

**AN ECONOMIC-POLITICAL READING OF
1 KINGS 21:1-4 IN LIGHT OF THE LTRA
2008 CONTROVERSY**

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by

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ABSTRACT

The Land Titles Registration Act (LTRA) 2008 was introduced by the Samoan Government to help implement their initiative to allow customary lands to be leased out. Their primary objective is to make use of prime customary lands that are lying idle, and earning no income for developments, especially for tourism purposes. For the government, this programme carries great potential for economic gains not only for customary land owners, but also for the government.

Various groups of people in Samoa see the LTRA 2008 and the government's intentions in a different light. These groups have voiced their opposition of the LTRA, by accusing the Samoan Government of allowing customary land to be alienated through this Act. This has become a controversy and a big issue for the government as well as the people.

In light of this controversy, this paper will attempt to read the story of Ahab's proposal to buy Naboth's vineyard in 1 Kings 21:1-4 from an economic-political perspective to provide a biblical view of the controversy. This reading hopes to address some of the concerns apparent in the controversy, and also help the Samoan people to understand more about what this controversy is about.

Overall, this exercise is basically a contextual reading and appropriation of the biblical text to address contextual concerns facing real people in real situations.

Declaration

I, the undersigned, hereby declare that this thesis, which is about 8000 words in length, excluding the bibliography, has been written by me, that it is the result of work carried out by me, and that it has not been submitted, either in whole or in part, in any previous written work for an academic award at this or any other academic institution.

I also declare that this thesis has not used any material, heard or read, without academically appropriate acknowledgment of the source.

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Dedication

This work is dedicated to my dear wife Pauline
And my children Auatama Junior & Tamara Upuia
For taking this journey together as a family

And also to

My beloved parents

Esera Auatama & Tamara

Acknowledgments

Fa'afetai i le Atua i lona alofa ma lona agalelei. All honour and glory be unto you!

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List of Abbreviations

ABD	Anchor Bible Dictionary
ACL	‘Alienation of Customary Land’ Act
BDB	‘Brown-Driver-Briggs’ Hebrew and English Lexicon
BHS	Biblia Hebraica Stuttgartensia
CLAC	Customary Land Advisory Committee
Dtr	Deuteronomist
LRA	Land Registration Act
LTRA	Land Titles Registration Act
OT	Old Testament
NT	New Testament

Introduction

For the Samoan people, and perhaps for most Pacific Island people, land is very important; it is not only their livelihood, but it is also a very important aspect of their identity. Land, without question plays a very important part in the development of a person's life.

Samoans are predominantly Christian people and the Bible plays an important part in their lives. The Bible provides theological guidance for the people, especially with how to deal with social and religious issues they may face. In light of land inheritance and ownership, Samoans look to the Bible for justifications and guidelines. The impression is that the Samoan views of land and the biblical accounts are intertwined and have formed what is now regarded as the Samoan view of land and land rights. This view includes:

- i. Land as a gift from God.
- ii. Land is an inheritance from God given to succeeding generations through their ancestors.
- ii. Land is for humans to live and work on.
- iii. Land is to care for human wellbeing and humans are to care for the land.
- iv. Land has power to reproduce and provide for humans.
- v. Land has a deep connection to humans for they were made from it.

This theological and cultural understanding of land from a Samoan perspective has been influenced by the intertwining of cultural and biblical understanding of land. For example, Adam and Eve in the biblical creation story in Genesis are bestowed the honour of working and developing the land. Moreover, they are the caretakers and stewards of the land; a role which is supposed to be passed on from generation to generation. Moreover, land also has a role to perform; it has its own

power to create and produce trees and plants for humans to use. It would not be far-fetched to claim that land functions to sustain and improve the standard of living of the people. These biblical interpretations of land are like our own traditional Samoan understanding of land; thus, the two understandings have been integrated and are quite visible in the present Samoan understanding of land.

Given the aforementioned, land and human life are inter-dependent. Land on the one hand, produces food and shelter for human's wellbeing; while on the other hand, humans are to till and care for the land. In this regard, the Samoan people also claim (ancestral) rights to most land. The connection between land, land rights, and development covers a major part of this paper. That is, this paper will highlight how land is expected to be used to develop and sustain the life of human beings. In other words, humans and land both have a responsibility to take care of each other.

With regards to the pursuit to sustain, provide, and develop land, major questions arise: What if the developments affect ancestral and customary rights to the required land? What do we do if and when the pursuit of success and sustainability threatens human's customary and ancestral rights to land? As a result of these questions, the issue on land has been intensely contested in Samoa recently, especially with the introduction of the LTRA 2008. Through this Act, the Samoan Government has been pushing tirelessly the issue of leasing out customary (ancestral) lands for developments especially for commercial use. The government's primary interest, as they constantly argue, is economical. For the government, many customary land primes for such developments are lying idle without earning money; leasing them out would provide extended families or the people of Samoa with some economic benefits. The government also insists that the loss of customary lands through these leases is an impossibility under the Samoan Constitution.

Opposition to the government's initiative has highlighted the risks of such a proposal. According to the opposition, the law to allow these kinds of leases would affect the Constitution of Samoa. In Article 102 of the Samoan Constitution, lands under the title "customary land" (which is about 81% of Samoan land) are not to be alienated. In other words, they are not to be sold or given away under any circumstances. Therefore, the risk of leasing land or allowing land as a security for loans will open the said land to be alienated as payment for the unpaid loan.¹

To ease the growing concern of the people, the government also passed another Land Act² to ensure that customary lands are protected from being leased and lost forever. However, opposition is still adamant that the lands are still not safe. This has become the main reason why most people are very reluctant to accept this new Act. They are concerned in case their lands are lost in the process; that their legal customary ownership of the land will become void under the conditions of the lease agreement. However, in my opinion, on a surface level, it seems that the alienation of customary land is protected by the Samoan constitution; the land can only be leased out under the advisory of a legal commission.³ In this regard, legal procedures are set up to ensure the protection of land rights under this form of lease agreement.

¹ The organization who call themselves Samoa Solidarity International Group (SSIG) are the most vocal group against the Samoan Government LTRA 2008. They strongly feel that this Act is unconstitutional since it directly violates Section 102 of the constitution that prohibited the alienation of Customary lands.

² I will briefly discuss further on this Land Act within this paper, but this Land Act is recent and is an amendment of previous Acts that will also be mentioned.

³ This legal commission known as CLAC (Customary Land Advisory Commission) was established in 2013 and administered under the Ministry of Natural Resources and Environment. One of its functions and powers is to recommend to cabinet suggested measures for the facilitation, encouragement and promotion of the economic use of customary land in Samoa; Government of Samoa, "Customary Land Advisory Commission Act," ed. Ministry of Natural Resources and Environment, (2013).

In light of the above, this paper will address this controversy from a biblical perspective. A selected biblical text will be read using an economic-political method; this will highlight the similarities and differences between the text and the LTRA controversy in the Samoan context. These similarities and differences will then be highlighted by way of a comparison between the two contexts. The main purpose is to shed more light on the controversy from a biblical perspective which, will hopefully assist and guide the Samoan people in their decision making. In short, the aim is to bring clarity to a contentious issue and thus help the Samoan people decide whether they will agree with the Samoan Government and accept the LTRA 2008 as a genuine economical initiative for the betterment of the people, or to embrace the opposition and reject the LTRA 2008 as a threat to Samoa customary land rights.

It is hoped that this approach will help enrich our understanding of both the Samoan context and the biblical text, as well as assist in our decision making. The primary question that this paper asks is: “Will the LTRA 2008, benefit the customary land owners (in terms of financial gains) without the loss of their rights to the land as the Samoan government claims, or will the LTRA 2008 weaken the people’s traditional claim to land and thus lead to the loss of their customary lands forever?”

