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FAILING TO DO JUSTICE:

The Quandary of the Poor in Eighth Century Israel and Judah

Stuart Love

The social world of Israel and Judah in the eighth century BC underwent considerable change from Israel's origins before the rise of the kingship, resulting in economic-religious ramifications that caused the prophets to speak out for the "righteous/poor."

The remarkable careers of Amos, Hosea, Isaiah, and Micah all occured during a poignant time in the life of Israel and Judah. Their stinging rebukes and warnings of God's judgement can only be understood fully when cast against a changed social order in Israel's existence. Five realities need to be discussed for us to gain a proper perspective on the prophet's message concerning the poor: (1) inheritance rights and the social order in early Israel; (2) the place of justice in Israel's legal system; (3) the issue of power in relationship to the poor; (4) the identity of the poor in ancient Israel; and, (5) the role of the state and its officials concerning the poor.

Inheritance Rights and Social Order in **Early Israel**

The vast societal change in both Israel and Judah between 800 and 700 BC most affected rural Israelite land owners. During this time, a relatively small number of state officials and merchants manipulated the legal system and marketplace to their unfair advantage. Property rights, debt payment, taxation, and marketing practices all worked against those with little power. The courts, the nerve center for this oppression, engaged in judicial procedures which often adversely impacted the well-being and social status of the poor. Those practices, Amos, Micah and Isaiah believed, violated a long-standing moral standard existent from the nation's earliest times (before Saul, David and Solomon). The land belonged to the Lord (Lev. 25:23) and had been given to the families within the tribal structure as a heritage. In that ancient arrangement each family (each free Israelite) had

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received a share of the land and was obligated to care for it as God's gift. Normally, it was not to be sold1 and certainly was not to be seized or "legally" confiscated by the courts since maintaining a family's ancestral inheritance rights was a community priority.2 In fact, three interrelated matters affected a man's identity and status in the community - his family, dwelling place and land.3 James Luther Mays states, "His inheritance in his father's family was his 'portion' in the family (Gen. 31:14). Lose it, and he lost all the rights which were based on its possession; he had no 'place' in the community and had left only the life of a wage-labourer or a slave." Without it, his existence belonged to others, his independence was lost because his inheritance was gone. In short, Israel's earliest social order was forged by the tribes' covenant theology concerning the Lord. This covenant theology had direct social and economic implications for a family's wellbeing.

Justice and Righteousness in The Gate

By the time of Amos, Mays states, "... the court in the gate" (Israel's phrase for the administrative center for justice — we might call it the courthouse) was "the central institution in Israel" and its integrity "the most crucial issue of Yahweh's authority over society."5 It was composed of an assembly of elders (family heads, clan leaders and property owners) who represented their relatives and communities in makingjudicial decisions based on the Lord's will contained in the covenant.6 For example, a covenantal demand germane to the matter of property rights was:

"You shall not pervert the justice due to your poor in his suit. Keep far from a false charge, and do not slay the innocent and righteous, for I will not acquit the wicked. And you shall take no bribe, for a bribe blinds the officials, and subverts the cause of those who are in the right" (Ex. 23: 6-8; cf. Deut. 15:7-11).

The gate was the primary administrative institution before the monarchy, and its actions were governed historically by covenant law and the time tested standards of justice and righteousness.⁷

An example of the importance of living out the standards of justice and righteousness is illustrated in Samuel's farewell address. The prophet challenged the assembly of Israel to name, if they could, a time when he had violated the demands of justice:

Here I am; testify against me before the Lord and before his anointed. Whose ox have I

taken? Or whose ass have I taken? Or whom have I defrauded? Whom have I oppressed? Or from whose hand

Both dynasties, Israel and Judah, the prophets believed, had failed the test, and at this critical historical juncture both nations were subject to the imminent judgment of God.

have I taken a bribe to blind my eyes with it? Testify against me and I will restore it to you (1 Sam. 12:3).

The assembly responded favorably to Samuel—he had not defrauded, oppressed or received a bribe from anyone. He was a righteous man.

Similar emphases may be found in the wisdom teachings. For example, the book of Proverbs admonished, "Do not rob the poor, because he is poor, or crush the afflicted at the gate; for the Lord will plead their cause and despoil of life those who despoil them" (Proverbs 22:22-23). Failure on the part of Israel's court leaders to mediate justice called forth the intervention of none other than the Lord who promised to act in behalf of the powerless.

