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The Ancient Near Eastern and Biblical Roots of Human Trafficking by ISIS

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Abstract

My first substantive engagement with the study of human trafficking came while I was researching my book, *Slavery, Abolitionism, and the Ethics of Biblical Scholarship*.¹ Therein, I tried to show that most of biblical scholarship remains an apologetic enterprise despite its claims to be engaging in historico-critical scholarship. I cited many examples of how modern scholars attempt to place biblical slavery in a more benign light compared to other ancient Near Eastern cultures or to modern forms of slavery. A substantial portion of modern scholarship believes that biblical, and especially Christian, principles ultimately were responsible for abolition.

Disciplines

Ethics and Political Philosophy | History of Religions of Eastern Origins | Human Rights Law | Islamic World and Near East History

Comments

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The Ancient Near Eastern and Biblical Roots of Human Trafficking by ISIS

HECTOR AVALOS

My first substantive engagement with the study of human trafficking came while I was researching my book, *Slavery, Abolitionism, and the Ethics of Biblical Scholarship*.¹ Therein, I tried to show that most of biblical scholarship remains an apologetic enterprise despite its claims to be engaging in historico-critical scholarship. I cited many examples of how modern scholars attempt to place biblical slavery in a more benign light compared to other ancient Near Eastern cultures or to modern forms of slavery. A substantial portion of modern scholarship believes that biblical, and especially Christian, principles ultimately were responsible for abolition.

In the last few years, human trafficking has gained new attention, and rightly so.² Human trafficking exists in many forms, including in the United States. For this paper, I concentrate on human trafficking by the Islamic group known as ISIS, and show

¹ Hector Avalos, *Slavery, Abolitionism, and the Ethics of Biblical Scholarship* (Sheffield: Sheffield Phoenix Press, 2011).

² On the vast literature and typology of research materials see Elzbieta M. Gozdziaik, and Micah N. Bump, *Data and Research on Human Trafficking: Bibliography of Research- Based Literature* (Washington, DC: Institute for the Study of International Migration, Walsh School of Foreign Service, Georgetown University, October 2008).

that at least some of it can be traced to ideas and principles evinced in the Bible and in the ancient Near East. The paper aims to show that 1) the Bible cannot be used as any sort of modern authority to either endorse or combat human trafficking; 2) there should be zero-tolerance for any sacred text that at any time endorses human trafficking; 3) no sacred text should be used as a moral authority today.

It may be useful to begin with the definition of human trafficking. For my purposes, I follow The Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children Supplementing the United Nations Convention against Transnational Organized Crime (henceforth, UN Protocol). According to Article 3:

“Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.³

ISIS AND HUMAN TRAFFICKING

According to Cole Bunzel’s work on the Islamic State, commonly known as ISIS,

“The Islamic State” refers here to the group once known as the Islamic State of Iraq (ISI, October 2006–April 2013), the Islamic State of Iraq and Sham (ISIS, April 2013–June

³ See https://www.unodc.org/pdf/crime/final_instruments/383a1e.pdf.

2014), and the Islamic State (IS, June 2014–present).⁴ This usage conforms to the group’s own shorthand for itself—as “the Islamic State” (al-Dawla al-Islamiyya), or merely “the State” (al-Dawla)—going back to 2006.⁵

The main ideology of ISIS is Jihadi-Salafism, and Bunzel explains that “the movement is predicated on an extremist and minoritarian reading of Islamic scripture that is also textually rigorous, deeply rooted in a pre-modern theological tradition, and extensively elaborated by a recognized cadre of religious authorities.”⁶

As it pertains to female slaves, the Al-Himma Library, ISIS’s publishing house, issued a publication on female captives titled *Su’al wa-Jawab fi al-Sabi wa-Riqab* (“Questions and Answers on Taking Captives and Slaves”), and it is dated Muharram 1436 (October/November 2014).⁷ It is structured as a sort of catechism, with questions and answers. The publication was released after the uproar over the treatment of Yezidi women whom ISIS had captured starting in 2014. The Yezidis, a small religious sect, are considered to be polytheistic worshippers of Iblis (Satan) by ISIS. Yezidis, therefore, are definitely not “people of the book,” a designation used for what the Quran often considers to be legitimate faiths.

⁴ I thank my colleague, Dr. James Broucek, an Islamic studies specialist at Iowa State University, for assistance with identifying authentic ISIS publications and related scholarly sources.

⁵ Cole Bunzel, “From Paper State to Caliphate: The Ideology of the Islamic State,” *The Brookings Project on U.S. Relations with the Islamic World, Analysis Paper 19* (March 2015), 3; <https://www.brookings.edu/wp-content/uploads/2016/06/The-ideology-of-the-Islamic-State.pdf>. See also William McCants, *The Isis Apocalypse: The History, Strategy, and Doomsday Vision of the Islamic State* (New York: St. Martins, 2015).

⁶ Cole Bunzel, “From Paper State to Caliphate,” 7.

⁷ *Su’al wa-Jawab fi al-Sabi wa-Riqab* (“Questions and Answers on Taking Captives and Slaves”); <http://www.memrijttm.org/islamic-state-isis-releases-pamphlet-on-female-slaves.html>.

According to the *Su'al*, an “Al-Sabi is a woman from among *ahl al-harb* [the people of war] who has been captured by Muslims.”⁸ What renders it permissible to capture her “is [her] unbelief. Unbelieving [women] who were captured and brought into the abode of Islam are permissible to us, after the imam distributes them [among us].”⁹

GENESIS 16: HAGAR AS TRAFFICKED

Much of human trafficking is related to sexual slavery. The *Su'al* has specific rules for a female slave owned by a wife:

Question 11: May a man have intercourse with the female slave of his wife?

