

THE ORIGINS, CULTURAL SETTING AND ELEMENTS OF SOCIAL JUSTICE IN THE BIBLE

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Preliminary note. In this sort of companion handout to the one entitled “SOCIAL JUSTICE IN THE BIBLE” centered on the Biblical terms for “justice,” I thought I would explore the background and wider picture of this Biblical concept. For this, I have mostly followed the authors cited below quite closely, without specifying when I am quoting from their work (most of what is written here are paraphrases or quotes without quotation marks). This also accounts for whatever lack of smoothness and cohesion this presentation suffers from.

*Socio-anthropological setting.*¹ In the Biblical world, the basic social unit is the tribe, linked by blood-ties, established through often fictional genealogies pointing to a common ancestor. In a desert society, such as that in which Israel’s origins are at least partly to be found, an individual must be able to depend on unquestioned welcome and hospitality when he is either separated from his own group or joins a new one. Affording hospitality and asylum is the most esteemed virtue (and necessity). It is inconceivable that one should live isolated and unattached to any tribe; if expelled, one is taken in by another tribe.

Tribal solidarity is seen above all in the duty to protect the weak and oppressed members. This is at the basis of ideas regarding social justice in Israel and in related cultures.

The group as a whole is responsible for justice, there being no police force or court. The fundamental law is that of blood-vengeance, meant to act as a deterrent. It does not operate within the group: guilty members are expelled or punished. The Old Testament (OT) legal codes sought to mitigate blood-vengeance by requiring a judgment of guilt against the accused and the exclusion of involuntary manslaughter.

In the OT, we see the clan (the social unit in-between the family and the tribe) becoming more important as tribal organization crumbled after the settlement. The individual became more identified with a place than with an ancestor. But relics of desert semi-nomadism remained.

*Ancient Near Eastern ideas of justice.*² It is Moshe Weinfeld’s thesis that *mišpat w^etsedaqah* (“justice and righteousness”) is a **hendiadys (two things standing for a whole)** meaning “social justice.” It is synonymous with *hesed we’emet* (**kindness and fidelity**, Ps 89:15) and *hesed ubrahamîm* (**kindness and compassion**, Hos 2:21). Aside from this Hebrew usage, similar word-pairs are found in Ugaritic, Phoenician and other

¹ This part of my presentation is taken from R. DEVAUX, *Ancient Israel. Its Life and Institutions* (London, 1968).

² The rest of this presentation follows M. WEINFELD, *Social Justice in Ancient Israel and in the Ancient Near East* (Jerusalem – Minneapolis, 1995), closely, and also B.V. MALCHOW, *Social Justice in the Hebrew Bible* (Collegeville, 1996). I have added some additional material here and there.

languages, e.g., the Akkadian *kittum u mišarum* (“truth and equity”).³ God is the origin of justice (he grants it to king David and his son Solomon in Ps 72:1-2), the king implements it, and it becomes everyone’s responsibility. It is a sense of justice with which to judge (rule and adjudicate) the people; a special concern is the judgment of (doing justice to) the weak, and charity. Justice means ameliorating the situation of the destitute and the elimination of exploitation. The king has a special responsibility for social legislation, depicted as a social ideal of David’s, Isa 16:5; 9:6, qualities which establish and maintain the royal throne (Prov 20:28; 25:5; 16:12; God’s throne in Ps 89:15). This royal task is described in 2 Sam 8:15; Jer 22:3; 23:5; Ezek 45:9 (including freedom from taxation).

In the final, eschatological section of Ezek (40-48), the prophet demands of the princes of Israel (he avoids the use of “king”) the very actions that were central to *mišarum* and *andurarum* (“equity and liberation”) in Mesopotamia, the Hebrew equivalents being *meišarîm* and *d̄ror* (“equity” and “liberation, emancipation, manumission”), as in the Jubilee year, Lev 25:10). Weinfeld connects the Jubilee liberation to Ezek 45:8-9; 46:16-18 explicitly mentions *d̄ror*.

