Property in the Bible

Geoffrey P. Miller
NYU School of Law, geoffrey.miller@nyu.edu

Follow this and additional works at: http://lsr.nellco.org/nyu_plltwp
Part of the Legal History, Theory and Process Commons, Property Law and Real Estate Commons, and the Religion Law Commons

Recommended Citation

This Article is brought to you for free and open access by the New York University School of Law at NELLCO Legal Scholarship Repository. It has been accepted for inclusion in New York University Public Law and Legal Theory Working Papers by an authorized administrator of NELLCO Legal Scholarship Repository. For more information, please contact tracythompson@nellco.org.
Property in the Bible

Geoffrey P. Miller

Abstract: The Bible is a rich source of information about the theory and practice of property law in ancient times. The biblical text deals insightfully with the concept of the root of title and sets forth sensible rules for defining property rights, protecting those rights against infringement, and facilitating transfers of ownership. Overall, the institutions of ancient Israel responded in an efficient way to the challenge of administering a regime of private property under technological conditions substantially less advanced than those which prevail today.

* * *

Property is the institution through which a society assigns rights in resources. One function of social organizations – and in particular of governments – is to administer these rights: to define the right in question, assign it to a holder or holders of title, and enforce the right against others. These functions were just as important in ancient times as they are today. It is not surprising, therefore, that biblical texts deal extensively with issues of property.

Rights of Ownership

What rights are associated with holding title to a resource – of being an “owner” of property? The question is fundamental, and the Bible addresses it in appropriately fundamental ways. The Garden of Eden is a piece of real estate, a plot of land with boundaries and a definite location in space. The trees in the garden are also property—fixtures attached to the garden. God possesses the garden and uses it for his own purposes
(Gen 3:8). He exercises the rights to admit, to eject, to exclude, and to enforce house rules. He admits Adam and Eve by placing them in the garden (Gen 2:8; 2:22); he ejects them by banishing them after they eat the forbidden fruit (Gen 3:23); he excludes them by deploying cherubim at the border in order to bar reentry (Gen 3:24); and he establishes house rules by allowing Adam and Eve to eat the fruit of any tree other than the tree of knowledge of good and evil (Gen 2:16-17). The behavior of God in the garden illustrates the classic rights associated with ownership of a resource: the rights of the title holder to possess the resource; to use it for his own purposes; to admit or exclude others; to eject trespassers; and to establish rules governing how others who are allowed to use the resource must behave.

God has no need for help in enforcing his property rights. In the ordinary world, however, the assistance of the law is necessary if property rights are to be secured against infringement by others. The Bible deals with this issue also, again in an appropriately fundamental way. The Decalogue enjoins the people not to steal – that is, not to violate rights in resources that have been assigned to others (Ex 20:15; Deut 5:19; see also Lev 19:11). Backing this prescription is an injunction not to covet the property of others – that is, to respect property rights so deeply that the wish to violate them doesn’t even arise (Ex 20:17; Deut 5:21). The commandment against coveting is couched in recognizable legalistic terms in which examples of key categories of property are expressly identified: real property (houses and fields), rights as head of household (wives), servants (male and female), and personal property (oxen and donkeys). In a flourish of draftsmanship familiar to lawyers today, the Decalogue disclaims the implication that the list is exclusive by adding a catchall for anything else that belongs to a neighbor.
The Bible recognizes that property rights can generally be alienated – transferred to others. The principle of free alienability applies to all forms of property: real estate (e.g., Gen 23:7; Gen 33:18–20); tangible personal property (e.g., Gen 25:34); intangible personal property (e.g., Gen 25:33); and slaves or servants (e.g., Genesis 37:28). The right to transfer property was not absolute, however: in certain cases the law imposed restrictions on alienation in order to further important social values such as the interest in maintaining property in family ownership.

**Real Property**

The Bible focuses much attention on the question of title to land – and for obvious reasons, since land was the source of much of the wealth in biblical Israel. Biblical practices and biblical law pertaining to rights in real property can be understood as serving the same general objectives that animate regimes of real property law in contemporary society: they provided criteria for determining ownership of property, identified the property in question, and implemented procedures for effectively transferring title from one owner to another.