The Issue Of Power

The last word "powerless" was important. Typically, concern for true judgment, kindness and mercy was extended to four groups (each of whom could be poor) — widows, orphans, sojourners and a group particularly denominated as "the poor" (Zech. 7:9-10). The common element shared by all was their lack of power. The widow's plight was the sudden absence of provision and protection caused by the loss of her husband. The orphan's physical condition made him/her vulnerable to exploitation. The sojourner (a resident alien) was an outsider, unprotected, a constant reminder of Israel's past. The fourth group, "the poor," is the object of our investigation.

Who Were the Poor?

To whom did Amos and Isaiah refer when they spoke of the poor? Whose lands did the powerful covet in Micah? Do the prophets refer to the same people? How do the answers relate to the changing social patterns in the eighth century monarchies of Israel and Judah? First, let us affirm who the poor were not. The poor were not lazy, slothful Israelites adverse to hard work (Prov. 10:4; 13:18; 19:15). Neither did they deserve their plight. Quite the opposite, often the poor were described in the wisdom literature as people with integrity and understanding, and by the prophets as those who were "righteous" (Amos 2:6; 5:12). Perhaps to our surprise, neither were they necessarily destitute or people without property. 10

Who were the poor? Many were property owners, or had been, Israelites who had for generations owned their property, but now were losing it. From the

prophets' perspective the land was rightfully theirs. But now, the courts had become centers for the seizure and redistribution of moveable and unmovable property (a matter yet to be demonstrated). Our point is this: the prophets' message concerning the poor and their oppressors included but involved more than the problem of individual greed or covetousness. Their message was shaped by a shift in the very structure of Israelite society -- old tribal patterns of life were dying, being abandoned or replaced by the new powerful social organization of two developed, exploitive and corrupt dynasties, Israel and Judah. 11

The Monarchy — A Change in the Social Order

The advent of the monarchy had been warned against in I Samuel:

"These will be the ways of the king who will reign over you: he will take your sons and appoint them to his chariots and to be his horsemen, and to run before his chariots; and he will appoint for himself commanders of thousands and commanders of fifties, and some to plow his ground and to reap his harvest, and to make his implements of war and the equipment of his chariots. He will take your daughters to be perfumers and cooks and bakers. He will take the best of your fields and vineyards and olive orchards and give them to

his servants. He will take the tenth of your grain and of your vineyards and give it to his officers and to his servants. He will take your menservants and maidservants, and the best of your cattle and your asses, and put them to his work. He will take the tenth of your flocks, and you shall be his slaves. And in that day you will cry out because of your king, whom you have chosen for yourselves; but the Lord will not answer you in that day" (1 Sam. 8:11-18).12

Samuel's depiction was not necessarily of a particular king. Neither was it a caricature. Rather, it was a description of the king's "right." The description in I Samuel outlined "the basis for a newly emerging social structure under statehood."13 Included was a large military-industrial complex which needed human and economic support, royal conscription of Israelite men for military service and expansion of royal lands cultivated and harvested by subjects to support the army. Also included was a new "beaurocracy": the use of women for royal domestic duties, confiscation of fields, vineyards and olive orchards which were given in turn to the king's servants, and the appropriation of family servants and work animals for the king's work. All of this had to be supported by increased taxation and even state slavery. This type of society, Robert Coote believes, was marked by "the extreme between its two main classes, the ruling elite and peasantry."14 Archaeological and anthropological data from the eighth to the seventh centuries in Judah indicate the existence of a state policy for a system of land grants and patronage by the king. This kind of economy is referred to as a redistribution system. Dearman states, "by the eighth century a state administrative/judicial system, with royally appointed officials as its administrators, had developed which overshadowed and overlay the authority of the traditional administrative system (the local assembly of the elders). This development was probably a primary contribution to the conflict over property rights in that century." 15 By the time of Amos, therefore, those presiding over the courts in the gate were probably state officials or community elders who had been appointed by the crown and elevated over their peers. From the king's perspective the land, taxation and courts were subject to his authority through his officials. But from the prophets' perspective the land and the courts were subject to the ancient covenant norms and time tested wisdom traditions.16 Samuel's words were ringing in their ears.

