

# **Bribery - Towards A Christian Response**

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### **Introduction**

Across many parts of the world today, the practice of making unofficial payments (often referred to as 'bribes') in exchange for direct or indirect benefit is widespread. Often the demands for such payments are made when the Christian is not theologically prepared, is under pressure of work or time, and as a result payments are made without the Christian being aware of the theological implications of what is happening.

### **Purpose**

This paper aims to present a brief overview of the Biblical material relating to unofficial payments (bribes) and provide recommendations for Christians when faced with demands for such payments to be made.

### **Method**

The paper will address the issue of bribery in the following manner:

- A working definition of bribery will be presented.
- Provide a brief overview of current trends within the international political and legal environments relating to bribery.
- Provide a brief overview of Old Testament texts relating to bribery.
- Provide a brief overview of New Testament texts relating to bribery.
- Provide Biblical responses to common excuses for bribery.
- Provide recommendations for Christians when faced with demands for unofficial payments (bribes) to be made.
- Present a short conclusion.

The paper will not attempt to do the following:

- Provide a detailed exegesis of every passage discussed.
- Formulate a systematic theology for unofficial payments.
- Provide a detailed theological framework in which the related issues of poverty and wealth, and social inequalities, are addressed.
- Provide a detailed ethical framework within which individual decisions relating to unofficial payments (bribes) may be made.

## 1. Definition of Bribery.

### 1.1 Bribes, Gifts and Tips.

Bribes are often confused with gifts or tips, so it is important to define at this stage the distinctions between tips, gifts, donations and bribes.

- A gift is generally given in the context of a broader relationship. Where no relationship is present, a gift appears awkward and out of place. A gift may be given secretly, but may also be publicly given and expressed, without fear of criticism or recourse to legal action by those outside the giver-recipient relationship. Secrecy is unnecessary for a gift. A gift is an expression of the value of a relationship to the giver. The size of the gift is unimportant, and whilst hoping for reciprocation, a gift neither determines the nature of a response nor requires a response from the recipient. A gift does not disadvantage a third party, not creates preference for the giver over and above any third party. Good examples of gifts as opposed to bribes in the Old Testament are found in Genesis 24, where Eliezer offers gifts to Rebekah's family from Abraham, Genesis 32, where Jacob sent large herds of animals ahead of him to appease Esau, and 1 Samuel 25, where Abigail appeases David's wrath with her husband Naboth, and gains access to David, through gifts. Abigail's gift served to restore relationships that had been broken, save her husband from David's planned revenge, and prevent David from shedding innocent blood. There was no party harmed by Abigail's gifts, rather, all parties to the narrative were positively impacted by her gifts to David.
- In contrast, a bribe is not normally provided within the context of a broader relationship, generally occurring where there has been no prior relationship outside the formal supplicant-recipient relationship. A bribe is not an expression of a relationship, but is given for personal selfish gain. A bribe is not given openly, but is given in secret, to avoid public knowledge and thereby public approbation or formal legal consequences. The size of a bribe is determined by the nature of the service or favour required, and a bribe requires reciprocation. A bribe generates preferential treatment for the giver, and thereby disadvantages any third party who has not been able or willing to provide an equivalent bribe.
- A tip is provided to an employee of a service provider by a service recipient, and is open and known by the employer. Tips are given openly as a reward for good service provided, and are often regulated within a collective form of work organization. Tips are given to low-level employees, and are optional.
- In contrast, a bribe is hidden from the employer, and requires the employee not to fulfill his / her obligations to the employer. Bribes are given in secret, and are not known to the employer. Bribes cause an employee to betray his / her work, and bribes are given in such a size as to create an overriding obligation to perform a reciprocal action. Bribes are given to those with discretionary powers, and bribes are required.
- Donations may be given openly, without desire for specific reciprocal action, attract public acclaim and applause, and may seek to influence indirectly.
- In contrast, a bribe can only be given in secret, requires a specific reciprocal action, attracts public odium if subject to public scrutiny, and creates an obligation that is hidden from formal decision-making processes and mechanisms.

### 1.2 A Working Definition of a Bribe

There are many definitions of bribery available for use today, such as 'making illegal payments in exchange for favours or influence', or the 'offering, giving, receiving or soliciting of any item of value to influence the actions of an official or other person in discharge of a public or legal duty. The bribe is the gift bestowed to influence the receiver's conduct. It may be any money, good, right in action, property, preferment, privilege, emolument, object of value, advantage, or any promise or undertaking to induce or influence the action, vote or influence of a person in an official or public capacity'<sup>1</sup>.

