



# Torah Economics - *Servitude & Interest*

by Tim Kelley

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YHVH is concerned about the poor. As we continue this study on the economic laws of Israel, we'll find that a majority of the *miztvot* ( מצוות - commandments <sup>1</sup> ) pertaining to economic matters are directed toward our dealings with the poor. Though YHVH never intended for there to be any poor person's in Israel, the reality is that there was and there will continue to be until all things are restored <sup>2</sup>. Thus, it's important for the people of God to understand His instructions concerning the poor.

Contrary to what one may think, YHVH is not specific in regards to how His people are to help the poor. Just as He doesn't define "the corners of the field" <sup>3</sup>, He also leaves it to our judgment how much to pay a servant, how much to pay for a piece of land, and when or if a person can charge interest. In fact, making these determinations could be considered a part of our spiritual growth.

The Jewish people have a term for what most Christians would call a *donation box*. That term is *tzedakah*. Though a *tzedakah* box within a synagogue has come to be the place where most all donations are placed, its original intent was to be the place donations for the poor were placed. The Hebrew word *tzedakah* comes from the root word *tsadaq* ( צדק Strong's 6663) which means *to be just* or *righteous*. A secondary meaning is *to have a just cause* or *to be in the right*. Thus a *tzedakah box* could be called a *righteousness box*, since helping the poor is a characteristic of a righteous person –

<sup>NKJ</sup> Proverbs 29:7 The righteous considers the cause of the poor, But the wicked does not understand such knowledge.

Unfortunately, most of us would look at that verse and conclude that godly people simply give to the poor, but that's not necessarily the case. This passage does more than simply imply that we should give to the poor. By looking deeper into the proverb we see that a righteous person makes judgments in regards to the poor. The Hebrew actually reads (transliterated into English) "yadah tzadik din dallim" or "*the righteous know to judge the poor*". The Septuagint reads this way –

<sup>LXE</sup> Proverbs 29:7 A righteous man knows how to judge for the poor: but the ungodly understands not knowledge; and the poor man has not an understanding mind.

This could be interpreted a couple of ways. One way is to say that a righteous man will make a Torah-based judgment between a poor man and one who is not poor. Another interpretation would be that a righteous man will properly judge a poor man's needs. This second interpretation is what I believe is more in harmony with the understanding of the scriptures. Why? Because YHVH shows throughout the Torah that the poor have responsibilities, and that those who are in a position to help the poor must take that into consideration.

As we discussed last time in respect to gleaning the fields, it is YHVH's desire for the poor to be treated with respect in order to preserve their dignity. We found that a farmer who did not leave the corners of his field for the poor was in effect destroying the dignity of the poor by making a

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<sup>1</sup> Strong's #4687)

<sup>2</sup> See notes on Deut. 15:4 and Deut. 15:11 in the previous article in this series;

<sup>3</sup> See previous article in this series

fool of him. In essence, a poor man who was willing to work to gather the gleanings but could not find a field to glean would have to resort to begging, something that used to be a demeaning thing in our society.

So YHVH intended for a poor man to work in order to feed his family, but He also intended for the more fortunate ones to provide means by which a man could work, and as we saw last time, gleaning fields was one of those ways. Since gleaning could be performed by any family member (as in the case of Ruth), this provided a way for a man to perform other forms of work while his family was being provided for.

One of those other forms of work would be for a man to in effect *sell himself to another man*. There are two ways he could do this. One was as a day laborer and the other was as a slave, or more properly – an indentured servant. In regards to the day laborer, YHVH gives this instruction.

<sup>TNK</sup> Deuteronomy 24:14-15 <sup>14</sup> You shall not abuse a needy and destitute laborer, whether a fellow countryman or a stranger in one of the communities of your land. <sup>15</sup> You must pay him his wages on the same day, before the sun sets, for he is needy and urgently depends on it; else he will cry to the LORD against you and you will incur guilt.

As with all Torah instructions pertaining to the poor, this instruction is designed to uphold the poor man's dignity. Let's look at it more deeply.