This paper will address this question and provide an answer based on the research herein. Furthermore, it is hoped that the conclusions reached in this paper will generate a few recommendations from the researcher and thus add to the current conversation.

Method of Reading

Recently, a number of Samoan Biblical (Old Testament) Scholars have attempted to read the Bible using contextual aspects such as biblical hermeneutics. These attempts or readings prioritised their local Samoan contexts or local concepts in producing new meanings of the biblical texts.⁴ The significance of this approach was to allow them to relate contextual features of their own respective contexts such as experiences, worldviews, cultural and religious beliefs in interpreting the Bible. My reading is basically in line with these approaches.

My Samoan context becomes the point of departure for the reading of the biblical text; a context with specific focus given to the impact of the Samoan Government's LTRA 2008 on Samoan Land Tenure. It will also assess the economic benefits of LTRA 2008 as claimed by the Samoan Government. An attempt to read 1 Kings 21:1-4⁵ utilising an economic-political⁶ perspective to address the questions raised in the preceding discussion on the Samoan context will also be carried out.

⁴ To name a few see Peniamina Leota, "Ethnic Tensions in Persian-Period Yehud: A Samoan Postcolonial Hermeneutic," (PhD Melbourne College of Divinity, 2005). Leota argues that the ethnic tensions in Persian-Period Yehud shares similar traits with those in the Samoan context. This will help formulate a Samoan Postcolonial Hermeneutic that Samoans can embrace to help them understand the Bible more; Arthur John Wulf, "Was Earth Created Good? Reappraising Earth in Genesis 1:1-2:4a from a Samoan *Gafataulima* Perspective" (PhD University of Auckland, 2016). Wulf uses a *Gafataulima* perspective to read Genesis 1:1-2:4a from an ecological approach; Makesi Neemia, "The Priestly *Ger* (Alien) Meets the Samoan *Tagata Ese* (Outsider)," in *Sea of Readings: The Bible in the South Pacific*, ed. Jione Havea (Atlanta: SBL Press, 2018), 147-62. Neemia's chapter addresses a particular biblical perspective on land tenure related to the *ger* or 'alien' in the priestly writings, through the lens of Samoan *tagata ese* or 'outside person.'

⁵ This work will focus mainly on 1 Kings 21:1-4; this means that it will not cover the rest of chapter 21 where it unfolds a negative ending to the story of 'Naboth's vineyard'.

⁶ This type of reading will be based on economic-political aspects that will be mentioned. Having the dash (-) between these two words means that they will not be used distinctively but together as a reading perspective.

A further examination of the above-mentioned perspective will be undertaken. Key words such as ‘economic’ and ‘political’ will be defined; a combination of their meanings will give an understanding of what this paper will refer to as an economic-political perspective. According to the Universal Dictionary, economic is defined as “pertaining to the production, development and management of material wealth, as of a country, household, or business enterprise”.⁷ Political on the other hand is defined as “having a definite or organised policy or structure of government”.⁸ Therefore, in combining these two definitions, my economic-political perspective is understood as looking at the text to identify and highlight aspects that involve the production, development and management of material wealth of an individual, household, or country through an organised government or authority. To be more specific, my economic-political perspective will concentrate on identifying and highlighting aspects that involve the development of land of an individual or country through the government or authorities.

The text selection is intentional; the issue in this text shares a lot of similarities with issues discussed above in the Samoan context. One such similarity is when King Ahab asks for an economic land trade deal; but Naboth, cites ancestral inheritance, as the basis of his rejection of the proposed deal. Similarly, the Samoan Government proposed an economic based deal but the people rejected it citing their ancestral inheritance as the basis of their response. It is the aim of this research to produce findings from the interpretation of this text, which will help address some of the issues raised in the Samoan context above.

⁷ Robert Ilson, in *Reader's Digest Universal Dictionary* (London: Reader's Digest Association Limited, 1986), 489.

⁸ Ibid., 1194.

The story in 1 Kings 21:1-4 narrates Naboth as the rightful owner of the land that King Ahab wanted to trade with. However, Naboth rejected the proposed land deal since it affected his family's inheritance.

His refusal to sell the land is not based on purchase price, nor personal dislike for Ahab, nor the fact that he would no longer be able to make a living from the land—Ahab, according to the narrative, offers a fair price and replacement land with greater agricultural potential. Naboth's objection lies not in such trivial matters but in the fact that the land was not merely a vineyard but his ancestral inheritance.⁹

This biblical passage will be investigated through an economic-political reading of the text. The following questions and more will guide this exegetical work: Can this proposed land transaction be viewed as a purely economic one? What is the relationship between this proposed land transaction and land inheritance? Would the Hebrew law or any associated law at the time protect Naboth's land rights? What would be different if Naboth accepted Ahab's offer?

To fulfil the above aims and purpose of this work, this paper is divided into three chapters. Chapter 1 looks at the Samoan context especially with regards to the LTRA 2008 Act and the controversy that has surfaced from it. Questions from the Samoan context will help guide the biblical investigation in the following chapter. Chapter 2 will contain the exegesis of the selected text (1 Kings 21:1-4) from an economic-political perspective. That is, literary features and relevant historical references will be researched to highlight economic and political influences within the text. It is also hoped that a theology and message of the text will become apparent. Chapter 3 will include an analysis; a comparison of the findings from

⁹Stephen C. Russell, "The Hierarchy of Estates in Land and Naboth's Vineyard," *Journal for the Study of the Old Testament* 38.4(2014): 459.

Chapter 1 and Chapter 2. This comparison will hopefully give an alternative view regarding the proposed land transaction. The Conclusion will include a summary and overall argument of the thesis and re-emphasize the conclusions that have been achieved. Finally, some relevant recommendations to address the LTRA 2008 controversy will be given to help the Samoan people deal with the issue.

Chapter 1

THE SAMOAN CONTEXT

The LTRA 2008 and The Controversy

1.1 Introduction

This chapter will discuss the LTRA 2008, its aims, and the impacts and implications of this act on customary land, land rights and land ownership. It will also attempt to highlight the economic and financial benefits (if any) as claimed by the Samoan Government. Secondly, it will address the controversy that has developed from this Act, especially concerns raised regarding customary land rights and land ownership. However, before we discuss the LTRA 2008 and the controversy, a brief description of the traditional Samoan view of land will be discussed first to highlight why land is so important to the Samoans.

1.2 Traditional Samoan Concept of Land

Land in the Samoan language is fanua or 'ele'ele¹⁰. The word fanua can be used to refer to the placenta or umbilical cord of an unborn baby; the source of life for the child while still in the mother's womb. The word 'ele'ele can also mean blood, which biological life is dependent upon. These two Samoan translations for land explain the sacred connection the Samoan people have towards land. Fanua is where life is formed;

¹⁰'ele'ele can also mean soil, dust or earth. See G. B. Milner, *Samoan Dictionary: Samoan-English, English-Samoan* (Oxford: Oxford University Press, 1966), 41. See also Ama'amalele Tofaeono, *Eco-Theology: AIGA - The Household of Life A Perspective from Living Myths and Traditions of Samoa* World Mission Scripts 7 (Enlangen: Enlanger Verl. für Mission und Ökumene, 2000), 181.

'ele'ele is what sustains life. Without *fanua* or 'ele'ele there is no life. The livelihood and sustainability of life in this sense for a Samoan is reliant upon land.¹¹

Land also holds the identity or *fa'asinomaga* of a Samoan. It conveys a sense of belonging and heritage for any Samoan. In the Samoan tradition, a person's *fa'asinomaga* is basically the land where their ancestors originate from and where they were born.¹² Tui Atua Tupua Tamasese defines it as "identity or divine designation".¹³ Maliko also talks about Aiono F. Le Tagaloa's book *O le Fa'asinomaga: O le Tagata ma lona Fa'asinomaga*. He states that Le Tagaloa does not define the word *fa'asinomaga*, but claims that there are "three main *poutu toa*"¹⁴ that make up the Samoan *fa'asinomaga*.¹⁵ These are chiefly titles, land and language. Therefore, identity is closely associated with land; it holds the sacred proof of a person's existence and belonging within the *nu'u* or village.