The establishment of *mišpat w̄tsedaqah* is the foremost role of the eschatological king, Isa 9:5-6. See the attributes of the king in the royal marriage Ps 45. The king helps the weak and wreaks vengeance on their enemies. There are eschatological or messianic prophecies in other literature (e.g., Virgil’s *Eclogues*). Mesopotamian redeemer kings established “justice and righteousness” in the land, procured “the security of the people, the productivity of the land, the ingathering of exiles and the return of captivity, the eradication of hatred and enmity of brothers and kingdoms, and the securing of an eternal, divinely ordained dynasty.”⁴

This establishment of “justice and righteousness” in the land is analogous to the Mesopotamian expression regarding reforms. Kings would proclaim “liberation” upon ascending the throne. Thus the Neo-Assyrian king Esarhaddon, in granting “liberation” to residents of various cities, not only releases them “from various taxes, but also frees prisoners, repatriates exiles, returns properties and even rebuilds temples.”⁵ The same applies to Neo-Babylonian kings in the sixth century B.C.E. Other features were amnesties and release from debts, symbolized by ‘breaking the tablets of the land’. Allowing return to one’s family, as in Lev 25:10, is considered to be a return to the service of the gods.⁶ The people of Israel are servants of God and cannot be sold, Lev 25:42, 55. The land is the Lord’s and cannot be sold forever, we are only sojourners and squatters (*gerîm w̄tošabîm*), Lev 25:23.

The main kind of wrongdoing is oppression by rich landowners and ruling circles who control the socio-economic order, enacting unjust and oppressive laws which result in enslavement for debt (Amos 8:5-6) and foreclosures (Isa 5:7-8 + 10:1-2). These oppressors shall be dispossessed when reforms are finally made, Mic 2:5. Forced, unpaid labor is another injustice, Jer 22:13.

³ The Hebrew equivalent for the latter term is *meišarîm*, found often in the Pss and elsewhere in the OT: Ps 17:2; 58:2; 75:3; 99:4; Prov 8:6; 23:16; Cant 1:4; Isa 26:7; 33:15; 45:19; Dan. 11:6.

⁴ WEINFELD, *Social Justice*, 67, citations omitted..

⁵ WEINFELD, *Social Justice*, 61.

⁶ The Sumerian term for freedom, *amargi*, means “to return to the bosom of the mother.”

It is in this context that we should view Solomon's abuses as described by Bruce Malchow.

The great social change in Israel came with the monarchy, especially with King Solomon. He brought all the expensive trappings of Near Eastern monarchy into the land. This included the royal household with a large harem, many children, attendants, and guards. It also added bureaucrats, a standing army, and extensive building projects. 1 Kings says: "Solomon's provisions for one day was thirty cors [ca. four to six and one-half bushels] of choice flour, and sixty cors of meal, ten fat oxen, and twenty pasture-fed cattle, one hundred sheep, besides deer, gazelles, roebucks, and fatted fowl" (4:22-23). . . .

How was this expansion paid for? The cost was met by heavy taxation and a policy of forced labor. According to 1 Kings: "King Solomon conscripted forced labor out of all Israel; the levy numbered thirty thousand men. He sent them to the Lebanon, ten thousand a month in shifts. . . . Because of this policy, there were fewer workers at home on the farms and, consequently, less food was produced. Thus, farmers had less income at the very time that they were forced to pay new, exorbitant taxes to the government. Many were reduced to poverty."⁷

Along with the many poor, there arose a new elite, and social classes developed for the first time. The disparity increased, so that by the eighth century (the time of Amos, Hosea, Micah and Isaiah), there was an enormous gap between rich and poor. It is in confrontation with this that the social consciousness of the Deuteronomic School emerged, reflected in texts such as Deut 17:14-20, written with Solomon in mind. His son Rehoboam, instead of softening the yoke as he was counseled to do, made it harsher, resulting in the secession of the northern tribes and the division of the kingdom (1 Kgs 12). Ambivalence against kingship is reflected in 1 Sam 8, where the "*mišpat*" ("ordinance") of the king is set forth in vv. 11-17.

The great crime of the Sodomites according to Ezek 16:49 was arrogance, avarice and not helping the poor and needy.