First, you have a man who's willing to work. He's not asking for a handout . . . he wants to work. At the end of the day, all he expects from you is to get paid. Thus it's imperative that before you hire this man, you have the money to pay him. You might think that that's a given (that a person has the money to pay his employees), but that's not necessarily the case. For instance, in the construction business many employers hire people knowing that they cannot pay their employees at the end of the week unless they themselves get a draw (get paid for the work done that week). In the event they don't receive their draw, their employees are left unpaid. This has happened to me a number of times. I would work all week, but on Friday my boss would tell me I'd have to hold his check or not get paid at all. Because I tended to live paycheck to paycheck in my first couple of years after leaving home, I often found myself having to borrow money from my friends. If I had bills to pay myself, this meant they didn't get paid on time either. So the lesson for the employer is to not hire someone unless you already have the money to pay the person.

This instruction could also apply to those employees who are not necessarily poor, but have from time to time unforeseen needs. They may ask their employer for an advance to get them through a problem. As an employer we often see employees asking for an advance. Our initial (maybe somewhat carnal) thought is that we pay on Friday . . . that's our company policy and that's what you agreed to. Fortunately, that's what we think and not necessarily what we say, because this is where a person has to make judgment. Some employees have habitual financial problems simply because they will not manage their money. On the other hand, there are those who do save for a rainy day, but have needs that are overwhelming. In these cases we try to apply the admonition to –

<sup>ESV</sup> Proverbs 3:27 Do not withhold good from those to whom it is due, when it is in your power to do it.

Thus, if an employee has humbled himself to the point that he's willing to ask for an advance, in most cases we will accommodate him. We've found that by doing so, we lift him up instead of further harming his dignity.

Now, let's move to the case of the indentured servant. We'll see that the same principle of maintaining the poor person's dignity applies.

Ancient Israel was unique in regards to its attitude toward slavery. YHVH had just delivered Israel from 200 years of slavery when He gave them laws that were in stark contrast to the laws of their other near-eastern neighbors. One of the most significant differences is that an Israelite could not serve another Israelite more than 6 years.<sup>4</sup>

<sup>NKJ</sup>Leviticus 25:39-40 <sup>39</sup> ' And if one of your brethren who dwells by you becomes poor, and sells himself to you, you shall not compel him to serve as a slave. <sup>40</sup> 'As a hired servant and a sojourner he shall be with you, and shall serve you until the Year of Jubilee.

This six-year limit was imposed so that a man could have hope. During this time, he would serve his brother faithfully with the full expectation of being able to start over again at the end of those years. It was also clear that the person was not owned by the other, but was simply taking up a temporary residence at the estate of the one for whom he was working. YHVH wanted to make it very clear that an Israelite could not own another Israelite. The reason is very clear –

<sup>NKJ</sup>Leviticus 25:42 <sup>42</sup> 'For they are My servants, whom I brought out of the land of Egypt; they shall not be sold as slaves.

God's people Israel are owned by YHVH. They are His servants, and thus cannot be owned by another for –

Matthew 6:24 <sup>24</sup> " No one can serve two masters . . .

Thus YHVH made it clear that if another Israelite sold himself into slavery, it was only for a short period of time and that the person should be treated as a hired servant – a *sakiyr*, the same status as the day laborer mentioned above with the exception that he doesn't necessarily receive wages. Instead of wages, he and his family become a part of the household. They are free to come and go on a day to day basis<sup>5</sup> but they were committed to serve the one to whom they sold themselves.

Why would a person sell himself to another? To understand, we must realize that Israel was primarily an agrarian society – they lived off the land. In the event a person lost his land (primarily through mis-management) and did not have marketable skills, he could simply go to work for another man on a somewhat contractual basis. In other words, he committed to working for another man until the year of release with the understanding that at that time he would be released from that obligation and be given his “wages” at that time.

In reality, he was not simply released. Instead, he was sent away.

<sup>LXE</sup>Deuteronomy 15:12 And if thy brother or sister, a Hebrew man or a Hebrew woman, be sold to thee, he shall serve thee six years, and in the seventh year thou shalt send him out free from thee.

The Hebrew word for send out is *shalach* ( שלח – Strong's 7971 ), a word we're quite familiar with. It's most common meaning is *to send out or send away*. Thus, the Israelite “slave” was sent away to start his new life, and what's more, he was sent out with a portion of the wealth he had helped his former master acquire. The wording indicates that the former servant and his family were to be encircled with flocks and a generous amount of food, presumably enough to get his own farm started again.

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<sup>4</sup> All other scriptures in this regard indicate a 6 year period. See Exodus 21:2; Deuteronomy 15:12 & 18; Jeremiah 34:14;

<sup>5</sup> The Hebrew word for *sojourner* is *towshab*, a term commonly used to refer to a resident alien – a non Israelite living in the land.

