

LECTURE 1

SOCIAL JUSTICE: OLD TESTAMENT THEOLOGICAL FOUNDATIONS

Introduction

Twenty years ago, most of us had never heard the term “social justice.” But that situation has changed. As one author noted,

In the twentieth century you would encounter the term *social justice* while auditing a sociology course or perhaps joining the chapter of a local activists’ group. Now it is in our coffee shops, our ads for soda, shoes, and shaving cream, our fast food establishments, our Super Bowls, our internet browsers, our blockbuster movies, our kindergarten curricula, our Twitter feeds, our national media and our pulpits. It’s everywhere.¹

But the fact that the term is widely used does not mean that everyone knows what it is. Part of the problem is undoubtedly the way in which Americans receive and process information. Very few do the critical reading and thinking necessary to sort through complex issues.

Rather, the average person’s opinions are quickly swayed without much thought by headlines, soundbites, and Facebook.

But the larger problem is that the term “social justice” has become difficult to understand for two reasons. First, it has been adopted as a descriptive label by a variety of groups, all of whose claims to need justice must be individually assessed. The pro-life movement, the movement to stop sex trafficking, the women’s liberation movement, Black Lives Matter, the American Nazi Party, and various groups in the LGBTQ movement all

¹ Thaddeus J. Williams, *Confronting Injustice without Compromising Truth* (Grand Rapids: Zondervan, 2020), 1.

claim to stand for the oppressed. In some cases the agenda for the group may be one with which believers generally or even completely agree. In other cases, we might agree with a portion of their claims. In other cases, we might agree with virtually none of their claims to injustice. How is one to sort through the claims of each group to determine which of them have valid complaints and which do not?

And second, even if we limit ourselves to one group, the parameters of social justice and the definitions of terms used by social justice advocates such as Black Lives Matter rapidly change in a way that makes them difficult to identify and assess. In 1820 economic oppression and bigotry toward the black community was easy to identify: they were slaves. In 1920 the same injustices to the black community were also easy to identify: they were systematically discriminated against due to Jim Crow laws. But in 2020 it is more difficult to understand. I know that racist individuals still exist and still discriminate against people of different races, even if in more subtle ways. But in a world where I have had black managers at work and many of my favorite athletes are millionaire black men, and where affirmative action has existed for more than 50 years, something has changed. Yet the claim to need justice is louder than ever. As Douglas Murray observed

Just as things appeared better than ever before, the rhetoric began to suggest that things had never been worse. Suddenly – after most of us had hoped it had become a non-issue – everything seemed to have become about race. As with all the other tripwire issues, only a fool or a madman would think of even speculating – let alone disputing – this turnaround of events.²

² Douglas Murray, *The Madness of Crowds* (New York: Bloomsbury Continuum, 2019), 6.

Given the confusion spawned by the term, “social justice,” we must be careful to avoid one of three problems. First, we may fail to identify and repent of whatever sins of injustice we are guilty of. Self-deception about our sins is always possible, and as Galatians 6:1 tells us, we should be careful so that we too will not be tempted to evil. Second, we may be confused about what is right and what is wrong. We realize the issues are complex, so we play it safe by ignoring them lest we do or say the wrong thing. That either keeps us from doing what we should do to address a problem or it allows erroneous thinking to take hold since the truth is not being articulated.

The third option is that we decide we will do something to try to influence the world. Believers in the United States have an opportunity to make our voice heard on social issues. Informally, we have access to Instagram, Facebook, and personal blogs. More formally, we all have the right to vote. And we know as believers that we have a duty to stand for right and against wrong which we may exercise through those avenues. The problem is that the exercise of our right to be heard is not always well informed by what God’s word actually teaches. So, the goal of this presentation is to outline in general terms the system of economic and social justice as the Lord defined it in the Mosaic Law. Doing so is a necessary preliminary step before we make assessments of and comments about any issue to which the label social justice has been applied. Though the New Testament believer is no longer under the Mosaic Law, all the law given by God is indeed righteous and good. So anyone wishing to know what God thinks about social justice is well advised to include an investigation of the system of social justice that God himself authored. The goal of this four

session lecture is not to sort through the various claims of all the groups self-identifying as advocates for social justice. That is a complex issue deserving treatment. But once we have outlined the basic elements of Israel's national existence, we will suggest some applications for the modern believer.

The goal of this first lecture is to demonstrate the integral connection between one's relationship with Yahweh and social ethics. The connection is most clearly demonstrated when Deuteronomy 10:12-11:1 applies the events of Abraham's life as narrated in Gen 12-26 to the nation at large. The connection is also demonstrated through the motive clauses attached to the laws addressing ethical issues in the Pentateuch. This fear of Yahweh³ is integral to the maintenance of justice and cannot be tacked on as an appendix to an already established system. Deuteronomy recognized this fact in the way that it construes social ethics first as a matter of honoring Yahweh and then secondarily as a matter of humanitarian concern.

Theological Motivation for Social Ethics

The law code proper in Deuteronomy occupies the central portion in the book from chapters 12-26.⁴ The preceding material includes a review of Israel's history in the

³ Throughout the lectures, I use the proper name of God, Yahweh, and the honorific title Lord interchangeably.

