SOCIAL JUSTICE AND THE VISION OF DEUTERONOMY

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I. INTRODUCTION

It has long been argued that the book of Deuteronomy presents a “humanitarian vision” for community life in Israel. Indeed, Moshe Weinfeld argues that “the primary aim of the Deuteronomic author is the instruction of the people in humanism, and in furtherance of this goal he adapts the various literary traditions which were at his disposal.”¹ Weinfeld divides the humanist laws of Deuteronomy into three major categories. They are:

(1) Laws emphasizing the value of human life and human dignity. Examples of these laws include the treatment of runaway slaves (Deut 23:16) and women war captives (Deut 21:10–14); restrictions on excessive corporal punishment, lest the victim be “degraded” (Deut 25:1–3); proper disposition of a corpse after an execution (Deut 21:22–23); and the regulation of the construction of roof parapets in order to minimize danger to human life (Deut 22:8).

(2) Laws dealing with interpersonal social relations. These include calls for assisting aliens, orphans, widows, and the poor, as well as enjoining a positive attitude toward these marginal groups (Deuteronomy 15; etc.), regulation of property rights (Deut 23:25), and warnings regarding the treatment of a hated wife and her son (Deut 21:15–16).

(3) Laws dealing with the humane treatment of animals. Examples include prohibition of taking both mother and her young from the nest (Deut 22:6–7), and the requirement to refrain from muzzling an ox while it is treading out grain.²

Each category of laws may be seen as having a practical, human-centered basis rather than explicitly religious or theological ones, in Weinfeld’s view. This humanistic tendency is seen as having its roots in ANE wisdom literature. Weinfeld notes that similarities in language between Proverbs and certain points in Deuteronomy suggest that the editorial framework of Deuteronomy, at least, was composed subsequent to the book of Proverbs, and maintains that the authors of the book were scribes trained in the wisdom traditions of the ANE.³

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² Ibid. 241, n. 1.
This humanitarian emphasis in Deuteronomy is coupled with a perceived tendency toward demythologization and secularization, in Weinfeld’s view. That is, Weinfeld maintains that Deuteronomy represents a repudiation of the theological understanding of earlier sources, and this more sophisticated understanding of the nature and presence of Yahweh, coupled with Deuteronomy’s tendency toward centralization of life and worship to a central sanctuary (Jerusalem, in Weinfeld’s view), results in a removal of certain institutions and practices from the realm of the sacred. Thus, the humanitarian emphasis in Deuteronomy may be seen as an outgrowth of the tendency toward demythologization, secularization, and centralization. The new understanding of Yahweh and his presence that is seen in Deuteronomy necessitates a new basis for understanding relations among the people of Yahweh. This new basis is found in humanism.

It is, in my estimation, undeniable that Deuteronomy reflects tremendous concern for the dignity of all human beings, and that it does, in fact, represent a different emphasis as compared to the earlier books of the Torah. Clearly, certain laws from the Book of the Covenant or Leviticus have been reworked to address the particular audience of Deuteronomy. Other laws are unique to Deuteronomy and reflect a somewhat different emphasis. But the question is why there are these differences, and whether or not the best explanation for them lies in a radical program of demythologization, secularization, and centralization such as that posited by Weinfeld.

A thorough evaluation of Weinfeld’s understanding of the Deuteronomic program and its bases is, of course, well beyond the scope of this work. Elsewhere, I have argued for alternative explanations of the textual phenomena and presented a more thorough critique of the prevailing view of the book.¹ This article will more specifically focus on the laws of release in Deuteronomy 15 in order to account for the unique aspects of the laws in that chapter as compared to earlier books. I will argue that Deuteronomy 15 extends the concerns of the laws of release in Exodus and Leviticus by establishing a system whereby even the landless poor are cared for. Significantly, care of the landless and poor is established in Deuteronomy as one of the most important measures of the effectiveness of the people of Israel in living out loyalty to Yahweh and, therefore, being the people of God. Thus, social justice is an important expression of relationship with Yahweh, and as such has at its core a profound theological and spiritual foundation, rather than a secularized humanitarianism.

