

## BOOK REVIEW

### *Created Equal: How the Bible Broke with Ancient Political Thought*

by JOSHUA A. BERMAN,  
(Oxford: Oxford University Press, 2008)

Reviewed by  
Shawn Zelig Aster

In his 1993 work, *The Hebrew Bible, The Old Testament, and Historical Criticism*, Jon D. Levenson devoted an extensive discussion to the proposition that “Jews are not interested in Biblical Theology.” Whatever the merits of that view at the time, *Created Equal: How the Bible Broke with Ancient Political Thought*, written by my teacher Joshua Berman, demonstrates the opposite.

Written in a superbly-engaging and lucid style, *Created Equal* treats Biblical Theology as it relates to societal institutions and political thought. Its five chapters develop the thesis that the Pentateuch “sought to appropriate the existing concepts, laws, and institutions that were *de rigueur* within the social and political landscape of the ancient Near East in an effort to articulate the fundamentals of a new and more egalitarian order” (p. 4). The core of the book lies in the first three chapters. The first, entitled “Egalitarian Theology,” seeks to demonstrate that the Biblical notion of covenant, which is so central to Torah, radically alters the paradigm of covenant used in surrounding societies by conceiving of the nation as a whole as partners with God in a covenant, rather than restricting this role to a king.

The second (and in my view, the most important) chapter, examines the blueprint Deuteronomy provides for Israel’s social and political structure, and uses sociological tools to contrast it with the social and political structures found in surrounding societies. It effectively demonstrates that Deuteronomy draws power away from priest, king, and clan, and argues that the individual ought to be seen as the basis of social structure, with the nation acting as the basis of his identity.

In the third chapter, entitled “Egalitarianism and Assets,” the author examines the specifically economic aspects of Deuteronomy’s legislation, showing how the Torah introduces “an economic system that seeks equality by granting communal and divine legitimization to respective households that assist one another in agrarian labor and granting relief to other households in need” (p. 87). He shows how ancient Near Eastern practices

in areas such as land tenure, tithing, borrowing, and debt release are re-designed so as to create a unique economic order that reflect the “egalitarian” conceptions discussed in the first two chapters. Of particular interest is the comparison of Deuteronomy’s economic order to the modern theorists’ discussions of how democracy and economic order are interrelated. Modern theorists have argued for “the tempering of capitalism” with some of the economic conceptions that are the hallmark of Deuteronomy’s economic blueprint: “reciprocity, moral obligation, duty towards community” (p. 108). The integration of modern social thought with a close reading of Deuteronomy is one of the most valuable features of this book.

The fourth and fifth chapters are excursions on two more specific issues. The fourth chapter connects the relatively high literacy rate in ancient Israel to the unique social order envisioned by Torah, arguing that “only in the rhetoric of the Bible is the message of the text addressed outward toward an entire people” (p. 121). The fifth chapter seeks to establish that the birth-story of Moses in Exodus 2:1-10 demonstrates “egalitarianism.”

The value of the book lies primarily in its integrative character. It correlates social scientific approaches to the Bible with philosophic ones, and engages in literary analysis as well as comparative study of the Bible in its ancient Near Eastern context. The author admits that “it may [be] ... that the book’s greatest contribution is in the very process of the synthesis” (p. 14). I wholeheartedly agree with this assessment. A study that ranges this widely is a *desideratum*, and perhaps it is inevitable that it demonstrate “the courage of imperfection.”

In the following paragraphs, I address one question about the terminology used to define the book’s central thesis and three serious methodological problems with the way evidence is marshaled in its support. Because the arguments the author has advanced are so important, I feel compelled to expatiate on ways to strengthen them.

The book’s central thesis is that Biblical theology expands the economic, religious, and political privileges given to certain classes and includes a far wider range of individuals in these. This thesis is clearly correct, and the author builds on the work of Moshe Weinfeld in demonstrating this. But is this egalitarianism? The author argues that an egalitarian society is one in which “the hierarchy of permanent and institutionalized stratification is dissipated” (p. 5). The dissipation of privilege may indicate a more inclusive society, and a more de-centralized one. But the term “egalitarian” usually indicates a society in which no distinctions of rank obtain,

and thus does not characterize the society envisioned by Deuteronomy or other Biblical laws.

A more serious problem than the terminological one is the mixing of evidence related to theory with that related to practice. (The distinction is nicely captured in Hebrew as *ratsui* vs. *matsui*.) In his introduction, the author proposes to treat “the vision – idealized at times – of the concepts and institutional blueprint for Israelite society that one may derive from a reading of the texts,” rather than the actual practice of religion in Iron Age Israel (p. 7). But this distinction is not actualized in the argumentation. In “Egalitarianism and Assets” (the third chapter), the author compares the economic program of Deuteronomy to economic practices in the other ancient Near Eastern societies. Why compare program to practice? The author’s point could much more compellingly be argued by comparing Deuteronomy’s program to the idealized portrayals of the king’s economic activities in Mesopotamian royal inscriptions, and by comparing the economic order of ancient Israel, as known to us from texts such as the Samaria ostraca, to the economic order in other ancient Near Eastern societies, known to us from myriad economic texts.