⁴I do assume that Deuteronomy is a speech of Moses and that, apart from the account of his death at the end, he wrote it. Determining the textual history of chapters 1-11 and their relationship to the rest of Deuteronomy is beyond the scope of this investigation. Most scholars argue that large sections of these chapters are late supplemental additions. For

wilderness from Sinai to the plains of Moab in chapters 1-3, followed by a definition of the relationship existing between Israel and Yahweh in chapters 4-11.⁵ This section is sermonic, functioning as parenetic material exhorting Israel to obey all the stipulations of chapters 12-26.⁶ As Gerhard von Rad summarized:

The constant logic of all these addresses is rather this: since Jahweh has shown you such faithfulness in all these matters, and will continue so to do, it is your duty to love him in return, and to keep his “statutes and judgments.” In other words, this preaching is paraenesis [*sic*], a summons to obedience. ... Certainly, the will of Jahweh is also resolved into a series of very concrete

examples of this approach, see Frank Crüsemann, *The Torah* (trans. Allan W. Mahnke; Minneapolis: Fortress, 1996), 204-05, A. D. H. Mayes, *Deuteronomy* (NCB; Grand Rapids, Mich.: Eerdmans, 1979), 29-55, and Timo Veijola, “Principle Observations on the Basic Story in Deuteronomy 1-3,” in *A Song of Power and the Power of Song* (SBTS 3; ed. Duane L. Christensen; Winona Lake, Ind.: Eisenbrauns, 1993), 137-46. In contrast to these views, J. G. McConville argues for the essential and historic unity of the sections of Deuteronomy based the fact that they read as a unified story (J. G. McConville, *Deuteronomy* [AOTC 5; Downers Grove, Ill.: InterVarsity, 2002], 36-42). This evidence is part of his argument favoring an earlier dating for the book, though he stops short of arguing for Mosaic authorship. It does, however, support the notion that the conjunction of reverence for Yahweh with the social legislation of the Pentateuch should be conceived of as an early feature of Israel’s organized religious life. J. Gary Millar also argues for the essential theological unity of the book based on the motif of Israel’s journey (J. Gary Millar, *Now Choose Life* [NSBT 6; Downers Grove, Ill.: InterVarsity, 1998], 67-98). He notes, “the study of these chapters has tended in recent years to become bogged down in literary analysis. ... This preoccupation with literary matters has resulted in the neglect of the *content* of these chapters. Thus a holistic approach has much to offer here” (80). See also Adele Berlin, “Numinous *Nomos*: On the Relationship between Narrative and Law,” in “*A Wise and Discerning Mind*”: *Essays in Honor of Burke O. Long* (ed. Saul M. Olyan and Robert C. Culley; BJS 325; Providence, R.I.: Brown University, 2000), 25-31. She notes how the laws of Hammurabi are also well-integrated with the surrounding prose epilogue and prologue.

⁵Richard Averbeck, “Law,” in *Cracking Old Testament Codes* (ed. D. Brent Sandy and Ronald L. Giese, Jr.; Nashville, Tenn.: Broadman & Holman, 1995), 126.

⁶Jeffrey H. Tigay, *Deuteronomy* (JPSTC; Philadelphia: Jewish Publication Society, 1996), 40.

commandments which are to be obeyed in a concrete fashion. Nevertheless the primary and principal thing in Deuteronomy is the basic commandment to love Jahweh “with the whole heart and with the whole soul and with all one’s might” (Deut. VI. 4f.)—almost everything else follows automatically.⁷

This sermonic introduction makes social ethics a matter of obedience to Yahweh himself.

Social justice is not motivated by considerations of social stability or a general principle of fairness.

It is in Deuteronomy 10:12-11:1 that the connection between social justice and one’s commitment to worship Yahweh and honor him as king is most explicit. The text draws a number of conceptual links between the obedience that will be required of Israel if they are to enjoy the blessings of the covenant and the obedience that was required of Abraham in Genesis. The effect is to claim that someone in covenant with Yahweh shows his covenant status in his social behavior not out of mere humanitarian motives, but as a means of service to the Lord. In this national obedience, Israel would be like their progenitor Abraham, who also demonstrated his covenant fidelity through tangible obedience. In order to understand this connection, the following section will begin with a discussion of the Abraham narrative and then indicate the ways in which Deuteronomy appropriates this theology as a model for the nation.

⁷Gerhard von Rad, *Old Testament Theology* (trans. D. M. G. Stalker; 2 vols.; San Francisco: Harper Collins, 1962), 1:225-26.

Abraham's Relationship with the Lord and Ethics

The familiar command for Abraham to leave his homeland is given at the beginning of the Abraham narrative in Gen 12:1.⁸ The injunctive force of the imperative verbs is clear—Abraham is given a task to perform. Obedience was not easy since Abraham was being commanded to leave his family and the place where he had a measure of security to begin a journey whose ultimate destination he did not yet know (Gen 12:7). But though Abraham's obedience is important, the Lord's role is actually more prominent.⁹ The cohortative force imperfect verbs indicate it was the Lord himself who would make of Abraham a great nation, and would bless him, and would make his name great.¹⁰ Thus the

⁸The entire trajectory of the Abraham story has also been subject to source division based on historical critical methods. In a canonical reading of the text, however, the story is foundational not only for Genesis, but for the entire Pentateuch. There is a broad story arc running from chapters 12-22, and the later chapters are so well integrated into this story line as to make removal of any one of the episodes difficult. For a discussion and defense of the literary unity of this story line, see Gordon J. Wenham, *Genesis* (2 vols.; WBC 1-2; Waco, Tex.: Word Books, 1987), 2:16-19, 99-100. Even Gerhard von Rad concluded, "the arrangement which the Yahwist has given the material is so remarkable that we must consider his molding of the transmitted mass of material as a decisive literary event, which claims our whole theological interest" (Gerhard von Rad, *Genesis* [OTL; trans. John H. Marks; Philadelphia: Westminster, 1961], 160).

⁹"Yahweh is the subject of the first verb at the beginning of the first statement and thus the subject of the entire subsequent sacred history" (Rad, *Genesis*, 154). See also Ronald W. Pierce, "Covenant Conditionality and a Future for Israel," *JETS* 37 (March 1994): 28.

