility is to illegal immigrants, children of illegal immigrants in some cases, people in other countries, and the unborn and future generations. They aren’t citizens of our country, so we don’t really feel a responsibility to them. But here in the Law of Moses, this value on human life is shown for citizens and foreigners. This principle was revolutionary for most time periods, including our own, not just the ancient world. Whose interest did it serve to uphold this law? It would have been much easier for Israelites to just take advantage of foreigners and treat them completely unfairly, like most other nations did.

Even more impressively, Jewish law was a form of restorative justice, and not merely retributive. That is, the victim had a voice in the consequences placed upon the offender, and compensation was probably the preferred route. The ‘eye for an eye’ principle merely established an outer limit of proportionality.

Popular historian Thomas Cahill writes: ‘A sojourner you are not to oppress...This bias toward the underdog is unique not only in ancient law but in the whole history of law. However faint our sense of justice may be, insofar as it operates at all it is still a Jewish sense of justice.’¹⁴ Historian Paul Johnson agrees: ‘All the great conceptual discoveries of the intellect seem obvious and inescapable once they have been revealed, but it requires a special genius to formulate them for the first time. The Jews had this gift. To them we owe the idea of equality before the law, both divine and human; of the sanctity of life and the dignity of the human person; of the individual conscience and so of social responsibility; of peace as an abstract ideal and love as the foundation of justice, and many other items which constitute the basic moral furniture of the human mind. Without the Jews it might have been a much emptier place.’¹⁵

¹⁴ Thomas Cahill, *The Gifts of the Jews: How a Tribe of Desert Nomads Changed the Way Everyone Thinks and Feels* (Thorndike, ME: G.K. Hall & Co., 1998), p.169

¹⁵ Paul Johnson, *A History of the Jews* (New York: Harper Perennial, 1988), p.585



Case Study #6: My Stuff for My Kids – Controlled by Today’s Parents?

Parents typically care about their own children more than other children. Most cultures justify inequalities that children inherit. Notice how different Israel’s vision of inheritance and land equality is. The inspiration comes from the start of the biblical story: God gave the garden land to Adam and Eve, for them to spread over the wild creation. And God wanted each human being to inherit the expanding garden land. Note: land was the basic form of wealth and work, but there were other forms (livestock, clothes, currency, etc.)

Also, in modern economics, our future children have no say about how we use land and the environment – because they don’t exist yet. That is one reason why we have an environmental crisis. But in Israel’s vision, parents *stewarded* the land and environment for their children. They did not own it; God did. Hence, the quote from Paul Brooks, below.

<p>‘After thirty years on the throne, the pharaoh celebrated a jubilee intended magically to rejuvenate the divine yet vulnerable monarch...’¹⁶</p> <p>‘Why does the use of religion to support a social gospel... which require[s] authoritarians... go unchallenged? Forced redistribution of wealth has nothing to do with the teachings of the world’s great religions.’¹⁷</p> <p>John D. Rockefeller: ‘The major fortunes in America have been made in land.’</p> <p>‘[Nicholas Kristof is] trying to convince whites who’ve often inherited opportunity that America has just as systematically passed on disadvantage to blacks. “One element of white privilege today,” Kristof wrote..., “is obliviousness to privilege, including a blithe disregard of the way past subjugation shapes present disadvantage.”’¹⁸ ‘Residential segregation is the institutional apparatus that supports other racially discriminatory processes and binds them together into a coherent and uniquely effective system of racial subordination. Until the black ghetto is dismantled as a basic institution of American urban life, progress ameliorating racial inequality in other arenas will be slow, fitful, and incomplete.’¹⁹</p> <p>Paul Brooks, film producer: ‘In America today you can murder land for private profit. You can leave the corpse for all to see, and nobody calls the cops.’</p>	<p>¹⁰ You shall thus consecrate the fiftieth year and proclaim a release through the land to all its inhabitants. <i>It shall be a jubilee for you, and each of you shall return to his own property, and each of you shall return to his family...</i> ¹³ <i>On this year of jubilee each of you shall return to his own property...</i> ²³ <i>The land, moreover, shall not be sold permanently, for the land is Mine; for you are but aliens and sojourners with Me...</i> [Regarding land sales:] ²⁵ If a fellow countryman of yours becomes so poor he has to sell part of his property, then his nearest kinsman is to come and buy back what his relative has sold... ²⁸ But if [no one else] has not found sufficient means to get it back for [him], then what he has sold shall remain in the hands of its purchaser until the year of jubilee; but at the jubilee it shall revert, <i>that he may return to his property...</i> [Regarding indentured service:] ³⁹ If a countryman of yours becomes so poor with regard to you that he sells himself to you, you shall not subject him to a slave’s service. ⁴⁰ He shall be with you as a hired man, as if he were a sojourner; he shall serve with you until the year of jubilee. ⁴¹ He shall then go out from you, he and his sons with him, and shall go back to his family, <i>that he may return to the property of his forefathers.</i> ⁴² For they are My servants whom I brought out from the land of Egypt; they are not to be sold in a slave sale... ⁵⁴ Even if he is not redeemed by these means [his relatives pay his debt], <i>he shall still go out in the year of jubilee, he and his sons with him.</i> ⁵⁵ For the sons of Israel are My servants; they are My servants whom I brought out from the land of Egypt. I am the LORD your God. (Leviticus 25)</p>
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¹⁶ From an ancient limestone with hieroglyphic carving comes from the New York Metropolitan Museum of Art, *Scenes from a King’s Thirty Year Jubilee*, Dynasty 4, probably the reign of Snefru (ca. 2575 – 2551 B.C.). By contrast, biblical Israel celebrated a ‘jubilee’ which was based on the story of Adam and Eve given the original Garden of Eden by a good God. If humanity had not fallen into corruption, the children of Adam and Eve would have inherited their portions of the beautiful garden land.

¹⁷ Senator Ron Paul, *C-Span* (November 14, 2012); <http://www.c-spanvideo.org/program/HouseSession5365> (see 2hr:28min mark)

¹⁸ Emily Badger, ‘Nicholas Kristof On What ‘Whites Just Don’t Get’ About Racial Inequality,’ *Washington Post*, November 20, 2014; <https://www.washingtonpost.com/news/wonk/wp/2014/11/20/nicholas-kristof-on-what-whites-just-dont-get-about-racial-inequality/>

¹⁹ Douglas S. Massey and Nancy A. Denton, *American Apartheid: Segregation and the Making of an Underclass* (Cambridge, MA: Harvard University Press, 1993), p.8. They also write on p.2, ‘No group in the history of the United States has ever experienced the sustained high level of residential segregation that has been imposed on blacks in large American cities for the past fifty years. This extreme racial isolation did not just happen; it was manufactured by whites through a series of self-conscious actions and purposeful institutional arrangements that continue today.’



Case Study #7: Do Men and Women Have Equal Human Dignity?

Pandora and other women are created by Zeus as a punishment on men for receiving fire from Prometheus. (Hesiod, *Theogony*, c.700 BCE)

‘It is only males who are created directly by the gods and are given souls. Those who live rightly return to the stars, but those who are ‘cowards or [lead unrighteous lives] may with reason be supposed to have changed into the nature of women in the second generation’ (Plato, *Timaeus* 90e). Only men are complete human beings and can hope for ultimate fulfilment; the best a woman can hope for is to become a man.

‘It is the best for all tame animals to be ruled by human beings. For this is how they are kept alive. In the same way, the relationship between the male and the female is by nature such that the male is higher, the female lower, that the male rules and the female is ruled.’ (Aristotle, *Politics*, 1254 b 10-14)

‘Girls are supposed to be in the custody of their father when they are children, women must be under the custody of their husband when married and under the custody of her son as widows. In no circumstances is she allowed to assert herself independently.’ (Hindu *Manusmriti* 5.151)

‘Men may be lacking virtue, be sexual perverts, immoral and devoid of any good qualities, and yet women must constantly worship and serve their husbands.’ (Hindu *Manusmriti* 5.157)

‘Women have no divine right to perform any religious ritual, nor make vows or observe a fast. Her only duty is to obey and please her husband and she will for that reason alone be exalted in heaven.’ (Hindu *Manusmriti* 5.158)

‘And get two witnesses out of your own men. And if there are not two men (available), then a man and two women, such as you agree for witnesses, so that if one of them (two women) errs, the other can remind her.’ (Qur’an 2:282) ‘The Prophet said: “Isn’t the witness of a woman equal to half of that of a man?” The women said: “Yes.” He said: “This is because of the deficiency of a woman’s mind.”’ (Sahih al-Bukhari 2658)

‘The education of women should always be relative to that of men. To please, to be useful to us, to make us love and esteem them, to educate us when young, to take care of us when grown up, to advise, to console us, to render our lives easy and agreeable; these are the duties of women at all times, and what they should be taught in their infancy.’ (Jean-Jacques Rousseau, *On Education*, 1762)

^{1:26} Then God said, ‘Let Us make man in Our image, according to Our likeness; and let them rule over the fish of the sea and over the birds of the sky and over the cattle and over all the earth, and over every creeping thing that creeps on the earth.’ ²⁷ God created man in His own image, in the image of God He created him; male and female He created them. (Genesis 1:26 – 27)

^{2:7} Then the LORD God formed man of dust from the ground, and breathed into his nostrils the breath of life; and man became a living being... ¹⁸ Then the LORD God said, ‘It is not good for the man to be alone; I will make him a helper suitable for him.’ ¹⁹ Out of the ground the LORD God had formed every beast... and every bird... and brought them to the man to see what he would call them; and whatever the man called a living creature, that was its name. ²⁰ The man gave names to all... but for Adam there was not found a helper suitable for him. ²¹ So the LORD God caused a deep sleep to fall upon the man, and he slept; then He took one of his ribs and closed up the flesh at that place. ²² The LORD God fashioned into a woman the rib which He had taken from the man, and brought her to the man. ²³ The man said, ‘This is now bone of my bones, and flesh of my flesh; she shall be called Woman, because she was taken out of Man.’ ²⁴ For this reason a man shall leave his father and his mother, and be joined to his wife; and they shall become one flesh. ²⁵ And the man and his wife were both naked and were not ashamed. (Genesis 2:7 – 25)

^{15:1} Then Moses and the sons of Israel sang this song to the LORD... ²⁰ Miriam the prophetess, Aaron’s sister, took the timbrel in her hand, and all the women went out after her with timbrels and with dancing. ²¹ Miriam answered them, ‘Sing to the LORD, for He is highly exalted; the horse and his rider He has hurled into the sea.’ (Exodus 15:1, 20 – 21)

^{10:2} Some Pharisees came up to Jesus, testing him, and began to question him whether it was lawful for a man to divorce a wife... ¹¹ And he said to them, ‘Whoever divorces his wife and marries another woman commits adultery against her; ¹² and if she herself divorces her husband and marries another man, she is committing adultery.’ (Mark 10:2 – 12, citing Deuteronomy 24:1 – 4)

^{4:4} Now Deborah, a prophetess, the wife of Lappidoth, was judging Israel at that time. ⁵ She used to sit under the palm tree of Deborah between Ramah and Bethel in the hill country of Ephraim; and the sons of Israel came up to her for judgment. ⁶ Now she sent and summoned Barak... and said to him, ‘Behold, the LORD, the God of Israel, has commanded, ‘Go and march to Mount Tabor, and take with you ten thousand men...’ (Judges 4:4 – 6)



More information about women in Hinduism can be found here: Hirday N. Patwari, 'The Status of Women As Depicted by Manu in the Manusmriti,' <http://nirmukta.com/2011/08/27/the-status-of-women-as-depicted-by-manu-in-the-manusmriti/>.