A man may not have intercourse with the female slave of his wife, because [the slave] is owned by someone else.¹⁰

This practice seems more restrictive and protective of female slaves owned by wives compared to what is found in the case of Hagar. Hagar was an Egyptian slave-woman owned by Abram and Sarai. Hagar can be considered a trafficked person by the United Nations convention definition. Her story is told in Genesis 16, and particularly these verses:

¹Now Sarai, Abram’s wife, bore him no children. She had an Egyptian maid whose name was Hagar; ²and Sarai said to Abram, “Behold now, the LORD has prevented me from bearing children; go in to my maid; it may be that I shall obtain children by her.” And Abram hearkened to the voice of Sarai. ³So, after Abram had dwelt ten years in the land of Canaan, Sarai, Abram’s wife, took Hagar the Egyptian, her

⁸ *Su'al wa-Jawab fi al-Sabi wa-Riqab*.

⁹ *Su'al wa-Jawab fi al-Sabi wa-Riqab*.

¹⁰ *Su'al wa-Jawab fi al-Sabi wa-Riqab*.

maid, and gave her to Abram her husband as a wife. ⁴And he went in to Hagar, and she conceived; and when she saw that she had conceived, she looked with contempt on her mistress. ⁵And Sarai said to Abram, “May the wrong done to me be on you! I gave my maid to your embrace, and when she saw that she had conceived, she looked on me with contempt. May the LORD judge between you and me!” ⁶But Abram said to Sarai, “Behold, your maid is in your power; do to her as you please.” Then Sarai dealt harshly with her, and she fled from her. ⁷The angel of the LORD found her by a spring of water in the wilderness, the spring on the way to Shur. ⁸And he said, “Hagar, maid of Sarai, where have you come from and where are you going?” She said, “I am fleeing from my mistress Sarai.” ⁹The angel of the LORD said to her, “Return to your mistress, and submit to her.” (Gen 16:1–9)¹¹

The “trafficked” status of Hagar is indicated by the fact that she was under the power of Sarai and Abram.¹² She was transferred for Abram’s use by Sarai (“Sarai ... took Hagar the Egyptian, her maid, and gave her to Abram her husband as a wife”). There is no notice of any consent on the part of Hagar, and it is doubtful that she could have resisted so easily.

The narrator indicates that Hagar was being abused by Sarai, and so she fled. Hagar’s flight certainly indicates that she did not consent to continuing in her status. However, instead of helping Hagar escape her situation, the “angel of the Lord” instructs her to go back to the abusive situation from which she had fled. Therefore, one sees the author portraying a divine endorsement of the continuation not only of an enslaved condition, but also returning an escaped abused woman to the owner.

¹¹ Unless otherwise noted, all biblical citations in this essay are taken from the Revised Standard Version.

¹² For other perspectives on Hagar, see Phyllis Trible and Letty Russell, eds., *Hagar, Sarah, and their Children: Jewish, Christian, and Muslim Perspectives* (Louisville: Westminster John Knox, 2006).

EXODUS 21:16 AND “MANSTEALING”

Part of the rationale provided by ISIS for what we would call “kidnapping” human beings is *Sura* 9.5:

And when the sacred months have passed, then kill the mushrikīn wherever you find them, and capture them, and besiege them, and sit in wait for them at every place of ambush. But if they should repent, establish prayer, and give zakah, let them [go] on their way. Indeed, Allah is Forgiving and Merciful.¹³

Much debate has ensued over the meaning of this verse.¹⁴ Whatever one decides about the proper understanding of *Sura* 9.5 in its original context, it is clear that the interpretation by ISIS is consistent with rules concerning the treatment of captives one finds in some biblical traditions.

Yet, many nineteenth century abolitionists and modern scholars still believe that Exod 21:16 offers a definitive indictment of all the slave trade and what is now called human trafficking. According to Exod 21:16: “Whoever steals a man, whether he sells him or is found in possession of him, shall be put to death.” Today, some biblical scholars still credit this verse with bringing a humanitarian advance. Joe Sprinkle adds a plaudit to biblical ethics when he remarks,

Kidnapping is generally related to the slave trade.... Because transcendent life value is involved in stealing a human being, that made it unlike a case merely involving animals. Thus,

¹³ Su’al wa-Jawab fi al-Sabi wa-Riqab.

¹⁴ See further, Hector Avalos, *Fighting Words: The Origins of Religious Violence* (Amherst, NY: Prometheus, 2005), 288–90.

kidnapping was subject to the maximum penalty regardless of whether the kidnapper disposed of the person stolen.¹⁵

Since cuneiform law assigns the death penalty for stealing non-human property, while the Bible assigns it only for stealing human beings, Sprinkle concludes that “biblical law values human life above property to a greater degree than cuneiform law.”¹⁶

Sprinkle is engaging in “representativism,” by selecting a cuneiform law that he then generalizes to the entire Near East. But cuneiform law is not representative of all ANE law. Plato’s *Laws* also differentiate between animal and human property because it prescribes ritual purification for the killing of a slave, but not for the killing of an ox or a sheep.¹⁷ Lycurgus also says that ancient lawgivers “did not permit even the killer of a slave to escape with a fine.”¹⁸

If we look at the *Laws of Eshnunna*, we find that property crimes are not punished with death. Law 6 says:

If a man, under fraudulent circumstances, should seize a boat which does not belong to him, he shall weigh and deliver 10 shekels of silver.¹⁹

But, Law 24 says that, if a man seizes the wife or child of a man as debt-slaves, and those seized persons die in the captor’s

¹⁵ Joe M. Sprinkle, *Biblical Law and Its Relevance: A Christian Understanding and Ethical Application for Today of the Mosaic Regulations* (Lanham, MD: University Press of America, 2006), 94.