Such a connection to the land is also seen within the Samoan traditional understanding of the 'authority over land'. The *aiga potopoto* or extended family owns the land. This means that everyone within the family has the right to live upon the land. The *matai* or chief of the *aiga* governs the distribution of the land to family members so that each has land to live and work upon.

This traditional concept of Land portrays the importance of land to a Samoan; this includes the government because they are all made up of Samoans.

¹¹ Tofaeono, *Eco-Theology*, 181. Here Tofaeono not only share a similar view but also adds that land is also a part of the religio-culture life of Samoans.

¹² Tavita Maliko, "O Le Sogaimiti: An Embodiment in the Samoan Male Body" (PhD, University of Auckland, 2012), 129.

¹³ Tui Atua Tupua Tamasese Ta'isi, ed. *Su'esu'e Manogi: In Search of Fragrance: Tui Atua Tupua Tamasese Ta'isi and the Samoan Indigenous Reference* (Samoa: National University of Samoa, 2008), 384.

¹⁴ Ibid., 'poutu toa' is simply pillars.

¹⁵ Aiono F. Le Tagaloa, *O le Fa'asinomaga: Le Tagata ma lona Fa'asinomaga* (Alafua: Lamepa, 1997)

1.3 Land in Contemporary Samoa

Land in Samoa is classified under three categories; customary land, free-hold land and public land.

Freehold Land – These lands are basically lands that are held for an estate with a fee-simple. These lands were mostly acquired by the Europeans before alienation of customary land was prohibited by the Treaty of Berlin in 1889.

Public Land or Government Land – These lands are vested in the Samoan Government which are free from customary land and not freehold in fee-simple.

Customary land - are lands held in accordance with Samoan custom and usage and with the law relating to Samoan custom and usage”.¹⁶

The main interest of this paper lies in the third category of Samoa Land Tenure. Therefore, the following discussion will focus on customary land.

Customary land is fundamental to Samoan society and identity. Its value cannot be assessed in economic terms alone because of its symbolic and cultural value.¹⁷ According to Ruibin Ye, there is a general pattern that governs customary land holdings recently. He states, “Customary land is mainly governed by the Constitution, the Alienation of Customary Land Act 1965, the Land and Titles Act 1981, and Samoan customs and usage”.¹⁸ So now, with the introduction of the LTRA 2008, this new law is added to the above list and plays a significant part in handling customary land.

¹⁶ Ruipin Ye, "Torrens and Customary Land Tenure: A Case Study of the Land Titles Registration Act 2008 of Samoa," *University of Wellington Law Review*, no. 40 (2009).

¹⁷ Jennifer Corrin, "Resolving Land Disputes in Samoa," in *Making Land Work: Volume Two Case Studies on Customary Land and Development in the Pacific* (Canberra: Australian Agency for International Development, 2008), 204.

¹⁸ Ye, "Torrens and Customary Land Tenure: A Case Study of the Land Titles Registration Act 2008 of Samoa." 66.

Given their sizes and convenient geographical locations, most of these customary lands are prime for economic development, especially for Tourism purposes. This is why the government has encouraged the people of Samoa to develop their (customary) lands by way of leasing them out to prospective developers. This initiative by the government is primarily based upon an economic motive where both the Samoan government and the *aiga potopoto* will benefit in terms of financial income. To the Samoan Government, these prime lands should be developed and not left idle in order to enjoy its benefits. However, the general public feel reluctant to accept the actions of the government, based upon the above concerns already discussed.

1.4 Land Titles Registration Act (LTRA) 2008 and its Controversy

The LTRA 2008 is basically an Act that governs the registration of lands in Samoa, whether freehold, public or customary land. This law is not really a new one; however, it is an amendment of previous laws, which dealt with such cases. Before the LTRA 2008, there was the Land Registration Act (LRA) 1992/1993. This Act required the registration of Samoan lands for leases; this included public land, freehold land, and customary land only upon application.¹⁹

1.4.1 What is new in the LTRA 2008?

The LRA 1992/1993 Samoa previously had governing its land registration process operated under the Deeds System. The Deeds system basically required the registration of land in terms of those who had a claim to the land or *aiga potopoto*. With the LTRA

¹⁹ Ibid.

2008, the Deed system has now been replaced by a new one called the Torrens system. The main difference between these two systems is that the Torrens system now requires the compulsory registering of both the title of the land and the owner of the land.²⁰ That is, all land must be surveyed and given a formal title. Moreover, customary land could now be registered in the name of a sole owner or one *matai* holder who, which in most cases is also the *matai Sa'o* of the *aiga potopoto* or the extended family. The problem with this new policy is that the registered customary land may end up being owned exclusively by the heirs of the *matai Sa'o* who signed the original registration paper. In other words, the rights of the *aiga potopoto* or the heirs of the *matai* title or *suafa* will no longer be valid; only the direct heirs of the person who holds the *suafa* at the time of the registration, have a valid claim.

1.4.2 The Controversy

The issue this study deals with is the leasing of customary land for economic development. The LTRA 2008 came into force in March 2009. This Act also requires the registering of public land, freehold land and customary land for leases and licensing. However, the final decision for registering of customary lands comes from the Land and Titles Court. Some people, as already stated above, fear that enforcing the LTRA 2008 will cause them to lose their customary lands.²¹ Not only through the title registrations under the *matai Sa'o*, but also through the lease agreements. That is, land critics fear that there are loop-holes in the Act, especially for example, in 'part 7 section 32' of the Act.

²⁰ Ibid.

²¹ Iati Iati argues that if and when customary land is lost under this act, it will have great repercussions on the whole faaSamoa. That is because land is interconnected with *suafa* or *matai* titles, *faalupega* (honorifics) and so forth. For further details see Iati Iati, "Controversial Land Legislation in Samoa: It's not just about the Land". <http://www.devnet.org.nz/sites/default/files/IatiIati> (Accessed July 6th 2018)

Part 7 of the LTRA 2008 is titled 'Effect of Registration'; its section 32 is as follows:

32. Estate of registered proprietor paramount²²

Notwithstanding the existence in any other person of any estate or interest which but for this Act might be held to be paramount or to have priority, the registered proprietor for the time being of any estate or interest in land recorded in a folio of the Register shall, except in case of fraud, hold the same, subject to such other estates and interests and such entries, if any, as are recorded in that folio, but absolutely free from all other estates and interests that are not so recorded except:

- (a) the estate or interest recorded in a prior folio of the Register by reason of which another proprietor claims the same land;

According to the concerned public, section 32 of the LTRA allows a single person or *Sa'o* or *Matai Sa'o*²³ to become the registered proprietor of the customary land. This could alienate all customary rights of the *aiga potopoto* or extended family to the land. Moreover, this will enable the State or government to hold absolute power and control of the registered land, especially when this registered proprietor (*Matai Sa'o*) uses the land as security for a personal or commercial loan.

1.5 Other Laws that will protect Land Rights

The Samoan government claims that their only intention is to 'lease' customary lands for economic development, not 'take' them. The government's implementation of the LTRA 2008 will allow them to easily monitor the process; they claim that the power of 'Article 102' of the constitution guarantees the protection of customary land rights. To enforce their stance, the Government added and passed more laws which enable the

²² Government of Samoa, "Land Titles Registration Act," *Effect of Registration*(2008). Due to the limited scope of this paper, I will not quote the whole Act itself, but will summarise the concerns voiced by the public due to this section of part 7 of the Act.