In the biblical tradition:

- The *creation account* in Genesis 1:1 – 2:3 places men and women on equal footing. This is quite different from the Greek myth of Pandora. In that creation story, Zeus inflicts women as troublemakers on men for causing trouble for the gods.
- The *genealogy* in Genesis 2:4 – 4:26 continues the pattern from Genesis 1 where creation gets better and better. This view of is corroborated by the word 'form' being used for Adam (Gen.2:7) and the animals (Gen.2:19), but 'fashioned' used for Eve (Gen.2:22). 'Formed' is the same word used for pottery elsewhere in biblical literature. 'Fashioned' is the same word used for buildings.
 - Eve is called a 'helper' to Adam but the term 'helper' does not indicate inferiority. It is used in biblical literature as synonymous with 'military ally.' God called Himself the 'help' or 'helper' of His people (Hos.13:9; Isa.41:10 – 14; 44:2; 49:8; 50:9). The literal Hebrew of Genesis 2:18 – 'a helper *against* you' – implies some kind of opposition between wife and husband, which was interpreted by rabbis as a realistic view of marriage! (See *Genesis Rabbah* 17.2 – 3; 'if he is fortunate, she is a help; if not, she is against him')
 - Adam had to realize that he was alone, so he would personally appreciate Eve and God's provision of an equal partner. He named the animals, probably in pairs, to recognize that the animals came in male and female. So he probably got done and wondered, 'Where is the one who is a match for me?'
 - Hence, for God to create Adam first and then Eve indicates that the climax of creation is Eve and Adam reunited in marriage. If the fall had not happened, every new couple, in their portion of the garden land, would have recapitulated God's original creation.
 - Some interpreters view 'naming' as an act of authority. On this basis, they assert that Adam had authority over Eve. However, later in the Genesis narrative, Hagar names God (Gen.16:13). Clearly that was not an act of authority. Naming has to do with having insight into someone or something else, and declaring its reality. Hence, in Genesis, and elsewhere in the Bible, when parents name their children, they do so prayerfully. It has significance for the kind of person the children become. Rebecca heard God's word about her twin boys Esau and Jacob (Gen.25:22 – 24), and 'they' named the boys together (25:25 – 26). Leah and Rachel named all their children, apparently without Jacob, even the boys born to their handmaidens (29:32 – 30:24). Jacob only participated in the naming of Benjamin (35:18).
 - The fall introduced jealousy and power dynamics between people. As the result of the fall, Eve would 'desire' her husband, but he would 'rule' over her (Gen.3:16). This language is used in the very next chapter, where sin's 'desire' is for Cain, seen in his jealousy of his brother Abel, but he must 'master' it (Gen.4:7). The presence of sin and its 'desire' in and for Cain is the result of the corruption of human nature. The linguistic parallel between Genesis 4:7 and 3:16 is part of Genesis portraying the relationship between Adam and Eve and the relationship between Cain and Abel. Jealousy towards God was the motivation for eating from the tree of knowledge of good and evil. So jealousy becomes an internal problem in both Adam and Eve, and later Cain and Abel.
- The story of the chosen family (Gen.12 – 50) demonstrates the equal importance of women's faith along with men's faith
 - Sarah had to believe that God can bring a child (life) out of her barren body (death), just like Abraham (Gen.18). God does not just want Abraham to believe, or have a child. God also wanted Sarah to believe, and share equally in having the promised child. In fact, God taught Abraham not to cut off Sarah from the promise of a blessed son (Gen.12). So God cut off Abraham's temptation to seize the promise just for himself, without his wife Sarah. Then, God cut off Abraham's power to him as a man to name his own heir (Gen.15), which was culturally common. Then, God cut off Abraham and Sarah's right to use a surrogate mother, Hagar (Gen.16), which was culturally common also. Then, God cut off a piece of Abraham's penis (Gen.17), just to make the point clear! Abraham's faith meant cutting off his own male biological and cultural privilege. God was making Abraham and Sarah into a new version of Adam and Eve. He was restoring them to being



His chosen couple to bring forth life into the world. That means their *marriage* was sacred to God, as Adam and Eve's marriage once was.

- Rebekah is portrayed as a second Abraham (Gen.24). She demonstrated an ethic of hospitality as he did. She heard a word from God, left home in faith, and took the same journey that Abraham and Sarah did. When pregnant, Rebekah received God's word about her children, clothed Jacob to receive a blessing like God clothed Adam and Eve, and acted like God in channeling Isaac's appetite towards blessing Jacob (Gen.25:22 – 23; 27:1 – 29).
- Rachel is the central hero of the story of Jacob, Leah, and Rachel:

*Structure of the Jacob, Leah, and Rachel Story*²⁰

- A. God makes promise; struggle in childbirth; Jacob and Esau born; Jacob buys birthright (25:19 – 34)
- B. Rebekah endangered in a foreign place, Isaac lies about her, makes a pact with foreigners (26:1 – 34)
- C. Jacob tricks Esau, fears him, and flees the Promised Land (27:1 – 28:9)
- D. At night, God speaks to Jacob in a dream (ladder with angels), Jacob names Bethel, makes deal with God (28:10 – 22)
- E. Jacob meets Rachel and Laban (29:1 – 14)
- F. Jacob must acknowledge the rights of the firstborn (Leah) and is vulnerable to Laban, Laban deceives Rachel (29:15 – 30)
- G. Jacob experiences conflict between his two wives (29:31 – 30:13)
- H. Rachel stops trying to thwart God's blessings to Leah, relinquishes her rights and control over Jacob (30:14 – 21)
- H'. God 'remembers' Rachel; Rachel bears Joseph (30:22 – 24)
- G'. Jacob experiences conflict with Laban but accepts a handicap with his flocks, relinquishes his rights (30:25 – 36)
- F'. God prospers Jacob and protects him from Laban; Rachel deceives Laban (30:37 – 31:35)
- E'. Laban departs from Jacob (31:43 – 55)
- D'. At night, God wrestles Jacob, Jacob named Israel, asks God for blessing (32:1 – 32)
- C'. Jacob returns to the Promised Land, fears Esau, but is reconciled to him (33:1 – 20)
- B'. Dinah endangered in foreign place, Jacob's sons lie, make a pact with foreigners, and kill them (34:1 – 31)
- A'. God fulfills promise; Jacob named Israel again at Bethel; struggle in childbirth, Rachel dies; Reuben forfeits birthright; Isaac dies, Jacob and Esau bury him (35:1 – 29)

- Women in Israel's leadership and Jewish law

- Women also served as 'elders' and 'judges' (a subset of the elders) in Israel. The text uses male pronouns for those roles (Ex.1:16; 4:29; 18:21 – 26; Dt.16:18) because Hebrew is a gendered language, like Spanish (and Greek). Like Spanish, when you use the male pronoun (Spanish 'el' or 'ellos'), you have to determine from the context if it is being used exclusively (referring only to a man or men) or inclusively (referring also to a woman or women).²¹ Miriam, the sister of Moses, was a prophetess and led the people in worship when God delivered them out of Egypt (Ex.15). This is one instance of women serving in worship settings. Her title, 'prophetess,' means that she was considered to be a person who spoke authoritative words from God. Deborah was a 'judge' (which means she was also an elder) and a prophetess, and even a commander of armed forces (Jdg.4:4 – 7). This provides linguistic evidence that the male pronoun used for the 'elder' and 'judge' roles was the inclusive male pronoun which included women. See also Isaiah's wife who was a prophetess (Isa.8:3), Huldah the prophetess and expositor of Scripture to King Josiah and his Hilkiah the priest and various wise men (2 Ki.24:14), and Noadiah the prophetess (Neh.6:14).
- Jesus' discussion of Deuteronomy 24:1 also makes clear that the law regulating divorce, although phrased using the male pronoun, was not limited to men only. Women could divorce their husbands under Jewish law as well (Mk.10:12). (Ancient Egypt is the other notable exception where women had equal legal rights with men, at least in theory; women could even be Pharaoh.)
- One would have to make a special argument for a particular law being specific to men in such a way that it would not apply equally to women. For example, Leviticus 12 would be one, as it

²⁰ By Mako Nagasawa using insights from J.P. Fokkelman, *Narrative Art in Genesis* (Eugene, OR: Wipf & Stock, 2004), Paul Borgman, *Genesis: The Story We Haven't Heard* (Downers Grove, IL: InterVarsity Press, 2001), and Gary A. Rendsburg, *The Redaction of Genesis* (Winona Lake, Indiana: Eisenbrauns, 1986), p.53 – 54.

²¹ Point made by Gordon Hugenberger, 'Women in Church Office: Hermeneutics or Exegesis? A Survey of Approaches to 1 Tim 2:8 – 15,' *Journal of Evangelical Theology Society*, September 1992 for both Hebrew and Greek.



specifies different time periods of ceremonial uncleanness for newborn boys and girls. A newborn girl is considered unclean for 14 days after birth. A newborn boy is considered unclean for 7 days after birth because the rite of male circumcision is performed on the boy on the eighth day. The lesson is clearly that circumcision is a symbol of ceremonial cleansing, not that girls are more unclean than boys.