The Message of the Prophets

The description thus far has served as a backdrop to help better understand the context of the

prophets' oracles regarding the poor. Every relevant passage cannot be examined. Instead, representative quotations primarily from Amos, but also from Isaiah and Micah which set forth specific crimes (issues of justice) against the poor along with their religious and societal effect will be explored. 17 Finally, observations concerning a contemporary understanding and application of the prophets' message will be suggested. The following table provides a summary of the most pertinent passages.

Table of Passages on the Poor

Amos	Hosea	Isaiah	Micah
2:6b-8	4:2	1:17,21-23	2:1-5, 8-9
3:9-10	7:3-7, 16	3:14-15	3:1-3, 9-11
4:1; 5:7-12,	8:4-10	5:7-23	6:8, 10-12
14-15, 24	10:6-15	10:1-27	7:3
6:12: 8:4-6	13:10		

Crimes Against the Poor

Amos, Isaiah and Micah specify at least six "crimes" which defined Israel's and Judah's breach of justice and righteousness.

In short, Israel's earliest social order was forged by the tribes' covenant theology concerning the Lord. This covenant theology had direct social and economic implications for family's well-being.

Land seizure.

"They covet fields, and seize them; and houses, and take them away; they oppress a man and his house, a man and his inheritance." (Micah 2:2; cf. 2:9; Amos 2:7a; Isaiah 5:8)

Powerful individuals in Judah, probably from the city and with support of the king, were building estates (latifundia) through carefully managed loans and court decisions (Micah 3:1,9). Family properties around the villages were being seized, broken up and reorganized. Deeds "devised" by evil men were planned "upon their beds" and performed "when the morning dawns"18 because it was "in the power of their hand" (Micah 2:1).19 Even women and children (possibly widows and orphans) were not exempt (Micah 2:9). Covetousness was the driving stimulus, a covenant violation (Ex. 20:17; 34:24; Deut. 28:32). Micah charged, "they oppress a man and his house, a man and his inheritance" (v. 2b). This, too, was a crime against the covenant norms (Lev. 19:13; Deut. 24:14) and reproached by the wisdom teachers. "He who oppresses the poor to increase his own wealth... will only come to want" (Prov. 22:16), or, "He who oppresses a poor man insults his Maker," (Prov. 28:3). Their deeds, Micah proclaimed, would not go unpunished. The Lord would hold the nation responsible for its social and

Failure on the part of Israel's court leaders to mediate justice called forth the intervention of none other than the Lord who promised to act in behalf of the powerless.

moral abuses. "This family" (2:3), the prophet protested, would experience a grievous destruction. The seized lands would be taken away by their captors (2:4). Micah was convinced that one day the lands would be returned to their rightful owners (2:5) and redistributed after the pattern of Israel's earliest time.

Debt-slavery.

"'because they sell the righteous for silver, and the needy for a pair of shoes " "'that we may buy the poor for silver and the needy for a pair of sandals," (Amos 2:6b; 8:4b)

Even though the law recognized slavery as an institution, (Ex. 21:2-11; Deut. 15:12-19), it did not sanction the sale of innocent persons and their property. What Amos had in mind was probably based on covenant prohibitions found in Exodus 23:6-8 (quoted earlier) and wisdom statements such as "Open your mouth, judge righteously, maintain the rights of the poor and needy" (Prov. 31:9).

The victims, sold either for money or land, are referred to as "the righteous" (2:6b), "the needy" (2:6b; 4:1; 5:12; 8:4, 6), "the poor" (2:7; 4:1; 5:11; 8: 4,6), and "the afflicted" (2:7). They were righteous because they were innocent. They were needy because their land and persons were being sold to satisfy "creditors demanding monetary compensation for 'silver' owed them." They were poor not because they were destitute, but, as noted earlier, because they were losing

what was rightfully theirs. They were afflicted because they were helpless in the face of the powerful actions of their oppressors.