¹⁶ Sprinkle, *Biblical Law and Its Relevance*, 98.

¹⁷ Glenn R. Morrow, *Plato’s Laws of Slavery in Its Relation to Greek Law* (repr., New York: Arno, 1976 [1939]), 50.

¹⁸ Morrow, *Plato’s Laws of Slavery*, 51.

¹⁹ Martha T. Roth, *Law Collections from Mesopotamia* (Atlanta: Scholars Press, 2d ed., 1997), 60.

custody, then the latter will die.²⁰ Yet, we do not find Sprinkle praising the *Laws of Eshnunna* for imposing monetary fines for theft of objects, but death in the case of debt-slaves who were killed.

A more significant problem for Sprinkle's conclusion is that we can find cuneiform laws that fare much better against the Bible. Law 14 of the *Code of Hammurabi* states: "If a man should kidnap the young child of another man, he shall be killed."²¹ Kidnapping children can also be related to the slave trade, in which case the Bible fares far worse, as I will discuss in the section pertaining to Numbers 31:17ff.

We can also find a very different attitude toward human life, as compared to material objects, in Joshua, when Jericho was attacked:

Then they utterly destroyed all in the city, both men and women, young and old, oxen, sheep, and asses, with the edge of the sword.... And they burned the city with fire, and all within it; only the silver and gold, and the vessels of bronze and of iron, they put into the treasury of the house of the LORD (Josh 6:21, 24).

Without entering into all the legal complexities of the "ban" (*herem*) practices, it is clear that there are instances where objects were spared and treasured, while human and animal life were both destroyed. Humans and animals were treated exactly alike here. But we don't find Sprinkle denouncing taking virgins as sex slaves or killing entire groups of people while keeping their material possessions.

In addition to exegetes, biblical translators have been among the main purveyors of an abolitionist bias in understanding the Bible. The RSV translation is similar to what is found in almost every modern translation. But, as Westbrook notes, this translation

²⁰ Roth, *Law Collections*, 62.

²¹ Roth, *Law Collections*, 84.

“has been universally rejected” by legal scholars because of the numerous philological and logical problems it creates.²² Westbrook substitutes a translation he thinks more true to the Hebrew **וּגְנַב אִישׁ וּמָכְרוּ וּנְמָצָא בְיָדוֹ מוֹת יוֹמָת**: “He that steals a man and sells him and he in whose possession he is found shall be put to death.”²³ Westbrook argues that there is a change in subject so that it is the buyer, and not initial kidnapper, who is punished with death.

The ambiguity of the original remains insofar as it is not clear whether the law prohibits “man-stealing/kidnapping” anyone, or whether it restricts itself to prohibiting Hebrews from stealing or kidnapping other Hebrews. The Septuagint understood it as restricted to stealing Israelites because it translates this verse as “Whoever steals one of the sons of Israel (ὃς ἐὰν κλέψῃ τίς τινα τῶν υἱῶν ἰσραηλ), and prevail over him and sell him, and he be found with him, let him certainly die.”

It is unclear whether the Septuagint is inserting its own interpretation or following a different *Vorlage*. Perhaps it is just harmonizing Exod 21:16 with Deut 24:7, which says: “If a man is found stealing one of his brethren, the people of Israel, and if he treats him as a slave or sells him, then that thief shall die; so you shall purge the evil from the midst of you.” Fred Ross, a nineteenth-century pro-slavery writer, was probably correct when he said: “The crime, then, set forth in the Bible was not *selling* a man; but selling a *stolen* man.”²⁴

²² Raymond Westbrook, *Studies in Biblical and Cuneiform Law* (Paris: J. Gabalda, 1988), 119.

²³ Westbrook, *Studies in Biblical and Cuneiform Law*, 119.

²⁴ Fred A., Ross, *Slavery Ordained of God* (repr., New York: Negro University Press, 1969 [1859]), 141.

LEVITICUS 24:22 — FOREIGNERS MUST SUBMIT

While human trafficking can occur within a culture or nation, foreigners are the most vulnerable to human trafficking.²⁵ They may not have all the protections of those recognized legally as “citizens,” and their lack of social networks in a foreign country renders any help from friends or family less likely. The idea that foreigners and natives were treated in an egalitarian fashion in ancient Israel is supposedly espoused by Lev 24:22: “You shall have one law for the sojourner and for the native; for I am the LORD your God.” M. Daniel Carroll includes that passage alongside those containing the phrase “whether he is a native-born Israelite or an alien.” Carroll concludes, “This expresses in another way their equal standing before the law.”²⁶

However, any modern notion of equality for aliens in ancient Hebrew law is misleading. For the most part, aliens had to give up their culture and religion to be accepted. They were subject to the same or similar penalties if they violated the laws of Moses (e.g., Num 15:20–29). This equality of treatment would be no different under the understanding of Islamic law by ISIS. Foreigners, who blaspheme, for example, are treated the same as Muslims who blaspheme. One should not overlook the fact Leviticus made a stark difference between enslavement of fellow Hebrews, who had term limits, and foreigners, who did not (Lev 25:44ff).