- Menstruation did make a woman ceremonially unclean for a week (Lev.15:19ff.), but this is because of the symbolic boundary of life passing into death, not because of gender per se. It needs to be viewed with male wet dreams (Lev.15:32; 22:4), touching a dead body (Lev.22:4), eating an animal which died on its own, or eating pig and lobster because they are bottom-feeders and eat dead things (Dt.14:8 – 21). The consistent theme is respecting the boundary between life and death.
- It is true that men alone served as Israel's priests and kings. However: (1) This was probably because of their association with death (priests with animal sacrifice, kings with war); whereas women were associated with life. (2) Priests and kings were part of God's temporary plan to provide mediators for the nation. Israel needed priests as mediators because they failed to come up Mount Sinai when God first called them up to meet with Him face to face (Ex.19:13; Dt.5:5). Israel looked to human kings as mediators because they needed an ongoing representative to the Gentile nations around them, but failed to trust God to defend them (1 Sam.8). (3) Jesus fulfilled the roles of priest and king; he returned God's people to that earlier point in the story before kings, and even before priests. He restored God's people to having elders (1 Tim.3; Ti.1; 1 Pet.5), which are men and women.
- Jesus took the additional radical step of making lust an issue of the man's eye and thought life (Mt.5:27 – 30), rather than the woman's immodest dress. He received as worship the provocative bedroom gesture of women letting down their hair for him, to wipe his feet (Lk.7:36 – 50) or anoint him for burial (Jn.12:1 – 8). This is probably what led the apostle Paul to say that a woman's hair bound with ribbon was a sufficient covering for her head (1 Cor.11:2 – 16), despite being associated with prostitution, and despite hair being potentially erotic.²² *Making men responsible for their own lustful thoughts towards women prevented the blaming, shaming, and closeting of women. This was a necessary moral step to opening the door to women serving in positions of church leadership.*
- What about 'headship'? I believe the significance of the physical head is as the organ of speech, as shown when God spoke to Moses who spoke to Aaron who spoke to the people: 'Moreover, he shall speak for you to the people; and he will be as a mouth for you and you will be as God to him' (Ex.4:16). In that sense, God was a 'head' (speaker of words) to Moses, and Moses was a 'head' (speaker of words) to Aaron. The 'heads' (leaders) of Israel were to speak in various ways to the people: judge, instruct, and prophecy (Mic.3:9 – 11). the relationship of 'head' to 'body' illustrates God speaking life into being (Gen.1), and speaking through men and women who then became 'prophets' of a life-giving message (Am.3:7). In Paul's usage, the head-body imagery *becomes more inclusive*. Paul reasons explicitly from the creation order in Genesis and thereby says women have the authority to pray (represent the community to God) and prophecy (preach and teach the word of the Lord) in the congregation (1 Cor.11:2 – 16). In Paul's view, a wife can exercise speaking authority when her husband is sitting in the congregation; a daughter can do so with her father (a *very* underappreciated point!); a dishonored woman like an ex-prostitute can do so with people of honored social and legal backgrounds. There is no conflict of interest or violation of some supposed theological hierarchy of power, or even cultural decorum. Paul, when he uses the term 'head,' has in mind a sequence of communication, which must be narrated in a confessional way, but not an ongoing hierarchy of power. God the Father is the 'head' of Christ, in the sense of being the invisible supplier of words to the visible Son (1 Cor.11:3), but the Son shares in the authority of the Father. Similarly, in human relations, receiving God's word leads to sharing authority with the one who communicated it.

²² Roman law required honorable women to wear the stola and palla (shawl or veil over the head) whereas dishonorable women had to wear a man's toga with hair uncovered but bound. If men needed to look like men, and women needed to look like women, in the Christian worship service, how should an ex-prostitute dress? If Paul said, 'Wear a palla,' it would break Roman law. So Paul's answer to whether a dishonored woman should put on a palla was, 'No, because her hair is a sufficient covering.' See my notes on 1 Corinthians 11:2 – 16 here: http://nagasawafamily.org/paul_1corinthians.11.02-16.sg.pdf.



Case Study #8: Is an Accused Person Protected from Torture?

Western Law	Jewish Law
<p><i>Ancient Greece:</i> ‘In the fourth century BCE, Aristotle listed five different ways to prove guilt that may be used in legal proceedings and he included torture among them. In general, torture was used by the Greeks only when it came to the testimony of slaves and, in certain situations, foreigners.’²³</p> <p><i>Ancient Rome:</i> ‘Early Roman law is similar to Greek law in that it also limited torture to slaves... The institution of torture... was eventually expanded to include free men... Between the second and fourth centuries the institution was expanded to include new types of people and situations. The various emperors had the power to authorize torture for new cases and were responsible for expanding the institution of torture in Roman law.’²⁴</p> <p><i>Pre-Modern and Modern Europe:</i> Roman law experienced a revival in Europe in the twelfth century, which included torture. ‘By the sixteenth century a substantially similar law of torture was in force from the Kingdom of Sicily north to Scandinavia, from Iberia across France and the German Empire to the Slavic East. Well into the eighteenth century the law of torture was still current everywhere, and it survived into the nineteenth century in some corners of central Europe.’²⁵</p> <p><i>England:</i> ‘According to available records, between 1540 and 1640 the Privy Council or the monarch ordered torture in eighty-one cases. Many of these cases involved political crimes, such as treason; but more than a quarter involved ‘ordinary’ crimes such as murder, robbery, burglary and horse stealing.’²⁶</p>	<p>‘Jewish law has never authorized judicial torture. In fact, judicial torture of an accused would serve no purpose in Jewish law because even voluntary confessions are inadmissible as evidence [because of the two eyewitness requirement of Deuteronomy 17:16; 19:15]... <i>Jewish law’s rejection of judicial torture is unique in Western civilization, especially because it is so ancient.</i>’ ‘The law against self-incrimination relates to the accused’s vulnerability.’²⁷</p> <p>‘Jewish law’s criminal law paradigm is based on the Biblical verse, “And the congregation shall save” [Num.35:25]. According to the Talmud, this verse establishes a principle, in terms of which one of the key responsibilities of any criminal court is to protect the interests of the accused by finding legally acceptable ways to “save” him from conviction.’²⁸</p>

This is an important issue of procedural justice. Torture was applied to people as a matter of course, at first slaves, then in some times and places, more broadly. It was part of extracting a confession, which was considered to be more weighty than the testimony of witnesses. But self-incrimination becomes a real danger. Take for example plea bargaining associated with the ‘war on drugs’ in the U.S. The Anti-Drug Abuse Acts passed by President Reagan in 1986 established extremely long mandatory minimum prison terms for low-level drug dealing and possession of crack cocaine. Consequently, ‘in the United States, almost 95 percent of all felony convictions are secured without a jury. They are settled via a plea bargain — a unique facet of American law that allows the prosecutor to offer a reduced sentence in exchange for defendants waiving their rights to a jury trial and pleading guilty to the charges presented’²⁹ and cooperating with law enforcement by becoming informants.³⁰

²³ Rabbi Dr. Warren Goldstein, *Defending the Human Spirit: Jewish Law’s Vision for a Moral Society* (New York: Feldham, 2006), p.225

²⁴ Ibid, p.226 – 228

²⁵ Ibid, p.230, quoting John Langbein, *Torture and the Law of Proof*, 3

²⁶ Ibid, p.234

²⁷ Ibid, p.237, 240 italics mine

²⁸ Ibid, p.264 – 265; also, ‘Under ancient Jewish law, if a suspect on trial was unanimously found guilty by all judges, then the suspect was acquitted. This reasoning sounds counterintuitive, but the legislators of the time had noticed that unanimous agreement often indicates the presence of systemic error in the judicial process, even if the exact nature of the error is yet to be discovered. They intuitively reasoned that when something seems too good to be true, most likely a mistake was made.’ See Lisa Zyga, “Why Too Much Evidence Can Be a Bad Thing,” PHYS.ORG, January 4, 2016; <http://m.phys.org/news/2016-01-evidence-bad.html>

²⁹ Frederick Reese, “No Bargain: New Report Highlights Unfairness of Drug Plea Agreements,” *Mint Press News*, December 10, 2013

³⁰ Michelle Alexander, “Go to Jail: Crash the Justice System,” *New York Times*, March 11, 2012 notes, ‘If everyone charged with crimes suddenly exercised his constitutional rights, there would not be enough judges, lawyers or prison cells to deal with the ensuing tsunami of litigation. Not everyone would have to join for the revolt to have an impact; as the legal scholar Angela J. Davis noted, “if the number of people exercising their trial rights suddenly doubled or tripled in some jurisdictions, it would create chaos.”’



Case Study #9: Help a Runaway Slave to Freedom and Security?

Greece, Rome, Islam	Hebrew Bible and Christian Interpretation
<p>Plato assigned ‘barbarian’ slaves a vital role in his republic doing all of the production. Aristotle said, ‘From the hour of their birth, some are marked out for subjection, others for rule.’ Plato and Aristotle owned five and fourteen slaves, respectively, as enumerated in their wills.³¹</p> <p>‘The humane Athenians, in the time of Pericles, Phidias, and Sophocles, revised the list of citizens, and having discovered that five thousand persons not of pure Athenian blood had crept into the register, not only expelled them, but sold them all as slaves. The Roman had one word for foreigner and enemy, nor was his language belied by his conduct toward his neighbors.’³²</p> <p>‘And if you fear that you cannot act equitably towards orphans, then marry such women as seem good to you, two and three and four; but if you fear that you will not do justice (between them), then (marry) only one or what your right hands possess; this is more proper, that you may not deviate from the right course.’ (Qur’an 4:3)</p> <p>‘Successful indeed are the believers... who guard their private parts [refrain from sex] except before their mates [wives] or those whom their right hand possess [concubines]’ (Qur’an 23:1, 5 – 6; cf. 33:50,52; 70:29 – 30). This gave rise to a vast slave trade focused on women.</p> <p>Ralph A. Austen estimates the Arab Islamic slave trade from</p>	<p>¹⁶ He who kidnaps a man, whether he sells him or he is found in his possession, shall surely be put to death. (Exodus 21:16; Deuteronomy 24:7)</p> <p>⁴² They are my servants whom I brought out from the land of Egypt; they are not to be sold in a slave sale (Leviticus 25:42)</p> <p>¹⁵ You shall not hand over to his master a slave who has escaped from his master to you. ¹⁶ He shall live with you in your midst, in the place which he shall choose in one of your towns where it pleases him; you shall not mistreat him. (Deuteronomy 23:15 – 16) ‘A slave could also be freed by running away... This provision is strikingly different from the laws of slavery in the surrounding nations and is explained as due to Israel’s own history of slavery. It would have the effect of turning slavery into a voluntary institution.’³⁷</p> <p>Interest-laden loans were the chief cause of people being sold into slavery in the Ancient Near East.³⁸ Yet the Mosaic Law clearly intends to mitigate the fundamental causes behind indenturing one’s self. Charging interest-rates was forbidden (Ex.22:26 – 27; Lev.25:35 – 38; Dt.23:19); it was viewed as profiting from someone else’s misfortune. Generosity was commanded, and giving interest-free loans was mandatory, with any remaining debt forgiven after seven years of indenture (Dt.15:1 – 18; 24:10 – 24) or on the fiftieth year of the fixed jubilee calendar (Lev.25:39 – 55), whichever happened first. While there were no prison systems in Old Testament Israel, and thus people often had to pay off debts by working in households, nevertheless, Jewish law protected those who had to indenture themselves to another household because of debt or crime (Ex.21:26 – 27; 22:1 – 14).</p> <p>Although slavery for civic punishment was seen as tolerable, the earliest Christians, without political power, expended considerable energy to free slaves.³⁹ For example, in 400 AD, the <i>Apostolic Constitutions</i>, a handy summary of the rulings of the early Christian community up until that point, probably compiled in Syria, instruct Christian masters to grant a ‘lawful marriage’ to a male and female slave couple who have previously been unmarried.⁴⁰ It also directs Christians: ‘As for such sums of money as are collected from them in the aforesaid manner, designate them to be used for the redemption of the saints and the deliverance of slaves and captives.’⁴¹</p> <p>Beginning in 315 AD, Constantine – the first Christian emperor (interpreted generously) – banned kidnapping and forced enslavement, the breaking up families who were enslaved, and the voluntary killing of slaves and servants. He created a much simpler way of releasing people from slavery: proclaiming manumission before a Christian bishop.⁴²</p> <p>In 657, out of Christian conviction, ‘Bathilda [Queen of the Franks, wife of Clovis II] used her position to mount a campaign to halt the slave trade and to redeem those in slavery. Upon her death, the church acknowledged Bathilda as a saint.’⁴³ She made it illegal to acquire more slaves and declared that any slaves entering the kingdom would be immediately free.⁴⁴ Due to Bathilda’s action, after another generation or two, slavery was effectively abolished among the</p>

³¹ Rodney Stark, *The Victory of Reason: How Christianity Led to Freedom, Capitalism, and Western Success* (New York: Random House, 2006), p.27.