¹⁰The imperative followed by cohortative purpose clause is discussed in Bruce K. Waltke and M. O'Connor, *An Introduction to Biblical Hebrew Syntax* (Winona Lake, Ind.: Eisenbrauns, 1990), 578-79. The purpose for leaving is thus specified as the Lord's purpose.

three focal points in Genesis 12 are a nation, Yahweh's commitment to build it, and Abraham's obligation to obey if it is to be built. Those focal points will dominate the entire Abraham narrative and ultimately are applied to the nation in Deuteronomy 10.

The initial promise of a nation in Genesis 12 figures prominently in several of the following narratives, but it is more focused on the nation than on the Patriarch himself. In Gen 12:7 the Lord indicates Abraham had arrived at the correct place but does so by stating "to your descendants I will give this land." In Gen 13:14-16 Yahweh again tells Abraham he will have many descendants who will live in the land. The key phrase is literally translated "for all the land which you are seeing, to you I will give it, and to your descendants forever." The second half of the clause fronts the indirect object *לך*, to emphasise Abraham himself will possess the land.¹¹ But the final clause also extends the right to possess the land to Abraham's descendants, thereby linking the patriarch and the nation. Finally, in Genesis 15 the Abrahamic covenant is a personal agreement between the Lord and the patriarch. But it too is primarily phrased to indicate that the nation will possess the land. Abraham would "go to [his] ... fathers in peace," but his offspring would return after the enslavement in Egypt when the time was right. Genesis 15:18 reads like a real estate deed. In it the Lord stated, "to your descendants I have given this land, From the river of Egypt as far as the great river, the river Euphrates."

¹¹ Volitional imperfect verbs normally occur first in their clause. So this text's placement of the indirect object before the volitional imperfect indicates an emphasis on that object.

Genesis 12-15 also focuses on the fact that it is the Lord who will build the nation. The Lord indicated his commitment to build the nation in the initial call in Genesis 12, but Genesis 15 solemnized that commitment by means of a covenant. The episode begins when Abraham, still childless, questions God regarding the means through which the promises were to be fulfilled. God repeated the promise of an heir, and Abraham believed it. Genesis 15:6 indicates that the Lord counted Abraham's belief as righteousness, that he was a suitable covenant partner for the Lord due to his trust in the Lord. But the eventual great nation is to be built by the Lord himself. The scene in Genesis 15 fits this understanding well, for it concludes with Yahweh himself, symbolized by flames and smoke, passing between the divided portions of the sacrifice that Abraham brought. Parties to a covenant frequently engaged in this ritual as a self-invocation that the same horrible fate would befall them if they failed to perform the specified promises.¹² Here, however, only Yahweh passes between the parts of the sacrifice because he assumes full responsibility for bringing the promises of a posterity, land, and universal blessing to pass.

The emphasis in Genesis 15 on the Lord as the builder of the nation is also indicated by its form: a royal land grant. Similar documents from the Ancient Near East indicate that "by this instrument a king bestows a gift of land on an individual or vassal as a

¹²For a survey of similar ceremonies recounted in ancient Near Eastern literature, see Victor P. Hamilton, *The Book of Genesis* (2 vols.; NICOT; Grand Rapids, Mich.: Eerdmans, 1990), 1:429-434.

reward for loyal service.”¹³ So this type of covenant places more responsibility on the Lord himself as the sovereign, though it also indicates Abraham has ongoing responsibility to remain faithful. The use of the royal land grant form makes it clear: whatever is to be accomplished in Abraham, Yahweh will be the one doing it.

Even though the Lord takes responsibility for fulfilling the covenant on himself, the emphasis on Abraham as a suitable covenant partner continues to be felt. The initial command in Genesis 12 and the royal land grant covenant of Genesis 15 both indicate Abraham had a responsibility to obey. Genesis 17, emphasized it more directly thirteen years after the birth of Ishmael. God commands Abraham in verses 1-2, “Walk [הִתְהַלֵּךְ] before me and be blameless [וְהָיָה תָמִים]. And I will establish my covenant [וְאָתַנָּה בְּרִיתִי] between me and you. The promise to establish the covenant uses the same purpose construction as found in Gen 12:1-2, imperatives for Abraham followed by a cohortative indicating Yahweh’s primary role for bringing about the events. The emphasis on God as the primary actor is prominent in verses 3-8. But verses 9-14 give Abraham the responsibility of circumcising all the males of his house.

The reemphasis on Abraham’s responsibility in verses 1 and 9-14 seems out of place given the events of chapter 15. The Lord had promised to make Abraham a great nation, so why emphasize his responsibility again? The answer is that Abraham’s

¹³Nahum M. Sarna, *Genesis* (JPSTC; Philadelphia: The Jewish Publication Society, 1989), 114. See also Wenham, *Genesis*, 1:333.

responsibility is the means through which Yahweh accomplishes his work on behalf of the Patriarch. Yes, Yahweh had taken personal responsibility for bringing blessing upon Abraham. Exactly how he would bring this blessing about, however, is not specified in Genesis 15. The present text read in conjunction with Genesis 15 indicates that God would do so by making Abraham into the sort of man that he could indeed bless.¹⁴ The interplay of these theological themes produces a “dialectical tension” inasmuch as “YHWH will fulfill his promises but not apart from faith on the part of their beneficiaries.”¹⁵ Further clarification on this dual responsibility is forthcoming from Gen 18:19 wherein Yahweh summarizes how his relationship with Abraham leads to Abraham’s obedience. God asserts, “For I have chosen him, so that he may command his children and his household after him to keep the way of the LORD by doing righteousness and justice; so that the LORD may bring upon Abraham what

¹⁴Paul R. Williamson argues that there are actually two separate covenants in Gen 15 and 17. Paul R. Williamson, *Sealed with an Oath* (NSBT 23; Downers Grove, Ill.: InterVarsity, 2007), 86-90. He bases this conclusion largely on the fact that “Genesis 15 and Genesis 17 are manifestly different in both nature (temporal/eternal; unilateral/bilateral) and primary emphases (national/international)” (89). The overriding problem with this conclusion is that even so-called royal grants such as Gen 15 is often labeled presuppose that the vassal will continue to faithfully serve the suzerain. The entire trajectory of Gen 12-25 does indicate God’s unilateral work to bring about the promised outcomes, but never in a way that sidesteps the responsibility of Abraham to be a loyal covenant partner in the endeavor.