The problem appears in even starker relief in the fourth chapter, which deals with literacy, where no clear distinction is drawn between historical reality and Biblical theology in structuring the argument. The author argues that the historical reality of widespread literacy is partly an outgrowth of Biblical ideology (p.119). A strong argument for this intriguing hypothesis could be constructed by first treating the historical reality in detail (according fuller treatment to the growing body of evidence for widespread literacy in ancient Israel, as opposed to the clearly restricted nature of literacy in cuneiform culture), then by discussing the different functions of legal programs in Mesopotamia and in ancient Israel, and finally by showing the correlations between historical reality and legal program. Moreover, important pieces of evidence that clearly support the author’s argument are lacking:

1. In discussing the functions of these legal corpora, the author should have more clearly noted (at p. 84) that in second millennium Mesopotamia, legal corpora belong to the genre of royal inscriptions, intended to glorify the king, in clear contrast to the genre of Biblical legal corpora.
2. After treating the different historical rates of literacy and the different functions of the legal corpora, the author ought to have discussed the connection between theory and practice, i.e. the way in which the legal corpora were implemented in daily life. There is little

or no evidence from Mesopotamia that legal corpora, such as the Laws of Hammurabi, were applied in the courtroom. In contrast, from Iron Age Israel, we have at least evidence from the Yabneh-Yam ostrakon that the prohibition on distraint (Exod. 22:25-26 and Deut. 24:10-14) was practiced. Furthermore, this ostrakon strongly suggests that the Sabbath was marked, and one of the Arad letters may suggest that *Rosh Hodesh* was observed. Moreover, the silver scroll from Ketef Hinnom shows that portions of the legal code (Deut. 7:9) were known to the population of Iron Age Jerusalem.

Perhaps it is inevitable in a work of this scope that specific texts will be ignored. For that reason, issues of genre, which allow for accurate generalizations about texts and which allow for accurate comparisons between Biblical and ancient Near Eastern material, are particularly important. Too often, these are ignored in this work. The introduction mixes together evidence from ancient Near Eastern laws with evidence from ancient Near Eastern epics and compares both to Biblical covenants. A much stronger case could be constructed if the author had compared ancient Near Eastern texts from specific genres to Biblical ones from those genres. Attention to genre would also have allowed the author to recognize that the distinction he drew in the introduction between “those who produced tribute” and “those who consumed it” is attested mostly in royal inscriptions, which seek to glorify the king. The myriad economic texts from Mesopotamia and Ugarit paint a much more nuanced picture.

The treatment of ancient Near Eastern material in the work ought to have been strengthened, and this too would have strengthened the book’s arguments. Too often, fruitful comparisons between Biblical and ancient Near Eastern texts were missed. One missed comparison can be found at p. 83: the author discussed the embedding of law within narrative in the Torah without noting how significant an innovation this is in the context of the ancient Near East. Another is at p. 33: no student of the ancient Near East could discuss the opening phrase of the Ten Commandments (at p. 33) without comparing it to the hundreds of royal inscriptions that begin “I – insert name of king – insert king’s most important accomplishments.” The weak treatment of ancient Near Eastern material is also reflected in inaccurate details about Mesopotamian texts: “In Mesopotamia, portents of evil, for example an eclipse or an earthquake, mandated human action to placate the gods, but the action mandated was solely that of the king” (p. 27). In fact, dozens of letters in Simo Parpola’s *Letters of Assyrian Scholars* (AOAT 5/1 and 5/2; Neukirchen-Vluyn 1970 and

1983) show that astrologers and scholars did many of these actions, in the hopes of averting disaster *for* the king. Elsewhere (at p. 19), it served no purpose to assert that the tale of Atrahasis is not much older than the 17<sup>th</sup> c. BCE, when significantly earlier Sumerian antecedents of this important text exist.

The methodological weaknesses of this work do not detract from its value as a popular work. It encourages the layman, the political scientist, and the sociologist to think seriously about the Bible as an expression of political thought. That the Hebrew Bible is important for Western political discourse has been evident since the time of John Locke, and this work encourages and contributes to the ongoing fascination of western society with Biblical political thought.

For the students of Bible, *Created Equal* ought to serve as a spur for further discussion of Biblical political thought in its ancient Near Eastern context, a lamentably-neglected field. The author has demonstrated how valuable such comparisons can be, and how necessary it is for scholars of the Bible and the ancient Near East to publish interdisciplinary works that engage wider audiences and that address the foundational political and societal issues in Biblical thought.