³² Goldwin Smith, *Does the Bible Sanction American Slavery?*, p.44



<p>650 – 1900 AD to be over 12 million not including persons dying en route.³³ Paul Bairoch argues for 25 million.³⁴</p> <p>‘The sharp decline of cotton exports from the Southern states during the American Civil War triggered a boom in cotton production in lower Egypt, and, with it, the use of slaves. Reports by British consular agents in Egypt attested to the widespread practice during the 1860’s to employ black slave labor for agricultural and other outdoor work.’³⁵ Prior to the 19th century, ‘in no part of the Muslim world was an ideological challenge ever mounted against slavery.’³⁶</p>	<p>Franks.</p> <p>‘That brutal institution had essentially disappeared from Europe by the end of the tenth century’ because of Christian faith, uniquely in the world.⁴⁵ Formally in law codes: Stephen I of Hungary, the first Hungarian Christian king, who reigned from 1000 – 1038 AD and is generally considered to be the founder of the Kingdom of Hungary, declares in his laws that any slave who lives, stays in, or enters the Kingdom of Hungary would be free immediately. In 1102 AD, the London Church Council forbids slavery and the slave trade, which abolishes both throughout England, emancipating 10% of England’s population.⁴⁶ In 1117 AD, Iceland abolished slavery.⁴⁷ Ireland in the 500’s and again in 1171 AD.⁴⁸ Korcula (in Croatia) by 1214 AD.⁴⁹ Bologna 1256 AD.⁵⁰ Norway by 1274 AD.⁵¹ Sweden (including Finland) 1335 AD.⁵² Ragusa (in Croatia) 1416 AD.</p> <p>1800’s: ‘Irish evangelicals and many other foreign Protestants simply took for granted that the Bible ruled out slavery... Outside the United States, one rarely encountered the conviction that to trust the Bible meant to approve, however reluctantly, the slave system in its American form... In the vast majority of cases, foreign Protestants took note of biblical arguments in support of slavery only to dismiss them... [Catholics] dared to wonder whether Protestant American individualism might not account for the sad fact of confusion in the interpretation of sacred writings.’⁵³</p>
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³⁷ Raymond Westbrook, editor, *A History of Ancient Near Eastern Law* volume 2 (Brill Academic Publishers, 2003) p.1006; to see a fairly thorough analysis of ‘slavery’ in both the Old and New Testaments, please see my paper *Slavery in the Bible*: <http://nagasawafamily.org/article-slavery-in-the-bible.pdf>.

³⁸ T. Desmond Alexander and David W. Baker, editors, ‘Slavery’, in *Dictionary of the Old Testament Pentateuch*, InterVarsity Press: Downers’ Grove, IL, 2003

³⁹ To see how Christians brought about abolition in the Greco-Roman world, please see my paper *Slavery in Christianity: 1st to 15th Centuries*: <http://nagasawafamily.org/article-slavery-and-christianity-1st-to-15th-centuries.pdf>.

⁴⁰ *Apostolic Constitutions*, Book 8, Section 4, Paragraph 32

⁴¹ *Apostolic Constitutions*, Book 4, Section 2, Paragraph 9

⁴² *Codex Theodosianus* 4.7.1; 9:12.1 and 9.40.1; Cf. Sozomen, *Ecclesiastical History* 1.9.

⁴³ Rodney Stark, *The Victory of Reason: How Christianity Led to Freedom, Capitalism, and Western Success* (New York: Random House, 2006), p.29 - 30

⁴⁴ Jonathan Hill, *What Has Christianity Ever Done for Us? How it Shaped the Modern World* (Downers’ Grove, IL: InterVarsity Press, 2005), p.176

³³ Cited by Orlando Patterson, *Slavery and Social Death* (Harvard University Press: Cambridge, MA, 1982), p.159.

³⁴ Paul Bairoch, *Economics and World History: Myths and Paradoxes* (University of Chicago Press: Chicago, 1993)

³⁵ Murray Gordon, *Slavery in the Arab World* (New Amsterdam Books: New York, 1989), p.50

³⁶ Murray Gordon, *Slavery in the Arab World* (New Amsterdam Books: New York, 1989), p.44

⁴⁵ Rodney Stark 2006, p.28

⁴⁶ England’s *Domesday Book of 1086*, the oldest public record in England, indicates that 10 percent of the population was enslaved at that time.

⁴⁷ Ruth Halcomb, ‘Iceland – So Near and Yet So Remote’; <http://liveabroad.com/iceland>

⁴⁸ Thomas Cahill, *How the Irish Saved Civilization* (New York: Doubleday, 1995), p.110, 148 notes that Ireland experienced an end to slave trading – and possibly slavery as a whole – in the 500’s, but it resumed in the 800’s.

⁴⁹ *Statute of the Town of Korcula 1214*, which derives from Slav common law; cf. “Razvitak hrvatskih otoka,” *Grđevinar* 52 (2000) 6, p.365 (in Croatian); <http://www.casopis-gradjevinar.hr/assets/Uploads/JCE-52-2000-06-08.pdf>

⁵⁰ *Liber Paradisus*, promulgated in 1256 AD by the Comune di Bologna proclaimed the abolition of slavery and release of serfs

⁵¹ *Landslov* (Land’s Law) in Norway in 1274 AD mentions only former slaves, indicating that slavery was abolished in Norway by then

⁵² John Roach and Jürgen Thomanek, *Police and Public Order in Europe* (Taylor & Francis, 1985), p.256

⁵³ Mark Noll, *The Civil War as a Theological Crisis* (Chapel Hill: University of North Carolina Press, 2006), p.115 – 116, 125



Case Study #10: Do We Really Believe in Transparency and Full Responsibility?

<p>‘The modern world is built on two centuries of industrialisation. Much of that was built by equity finance. Which is built by limited liability.’⁵⁴</p> <p>‘Support for limited liability came mainly from utilitarian economists such as Bentham, Senior, and J.S. Mill, and later from Cobden and Bright... Effectively, the legislation removed the power to sue individual investors, and also removed the power of individual creditors to sue at all... The decision to allow limit of liability to the extent of each shareholder’s own investment clearly marks a retreat from retributive or evangelical economics.’⁵⁵</p> <p>‘The consequences of the Companies Act 1862 [in Great Britain] completed the divorce between the Christian conscience and the economic practice of everyday life. Legally speaking it paganized the financial and commercial community. Henceforward an astute man by adherence to legal rules which had nothing to do with morality could grow rich by virtue of shuffling off his most elementary obligations to his fellows.’⁵⁶</p>	<p>5:19 You shall not steal. 20 You shall not bear false witness [i.e. lie].’ (Deuteronomy 5:19 – 20; cf. Exodus 20:15 – 16)</p> <p>22:1 You shall not see your countryman’s ox or his sheep straying away, and pay no attention to them; you shall certainly bring them back to your countryman. 2 If your countryman is not near you, or if you do not know him, then you shall bring it home to your house, and it shall remain with you until your countryman looks for it; then you shall restore it to him. 3 Thus you shall do with his donkey, and you shall do the same with his garment, and you shall do likewise with anything lost by your countryman, which he has lost and you have found. You are not allowed to neglect them. 4 You shall not see your countryman’s donkey or his ox fallen down on the way, and pay no attention to them; you shall certainly help him to raise them up... 6 If you happen to come upon a bird’s nest along the way, in any tree or on the ground, with young ones or eggs, and the mother sitting on the young or on the eggs, you shall not take the mother with the young; 7 you shall certainly let the mother go, but the young you may take for yourself, in order that it may be well with you and that you may prolong your days. 8 When you build a new house, you shall make a parapet for your roof, so that you will not bring bloodguilt on your house if anyone falls from it. (Deuteronomy 22:1 – 8)</p> <p>21:18 If men have a quarrel and one strikes the other with a stone or with his fist, and he does not die but remains in bed, 19 if he gets up and walks around outside on his staff, then he who struck him shall go unpunished; he shall only pay for his loss of time, and shall take care of him until he is completely healed. (Exodus 21:18 – 19)</p> <p>‘Limited liability is contrary to biblical teaching because, exceptionally in the law of contract, it allows that certain debts may be left unpaid. As a result shareholders, who retain rights of ownership, are excused responsibilities of ownership, while directors bear some of the responsibilities of ownership, and share some of the rewards, but carry few of the risks. This flaw at the heart of corporate structure leads to problems in corporate governance, absence of corporate social accountability, and an unhealthy trend towards corporate giantism. Solutions lie, it is argued, in policies that restore shareholder liability, and incentives for business not to incorporate.’⁵⁷</p> <p>‘[Adam] Smith, indeed, predicted what might happen in the <i>Wealth of Nations</i>, when he supported the idea of private companies (or copartnerships) against joint stock companies, the equivalent of today’s limited liability firm. In the former, Smith said, each partner was “bound for the debts contracted by the company to the whole extent of his fortune”, a potential liability that tended to concentrate the mind. In joint stock companies, Smith said, shareholders tended to know little about the running of the company, raked off a half-yearly dividend and, if things went wrong, stood only to lose the value of their shares.’⁵⁸</p>
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⁵⁴ The Economist, ‘The Key to Industrial Capitalism,’ *The Economist*, December 23, 1999

⁵⁵ Boyd Hilton, *The Age of Atonement* (Oxford: Oxford University Press, 1988), p.257 – 259

⁵⁶ Sir Arthur Bryant, *The Search for Justice: A History of Britain and the British People*, volume 3 (New York: Collins, 1990), p.177

⁵⁷ Paul Mills and Michael Schluter, *After Capitalism: Rethinking Economic Relationships* (Cambridge: Jubilee Centre, 2012), ch.10

⁵⁸ Larry Elliot, ‘Plc: The Prerogative of the Unaccountable Few: Adam Smith Argued for Free Trade and Self-Interest, But Not This Kind of Capitalism,’ *The Guardian*, July 9, 2007; cf. Rachel Maizes, ‘Limited Liability Companies - A Critique,’ *St. John’s Law Review*, Summer 1996; Philip Mattered, ‘The Buck Doesn’t Stop Here: The Spread of Limited Liability Companies,’ *Corporate Research Project*, September 2002; Marie-Laure Djelic, ‘When Limited Liability Was (Still) An Issue - Conflicting Mobilizations in Nineteenth Century England (paper),’ May 2010; Stephanie Blankenburg, Dan Plesch, and Frank Wilkinson, ‘Limited Liability and the Modern Corporation in Theory and in Practice,’ *Cambridge Journal of Economics*, September 2010 (see whole issue, ‘Corporate Accountability and Legal Liability: On the Future of Corporate Capitalism’)



Case Study #11: No Scapegoating Someone Else?