¹⁵Bruce K. Waltke, “The Phenomenon of Conditionality within Unconditional Covenants,” in *Israel’s Apostasy and Restoration: Essays in Honor of R. K. Harrison* (ed. Avraham Gileadi; Grand Rapids, Mich.: Baker, 1988), 129. The implicit conditionality of even so-called unconditional covenants is also discussed in Pierce, “Covenant Conditionality and a Future for Israel,” 28-30.

He has spoken about him.”¹⁶ There was always a conditional element present in the promises of Yahweh to Abraham, but they were secure (i.e. unconditional) because Yahweh had revealed Himself to Abraham in such a fashion that Abraham would indeed make the necessary responses.

That Abraham has indeed made the necessary response to the personal will of Yahweh was demonstrated by the patriarch’s actions in Genesis 22-25. Abraham’s sacrifice of Isaac in Genesis 22 is well known and will not be discussed at length here except to note that the events are indicative of Abraham’s growth in faith. Abraham was being asked to do something that made very little sense in human terms. God had clearly indicated that Isaac was Abraham’s primary heir and later confirmed that status by having the patriarch send away Ishmael, thereby effectively disinheriting the son of Hagar (Gen 21:12-14). To command the sacrificing of Isaac seems to be a perplexing and irrational about-face by the God who had so obviously provided Isaac as an heir to begin with. And yet, the command of God at this point was equally clear. So, Abraham offered no disputation regarding the instructions; instead, he rose early the next morning, prepared the sacrifice, and set out on the journey. Once it was clear that Abraham’s commitment to obedience was without hesitation, God stopped him from actually slaughtering Isaac. At this point the significance of the events becomes clear, for Yahweh says “now I know that you fear God.” (Gen 22:12). The verb translated “I know” indicates the experience of an event, not just advance knowledge of

¹⁶For a discussion of syntactical issues pertaining to this verse, see Waltke and O'Connor, *Introduction to Biblical Hebrew Syntax*, 639.

what Abraham would do.¹⁷ So Abraham had demonstrated his fear and trust in the Lord by doing what had been asked even though it made little sense. Furthermore, though Abraham represented just one family at this point, this too is covenant language suggesting that Abraham is a covenant partner with a great king.

That Abraham had grown in faith to the point where he would offer unquestioned obedience to Yahweh is also indicated by links between the call to sacrifice Isaac in Genesis 22 and the initial call to leave Haran in Genesis 12. Abraham's initial obedience was commendable. His actions in chapters 12-21, however, demonstrated a need for growth. His lies about Sarah's identity, his fathering of Ishmael through Hagar, and his clinging to the notion that Ishmael might still be the primary heir until the Lord commanded to send him away indicate something less than complete trust in God. They all involved moral lapses on the part of Abraham, and they suggest that he was not *fully* willing at that time to follow Yahweh's plan for providing him with an heir and a land.

Genesis 22, however, indicates Abraham had indeed grown in faith. The similar language of this text to Genesis 12 invites the comparison. As Sarna explains,

The two crucial events are cast in a common literary mold so that chapters 12 and 22 share many connecting links. God's first call to Abraham is introduced by the declaration, "Go forth ... to the land that I will show you"; and His last employs almost identical language, "Go forth ... to the land of Moriah ... on one of the heights that I will point out to you." ... In both instances, the precise ultimate destination of the trek is withheld, and in both the tension of the drama is heightened by the cumulative effect of several

¹⁷ Usage of the Hebrew term "range[s] from sensory perception to intellectual process to practical skill to careful attention to close relationship to physical intimacy." Terence E. Fretheim, "יְדִי," NIDOTTE (Grand Rapids: Zondervan, 1997), 2:410.

Hebrew epithets, the last of which is the most potent: “your land, your homeland, your father’s house”; “your son, your favored one, Isaac, whom you love.” Both episodes culminate in promises of glorious posterity, the second one containing striking verbal echoes of the first.¹⁸

So, though Abraham was a man of faith in Genesis 12-21, it was a faith that could not be characterized as unwavering and complete. The events of Genesis 22, however, showed that growth had indeed occurred, for this time the obedience to the divine directive was immediate and unqualified.

Genesis 26:4-5 gives the divine summary of Abraham’s life in conjunction with a charge to Isaac to follow in the steps of his father. The charge to Isaac is in the same form as the initial charge to Abraham, an imperative followed by two purpose clause cohortatives. So Genesis 26 emphasizes the same elements as Genesis 12: a nation, a primary responsibility for the Lord to build it, and a secondary responsibility for Isaac to obey. By this construction, the text again emphasizes both the divine and human roles in the covenant. The emphasis on dual responsibilities is again paradoxical, but the text is quite clear about both God’s unwavering commitment to his covenant and sworn oath and the responsibilities of those who benefit from them.

