# COMMERCE AND COVENANT: A CRITICAL STUDY OF THE REGULATION OF COMMERCIAL TRANSACTIONS IN THE BIBLE

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## Abstract

*Long before the emergence of modern commercial law, biblical texts provided comprehensive frameworks governing trade, contracts, lending, property rights, labor relations, and market ethics. Despite the Bible's substantial contribution to the historical evolution of commercial law, modern legal scholarship often marginalizes its regulatory frameworks, treating them as merely theological or moral instructions rather than structured legal norms. This raises the question: To what extent does the Bible provide a coherent legal framework for regulating commercial transactions grounded in justice and equity? This study adopts a doctrinal and analytical methodology. The paper finds that the Bible provides detailed regulations concerning property protection, fair trade, honest weights and measures, prohibition of fraud, regulation of debt and interest, labour protection, restitution for loss, and ethical market conduct. The paper concludes that Biblical commercial regulation*

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*constitutes a foundational legal system that integrates divine justice with socio-economic order. This paper recommends that modern legal systems may draw from biblical principles by reinforcing ethical foundations in commercial law, strengthening protections against exploitation, and promoting restorative justice mechanisms in economic disputes.*

**Keywords:** Biblical Law; Commercial Transactions; Economic Ethics; Justice; Restitution

## 1. INTRODUCTION

The regulation of commercial transactions is a foundational element of every organized legal system. Commerce facilitates economic development, social interaction, and the distribution of resources within a society. However, commercial activity, if left unregulated, may generate fraud, exploitation, economic oppression, and systemic inequality. Among the earliest and most influential of frameworks is the body of law contained in the Bible.

The Hebrew Scriptures, particularly the Pentateuch, contain extensive legal materials regulating economic life.[1] These provisions address property ownership, restitution for theft, contractual agreements, land transactions, debt remission, lending practices, wage protection, liability for negligence, and standards of honesty in trade.[2] Far from being incidental moral exhortations, these rules formed part of a structured legal system that governed the covenant community of Israel.[3] The legal materials in Exodus 20-23, Leviticus 19 and 25, and Deuteronomy 15 and 24 demonstrate an integrated approach to

[1] Raymond Westbrook, *Studies in Biblical and Cuneiform Law* (Gabalda 1988) 21.
[2] Bruce Wells, *The Law of Testimony in the Pentateuchal Codes* (Harrassowitz 2004) 44.
[3] John H Walton, *Ancient Israelite Literature in its Cultural Context* (Zondervan 1990) 95.

commercial regulation rooted in justice (*mishpat*)[4] and righteousness (*tsedeq*).[5]

Unlike many ancients Near Eastern law codes, which derived authority primarily from royal decree, biblical law was grounded in covenant theology.[6] The regulation of commercial transactions was therefore not merely a civil matter but a covenant obligation. Economic wrongdoing was treated as both a legal violation and a breach of faithfulness toward God and neighbor.[7] This theological dimension distinguished biblical commercial law from other contemporaneous systems and contributed to its enduring influence on Jewish law, canon law, and the Western legal tradition.[8]

Moreover, biblical commercial regulation was not limited to the prevention of fraud or theft. It extended to systemic mechanisms designed to protect vulnerable members of society. The sabbatical year and Jubilee legislation provided structured debt relief and land restoration.[9] Gleaning laws required landowners to leave portions of their harvest for the poor.[10] Prohibitions against charging interest on subsistence loans sought to prevent the entrenchment of poverty.[11] The New Testament further reinforces these principles. Jesus' ethical teachings affirm fairness, integrity, and reciprocity in human dealings.[12] The Epistle of James condemns the withholding of wages and economic exploitation.[13] Thus, both Testaments contribute to a

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[4] It is a Hebrew word meaning Justice or judgment.
[5] The word 'tsedeq' *is a Hebrew word meaning righteousness,* Christopher JH Wright, *Old Testament Ethics for the People of God* (IVP 2004) 253.
[6] ibid 268.
[7] ibid 312.
[8] Harold J Berman, *Law and Revolution: The Formation of the Western Legal Tradition* (Harvard University Press 1983) 165.
[9] Leviticus 25:8-17 (NRSV).
[10] Leviticus 19:9-10 (NRSV).
[11] Deuteronomy 23:19 (NRSV).
[12] Matthew 7:12 (NRSV).
[13] James 5:4 (NRSV).

unified biblical vision of commercial justice grounded in accountability, equity, and stewardship.

Historically, biblical commercial principles influenced the development of medieval canon law, particularly in areas such as usury, contract fairness, and equitable remedies.[14] Through canon law and Christian moral theology, these principles filtered into European legal systems and ultimately shaped aspects of English common law.[15] Even modern doctrines concerning restitution, fiduciary responsibility and consumer protection reflect themes that resonate with biblical regulation. Despite this significant historical and normative contribution, contemporary legal scholarship often treats biblical commercial law as primarily religious or moral instruction rather than as a structured legal system.

This study contends that the Bible provides a coherent regulatory framework governing commercial transactions and that this framework offers enduring insights into the foundations of law and justice. Although the Bible contains extensive provisions regulating economic life, modern legal discourse frequently marginalizes its legal significance. Biblical texts are often approached primarily as theological or devotional literature rather than as sources of jurisprudential insight.[16] As a result, the structured nature of biblical commercial regulation and its contribution to the development of legal thought are insufficiently examined within contemporary scholarship.

This marginalization raises several interconnected problems. First, there is a tendency to separate law from morality in modern commercial jurisprudence, emphasizing economic efficiency and market autonomy while downplaying ethical foundations. Biblical commercial law, however, integrates legal norms with moral and

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[14] Thomas Aquinas, *Summa Theologica* (Fathers of the English Dominican Province tr, Benziger Bros 1947) II-II, q 78.
[15] Berman (n 8) 170.
[16] Walton (n 3) 102.

theological principles. The question therefore arises whether modern commercial law has lost essential ethical dimensions that were central to earlier legal traditions influenced by Scripture.