Other Ancient Myths	The Judeo-Christian Story
<p>Across all cultures, anthropologist Rene Girard notes, a violent scapegoat ritual makes ‘peace’ in the community, at least for a time. The collision of socially learned and competitive desires in society creates a crisis. ‘In a crisis communities look for someone to blame for the worst crimes imaginable, and we see a common pattern of picking on those people who are marginal or different in some way that doesn’t fit the system of differences in the community; perhaps they are foreigners. Perhaps they have lost an eye like Wotan; perhaps they smell bad like Philoctetes. But these preferential signs don’t absolutely have to exist. In a crisis there will be an inexorable movement toward finding a scapegoat.’⁵⁹ The divine is thought to side with the group against the scapegoat. <i>The group therefore justifies the violence to itself as ‘redemptive’ and disguises the scapegoating by creating a myth.</i></p> <p>Examples of scapegoating in myth and reality:</p> <ul style="list-style-type: none"> • Murder at the origin of civilization • Sacrifice of a virgin/child to appease the god • Punishment of the most heinous criminal • The North blaming the South for the Civil War, slavery, and racism • Lynching of African-American men accused of ‘defiling’ white women • Killing of the monarch, or change of President • Firing of the company’s quirky and limited CEO • Blaming immigrants or minorities for the woes of the majority (e.g. Nazism blaming Jews and gypsies and gays; Donald Trump blaming Mexicans and Muslims in 2015 – 16) • Men blaming women for ‘inducing lust’ 	<p>‘The third great moment of discovery for me was when I began to see the uniqueness of the Bible, especially the Christian text, from the standpoint of the scapegoat theory... In the Gospels we have <i>the revelation [exposure]</i> of the mechanism that dominates culture unconsciously.’⁶⁰</p> <p>‘The thing about the Gospels is that there may be tiny mythical infiltrations in them, but <i>their basis is not mythical</i>. The mythical mentality can take them and construe them mythically, but quintessentially <i>they are the destruction of myth</i>.’⁶¹</p> <p>‘Nietzsche was the first thinker to see clearly that <i>the singularity of Judeo-Christianity was that it rehabilitates victims that myths would regard as justly immolated</i>. Of course for Nietzsche this was a dreadful mistake that first Judaism, then Christianity had inflicted on the world. Nietzsche chose violence...’⁶²</p>

Scapegoating in Judaism: The Gospel accounts of Jesus’ death were anticipated by the Rite of Atonement

- Leviticus 1 – 10: *God acts like a dialysis machine, receiving impurity and giving back purity*. Every Israelite symbolically ‘sends’ her/his impurity into God and/or the priests via sacrifices
- Leviticus 12: *Everyone shares in impurity*. All people have an impurity because of the fall.
- Leviticus 16: *God takes the pollution*. The high priest, representing all the priests and all the people, sends the impurity built-up in the priests into God on the annual Day of Atonement (Yom Kippur)
- Leviticus 25: *God returns Israel to an Eden-like state*. God restored the Israelite families back to their ancestral land on the Day of Atonement.

⁵⁹ Rene Girard, ‘Epilogue: The Anthropology of the Cross: A Conversation with Rene Girard,’ *Rene Girard Reader*, p.271; see also CBC Interview of Rene Girard: <https://www.youtube.com/watch?v=g8Y8dVVV4To>. In full disclosure, Girard became a Christian because of his studies of anthropology, literature, history, and myth

⁶⁰ Ibid p.262

⁶¹ Ibid p.281; Girard asserts that Jesus exposed the scapegoat myth and mechanism, as Roman and Jewish leaders united to put Jesus to death; Leviticus was already subverting the scapegoat rituals from other cultures, as Israel represented all humanity; Girard (<https://www.youtube.com/watch?v=y6XX39DaEL4>; 35 min mark) also says the Joseph story is the *reversal* of the Oedipus story, where Joseph is innocent (Oedipus as scapegoat is guilty) and brings reconciliation (not death and division). In addition, Joseph tests his brothers by making Benjamin a scapegoat, but Judah refuses it and offers himself. The Joseph and Judah story exposes the scapegoating myth. It is anti-myth.

⁶² Ibid p.272



The purpose and symbolism of the Day of Atonement absolutely requires that (1) everyone own up to their own impurity; and (2) God symbolically consume all the sin (iniquity and uncleanness) of Israel, putting all of it to death by simultaneously consuming it within Himself by fire, represented by the first goat, and separating it from the people, represented by the scapegoat.

^{16:9} Then Aaron shall offer the [*first*] goat on which the lot for the LORD fell, and make it a sin offering. ¹⁰ But the goat on which the lot for the *scapegoat* fell shall be presented alive before the LORD, to make atonement upon it, to send it into the wilderness as the scapegoat... ²¹ Then Aaron shall lay both of his hands on the head of the live goat, and confess over it *all the iniquities of the sons of Israel and all their transgressions in regard to all their sins*; and he shall lay them on the head of the goat and send it away into the wilderness by the hand of a man who stands in readiness... ²⁹ This shall be a permanent statute for you: in the seventh month, on the tenth day of the month, you shall humble your souls and not do any work, whether the native, or the alien who sojourns among you; ³⁰ for it is on this day that atonement shall be made for you to cleanse you; you will be clean from all your sins before the LORD.

- *The first goat*: Very unlike sin offerings on every other occasion, which were eaten by the priests (Lev.6:24 – 30; 10:24 – 26), on the Day of Atonement, the remains of the bull and the first goat were not to be eaten:

²⁷ But the bull of the sin offering and the goat of the sin offering, whose blood was brought in to make atonement in the holy place, shall be taken outside the camp, and they shall burn their hides, their flesh, and their refuse in the fire. ²⁸ Then the one who burns them shall wash his clothes and bathe his body with water, then afterward he shall come into the camp. (Leviticus 16:27 – 28)

Any valid treatment of the Day of Atonement rite needs to account for this irregularity. Eating the remains of the sin offering would have normally fallen upon the priest. It was a picture of the priest internalizing Israel's sin, storing it up within himself. Those remains were considered to be so holy that, unlike every other occasion when human contact with a dead animal was a bit circumspect, touching the flesh of the sin offering made the person 'consecrated' (Lev.6:27), which means, I presume, *committed* to the eating of the remains. This was a serious matter. Recall also that Moses was angry with Aaron's sons on an occasion when they did *not* eat the remains of the sin offerings (Lev.10:24 – 26), an episode which underscores the utter seriousness of the priests' responsibility to take into themselves the sinfulness of the community, symbolically. However, in the case of the Day of Atonement, the ritual law is very clear that absolutely *no one* is to eat the hides, flesh, or refuse of the bull or goat. That is, the sin is *not* to symbolically cycle back into the priests.

- *The scapegoat*: The second goat carries away a *disease* to be exterminated, symbolically, much like a virus carrier. It does not carry away the *guilt* of Israel, symbolically, and still less the *personhood* of Israel collectively, to be punished in exile. The second goat represents the sending of Israel's sinful contamination *far away*. But the first goat represents the sending of Israel's sinful contamination *into God Himself*. The two ideas complement each other.

Scapegoating in Christianity

The *Epistle to the Hebrews* connects Jesus to both goats: Jesus is like the goat sacrificed (Hebrews 8 – 9 and 13:11 – 12), and the scapegoat (Hebrews 13:13). The extrabiblical *Epistle of Barnabas*, chapters 5 and 7, also compares Jesus to both the slain goat and the scapegoat as well. Hence, the New Testament and the early Christians did not separate the two goats. They saw them as two aspects of one ritual. *Hence, Christianity says that everyone must bring their corruption of human nature to Jesus. Everyone is fundamentally responsible for human evil. No one can be scapegoated for human evil.*



Case Study #12: The Failure of the Chosen People – Invented by a Chosen People?

The literature of the chosen people says that they will fail, and need non-chosen people to tell them about their God. This is absolutely surprising. What ‘chosen people’ story predicts the failure of the chosen people? God will make Israel jealous by others who are not ‘a people’ (Dt.32:21)? Yes, and this is fulfilled by Jesus and the Gentile Christian mission reaching back to engage ethnic Israel (Rom.11). Here is the literary structure of the founding document, the Pentateuch:

1. God’s Spirit ‘hovers’ as God creates heaven and earth; God places humanity in a garden land, but they leave in exile and with a corruption in human nature (6:5 – 6; 8:21); origin of all nations: Gen.1:1 – 11:26
2. Covenant inaugurated with Abraham – blessings and curses: Gen.11:27 – 12:8
3. God’s faithfulness to the chosen family: Gen.12:9 – 50:26
4. Deliverance of Israelites (first generation) from Egypt, arrival at Sinai: Ex.1:1 – 18:27
 5. Covenant Inaugurated, Broken, Re-Asserted: Ex.19:1 – 24:11
 - a. *God calls Israel to meet Him on the mountain on the third day: Ex.19:1 – 15*
 - b. *Israel’s failure – to come up the mountain: Ex.19:16 – 23*
 - c. *God resumes with Moses and Aaron: Ex.19:24 – 25*
 - d. *God gives Israel the Ten Commandments: Ex.20:1 – 17*
 - e. *Israel’s failure – Israel afraid of God’s voice: Ex.20:18 – 20*
 - f. *God gives all Israel 49 laws (7x7): Ex.20:21 – 23:19*
 - g. *God and Israel agree to a covenant, and Moses, Aaron, and 70 elders see God, and eat and drink in His presence: Ex.23:20 – 24:11*
 6. Tabernacle instructions given to house the **veiled** presence of God: Ex.24:12 – 31:11
 7. God commands Israel to observe the Sabbath and the covenant is documented on stone tablets: Ex.31:12 – 18
 8. Covenant broken; Israel worships Aaron’s golden calves: Ex.32:1 – 29
 9. Moses mediates for Israel, restores the covenant: Ex.32:30 – 33:23
 - 8’. Covenant affirmed: Ex.34:1 – 17
 - 7’. God commands Israel to observe three annual feasts and the covenant is documented on stone tablets again; Moses **veils** his face as a sign of judgment, hiding God’s glory from the nation: Ex.34:18 – 35
 - 6’. Tabernacle built to instructions; presence of God comes **veiled**: Ex.35:1 – 40:38
 - 5’. Covenant Mediation Inaugurated, Covenant Broken, Re-Asserted: Lev.1:1 – 27:34
 - a. *God calls Israel to approach Him, gives priests a Code for sacrifices: Lev.1:1 – 9:24*
 - b. *Priests’ failure – two of Aaron’s sons offer strange fire, are consumed: Lev.10:1 – 7*
 - c. *God resumes with Aaron’s two others sons: Lev.10:8 – 20*
 - d. *God gives Israel’s priests a Priestly Code for the community: Lev.11:1 – 16:34*
 - e. *Israel’s failure – God addresses worship of goat idols: Lev.17:1 – 9 (cf. Acts 7:42 – 43)*
 - f. *God gives all Israel a Holiness Code: Lev.17:10 – 25:55*
 - g. *God and Israel agree to a covenant: Lev.26:1 – 27:34*
 - 4’. Departure from Sinai, deliverance of Israelites (second generation) from sins (of the first generation): Num.1:1 – 36:13
 - 3’. God’s faithfulness forms the basis for Moses’ exhortation: Dt.1:1 – 26:19
 2. Covenant offered to Israel – blessings and curses: Dt.27:1 – 29:29
 - 1’. God must circumcise human hearts after Israel’s exile (30:6); ‘heaven’ and ‘earth’ (32:1) witness destiny of Israel and nations; God’s Spirit ‘hovers’ (32:11) over Israel as they enter garden land: Dt.30:1 – 34:12

Israel fails to trust and obey God from Ex.19. In response to this, God gives Israel laws. John H. Sailhamer suggests that the number of laws is disproportionately larger in the latter half of the story because God responds to Israel’s progressive failures with more laws. This is ostensibly the apostle Paul’s own understanding: ‘The Law was added because of [Israel’s] transgressions.’ (Gal.3:19) In other words, laws were God’s response to Israel’s failure, to point out their sin to them until a future time when God would resolve the situation. Law-keeping was never meant to be used as a basis for self-justification (individual self-righteousness) or for ethnic distinctiveness (national self-righteousness). Hence the Pharisees – contemporaries of Jesus and opponents of him – were wrong on both counts.