Like Abraham before him, Isaac had an initial responsibility to fulfil. This appearance of the Lord to Isaac happened as there was a famine in the land of Canaan. Isaac was apparently planning to go to Egypt, a frequent place of refuge during Canaan’s periodic

¹⁸Sarna, *Genesis*, 150.

famines. But the Lord told him to stay in the land. And his choice to stay in the land was not without difficulty as time went by. Isaac had abundant flocks in a land where watering them required access to a well. That need brought him into conflict with other local shepherds, leading Isaac to abandon the first and second wells dug by his servants. Only with the third attempt was Isaac able to pasture his flocks peaceably, leading Isaac to exclaim, “At last the LORD has made room for us, and we will be fruitful in the land.” The Lord had indeed provided for Isaac, but not without testing his faith first. As Hamilton observed, “the fidelity of Abraham and his offspring in meeting their covenant responsibilities [is important]. ... In a context that overwhelmingly emphasizes the unilateral nature of the covenant with the patriarchs, the voice of conditionality and mutuality is occasionally heard.”¹⁹

The Lord’s commendation of Abraham and charge for Isaac in Genesis 26:5 is also phrased to suggest its relevance to the nation in Deuteronomy. In this text, the Lord promised Isaac he would “establish the oath which I swore to your father Abraham. ... Because Abraham obeyed Me and kept My charge, My commandments, My statutes and My laws.”²⁰ These terms refer to the many stipulations of the Mosaic law, but God does not appear to have given a lengthy list of commands to Abraham. Yet given the trajectory of

¹⁹Hamilton, *The Book of Genesis*, 2:19.

²⁰ The Hebrew text reads as follows:

שָׁמַע אֲבִרְהָם בְּקוֹלִי וַיִּשְׁמַר מִשְׁמֶרְתִּי מִצּוֹתַי חֻקּוֹתַי וְתוֹרָתִי.

Unless otherwise noted, all Hebrew is quoted from *Biblia Hebraica Stuttgartensia*: with *Werkgroep Informatica, Vrije Universiteit Morphology; Bible. O.T. Hebrew. Werkgroep Informatica, Vrije Universiteit*. (2006). (Ge 26:5). Logos Bible Software.

Abraham's life (obedience mixed with doubt followed by unqualified obedience) one cannot doubt that Abraham did indeed order his life around divine directives.

Abraham as a Model for the Nation
Deuteronomy 10:12-11:1

The narrative of Abraham in Genesis 12-26 emphasized the nation, the Lord's primary role in establishing it, and the patriarch's secondary but important role to be a suitable covenant partner. In the parenetic material of Deuteronomy 10:12-11:1 Moses incorporates the language and thematic categories of the Abraham narrative in his exhortation for Israel to obey. The text reads as follows:

- 12 “Now, Israel, what does the LORD your God require from you, but to fear the
LORD your God, to walk in all His ways and love Him, and to serve the LORD your
God with all your heart and with all your soul,
13 *and* to keep the LORD'S commandments and His statutes which I am commanding
you today for your good?
14 “Behold, to the LORD your God belong heaven and the highest heavens, the earth and
all that is in it.
15 “Yet on your fathers did the LORD set His affection to love them, and He chose their
descendants after them, *even* you above all peoples, as *it is* this day.
16 “So circumcise your heart, and stiffen your neck no longer.
17 “For the LORD your God is the God of gods and the Lord of lords, the great, the
mighty, and the awesome God who does not show partiality nor take a bribe.
18 “He executes justice for the orphan and the widow, and shows His love for the alien
by giving him food and clothing.
19 “So show your love for the alien, for you were aliens in the land of Egypt.
20 “You shall fear the LORD your God; you shall serve Him and cling to Him, and you
shall swear by His name.
21 “He is your praise and He is your God, who has done these great and awesome things
for you which your eyes have seen.
22 “Your fathers went down to Egypt seventy persons *in all*, and now the LORD your
God has made you as numerous as the stars of heaven.

- 1 “You shall therefore love the LORD your God, and always keep His charge, His statutes, His ordinances, and His commandments.”²¹

Deuteronomy has therefore extended the experiences of the national progenitor Abraham to frame the present experience and situation of the entire nation. As the patriarchs learned to live on the basis of the promises and commands of Yahweh in spite of the present dangers of Canaan, so too must the fledgling nation. The parallel experience begins, of course, with the fact that the same God who covenanted with Abraham is now covenanting with his offspring. But the parallel is not merely one of identity (Yahweh as a party to a covenant first with Abraham then with Israel); rather, it is a parallel drawn with the nature of the relationship.

As Israel prepared to enter the promised land, the nation promise is the most obvious element. The patriarchs were promised something that did not yet exist: a large nation. It did not seem likely based on the small size of their group, but it was accepted as certain based on the character and ability of the one who promised it. The people present on the plains of Moab could see the Lord had indeed fulfilled the promise to Abraham that they would become “as numerous as the stars of heaven.” Though the nation would not technically exist until it gained territory in Canaan, Israel viewed the promises from a different historical frame of reference than the Patriarchs. No faith was required to see that at this point there were indeed a large enough group of people to form a nation. They were at the end of a long trajectory, not the beginning. Moses makes this historical connection

²¹ Unless otherwise noted, all quotations are from the *New American Standard Bible: 1995 update*. (1995). (Dt 10:12–11:1). La Habra, CA: The Lockman Foundation.

deliberate. “Events of the more distant past, when the election of Israel was promised to the patriarchal fathers and sealed in God’s covenant at Mount Sinai, are here linked to the present moment on the plains of Moab.”²²

The unilateral commitment of the Lord to fulfill the promises is also present in Deuteronomy 10. This emphasis on the Lord’s unilateral commitment to national Israel was present as early as Exod 6:6-8. Pharaoh had just increased the workload of the people after refusing Moses’ request to let them go. The oppressive situation worsened and the people were despondent. The Lord responded by first talking about the meaning of his name, Yahweh. He then told Moses to say to the people I am the Lord, an assertion of his identity. This identity leads to the following commitment as indicated by a string of Hebrew *waw* consecutive perfect verbs. He would deliver Israel from Egypt; he would redeem them with an outstretched arm and great judgments, he would take them for his people and be their God; he would bring them into the land; he would give it for a possession. Deuteronomy 10 simply alludes to the events of the original covenant. Verse 15 notes “on your fathers did the LORD set His affection to love them, and He chose their descendants after them.” The people could see that God had indeed been true to his word and was promising in Deuteronomy to continue being true to it by giving Israel victory over the Canaanites.