Most definitions of bribery emphasize a number of factors: the payment of an item of value is made; the payment is not officially recognized; the recipient of the payment is in a position of authority vis a vis a process or transaction that the supplicant is seeking to engage in; the supplicant is seeking to gain a personal advantage by means of the payment; the process is generally accorded criminal status in most legal jurisdictions; the payment is offered to induce the recipient to act in a manner inconsistent with the inherent trust afforded to the recipient by virtue of his / her formal role; bribery is not only used to pervert the criminal justice process, but is used by the supplicant to gain personal advantage in a process or transaction that involves any representative branch of the formal authorities at local, municipal, regional and national levels, e.g. civil, judicial, criminal, legislative or executive.

For the purpose of this paper, and within the context of the above broader discussion of bribery, the following working definition of bribery will be adopted: 'the bestowing of money or favour upon a person who is in a position of trust (for example a judge or government official) in order to pervert his judgement or corrupt his conduct'<sup>2</sup>.

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<sup>1</sup> Black's Law Dictionary.

<sup>2</sup> Encyclopedia of Biblical and Christian Ethics.

## **2. Current Political and Economic Trends Relating to Bribery**

### **2.1 Bribery in History**

Many westerners who come to oriental societies have to immediately grapple with the reality of bribery: ranging from the blatant to the indirect to the legalized and regulated. Often the first encounter is within the context of a particularly demanding experience, with acute work or time pressures forcing a response that the newcomer may not be comfortable about upon later reflection.

However, bribery has a long and undistinguished history. It originated in the ancient Near East, and was of such concern that it entered into the Mosaic laws of Israel. Bribery developed in ancient Greece and imperial Rome, and was a standard target for wandering orators and subtle historians. Bribery continued throughout the Dark Ages, and was expressed in the poetry of Dante, in the writings of Shakespeare, and in the development of a complex English vocabulary related to the concept.

Bribery was recognized (and condemned) in English common law, whilst simultaneously being practiced by judges, politicians, legislators and those in high office down to the current period in cultures around the world. Bribery is recognized as a criminal offence within most legal jurisdictions within the world today, forming a standard that is honored by hypocrisy where unobserved in practice. As such, bribery has entered almost every major language of the world today with derogatory slang.

### **2.2 Modern Bribery**

In today's world, bribery on extensive scale leads to the enrichment of national dictators (e.g. Suharto of Indonesia, Roh Tae Woo in South Korea, Sani Abacha of Nigeria) at the expense of their subjects, who experience continued impoverishment, educational, social, economic and health stagnation, and the despair that endless and hopeless poverty brings. Bribery for business contracts occurs around the world, as does bribery to pervert the course of justice in civil and criminal matters.

Cultures of bribery foster only more giving and demanding of bribes among those who can pay, and despair amongst those who cannot pay. Bribery, a close synonym for corruption, is now recognized internationally as being a primary cause of under-development in countries around the world, a major stumbling-block to efforts to lift communities out of the enslavement of poverty.

The UN recognizes that one of the single largest impediments to achieving the Millennium Development Goals is corruption, most often expressed via the mechanism of bribery. It is no coincidence that there is a strong correlation between levels of corruption within a country and a country's position within the UN's Human Development Index, with the least developed countries experiencing high corruption ratings, whereas the most highly developed countries are generally low on the corruption ratings of entities such as Transparency International.

As recognition has gained momentum of the impoverishing impact of bribery at national, community and personal levels, so international efforts are gaining momentum to combat bribery and corrupt behaviour. Bribery is increasingly seen not as the 'grease' that oils the wheels of international business, but as a harmful mechanism that steers scarce resources into corrupt and inefficient hands, perpetuating poverty for billions of earth's citizens. A recent survey by the World Bank indicated that out of the \$30 trillion total global economy, approximately \$1 trillion is exchanged in bribes.

Systematic research by the World Bank indicates that bribery significantly impacts economic development and performance, as bribery actively reduces domestic investment due to higher than required business costs, reduces foreign direct investment, increases government expenditures to unsustainable levels, distorts the composition of public sector spending away from education, health and infrastructure maintenance towards less efficient public projects with more scope for bribery and kickbacks. Bribery also contributes towards the 'hollowing out' of societies, increasing the gap between rich and poor, exacerbating existing social inequalities, and drives the professional and middle-classes (who serve as the primary engines for economic and social development in most countries) to seek better opportunities abroad. A classic example of this phenomenon is Lebanon.