Second, while biblical provisions address issues such as debt cancellation, prohibition of exploitative interest, restitution for loss, wage protection, and honest trade practices, there is limited systematic analysis of whether these regulations constitute a coherent legal framework comparable to other ancient law codes.[17] Are these rules merely scattered moral instructions, or do they represent a structured and enforceable commercial legal system? This problem calls for doctrinal examination and contextual analysis. Accordingly, the central problem this study addresses is whether the Bible provides a coherent and principled system for regulating commercial transactions grounded in justice and equity, and if so, what implications this system holds for the foundation of law and justice in both historical and contemporary contexts.

## 2. CONCEPTUAL CLARIFICATION

The terms 'commercial transactions,' 'law,' 'justice,' and related concepts such as 'covenant,' 'righteousness,' and 'stewardship' carry distinct meanings within biblical and legal scholarship. This section clarifies these key concepts within both legal theory and biblical context in order to provide a coherent analytical framework for the study.

### 2.1. Commercial Transactions

In contemporary legal terminology, a commercial transaction refers to any legally recognized exchange of goods, services, property, or financial obligations for value.[18] Commercial transactions typically include contracts of sale, leases, credit arrangements, secured

[17] Raymond Westbrook, *Studies in Biblical and Cuneiform Law* (Gabalda 1988) 37.
[18] Ewan McKendrick, *Contract Law* (14th edn, Palgrave 2023) 3.

transactions, partnerships, and labor agreements. Within the biblical context, commercial transactions were primarily agrarian and community-based.[19] They included: Sale and redemption of land,[20] Lending and borrowing of money or produce,[21] Payment of wages for hired labor,[22] Barter and exchange of goods and Restitution for theft or damage.[23] 'Commercial transactions' in this study refers to economic exchanges regulated by legal norms within biblical society.

### 2.2. Law

Modern legal theory often defines law as rules enacted and enforced by a sovereign authority.[24] In contrast, biblical law is presented as divine instruction given within a covenant relationship.[25] The Hebrew term *Torah* is commonly translated as 'law,' but it more precisely means instruction or teaching.[26] Nevertheless, many Torah provisions function as binding legal norms enforceable by judges.[27] In this study, 'law' refers to binding normative rules governing conduct, enforceable within the Israelite judicial system.

### 2.3. Justice (*Mishpat*)

The Hebrew word *mishpat* denotes judgment, legal decision, or justice administered by a court.[28] It refers not only to abstract fairness but to

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[19] John H Walton, *Ancient Israelite Literature in its Cultural Context* (Zondervan 1990) 95.
[20] Leviticus 25:23-28 (NRSV).
[21] Deuteronomy 23:19-20 (NRSV).
[22] Leviticus 19:13 (NRSV).
[23] Exodus 22:1-5 (NRSV).
[24] HLA Hart, *The Concept of Law* (3rd edn, OUP 2012) 6.
[25] Christopher JH Wright, *Old Testament Ethics for the People of God* (IVP 2004) 253.
[26] ibid 17.
[27] Bruce Wells, *The Law of Testimony in the Pentateuchal Codes* (Harrassowitz 2004) 44.
[28] Christopher JH Wright, *Old Testament Ethics for the People of God* (IVP 2004) 312.

concrete legal outcomes determined through judicial processes.[29] Deuteronomy 16:20 commands, 'Justice, and only justice, you shall pursue.'[30] This reflects an active pursuit of fair adjudication in social and economic matters. In commercial contexts, *mishpat* ensured that disputes regarding property, contracts, debt, and liability were resolved equitably. Justice in biblical thought is therefore procedural and substantive. This dual dimension parallels modern legal concepts of due process and equitable remedies.

### 2.4. Righteousness (*Tsedeq*)

Closely related to *mishpat* is *tsedeq* (righteousness). T*sedeq* refers to moral integrity and right conduct.[31] Proverbs 11:1 declares that a false balance is an abomination, but a just weight is God's delight.[32] Wright notes that righteousness in the Old Testament encompasses right relationships in economic dealings, reflecting covenant loyalty.[33] Thus, commercial transactions were not morally neutral; they were arenas for practicing righteousness.

### 2.5. Covenant

A covenant is a binding relational agreement establishing rights, duties, and obligations between parties.[34] In Israel's case, the covenant was between God and the nation. Unlike secular legal systems grounded solely in political sovereignty, biblical commercial law derived authority from covenantal relationship.[35] Economic

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[29] ibid.
[30] Deuteronomy 16:20 (NRSV).
[31] Christopher JH Wright, *Old Testament Ethics for the People of God* (IVP 2004) 253.
[32] Proverbs 11:1 (NRSV).
[33] Christopher JH Wright, *Old Testament Ethics for the People of God* (IVP 2004) 268.
[34] John H Walton, *Ancient Israelite Literature in its Cultural Context* (Zondervan 1990) 102.
[35] ibid.

misconduct was not merely civil wrongdoing but covenant breach.[36] This covenantal structure explains why economic regulations were framed as divine commands rather than royal edicts.

### 2.6. Stewardship and Divine Ownership:

A distinctive biblical concept underlying commercial regulation is divine ownership. Psalm 24:1 affirms that 'The earth is the Lord's.'[37] Human ownership was therefore stewardship rather than absolute dominion.[38] This principle limited economic exploitation and justified regulatory mechanisms such as Jubilee restoration.[39] Because land ultimately belonged to God, permanent alienation was restricted. The concept of stewardship introduces ethical responsibility into economic activity, contrasting with modern notions of unrestricted property autonomy.

### 2.7. Restitution

Restitution refers to the restoration of loss suffered due to wrongful conduct.[40] Biblical law emphasizes restitution as the primary remedy for commercial wrongs. This approach aligns with restorative justice principles, prioritizing victim compensation over punitive incarceration.[41] Restitution in biblical law functioned both as a remedy and a deterrent.