Another economic law for Israel was that pertaining to the kinsman redeemer. We've talked about that numerous times in the past, so we won't spend a lot of time here talking about it, but in a nutshell, the kinsman redeemer was a close relative to a person who had become poor and had sold his land or himself to another Israelite or to a *ger towshab* (a resident alien). In these cases, the person or the kinsman redeemer could buy his relative or his relative's land back on behalf of his brother. The redemption price would depend on the number of years till the jubilee year (in respect to the land) or to the seventh year (in respect to the servant). The instructions pertaining to the jubilee year are found predominantly in Leviticus 25.

The last thing I want to talk about in this session pertains to the loaning of money and the charging of interest. As we know, interest on money is what leads to the financial downfall of many families. Many people do not understand the impact of interest charged on a loan. In today's society it's become fashionable to attack the banks because they charge interest on credit card usage, while at the same time remain silent about the fact that banks PAY interest on savings. It's a somewhat hypocritical situation we find ourselves in.

To best understand YHVH's position on charging interest, a person must understand that practically everything that's said about it is again, done within the context of dealing with the poor. Let's start by discussing the historic background of loaning and borrowing money.

Many ancient near eastern cultures allowed a person to charge interest on money, food, and other things that were loaned to others. Because a person knew that he'd have to repay more than what he used, it was typically considered to be the least acceptable way of obtaining something you could not afford. Because the interest rates were often not regulated, it was not uncommon to charge a higher rate to a person who was in a desperate situation – such as a poor person needing to buy food for his family.

YHVH intended to change that practice in the Hebrew culture. His system provided a number of ways a person could remedy his desperate situation without ever having to borrow from his brother. Those ways included the opportunity to glean the fields and vineyards of another, becoming a day laborer, selling your inheritance and working in a non-agricultural profession, or becoming another's indentured servant. All these were remedies required the poor person to work and thus alleviated the problem while maintaining the poor person's dignity.

If, by chance, none of the above remedies were available, borrowing money (or food) may have been the last recourse, and as such was the least desirable. A poor person who had to borrow money was just a step above a beggar, and had thus humbled himself to the point where his dignity was compromised. His only redeeming thoughts would be that he would hopefully be able to repay his debt.

With that in mind, let's focus on what YHVH required of a person who was approached by a poor person who had to resort to borrowing from another.

First, a person could not take life's necessities as collateral from a poor person.<sup>6</sup> A poor person might pledge his coat as surety for a loan, but it had to be returned to the poor person that evening even if the loan was not repaid.

<sup>NKJ</sup> Exodus 22:26 "If you ever take your neighbor's garment as a pledge, you shall return it to him before the sun goes down.

This could probably be coupled with the passage pertaining to the day laborer<sup>7</sup> who was supposed to receive his daily wage at the end of the day. If he had borrowed money that morning with the intent of paying it back that evening, he could not lose his coat in the event he wasn't paid.

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<sup>6</sup> You were forbidden to ever take a widow's necessities as collateral

<sup>7</sup> Deuteronomy 24:14-15

Secondly, all loans were forgiven at the year of release, but the duration of a loan could not be determined based on that stipulation.

<sup>ESV</sup> Deuteronomy 15:7-9 <sup>7</sup> "If among you, one of your brothers should become poor, in any of your towns within your land that the LORD your God is giving you, you shall not harden your heart or shut your hand against your poor brother, <sup>8</sup> but you shall open your hand to him and lend him sufficient for his need, whatever it may be. <sup>9</sup> Take care lest there be an unworthy thought in your heart and you say, 'The seventh year, the year of release is near,' and your eye look grudgingly on your poor brother, and you give him nothing, and he cry to the LORD against you, and you be guilty of sin.

Those with means were expected to loan to the poor irrespective of the likelihood they would not be completely paid back. Instead of the poor person guaranteeing the loan would be paid back, YHVH Himself became surety for the loan.

Deuteronomy 15:10 <sup>10</sup> You shall give to him freely, and your heart shall not be grudging when you give to him, because for this the LORD your God will bless you in all your work and in all that you undertake.