The reference to "a pair of shoes" ("pair of sandals" 8:6a) may be interpreted in two ways. It may symbolize an insignificant debt. If so, 2:6b refers to two groups: 1) "the righteous," — those innocent over a significant matter; and, 2) "the needy" — those technically guilty over "some minor necessity of life." It is true, the expression "a pair of shoes" can metaphorically mean "a very little," (Cf. 1 Sam. 12:3 LXX) but Mays seems to interpret the phrase better as "an idiom for the legal transfer of land." If so, "a pair of shoes" was not a trifling, "but a symbol of the exchange of property rights and a token of possession." The righteous" and "the innocent" were probably the same people.

The first reference (2:6b) emphasizes the selling of the righteous. The second citation (8:6a) underscores the buying of the poor thus completing the economic circle of debt-slavery. People and property, primary assets, were vital components in the growth of wealth. The powerful rulers, Amos charged, were guilty of buying and selling the property and persons of the "righteous/poor."

Perversion of legal procedure.

They hate him who reproves in the gate, and they abhor him who speaks the truth...

For I know how many are your transgressions, and how great are your sins—
you who afflict the righteous, who take a bribe, and turn aside the needy in the gate.

(Amos 5:10, 12; cf. 2:7a; 5:15; Isa. 5:23; 10:2; Micah 3:9-11)

The means of exploitation contained in the statement "and turn aside the needy in the gate" (5:12b) refers to the perversion of legal procedure. The verb translated "turn aside" often was used in contexts involving the corruption of judicial process. The gate, the administrative/judicial hub — the justice center -- had become the enemy of the innocent. The portrayal is not only of judges who pronounced sentences, but of "those who persecuted just judges" (5:10). Witnesses, too, were involved. Corrupt witnesses were bribed, while those who spoke the truth were abused.

By the time of Amos the gate was also the institutional setting for the collection of taxes on lands and crops.²⁷ The poor owed taxes and interest on loans but were being charged beyond their agreements or abilities. The fruit of profiteering was used to build mansions and to plant splendid vineyards. "Therefore because you trample upon the poor and take from him exactions of wheat, you have built houses of hewn

stone, but you shall not dwell in them, you have planted pleasant vineyards, but you shall not drink their wine" The actions of the powerful violated the covenant's prohibition of charging interest on loans.28 The teachers warned, "He who augments his wealth by interest and increase gathers it for him who is kind to the poor" (Prov. 28:8). In the divine scheme of things justice will not be forgotten.

Sexual Oppression.

"a man and his father go in to the same maiden, so that my holy name is profaned;" (Amos 2:7b)

This seemingly out of place statement is imbedded in a series of crimes involving property (debt-slavery, taxation, and land seizure). How does sexual oppression fit in with our other considerations? Several possibilities of interpretation exist. The occasion may involve the intrusion of a father into his son's love affair, or, of a "maiden" who was a cult prostitute (Hosea 4:14), or, of a sexual violation of a female servant in domestic service29, perhaps a young girl who had been sold to a creditor. Two matters are clear: illicit sexual acts were involved; and, the "man and his father" were in the wrong.30 Probably, given the issue over property rights, the girl, treated as property and held as inferior in status to the man and his father, had been "sold or relinquished to a creditor" and had "lost even the rights of a legal concubine."31 Whatever took place, the behavior is said to have profaned God's holy name. John H. Hayes points out, "Throughout much of the ancient Near East, marriage, betrothal, and officially sanc-

tioned sexual arrangements were considered under the special protection of the divine. . . . Thus betrothals, marriages, and concubinage were understood as covenanted relationships divinely protected as if the Deity were the third part in such relationships."32 The behavior was both immoral and oppressive.

Security on Loans.

"they lay themselves down beside every altar upon garments taken in pledge; and in the house of their God they drink the wine of those who have been fined." (Amos 2:8)

The phrases "taken in pledge" and "have been fined" once more refer to advantages taken in the legal process. Covenant law set definite limits regarding garments left with a creditor as surety. For example, if the garment had been taken in pledge it was to be restored

to the poor person before sunset (Ex. 22:26-27; Deut. 24:12-13) because the garment was his "only covering," the mantle for his body when he slept. "And if he cries to me, I will hear, for I am compassionate." Fines paid for by wine seems strange to us, but not to persons in an agrarian environment (2 Kings 4:1-7; cf. Ex. 21:22; Deut.22:19). Often, debts were paid with commodities such as oil or wine. The offensiveness of the behavior was compounded by the use of the wine to fulfil worship obligations and/or to engage in revelry (Isa, 5:22-23) evidenced by the references to "every altar" and "the house of their God." Coote states, "The oppression of the peasantry supports the festivity of the ruling class."33 The worshippers felt no discrepency in their behavior - no "incongruity between what they did in the legal economic realm and the God worshipped with feasting and sacrifice."34

Deceitful Merchants.