### 2.8. Equity and Protection of the Vulnerable

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[36] Christopher JH Wright, *Old Testament Ethics for the People of God* (IVP 2004) 312.
[37] Psalm 24:1 (NRSV).
[38] Christopher JH Wright, *Old Testament Ethics for the People of God* (IVP 2004) 120.
[39] Leviticus 25:23 (NRSV).
[40] Raymond Westbrook, *Studies in Biblical and Cuneiform Law* (Gabalda 1988) 37.
[41] ibid 89.

Equity, in legal theory, refers to fairness beyond strict legal formalism.[42] Biblical commercial regulations frequently demonstrate equitable concern for vulnerable persons, widows, orphans, foreigners, and the poor.[43] Debt remission laws[44] and gleaning provisions[45] Institutionalized economic compassion. These mechanisms reveal that biblical commercial law incorporated social equity within its regulatory structure.

### 2.9. Commercial Ethics

Commercial ethics refers to moral standards governing business conduct.[46] In biblical society, however, ethical norms were embedded within binding law.[47] Dishonest scales, fraudulent trade, and exploitative lending were both legal violations and moral transgressions.[48] The integration of ethics and law is a defining characteristic of biblical commercial regulation.

## 3. FOUNDATION OF COMMERCIAL TRANSACTION IN THE OLD TESTAMENT

The Old Testament contains the foundational legal materials governing commercial life in ancient Israel. These materials are primarily located within the Pentateuch, especially Exodus, Leviticus, and Deuteronomy, but are reinforced by the Wisdom literature and the Prophets. The commercial regulations contained therein are not isolated economic rules; rather, they are embedded within a

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[42] HLA Hart, *The Concept of Law* (3rd edn, OUP 2012) 159.
[43] Deuteronomy 24:17 (NRSV).
[44] Deuteronomy 15:1-2 (NRSV).
[45] Leviticus 19:9-10 (NRSV).
[46] Ewan McKendrick, *Contract Law* (14th edn, Palgrave 2023) 15.
[47] Christopher JH Wright, *Old Testament Ethics for the People of God* (IVP 2004) 290.
[48] Amos 8:5 (NRSV).

theological and covenantal framework that integrates law, morality and social responsibility.[49]

This section examines the foundational principles underpinning commercial regulation in the Old Testament, focusing on covenant theology, divine ownership, justice and righteousness, protection of the vulnerable, and restorative remedies. These foundations reveal that Old Testament commercial law was systematic, principled, and socially oriented.

### 3.1. Covenant as the Juridical Foundation

The covenant (*berith*) between God and Israel constitutes the primary legal foundation of Old Testament regulation.[50] Unlike other ancient Near Eastern legal systems grounded in royal authority, Israelite law derived legitimacy from divine command within a covenant relationship.[51]

The Decalogue forms the constitutional core of this covenant.[52] Several commandments directly affect commercial life, including prohibitions against theft, false witness and covetousness.[53] These norms establish baseline standards for property rights and truthful dealings.

Because the covenant defined Israel's identity as a community under divine rule, commercial conduct became an expression of covenant faithfulness. Economic injustice was not merely a civil offence but a breach of covenant obligations.[54] Thus, the juridical authority of

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[49] Christopher JH Wright, *Old Testament Ethics for the People of God* (IVP 2004) 253.
[50] John H Walton, *Ancient Israelite Literature in its Cultural Context* (Zondervan 1990) 102.
[51] Raymond Westbrook, *Studies in Biblical and Cuneiform Law* (Gabalda 1988) 21.
[52] Exodus 20:1-17 (NRSV).
[53] Exodus 20:15-17 (NRSV).
[54] Christopher JH Wright, *Old Testament Ethics for the People of God* (IVP 2004) 312.

commercial regulation in the Old Testament is inseparable from covenant theology.

### 3.2. Divine Ownership and Human Stewardship

A second foundational principle is divine ownership of land and resources. Psalm 24:1 declares, 'The earth is the Lord's and everything in it.'[55] This theological affirmation had direct legal implications for commercial regulation. Leviticus 25:23 explicitly states that land must not be sold permanently 'for the land is mine; with me you are but aliens and tenants.'[56] This provision underlies the Jubilee legislation, which prevented permanent alienation of ancestral land.[57] This limited the commodification of land and justified periodic redistribution mechanisms. In commercial terms, stewardship functioned as a restraint on exploitative accumulation and monopolistic practices. It ensured that economic transactions did not undermine communal stability.

### 3.3. Justice (*Mishpat*) and Righteousness (*Tsedeq*)

Justice and righteousness form the ethical backbone of Old Testament commercial law. The term *mishpat* refers to judicial decision-making and equitable adjudication.[58] Deuteronomy 16:20 commands the active pursuit of justice.[59] In commercial contexts, justice required impartial courts, accurate testimony and protection from bribery.[60] Judges were instructed not to pervert justice or show partiality.[61] These procedural safeguards ensured fairness in disputes involving property, debt, and liability. The complementary concept of *tsedeq* (righteousness) extends beyond courtrooms to everyday economic conduct. Proverbs 11:1

[55] Psalm 24:1 (NRSV).
[56] Leviticus 25:23 (NRSV).
[57] Leviticus 25:8-17 (NRSV).
[58] ibid 253.
[59] Deuteronomy 16:20 (NRSV).
[60] Deuteronomy 16:19 (NRSV).
[61] ibid.

declares that dishonest scales are an abomination.[62] Here righteousness governs market integrity. Christopher Wright notes that the pairing of justice and righteousness reflects both institutional fairness and personal moral responsibility in economic life.[63]

### 3.4. Protection of Property Rights

Property protection is central to Old Testament commercial regulation. The prohibition against theft[64] affirms the legitimacy of private property. However, biblical protection of property differs from modern absolutist ownership models. While theft was condemned, remedies focused on restitution rather than imprisonment.[65] Exodus 22 requires multiple forms of compensation for stolen livestock.[66] This approach prioritized restoration of economic equilibrium. Boundary markers were also legally protected.[67] Such provisions prevented covert land encroachment and safeguarded intergenerational inheritance rights.[68]

### 3.5. Regulation of Debt and Credit

Debt regulation represents one of the most distinctive aspects of Old Testament commercial law.