The Exodus. Israel was born in a situation of oppression (Egypt). God heard their cry and liberated them. This foundational event is the basis of the intimate relationship between God and Israel, described in Priestly terms (God dwelling in their midst, being their God and they being his people) in Lev 26:11-13; Israel is not to be a slave, but to walk erect. It is the basis for social legislation regarding impoverished Israelites, Lev 25:35-43, and the basis for the *d'ror* ("liberation, emancipation, manumission") of the Jubilee year, 25:54-55. It is also the basis for Israel's call to holiness, 22:31-33.

We have some indications of this institution, although it is considered by many to be merely a never-implemented ideal. In Jer 34:8-22, while Jerusalem was besieged by the Babylonians, king Zedekiah proclaimed a *d'ror* (34:8),⁸ freeing all Hebrew

⁷ MALCHOW, *Social Justice*, 11.

⁸ Weinfeld posits that this *d'ror* in 589/588 was a Jubilee, followed by the *d'ror* of Cyrus 50 years later in 539/538. In Jer 34:8, the *d'ror* is "**proclaimed**" (*qara*'), as in Lev 25:10, and also in Isa 61:1. Jesus in

slaves so that no Jew would be enslaved to his brother. But then the princes and the people reneged on their agreement! Neh 5 relates how debts were condoned after the people complained of having to pledge their children and fields to their fellow Jews in order to obtain grain to eat. The collateral was given back and the debts forgiven. Nehemiah boasts that he did not charge for his work or contribution of manpower, and fed many at his expense, so as not to further burden an already weighed-down people.

“Liberation” in the Ancient Near East. There are comparable social institutions in the Ancient Near East: *mišarum* (“**righteousness**”) in Mesopotamia, and the proclamation of “freedom” in Egypt, by kings on their enthronement or at critical moments. The king would proclaim an amnesty and pardon prisoners and rebels, and free slaves and debtors. The proclamation of social reforms could include the cancellation of the debts of states or individuals, the liberation of slaves, the restoration of land to its owners, the rectification of economic injustice (overpricing, false weights and measures, see Ezek 45:10-12; Amos 8:5; Mic 6:10), the annulment of taxes, the restoration of estates to families and the division of land to the needy in order to provide political and economic freedom (“freedom” in the full sense) from dictators and creditors.⁹

In Mesopotamia, this concept (*mišarum*) corresponds to the *d̄ror* of Lev 25:10 in the Jubilee year. Its aim was social equality and assisting the weaker members of society. The cognate Hebrew word *meiṣarîm* appears often in the Psalms, frequently translated “**equity**;” see, e.g., Ps 99:4. It is Weinfeld’s thesis that this word is to be identified with *mišpat w^etsedaqah*, a hendiadys for all the ethical behavior required towards one’s neighbor, as described in texts such as Ezek 18:7-17 and Isa 58. It means **kindness** to the poor, *hesed* (as described in Job 29:12-17, 23-25, though *hesed* is not used here). In the Second Temple period, *mišpat w^etsedaqah* is substituted by the broader *tsedaqah w^ehesed* (“**righteousness and good deeds**”).¹⁰

The kingship of God. In Ps 99:4, upon his coronation as king, God performs *mišpat w^etsedaqah* and establishes *meiṣarîm*. Weinfeld connects three fundamental moments with this situation: first, when God became king at creation (Pss 96:10; 93; cf. 33:5-6; 89:3, 6, 12-15) and imposed equality, order and harmony upon the cosmos, eliminating the forces of destruction and chaos. The second moment is after the exodus, when he became king of Israel (Exod 15:18). Thirdly, in the period of the universal redemption, God will sit on his throne and judge and redeem the entire world, and will save the weak; Pss 98:9; 75:3.¹¹ So God’s “justice” refers to past, present and future: the redemption of the earth and its creatures, of Israel, of Israel and the nations in the eschatological age.

Luke 4:17-21 would thus be declaring the start of his ministry as the fulfillment of the eschatological Jubilee prophesied by Isaiah.

⁹ In Syracuse in 386 B.C.E. the democratic leader Hippon justified a proposed distribution of land on the grounds that **equality** (ἰσότης, cf. 2 Cor 8:14) is the beginning of **freedom** (ἐλευθερία), while the beginning of slavery is the impoverishment of those without property.

¹⁰ The latter is the Rabbinic *g^emîlût ḥasadîm*.

¹¹ See WEINFELD, *Social Justice*, 20.