²³ This is the senior title holder or a title given to a paramount chief in certain areas, districts or chiefly families. Milner, *Samoan Dictionary: Samoan-English, English-Samoan*, 200.

customary landowners to maintain ownership of their customary land under any lease agreements.²⁴

1.5.1 The Law on Customary Land

The Constitution of the Independent State of Samoa

Article 102. No alienation of customary land:

It shall not be lawful or competent for any person to make any alienation or disposition of customary land or of any interest in customary land, whether by way of sale, mortgage or otherwise howsoever, nor shall customary land or any interest therein be capable of being taken in execution or be assets for the payment of the debts of any person on his or her decease or insolvency:

PROVIDED THAT an Act of Parliament may authorise: (a) the granting of a lease or licence of any customary land or of any interest therein; (b) the taking of any customary land or any interest therein for public purposes.²⁵

According to the ‘Alienation of Customary Land Act 1965 (ACL)’,²⁶ it is not lawful to lease or licence any customary land for any agricultural or pastoral purpose to any Samoan who is not a holder of a Matai title. However, next to this section is another section that states that only the Minister can grant the leasing or licensing of customary land under the conditions that it is in accordance with Samoan custom and usage, the desires and interests of the beneficial owners of the land, and the public interest. The government has also appointed a Customary Land Advisory Committee

²⁴ The introduction of these new laws and by-laws to supplement the LTRA 2008 was seen by the oppositions as an admission by the Samoan government that the original LTRA 2008 had some loopholes or weaknesses. However, the Samoan government argues that these are done to make the LTRA 2008 more transparent to the public. In other words, so that the people could see that the LTRA 2008 is a government initiative that is genuinely secured (in terms of not affecting customary land ownership) and beneficial (in money terms) for all Samoan people.

²⁵ Government of Samoa, "Constitution of the Independent State of Samoa," *No Alienation of Customary Land*(2015).

²⁶ Part 2(a): Leasing and Licensing; "Alienation of Customary Land Act 1965," *Prohibiting some leases and license*(1965).

(CLAC) under the Land Act 2013, to overlook and exercise certain legal actions that are necessary to advocate the regulations of the mentioned Acts.²⁷

What is important to note from the above statement is that under the Law, customary land can never be sold or bought. However, it can be leased, where it would greatly serve the interest of the land owner. With this law being endorsed, the leasing of customary land for development has recently been possible in Samoa; but before any transaction is made there are many legal steps that should be taken to ensure the safeguard of land ownership rights.

1.7 Analysis

The Samoan Government is applying a lot of effort into convincing the customary land owners that the LTRA 2008 is the best way forward to maximise the returns for their customary land. By establishing new laws and by-laws, the government is desperately trying to further convince the people that the LTRA will not in any way affect their rights and ownership of their customary land.

In a general overview as discussed above, the LTRA 2008 is a genuine and correct move towards the economic development of the country. From the government's side, the LTRA 2008 allows the government to easily control the registration of lands for leasing and licencing. This will help control the unwanted problems that could arise from any improper agreements that both parties find

²⁷ Regulations concerning this Act are that; if the authorised purpose is a hotel or industrial purpose, the lease or licence can for a term not exceeding 30 years, with or without a right or rights of renewal for a term or terms not exceeding an additional 30 years in the aggregate, as is approved by the Minister. If the authorised purpose is not a hotel or industrial purpose, the lease or licence can be for a term not exceeding 20 years with or without a right or rights of renewal for a term or terms not exceeding an additional 20 years in the aggregate, as is approved by the Minister; *ibid*.

themselves in. Furthermore, there are genuine economic gains that customary land owners (*aiga potopoto*) will enjoy from their land when it is leased out.

However, in saying this, there is still a risk of alienation of customary land and it requires a cautious approach. Since, the LTRA 2008, allows a degree of power to the government to deal with both parties, the lessee (developer) and the lessor (customary land owner/government); there is still room for corruption and exploitation. Thus, the role of the government as a middle partner or middle man could be a blessing and/or a problem in disguise. It is a blessing when the Act is followed strictly, but it will be a problem when there is greed and corruption involved.

The opposition to the LTRA 2018 still have a valid argument and concern with the hidden implications of this Act on customary land ownership. The questions which are therefore raised from this issue are: are the economic benefits from the lease worth the risk of alienation of customary land, especially when the Act is not followed strictly? Who will benefit the most from the LTRA 2008, the government, or the land owners, or the developer? And the most important question: Who holds the real power in this proposed transaction? Is it the government, land owners or the developer?

1.8 Summary

From the above discussion, it is apparent that land is very important to the Samoan people. Not only is it a great part of their identity but it is also their livelihood; it is their *fa'asinomaga* and it supports people in every way. For these reasons, it is important for Samoans to look after their land, for it will look after them in return. Hence, the significance for a Samoan to hold on to land, especially customary land. This is the main reason behind the controversy discussed above; people think the LTRA

2008 threatens their ownership of customary land. If this threat becomes a reality, it will have a significant impact on their future and future generations.

The Samoan Government through the LTRA 2008 pushed to lease customary land for economic benefits. Not only for the customary landowners but for the Government as well. In their argument, the rights of ownership will not be affected under any lease transactions. The government reassured the Samoan people by referring to the Constitution, and additional laws that were passed to further secure the rights of customary land owners to their land. In my opinion, the government has a genuine and valid initiative that will benefit both the land owners and the government.

On the other hand, opposing people, in my opinion, are also right about their concerns about the possibility of losing their land in the lease process. Their argument about the LTRA 2008 that some parts are not clear cut and needs to be re-worded is also valid. In this regard, the Act will be much clearer preventing legal interpreters to argue against customary ownership of land in the future. Moreover, their concern about the registrations of customary land under the Torrens system, is well founded and the people must be cautious and be vigilant about it for the rights of all heirs of a *suafa* or *matai* title is affected.

The next chapter will further address these issues, but with a specific focus on a particular biblical text.

Chapter 2

An Economic-Political Reading of 1 Kings 21:1-4

2.1 Introduction

This chapter will endeavour to give a close reading and interpretation of 1 Kings 21:1-4. The main aim is to highlight the economic benefits and advantages of such a land transaction, especially to both parties involved. Also, to investigate any impact (positive or negative) of the land transaction on the rights and laws of land ownership and possession in Israel. The questions raised in Chapter 1 regarding the Samoan Context will guide this biblical investigation. To name a few: What are the economic benefits of this proposed land transaction? Who will benefit the most from the proposed land transaction? Who holds the real power in this proposed transaction (LTRA 2008 Law, Customary owner, Cabinet Minister as middle man)? What happens to ancestral or customary rights to the land? These are some of the questions that will guide the following investigation and hopefully a message and theology of the text will become apparent.

The text will be investigated using the economic-political approach as explained above. Features and words that have economic-political overtones will be highlighted and discussed. Critical Textual notes of the text will also be assessed especially when they have relevant and significant impacts on the way the study endeavours. Moreover, relevant historical aspects of the text will also be dealt with when and if they have

significant bearings on my interpretation of the text. This approach to the text will also be guided by questions already mentioned above from Chapter 1.

Text :1 Kings21:1-4²⁸

1. Later the following events took place: Naboth the Jezreelite had a vineyard in Jezreel, beside the palace of King Ahab of Samaria. 2. And Ahab said to Naboth, “Give (נָתַן) (*Lend*) me your vineyard (כַּרְם) (*fields and land*), so that I may have (הָיָה) (*to become or use*) it for a vegetable garden, because it is near (קָרֹב) (*close to*) my house; I will give you a better vineyard (כַּרְם) (*fields and land*), for it; or, if it seems good to you, I will give you its value (נִחְיִיר) (*hire price*) in money.” 3. But Naboth said to Ahab, “The LORD forbid that I should give you my ancestral inheritance (נַחֲלָה).” 4. Ahab went home resentful and sullen because of what Naboth the Jezreelite had said to him; for he had said, “I will not give you my ancestral inheritance (נַחֲלָה).” He lay down on his bed, turned away his face, and would not eat.