As Transparency International recommends, the 'seed of integrity' needs to be injected into the workplace, whilst Newsweek argues that governments should 'encourage a general sense of civic virtue'. Driven by human reality rather than by moral principles, the international efforts are being led by actors such as the USA, EU, OECD and World Bank. The World Bank is compiling a list of firms that are known to have paid bribes to be awarded projects funded through the World Bank. The Organization for Economic Cooperation and Development (OECD) is working with the world's top corporations to stamp out bribery, corrupt business practices, and improve ethical standards amongst senior management.

The USA is the actor with the longest history within the modern era in combating bribery. Following the Watergate scandal, in which it was discovered that some of the hush money paid to those who broke into the Watergate complex was coming from corporate slush funds used to pay overseas bribes, public outrage led to the passage of the 1977 Foreign Corrupt Practices Act, which resulted in most major US corporations employing compliance officers. This Act made it a criminal offence for a US based entity, or a foreign

intermediary acting on behalf of the US based entity, to pay bribes to a foreign government official (an unofficial limit of 500US\$ is allowed for minor 'grease' payments by US prosecutors).

Following the Foreign Corrupt Practices Act, European governments openly allowed tax deductions for bribery as a means of leveling the playing field of international competition with US based entities. However, with the Elf Aquitaine corruption affair in France in the mid 1990s, which resulted in prison sentences for a former French Foreign Minister, and involved funds used for bribery overseas, the negative impact of bribery was experienced within the upper echelons of the French political elite, and attitudes began to change.

Today, within many international firms there is pressure from the OECD, World Bank, USA, regulatory authorities, investors, NGOs, local civic groups, and younger employers to avoid bribery and corrupt business practices. Laws recently passed by OECD members have made it a crime for a home office to engage in 'willful blindness or reckless disregard' of clear evidence of offshore bribe payments.

Whilst anecdotal evidence of corrupt business practices and bribery abound at a global level, bribery is increasingly being recognized as a major hindrance to poverty alleviation and socio-economic development, and the fight against bribery and corruption is also being engaged at a global level, and it remains to be seen whether the regulatory authorities will be able to tackle this age-old problem or not.

Within the above context of a working definition of bribery and current trends in this area, we now turn to the Biblical revelation relating to this issue.

### 3. Brief Overview of Old Testament Texts Relating to Bribery.

#### 3.1 Key OT Texts

The Old Testament (OT) has much to say about bribery. Appendix I (below) contains the key texts relating to bribery in the OT, and the reader is encouraged to read through these texts at this time. For each text, three parallel formal equivalent translations are provided (the King James Version, New International Version, and New Revised Standard Version) to give the reader a broad view of how the texts in question have been translated. The reader is also encouraged to read the context for each passage quoted.

The general Hebrew term used for bribery, שֹׁחַד ('shochad', a gift in a corrupt sense, a bribe) and related words, is used over 30 times in the OT, together with more general and neutral terms such as 'gift', 'reward', 'money' and 'silver'. The Hebrew term שֹׁחַד 'shochad', noun and cognates, is used throughout the Mosaic laws, histories and prophetic utterances of the OT with almost consistently negative overtones.

An alternative term used in the OT is מַתָּנָה 'matanah', which is less negative in both denotation (formal meaning) and connotation than שֹׁחַד. מַתָּנָה can mean simply a gift, but is used as a Hebraism at times in the OT, e.g. 'each man according to the gift in his hand', meaning 'each man according to his ability'. The Levites were a מַתָּנָה from God to Aaron and his sons for the temple services, but the word also had negative uses, particularly as מַתָּנֹת לְאֲבִינִים, i.e. services to the poor, or bribes, or in Proverbs 15.27, the use of מַתָּנָה with בְּצַע (gain made by violence, unjust gain) shows that whilst מַתָּנָה is a more neutral term than שֹׁחַד the immediate context often determines whether the term has positive or negative implications.

A third term used in the OT is תְּרוּמָה, 'terumah', which refers primarily to contributions or offerings for religious purposes. The term is also used in the OT for the thigh of an animal sacrifice set aside for the priests to eat, for land set aside for use by the temple cult and priests, of cereal and grain offerings for the Levites, of the tabernacle offerings required of the people of Israel, and in the genitive construction אִישׁ תְּרוּמָתוֹ, a 'man of contributions', i.e. a man who exacts contributions (strongly negative connotation).