First, interest on loans to fellow Israelites was prohibited.[69] These provisions sought to prevent exploitation of economically vulnerable borrowers.[70] Second, the sabbatical year mandated periodic cancellation of debts.[71] This institutionalized economic reset prevented

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[62] Proverbs 11:1 (NRSV).
[63] Christopher JH Wright, *Old Testament Ethics for the People of God* (IVP 2004) 268
[64] Exodus 20:15 (NRSV)
[65] Raymond Westbrook, *Studies in Biblical and Cuneiform Law* (Gabalda 1988) 37
[66] Exodus 22:1 (NRSV)
[67] Deuteronomy 19:14 (NRSV)
[68] Raymond Westbrook, *Studies in Biblical and Cuneiform Law* (Gabalda 1988) 89
[69] Exodus 22:25; Deuteronomy 23:19 (NRSV)
[70] Christopher JH Wright, *Old Testament Ethics for the People of God* (IVP 2004) 290
[71] Deuteronomy 15:1-2 (NRSV)

permanent indebtedness and generational poverty. Third, collateral practices were regulated. Essential items, such as a poor man's cloak, could not be retained overnight.[72] This protected human dignity within credit arrangements. These measures reveal a foundational concern for balancing creditor rights with debtor protection.

### 3.6. Honest Weights and Market Integrity

Old Testament commercial regulation emphasized transparency and fairness in trade. Deuteronomy prohibits possessing 'two kinds of weights.[73] Standardized measures were essential for equitable exchange. Amos condemns merchants who manipulate measures to exploit buyers.[74] This prophetic critique suggests that market abuses occurred and were subject to moral condemnation. The repeated denunciation of dishonest scales indicates that market integrity was a theological concern, not merely an economic one.[75]

### 3.7. Social Welfare and Structural Equity

Beyond transactional fairness, Old Testament regulation incorporated structural safeguards for social equity. The gleaning laws required landowners to leave portions of harvest for the poor.[76] The Jubilee system restored ancestral lands and freed debt slaves every fiftieth year.[77] These mechanisms functioned as redistributive correctives within a market economy. They prevented excessive wealth concentration and ensured long-term communal sustainability. Scholars like Walton observe that these provisions reveal a systemic

[72] Deuteronomy 24:12-13 (NRSV)
[73] Deuteronomy 25:13-15 (NRSV)
[74] Amos 8:5 (NRSV)
[75] Proverbs 11:1 (NRSV)
[76] Leviticus 19:9-10 (NRSV)
[77] Leviticus 25:8-17 (NRSV)

commitment to social justice embedded within commercial law itself.[78]

### 3.8. Restorative Justice as Foundational Remedy

Restitution rather than incarceration characterized Old Testament remedies for commercial wrongdoing.[79] Theft, negligence, and property damage required compensation proportional to the harm.[80] This restorative orientation preserved community cohesion and economic productivity. Instead of removing offenders from society, the law required them to repair the harm caused. Modern restorative justice theories echo this ancient principle, emphasizing victim restoration and reconciliation over punitive isolation.[81]

## 4. REGULATION OF SALE AND CONTRACTUAL DEALINGS IN THE OLD TESTAMENT

The regulation of sale and contractual dealings forms a central component of commercial law in any legal system. In the Old Testament, although the terminology of 'contract' is not articulated in modern technical language, the legal materials clearly recognize binding agreements, sales of property, leases, pledges, redemption rights, and obligations arising from consensual transactions.[82] These transactions were not left to private discretion alone; rather, they were governed by structured legal norms grounded in covenantal justice, community accountability, and divine authority.

### 4.1. Regulation of Land Sales

Land was the primary economic asset in ancient Israel. However, its sale was uniquely regulated due to the theological principle of divine

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[78] John H Walton, *Ancient Israelite Literature in its Cultural Context* (Zondervan 1990) 95
[79] Raymond Westbrook, *Studies in Biblical and Cuneiform Law* (Gabalda 1988) 37
[80] Exodus 22:5-6 (NRSV)
[81] Raymond Westbrook, *Studies in Biblical and Cuneiform Law* (Gabalda 1988) 89
[82] Raymond Westbrook, *Studies in Biblical and Cuneiform Law* (Gabalda 1988) 37.

ownership. Leviticus 25:23 provides that land must not be sold permanently because it ultimately belongs to God.[83] Consequently, land transactions were structured more as long-term leases than absolute transfers. The purchase price was calculated according to the number of harvest years remaining until the Jubilee.[84] This prevented permanent dispossession of families from their ancestral inheritance. The Jubilee legislation mandated that land revert to original families every fiftieth year.[85] This mechanism ensured long-term economic equilibrium and prevented monopolistic land accumulation.[86] Wright argues that this system preserved both private property and communal justice by balancing economic freedom with structural safeguards.[87]Thus, sale of land was legally recognized but carefully regulated to protect social stability.