2.2 1 Kings 21:1-4 within the Deuteronomistic History

In the overall theory of the Deuteronomistic History, 1 Kings 21:1-4 as a Deuteronomic text, is a part of this History. In this regard, the land transaction between King Ahab and Naboth could be seen in light of the Deuteronomic law and theology of land.

The Deuteronomic theology of land is basically that God (Yahweh) owns the land. Israel’s claim to the land is based on Yahweh’s gift to them. This gift is called *naḥalah* (נַחֲלָה)²⁹ which is commonly translated in English as inheritance. The common understanding of *naḥalah* as a gift is that total ownership of the land is

²⁸ All the English translations used in this work is mainly from the New Revised Standard Version (NRSV). In the case of a different English translations used (including any author’s translations), they will be acknowledged accordingly. I have also put the equivalent Hebrew words with their nuances in brackets next to words that are significant to the study.

²⁹ נַחֲלָה is defined as possession, property or inheritance; Francis Brown, S. R. Driver, and Charles A. Briggs, *Brown-Driver-Briggs Hebrew and English Lexicon* (USA: Snowball Publishing, 2010), 635.

inherited by the Israelites. In other words, the *naḥalah* is not to be permanently transferred or sold out to anyone even to fellow Israelites. All Israelites had their share of the *naḥalah*.

Therefore, we may interpret Naboth's refusal to exchange his family land, even to the King of Samaria, in light of the Deuteronomic *naḥalah*. However, an obvious question now arises. What about the King's request and offer? Why did he offer to have an exchange of land (vineyard) knowing very well the restrictions of the Deuteronomic law especially with regards to the *nahala*? Or was Ahab informed of a loophole or another law that would make his request possible? Or was Ahab banking on Naboth's ignorance and greed? Or was Ahab hoping Naboth would see the benefits of this land transaction for him and his family by inheriting a new bigger and better land (vineyard) from the King?

Regardless of the many questions that arise, the text only reveals that Naboth rejected King Ahab's offer. Naboth identifies his ancestral rights and inheritance as the main purpose for that. In other words, for Naboth, his ancestral ties to the land supersedes any economic gains. Ahab perhaps was not aware that Naboth was also using the land for his family's economic welfare. Ancient Israelite families relied mainly on their lands for survival. Joseph Blenkinsopp affirms this in explaining the household as an economic unit. He states that; "As an economically interdependent unit, the typical [Israelite] household depended for its survival on possession of a plot of land for growing crops and access to grazing land for raising livestock, mostly sheep and goats".³⁰

³⁰ Joseph Blenkinsopp, "The Family in the First Temple Israel," in *Families in Ancient Israel*, ed. Don S. Browning and Ian S. Evison (Louisville: Westminster John Knox Press, 1997), 53.

One interesting thing that comes out of the text is King Ahab's reaction to his offer being rejected. The text only tells of King Ahab's depressed state especially when Naboth said no and reminding him of the importance of *naḥalah* to him. This implies that King Ahab accepted Naboth's reasoning and he could not argue against it. For there are two main functions of a King: security and justice.³¹ This means that the King is subject to the law. For Ahab, the Deuteronomic law should be respected by everyone, including him, the King of Samaria.

But this understanding contradicts another text from the Deuteronomistic History as well. In 1 Samuel 8, when the Israelites requested a King like other nations, Samuel, through Yahweh's direction, laid down to the Israelites the powers of a King especially in verses 10-17. In wielding his power, the King could do what he wants and take away what he likes including fields, their vineyards and so forth.³²

This did not happen in King Ahab and Naboth's situation. Ahab did not exercise this kingly power towards Naboth's vineyard or perhaps this power does not apply to the *naḥalah*. Ahab in the end respected Naboth's rejection implying that the law of *naḥalah* perhaps was highly regarded in those times.

³¹ Phillip R. Davies, "Josiah and the Law Book," in *Good Kings and Bad Kings*, ed. Lester L. Grabbe (New York: T&T Clark, 2007), 74.

³² Norman C. Habel also talks about this monarchical royal claim of land from an ideological point of view; where he brings examples of Judean and Israelite kings accumulating certain lands. However, it was not by force but through purchase. Such as King David purchasing the threshing floor of Araunah (2 Sam. 24:18-25), and King Omri purchasing the land of Samaria (1 Kings 9:16). Norman C. Habel, *The Land Is Mine: Six Biblical Land Ideologies* (Minneapolis: Fortress Press, 1995), 21-27. Stephan Russell also highlights Max Gluckman's view on Abraham's purchase of Ephron's land in Genesis 23 as legal with the consideration of several Ancient Near Eastern (ANE) land transfer texts. He also states in another article concerning my chosen text (1 Kings 21:1-4) where Naboth's refusal to give Ahab the land was his public failure to honor those with administrative rights in land; also through ANE transaction texts. See Stephen C. Russell, "Abraham's Purchase of Ephron's Land in Anthropology Perspective," *Biblical Interpretations*, no. 21 (2013).

King Ahab was ruler of the Northern Kingdom during 875-854 B.C.E.³³ As successor to his father King Omri; Ahab continued to develop his kingdom by fortifying the safety of his kingdom and building financial sustainability for his people. Even though the Deuteronomist considers Ahab to be the most evil King in Israel,³⁴ Ahab's reign is compared to no other king in the Northern Kingdom when it comes to military power and economic stability.³⁵ The city Omri constructed was completed by Ahab, and it "thrived as the capital for about 150 years till the Assyrian conquest in 720 B.C.E".³⁶ With such economic willingness under his belt, Ahab was determined to cultivate a vegetable garden next to his palace in Jezreel as mentioned in the passage.

With this being said, it appears that Ahab generally was very determined and passionate for the development of his Kingdom both economically and politically. This can also be seen in his quest to have good connections with neighbouring nations like Phoenicia and Israel; all for the sake of obtaining foreign material that would increase the economic stability of his nation.

³³ Robert B. Chisholm Jr, ed. *Interpreting the Historical Books: An Exegetical Handbook*, Handbooks for Old Testament Exegesis (Grand Rapids: Kregel Publications, 2006), 134.

³⁴ Samuel J. Schultz, *The Old Testament Speaks* (San Francisco: Harper Collins, 1960), 175.

³⁵ Through the 22 years of his reign, King Ahab builds and fortifies many cities. He erected water supply systems that protected many cities from Assyrian threat. His marriage to Jezebel daughter of the King of Tyre formed good relations between Phoenicia and Israel; and supplied Israel with sophisticated materials from Phoenicia. All these historical facts about Ahab are evidence that he was a strong, politically and economically knowledgeable king. David Noel Freedman, ed. *Eerdmans Dictionary of the Bible* (Grand Rapids: William B. Eerdmans Publishing Company, 2000), 31. Martin Noth also affirms this economic stability of the 'house of Omri'; see Martin Noth, *The History of Israel* (London: SCM Press Ltd, 1958), 241-43.

³⁶ Amihai Mazar, *Archaeology of the Land of the Bible: 10,000-586 B.C.E* (New York: Doubleday, 1990), 406.

2.3 Topography of Naboth's Vineyard

One of the main reasons of Ahab's request for Naboth's vineyard is its closeness to his house (v. 2). In other words, the King declares that it is convenient for him to have easy access to this plot of land whenever he wants to work on it. From an economic perspective, convenience and easy access to developed land increases productivity. Not only does it take less time to travel to the developed land, but it will also allow more time to develop the land. In this light, the king's request could be seen as a genuine economic proposal, and not an intentional attempt to detach Naboth's connections from his inheritance.