A fourth term used in the OT is שְׁלֵמָן 'shalman', which refers to bribes or rewards, and has generally negative connotations.

A fifth term used is קֶסֶף 'qesef', which refers to silver or money. This term has a variety of related meanings, e.g. silver as a costly gift, as the spoils of war, things shine like silver, as a unit of money, e.g.; silver shekel or mina, and in the temple cult was used in terminology referring to sin-money, redemption-money and trespass-money. The connotation of this noun is generally determined by the context as the formal denotation is neutral in moral terms.

A sixth term used is קֶפֶר 'qeper', which refers to the price of a life, or a ransom. This term has a variety of uses, including in the temple cult to refer to the half-shekel paid by every male over 20 years of age at the time of census to avoid the plague, and was offered to YHWH for atonement of sins. As with the previous word, the connotation of this noun is generally determined by the context as the formal denotation is neutral in moral terms.

A seventh term used is שָׂאֵל 'sha-ul', a verb, which may refer to begging, or as a more general term, to borrow or to ask for (something undefined) for oneself. As with the previous word, the connotation of this verb is generally determined by the context as the formal denotation is neutral in moral terms.

An eighth term used is מְחִיר 'm'tir', which is a noun and refers to a price or hire. More positive uses include the price of an item, the price used in trade negotiations, and the cost of labour. More negative connotations include in construct form the hire of male prostitutes or venal priests.

The table below summarizes the major passages on bribery / gifts in the OT, indicating which of the above words are used, and provides additional comment:

Text	Hebrew Used	Comment
Ex. 23.8	שָׁחַד	This verse has as the primary interpretation the use of bribes to pervert the course of (criminal) justice against the case of the righteous.
Deut. 10.17	שָׁחַד	This verse in context serves to define YHYH as One who cannot be persuaded through bribes to pervert justice.
Deut. 16.19	שָׁחַד	This verse has as the primary interpretation the use of bribes to pervert the course of (criminal) justice, including the tendency of a bribe to blind the otherwise wise.
Deut. 27.25	שָׁחַד	Part of the twelve curses to be recited in the hearing of the 12 tribes by the Levites, the verse brings a divine curse on any who would accept a bribe in order to shed innocent blood. Whether this verse refers to a judicial process or contract killing is unclear.
1 Sam. 8.3	שָׁחַד	This verse has as the primary interpretation the use of bribes to pervert the course of (criminal) justice against the case of the righteous.
2 Kings 16.8	שָׁחַד	2 Kings 16.2 states that Ahaz 'did not do what was right in the sight of the LORD his God', and the rest of 2 Kings 16 then recites the list of Ahaz's evil deeds, including the narrative of vv. 5-9 in which Ahaz sends a large financial gift to the King of Assyria to abandon an alliance with Aram and intervene on Ahaz's behalf. In this verse, the use of שָׁחַד is not restricted merely to the perversion of criminal justice as in Ex. 23.8, but is used to refer to the payment of sums of money to a 3 <sup>rd</sup> party for personal gain, in this case personal political and military gain. The narrative occurs within the overall context of Ahaz doing that which was 'not right in the sight of the LORD his God', and has therefore a strong negative connotation. Ahaz's son, Hezekiah, also took riches from the house of the LORD, but not for a gift as in the case of Ahaz, but as tribute owed to an overlord, Shalmaneser of Assyria. However, when the Assyrian army was at the walls of Jerusalem, Hezekiah did not turn to financial means to buy off the approaching army, but he presented the problem before YHYH in sackcloth. Ahaz trusted ultimately in financial gifts to achieve his objectives, whereas Hezekiah trusted in prayer: Ahaz did that which was 'not right' in YHYH's sight, whereas Hezekiah 'did what was right'.
2 Chron. 19.6-7	שָׁחַד	In this verse, which is part of the charge of Jehoshaphat to newly appointed judges, the primary interpretation of the use of bribes is to pervert the course of (criminal) justice. This requirement is placed on judges because of the inherent nature of YHYH, whose self-definition in this area is provided in Deut. 10.17. Judges are to reflect the character of YHYH, not of the gods of the surrounding nations.
Job 6.22	שָׁחַד	This verse is not clearly to be understood as referring to bribes within a criminal justice context, rather the bribes are to be understood as occurring for personal gain, for release from oppression, just or otherwise.
Job 15.34	שָׁחַד	This verse has as the primary interpretation the use of bribes to pervert the course of (criminal) justice, and bribes are associated both with the godless and with those upon whom divine judgement will fall.
Ps. 26.9-10	שָׁחַד	This verse is not clearly to be understood as referring to bribes within a criminal justice context, rather the use of bribes is to be understood as being by the bloodthirsty / evil / sinners / worthless / hypocrites, whereas David proclaims clearly in the following verse that he walks in 'integrity', and he loves to be where God dwells. Part of the distinction between the evil and those with integrity in this verse is that those with integrity pay no bribes, whereas the evil pay bribes in general, not exclusively within criminal justice cases.
Prov. 15.27	מִתְנָה	Gifts, and the greed for gifts, are associated with unjust gain, and with the bringing of consequent trouble upon one's household. The use of מִתְנָה in this verse has no overt link to the perversion of criminal justice, but is used to refer to gain to which one is not entitled, such as one's regular salary, but which one still demands or chases after, ultimately to the detriment of one's entire household.
Prov. 17.8	שָׁחַד	Not directly related to the perversion of criminal justice. Ostensibly this verse lists a positive use of bribes, as a bribe acts as a kind of 'open sesame' or magic charm for the one making the bribes, opening doors. The one making bribes however