The Old Testament provides detailed provisions for redemption (*go'el*), allowing relatives to repurchase land sold under economic distress.[88] It served several purposes such as; Protection of family inheritance, Prevention of permanent poverty and Preservation of tribal land distribution. The redemption system demonstrates that contractual freedom was not absolute but limited by communal interests.[89]

### 4.2. Sale of Personal Property and Movables

While land sales were specially regulated, sales of movable property (livestock, goods, produce) were more flexible but still subject to

[83] Leviticus 25:23 (NRSV).
[84] Leviticus 25:15-16 (NRSV).
[85] Leviticus 25:8-17 (NRSV).
[86] Christopher JH Wright, *Old Testament Ethics for the People of God* (IVP 2004) 290.
[87] ibid.
[88] Leviticus 25:25-28 (NRSV).
[89] Christopher JH Wright, *Old Testament Ethics for the People of God* (IVP 2004) 293.

general legal norms of honesty and fairness.[90] Fraudulent misrepresentation or dishonest weights violated divine and legal standards.[91] The condemnation of false measures in Proverbs 11:1 reinforces this prohibition.[92] Although detailed statutory provisions regarding sales warranties are not explicitly stated, the restitution laws in Exodus 22 suggest that loss or damage attributable to wrongful conduct required compensation.[93] This indicates recognition of accountability in commercial exchanges.

### 4.3. Pledges and Security Interests

Security arrangements were recognized in biblical law. A creditor could take a pledge as collateral for a loan.[94] However, the process was regulated to prevent abuse: The creditor could not enter the debtor's house to seize a pledge[95] and Essential items, such as a cloak, had to be returned by nightfall.[96] These restrictions preserved the debtor's dignity while protecting the creditor's interest. This regulatory balance resembles modern secured transactions law, where collateral is permitted but subject to consumer protection safeguards.

### 4.4. Good Faith and Fair Dealing

While the Old Testament does not explicitly articulate a doctrine of 'good faith' as in modern contract law, the ethical framework of righteousness (*tsedeq*) effectively functions as such.[97] Commercial dealings were to reflect integrity and fairness—both legal and

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[90] John H Walton, *Ancient Israelite Literature in its Cultural Context* (Zondervan 1990) 95.
[91] Deuteronomy 25:13-15 (NRSV).
[92] Proverbs 11:1 (NRSV).
[93] Exodus 22:1-6 (NRSV).
[94] Deuteronomy 24:10-13 (NRSV).
[95] Deuteronomy 24:10 (NRSV).
[96] Deuteronomy 24:12-13 (NRSV).
[97] Christopher JH Wright, *Old Testament Ethics for the People of God* (IVP 2004) 268.

prophetic texts condemned exploitation, deception, and manipulation.[98] Thus, the underlying contractual principle was not merely compliance with technical rules but adherence to moral standards in economic interaction.

### 4.5. Judicial Oversight of Contractual Dealings

Judges were appointed to resolve disputes and enforce legal norms.[99] Judicial impartiality was mandatory, and bribery was strictly prohibited.[100] Commercial disputes concerning sales, pledges, or damages would have been adjudicated within this judicial structure.[101] The presence of formal adjudication mechanisms confirms that sales and contracts were legally enforceable rather than purely moral undertakings.

## 5. REGULATION OF LENDING, INTEREST, AND DEBT REMISSION IN THE OLD TESTAMENT

Credit transactions were an integral part of economic life in ancient Israel. Agricultural uncertainty, crop failure, illness, or social obligations could necessitate borrowing. However, because loans were often sought for subsistence rather than commercial investment, the Old Testament provides extensive regulation to prevent exploitation within lending relationships.[102]

Unlike modern commercial systems that prioritize creditor security and capital growth, Old Testament regulation of lending was primarily protective of economically vulnerable debtors.[103] This section

[98] Amos 8:5 (NRSV).
[99] Deuteronomy 16:18 (NRSV).
[100] Deuteronomy 16:19 (NRSV).
[101] Bruce Wells, *The Law of Testimony in the Pentateuchal Codes* (Harrassowitz 2004) 44.
[102] Christopher JH Wright, *Old Testament Ethics for the People of God* (IVP 2004) 290.
[103] Raymond Westbrook, *Studies in Biblical and Cuneiform Law* (Gabalda 1988) 102.

examines the legal framework governing (i) lending practices, (ii) prohibition of interest, (iii) pledges and collateral, (iv) debt remission, and (v) debt slavery, demonstrating that biblical commercial law sought to balance creditor rights with social justice.

### 5.1. Prohibition of Interest (Usury)

The primary legal texts prohibiting interest include: Exodus 22:25, Leviticus 25:35-37 and Deuteronomy 23:19-20. These provisions forbid charging interest (*neshekh*) on loans to fellow Israelites.[104] Leviticus 25:36-37 explicitly commands: 'Take no interest or profit from them, but fear your God.'[105] This prohibition is framed not merely as economic policy but as covenant obedience.

The prohibition applied primarily to loans extended to fellow covenant members in need.[106] Deuteronomy 23:20 permits charging interest to foreigners, suggesting that the rule was socio-covenantal rather than universal commercial policy.[107] Scholars interpret this distinction as reflecting communal solidarity within Israel's covenant community.[108] Wright argues that these provisions addressed subsistence lending rather than commercial investment capital.[109] Thus, biblical law sought to prevent poverty-based exploitation, not suppress economic productivity.

The prohibition of interest is grounded in three theological principles: Brotherhood and solidarity which postulates that Israelites were to regard one another as covenant kin,[110]Divine deliverance which says

[104] Exodus 22:25; Leviticus 25:35–37; Deuteronomy 23:19 (NRSV).
[105] Leviticus 25:36 (NRSV).
[106] Christopher JH Wright, *Old Testament Ethics for the People of God* (IVP 2004) 290.
[107] Deuteronomy 23:20 (NRSV).
[108] Raymond Westbrook, *Studies in Biblical and Cuneiform Law* (Gabalda 1988) 105.
[109] Christopher JH Wright, *Old Testament Ethics for the People of God* (IVP 2004) 291.
[110] Leviticus 25:35 (NRSV).

that Israel's memory of liberation from Egyptian oppression motivated compassionate economic practice[111] and Fear of God principle saying that Economic conduct was accountable to divine authority.[112] Thus, interest prohibition functioned as an ethical boundary preventing the commercialization of distress. Aquinas argued that charging interest on consumptive loans violated natural justice.[113] Canon law adopted restrictions on usury, shaping European commercial regulation for centuries.[114]

### 5.2. Regulation of Pledges and Collateral

Collateral was permissible but carefully regulated to protect debtor dignity. Deuteronomy 24:10-13 establishes procedural safeguards: The creditor must not enter the debtor's house to seize a pledge,[115] the debtor must bring the pledge voluntarily and Essential items such as a cloak must be returned before nightfall.[116] These provisions reveal several legal principles such as respect for personal dignity and privacy, limitation on creditor self-help remedies and Protection of basic survival needs. Such regulations parallel modern consumer credit protections that restrict abusive enforcement practices.