II. THE VISION OF DEUTERONOMY

1. Laws of release in Deuteronomy 15. While social justice issues pervade the entire book of Deuteronomy, we will focus on the laws of release

¹ See my book, Deuteronomic Theology and the Significance of Torah: A Re-Appraisal (Winona Lake, IN: Eisenbrauns, 2006).
in Deuteronomy 15. Deuteronomy 15 calls for the release of debts in the seventh year, and also for the release of slaves, who probably entered servitude because of indebtedness. Although it is debated whether this release originally was intended to be a total cancellation of the debt or referred to suspension of demands for payment during the seventh year, there is no doubt that later Jewish tradition understood this to be a complete cancellation of the debt.5

There are interesting parallels to this law of release in other legal texts in the OT. In Exodus 23, the law states that there is to be a release of the land, such that land is not to be cultivated by the landowner in the seventh year. The purpose for this “rest” for the land is so that the poor may harvest the food, and so that wild animals will also be able to eat of it (Exod 23:11). During this year of release, the produce of the land becomes common property, not just belonging to the landowner. Similarly, Leviticus 25 calls for the seventh year to be established as a year of rest—a Sabbath rest—such that the land is not tilled. The parallel law in Deuteronomy 15 is a third law demanding a release of some sort.

It is important to note just what is happening in these three laws. In Exodus and Leviticus, the land is left fallow for a year. In Exodus, there is a clear humanitarian motivation for doing so, namely so that the poor and wild animals will be able to eat of the land. Clearly, this law is present to address the needs of the landless poor, since any landowner would be able to eat the produce of their own land, even during the fallow year (as Leviticus makes clear). In Leviticus, the motivation is more religious than humanitarian, although it is possible or even likely that the form of the law in Leviticus is making explicit a religious motive that is implicit in the Exodus law.6 The humanitarian issues are addressed in other laws in Lev 19:9–10 and 23:22, so it would be a mistake to conclude that the concerns of Leviticus are exclusively religious and not humanitarian. In the same way, it would be wrong to conclude that Exodus is devoid of a religious motivation. Most relevant for our purposes, however, is the fact that in Leviticus, as in Exodus, the immediate beneficiaries of the law are landless poor. Indeed, it is hard to see how the year of the release of land benefits landowners in any way, as they are prohibited from harvesting the crops and selling them and, as Exodus notes, the poor may eat of what grows there. This stands in contrast to the provision in Deut 23:25, which protects the property owner from someone harvesting his grain from the fields.

The law of release in Deuteronomy 15, however, extends concern for the poor to include landowners struggling under the crushing burden of debt.

6 Christopher J. H. Wright, God’s People in God’s Land: Family, Land and Property in the Old Testament (Grand Rapids: Eerdmans, 1990) 146.
It is easy to see how economic pressures could force a struggling landowner to borrow. Failed crops, increased taxation, or simple mismanagement could result in a landowner not being able to meet his obligations, and therefore having to borrow in order to meet them. Continued misfortune could lead to the loss of land and home, or even result in the selling of family members or themselves into slavery in order to pay off debts. The law of release in Deuteronomy 15 is expressly intended to put an end to this course of events. At the end of seven years, debts would be cancelled, and there would be no need for the practice of debt-slavery in order to meet those obligations. Moreover, even if anyone were forced into slavery in order to pay off debts, he is to be released in the seventh year, according to the very next law in Deut 15:12–18. More remarkably, they are to be provided the resources for starting over, as Deuteronomy 15 further calls for them to be generously provided for from the slaveholder’s fields and flocks (vv. 13–14). Deuteronomy seeks to prevent the establishment of a permanent poor underclass through its laws of release.

2. Language for “poor” in Deuteronomy and the ANE. That Deuteronomy envisions a new kind of society may be further seen in the very terminology used to speak of those in need. Lohfink has noted that Deuteronomy has altered the terminology used to refer to those in need. Throughout the ancient Near East, and in much of the OT except for Deuteronomy, landless groups such as foreigners, widows, and orphans were usually considered to be among the “poor.” It is easy enough to see why, since they would have no ready means of support in the form of land or income. So, the terms for “poor” appear commingled with references to “aliens,” “widows,” and “orphans,” the obvious implication being that all are to be thought of as belonging to a single class. For example, Zech 7:10 states “and do not oppress the widow or the orphan, the stranger or the poor; and do not devise evil in your hearts against one another.” Clearly, a single class is being described.

In Deuteronomy, however, something different occurs. In ancient Near Eastern texts, the word order “widow and orphan” prevails. This order appears in the Book of the Covenant in Exodus, as well as elsewhere in the OT. In Deuteronomy, however, the order has been altered such that “orphan and widow” is always used. In addition, in all but one instance, the word “foreigner” always precedes these terms. Such striking consistency suggests that this was not accidental, but rather was part of a deliberate effort to
redefine who was to be considered “poor.” Most striking is the fact, noted by Lohfink, that in no instance in Deuteronomy do any of the 7 Hebrew words for “poor” appear together with the sequence “alien, orphan, and widow.”