In fact, the Tabernacle (and later, the Temple) was not God's Plan A. It was Plan B. God wanted 'a Temple people', a people with whom He talked face to face. He did not want 'a people with a Temple.' God veiled His glory via the Tabernacle as a concession. And to also express this, Moses veiled his face because his face shone with the glory of God to communicate to Israel that God was also veiling Himself among them.

One reason why Jewish non-Christians critique Jesus of Nazareth is that he did not restore the physical Temple in Jerusalem. This analysis says restoring the Temple building is not a valid criterion for the Messiah. When I discussed this with the Hillel Rabbi at Tufts University, Rabbi Jeffrey Summit, and posed this question, he did not respond. I think this avoidance is telling.

The implication of the Pentateuch as a narrative is that human sinfulness will eventually cause Israel to fail the Sinai covenant. God made the covenant with Moses, but even Moses was imperfect. The priests taking his place also have the same internal problem. So the Pentateuch already looks ahead in time to a new mediator of the covenant (Gen.49:8 – 12; Num.22 – 24), who will succeed where Israel, as a whole, failed. But they will be important as a 'focus group' of humanity partnering with God to diagnose the problem with human nature (Gen.6:5 – 6; 8:21; Lev.26:41; Dt.10:16) and long for God's cure (Dt.30:6): the very same new mediator.

In what other story does the chosen people describe their role in their story as 'chosen to fail'? In what other story is the holy sanctuary a temporary concession?



Case Study #13: Israel's 'Happy Ending' Story – Where Does It Come From?

The following quotes are from Thomas Cahill, a historian who writes popular history.

‘All evidence points to there having been, in the earliest religious thought, a vision of the cosmos that was profoundly cyclical. The assumptions that early man made about the world were, in all their essentials, little different from the assumptions that later and more sophisticated societies, like Greece and India, would make in a more elaborate manner. As Henri-Charles Puech says of Greek thought in his seminal *Man and Time*: ‘No event is unique, nothing is enacted but once...; every event has been enacted, is enacted, and will be enacted perpetually; the same individuals have appeared, appear, and will appear at every turn of the circle.’ The Jews were the first people to break out of this circle, to find a new way of thinking and experiencing, a new way of understanding and feeling the world, so much that it may be said with some justice that theirs is the only new idea that human beings have ever had.’⁶³

‘If we had lived in the second millennium B.C., the millennium of Avram [Abraham], and could have canvassed all the nations of the earth, what would they have said of Avram’s journey? In most of Africa and Europe, where prehistoric animism was the norm and artists were still carving and painting on stone the heavenly symbols of the Great Wheel of Life and Death, they would have laughed at Avram’s madness and pointed to the heavens, where the life of earth had been plotted from all eternity. His wife is barren as winter, they would say; a man cannot escape his fate. The Egyptians would have shaken their heads and disbelief. ‘There is none born wise,’ they would say, repeating the advice of their most cherished wise men. ‘Copy the forefathers. Teach him what has been said in the past; then he will set a good example.’ The early Greeks might have told Avram the story of Prometheus, whose quest for the fire of the gods ended in personal disaster. Do not overreach, they would advise; come to resignation. In India, he would be told that time is black, irrational, and merciless. Do not set yourself the task of accomplishing something in time, which is only the dominion of suffering. In China, the now anonymous sages whose thoughts would eventually influence the *I Ching* would caution that there is no purpose in journeys or in any kind of earthly striving; the great thing is to abolish time by escaping from the law of change. The ancestors of the Maya in America would point to their circular calendars, which like those of the Chinese repeat the pattern of years in unvarying succession, and would explain that everything has been comes around again and that each man’s fate is fixed. On every continent, in every society, Avram would have been given the same advice that wise men as diverse as Heraclitus, Lao-Tsu, and Siddhartha would one day give their followers: do not journey but sit; compose yourself by the river of life, meditate on its ceaseless and meaningless flow – on all that is past or passing or to come – until you have absorbed the pattern and have come to peace with the Great Wheel and with your own death and the death of all things in the corruptible sphere.’⁶⁴

‘Since time is no longer cyclical but one-way and irreversible, personal history is now possible and an individual life can have value. This new value is at first hardly understood; but already in the earliest accounts of Avraham and his family we come upon the carefully composed genealogies of ordinary people, something it would never have occurred to Sumerians to write down, because they accorded no importance to individual memories. For them only impersonal survival, like kingship, like the harvest, mattered; the individual, the unusual, the singular, the bizarre – persons or events that did not conform to an archetype – could have no meaning. And without the individual, neither time nor history is possible. But the God of Avraham, Yitzhak [Isaac], and Yaakov [Jacob] – no longer your typical ancient divinity, no longer the archetypal gesturer – is a real personality who has intervened in real history, changing its course and robbing it of predictability.’ (p.106) ‘For the Jews, history will be...always something new: a process unfolding through time, whose direction and end we cannot know, except insofar as God gives us some hint of what is to come. The future will not be what has happened before; indeed, the only reality that the future has is that it has not happened yet. It is unknowable; and what it will be cannot be discovered by auguries – by reading the stars or examining entrails. We do not control the future; in a profound sense, even God does not control the future because it is the collective responsibility of those who are bringing about the future by their actions in the present. For this reason, the concept of the future – for the first time – holds out promise, rather than just the same old thing. We are not doomed, not bound to some predetermined fate; we are free.’⁶⁵

⁶³ Thomas Cahill, *The Gifts of the Jews: How a Tribe of Desert Nomads Changed the Way Everyone Thinks and Feels* (Thorndike, ME: G.K. Hall & Co., 1998), p.13 – 14

⁶⁴ *ibid.*, p.74 – 75

⁶⁵ *ibid.*, p.157 – 158



‘Over many centuries of trauma and suffering they came to believe in one God, the Creator of the universe, whose meaning underlies all his creation and who enters human history to bring his purposes to pass. Because of their unique belief – monotheism – the Jews were able to give us the Great Whole, a unified universe that makes sense and that, because of its evident superiority as a worldview, completely overwhelms the warring and contradictory phenomena of polytheism. They gave us the Conscience of the West, the belief that this God who is One is not the God of outward show but the ‘still, small voice’ of conscience, the God of compassion, the God who ‘will be there,’ the God who cares about each of his creatures, especially the human beings he created ‘in his own image,’ and that he insists we do the same... We can hardly get up in the morning or cross the street without being Jewish. We dream Jewish dreams and hope Jewish hopes. Most of our best words, in fact – new, adventure, surprise; unique, individual, person, vocation; time, history, future; freedom, progress, spirit; faith, hope, justice – are the gifts of the Jews.’⁶⁶

‘We can say that the Bible represents a revolution in which the original Earth goddess was supplanted by newly aggressive warrior males and their heavenly projections of themselves, but this hypothesis is itself a projection, a sort of feminist wish fulfillment without substantial confirmation in the archaeological record. Our best evidence suggests strongly that the aboriginal great god was always ‘in heaven’ – that is, as completely Other as human imagination could make him – and that, because he acted on earthly life as the seed-giver, he was imagined as male... All religions are cyclical, mythical, and without reference to history as we have come to understand it – all religions except the Judeo-Christian stream in which Western consciousness took life.’⁶⁷

‘We can read the Bible (as do postmodernists) as a jumble of unrelated texts, given a false and superficial unity by redactors of the exilic period and later. But this is to ignore not only the powerful emotional and spiritual effect that much of the Bible has on readers, even on readers who would rather not be so moved, but also its cumulative impact on whole societies. The Bible’s great moments – the thunderous ‘lekh-lekha’ spoken to Avram, the secret Name of God revealed to cowering Moshe, Miryam’s song on the far shore, God’s Ten Words, David’s Good Shepherd, Isaiah’s Holy Mountain – are hard to brush aside as merely human expressions with no relationship to the deepest meanings of our own individual lives. Nor can we imagine the great liberation movements of modern history without reference to the Bible. Without the Bible we would never have known the abolitionist movement, the prison-reform movement, the antiwar movement, the labor movement, the civil rights movement, the movements of indigenous and dispossessed peoples for their human rights, the antiapartheid movement in South Africa, the Solidarity movement in Poland, the free-speech and pro-democracy movements in such Far Eastern countries as South Korea, the Philippines, and even China. These movements of modern times have all employed the language of the Bible; and it is even impossible to understand their great heroes and heroines – people like Harriet Tubman, Sojourner Truth, Mother Jones, Mahatma Gandhi, Martin Luther King, Cesar Chavez, Helder Camara, Oscar Romero, Rigoberto Menchu, Corazon Aquino, Nelson Mandela, Desmond Tutu, Charity Kaluki Ngilu, Harry Wu – without recourse to the Bible.

‘Beyond these movements, which have commonly taken the Book of Exodus as their blueprint, are other forces that have shaped our world, such as capitalism, communism, and democracy. Capitalism and communism are both bastard children of the Bible, for both are processive faiths, modeled on biblical faith and demanding of their adherents that they always hold in their hearts a belief in the future and keep before their eyes the vision of a better tomorrow, whether that tomorrow contains a larger gross domestic product or a workers’ paradise. Neither ideology could have risen in the cyclical East, in Hinduism, Buddhism, Taoism, or Shinto. But because capitalism and communism are processive faiths without God, each is a form of madness – a fantasy without a guarantee. Democracy, in contrast, grows directly out of the Israelite vision of individuals, subjects of value because they are images of God, each with a unique and personal destiny. There is no way that it could have ever been ‘self-evident that all men are created equal’ without the intervention of the Jews.’⁶⁸

‘Unbelievers may wish to stop for a moment and consider how completely God – this Jewish God of justice and compassion – undergirds all our values and that it is just possible that human effort without this God is doomed to certain failure. Humanity’s most extravagant dreams are articulated by the Jewish prophets. In Isaiah’s vision, true faith is no longer confined to one nation, but ‘all the nations’ stream to the House of YHWH ‘that he may teach

⁶⁶ *ibid.*, p.256 – 257

⁶⁷ *ibid.*, p.260 – 261

⁶⁸ *ibid.*, p.256 – 257



us his ways' and that we may learn to 'beat [our] swords into plowshares.' All who share this outrageous dream of universal brotherhood, peace, and justice, who dream the dreams and see the visions of the great prophets, must bring themselves to contemplate the possibility that without God there is no justice.'⁶⁹

'But however miraculous Jewish survival may be, the greater miracle is surely that the Jews developed a whole new way of experiencing reality, the only alternative to all ancient worldviews and all religions. If one is ever to find the finger of God in human affairs, one must find it here.'⁷⁰

⁶⁹ *ibid.*, p.265 – 266

⁷⁰ *ibid.*, p.260



Conclusion: Is There a Naturalistic Explanation for the Uniqueness of the Old Testament?