²²Duane L. Christensen, *Deuteronomy 1:1-21:9* (2d ed.; WBC 6A; Nashville, Tenn.: Thomas Nelson, 2001), 204.

The third significant theme present in the Abraham narrative was the need for him to act as a worthy covenant partner in response to Yahweh. As argued above, this theme is placed somewhat in the background of the Genesis 12-22 narrative due to its emphasis on the commitment of God to act for the patriarchs. God had established the covenant with Abraham, Isaac, and Jacob and it would be fulfilled. Nonetheless, their faithfulness to the Lord is always presupposed, and it is viewed as an integral part of what Yahweh did in order to establish it. It was also largely in the background in the Exodus events. Except for the Passover requirements, they had done nothing but watch as the Lord acted.

In Deuteronomy the fulfillment of the covenant again depends on the Lord. But here the emphasis on the human responsibility is actually placed in the foreground. That is entirely logical, of course. When God made a royal grant to Abraham in Genesis 15, the patriarch had already demonstrated his righteousness, even if further growth in faith was needed. The Israel that stood poised to enter Canaan from Moab, however, had been repeatedly unfaithful to the Lord. Their predilection for rebellion had manifested itself most clearly at Kadesh Barnea but continued throughout the wilderness wanderings. For that reason, “at Moab, God presents an opportunity to reverse the disastrous repercussions of the refusal to enter Canaan from Kadesh Barnea. ... Chapters 5-11 preach this opportunity, repeatedly calling God’s people to move on into radical obedience with far-reaching

consequences.”²³ In Deut 10:16 the danger for Israel is explicit, for they are commanded, “circumcise then your heart, and stiffen your neck no more.” Obedience was required, but it would not come automatically or easily since “an uncircumcised heart is one which is ... closed in, and so impervious to good influences and good impressions.”²⁴

The difference between the story of Abraham and the situation of Israel regards the specific way in which the parties manifested their fear of Yahweh. The ultimate demonstration of Abraham’s respect for God involved Isaac. Abraham was asked to believe in the impossible, namely that he would have a biological heir born to him of a post-menopausal wife. His willingness to sacrifice Isaac also demonstrated his trust in the Lord. Abraham can function as a model for Israel because the type of trust in Yahweh that he developed is not dissimilar to the trust which would be necessary if the conquest was to succeed. But such faith would also be tested by the way in which Israel responded to issues of justice and ethics. Deuteronomy 10:18 notes that the Lord is concerned for the powerless of society. Specifically, he “executes justice for the orphan and the widow, and shows His love for the alien by giving him food and clothing.” As a result of Yahweh’s nature as supreme God and both judge and patron of the poor, Israel too must show love to the alien

²³Millar, *Now Choose Life*, 80.

²⁴S. R. Driver, *Deuteronomy*, (3d ed.; ICC; Edinburgh: T&T Clark, 1902), 125.

(10:19), especially since they had the experience of living as resident aliens in Egypt.²⁵

Immediately after this charge, the need to fear (אָר) and serve (עבד) Yahweh is reiterated with the additional provisions that they cling to him and make oaths only in his name. The object of their fear and service, Yahweh, is fronted in both clauses, so obedience is again made into a very important personal matter, not simply a matter of following an external government system.

So the major emphases of this section are that the God-king of Israel, Yahweh, has worked greatly on the nation's behalf. They must therefore serve him, a particular manifestation of which will be to mirror his treatment of the disenfranchised elements in society: the resident alien, fatherless, and widow. This service would not be easy for Israel, as reflected in the lengthy exhortations to obedience in this section of Deuteronomy, but it is required. The example of Abraham should be helpful to them, for as his obedience required sacrifice and commitment for the sake of Yahweh's objectives, so too would the nation's obedience require sacrifice and commitment. But as that obedience secured unbelievable blessings for the patriarch, so too would obedience in matters of social ethics secure them for the nation.

²⁵Mayes considers the verse "a secondary addition to the present context" (Mayes, *Deuteronomy*, 211). The questionable nature of the assertion is apparent in that no evidence is offered in support of it, and the remark is very natural in the context as it stands. Tigay observes that "it seems to be an almost instinctive reaction to that verse [18]: no sooner are strangers mentioned than Israel's duty toward them enters the mind" (Tigay, *Deuteronomy*, 108).

Israel's Motive for Social Justice: the Lord is King

The command for Israel to love the widow, orphan, and resident alien, is prefaced with a rhetorical question. Deuteronomy 10:12 asks, “Now, Israel, what does the LORD your God require from you, but to fear [יִרָא] the LORD your God, to walk [הלך] in all His ways and love [אהב] Him, and to serve [עבד] the LORD your God with all your heart and with all your soul, *and* to keep [שמר] the LORD's commandments [מצוה] and His statutes [חקה] which I am commanding you today for your good?” (Deut 10:12-13). As Moshe Weinfeld demonstrated, these verbs are commonly used in royal correspondence and indicate the rule of Yahweh over Israel.