**The Root of Title**

All real property regimes must contain criteria for validating or invalidating claims to ownership. The procedure involves a review of the chain of title in order to determine the nature and extent of the rights being transferred at each link. Ultimately, the analysis traces back to the original root. The Bible presents a well-developed concept of the root and chain of title – one that not only provides a theoretical basis for actual titles to land in ancient Israel, but also allows for an insightful investigation into the origins of property itself.
The book of Joshua depicts the territory of the Promised Land as held by “all Israel” before it is distributed to the tribes and the people by means of a lottery and other devices. The chain of title for all real property in ancient Israel thus traces back to the sovereignty of the nation. For this reason, if a person forfeits his property rights – for example, by criminal actions – his title escheats to the government as representative of the sovereign (2 Kgs 21:15-16). The Bible does provide protections against the unlawful expropriation of vested rights (see below), but the essential point remains: Israelite titles to real property depend for their validity on the title held by Israel as a sovereign entity.

This analysis is insufficient to reach bedrock, however, because it depends on the proposition that Israel as a sovereign has good and absolute title to the Promised Land. But did Israel possess such title? The legal case is challenging to make out, since the Israelites are portrayed as invaders who violently oust prior inhabitants who have lived for a long time on the land and who have committed no obvious provocations. Perhaps because of the difficulty of the case, the Bible supplies a comprehensive inventory of justifications – a compendium that includes several theories of the root of title that are found in modern legal theory.

One important justification traces Israel’s title in the Promised Land back to its own root. The Bible asserts that the root of title to the entire earth is God himself (Ex 19:5; Lev 25:23; Deut 10:14; Ps 24:1; 50:10-12; 89:11; 1 Cor 10:26). God’s claim to title derives both from his status as the deity and from his efforts in creating the world (Ps 89:11). God conveys subordinate title to human beings: first through a grant to all humanity at the time of Noah (Gen 9:1-3) and later through a specific grant of the Promised Land to the Israelite people (Gen 15:18–21). Because the Israelites hold title directly from God, their claim to
the Promised Land trumps those of all other peoples. Even if others may be occupying the territory, their title is inferior to that of the Israelites because only Israel's title traces back to the root.

A related argument, also extensively developed in the Bible, holds that the root of Israelite title lies, not in a grant of land effective when made, but rather in God's promise to deliver possession of real property a future time provided that the Israelites keep faith with him (Gen 12:6–7; 17:8; 26:3; 35:12; Ex 3:8; 6:8; 23:23, 28, 31; 33:2–3; 34:11). Legally, this arrangement could be understood either as a present conveyance of a contingent future interest or as a contractual promise to transfer ownership upon performance of specified conditions.

Although the Bible presents a coherent and logically sufficient theory of Israelite title tracing back to its divine root, the text presents other justifications for Israel's possession of the Promised Land. In certain instances, for example, Israel's claim to title is based, not on a direct grant from God, but rather on a chain of title passing through others. This is the case for the property near Hebron in Machpelah that Abraham is said to have purchased as a tomb for his wife. The Bible here recounts the details of a purchase-and-sale transaction in which Israelite title is acquired from a foreign party and derives its validity from the rights of the prior owner (Gen 23:3-19).

A different basis for sovereign title to land rests on notions of first possession. After Abraham and Lot separate, God instructs Abraham as follows: "Look around from where you are, to the north and south, to the east and west. All the land that you see I will give to you and your offspring forever. ... Go, walk through the length and breadth of the land, for I am giving it to you" (Gen 13:14–17). Abraham's setting foot on the land, the Bible suggests,
is sufficient to claim title to it (although the Bible recognizes that Canaanites were in the land, the narrative quoted above portrays the territory as essentially vacant). The gesture of walking the length and breadth of the land is analogous to explorers of more modern times who raised a flag on newly discovered territory in order to claim it for the nations that sponsored their expeditions.

Still another basis for Israel’s title to the Promised Land is the notion of right of conquest. The first part of the book of Joshua sets out the case that Israel’s success in a war sanctioned by Israel’s God is a sufficient legal basis for ousting the former inhabitants of the land. Although not popular in modern political theory, the Bible’s argument for Israel’s title by right of conquest resonates with ideas put forward by important thinkers in the Western tradition such as Emmerich de Vattel and Hugo Grotius.

Identifying Real Property

No system of property rights will be effective unless the resource in question is clearly and objectively identified in some durable medium that can be consulted in the event of disputes. Evidence from the Bible suggests that the devices for identifying property boundaries were not too different from methods used today.

In some cases property was defined by means of a “metes and bounds” description that links borders to known landmarks. The Bible contains metes and bounds definitions of Israel’s sovereign claims vis-à-vis neighboring states (Num 34:1-12; see also Gen 15:18–21) and for the claims of the various tribes within the Promised Land (Josh 15-19). Metes and bounds strategies are also used to define private lands: an example is the plot of land purchased by Abraham as a tomb for his wife, described as “Ephron’s field in Machpelah
near Mamre—both the field and the cave in it, and all the trees within the borders of the field” (Gen 23:17).