		comes to depend on bribes for success, whereas Ps. 62.10 advises not to place one's trust in goods or riches....the overwhelming counsel of the Bible is for man to place his trust in God, not in riches, weapons, idols.....or bribes. As such, this verse lists a serious problem with the use of bribes – they tend to reduce one's reliance on God and encourage the one paying the bribe to act in his own time rather than God's time.
Prov. 17.23	שָׁחַד	This verse has as the primary interpretation the use of bribes to pervert the course of (criminal) justice, with bribes being given in secret to avoid public opprobrium.
Prov. 18.16	מִתְּנָה	A more generic term is used here, 'gift', normally referring to a financial gift. Does this passage refer to bribery as in the strict perversion of criminal justice cases, or to gifts in general? In this verse, a gift opens doors for the giver of the gift that would not have been open had the giver relied purely on his own merits. A gift is necessary, so the giver has bought an opportunity that is not rightfully his. The act of giving the gift therefore is unjust (as preferential treatment is being given to someone who in and of themselves is not worthy instead of someone else who could have gained access on the basis of merit alone), and can be therefore considered to be a bribe. A good example of this type of 'gift' is the narrative of Judges 3, in which the judge Ehud gains access to the oppressive Moabite King Eglon through the giving of 'gifts'.
Prov. 21.14	שָׁחַד      מִתְּנָה	A difficult verse. The two-fold emphasis of secrecy in relation to the bribe / gift indicates a desire to avoid public reaction, and may refer to bribes / gifts being used to pervert the course of justice. A more straightforward interpretation is that this verse is merely commenting on the effectiveness of the practice of giving bribes / gifts rather than focusing on any particular scenario.
Prov. 25.14	מִתְּנָה	This verse links in a compound construction the concept of 'gift' with 'deception' or 'disappointment', providing a strongly negative inference for the noun 'gift'. The verse does not refer to the perversion of legal process, but to both the positive and negative aspects of the giving of gifts.
Prov. 29.4	תְּרוּמָה	This verse does not refer to the perversion of justice. A ruler / government characterized by 'judgement' or justice provides stability, or establishes, a land, whereas a ruler / government that is hungry for exactions will destroy a land. The noun used is different to that of Ex. 23.8, the verse referring not to the taking of regular sacred offerings which were permissible in the temple cult, but to the exaction of offerings in undue measure, the extraction of offerings that are not due, causing national collapse.
Ecc. 7.7	מִתְּנָה	Gifts mirror extortion. The parallelism of this verse indicates a) that oppression (extortion of Eze. 22.12) is evidenced by the tyrannical enrichment of oneself at the expense of others, and b) that the giving of gifts further corrupts the heart, both of the one demanding the gift and of the one giving the gift. The heart in Hebrews thought is a symbol of understanding and of one's moral nature (Hosea 4.11). Gifts therefore in a civic system may be part of a tyrannical system of extortion, but serve to corrupt the moral nature of both the giver and the recipient.
Isa. 1.23	שָׁחַד      שְׁלֵמָן	Isaiah is condemning the corruption of Jerusalem's ruling class, who run after bribes and gifts. The context indicates that this seeking of bribes is associated with the oppression of the defenseless and perversion of justice.
Isa. 5.22-23	שָׁחַד	This verse has as the primary interpretation the use of bribes to pervert the course of (criminal) justice against the case of the righteous.
Isa. 33.15-16	שָׁחַד	A description of the righteous, in comparison to the (corrupt) sinners of Zion of v. 14 who are afraid of divine judgement. God has revealed Himself as being 'tsadiq', righteous, and those who walk in righteousness, i.e. who model the character of God in their actions, speak only the truth, avoid unjust gain at the expense of others or oppression of others, and refuse to accept bribes. The noun is used extensively elsewhere (see above) to reflect the perversion of criminal justice, but in this verse the use is not restricted to the perversion of criminal justice, but to the receiving of bribes as part of a general oppression or system of unjust gain at the expense of others.
Ezek. 22.12-13	שָׁחַד	The use of bribes in this verse may literally be taken to be bribes for contract killings, and may be extension be the use of bribery in capital cases to sway a verdict. Either way, innocent life is lost due to the influence of bribes.