### 5.3. Sabbatical Year: Debt Remission

Deuteronomy 15:1-2 mandates that every seventh year, creditors must cancel debts owed by fellow Israelites.[117] This 'year of release' (*shemitah*) constituted a systemic debt remission mechanism. The sabbatical remission served several purposes: Prevention of perpetual

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[111] Leviticus 25:38 (NRSV).
[112] Leviticus 25:36 (NRSV).
[113] Thomas Aquinas, *Summa Theologica* (Fathers of the English Dominican Province tr, Benziger Bros 1947) II-II, q 78.
[114] Harold J Berman, *Law and Revolution: The Formation of the Western Legal Tradition* (Harvard University Press 1983) 173.
[115] Deuteronomy 24:10 (NRSV).
[116] Deuteronomy 24:12-13 (NRSV).
[117] Deuteronomy 15:1-2 (NRSV).

indebtedness, restoration of economic participation and maintenance of communal equality. The text anticipates potential reluctance by creditors to lend as the remission year approaches and explicitly forbids such hardness of heart.[118] This indicates that the law prioritized compassion over strict commercial calculation. Debt remission reflects an early example of structural economic reform embedded in law.[119] Unlike occasional amnesties issued by ancient kings, Israel's remission was institutionalized within covenant legislation.[120]

### 5.4. Debt Slavery and Its Regulation:

Economic hardship sometimes resulted in individuals selling themselves into servitude.[121] However, biblical law strictly limited such arrangements. Hebrew debt slaves were to be released after six years of service.[122] Moreover, masters were commanded to provide generous provisions upon release.[123] These provisions demonstrate: Temporary rather than permanent servitude, Recognition of human dignity and Reintegration of former debtors into economic life.

### 5.5. Restorative Justice and Economic Reset

The combined framework of interest prohibition, sabbatical remission, and regulated servitude reflects a restorative economic philosophy. Rather than allowing debt to create permanent underclasses, Old Testament law periodically reset economic relationships.[124] This model contrasts sharply with modern systems where compound interest may

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[118] Deuteronomy 15:9 (NRSV).
[119] Christopher JH Wright, *Old Testament Ethics for the People of God* (IVP 2004) 312.
[120] Raymond Westbrook, *Studies in Biblical and Cuneiform Law* (Gabalda 1988) 110.
[121] Exodus 21:2 (NRSV).
[122] ibid; Deuteronomy 15:12 (NRSV).
[123] Deuteronomy 15:13-14 (NRSV).
[124] Christopher JH Wright, *Old Testament Ethics for the People of God* (IVP 2004) 312.

produce long-term financial exclusion. The Old Testament's approach demonstrates that commercial regulation can prioritize social cohesion without abolishing private credit markets. The regulation of lending, interest, and debt remission in the Old Testament reveals a sophisticated balance between economic functionality and social justice. These regulations demonstrate that Old Testament commercial law was not anti-economic but ethically structured. It sought to preserve credit systems while preventing systemic oppression.

## 6. NEW TESTAMENT PERSPECTIVES ON COMMERCIAL JUSTICE

The New Testament's contribution to commercial justice is primarily ethical, theological, and ecclesial, yet with clear implications for economic conduct. This section examines (i) the teachings of Jesus on wealth and economic relationships, (ii) apostolic instruction concerning labor and fairness, (iii) the early Christian community's economic practices, and (iv) the continuity between Old and New Testament commercial justice.

### 6.1. Teachings of Jesus on Economic Conduct

Jesus' command in Matthew 7:12, 'In everything do to others as you would have them do to you'[125] establishes a foundational ethical norm applicable to commercial dealings. This principle of reciprocity functions as a moral test for fairness in transactions. In contractual and commercial relationships, the Golden Rule reinforces good faith, equitable bargaining, and avoidance of exploitation.

Jesus condemns dishonesty and hypocrisy, including in economic matters. In Luke 16:10-11, He teaches that faithfulness in 'unrighteous wealth' is a prerequisite for spiritual trustworthiness.[126] The Parable of the Dishonest Manager in Luke 16:1-9 underscores accountability in

[125] Matthew 7:12 (NRSV).
[126] Luke 16:10-11 (NRSV).

financial stewardship. Although the parable is complex, it affirms prudence and responsibility in handling resources entrusted by others.[127] Thus, financial management is portrayed as a moral responsibility under divine oversight. Jesus repeatedly warns against unjust accumulation of wealth at the expense of others. The story of Zacchaeus illustrates restitution as a sign of repentance.[128] Zacchaeus promises fourfold repayment to those he defrauded, echoing Exodus 22:1.[129] This continuity demonstrates that New Testament repentance includes economic restoration. Similarly, the parable of the Rich Fool critiques wealth hoarding without regard to communal responsibility.[130] Commercial success detached from justice and stewardship is condemned.

New Testament commercial justice rests upon: Stewardship says that resources belong ultimately to God,[131] Love of neighbor shows fulfilment of the law,[132] Impartial judgment means that God shows no favoritism[133] and Eschatological accountability which postulates that economic actions are subject to final judgment.[134] These principles reinforce the moral seriousness of commercial life. The New Testament affirms and internalizes Old Testament commercial justice. It emphasizes integrity, restitution, labor fairness, stewardship, and generosity. Although it does not establish a new commercial code, it deepens the ethical foundation of economic relationships within the framework of Kingdom ethics and communal accountability.