Metes and bounds descriptions were by no means a perfect solution to the problem of defining property boundaries. They depended on physical landmarks which themselves could change or disappear; and if not written out they might be forgotten or distorted in the event of a dispute. One means for dealing with the latter problem was to embed the description in a story or other artifact of popular culture: metes and bounds descriptions could be recorded in oral traditions carried forward by families or clans (evidence for such a practice is found in Gen 23:17, which sets forth two versions of the description of the tomb at Machpelah, thus enhancing its mnemonic impression).

In other cases physical markers were used to define the limits of property. The markers of choice were stones, which had the virtues of being readily available, reasonably heavy, and impervious to rot or other forms of deterioration over time. Single stones appear to have been used in urban areas; for rural properties, more extensive structures such as cairns or standing stones were employed (Gen 31:45-46). These larger monuments would have been easy to find in undeveloped lands where single stones could be lost or lack distinctive identity as property markers.

Despite these advantages, monuments also had obvious deficiencies as devices for identifying the borders of real property. One problem, not present for metes and bounds descriptions, is that monuments could be moved by unscrupulous neighbors. That the surreptitious repositioning of boundary stones was a problem in ancient Israel is evidenced by the many biblical statements disapproving the practice (Deut 19:14; 27:17; Job 24:2; Prov 22:28; 23:10; Hos 5:10). Cairns and standing stones would have been more
resistant to covert repositioning; but in rural areas, someone intent on committing a fraud would have greater opportunity to work without being observed. Boundary monuments also had the disadvantage that they did not identify the owners: even if they remained in their original positions, a fraud-doer could falsely claim that he was the true owner. Perhaps for this reason, property agreements were sometimes sealed by communal meals or oaths sworn to family deities (see Gen 31:53). Such rituals would have helped to give content to the mute testimony of the stones.

A more effective strategy, where technologically feasible, was to record the description of the property in a written deed, and then to deposit the document in some authoritative repository of records where it could be accessed to re-transfer the property or resolve disputes over ownership. Jeremiah 32 contains a description of such a recordation system in use in Jerusalem during the final days of Judah as an independent country. Jeremiah purchases land in the territory of Benjamin from his cousin for seventeen shekels of silver. The purchase price is “weighed out” – presumably on an official scale used to negative later claims of fraud (Jer 32:9; compare Gen 23:16). The transacting parties signed the deed in the presence of witnesses, who also affixed their signatures. Two copies of the deed were prepared: one was left unsealed, and the other was encased in some sort of seal, presumably in such a way that if the seal were broken, it would be obvious to any later observer that the document had been tampered with (Jer 32:11). Both copies were then given to Baruch son of Mahseiah – apparently a government official – who was to place them in a clay jar “so they will last a long time” (Jer 32:14). Jeremiah reports the story in order to make a polemical point – namely that despite his (accurate) prediction of the imminent fall of the state of Judah, land would once again be
purchased and sold in Israel. The narrative of this transaction, however, undoubtedly reflects conventional practice of the times.

**Transferring Real Property**

All workable systems of real property provide assurances to the counterparties that their efforts to buy and sell parcels of real estate, if conducted according to proper legal form, will be effective at transferring title. To achieve this objective, the law must distinguish between actions that have the legal effect of conveying title and those that are merely preliminary (such as negotiations that end without an agreement). In Anglo-American law, the issue is addressed through the requirement of "delivery": the parties must undertake some formal, objective action recognized as sufficient to convey title. At one time the transfer of real property at common law was accompanied by a ritual known as "livery of seisin," which involved the actual handing-over of a twig or clump of earth symbolizing delivery of the real estate in question. The biblical law of real property also imposed formalities of delivery. Probably at one time both parties were required to walk the boundaries of the property in the presence of witnesses (cf. Gen 13:17); later the law recognized that delivery could occur symbolically through the handing over of a sandal (Ruth 4:7). In the story of Jeremiah’s purchase, the law recognized as sufficient for delivery the signing and sealing of a deed in the presence of witnesses (Jer 32:1-15).