Amos 2.6	כֶּסֶף	A poetic passage, Amos is denouncing Israel for its oppression of the poor, sexual immorality, idolatry and hypocritical worship and pronouncing divine judgement. Amos denounces the use of money to oppress the poor and the righteous. This verse condemns the use of money by the 'haves' to further oppress and marginalize the 'have-nots', and while it may refer to the perversion of criminal justice, should not be understood and being restricted exclusively to the perversion of criminal justice.
Amos 5.10	כֶּפֶר	This verse has as the primary interpretation the use of bribes to pervert the course of justice against the case of the poor in the 'city gate', i.e. the legal process and arena of the time. The verse does not specify whether criminal or civil legal proceedings are being perverted, merely that bribes are associated with the general denial of justice to the poor, and to the righteous, who in this context are those who will not pay bribes.
Micah 7.3	שָׂאֵל	An elliptical verse. The rulers 'ask' for themselves, and the parallelism with the judges asking for themselves for an acquittal indicates that both rulers and judges are seeking personal gain in the course of their civic and judicial proceedings. Whilst this verse may be primarily understood as condemning the corruption of Israel as evidenced by the corruption of the judicial system, it may also be understood as portraying the total corruption of the system of government, with both civil and judicial authorities seeking personal benefit from supplicants. This is contrasted in v. 7 where Micah states that 'as for me. I will look to the LORD, I will wait for the God of my salvation; my God will hear me', i.e. Micah places his trust not in his ability to pay civil or judicial authorities but in waiting on God.
Micah 3.9-12	מְחִיר כֶּפֶר שֶׁךְ	Micah is pronouncing YHYH's judgement on Israel. Whilst in the context it the rulers give judgement for a bribe (in the context to be understood as the perversion of the justice system), Micah actually condemns all three branches of the divine theocracy (king, prophet and priest) that formed Israel's government under God, for all branches of government (king, prophet and priest) only performed their functions for bribes / money / gifts. The total corruption of the government of Israel and abuse of power (v.9) as evidenced by all the components of Israel's government only performing functions for bribes / money / gifts will lead to YHYH's judgement.

The above review of key texts relating to bribery in the OT reflects a number of key themes:

- Bribes were primarily used to pervert the course of (criminal) justice, and as such were condemned by God.
- Justice in the divine economy was to reflect the nature of YHYH, in sharp contradistinction to the gods of the surrounding nations. The gods of the surrounding nations (e.g. Chemosh, Dagon, Baal, Molech and Ashtoreth etc.) were often approached by their devotees with gifts in order to gain the goodwill and preferred outcome for the supplicant. Such gods were not approached exclusively in the realm of criminal justice, if at all, but were approached for a range of civil and personal matters, e.g. whether to go to war or not, to improve rainfall, to improve crop productivity, to open barren wombs, to prevent pestilence etc. The giving of significant offerings to the gods of the nations around was believed to influence the god concerned towards the desires of the supplicant. YHYH however defines Himself as the divine being who alone cannot be influenced through such payments, and as such the judges of Israel are forbidden to receive bribes not merely because this perverts justice (and by extension the people of Israel are forbidden from paying bribes), but because the giving and receiving of bribes distorts the image of YHYH and likens Him to the gods of the surrounding nations.
- Corrupt and oppressive government is characterized by the seeking after of bribes, money or gifts by all functions of government, not only by those in the judicial system, and leads to both national collapse and divine judgement.
- Corrupt and oppressive government that seeks / demands undue exactions over and above that which is officially prescribed from its people leads to the destruction of a nation from within, and also to YHYH's judgement.
- The use of gifts / bribes to 'open doors' turns the trust of the giver from God to the efficacy gifts / bribes themselves, and corrupts the moral sensibilities of both the giver and the recipient.
- The use of gifts for personal gain at the expense of others is to do that which is not right in the sight of God, particularly when the use of gifts serves to further entrench the 'haves' at the expense of the poor.