²⁵ On the basic Hebrew terminology for “alien” and “foreigners,” see M. Daniel Carroll, *Christians at the Border: Immigration, the Church, and the Bible* (Grand Rapids, MI: Baker Academic, 2008), 99–102.

²⁶ Carroll, *Christians at the Border*, 106.

NUMBERS 31:15–18

The permissibility of sex with captured women is addressed by questions 4 and 5 of the *Su'al*.

Question 4: Is it permissible to have intercourse with a female captive?

It is permissible to have sexual intercourse with the female captive. Allah the almighty said: “[Successful are the believers] who guard their chastity, except from their wives or (the captives and slaves) that their right hands possess, for then they are free from blame [Koran 23:5–6].”

Question 5: Is it permissible to have intercourse with a female captive immediately after taking possession [of her]? If she is a virgin, he [her master] can have intercourse with her immediately after taking possession of her. However, is [*sic*] she isn't, her uterus must be purified [first]....²⁷

The fact that abducting women could be regarded as permissible in some biblical traditions is supported by the episode at Jabesh-Gilead, where 400 virgins were abducted to provide wives for the Benjaminites (Judg 21:17–24) after that tribe was nearly decimated in war. However, it is not clear that the narrator approves of this action, especially as these are Israelite women being abducted. Abducting Midianite virgins, however, does have divine approval in Num 31:15–20:

¹⁵Moses said to them, “Have you let all the women live?

¹⁶Behold, these caused the people of Israel, by the counsel of Balaam, to act treacherously against the LORD in the matter of Peor, and so the plague came among the congregation of the LORD. ¹⁷Now therefore, kill every male among the little ones, and kill every woman who has known man by lying with him. ¹⁸But all the young girls who have not known man by lying with him, keep alive for yourselves. ¹⁹Encamp

²⁷ *Su'al wa-Jawab fi al-Sabi wa-Riqab.*

outside the camp seven days; whoever of you has killed any person, and whoever has touched any slain, purify yourselves and your captives on the third day and on the seventh day. ²⁰You shall purify every garment, every article of skin, all work of goats' hair, and every article of wood."

As in the case of the Yezidi women, the women are captured because they belong to a group that does not worship the captors' deity. As in the case of the Yezidis, males and females are treated differently. However, in the case of the Midianites, male children and non-virgin women are killed, while it is only virgins that remain captives. ²⁸ Both ISIS and the author of Num 31:15–20 are concerned about purity.

MATTHEW 5:38–41

Contrary to Joe Sprinkle's claim that "biblical law values human life above property to a greater degree than cuneiform law," Jesus seems to value human life no more than property: he prescribes the same non-resistive response for the abduction of a person and for the taking of a coat. ²⁹ Note Jesus' words in Matthew:

You have heard that it was said, "An eye for an eye and a tooth for a tooth." But I say to you, do not resist one who is evil. But if anyone strikes you on the right cheek, turn to him the other also; and if any one would sue you and take your coat, let him have your cloak as well; and if any one forces you to go one mile, go with him two miles (Matt 5:38–41).

²⁸ At least one Talmudic discussion (*Yebamoth* 60b) of Numbers 31:17ff indicates that "a proselyte who is under the age of three years and one day is permitted to marry a priest." The quote is from the standard edition of Harry Freedman, and Isidore Epstein, et al., eds., *Hebrew-English Edition of the Babylonian Talmud* (London: Soncino, 1988–1994 [repr. of 1935–1962 edition]).

²⁹ Sprinkle, *Biblical Law and Its Relevance*, 98.

Jesus' injunction "if any one forces you to go one mile, go with him two miles" certainly cannot give much comfort to those who believe Jesus opposed human trafficking. Even if this verse is not a reference to the trafficking of women analogous to that of ISIS, the fact that Jesus advises victims not to resist someone forcing them to travel beyond what they intend should be ethically objectionable in the first place.³⁰ In addition, taking a coat or a human being, even if for a short distance, is not explicitly differentiated by Jesus. Rather, Jesus seems to class the taking of coats together with the forced removal of persons.

MARK 12:31/LEVITICUS 19:18

New Testament ethicists often claim that Jesus brought a radically new love ethic to humanity that emphasized the love of one's neighbor and love of enemies. Rudolf Schnackenburg thought that "The message of Christian *agape*, the model and highest expression of which is the mission of the Son of God to redeem the sinful human race, brought something new into the world, an idea so vast and incomprehensible as to be the highest revelation of God."³¹ Richard A. Burrige, who admits the problems of reaching consensus on the historical Jesus, still proclaims: "At the heart of Jesus' ethics is the double command, to love God and one's neighbour, given in response to a question about the greatest

³⁰ For a discussion of how some modern New Testament ethicists attempt to avoid the victimization interpretation, see Hector Avalos, *The Bad Jesus: The Ethics of New Testament Ethics* (Sheffield: Sheffield Phoenix, 2015), 94–97. Cf. Walter Wink, "Neither Passivity nor Violence: Jesus' Third Way (Matt 5:38–42//Luke 6:29–30)," *Forum* 7 (1991), 5–28; Jerome Rausch, "The Principle of Nonresistance and Love of Enemy in Mt 5, 38–48," *Catholic Biblical Quarterly* 28 (1966) 31–41.