Deuteronomy and deuteronomic literature abound with terms originating in the diplomatic vocabulary of the Near East. Such expressions as: ‘to go after ... others’ אחרים (אלהים); ‘to turn to ... others’ אחרים (אלהים); ‘to love, to cleave’ דבק, אהב; ‘to serve ... others’ אחרים ... עבד; ‘to fear’ ירא; ‘to swear’ נשבע; ‘to hearken to (or obey) the voice of’ שמה בקול; ‘to be perfect תמים with (blameless before) him,’ ‘to act in truth,’ באמת, all of which are encountered in the diplomatic letters and state treaties of the second and first millennia B.C., and especially in the vassal treaties of Esarhaddon, in which they have particular political significance, found their way into Deuteronomy ... as terms expressing religious loyalty.²⁶

²⁶Moshe Weinfeld, *Deuteronomy and the Deuteronomistic School* (Oxford: Clarendon, 1972), 83-84. On love as a Deuteronomistic concept, see William L. Moran, “The Ancient Near Eastern Background of the Love of God in Deuteronomy,” *CBQ* 25 (January 1963): 79-82.

Deuteronomy 10:14-15 also uses language evocative of royal position. The text asserts that to Yahweh “belong heaven and the highest heavens, the earth and all that is in it.” The superlative is again similar in tone to those occurring in the preambles to the ANE suzerain-vassal treaties and can be construed as a claim of kingship in the form of ultimate sovereignty over even the heavens.²⁷ Finally, Deut 10:17 describes Yahweh as “God of gods and the Lord of lords, the great, the mighty, and the awesome God who does not show partiality nor take a bribe.” The superlatives assert his position as absolute head over divine and human realms alike, while the adjectival descriptions of him as great, mighty, and awesome coupled with the reference to his impartial justice take the honorific titles normally applied to kings and assert they are true of him. As in verse 14, the terms are similar to the types of assertions made in both ancient suzerain-vassal treaties and law codes and make obedience a matter of personal loyalty to both God and king.²⁸

²⁷Mayes concludes that by means of the phrase “God’s universal dominion is affirmed” (Mayes, *Deuteronomy*, 209).

²⁸“The Laws of Hammurabi,” translated by Martha Roth (*COS* 2.131:336) clearly juxtapose these concepts. They state, “When the august god Anu, king of the Anunnaku deities, and the god Enlil, Lord of heaven and earth, who determines the destinies of the land, allotted supreme power over all peoples to the god Marduk ... at that time, the gods Anu and Enlil, for the enhancement of the well-being of the people, named me by my name: Hammurabi ... to make justice prevail in the land, to abolish the wicked and the evil, to prevent the strong from oppressing the weak.” See also the “Treaty Between Mursilis and Duppi-Tessub of Amurru,” translated by Albrecht Goetze (*ANET*, 203), which more briefly refers to the king’s greatness and his appointment by the divine realm by stating he is “the great king,” “the valiant,” and “the favorite of the Storm-god.” For secondary discussions of the connections, see Moshe Weinfeld, *Deuteronomy 1-11* (AB 5; New York: Doubleday, 1991), 438; McConville, *Deuteronomy*, 200-01; and Mayes, *Deuteronomy*, 210-11.

Immediately after the command to love the widow, orphan, and resident alien, Deut 10:20 emphasizes that obedience is a matter of personal loyalty to the great sovereign Lord of Israel, not a matter of simple humanitarianism. It states, you shall “fear the LORD your God” (Deut 10:20). Fear, of course, does not indicate blind terror, but moves well beyond it to encompass awe and trust.

What happens when you fear someone whom you know has your best interest at heart? When you fear someone who loves you, such as God himself, that very fear somehow becomes altogether different. It becomes reverence, a feeling of awe in the presence of divine love and power. It makes us want to surrender our will to God’s will—“to walk in all his ways and to love him and to serve YHWH your God with all your heart and with all being” (Deut 10:12). This kind of “fear” casts out fear of the negative kind.²⁹

As far as Deuteronomy is concerned, fear of the Lord is the only motivation that will work for establishing social justice.

Motive Clauses in the Law Codes

Deuteronomy 4-11 indicates that trust in and respect for Yahweh is the decisive factor for Israel’s obedience to all the law and Deuteronomy 10 specifically extends that motivation to the area of social ethics and justice. But respect for Yahweh is so foundational to social ethics that the laws in Deuteronomy 12-26 do not allow Deuteronomy 4-11 to carry the full burden of the exhortations. Instead, the individual laws make this emphasis clear through the use of motive clauses.

²⁹Christensen, *Deuteronomy 1:1-21:9*, 205.

A motive clause is an “attempt to answer questions such as, ‘Why is the law thus?’, ‘Why observe this law?’, by providing either a justification or an incentive for observing the particular legal prescription.”³⁰ Motive clauses are rare in ancient cuneiform laws, and those that do appear simply underscore some element of the individual law as opposed to offering a justification for it.³¹ One such example is law §136 in the Laws of Hammurabi which states, “if a man deserts his city and flees, and after his departure his wife enters another’s house—if that man then should return and seize his wife, *because he repudiated his city and fled* [emphasis added], the wife of the deserter will not return to her husband.”³² The clause adds no new information; it simply emphasizes the elements of the

³⁰Rifat Sonsino, *Motive Clauses in Hebrew Law* (SBLDS 45; Chico, Calif.: Scholar’s Press, 1980), 66. He differentiates motive clauses from parenetic statements (exhortation) which he proposes are designed to “summon people to obedience by means of appeals formulated in broad terms ... very often ... as independent units” (224). His differentiation is correct, though the purpose behind both overlaps considerably. Parenesis is common in the Mosaic law and is another indication of the religious function of the law, but it is almost totally absent from other ancient Near Eastern laws. Examples of parenesis from Scripture include Exod 23:20-33, Lev 11:43-7, 18:1-5, 19:2, 37, 20:22-6, and Deut 12:28.

³¹Soncino states: “In the LH and MAL, however, the motive clauses always refer to inner-legal matters and achieve their goal by underlining a key element within the law. In that sense, they are all ‘repetitive’” (Ibid., 224).