**Rights of Redemption**

Unlike other forms of property, real property has the feature that it does not ordinarily wear out or disappear. The owner of real property is therefore, in a real sense, only a custodian of the asset. The property will outlast the owner and, upon his death, will pass into the hands of someone else. For this reason, claims to real property have often
been associated with the rights of an owner's extended family; and legal systems have protected family members against too-ready sale of family estates by the person currently in possession. In English land law, these rights were embodied in the law of entail, under which claims to real property were retained in family ownership despite assiduous efforts by the current possessor to convey the lands to others.

Biblical law also recognized familial claims to real property. The legal institution that protected these claims was the right of redemption, which authorized the holder of the right to undertake certain actions to maintain property in family ownership over and against the wishes of a current owner. The Bible recognizes that redemptive rights were common in the land law of the times, including the laws governing non-Israelite peoples. The story of Abraham’s purchase of a tomb in Machpelah reflects this recognition: the Bible reports that the seller, Ephron, deeded the property to Abraham “in the presence of all the Hittites who had come to the gate of the city” (Gen 23:18). The presence of the Hittites is not a narrative embellishment; it codes an argument that any rights of redemption under the law of that city were cut off when all the people attended the transaction and no one raised an objection.

Redemptive rights were also ubiquitous under the law of ancient Israel, as were attempts to circumvent them. The book of Leviticus reflects this tension by requiring that all land titles be subject to a right of redemption (Lev 25:24). The Bible justifies this rule on ideas of root and chain of title: “The land shall not be sold in perpetuity, for the land is mine” (Lev 25:23). The suggestion is that when God transferred title in the Promised Land to the Israelites, he reserved for himself the right to impose restrictions on transfer, justified by the fact that the land will outlast any present occupant. Redemptive rights were
generalized in the Jubilee Year legislation, which dictates that property is to be returned to
the original owners every 49 years (Lev 25:10). Although it is not clear that this rule was
fully implemented (the economic consequences would be problematic), the Bible does
adopt sensible legislation about the price to be paid on redemption prior to the Jubilee year
(Lev 25:25).

Rights of redemption created a cloud on titles and thus interfered with the
alienability of land. The law mitigated these problems by recognizing that rights of
redemption could be disclaimed and could be forfeited if not exercised in a timely fashion.
The need to clear titles was especially strong in urban areas, where properties were more
frequently bought and sold. Leviticus has a special rule on this issue, providing that in a
walled city the right of redemption is lost if not exercised within a year (Lev 25:29-30).

Many biblical texts deal with the right of redemption and with the problems that
redemptive rights created. Jeremiah’s purchase of land from his cousin is an example.
Jeremiah, who is under arrest in Jerusalem at a time when the city is under siege by the
Babylonians, has no interest in speculating in real estate in the territory of Benjamin; he
purchases the property only because his cousin needs to sell and Jeremiah is the only
relative entitled to exercise the right of redemption (Jer 32:8). It appears from the text that
Jeremiah may have been under a legal obligation to purchase the property or disclaim his
interest, and for an obvious reason: in the absence of an obligation to purchase or disclaim,
the person holding right of redemption could refuse to buy the property except at a bargain
price when the owner falls into distress.

The book of Ruth reports a more complex situation involving a right of redemption.
Naomi, an impecunious widow, owns a piece of property inherited from her husband. A
relative owns the right of redemption but has not stepped forward to claim it. Boaz, who is second in line, cleverly forces the issue by offering to redeem the property if the relative does not do so. The holder disclaims his interest when he learns that the exercise of the right requires him to marry Naomi’s widowed daughter-in-law, Ruth. The right then passes to Boaz, who willingly exercises it since his intent all along is to acquire Ruth as a wife (Ruth 4:1-11).

Rights of redemption may also be at work behind the Bible’s description of the absolute quality of Joshua’s victories in the war of conquest, in which all the inhabitants of conquered cities are put to the sword (e.g., Josh 8:26; 11:8; 11:10-14). These texts can be understood in their legal context as dealing with problems caused by potential rights of redemption. If the Israelites kill all the residents of the conquered towns, then rights of redemption among the former inhabitants will be cut off. By recounting details of the purported slaughter, the book of Joshua wards off claims of redemptive rights that might otherwise raise a cloud on Israelite title.

**Tangible Personal Property**

Tangible personal property – gold or silver, crops, fabrics, sheep and oxen and so on – presented fewer problems for the law of property in biblical times. The reason is that ownership over these items can usually be defined by the fact of possession: the owner keeps the assets under his dominion and control, thus preventing others from asserting rights over them (except by means of theft), and if the property is to be sold, delivery can be accomplished by a simple act of handing over the item in question.