When we consider the uniqueness of the Old Testament, we are left with questions about whether such a body of ideas and literature could have been made up. I argue no. Whose interest, after all, did it serve? Israel's earliest understanding of its God was completely discontinuous with anything that came before it, judging by the Ancient Near Eastern civilizations which Israel found itself among. By contrast, there are clear economic, political, and military reasons for people to develop Athenian democracy, the Greek phalanx, the Roman republic, etc. There are clear indications that such innovations serve economic interests, or a ruling class, or the social order of the time. It is completely in line with everything we know about people's self-interest or our group-centeredness. Not so with Israel's God, story, or ethics. For these things, there has been no 'naturalistic' explanation.

The argument is commonly put forward that Israel believed in a god who favored them over against their enemies, the Egyptians. The argument suggests that Israel manufactured a tribal god just like the other tribal gods of the time, and then interpreted their political conflict with Egypt as a conflict between their respective gods. That was the typical interpretation given to conflict in the ancient and classical world. But what about the insight of Brazilian educator and social scientist Paulo Freire in *Pedagogy of the Oppressed*, for instance – that an oppressed people usually starts to behave like their oppressors because the model of the oppressor is that of the powerful. If one desires to be powerful, then one imitates another who already has power and wields it. We can see this in how the modern State of Israel, for example, treats the Palestinians, according to a concept of 'ethnic purity'. After being ghettoized and persecuted, at least some Israelis find it easy to do the same to others. This is not at all what happened with the Israel of Old Testament times, and its excellent, kind treatment of aliens and strangers. Old Testament Israel did not harden its community along 'ethnic purity' lines but rather welcomed Egyptians, Canaanites, and probably others like the Hyksos to worship its God. I will discuss the special case of the Canaanite civilization, below. Also, in oppressed communities, men oppress women out of a sense of frustration and misdirected anger – though this is certainly sensitive, it is arguably the case in African-American, Korean, and Irish communities. But this is not what we see in the Old Testament, as I will point out below, too. These insights from social science are very helpful at pointing out the absolute uniqueness of the Old Testament text.

If the Old Testament originates from a conflict between Israel and Egypt, then why does the Abraham story preserve a vivid memory of Hagar the Egyptian and actually demonstrate God's deep concern and love for Hagar? Why did Israel preserve the Joseph story where the God of Israel blessed the Egyptians agriculturally and politically? Why then was the Passover rite actually open to Egyptians? Why does a 'mixed multitude' – people of presumably Egyptian and perhaps Hyksos ethnic origins – actually join Israel and become Jewish in the Exodus (Ex.12:38 reads 'A *mixed multitude* also went up with them, along with flocks and herds, a very large number of livestock')? Israel welcomed them to worship their God. Why was Judaism a faith and not an ethnicity? This fact is especially important. It points to the intention of this God to fashion a multi-ethnic community, not an ethnic one. For why then, if the God of Israel was a tribal god just like any other, simply and only fighting for his people, does Israel welcome those who were ethnically Egyptian, Canaanite, etc. as if their God wanted to be the God of those people as well? Why was one of Moses' top two lieutenants a Canaanite (Caleb was a Kenizzite, a Canaanite). Israel acknowledged blood ties and genetic descent, but welcomed ethnically different strangers and aliens into the faith of Abraham, like the Canaanite Rahab and her entire household, which was so atypical of Ancient Near Eastern politics and would have disrupted standard ancient notions of political purity and sacral order. Why was Israel chastised and punished by its God for not caring for aliens and strangers, or for failing to treat them equally under the civic law? It would not be so if their God cared only for them. Finally, if Israel simply believed that their God was on their side at the expense of others, why then does the Pentateuch and every single narrative book of the Old Testament end with a prediction of Israel's moral and spiritual failure, and need for a messianic savior? In fact, the Pentateuch ends with a warning that God will use the Gentiles to speak to Israel and bring her back to God. Yes, Israel believed they were a 'chosen people' just like some other people took that title to themselves. But in this case, the very nature of what it meant to be the 'chosen people' of this God was radically overturned and transformed. They were not going to be a victorious, triumphant ethnic group that was given a 'manifest destiny' to rule a land perpetually over their enemies. Instead, they were going to be a fumbling, faithless people who would be taught God's lesson by the very people who existed outside their borders. Astounding. All of this data points to a God who seeks to reestablish His presence on earth to bless all peoples, whose 'chosen people' will stumble over this good intention because of their own self-centered or nation-centered mindset. This is radically unlike any other god.



The fact that the God of Israel was said to have brought an end to Canaanite civilization (but not Canaanite people) is a mark of His commitment to oppose human evil, especially when it is as destructive as Canaanite child sacrifice. Canaanite civilization and culture had several significant problems related to sex and violence. They had orgies to ask their gods to fertilize the earth with rain. The residents of Sodom and Gomorrah used rape as a way to express their dominance over conquered people or strangers (Gen.19:5), the very opposite of hospitality. Moses told Israel that the Canaanites practiced all kinds of activities for which the land was spewing them out (Lev.18:3, 24 – 30). Most of those activities were sexual activities: incest of all different types (Lev.18:4 – 14), sex with an in-law (Lev.18:15 – 19), adultery (Lev.18:20), homosexuality (Lev.18:22), bestiality (Lev.18:23). But my guess is that the more important issue was that they practiced child sacrifice (Lev.18:21). There is some debate among archaeologists about this, but that's because some of them are not sure how to interpret the physical evidence (6,000 jars, filled with baby bones), because they're unsure about the literary evidence. The literary evidence is significant, coming from biblical sources,⁷¹ Jewish rabbinical sources outside the Bible,⁷² and Greek literary sources,⁷³ which says that the Canaanites and cultures related to them practiced child sacrifice. What this represents is an evolution in the idolatry of children. All traditional, communal cultures that I know of – like Asian cultures – idolize children. Children represent status, security, prestige, success. So, parents always felt like they needed to control their children. But child sacrifice takes that to another level. It means that people literally and physically suck the life out of children to keep their civilization going. *If they suffered a setback, they would sacrifice more children; this is the pinnacle of self-destructive religious culture.* It was the development of something that began in Genesis 4, with the fairly villainous characters Cain and Lamech, who perverted both sexuality and justice. So God's judgment on the Canaanites is not arbitrary.

However, I hasten to add two points. First, Joshua's description of Israel defeating Canaanite 'both man and woman, young and old,' has been shown by comparison to other Ancient Near Eastern literature to be a standard hyperbolic language of victory, much like we say today, 'We totally destroyed them.'⁷⁴ Clearly we allow ourselves to say, 'We slaughtered them,' without literally meaning that we killed our opponents and then destroyed their dead bodies. Scholars believe that the language of 'both man and woman, young and old' is a hyperbolic way of talking about victory even when women and children were nowhere in sight and were never involved. In reality, Jericho, Ai, and Hazor were all military compounds with only kings and military men, a fact that archaeology proves.⁷⁵ For more information, please see my paper *The Troubling Acts of God: The Destruction of the Canaanites* on my website.⁷⁶ Second, God was not consigning the slain Canaanites to hell. In light of 1 Peter 3:19 and 4:6, God was hitting a pause button on their lives, to bring them to Jesus so they could make their final, most meaningful free choice. They had the opportunity to choose Jesus. For more information, please see my paper *Christ's Proclamation to the Dead: A Brief Look at 1 Peter 3:19 in Context.*⁷⁷

⁷¹ The story of the binding of Isaac (Genesis 22) is commonly understood to be a comment on the practice of child sacrifice more common at the time. The king of Moab sacrifices a child in 2 Kings 3:27. An Israelite adopted this practice, showing Canaanite influence, earlier in 1 Kings 16:34. Similarly, Micah records the question, 'Shall I present my firstborn for my rebellious acts, the fruit of my body for the sin of my soul?' and appears to be refuting child sacrifice in his response, 'He has told you, O man, what is good; and what does the LORD require of you, but to do justice, to love kindness, and to walk humbly with your God?' (Micah 6:7 – 8).

⁷² The Jewish scholar Rashi (12th century), commented on Jeremiah 7:31, 'Tophet is Moloch, which was made of brass; and they heated him from his lower parts; and his hands being stretched out, and made hot, they put the child between his hands, and it was burnt; when it vehemently cried out; but the priests beat a drum, that the father might not hear the voice of his son, and his heart might not be moved.'

⁷³ Carthaginians were related to the Canaanites. Plutarch (ca. 46–120 AD) mentions the practice in Carthage, as do Tertullian, Orosius and Diodorus Siculus. Some of these sources suggest that babies were roasted to death on a heated bronze statue. According to Diodorus Siculus, 'There was in their city a bronze image of Cronus extending its hands, palms up and sloping toward the ground, so that each of the children when placed thereon rolled down and fell into a sort of gaping pit filled with fire.' Some modern historians and archaeologists dispute this evidence, but several large statues ('Tophets') have been identified, including a large one in Carthage. Archaeological sites within Carthage and other Phoenician centers have unearthed large numbers of infants and children.

⁷⁴ Paul Copan, *Is God a Moral Monster? Making Sense of the Old Testament God* (Downers' Grove, IL: InterVarsity Press, 2011), p.172 quoting from K.A. Kitchen, *On the Reliability of the Old Testament* (Grand Rapids, MI: Eerdmans, 2003), p.173 – 174. David T. Lamb, *God Behaving Badly: Is the God of the Old Testament Angry, Sexist, and Racist?* (Downers' Grove, IL: InterVarsity Press, 2011), p.77 quoting from A.K. Grayson, *Assyrian Rulers of the Early First Millennium BC I (1114 – 859 BC)* (Toronto: University of Toronto Press, 1991), p.201 and William W. Hallo and K. Lawson Younger, *The Context of Scripture*, vol.2 (Leiden, U.K.: Brill, 2003), p.137 – 8.

⁷⁵ Richard S. Hess, 'The Jericho and Ai of the Book of Joshua' in *Critical Issues in Early Israelite History*, ed. Richard S. Hess, Gerald A. Klingbeil, and Paul J. Ray Jr. (Winona Lake, IN: Eisenbrauns, 2008), p.29 – 30.

⁷⁶ <http://nagasawafamily.org/article-troubling-acts-of-god-canaanites.pdf>

⁷⁷ <http://nagasawafamily.org/peter1.3.19%20analysis.pdf>



Hence, we can say firmly that this was not ‘ethnic cleansing.’ It was a kind of moral or cultural judgment, yes. But because Rahab the Canaanite defected from Jericho and came over to Israel, along with her household, and was welcomed, even to the point of marrying an Israelite man and becoming an ancestor of Jesus (Mt. 1), and Caleb the Kenizzite had also been welcomed in Israel as a major leader, we cannot call the destruction of the Canaanites ‘ethnic cleansing.’ The Canaanites had the chance to defect from their culture and morality once Israel got to their doorstep. In fact, they had decades to think about it, because they had heard about the God of Israel delivering Israel out of Egypt in a mighty act. Rahab and her household switched sides, as did the Gibeonites, who were then defended by Israel (Joshua 9 – 11). The rest chose not to.