³¹ Rudolf Schnackenburg, *The Moral Teaching of the New Testament*, J. Holland-Smith and W. J. O'Hara, trans. (London: Burns & Oates, 1975), 90.

commandment (Mk 12.28–34)... The centrality of love in Jesus' ethics extends to the love of enemies."³²

Although historically, we can find the concept of loving the enemy long before Jesus, it is still the case that Jesus' injunction to love one's neighbor could have implications for human trafficking. Therefore, it is important to understand why Lev 19:18 cannot be interpreted to challenge the idea of human trafficking. According to Mark 12:31, when Jesus was asked what the greatest commandment was, he answered that one of them was: "You shall love your neighbor as yourself." Jesus is quoting a commandment found in Lev 19:18, but this passage is misinterpreted if "neighbor" is taken to mean everybody.

Harry M. Orlinsky, the prominent scholar of Hebrew, has duly noted, the Hebrew term (רֵעֵךְ) translated as "your neighbor" is actually best understood as "your fellow Israelite."³³ The verse's final instruction to love your fellow Israelite as yourself, therefore, follows logically on the instruction not to hate "any of the sons of your own people" (בְּנֵי עַמֶּךָ) in the first half of the verse. Similarly, John P. Meier concludes that:

³² Richard A. Burrige, *Imitating Jesus: An Inclusive Approach to New Testament Ethics* (Grand Rapids: Eerdmans, 2007), 50–51. Similarly, Lúcas Chan and James F. Keenan, eds., *Biblical Ethics in the Twenty-First Century: Developments, Emerging Consensus, and Future Directions* (Mahwah, NJ: Paulist, 2013), 57: "The heart of Jesus' teaching is still the double command of love." For a more a far more cautious assessment of the role of the love commands in the ministry of the "historical Jesus," see John P. Meier, *A Marginal Jew: Rethinking the Historical Jesus, Volume 4: Law and Love* (New Haven: Yale University Press, 2009); also Per Bilde, *The Originality of Jesus: A Critical Discussion and Comparative Attempt* (Göttingen: Vandenhoeck & Ruprecht, 2013).

³³ Harry M. Orlinsky, "Nationalism-Universalism and Internationalism in Ancient Israel," 206–36 in Harry Thomas Frank and William L. Reed, eds., *Translating and Understanding the Old Testament: Essays in Honor of Herbert Gordon May* (Nashville: Abingdon, 1970), especially 210–11.

There is no good reason to think that, when Jesus cited, Lev. 19:18b, “you shall love your neighbor as yourself,” he meant anything other than what the Hebrew text means by רֵעִי, namely, a fellow Israelite who belongs to the cultic community that worships Yahweh alone as the one true God (as proclaimed in Deut. 6:4–5).³⁴

Indeed, Lev. 19:18 does not obligate universal love, but, in fact, is premised on privileging love for fellow Israelites over love for non-Israelites.³⁵ As such, Leviticus 19:18 is not inconsistent with the ideology of ISIS, which also privileges the love for fellow co-religionists over those who follow another religion or culture.

1 Timothy 1:10

First Timothy 1:9–10 was often quoted by abolitionists to proclaim the Bible’s liberatory stance:

[U]nderstanding this, that the law is not laid down for the just but for the lawless and disobedient, for the ungodly and sinners, for the unholy and profane, for murderers of fathers and murderers of mothers, for manslayers, immoral persons, sodomites, kidnappers [ἀνδραποδισταῖς], liars, perjurers, and whatever else is contrary to sound doctrine.

³⁴ Meier, *A Marginal Jew*, Volume 4, 651.

³⁵ An unconvincing proposal to translate this verse as ‘You should care for persons in your surroundings the same way as you would like them to take care of you!’ is offered by Bob Becking, “Love Thy Neighbour...,” in Reinhard Achenbach und Martin Arneht, eds., “*Gerechtigkeit und Recht zu üben*” (*Gen 18,19*): *Studien zur altorientalischen und biblischen Rechtsgeschichte, zur Religionsgeschichte Israels und zur Religionssoziologie. Festschrift für Eckart Otto zum 65. Geburtstag* (Beihefte zur Zeitschrift für Altorientalische and Biblische Rechtsgeschichte 13; Wiesbaden: Harrassowitz, 2009), 182–87 (185). Becking offers no sound linguistic parallels for his speculative reading.

For the Greek term *andrapodistais*, the NRSV and NIV have “slave traders” while the NAB has “kidnappers.” Such translations distort any biblical stance against slave-trading.

The standard lexicon of New Testament Greek suggests “procurer” as the translation of the Greek word *andrapodistēs* in 1 Tim 1:10.³⁶ However, studies of that word show that it does not refer to slave-trading *per se*. Since the word occurs only once in the New Testament, we must appeal to other contemporary Greek sources to see how it was used.³⁷

Part of the evidence comes from a man named Chariton, who is credited with a Greek story known as *Callirhoe*, usually dated to the first century CE (and so the time of Paul), or sometimes nearer to 200 CE.³⁸ In that story, Leonas, a steward, is being lectured by a man named Dionysius about a recent bad slave purchase from a man named Theron. Dionysius tells Leonas: “This experience will make you more careful in the future.... [Theron] was a kidnapper [*andrapodistēs*] and that is why he sold you someone else’s slave in an isolated place.”³⁹ Thus, we can see that an *andrapodistēs* (1) sells someone else’s slave (2) in an isolated place.

A second piece of evidence is a Greek dictionary compiled by a man named Julius Pollux, who worked during the time of the emperor Commodus in the second century CE. For Pollux, an

³⁶ See “ἀνδραποδιστής,” Walter Bauer, Frederick W. Danker, William F. Arndt, and F. Wilbur Gingrich, *A Greek-English Lexicon of the New Testament and other Early Christian Literature*, 3d Edition (University of Chicago Press, 2000), 76a.