"Hear this, you who trample upon the needy, and bring the poor of the land to an end, saying, When will the new moon be over, that we may sell grain? And the sabbath, that we may offer wheat for sale that we may make the ephah small and the shekel great and deal deceitfully with false balances, that we may buy the poor for silver and the needy for a pair of sandals, and sell the refuse of the wheat?" (Amos 8:4-6)

The prophets' ... message was shaped by a shift in the society's social structure — tribal patterns of life were dying or were being covered over by the powerful social organization of two developed, exploitive and corrupt dynasties, Israel and Judah.

> Debt-slavery, "that we may buy the poor for silver and the needy for a pair of sandals" (8:6a), has already been treated. However, another theme, that of fraudulent trading appears. Amos, using the actual words of the anxious, zealous, acquisitive merchants, describes their resentment over time lost in religious observances. What was happening? First, the social order, the monarchy, fostered the development of urban markets. Second, the poor increasingly were made

dependent upon those markets for their existence. Third, the hill country's agricultural base (the historic foundation of livelihood for the poor) increasingly was shifting from grain crops to vineyards. As a result the peasants were forced to buy wheat and grain (the bedrock of their day-to-day existence) under unfavorable conditions. Coote states,

"So these new land owners convert their hill country properties from mixed crops to vine-yards and olive orchards. This changeover diminishes the quantity of grain directly available to the peasantry to a fraction of what they need, and they wind up in the marketplace bargaining at a grave disadvantage for grain they ought to have been allowed to grow for for themselves. This is the calamity that incites Amos to condemn the elite for planting 'pleasant vineyards' and to make vine and wine the cornerstone of his indictment." 35

Within the marketplace, weights and scales were falsified to favor the merchants so that "we may make the ephah small and the shekel great, and deal deceitfully with false balances" (8:5). This might be comparable to the butcher weighing his own thumb along with the cut of meat. As we might expect, this behavior was prohibited by the law (Deut. 25:13-16; Lev. 19:35f.) and the wisdom traditions. A proverb states, "Divers weights and diverse measures are both alike an abomination to the Lord" (Prov. 20:10). In addition, inferior merchandise was sold at premium prices — "sell the refuse of the wheat" (8:6). The "refuse" was the chaff and trash left after winnowing re-mixed with clean grain. Mays concludes, "They love the Lord less, mammon more, and their fellows not at all. Their character is in utter contradiction to the person of Yahweh who redeemed them from slavery, raises up the poor and weak, and wills righteousness among all under his rule."36

The quandary of the poor in eighth century Israel and Judah developed over a period of about four hundred years. The fears raised in 1 Samuel with respect to the rise of this kind of monarchy had come to pass. None of the prophets addressed the plight of the poor as an isolated, private or individualistic problem. Quite to the contrary, the cavernous material gap which separated the poor from the elite was the result of an evolution of powerful negative social realities which penetrated several segments of life — families, sexual relationships, the marketplace, the courts, the worship centers, and the palace. When the various strands are united two interrelated public spheres and/ or groups stand out — the courts which denied justice, and the sanctuaries which ratified what the powerful and wealthy loved, making possible the conspicuous opulence of the "upper classes."

Israel's history and the social fabric of two

nations were being weighed against an ancient, Godcentered covenant relationship carefully and dynamically guarded through many generations by the prophets and wisdom teachers. What mattered for the
prophets was not the king's perception of what was
"legal," but a nation's commitment to do justice according to the Lord's standards. Both dynasties, Israel and
Judah, the prophets believed, had failed the test and at
this critical historical juncture both nations were subject to the imminent judgment of God. The prophets'
harsh oracles were prompted by a deep conviction,
expressed by Amos to Israel, but common to all. Israel
did not "know how to do right" (3:10). Justice had been
turned to wormwood, righteousness had been cast
down and obedience to God's righteousness forsaken.