The closeness of the vineyard to the King's palace could be supported by some archaeological evidence of the location of Ahab's palace within the city of Jezreel, even though he is introduced within the text as "*King Ahab of Samaria (v1)*".³⁷ This makes a connection within the text of Naboth the Jezreelite and Ahab the King of Samaria. In saying this, there is also archaeological evidence of Ahab's palace mentioned within the text as situated in Samaria but these are only secondary to the previously mentioned findings.³⁸

Jezreel is also known to have rich soil and suitable climate for a vegetable garden. Nathan Macdonald states; "between the Samaria hills and Galilee the highland backbone is broken by the Jezreel valley. Here the alluvial soils and flat topography offer some of the best opportunities for cultivation".³⁹ This also explains why King

³⁷ Jezreel and Samaria are considered as two different places; therefore the text mentioning 'King Ahab of Samaria' implies that Ahab did not have a palace in Jezreel. Nadav Na'aman, "Naboth's Vineyard and the Foundation of Jezreel," *Journal for the Study of the Old Testament* 33.2(2008): 204.

³⁸ Ibid., 205.

³⁹ Nathan MacDonald, *What Did the Ancient Israelites Eat? Diet in Biblical Times* (Grand Rapids: William B. Eerdmans Publishing Company, 2008), 52.

Ahab was determined to have his garden next to his palace in Jezreel, rather than the one in Samaria.

2.4 Exegesis - Phrases with economic connotations

“Give me your vineyard...; I will give you a better vineyard for it” (v.2)

This exchange presents a ‘barter system’ where it involves an exchange of different commodities or goods or services without using money. In the text, Ahab was willing to exchange Naboth’s vineyard with another vineyard. Ahab’s words reveal his willingness to do a fair trade.

The Hebrew term נָתַן (*natan*) is translated as ‘give’ in most English translations of the Bible including the NRSV. The verb is in the imperative which signifies a command and reflects Ahab’s status as King. However, *natan* also means ‘lend’.⁴⁰ Therefore, Ahab’s request to Naboth could also be read “lend me your vineyard” (v. 2).

The word ‘lend’ according to the Oxford Dictionary means “to allow somebody to take or use something on the understanding that it will be returned later”.⁴¹ This suggests that Ahab perhaps only wished to use Naboth’s land because of the convenient location without a thought to holding on to it permanently. This rendering of the word *natan* resonates with the Levitical law of the ‘year of Jubilee’ where lands and properties are not to be sold or given away permanently but shall be returned to their original owners after seven sabbatical years (Lev 25:28).

⁴⁰ Warren Baker, ed. *The Complete Word Study Old Testament: Bringing the Original Text to Life* (Tennessee: AMG Publishers, 1994), 958.

⁴¹ "Lend," in *The Concise Oxford Dictionary of Current English*, ed. R. E. Allen (Oxford: Clarendon Press, 1990), 756.

2.5 Land Transaction

Land according to our text is a tradable commodity.⁴² That is, given Ahab's proposal, it implies that the King knows that land transactions whether bought, sold or exchanged are legal and possible. Although they are legal, these land transactions are only possible when the buyer and seller both agree to the deal. This is clearly seen in the text. The two parties failed to agree upon the land transaction, therefore, the deal was not executed. The willing buyer was rejected by the unwilling seller.

To further highlight economic aspects of the land transaction, we will have a closer look at some textual notes.

2.6 Textual Notes

1 Kings 21:2⁴³

וַיִּדְבֹר אֲחָאָב אֶל-נָבוֹת לֵאמֹר^א תֵּנָה-לִּי אֶת-כַּרְמֶךָ וַיְהִי-לִּי
 קָרוֹב אֶצֶל בֵּיתִי וְאַתָּנָה^א (instead) לָךְ תַּחֲתֹיו כָּרֶם טוֹב
 לְגִנְיָרְךָ כִּי הוּא
 מִמֶּנּוּ אִם^ב (and if) טוֹב בְּעֵינֶיךָ אֶתָּנָה-לָךְ כֶּסֶף מִחִיר זֶה:

And Ahab said to Naboth, “Give me your vineyard, so that I may have it for a vegetable garden, because it is near my house; I will give you a better vineyard for it; or, if it seems good to you, I will give you its value in money.

Author's Translation (with textual variants added):

Then Ahab said to Naboth the Jezreelite, “Give me your vineyard, so that I may have it for my vegetable garden, because it is near my house; and I will give you a better vineyard instead; and if it pleases you, I will give money for its price”.

⁴² Walter Brueggemann, *The Land: Place as Gift, Promise, and Challenge in Biblical Faith* (Minneapolis: Fortress Press, 2003).

⁴³ All Hebrew texts are from the Biblia Hebraica Stuttgartensia (BHS) Deutsche Bibelgesellschaft, 1997.

Reading Textual Note

2^a reads: something is lacking in the recension of Lucian version of Septuagint.

If we look at the translation used by the NRSV, it follows the textual notes or the Lucian version of the Septuagint because there is no ‘instead’ in the translation. The word ‘instead’ presents Ahab as wanting Naboth’s vineyard, and in turn replacing it with something else ‘instead’ of giving him another vineyard. If compared with the NRSV translation, there is a difference. The NRSV states that Ahab wanted Naboth’s vineyard and he will replace it with another vineyard or its value in money. However, the textual note says otherwise, stating that there was no option of a vineyard for replacement, because Ahab offered him benefits or money ‘instead’ of giving him another vineyard.

2^b reads: Edition of the Hebrew text וְאִם Translated as ‘and if’, but it proposes ‘or’ compare to the Syriac version.

The editing of the Hebrew text here reads ‘and if’. The NRSV uses the word ‘or’. If we compare the phrase ‘and if’ and ‘or’, it brings out a different meaning. The ‘or’ in the NRSV implies that there were two options for Naboth to choose from. He has to choose either a vineyard ‘or’ money; but, ‘and if’ in the textual notes implies Naboth is given only one choice. He must choose the money, ‘and if’ that seems good to him then Ahab will give him money. Not only is Naboth offered the chance to obtain a better vineyard, he will also be given money. In this regard, Naboth will come out with even more benefits.

The “Peshitta⁴⁴ versions of the OT were basically translated from Hebrew”.⁴⁵

This means that the Syriac version also uses the term **וְאִם** (and if). These texts were written in the 1st-2nd century CE when the Romans ruled the world. Greek philosophy and understanding of economics dominated the thoughts of everyone. Thus, the use of this term ‘and if’ to imply Ahab’s willingness to give Naboth a better vineyard as well as money would have been possible.

1 Kings 21:4

^aוַיָּבֹא אֶחָאָב אֶל-בֵּיתוֹ סָר וְזָעַף עַל-הַדָּבָר אֲשֶׁר-דִּבֶּר אֱלֹהֵי
נָבוֹת הַיִּזְרְעֵאלִי וַיֹּאמֶר לֹא-אֶתֶּן לְךָ אֶת-נַחֲלַת אֲבוֹתַי^a וַיִּשְׁכַּב
עַל-מִשְׁתּוֹ וַיִּסָּב אֶת-פָּנָיו וְלֹא-אָכַל לֶחֶם:

Ahab went home resentful and sullen because of what Naboth the Jezreelite had said to him; for he had said, “I will not give you my ancestral inheritance.” He lay down on his bed, turned away his face, and would not eat.

Reading Textual Note

4^{a-a}: Reads the Leningrad and *Vaticanus*⁴⁶ Septuagint has καὶ ἐγένετο τὸ πνεῦμα Ἀχάαβ τετραγμένον. This is translated as “and Ahab became troubled in Spirit”.

The Codex *Vaticanus* is “quoted as the oldest and complete witness to the Old Greek text”⁴⁷ of the Hebrew Scriptures. This provides more weight on the authenticity of this textual nuance. Therefore, the alternative reading with the textual notes reads:

⁴⁴ This is the standard Bible version for the Syriac churches, its OT texts dates from 1st-2nd century CE. “Syriac Versions,” in *The Anchor Bible Dictionary*, ed. David Noel Freedman (New York: Double Day Dell Publishing Group, 1992), 9253.