[127] ibid.
[128] Luke 19:1-10, Luke 19:8 (NRSV).
[129] Exodus 22:1 (NRSV).
[130] Luke 12:16-21 (NRSV).
[131] 1 Corinthians 4:2 (NRSV).
[132] Romans 13:8-10 (NRSV).
[133] Romans 2:11 (NRSV).
[134] Matthew 25:14-30 (NRSV).

## 7. COMPARATIVE ANALYSIS WITH MODERN COMMERCIAL LAW

A comparative analysis between biblical commercial regulation and modern commercial law reveals both continuity and divergence. While separated by historical context and institutional development, many modern doctrines reflect principles embedded in biblical legal thought.[135]

### 7.1. Property and Contract

Modern commercial law recognizes freedom of contract and strong protection of private property.[136] Biblical law similarly affirms property rights and binding agreements.[137] However, key differences are Biblical law limits absolute alienation of land[138] and Jubilee and redemption rights restrict accumulation.[139]

Modern systems generally permit unrestricted transfer of property, subject to regulatory controls.[140] Thus, biblical law integrates structural equity mechanisms more explicitly than most contemporary systems.

Modern financial systems permit interest-based lending and capital markets.[141] However, consumer protection laws regulate predatory lending, disclosure requirements, and unfair interest rates.[142] Biblical law prohibited interest on subsistence loans and mandated periodic debt remission.[143] While modern systems do not adopt blanket remission cycles, bankruptcy laws serve a similar function by offering

[135] Harold J Berman, *Law and Revolution* (Harvard University Press 1983) 165.
[136] Ewan McKendrick, *Contract Law* (14th edn, Palgrave 2023) 3.
[137] Exodus 20:15 (NRSV).
[138] Leviticus 25:23 (NRSV).
[139] Leviticus 25:8-17 (NRSV).
[140] Ewan McKendrick, *Contract Law* (14th edn, Palgrave 2023) 15.
[141] ibid 120.
[142] ibid.
[143] Deuteronomy 23:19; 15:1-2 (NRSV).

economic reset to insolvent debtors.[144] The ethical concern underlying both systems is prevention of perpetual economic exclusion. Modern labor law includes minimum wage standards, workplace safety, anti-discrimination laws, and limits on working hours.[145] Biblical law required prompt wage payment, Sabbath rest, and prohibition of oppression.[146] Both systems recognize power imbalance between employer and employee and seek protective regulation. However, modern labor law is institutionalized through administrative agencies and statutory frameworks, whereas biblical law operated within covenantal community and judicial courts.

Modern civil law provides compensatory damages, specific performance, and equitable remedies.[147] Biblical law emphasized restitution as the primary remedy.[148] Modern restorative justice movements increasingly echo biblical emphasis on repairing harm rather than solely punishing offenders.[149] Nevertheless, modern criminal systems rely heavily on incarceration, marking a significant divergence from biblical remedial philosophy. A major divergence lies in the underlying authority in Biblical commercial regulation is grounded in divine sovereignty and covenant[150] and Modern commercial law is grounded in legislative sovereignty and economic policy.[151] While modern systems often prioritize efficiency and market stability, biblical law integrates moral accountability as a central purpose. Despite this divergence, many legal principles of good faith, fiduciary duty, consumer protection, bankruptcy relief, and wage protection reflect values resonant with biblical justice.

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[144] Ewan McKendrick, *Contract Law* (14th edn, Palgrave 2023) 410.
[145] ibid 230.
[146] Leviticus 19:13 (NRSV).
[147] Ewan McKendrick, *Contract Law* (14th edn, Palgrave 2023) 450.
[148] Exodus 22:1 (NRSV).
[149] Raymond Westbrook, *Studies in Biblical and Cuneiform Law* (Gabalda 1988) 89.
[150] Psalm 24:1 (NRSV).
[151] HLA Hart, *The Concept of Law* (3rd edn, OUP 2012) 6.

The strengths are: strong ethical foundation, Emphasis on social equity, Restorative remedies, and Protection of vulnerable persons, while the limitations are: Developed within agrarian, tribal society, Ethnic distinctions may not align with universal modern systems, and Implementation mechanisms differ from contemporary state structures. Nevertheless, underlying principles remain normatively significant.

## 8. CONCLUSION

This study set out to examine whether the Bible provides a coherent and principled framework for regulating commercial transactions and how such regulation contributes to the foundation of law and justice. From the foregoing analysis of the Old and New Testaments, several key findings emerge. First, the Bible contains a structured and systematic body of norms regulating commercial life. These norms govern property ownership, sale and contractual dealings, lending and interest, debt remission, labor relations, restitution, tort liability, and judicial enforcement.[152] The Mosaic Law, particularly in Exodus, Leviticus and Deuteronomy, provides detailed case laws and statutory commands that reflect a developed legal system rather than scattered moral exhortations.

Second, Old Testament commercial regulation is grounded in covenant theology. Law derives its authority not from royal decree alone but from divine command within a covenant relationship between God and Israel.[153] Economic misconduct constitutes both legal wrongdoing and covenant breach. This integration of law and morality distinguishes biblical commercial regulation from purely secular legal systems.