In light of these data, it is reasonable to conclude with Lohfink that Deuteronomy is consciously altering the understanding of what it means to be poor. The alien, orphan, and widow, as they are never referred to as poor in Deuteronomy, are not to be considered among the poor. Instead, they are simply to be considered people who, due to their circumstances, must be provided for in a different manner. According to Deuteronomy, this is not a “welfare system,” but is, rather, a normal system for the exchange of goods for those who belong to this group. In this respect, they are thought of as being like the Levites, who also owned no property and who, therefore, relied on an alternative system for provision. Levites were to be given a portion of the bounty of the land through the tithe and through the sacrifices of the people, which were to be the means by which they received support and sustenance. This was not a charitable contribution for people who were “down on their luck”; it was, rather, the normal means, and the God-ordained means, by which the Levites were to be supported.

The Levites, then, were not to be considered poor. Rather, they were to function in a sense as a “barometer” for whether and how well Israel was living up to its obligations to support the landless Levites. McConville has noted that the Levite is intended in Deuteronomy to be prosperous, not poor. He notes that “a poor Levite could not be an ideal figure, for his poverty, far from portraying devotion to Yahweh, would actually be a consequence of disobedience and godless independence on the part of the whole people, and a harbinger of their deprivation of the benefits of the land.” Clearly, then, the condition of the Levites is a direct measure of the obedience of the people in living out their relationship to Yahweh in the land. If the people obeyed the commandments Yahweh gave them and shared the bounty of the land with them, the Levites would not be poor in any sense of the word, for Yahweh promised to bless the land. It is only if the people failed to obey that the Levites would be poor.

It appears that the other landless groups could be thought of in much the same way. By steadfastly refusing to consider aliens, orphans, and widows as “poor,” Moses in Deuteronomy is insisting that they be integrated fully into the life of the nation, just as the Levites were to be. They, like the Levites, would serve as a barometer for the obedience of the nation.

But Deuteronomy goes even further than this in its treatment of those it refers to as “poor,” as opposed to the landless. Deuteronomy 15:1–3, as we have seen, regulates the year of release in order to ensure that there is no permanent underclass in Israel due to indebtedness. We have also already

10 Ibid. 9.
11 Ibid. 11.
12 J. Gordon McConville, Law and Theology in Deuteronomy (JSOTS 33; Sheffield: JSOT, 1984) 151.
seen how this humanitarian law extends the concept of release to landholding debtors. But it is important to notice that Moses interrupts his treatment of the year of release with an urgent appeal. Verses 1–3 and 7–11 of chapter 15 flow seamlessly in establishing regulations concerning lending practices and the year of release. Verses 4–7 clearly interrupt the flow of the text.

This interruption of verses 4–7 has led many to conclude that these verses are from a different, later hand than the rest of chapter 15. Many have said, moreover, that these verses contradict the statement in verse 11 that “there will never cease to be poor people in the land,” and conclude that this is further evidence that the two sections derive from disparate sources. But drawing such conclusions, in my opinion, fails to deal adequately with the rhetorical thrust of Moses’ argument and the nature of the Deuteronomic vision.

In interrupting the regulations concerning the year of release, Moses is making a powerful argument for his understanding of what it means for Israel to be the people of God. Verse 4 begins with יִדְרֵשׁ, a restrictive adverb, drawing a contrast with the preceding statement. In doing so, Moses is arguing that the fact of life lived in the land should render the law of release unnecessary. The reason, Moses explains, is because God is so going to bless the nation that there will be enough for everyone. If the people are faithful to the covenant they made with Yahweh, there will be enough for all. Note that this blessing is predicated on Israel’s careful observation of the “whole command” לְכֹל-הַמַּצִּבָּה Moses spoke to the nation (verse 5). Part of that “whole command” that Moses exhorts Israel to obey is the full integration of marginal groups and the poor into the life of the nation.