In the latter part of the first century BC, this passage became a problem for many of the Jewish people. Apparently, there was widespread poverty throughout Judea and to make matters worse, those with money were unwilling to make loans to the poor since they knew it was highly unlikely they would get repaid – primarily due to the year of release. Thus Rabbi Hillel issued a decree (called a *prosbet*) that written loans, or verbal loans spoken within the confines of the courts – the Sanhedrin – could be transferred to the court just before the year of release and then reclaimed after the year of release. Hillel's reason for enacting this violation of Torah was to promote the loaning of money to the poor. He justified it by twisting the Hebrew of Deuteronomy 15:3 to indicate that a loan document in the hand of the creditor could be transferred to an entity (the court) that was not subject to the Torah and then reclaimed after the year of release. Historical records show that Hillel's idea worked, but his reputation as a teacher of the Torah has been tarnished because of it.

Since it was already a demeaning thing to have to borrow money, what would make matters worse was if the lender added interest to that which was borrowed. The interest could amount to so much that the loan would not be repayable and in some cultures, would cause the borrower to become a slave to the lender, or worse, be put in prison. Thus YHVH prohibited the Israelites from charging interest on loans to their poor Israelite brothers. We find these instructions beginning in Exodus.

<sup>NKJ</sup> Exodus 22:25 " If you lend money to any of My people who are poor among you, you shall not be like a moneylender to him; you shall not charge him interest.

This first passage regarding the subject of interest is clearly in regards to the poor. The Hebrew word for interest is *neshek* ( נֶשֶׁק – Strong's 5392) and it's root simply means "to bite". The word picture is that of destroying the last vestige of life. By charging interest to your poor, humbled brother, you've taken the life right out of him. Thus YHVH forbid usury within the Hebrew community.

The next place we see it is again in the context of the poor.

Leviticus 25:35-37 ' If one of your brethren becomes poor, and falls into poverty among you, then you shall help him, like a stranger or a sojourner, that he may live with you. <sup>36</sup> 'Take no usury or interest from him; but fear your God, that your brother may live with you. <sup>37</sup> 'You shall not lend him your money for usury, nor lend him your food at a profit.

In this passage, the state of the poor person is more clearly defined. The Hebrew indicates that he is not only poor, but he's depressed and shaken – he feels as if he's been overthrown. You

may not charge him interest on anything you loan him, either money or food. The key to understanding this passage is that you cannot profit off your brother's situation.

The final passage in the Torah concerning interest on loans is what causes confusion.

<sup>NKJ</sup> Deuteronomy 23:19 " You shall not charge interest to your brother -- interest on money or food or anything that is lent out at interest.

This commandment is included in a list of non-related commandments found in this same chapter. Many believe that because the poor are not specifically mentioned, then this commandment stands alone and forbids all usury within the Hebrew community. To help clear this up it's important to understand the context in which this statement was made:

1. the book of Deuteronomy is not a new rendition of the Torah, but merely a repetition of the Torah to the new generation that would inherit the land. Thus, there are no new or redefined instructions in Deuteronomy
2. YHVH did not forbid all forms of usury. In fact, He allowed it if it was being charged to a non-Israelite.<sup>8</sup> Why? Because the non-Israelites were already being charged interest by their non-Israelite brothers, yet because the Israelites were supposed to treat the strangers with compassion, the interest they charged would presumably be much less.
3. Israel was supposed to become a loaner nation<sup>9</sup>, but to loan money to others without charging a fair amount of interest would cause the nations to come to Israel looking for a handout. Thus it's necessary to charge a fair interest rate to slow down the wholesale borrowing of money. Doling out money at low or non-existent interest rates was a large contributing factor to the economic problems facing America today.

Even though it's the official policy within Judaism to forbid loaning or borrowing money with interest, it's interesting to note that the use of interest was common place in the first century Jewish culture. Yeshua, in His parable of the talents, states that when a person is entrusted with another's money, he should at least invest it with someone for the purpose of collecting interest.

<sup>ESV</sup> Matthew 25:26-27 But his master answered him, 'You wicked and slothful servant! You knew that I reap where I have not sowed and gather where I scattered no seed? <sup>27</sup> Then you ought to have invested my money with the bankers, and at my coming I should have received what was my own with interest.

As we've seen so far, YHVH's economic laws were designed to help the poor climb out of their unfortunate financial state. All the laws we've seen so far are based on one brother helping another. In no case do we find a law that instructs the national government to help the poor. . it's all done on a local level and individual case. Thus, we as individuals must be the judge of how we're going to help a poor person. It's our role as righteous followers of the God of Israel.

Shalom Aleichem!

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<sup>8</sup> Deut. 23.20

<sup>9</sup> Deut. 15.6