### 3.2 Key OT Narratives Involving Bribes

#### 3.2.1 Delilah and Samson



<sup>NIB</sup> **Judges 16:4-5** Some time later, he fell in love with a woman in the Valley of Sorek whose name was Delilah. The rulers of the Philistines went to her and said, "See if you can lure him into showing you the secret of his great strength and how we can overpower him so that we may tie him up and subdue him. Each one of us will give you eleven hundred shekels of silver."

In this narrative, Delilah is presented as one whose moral sensibilities are entirely perverted through the offer of a large sum of money. No criminal justice system was being perverted in this narrative, but the promise of a large financial gift turned her loyalty to and ostensible love for Samson into a persistent desire to seem him weakened and captured. Whilst not strictly speaking a bribe as per the above definition (see Section 1.2), the beginning of the downfall of Samson, a judge of Israel called by God from before his birth, began with the promise of the payment of a large sum of money to Delilah (personal financial gain) for betraying Samson. This narrative illustrates well the insidious impact that such payments can have on trusting human relationships, when humans turn from their normal and God-given feelings of love for one another to overt self-centeredness at the expense of those who love them.

### 3.2.2 Samuel's Sons

<sup>NIB</sup> **1 Samuel 8:3** But his sons did not walk in his ways. They turned aside after dishonest gain and accepted bribes and perverted justice.

As stated above, this passage is a passing comment during the twilight years of Samuel's leadership of Israel. The perversion of justice by Samuel's sons provides the excuse the elders of Israel need in the subsequent verses to demand a king, a demand that was an overt rejection of God's rulership in favour of human rulership (1 Sam. 8.7).

The demand for a king and the switch from a theocracy in which God led through judges, prophets and priests to a human monarchy, occasionally tempered by prophetic intervention, ultimately led to the deportation of the Israelites by the Assyrians and the Judeans by the Babylonians...and the excuse the elders of Israel needed was that Samuel's sons took bribes (perverting justice) and sought after dishonest gain (tried to force supplicants of the tabernacle cult to provide for them that which they were not actually entitled to, e.g. prime cuts of meat, 1 Sam. 2.12-17).

This narrative indicates the debilitating national impact (and in the case of the 12 tribes, a devastating impact) that the demanding of bribes and seeking of unjust gain by persons in official roles can lead to. The seeking of bribes and demanding of unjust payments is never within a vacuum – there are always unforeseen social consequences.

### 3.2.3 The False Prophet, Shemaiah

**Nehemiah 6:10-14** One day I went to the house of Shemaiah son of Delaiah, the son of Mehetabel, who was shut in at his home. He said, "Let us meet in the house of God, inside the temple, and let us close the temple doors, because men are coming to kill you--by night they are coming to kill you." But I said, "Should a man like me run away? Or should one like me go into the temple to save his life? I will not go!" I realised that God had not sent him, but that he had prophesied against me because Tobiah and Sanballat had hired him. He had been hired to intimidate me so that I would commit a sin by doing this, and then they would give me a bad name to discredit me. Remember Tobiah and Sanballat, O my God, because of what they have done; remember also the prophetess Noadiah and the rest of the prophets who have been trying to intimidate me.

In this narrative, the false prophet Shemaiah was hired by opponents of the rebuilding of Jerusalem (Tobiah and Sanballat) to falsely prophesy a warning for Nehemiah, enticing him into a trap where Nehemiah could be killed. This narrative is a good example of the problem referred to by Micah in Micah 3.9-12: rulers give judgement for a bribe, priests teach for a price, and prophets give oracles for money, i.e. the total corruption of the various official actors within the Israelite system of government. The act is clearly condemned by Nehemiah in his appeal to God, but what is interesting is not that Nehemiah specifically asks God to remember Shemaiah but that he asks God to remember Tobiah and Sanballat, i.e. those who paid the money to Shemaiah to falsely prophesy were explicitly condemned whereas Shemaiah was not explicitly mentioned.