Nevertheless, personal property created problems of its own. Because it is portable, it can be removed by a thief. Thefts of personal property appear to have been common in
ancient Israel, as evidenced by the occurrence of legislation and moral suasion designed to deal with the issue (e.g., Ex 22:1-4; Zech 5:3-4; Jer 7:9). Bailments could be a problem: the Bible provides rules to govern the situation where someone entrusts personal property to a neighbor and the neighbor fails to prevent theft or damage (Ex 22:10). Disputes over ownership could also arise, creating a risk of discord if not resolved in a peaceful fashion (the controversy between Jacob and Laban over Laban’s household gods may be an illustration (Gen 31:19; 31:30-35)). The Bible sensibly requires that if the parties cannot settle a disagreement among themselves, they should submit the matter to a judge (Ex 22:9).

Perhaps the most challenging issue for the biblical law of personal property involved future interests. How does the law treat disputes between parties who have contracted to transfer items of personal property at a future date? Difficulties arise here because the property, not yet being in existence, cannot be perfectly specified under the contract. When the time arrives for delivery, there is always the risk that the seller will claim that too much is demanded, or the buyer that too little is supplied; or the parties may disagree over quality – the buyer claiming that the quality of the delivered item is too low and the seller claiming that the buyer is asking for more than was called for in the original agreement.

The Bible deals with disputes over future delivery of personal property in the narratives of Jacob and Laban. Laban and Jacob agree that in exchange for husbanding Laban’s flocks, Jacob gets to keep the dark-colored lambs and speckled or spotted goats that are born under his care (Gen 30:32). Jacob’s explanation for proposing this arrangement is responsive to the problems of defining and enforcing rights in personal
property. The arrangement is easy for Laban to enforce because he can monitor whether Jacob is holding animals other than those specified in the contract (Gen 30:33). Meanwhile disputes over the amount of property to be delivered are addressed by knowledge of stock breeding: both Jacob and Laban understand the fraction of births that are likely to have the defined characteristics (Jacob manipulates the situation by influencing breeding outcomes, but the contract he proposes makes economic sense under normal conditions).

**Intangible Personal Property**

Tangible personal property is easy to identify, to possess, and to transfer. Not so for intangible property, which cannot be seen, held, or placed in safekeeping. The law might simply give up and refuse to recognize rights to intangible personal property; but doing so would reduce social wealth because the enforcement of such rights is essential to the efficient organization of society. Accordingly, the law needs special rules for administering rights in intangible personal property.

In biblical times, the most important items of intangible personal property were rights of inheritance which conveyed patriarchal authority as well as control over family resources. The background rule in ancient Israel, as in many legal systems, was one of primogeniture: inheritance rights passed to the eldest male child unless the testator indicated otherwise. The Bible recognizes primogeniture as a universal background norm in the narrative of Noah’s family. Shem and Japheth are apparently equally deserving as sons, but when it comes time to make his will, Noah favors Shem for no apparent reason other than that he is first-born (Gen 9:26-27).

At the same time, the biblical norm of primogeniture is easily trumped by a testator who prefers to give inheritance rights according to some principle other than birth order.
Noah himself subordinates Ham, who appears to be his middle son, to Japheth, the youngest (Gen 9:27). In other cases testators subordinate the eldest son; examples include Isaac, who (unintentionally) favors Jacob over Esau (Gen 27:27-29), and Jacob, who prefers the younger Ephraim over the elder Manasseh (Gen 48:12-14).

Conveyances of intangible personal property present special problems of delivery, since the resource in question has no physical form. The problem is acute in the case of wills because the testator cannot testify as to his intentions after he is dead. The Bible addresses this problem by requiring that the testator engage in unequivocal objective actions as prerequisites to an effective transfer. This requirement served the purpose of reducing the risk of after-the-fact disputes over inheritances – a purpose so important that even fraudulently induced blessings were effective at conveying patriarchal rights so long as the requisite formalities were observed.

The narrative of Isaac's last will and testament illustrates these principles. The story assumes that a precondition to the effectiveness of a will is that the testator would kiss the intended object of his bounty. Rebekah, who wishes the birthright to go to Jacob, knows this fact and also knows that Isaac intends to bequeath the birthright to Esau. She counsels Jacob to place goatskins on his hands and neck – a stratagem that works when Isaac kisses Jacob and, convinced that he is dealing with Esau, conveys his blessing to the disfavored son (Gen 27:39-40).