In effect, Moses is saying that if Israel is truly living as the people of God, then the provisions for the year of release will be utterly unnecessary. Because part of what it means to be the people of God according to the vision of Deuteronomy is to care for one another, and to share the bounty of blessings with the entire community. For this reason, the Levites, aliens, orphans, and widows were not to be considered poor. Their provision was not a charitable act, but was, as we have seen, a normal means of providing for people who had no other means of sustenance. Sharing with these groups was not meritorious, but was expected behavior on the part of the community as a whole. Yahweh would richly bless his people, who would, out of devotion to him, share that bounty with everyone in the community. In this way, there would be no need for debt-slavery, no need for any year of release. The people would treat each other as “brothers,” as fellow citizens are consistently referred to in Deuteronomy, and would care for one another accordingly. This is part of Deuteronomy’s radical vision for life lived in relationship to

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15 Deuteronomy is remarkable (and strikingly counter-cultural) in explicitly including women in this category of “brother” in Deut 15:12.
Yahweh. And, as God’s word, it is part of God’s vision for what it means to be the people of God.

3. The radical vision of Deuteronomy. What, then, do we make of the statement just a few verses later, that “there will never cease to be poor people in the land”? Should this be taken as an indication of inconsistency on the part of Moses, or evidence of multiple sources being used in the composition of Deuteronomy?

I maintain that this, too, is part of the radical vision of Deuteronomy. As we have seen, Deuteronomy puts forth a vision of a community of brothers and sisters who are united in their devotion to Yahweh, and as a result of that unwavering loyalty to Yahweh care for each other in profound ways. But Moses is aware that the people—as human beings—can and will fail to live up to the ideal that he sets forth. This is seen elsewhere in Deuteronomy, where Moses in chapters 27 and 28 sets forth blessings and curses, but makes it clear in subsequent chapters that the curses are likely, if not certain, to be experienced by the nation. Indeed, Moses is under no pretense that his audience is likely to heed his words. The expulsion of the people from the land of promise is spoken of as a near-certainty in chapter 4, and the portrait of the people in chapter 9 as “stiff-necked” and “stubborn” is hardly a flattering one, and will hardly inspire confidence that the people were willing and able to obey Moses’ commands.16

I conclude from all these data that Deuteronomy is, in a sense, “eschatological”17 in its outlook. That is, it envisages a society as it ought to be, and as it one day in fact will be. At the same time it is fully cognizant of the realities of life lived in a fallen world. There is a tension that is maintained between the ideal and the present reality. In this sense it may be compared to the NT conception of the kingdom of God, which is at once “already” and “not yet.” The tension, though difficult to grasp at times, is thoroughly biblical.

In light of this, verses 4 and 11 in Deuteronomy 15 are not contradictory, but rather should be seen as two halves of the same radical vision. Ideally, there should be no poor among the people of God, since there will be abundant blessing and because the people are to be a true community of loyal Yahweh worshippers in which all are welcomed, all are included, and all are cared for. But human beings are incapable of such perfect selflessness, and so there will never cease to be poor in the land. So, recognizing that fact, selflessness short of the ideal is commanded, in the form of a release of debts and generous lending. In addition, Deuteronomy seeks to minimize the impact of the failure of the people to live selflessly through the law of release of slaves in the seventh year. One day, however, the ideal will be realized, and

17 I am indebted to Gordon McConville for this insight, shared in a private conversation. Cf. Wright, Deuteronomy 189.
Yahweh himself will enable the people to live out their relationship with him in conformity to his commands.\(^\text{18}\)

### III. DEUTERONOMY’S VISION AND THE CHRISTIAN CHURCH

It may be helpful at this point to evaluate briefly how this radical vision of Deuteronomy relates to the twenty-first-century church. In doing so, we must bear in mind the important fact that Deuteronomy is not addressed directly to the Christian church. It is addressed to the people of Israel, assembled on the verge of the Promised Land. While there is relevance for the church in the vision of Deuteronomy, we must remember the nature of the people of God has changed through the ministry of Jesus, who redefined the people of God around himself.\(^\text{19}\)

Despite this Christological redefinition of the people of God, there is substantial evidence to suggest that the early church considered care for the poor in general, and Deuteronomy’s vision in particular, to be of great relevance and importance. We will examine just two pertinent examples.

In Acts 2 and 4, Luke provides summary descriptions of the early Christian community. In Acts 2:44–47, Luke describes the community as having “all things in common.” Also included is a description of the practice of selling possessions and sharing the proceeds with those who had need (Acts 2:45). In Acts 4:34, Luke notes that “there was not a needy person among them,” due to the fact that property was sold and the proceeds shared among the community.