In this narrative, we see that not only is it wrong for an official functionary to receive a payment to induce him or her to act within the terms of their official capacity, but that those who seek to pay officials to pervert their normal course of duties are specifically condemned. This narrative goes beyond the perversion of criminal justice systems, and condemns the practice of paying any official functionary to do that which is not consistent with their particular function or calling.

### 3.2.4 King Asa of Judah Bribes Ben-Hadad

<sup>NIB</sup> **1 Kings 15:18-20** Asa then took all the silver and gold that was left in the treasuries of the LORD's temple and of his own palace. He entrusted it to his officials and sent them to Ben-Hadad son of Tabrimmon, the son of Hezion, the king of Aram, who was ruling in Damascus. "Let there be a treaty between me and you," he said, "as there was between my father and your father. See, I am sending you a gift of silver and gold. Now break your treaty with Baasha king of Israel so that he will withdraw from me." Ben-Hadad agreed

with King Asa and sent the commanders of his forces against the towns of Israel. He conquered Ijon, Dan, Abel Beth Maacah and all Kinnereth in addition to Naphtali.

This narrative is difficult to interpret as being either for or against the making of payments. Asa is recorded as one who 'did what was right in the sight of the LORD' (1 Kings 15.11), and the narrative records his positive acts, but then the record is marred in v. 14 which states 'but the high places were not taken away'. Asa is presented as a complex character, capable of that which was both good and evil, and then the narrative moves on to the above incident of vv. 18-20.

Further light is shed on the above incident when we read the parallel passage in 2 Chron. 16.1-10. In this passage, YHYH sends the seer Hanani to pass on a divine judgement, for 'you relied on the king of Aram, and did not rely on the LORD your God'. As a result, Asa is cursed with continual war throughout the remainder of his reign, and died a lingering death with severe disease in the feet, during which he 'did not seek the LORD, but sought help from physicians' (v.12).

The giving of a gift of money to Ben-Hadad rather than trusting in the LORD, as did Hezekiah in a similar situation, was symptomatic of a deeper spiritual malaise: trusting in men (who, ironically enough, need to be bought with large sums of money taken from the house of the LORD), whereas YHYH offered His divine protection without the need for financial payment.

This narrative therefore explicitly condemns the payment of sums of money within a non-judicial context to men to persuade them to do that which they would not otherwise do without the aforesaid payment of money, when YHYH stands ready and able to help His people in times of difficulty.

### **3.2.5 Haman Bribes Ahasuerus to Kill the Jews**

<sup>NIB</sup> **Esther 3:9** If it pleases the king, let a decree be issued to destroy them, and I will put ten thousand talents of silver into the royal treasury for the men who carry out this business.

In this narrative, Haman promises to pay the king a large sum of money in order to issue an order to massacre the Jews throughout the Persian empire. This is a clear example of what is referred to in Deut. 27.25, 'Cursed is the man who accepts a bribe to kill an innocent person.' A bribe is offered to take away the legal rights of the innocent, pervert the legal process, and lead to an unjust decision being made by the recipient of the bribe.

### **3.3 Summary of OT Thought on Bribes**

From the above individual texts we see that the use of bribes is almost entirely condemned in the OT (even allowing for the ambiguous texts Prov. 17.8, 18.16 and 21.14), and that the OT not only condemns bribes in the context of the perversion of justice, but in the broader context of a denial of the nature of YHYH. The OT condemns the use of gifts for personal gain at the expense of others, the oppression of the poor that corrupt government leads to, and the perversion of moral sensibilities that the seeking, extraction and giving of gifts leads to when within the context of relationships between the citizen and the official functionary.

The above narratives furthermore show that the payment of sums of money from one individual to another outside the context of a criminal justice system has a debilitating impact on human relationships, destroys trust in inter-personal relationships, encourages and fosters a self-centered attitude, has unforeseen social implications for many generations, including social breakdown, betrays a fundamental lack of trust in YHYH, and both the recipient and the giver of the gift are explicitly condemned.

The essence of the problem in the OT is that the use of bribes (in a criminal justice context) and the payment of gifts (in other contexts) by God's professing people reflects on the nature of YHYH Himself, distorting before the world both His self-definition as the one who does not receive bribes, and showing by the option of trusting other men rather than YHYH that YHYH fundamentally cannot be trusted, even by those who nominally serve Him.