Reflections for Today

Now, a few words addressed to a complicated and different social world 2700 years later. First, it should be obvious that we cannot devise a normative economic policy based upon an eighth century BC model. Whatever attempts are made to relate what the prophets said to modern social ethics we must recognize what Max L. Stackhouse calls "the necessity of a certain indirection of connection." Our social world is vastly pluralistic and yet extremely interdependent when viewed globally. How one reads and applies the biblical message in Los Angles, San Salvador, Havana, Moscow or New Delhi is quite different because the social models used (democratic socialism, totalitarian socialism or democratic capitalism as three examples) are not only dissimilar, but nonexistent in the Bible. This humbling realization should not leave us paralyzed, however, because the eighth century prophets have been utilized through the centuries by Christian people who have found ways as Stackhouse states of "encountering, honoring, and selectively adopting and adapting what could be usefully learned from 'nonbiblical' thought, experience, and civilization."37 With that knowledge biblical themes and principles capable of being contextualized were implemented as guides.

This, after all, is precisely what the prophets did. They contextualized — applied old principles to fit a new situation. The emergence of the monarchy, even though dynastic behavior was well known among other nations, was a new social arrangement for Israel. There were no models from the nation's past pertaining to a social order based on kingship. However, the prophets drew upon policies, principles and themes from the covenant and wisdom traditions by which they evaluated and addressed their own setting. In the covenant and wisdom traditions they found "universal" realities for their time. However, the task we are describing is greater than this study permits. It is mentioned to suggest the lines along which fruitful analysis might proceed and to help guard against

adopting a naive relevancy.

Permit me to enumerate a few social observations, theological claims, and biblical themes or principles which may be derived from our study which have possibilities for both a universal and specific contemporary meaning.

1. Sociological observations.

- a. Poverty is a social problem rooted within the social structures of a society.
- b. Poverty negatively impacts a person's identity and status in a community.
- c. An understanding of the nature and behavior of power in a particular social setting is necessary in identifying economic injustices and in forming an economic ethic.

2. Theological imperatives, themes and principles.

- a. The Lord actively cares for the poor.
- b. The poor often are upright persons who have been treated unjustly.
- c. Poverty is a human problem often caused by greed and covetousness.
- d. God's people cannot be indifferent to the needs of the poor.
- e. God's people cannot actively participate in nor passively sanction the oppression of the poor.
- f. God's people are called to do justice and to love righteousness.
- g. The institutional structures of religion and worship may deceptively reinforce the conditions of

What does this mean for an elder, teacher, preacher or member of a congregation of God's people today? I would make two unsensational but basic observations. What we have learned means:

1. There is a need for better understanding. Understanding alone is not enough, but it is an essential and primary step in guiding individual and group behavior. Elders need to encourage learning what the Bible teaches about the poor. Teachers at all age levels need to systematically include the topic in their classes. Preachers need to preach by design sermons on the topic from a biblical perspective. Is it not true that most Christian people in our churches are unaware - ignorant — of the biblical message concerning this vital topic? Constructive behavioral change is based on

understanding.

2. There is a need to help the poor actively and constructively. Christian attorneys can help through legal assistance. Would that not parallel the prophets' concern? Other Christians need to penetrate the institutions of their communities - schools, businesses, government offices, housing programs etc., identifying and assisting the poor as well as confronting various expressions of injustice. Would not adequate housing and employment for the poor be primary concerns if we follow the example of the eighth century prophets? Beyond our local churches and communities encouragement should be given to render global assistance to the poor. Individuals and groups need to ask, "Now that I (we) better understand God's will for the poor, what can I (we) do to help?"

Whatever is taught and done by individuals and churches, partisan political motivations should be avoided. Poverty, like other social problems, is a political problem, but the gospel is greater than our partisan political biases.

Finally, the prophets in their own words remind us of the conceptual standards which should guide our understanding and behavior today.

> He has showed you, O man, what is good; and what does the Lord require of you but to do justice, and to love kindness and to walk humbly with your God Micah 6:8

> > learn to do good; seek justice correct oppression defend the fatherless, plead for the widow Isaiah. 1:17

hold fast to love and justice. and wait continually for your God Hosea 12:6

But let justice roll down like waters, and righteousness like an overflowing stream Amos 5:24