The narrative of Esau's sale of the birthright conveys a similar message regarding delivery of intangible personal property. Esau agrees to sell his birthright to Jacob in exchange for some lentil stew; but before Jacob performs his part of the bargain, he insists that Esau swear an oath (Gen 25:33). This detail refers to a legal norm which required an
objective and clearly defined legal action – the swearing of an oath – as a substitute for delivery in the case of a transfer of intangible personal property. The purpose of the requirement is straightforward: the requirement of the oath helps to ensure that there will be no misunderstanding as to whether the property is transferred, thus enhancing the certainty of titles and reducing the risk of disputes. The rule was so firmly entrenched that even the presence of extenuating factors such as the seller’s distress or apparent unfairness in the terms of exchange were no bar to its effectiveness.

**Human Beings**

Legal systems of the ancient Near East, including ancient Israel, recognized that human beings could be forms of property. Slaves are the obvious example. The Bible contains numerous references to transactions in which slaves are purchased, sold or otherwise transferred (e.g., Gen 16:3; Lev 22:11; 25:39). A slave’s status as property is confirmed by rules of tort law which required that injurers pay compensation to the owner for harm done to such a figure (Ex 21:32). Biblical law, however, also took account of the humanity of slaves. The law punished masters who beat their slaves too severely (Ex 21:20; 21:26-27), although minor beatings were permitted (Ex 21:21). Slaves were entitled to receive adequate nutrition (Ex 22:11) and are exempted from having to work on the Sabbath (Ex 23:12).

Servants not held as slaves were also, in some sense, a form of property (see Job 1:3). They are included in the list of assets subject to the Decalogue’s injunction against coveting (Ex 20:17). Nevertheless, servants can be considered to have been property only in a weak sense of that word. They could rise to positions of authority (Prov 14:35) and might receive rights of inheritance in default of heirs (Gen 15:3) or as a reward for service
(Prov 17:2). Hebrew servants were to be freed after six years (Ex 21:2; Deut 15:12), although the right of manumission did not apply to their wives and children (Ex 21:2-3). Female servants purchased for the purpose of marriage were to be released if they did not please their masters; if they married the master or his son, they were entitled to the protections afforded to spouses (Ex 21:7-11).

**Constitutional Protections of Property Rights**

The Bible recognizes that kings will expropriate private property to support their official functions. When confronted with the people’s request that he appoint a king to rule them, Samuel warns that the person chosen for the job “will take the best of your fields and vineyards and olive groves and give them to his attendants. He will take a tenth of your grain and of your vintage and give it to his officials and attendants. Your male and female servants and the best of your cattle and donkeys he will take for his own use. He will take a tenth of your flocks, and you yourselves will become his slaves.” (1 Sam 8:11-17).

Although the tone of Samuel’s warning is ominous, the text also conveys the message that taxation is an unavoidable – if unpleasant – attribute of monarchy. The Bible recognizes that reasonable taxation is necessary and permissible (see Miller, Taxation, in this volume). But the power of monarchs to expropriate private property is subject to conditions. The level of taxation must not be excessive – Samuel’s warning to the people recognizes that the king will take a tenth of the flocks, implying that anything more would be an abuse of authority. When kings do impose a tax, moreover, they should not create undue hardship (Amos 5:11). Perhaps most importantly, when a king takes property from a private party, he should do so for an official purpose and not to gratify a personal desire.
David’s usurpation of Uriah’s marital rights in Bathsheba is criticized on this score (2 Sam 11:1-27), as is Ahab’s expropriation of Naboth’s vineyard (1 Kgs 21:1-17).

**Property in the Christian Scriptures**

Concepts of property run through the Christian scriptures, but in general are used for theological rather than legal purposes. Nevertheless one finds in these texts indications of a vigorously enforced regime of private property with free rights of alienability (e.g., Matt 19:21; 25:9; Mark 10:21; Luke 22:36; Acts 5:4). Thefts of personal property were a problem in New Testament times – ubiquitous enough to form the basis for one of Jesus’s parables (Luke 10:30-37). Jesus did not challenge the legitimacy of private property in general; in fact he endorsed the Decalogue’s prohibition on stealing (Matt 19:18; Mark 10:19; Luke 18:20; see also Rom 13:9; 1 Cor 6:10). On the other hand, Jesus did criticize the acquisitive impulse and the focus on commercial activities when they came at the expense of a person’s relationship with God (e.g. Matt 19:21; 21:12; Mark 11:15; Luke 19:45; John 2:14-17).

**Bibliography**


Geoffrey Parsons Miller, New York University