Third, divine ownership and human stewardship form foundational economic principles. The declaration that 'the earth is the Lord's'[154]

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[152] Raymond Westbrook, *Studies in Biblical and Cuneiform Law* (Gabalda 1988) 21.
[153] Christopher JH Wright, *Old Testament Ethics for the People of God* (IVP 2004) 253.
[154] Psalm 24:1 (NRSV).

limits absolute property claims and underlies restrictions on permanent land alienation and the institution of Jubilee.[155] Property rights are affirmed but conditioned by social responsibility and communal stability. Fourth, justice (*mishpat*) and righteousness (*tsedeq*) operate as central normative standards in commercial dealings. Procedural justice required impartial courts and prohibition of bribery, while substantive righteousness governed honesty in trade, fair measurement, and equitable conduct.[156] Fifth, biblical commercial law incorporates significant protections for the vulnerable. Interest was prohibited on subsistence loans to fellow Israelites;[157] debt remission was institutionalized in the sabbatical year;[158] wage protection ensured prompt payment of laborer's;[159] and gleaning laws created structured social welfare mechanisms.[160]

Sixth, remedies in biblical commercial law are predominantly restorative. Theft, negligence, and property damage required restitution proportional to harm.[161] This restorative orientation aimed at repairing economic loss and preserving communal harmony rather than imposing purely punitive sanctions. Seventh, the New Testament reinforces and internalizes these commercial justice principles. Jesus' teachings on reciprocity, stewardship, and restitution (e.g., Zacchaeus) affirm Old Testament norms.[162] Apostolic instructions condemn wage exploitation and promote economic fairness and generosity.[163] Commercial justice thus remains integral to biblical ethics. Eighth, comparative analysis reveals both continuity and divergence between

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[155] Leviticus 25:8-17 (NRSV).
[156] Deuteronomy 16:19; Proverbs 11:1 (NRSV).
[157] Deuteronomy 23:19 (NRSV).
[158] Deuteronomy 15:1-2 (NRSV).
[159] Leviticus 19:13 (NRSV).
[160] Leviticus 19:9-10 (NRSV).
[161] Exodus 22:1-6 (NRSV).
[162] Luke 19:8 (NRSV).
[163] James 5:4 (NRSV).

biblical and modern commercial law. Modern systems share core concerns such as property protection, contractual enforceability, labor regulation, and compensatory remedies.[164] However, biblical law uniquely integrates theological accountability and structural equity mechanisms such as Jubilee and sabbatical remission. Modern commercial law, by contrast, often prioritizes market efficiency over moral and redistributive concerns. Overall, the findings confirm that the Bible provides a coherent regulatory framework for commercial transactions grounded in justice, equity, accountability, and communal responsibility.

This study has demonstrated that the regulation of commercial transactions in the Bible constitutes a foundational contribution to the development of law and justice. Far from being merely spiritual or devotional material, biblical legal texts reveal a sophisticated and principled system governing economic life. In the Old Testament, commercial regulation is embedded within covenantal theology. Property rights are affirmed but limited by divine ownership and stewardship. Sales and contractual dealings are recognized and formalized through documentation and witnesses. Lending is permitted but constrained by prohibitions against exploitative interest and by structured debt remission. Laborers are protected from wage oppression and excessive servitude. Restitution functions as the primary remedy for economic wrongs. These elements collectively demonstrate a balanced legal order that safeguards both economic productivity and social equity.

The New Testament does not abolish these principles but deepens them by internalizing commercial justice within the ethics of the Kingdom of God. Integrity, stewardship, restitution, and love of neighbor become central motivations for economic conduct. Commercial life is portrayed as an arena of moral accountability

[164] Harold J Berman, *Law and Revolution: The Formation of the Western Legal Tradition* (Harvard University Press 1983) 165.

before God. In a comparative perspective, many modern commercial law doctrines echo biblical concerns, including consumer protection, labor standards, bankruptcy relief, and restitutionary remedies. Yet modern systems often lack the integrated moral-theological foundation that characterizes biblical law. Accordingly, the Bible offers not merely historical insight but enduring jurisprudential wisdom. It presents a model in which law and morality are integrated, economic freedom is balanced with social responsibility, and justice is pursued both procedurally and substantively.

## 9. RECOMMENDATIONS

The regulation of commercial transactions in the Bible reveals a legal system in which justice is not secondary to economic growth but central to it. By integrating covenant responsibility, moral integrity, restorative remedies, and structural equity, biblical commercial law provides a compelling model for the relationship between law and justice. Its enduring relevance lies not in literal replication of ancient statutes, but in the principled vision it offers: a commercial order governed by fairness, accountability, compassion, and reverence for the dignity of every human person. In light of the findings and conclusions of this study, the following recommendations are proposed:

### 9.1. Reintegration of Ethical Foundations in Commercial Law:

Modern commercial law should consciously reinforce ethical principles such as fairness, honesty, and accountability. While secular legal systems may not adopt theological premises, they can incorporate moral values consistent with human dignity and social justice, reflecting the biblical integration of law and morality.

### 9.2. Strengthening Protections Against Exploitative Lending:

Contemporary financial systems should enhance safeguards against predatory lending and exploitative interest practices. The biblical prohibition of interest on subsistence loans and the principle of debt remission highlights the importance of preventing perpetual economic bondage. Modern bankruptcy and consumer protection regimes may be further strengthened in this direction.

### 9.3. Promotion of Restorative Justice in Commercial Disputes:

Judicial systems should expand restorative approaches to commercial wrongdoing, emphasizing restitution, mediation, and reconciliation where appropriate. Biblical restitution principles demonstrate that compensatory remedies can effectively restore victims and maintain social harmony.

### 9.4. Enhanced Labor Protection:

Governments and regulatory bodies should continue to enforce strict wage protection and anti-exploitation measures. The biblical mandate for prompt wage payment and prohibition of oppression underscores the enduring importance of protecting vulnerable workers.

### 9.5. Structural Measures Addressing Economic Inequality:

While modern economies differ significantly from ancient Israel, policymakers may draw inspiration from sabbatical and Jubilee principles by designing structural reforms that address systemic inequality, such as targeted debt relief programs and equitable access to economic opportunity.

### 9.6. Integration of Biblical Legal Foundations in Legal Education:

Legal education, particularly in courses on jurisprudence and legal history, should incorporate the study of biblical law as part of the historical foundations of Western legal tradition. This would foster a deeper understanding of the ethical roots of commercial law.