⁴⁵ Ibid., 9254.

⁴⁶ Leningrad and *Vaticanus* are old Greek codices of the OT dated from the 4th Century CE. James H. Charlesworth, “Old Testament Apocrypha,” *ibid.*, 523.

⁴⁷ Kristin De Troyer, “The Septuagint and the New Testament: Another Look at the Samuel-Kings Quotations and Allusions in the New Testament,” in *The Reception of the Hebrew Bible in the Septuagint and the New Testament*, ed. David J. A. Clines and J. Cheryl Exum (University of Sheffield: Sheffield Phoenix Press, 2013), 49.

And 'Ahab became troubled in Spirit' because of the word Naboth has spoken unto him, for he said. I will not give you the inheritance of my fathers. And he laid himself down on his bed and turned away his face and would not eat bread.

This reading incorporates a spiritual element within the actions of Ahab. Although he was a King with authority and power, he was spiritually affected by Naboth's refusal. He comes across as a virtuous king because he never abuses his power to forcefully take Naboth's land. He tries to do a genuine deal and his offer is economically beneficial for Naboth, however Naboth turned it down. Some scholars propose that Naboth's refusal to accept Ahab's offer was also his failure to honour those with administrative rights to the land.⁴⁸

2.7 Analysis

In light of our exegetical work above, it is fair to say that 1 Kings 21:1-4 certainly reflects an economic and political transaction. From our economic-political perspective, the king's proposed land deal to Naboth shows a lot of economic (and financial) based aspects.

This outcome is in line with the historical background of Ahab's reign; Ahab, an heir of the Omri dynasty which was well-known for their economic developments. Even though the Dtr speaks acutely negative about them, Israel experienced years of economic wealth and military sustainability during their dynasty.

This historical fact could shed light into why Ahab requested to buy Naboth's land even though he was well aware of the *naḥalah* and its restrictions. The proximity of Naboth's land to Ahab's palace also highlights the economic value of Naboth's vineyard to Ahab. The idea of using the land for a different project or agricultural purpose indicates the wide range of agricultural developments the King had in store for

⁴⁸ Russell, "The Hierarchy of Estates in Land and Naboth's Vineyard," 456.

the nation's continuous economic growth. Even though Ahab's emphasis was to improve development, he continued to still instil fairness into his dealings. His offer to Naboth was fair, even to the point of offering more than what the land was worth. The offer or trade given to Naboth and the fairness of the deal reflects Ahab's genuine intentions behind the benefits for Naboth if he was willing to accept the deal.

However, Naboth's refusal of Ahab's offer shows that the final decision of the proposed land transaction rests on Naboth. In other words, Naboth holds the power in the proposed land transaction. Although Naboth knows about Ahab's status as King of Israel, he remains steadfast and protects his *naḥalah*.

By looking at the textual notes and its variants, it appears that the Septuagint version of the Old Testament has a slightly different view of land from that of the Masoretic text. That is, it shows that the Septuagint is more open to land transaction with economic gains compared to the Masoretic Text. In my opinion, this reflects how the Jewish Greek speaking audience deal with their land transaction in the diaspora. They value the economic aspects of land transactions more than the Jews back home.

These external versions of the Hebrew text were written at a later date than that of the original text. It is probable that the *naḥalah* was not important at the time because the people were living away from their *naḥalah*.

The results obtained from the above exegesis gives two separate offers by Ahab to Naboth. Firstly, the exegetical work in Section 2.4 above analyses Ahab's offer through a 'Barter' transaction; a land for a better land. Ahab however goes beyond barter system measures by offering a 'better land' rather than one with equivalent value. Secondly, textual reading 2^b in Section 2.6 suggests a greater offer by Ahab; a better land and money. Some commentators claim that "Ahab's offer seems fair enough. He

gives Naboth a choice of a better vineyard or a fair market price for the property”.⁴⁹ In my opinion this was more than just a ‘fair enough’ offer, it was a great offer and too good to be missed.

Naboth appears, in my opinion, to be too quick in his rejection of the land offer. Or perhaps his conservative nature towards the *naḥalah* somehow narrowed his view on the economic benefits of the land transaction. Whatever reasons he had, Naboth did not see the economic benefits of the proposal. Naboth had the opportunity to obtain both a better land (vineyard) and its value in money. This suggests that if Naboth was willing to accept Ahab’s offer, he would have made more from their trade because Ahab was willing to offer more than what he bargained for.

⁴⁹ Leander E. Keck, ed. *The New Interpreters Bible*, vol. 3 (Nashville: Abingdon Press, 1999), 156.

Chapter 3

A COMPARATIVE STUDY AND ANALYSIS

3.1 Introduction

This chapter will assess the findings in chapter one and chapter two by way of a comparative study. Any similarities or differences highlighted from this study will create a platform for a comparative analysis, which will make up the second part of this chapter. To conclude this chapter, the LTRA 2008 controversy in chapter one will be addressed from the economic-political reading in chapter two together with the analysis mentioned above. This particular biblical perspective will hopefully enrich our understanding of the LTRA 2008 controversy.

3.2 Authority and Power over the land

Power over the land is probably the most important ‘piece of the puzzle’ with regards to the LTRA 2008 controversy. It is not something that can or should be easily given away. Even though the LTRA 2008 Act requires customary land to be registered for leases and licencing, this does not at all mean that the government will hold all the power over the land. There are also other laws that are in place to further protect the customary land owners’ rights over the land, such as the ACL Act 1965, the CLAC Act 2013 and above all Article 102 of the constitution. This implies that in any circumstance, the customary owners of the land still hold full authority over their land.

In 1 Kings 21:1-4, Naboth’s rejection of the King’s proposal shows that the power and authority of ancestral land is still with the heirs to the land. In other words, the *naḥalah*, in this case, has stronger rights to land than any other authority. As King,

Ahab could have easily overpowered Naboth and manipulated him in other ways to gain the vineyard (which his wife later did), but Ahab respected Naboth's decision and returned home.

3.3 Benefits of the Land Transaction

The main aim of the Samoa Government through the LTRA 2008 is to make customary land available for developments. Moreover, for the government and people of Samoa (customary land owners) to enjoy the economic and financial benefits of leasing their lands for such developments. In light of the discussion above, it has become apparent that the LTRA 2008 and leasing of land will benefit the land owners as well as the government, who will collect their own dues in taxes and commissions through their part in lease negotiations. However, it is not clear who will benefit the most, the government, the land owners or the developer from the land lease agreement.

The economic-political reading of the biblical text shares the same conclusion, that both parties, Ahab and Naboth, would both benefit from such a transaction. In fact, Naboth could have gained more benefits from the proposed transaction if he had just accepted the offer. However, this did not eventuate because Naboth rejected the deal. Both Naboth and Ahab would have walked away satisfied if the land transaction was implemented on the proposed terms.

3.4 Ancestral Land Rights and Developments

One of the main concerns of the people opposing the LTRA 2008 and the government initiative is the question regarding customary land rights. Do customary land rights risk the chance of been taken away under these lease transactions? In other words, does the LTRA 2008 guarantee the security of customary land ownership? As

apparent from the discussion above, it appears that the government has been thorough in making sure that customary land rights are secured. This is seen in their consultations with the public, the establishment of additional laws and by laws, and further clarification of the LTRA 2008 specifically for the security of land ownership. Moreover, the government has constantly stressed the power of the constitution which explicitly states that alienation of customary land is prohibited.

In this light, the government insists that primed land for commercial economic developments which are lying idle, must be made available and utilised by leasing them out to potential developers. However, at the same, the government has also suggested that not all customary lands are suitable for major developments. So, the risk for most lands is non-existent; but, for a few lands which will be used, the economic benefits for all is quite significant.