³⁷ See J. Albert Harrill, “The Vice of Slave Dealers in Greco-Roman Society: The Use of a *Topos* in 1 Timothy 1:10,” *Journal of Biblical Literature* 118, no. 1 (1999): 98.

³⁸ Chariton *Callirhoe*, Edited and translated by G. P. Goold, Loeb Classical Library 481 (Cambridge, MA: Harvard University Press, 1995). See also Pieter W. van der Horst, “Chariton and the New Testament,” *Novum Testamentum* 25 (1983): 348–55.

³⁹ Chariton *Callirhoe* 2.1.7–8 (Goold, LCL).

andrapodistēs “is one who enslaves a free man or who kidnaps another man’s slave.”⁴⁰ In Rome and Greece, “freeborn” persons were usually other Romans or Greeks who had attained “citizenship” and could not be “kidnapped” into slavery. However, barbarians were not included in this protected class. So, anyone who kidnapped freeborn Greek/Roman citizens or stole someone else’s slaves was an *andrapodistēs*.

Plato’s *Laws* furnish an even wider scope for the corresponding crime of *andrapodismos*. According to Plato’s *Laws*:

If any man forcibly prevent any person from appearing in an action at law..., and in case the person so prevented be a free man..., the offender be imprisoned for a year and shall be liable to a charge of kidnapping [ὑπόδικον δὲ ἀνδραποδισμοῦ] at the hands of anyone who chooses.⁴¹

The same charge would be incurred for “anyone who forcibly prevents a rival competitor at a gymnastic, musical or other contest from appearing.”⁴²

In any case, an *andrapodistēs* is condemned in Greek and Roman culture, too. The fact that slave societies of Greece and Rome condemned an *andrapodistēs* indicates that pure slave trading cannot be meant. Therefore, 1 Tim 1:10 gives no indication that slave trading itself is bad. But if apologists are going to applaud the Bible for condemning an *andrapodistēs*, then they should applaud the Greeks and the Romans for their condemnations as well.

⁴⁰ Pollux *Onomasticon* 3:78. My text is from Karl Wilhelm Dindorf, ed., *Iulii Pollucis Onomasticon cum annotationis interpretum curavis Guilielmi Dindorfii* (Leipzig: Libraria Kuehniana, 1824), 155.

⁴¹ Plato *Laws* 12.955a; Plato *Laws, Volume II: Books 7–12*, translated by R. G. Bury, Loeb Classical Library 192 (Cambridge, MA: Harvard University Press, 1926).

⁴² Plato *Laws* 12.955a (Bury, LCL).

PHILEMON

Space does not permit a full exploration of the issues posed by Philemon for those who would use the Bible to challenge the acceptance of human trafficking by early Christianity. Joseph Fitzmyer deftly summarizes the main positions that scholars have taken on the occasion for the letter.⁴³ The traditional and most prevalent view is that Onesimus is a fugitive slave, who has taken refuge with Paul, who is in prison. In the traditional interpretation, Paul is, therefore, sending back a fugitive slave, and affirming the rights of slavemasters to their property. S. Scott Bartchy, among others, prefers another position, wherein Onesimus is not a fugitive, but rather a slave at odds with his master.⁴⁴ Onesimus looks to Paul to help mediate the dispute. So, is Philemon a testimony to Paul's anti-slavery stance or does Paul affirm the right of masters to have their slaves returned? The answer to that question centers on two issues: (1) the relationship of Onesimus to Philemon; and (2) Paul's instructions to Philemon. In all fairness, I do not think we have enough information to settle the question of Philemon's status or Paul's request. In any case, Philemon is at best an ambiguous source

⁴³ Joseph A. Fitzmyer, *The Letter to Philemon: A New Translation with Introduction and Commentary* (Anchor Bible 34C; New York: Doubleday, 2000), 17–19. See also John Byron, *Recent Research on Paul and Slavery* (Sheffield: Sheffield Phoenix, 2008), 116–37; D. François Tolmie, *Philemon in Perspective: Interpreting a Pauline Letter* (Berlin: Walter de Gruyter, 2010); Günther Schwab, *Echtheitskritische Untersuchungen zu den vier kleineren Paulusbriefe. I/A: Der Philemonbrief, Beobachtungen zur Sprache des Philipper und des Galaterbriefs* (Norderstedt: Books on Demand, 2011); Peter Müller, *Der Brief an Philemon* (Meyers kritisch-exegetischer Kommentar über das Neue Testament; Göttingen: Vandenhoeck & Ruprecht, 2011).

⁴⁴ S. Scott Bartchy, "Philemon, Epistle to," 305B–310A in *Anchor Bible Dictionary* 5 (New York: Doubleday, 1992), 307.

to use on the question of the legitimacy of human trafficking in the New Testament.⁴⁵

WHY WAS THE NEW TESTAMENT NOT MORE VOCAL?