Any time we see human injustice and evil, we must ask, ‘What kind of god do we expect?’ What are the alternatives? There are three main options:

1. A god who does nothing and looks the other way
2. A god who is actually part of the mischief and evil, like Zeus stirring up the Trojan War
3. A god who responds to human evil and injustice by stopping it and dealing with the root problem

Put simply, I would rather have a god who responds to human evil by judging it and stopping it in some way. That is ultimately consistent with the historical and theological presentation of God in the biblical story. In our therapeutic culture, we tend to identify goodness with being sympathetic, sweet, and not spanking. But earlier time periods saw goodness as fierce and powerful in addition to being loving. It was an earlier age in which C.S. Lewis wrote about Aslan the lion as the analogy for Jesus, and Tolkien portrayed Aragorn and Gandalf as aspects of Jesus. So we need to also question our culture about where it gets its notions of containing the spread of evil and dealing with what is its source.

Israel’s literature might have a few poetic and semantic similarities with that of its neighbors, as we would expect of a literature that wanted to argue with its contemporaries, but the substance and deeper structure of their belief was a complete historical aberration that cannot be explained by purely naturalistic, materialistic hand-waving. Take Genesis 1 – 11 as an example of how Israel utterly subverted the creation epics from the Greeks, Iranians, and Babylonians. In the other ancient myths, the social order of cities takes clear and higher value over the individual human person. But in Genesis 1 – 11, the individual human person is of higher value than the social order of cities, which is founded by murderers (Cain, Nimrod) and scattered by God (Babel). Or take Genesis 2 as a sweeping rejection of polygamy (monogamy with Adam and Eve) and the extended patriarchal family (a man will leave his father and mother) which was an absolute fixture in the ancient world, and even in most non-Western cultures today, like East Asian Confucian cultures. Or take Genesis 1 as an example of how Israel subverted the Egyptian view of the Creator, the cosmos, humanity, and humanity’s relationship to the Creator.⁷⁸ And so on. How does one explain the active attempt of Israel to repudiate the stories, ethics, and social order that came so naturally to human nature and to everyone around them? These beliefs would completely dismantle the very fabric of society as understood by the ancients. This again flies in the face of the quite human motivations and incentives we attribute to the political and technological inventions. Who would have the incentive to invent such ideas, such a story, such ethics, and such a God?

Then the Old Testament rejects male oppression of women. Israel’s God had no female consort, unlike all the other gods like Baal and Ashtoreth. The fact that Israel’s God had no gender meant that male and female were both derived equally from him, making male and female equal and equally valued; this is unlike other societies and their mythologies which saw the creation as the emanation of a female goddess (a defeated Tiamat in Babylon, or Gaia in Greek myth) which must then be defeated or otherwise controlled. This mythology privileges men at the expense of women, and becomes a psychological mechanism for men to control women. Orgies, which corresponded to that mythology and were thought to trigger weather, crop fertility, etc. were strictly forbidden in favor of a rigorous marital ethic. This has the marked effect of enhancing the status, freedoms, and views of women; note that Christian men were trained morally and spiritually into the statement, ‘We share all things but our wives.’ Israel’s God had no physical image that corresponded to him, which was utterly unique. The correlate to this conviction was that each and every human being bore the living image of this living God, including and especially the female, who bore new human life. This was also another step in repudiating the idea that being the ‘chosen people’ of this God meant that

⁷⁸ Rikk Watts, ‘Making Sense of Genesis 1,’ *Stimulus*, Volume 12, Number 4, November 2004; <http://nagasawafamily.org/article-Rikk-Watts-Genesis-1.pdf>



they were of a different humanity than other human beings; they were not somehow ‘above’ or ‘at the expense of’ other people ultimately.

Is there a naturalistic explanation for Israel’s actual beliefs about the core character of this unusual God and their radical perspective on good and evil? How is it that the Jews believed in a God who was 100% good, who would triumph over evil one day in a happy ending? Everyone else, from the ancient Greeks to the modern Hindu, believed that good and evil were co-eternal and embedded in a god or gods who visited good and evil upon humanity willy-nilly. This is the most natural conclusion if you just look at the world, because the world has good and evil, however you define it. So who would invent a God who was 100% good? The direct corollary was that this God would defeat evil, because evil and good cannot co-exist eternally in a framework where there is a good God who has no rival; God must eventually defeat the evil. Even the Islamic view of Allah falls back into a view of a god who is both good and evil, as the Sunni doctrine of Allah’s omnicausality forces one to the verge of concluding that Allah is both good and evil; this statement is narrowly avoided by a tight-lipped concern among Muslims to not attribute human words to Allah, though in the eyes of some, including me, this maneuver is unconvincing.

The Jews wound up narrowing their analysis of evil to human nature. Their language targets the human heart as the source of evil, and the heart must be circumcised (Dt.30:6), or remade (Ps.51:9), or turned from stone to flesh and indwelt by God’s Spirit (Ezk.36:26), or inscribed with the law of God (Jer.31:33). All those words point to a central conviction adopted by Jesus that human nature must be radically changed by a God who is 100% good. This is the conclusion that Old Testament Israel came to. And this insight is the gift of Old Testament Israel to the world around it. For the messianic figure they take hope in would offer a new human nature not only to them, but to the whole world. Their ‘chosen people’ status were entirely rethought and restructured to be, not the recipient of material wealth and prosperity, but the human partner that bears and represents God’s long suffering on behalf of the world He loves. How they came to this conclusion, and for what human reasons, are very difficult to say purely on a naturalistic basis. I would say it’s impossible and defies all naturalistic logic. I would enjoy reading any attempt at reconstructing a scenario where all this can be explained on naturalistic terms.

I’ll comment directly about historical reasoning, which is broader and wider than scientific reasoning per se, and includes it. Those who believe that empirical, experimental science alone tells us reliable knowledge might say, ‘Any supernatural explanations assume a kind of God, and we cannot prove the existence of God.’ They show that they are still pursuing the answer to this question using the methodology of some repeatable experiments about the natural world. But if the God of the biblical story is to be separated from the world, which has both good and evil, then this God cannot be equated with the natural world, nor all of human history in some *carte blanche* fashion. That is the very premise and argument of the Jews to begin with. This is why Jews and Christians insist that we cannot look at the natural world or human history in total to determine the existence or character of God. Any attempt to include all of that data would wind up arriving at the god of Hinduism, who is both good and evil, or properly neither. The biblical argument is that the biblical God is only revealed in certain moments when He has intervened in history. Thus, history is His stage, but in a punctuated manner. The claim continues that this God supremely reveals himself in the person of Jesus of Nazareth. So this God has actually submitted himself to historical evaluation and scrutiny. *He can be defended on the basis of these historical interventions.* But this is what some would-be scientists seem unable to recognize. Instead, they seem to be doing the equivalent of looking at the stars using a microscope, using tools that don’t actually correspond with the object of their inquiry. Scientist and philosopher Michael Polanyi, in his book *Personal Knowledge*, makes the convincing case that all scientists adjust themselves and their tools to the objects of their study. Dogmatic scientific naturalists do not do this. Whether this is the result of a genuine misunderstanding about the nature of historical reasoning or intellectual laziness on their part, I don’t know. But I will say this: On Polanyi’s terms, what they are doing is utterly *unscientific*.

One last skeptic ought to be mentioned. The chief opponent of biblical faith who has attempted to seriously account for the historical character of the biblical story is Friedrich Nietzsche. Nietzsche recognized the absolutely unique character of the biblical God and the love and compassion that this God called His people to embody. Nietzsche, a professor of the pagan classics, knew that Christianity alone, out of all moral systems, completely changed the West. Nietzsche recognized that Judaism and its daughter, Christianity, were not simply disembodied ideas, but historical movements whose impact could not be denied. Judaism elevated compassion, and Christianity perfected it and triumphed over pagan power by advancing it still further. Nietzsche’s attempt to subvert the biblical faith is seen in his *Genealogy of Morals*. In it, he argues that the Jews knew that they could not triumph militarily over the Egyptians, so they elevated the slave morality over the master morality. In an act of mental retaliation, Nietzsche



thinks, they called themselves ‘good’ and their oppressors ‘evil.’ So while they might have lost something in the short term, they were victorious in the long term, because their morality eventually won out in history. Their so-called virtues of love, compassion, and mercy were really resentment in disguise.

An observation about Nietzsche’s argument is in order. Nietzsche is making neither a scientific nor a historical assertion, but a psychological one. He claims to see deep into the hidden recesses of the hearts of men and women long dead. He asserts that before his powers of insight, the most central words and concepts of the Judeo-Christian tradition (love, compassion, and mercy) quail and become transparently clear to show some secret resentment and anger festering behind them. To this, I would simply say that his argument is ingenious, but selective and self-contradictory. As the Old Testament actually tells the story, the Jews were quite victorious over the Egyptians and then the Canaanites through great acts of power done by their God. Although they certainly did fall into slavery in Egypt, the Jews are portrayed as defiantly resistant and feisty at times, knowing that their God would be true to the promise He made to deliver them into a land of their own. Is this period of slavery, the crucible in which Israel formed its archetypal hopes and cry for vindication, culminating in the foundational event of the birth of their nation in a mighty act of power – is this period to be characterized as a time when resentful Jewish slaves passively accepted their humiliation and took mental revenge without an actual victory? Hardly. The Jews were not hapless weaklings who repeatedly fell prey to larger powers and made a virtue of it. They admired champions called judges and elevated a warrior-king, David, to the throne. These motifs are carried forward into Christian faith with the story of David’s heir Jesus undergoing humiliation, yes, but expecting and experiencing resurrection and vindication, offering that victory to not merely the Jews but the entire Gentile world.

While Christianity did radically elevate humanity’s call to express love, compassion, and mercy after the fashion of Jesus, at the same time, it took Jewish-style victory motifs and generously expanded them, both in depth and breadth, to embrace Israel’s traditional enemies, the Gentiles, and attack a corruption in human nature common to all humanity. Resentment would exclude the former master from sharing the glory of the slave’s vindication, but genuine love embraces even the enemy and offers the very same hope to him. This is what we find expressed here in both the Old Testament and the New. God’s concern for the whole world in Genesis 1 is restated in Revelation 22. Why then does Nietzsche cast the Jews as merely ‘the oppressed,’ ‘the resentful slave,’ and so forth? Perhaps because he could not find any suggestion of actual resentment in the texts themselves. The evidence so decisively cuts Nietzsche off at the start that perhaps he could only read his own resentment for the Jews back into them for not confirming the presuppositions he sought so desperately – and vainly – to uphold. To mount his attack, Nietzsche could only deploy a psychological caricature of the Jews. Nietzsche does not seem to pay much attention to the actual Old Testament literature itself, which is, at the very least, how Israel understood, told, and retold its own *history*. In the end, the scientific naturalist must also deploy a psychological caricature of the Jews: they were cultural copycats, or jealous mythologizers who wanted their own god, etc., even though none of those theories hold water when we look carefully at the evidence. His problem is that he wants so much for the Old Testament text to say something else, but the history stubbornly refuses to change.