Another apparent similarity in both contexts is the dilemma faced by Ahab and Naboth. The King wanted the vineyard or land for further developments, but Naboth disagreed, citing his ancestral connections to the land as the basis of his claim. In our exegesis above, the proposed transaction appears to favour the implementation of the land transaction or land exchange. Even though the text explicitly presents the rejection of the King's offer, it still implies a positive conclusion when we read it from an economic-political perspective. That is, given its historical background and close reading of the text and textual notes, a different ending would have presented itself if Naboth were to accept Ahab's offer.

In this regard, Naboth would have benefit greatly from this land transaction. That is, he would have received a better vineyard and probably extra money as well. With regards to his ancestral land, he would not lose it forever. He or his descendants will get it back according to the Priestly law of the Jubilee.

3.5 The Current Status of the Land

According to statistics available from the Samoa Ministry of Statistics, 81% of Samoan lands are customary lands and 99.7% of these customary lands are available for lease and development.⁵⁰ This means that only 0.3% of these lands have been registered under this government program. This also means that there is still a large amount of customary land not being used, even though some lands are developed by extended families. For the Samoa Government, this is potential income for the people and it is lying in wait for collection. This is the main reason behind the government's push for the LTRA 2008 to be accepted and implemented.

Our text presents a different picture. Naboth already has a vineyard on the land. Vineyards are often viewed within the bible as a sign of God's Blessing (Hosea 2:15). Therefore, to Naboth perhaps this blessing is enough for him, as long as his inheritance stays within the family.

3.6 Analysis

In light of the comparative exercise above, we can deduce some important points that will help in our rereading and understanding of the LTRA 2008 and its controversy. Although we witness more similarities than differences, both of these have assisted in enriching our understanding of the controversy.

What is clear from the comparison, is that, the power and authority or ownership of the land is still with the people. Although the king or the government have great authority, they could not force the land owners to their will. Another good finding is the ongoing efforts made by the king and the Samoa Government to convince the

⁵⁰ Government of Samoa, "Annual Report 2012-2013," *The Year Under Review*(2013).

people using appropriate means; they did not use their status to force their wish upon the people. As such, the relationship between the king and Naboth, and the relationship between the Samoa Government and the people, are still in good stead. The implication is that the king and the government must still show respect to the people, and honour the reply and voice of the people even if it is a voice that is not in sync with theirs. This is good governance and this is exactly the way both King Ahab and the Samoan Government acted in both contexts. No one should be above this law; customary land transactions should prioritise such governance through its land laws. Any law that may forcefully take away the authority of the owner to their land must be revised and changed by the government. The protection of Samoa lands and rights of ownership of these lands, should be the top priority of the government; because there is no point to having economic development if it leads to the loss of rights or the destruction of our lands.

Economic growth and developments are good and important for the wellbeing of the people. However, pushing people to lease their lands should not be prioritised by the government; their main focus should be on the laws that protect the people's rights. Once this attains transparency in the eyes of the public, they will all vie for customary land registration programs.

However, in saying that, the text also emphasises that opposing an initiative that has good intentions just for the sake of going against it, is not alright. If all the policies and laws are in place, and can guarantee the security of traditional rights to customary lands, then leasing customary lands should be implemented. The exegesis shows that deep reflection and an open mind can sow great blessings in terms of financial and economic benefits.

According to the exegesis above, Naboth's weakness came through in his response to King Ahab's proposal; his response was too quick, rigid and stubborn in its rejection. This led to his inability to comprehend the good intentions of the King and the countless blessings that the transaction could have offered him; even more important, his inheritance would not have been lost forever.

CONCLUSION

The primary aim of this study was to assess the LTRA 2008 and the controversy which developed from it. Secondly, it looked at a particular biblical text and examined the text using the economic-political perspective. The main aim here was to study the text and use this reading to understand and reread the controversy above in the Samoan context. Finally, this reading and appropriation of the biblical text to the controversy, was made to enrich our understanding of the LTRA 2008 and the controversy instigated by it.

This conclusion summarises the work carried out in this research, and the outcomes and results achieved. It will then draw to a close with an appropriation of the outcomes of the LTRA 2008 and the controversy.

In the discussion regarding the LTRA 2008, it would seem that the government's intention is honourable, with the benefits aimed to helping the people of Samoa. Making good use of customary lands that are uncultivated and undeveloped, could go a very long way to supporting and developing the wellbeing of the *aiga potopoto*.

However, the research also shows why the opposition developed a momentum. With regards to customary land ownership and land rights, Samoans need to be vigilant with this issue. The voice of the opposition has made the government revise its stance and thus, they have established more laws and by laws to further solidify the security of land ownership. In other words, these new laws guarantee that customary lands will not be alienated under the LTRA 2008 and any proposed lease agreements.

The economic-political perspective applied in this work allowed me to explore the issue raised by comparing it to the narrative of Naboth's Vineyard in 1 Kings 21:1-4. This perspective proved very useful in discovering and digging out economic features

entrenched within the text. In particular, the overall argument that what King Ahab had offered Naboth is based upon an economic-political motive.

Reading 1 Kings 21:1-4 in such a way had the intention that it would provide clarification for the LTRA 2008 controversy; especially to the main question that this work dwells on: Can the LTRA 2008 and the government secure both land ownership rights and economic benefits for the customary land owners?

The economic-political reading of the proposed text summarised in the analysis of the exegesis in section 2.6 above, gave me the understanding that no land transaction deal is done without any prior knowledge of economic transactions. This was shown clearly by Ahab's economic background. Furthermore, the economic benefits offered by Ahab were clearly more beneficial for Naboth. Therefore, given that special legal measures are taken into consideration in order to reach mutual agreement of any two parties involved; I am convinced that the LTRA 2008 ratified by the government can be trusted.

Re-reading the passage from such a perspective advances our understanding in the contextual spheres of biblical interpretation; moreover, it connects our world to the Bible. With this being said, an economic-political reading aims to provide resourceful biblical interpretation that will hopefully contribute to the solving of any economic or political disputes in this contemporary age. Therefore, it is the final task of this work to provide necessary recommendations, with reference to the findings in chapter 3, which will hopefully be of help to the customary land owners and the government of Samoa.

However, it is important to note that the content of this final stage does not intend to provide exact steps that should be taken in order to provide immediate solutions to the dilemma. Nor does it act as an advocate that leasing of customary lands is of the

best and only solution to economic problems. There are many other economic developments that can be done, depending on the situation.

The importance of legal understanding and transparency

Prior to any land transaction, the land owner must fully be aware of every legal detail regarding the process of any lease agreements. In-turn the government must make it their first priority to provide clarification for the land owners. When this is reached, there should be no difficulty in the process.

The importance of this is made clear through the controversy itself. Obviously the public concerns are due to the fact that the LTRA 2008 lacks transparency. Once the owners of the land are confident that their ownership rights will not be affected by the proposal offered by the government, why should there be any more public confusion?

Evaluation & Clarification

It has been seen that potential income the government claims the land owner will get is not as convincing. This is perhaps the case when the owner of the land is not fully aware of the benefits he may gain from the transaction. The government must provide full economic clarification for the customary land owners.

As a society moving forward and facing economic issues daily, we must keep an open mind to ways in which we can use our resources, in particular our customary lands, and how to economically develop them ourselves. Being conservative is important because it keeps us intact with our traditional heritage, but being open to economic opportunities helps us to develop our families. Therefore, we must make use of the land God gave us. Keeping in mind that we must also protect it for it is our

fa'asinomaga. It is through this regard that both the secular and traditional aspects of Samoan life can be interconnected.

GLOSSARY

<i>aiga</i>	-	family
<i>aiga potopoto</i>	-	extended family
<i>fa'asinomaga</i>	-	identity
<i>'ele'ele</i>	-	earth or land
<i>fanua</i>	-	land, property, womb
<i>poutu toa</i>	-	centre pillar of Samoan house
<i>matai</i>	-	chief
<i>Matai Sa'o or Sa'o</i>	-	High Chief of a family

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