Many may see ISIS as engaging in practices contrary to the Bible and to Christianity.⁴⁶ But while many Christian apologists argue that the Bible espouses liberation from oppression and advocates peace, the fact remains that New Testament authors, and especially Paul or Jesus, did not condemn slavery and human trafficking outright. This situation is recognized by many Christian ethicists, who claim that these New Testament figures did not wish to appear too radical in their social agendas. Ben Witherington cites with approval the rationale Ralph P. Martin offers for early Christianity's apparent apathy toward abolition:

That would have required revolution, which in turn would have been a violation of the teaching of Jesus regarding nonviolence. In other words, it was not a legitimate moral option, never mind an effective or practical option for a tiny minority sect.⁴⁷

⁴⁵ For a critique of the anti-slavery readings, including those using socio-rhetorical approaches (e.g., by Ben Witherington), see Hector Avalos, *Slavery, Abolitionism, and the Ethics of Biblical Scholarship*, *The Bible in the Modern World* 38 (Sheffield, Eng.: Sheffield Phoenix, 2011), 127–35.

⁴⁶ This contrast is common in many evangelical Christian publications, such as *Christianity Today*. See: <http://www.christiantoday.com/article/sheikh.who.taught.isis.jihadists.asks.for.bible.says.hes.sick.of.the.killing/58288.htm>.

⁴⁷ Ben Witherington, *The Letters to Philemon, the Colossians, and Ephesians: A Socio-Rhetorical Commentary on the Captivity Epistles* (Grand Rapids, MI: Eerdmans, 2007), 51, n. 2. Also, Ralph P. Martin, *Ephesians, Colossians, and Philemon* (Atlanta: John Knox, 1991), 138.

Richard Horsley goes much further in his explanation for why Christianity was not more vocal against slavery.

Finally, over against apologists for Christianity working from liberal individualistic perspectives and assumptions, it must be recognized that taking a stand in favor of abolishing slavery in Greek and Roman antiquity would not have occurred to anyone. Slavery was part and parcel of the whole political-economic religious structure. The only way even of imagining a society without slavery would have been to imagine a different society.⁴⁸

These rationales are not only incoherent with other statements about the revolutionary nature of Christianity, but also flounder when we consider other facts.

First, it is not necessarily true that requiring abolition, at least from Christians, would have necessitated some revolution or violence. The Quakers required their members to give up slavery at the height of slavery in America. There was resistance, but not much revolution or violence within Quakerism. Christianity need not have required non-Christians to abolish slavery. It could have had an ethical impact if it even just prevented its own members from having slaves. After all, no law *required* Christians—or anyone else—to have slaves.

Again, Paul had no trouble demanding that people stop being drunks and adulterers, which would require a social revolution, as we found out with prohibition in the United States. Lester Scherer acutely observed the relative importance that Christians placed on slavery when compared to alcoholism and sexual conduct in his study of Antebellum American churches: “Self-proclaimed and widely recognized as the nation’s ‘conscience’ the churches

⁴⁸ Richard Horsley, “The Slave Systems of Classical Antiquity and their Reluctant Recognition by Modern Scholars,” 19–66 in Allen D. Callahan, Richard A. Horsley, and Abraham Smith, eds., *Slavery in Text and Interpretation*, Semeia 83/84 (Atlanta: Scholars Press, 1998), 59.

appeared to be saying that drinking whiskey or enjoying sex without marriage was more scandalous than holding slaves.”⁴⁹

Second, at least some early Christian beliefs were known to be revolutionary, and that did not stop Christians from continuing to voice those beliefs. For example, Acts 17:5–9 says:

But the Jews were jealous, and taking some wicked fellows of the rabble, they gathered a crowd, set the city in an uproar, and attacked the house of Jason, seeking to bring them out to the people. And when they could not find them, they dragged Jason and some of the brethren before the city authorities, crying, “These men who have turned the world upside down have come here also, and Jason has received them; and they are all acting against the decrees of Caesar, saying that there is another king, Jesus.” And the people and the city authorities were disturbed when they heard this. And when they had taken security from Jason and the rest, they let them go.

What could be more revolutionary than proclaiming that there was another emperor besides Caesar? By definition, the overthrow or substitution of another emperor, would have been “revolutionary.” Therefore, why would not allowing Christians to hold slaves be too revolutionary?

If Seyoon Kim is correct, and these passages in Acts simply represent false charges of sedition, we can still find other instances where Jesus and early Christians clearly knew their teachings would generate social conflict.⁵⁰ Acts does not portray Paul as stopping his mission because his message was upsetting Jewish communities. Jesus says (Matt 10:34–37) that his teachings would split up

⁴⁹ Lester B. Scherer, *Slavery and the Churches in Early America* (Grand Rapids, MI: Eerdmans, 1976), 158.

⁵⁰ Seyoon Kim, *Christ and Caesar: The Gospel and the Roman Empire in the Writings of Paul and Luke* (Grand Rapids, MI: Eerdmans, 2008), 75–76.

families. Early Christians are portrayed as willing and able to upset the social order in many ways, and so slavery, one of the greatest of human tragedies, should have been challenged even more.

Third, Horsley's claim that abolition "would not have occurred to anyone" is refuted by the existence of groups who were advanced ethically enough to eliminate slavery from their group. We have evidence that Locris and Phocis in ancient Greece prohibited slavery.⁵¹ Philo tells us that among the Essenes,

... not a single slave is to be found among them, but all are free, exchanging services with each other, and they denounce the owners of slaves, not merely for their injustice in outraging the law of equality, but also for their impiety in annulling the statute of Nature, who mother-like has born and reared all men alike, and created them genuine brothers, not in mere name, but in every reality, though this kinship has been put to confusion by the triumph of malignant covetousness, which has wrought estrangement instead of affinity and enmity instead of friendship.⁵²

Clearly, the idea of abolition *had occurred* to many people. Before Christianity, there were already groups who were much more vocal in their denunciations of slavery. They already were appealing to a "higher" law rather than expediency. The Essenes do not seem to have had a fear of "revolution" by requiring their own members to be slave-free or by denouncing non-members who were slaveholders.