In Acts 4:34, the wording in Greek is identical to the Septuagint’s rendering of Deut 15:4, except for modification of the verb from future to past tense. That is, Deut 15:4 says “there shall be no poor among you,” whereas Acts 4:34 says “there were no poor among them.” This correspondence suggests that Luke was deliberately invoking Deut 15:4 and implies that Luke saw the early Christian community described in Acts 4 as being governed by Deuteronomy’s vision.\(^\text{20}\) The early Christian community described by Luke sought to model the kind of inclusivity and brotherhood exhorted by Moses in Deuteronomy. Though the circumstances were radically different,\(^\text{20}\)

\(^{18}\) That Yahweh will enable obedience is seen in comparing Deut 10:16 and 30:6. The God who in Deut 10:16 commands the people to circumcise their hearts and obey the commands is the same God who in Deut 30:6 is identified as the one who will do the circumcising, thus enabling obedience.


the early church sought to live out the kind of community envisaged in Deuteronomy. Indeed, Luke may well have understood the early church to be the fulfillment of the eschatological vision of Deuteronomy.\(^{21}\)

What are the facets of the Deuteronomic vision that are embraced by the early church and which, consequently, have relevance to the church today? There are several, but I will highlight just three of the most important ones.

1. There is an emphasis on full participation in the life of the community for all people, regardless of their economic status. As we have seen, Deuteronomy calls for the complete integration of orphans, widows, slaves, Levites and the poor into the life of the nation. For Israel to be the people of God, there was not to be any sense of exclusion. The early church lived this out in providing for the needy such that poverty was eliminated from the community, according to Acts 4:34. The modern church must, I submit, ensure that economic barriers and disparity do not hinder full integration of people into the life of the church.

2. Care for the poor is seen as integral to the life of the community. That is, this is not an optional afterthought, or something that is “nice” to do if one gets the chance. Rather, as we have seen, the way the poor and landless groups were cared for functioned as a measure of how the people were doing in living out their relationship with Yahweh. Given the emphasis on care of the poor in the Torah and the prophets, we can conclude that this is important to God. There is nothing to suggest that this concern is eliminated because of the Christological redefinition of the people of God in the NT. On the contrary, the fact that concern for the poor is highlighted as an attribute of the early church suggests that it was understood to be a matter of great importance. Therefore, concern for the poor is something that the church needs to integrate into the very fabric of its existence. Living out relationship with God necessarily includes caring for others within the community.

3. The blessings of God are understood as being for the benefit of the community, not exclusively or even primarily for the individual recipients. In Deuteronomy, it was expected as a matter of course that the blessings of the land would be shared among the entire community. God promised that there would be enough for everyone, if the people would obey him and care for one another. In using the way in which landless groups and the poor were cared for as a measure of the obedience of the people, the communal nature of the blessing can be readily seen. The blessing was meant for all! In the same way, the owners of property in the early church appear to have seen their property as a means by which the entire community could be blessed and served, and they sold what they owned in order to share. This aspect of Deuteronomy’s vision is of particular importance to American Christians.

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The American church has been so incredibly blessed not because of our righteousness or for our benefit, but rather so that we might use these blessings to care for others. The community to which we have an obligation is found throughout the world, and we must remember that we are blessed in part so that we can share with those brothers and sisters who have little, or who have nothing. And this is not charity; it is simply the means by which God has chosen to provide for others throughout the world.

IV. CONCLUSION

I have attempted to demonstrate that concern for the well-being of marginalized groups is indeed an integral part of Deuteronomy’s radical vision for community life among the people of Yahweh. This is, of course, hardly a contested assertion, as we have noted. But I have shown that there is a profound theological motivation for that “humanitarian” concern, as care for the marginalized groups and the poor is established as an important measure of how the people of Israel were doing at being the people of Yahweh.

Rather than being an example of secularization, in which care for the marginal groups and the poor is mandated almost entirely on humanitarian and compassionate grounds, Deuteronomy’s call to social justice is based on the fact that the people of Israel are the people of Yahweh. As such, they are called to live out that relationship in radically counter-cultural ways. They are to serve as a paradigm for the rest of humanity, demonstrating to a watching world what it means to be the people of God, as suggested by Deut 4:6–8 and 28:10.22 Thus, there is an even greater urgency to the call to care for those “brothers” who are struggling, since Israel’s mission to bless the nations (Gen 12:1–3) depends, in substantial part, on its ability to live out relationship with Yahweh. Social justice is a central aspect of the means by which that relationship is lived out, and is, therefore, central to the vision of Deuteronomy. That vision was important to the early church as well, as evidence shows that the early church sought to create a society founded on the principles developed in Deuteronomy. Consequently, the vision of Deuteronomy has relevance for the modern church as well.

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