Fourth, these apologists seem to think that Jesus demanded nonviolence, when he did not. In Matthew 10:34, Jesus says: "Do not think that I have come to bring peace on earth; I have not come

⁵¹ Morrow, *Plato's Law of Slavery*, 130, n. 8.

⁵² Philo Every Good Man is Free 79; Philo, *Every Good Man is Free, On the Contemplative Life, On the Eternity of the World, Against Flaccus, Apology for the Jews, On Providence*, translated by F. H. Colson, Loeb Classical Library 363 (Cambridge, MA: Harvard University Press, 1941).

to bring peace, but a sword.” Modern ethicists have dismissed this passage with very little evidence. Roland H. Bainton says, “Evidently here the word ‘sword’ was used ‘metaphorically’ because in the parallel passage in Luke we read instead the word ‘division.’”⁵³ Bainton exemplifies a very common technique among Christian apologists: Interpret favored ideas literally, and unfavored ideas figuratively.

It is arbitrary to argue that Jesus could not have meant violent conflict when he used the word “sword.” Using Luke to explain Matthew is not a legitimate procedure because it assumes that those reading Matthew had recourse to Luke, which is probably not the case at a time when the canon was not yet formed. If we say Jesus preached love, and so he could not have meant violence here, one can just reverse that rationale. One can say Jesus could not have meant “love” literally, because he spoke of violence here.

And despite common claims that Jesus was speaking about the consequences of following him, the fact is that grammatically this is a purpose clause not a result clause in Greek.⁵⁴ Accordingly, Jesus is affirming that violence is the purpose, not the result, of his advent. Thus, it provides plausible support for Christian violence, and it has throughout history.

Fifth, and contrary to Horsley, imagining a different society was very much in evidence in the ancient Near East and in the Bible. Horsley himself says that Paul “had been commissioned to organize communities as beachheads of the alternative society that would come fully into existence at the *parousia* of Christ.”⁵⁵ After all, apocalyptic biblical literature is all about imagining different, and

⁵³ Roland Bainton, *Christian Attitudes toward War and Peace: A Historical Survey and Critical Re-Evaluation* (1960; reprint, Nashville: Abingdon, 1989), 56.

⁵⁴ A more thorough linguistic analysis for my conclusion may be found in *The Bad Jesus*, 93–94.

⁵⁵ Horsley, “Paul and Slavery,” 190.

often utopian, societies. What is the book of Revelation if not the imagining of a different society? Plato's *Republic* is the imagining of a different society. Yet, the fact that biblical authors could not imagine a society free of slavery should be seen as an indictment of a *corpus* for whom divine revelation is claimed.

Finally, it seems that these apologists want to have it both ways. On the one hand, they want to credit Christianity for being a revolutionary new ethical system, and yet they want to deny that it even could be revolutionary when it came to slavery. Apologists want to credit Christianity with energizing liberation movements, some of which were quite violent, and yet shy away from saying that Christianity should have abolished slavery earlier among its own members.

CONCLUSIONS

The Bible is not a good ethical manual to combat human trafficking, especially as practiced by ISIS. First, many of its own principles are ones that are antithetical to what generally accepted ethical codes (e.g., various United Nations declarations) find permissible. Second, one can find analogous biblical practices for many of the practices of ISIS held to be most objectionable by Christian writers. There are similar principles about the permissibility of capturing women in war and using them for sexual slavery. The idea that an out-group (e.g., Midianites) can be treated differently from the in-group of Yahweh worshippers has a direct echo in the view of ISIS that non-Muslims can be treated differently insofar as human trafficking is concerned.

The objection that one should not judge biblical materials by modern standards fails. The fact is that any scholar is ALWAYS judging ancient texts by his or her own modern standards. So, even declaring biblical passages to be peaceful or more "advanced" is to judge them by a modern evaluator's standard. The same with ISIS. If human trafficking is deemed to be evil, then both ISIS and biblical

texts should be denounced in the same way, regardless of their date or cultural context.

Moreover, one should challenge the idea that counter-traditions within the Bible are exculpatory. Appealing to texts such as Exod 21:16 or 1 Tim 1:10 would be futile, even if we could demonstrate that they were against human trafficking. The set of texts we call “the Bible” is artificially constructed by scholars or by a hierocracy, ancient or modern. We can construct any set of texts that can also have both endorsement and rejection of human trafficking. Otherwise, using counter-traditions as exculpations is akin to regarding as sacred an anthology of German literature that includes both Adolf Hitler’s *Mein Kampf* and the works of some pacifistic German author. As long as a set is deemed to be a unit by any theological tradition, then it should be judged by both its worst aspects and best ones. And if one adopts a zero-tolerance for any set of texts that at any time condone or endorse human trafficking, then the Bible fails that test regardless of any counter-traditions.

I advocate post-scripturalism—that is, I propose that we move beyond the use of any sacred texts to formulate modern policies concerning human trafficking or any other issue. I recommend that we discontinue speaking of the true and false versions of any religion. Identifying the “true” version of any religion is a theological judgment, not an historical one. ISIS is no less and no more Islamic than any other self-described Islamic tradition. To fight ISIS because it does not represent the “true” Islam is to involve ourselves in a sectarian theological conflict that will bear more ill consequences than benefits. Fighting human trafficking must be based on empathy for the victims, not on the basis of any sacred textual tradition.

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