³²“The Laws of Hammurabi,” (COS 2.131:344). Soncino identified the following as the laws which exhibit motive clauses: LH §7, 9, 10, 11, 13, 29, 47, 78, 107, 137, 146, 162, 163, 171, 178, 194, and 232; MAL §23, 24, 29, 36, 38, 45, and 49 (Soncino, *Motive Clauses in Hebrew Law*, 165). B. Gemser concluded in his seminal article that there were no motive clauses outside of Hebrew law. B. Gemser, “Motive Clauses in Old Testament Law,” in *Congress Volume: Copenhagen, 1953* (ed. G. W. Anderson; VTSup 1; Leiden: E.J. Brill, 1953), 52. Soncino’s study was based, however, on an exhaustive syntactical analysis of the structure of motive clauses in ancient law. Since several

case which are most important. A very limited percentage of Mosaic legislation with a motive clause exhibits the same simple emphasis function, but the biblical laws add several categories.³³ Particularly important for the present study are three types of motive clauses: those basing a law on the nature of God, those making obedience a prerequisite of God's blessing, and those citing the historical experience of the Israelites. All three appear as motivating factors for Yahweh's commands to Israel regarding resident aliens, the fatherless, and widows.

The foundational phrase indicating a motivation for ethical behavior based on God's nature is the simple statement "I am the LORD your God." Generally occurring in Exodus and Leviticus, it indicates the involvement of God and his presence in the midst of Israel in the production of character and its ensuing ethical behavior. He initially revealed himself powerfully on Mount Sinai, but took up ongoing residence with the nation in the tabernacle.³⁴ Exodus 29:43, 45-46 indicates the importance of this reality, for Yahweh says that the tabernacle "shall be consecrated by My glory," and "I will dwell among the sons of Israel and will be their God. And they shall know that I am the LORD their God who brought

syntactical constructions that indicate motive clauses in the Mosaic law also appear in LH and MAL, Soncino's conclusions are preferred.

³³ Gemser sees four categories (Gemser, "Motive Clauses in Old Testament Law," 55-6); Soncino makes a case for eight distinct categories (Soncino, *Motive Clauses in Hebrew Law*, 107-109).

³⁴ Brevard S. Childs, *The Book of Exodus* (OTL; Louisville, Ky.: Westminster, 1974), 540.

them out of the land of Egypt, that I might dwell among them; I am the LORD their God.”

This statement “indicated the real means of sanctification [at least inasmuch as an Israelite could be sanctified]—to which various sacrifices and rituals merely pointed—as his own presence.”³⁵

Leviticus 19:9-11, 19:34, 23:22, and 24:22 are texts dealing with Israel's treatment of the poor that are explicitly motivated by the phrase “I am the LORD your God.” The heading for the laws in chapter 19 makes the association between the presence of the holy God and the possibility of a holy people more explicit, for it commands the people “you shall be holy, for I the LORD your God am holy” (19:2). John Hartley described the nature of this connection between Yahweh's presence and Israel's holiness.

Wherever his presence is, that place becomes holy. Since Israel's holiness is learned and is derived from Yahweh, the command for Israel to become holy is expressed in a verbal sentence; the use of the verb *היה*, “be, become,” captures the maturing dimension of holiness on the human plane. Being Yahweh's representative on earth, Israel is to evidence in her community characteristics that are similar to God's.³⁶

The reality of God's presence in the nation indicates that holiness and ethical behavior are really dependent on his personal involvement with the people as far as Leviticus is concerned. The text is consistent with the perspective of Deuteronomy that the people's

³⁵Douglas K. Stuart, *Exodus* (NAC 2; Nashville, Tenn.: Broadman & Holman, 2006), 631. See also the discussion on the presence of God

³⁶John E. Hartley, *Leviticus* (WBC 4; Dallas: Word Books, 1992), 312.

esteem of Yahweh is of the utmost importance if they are to care for their fellow man properly.³⁷

Obedience as a prerequisite of God's blessings, and the historical experience of the Israelites are both related to God's presence in the nation since they point to aspects of Israel's covenant relationship. The historical motive clauses overwhelmingly mention Israel's slavery in and deliverance from Egypt as a rationale for obedience.³⁸ A typical example is Exod 22:21[Heb. 20], which states, "you shall not wrong a stranger [resident alien] or oppress him, for you were strangers in the land of Egypt." The motive here is, at least in part, to encourage humane treatment for all persons, for Israel should be expected to treat resident aliens with the same respect they wish they had received in Egypt. The reference to the exodus is a reminder of Yahweh's great deliverance and ultimately an indication that treatment of the disenfranchised should be motivated by gratitude for the grace of Yahweh. Though grounded in historical events and the truth that men are equals, this category is still motivated by religious and theological concerns at its core. Other

³⁷Harriet K. Havice characterizes this type of motivation as largely within the realm of an authoritarian system of ethics (Harriet K. Havice, "The Concern for the Widow and the Fatherless in the Ancient Near East: A Case Study in Old Testament Ethics" [PhD diss., Yale University, 1978], 244-5). She states: "The consequence of an action is almost always brought about by the action of YHWH. The tight connection between act and consequence is broken, and the consequence brought about by YHWH is neither inevitable nor does it tend to correspond in form to the action commanded. Disobedience ... was the rejection of YHWH (or the priest) as authority. The punishment was to be put outside the relationship with YHWH and the protection of the covenant."

³⁸Soncino, *Motive Clauses in Hebrew Law*, 112.

commands regarding the poor in general that are similarly motivated by the nation's experience with Yahweh occur in Lev 19:34, 25:23, Deut 24:17.

Motive clauses for many of Deuteronomy's laws are in the class of those making obedience a prerequisite of the Lord's blessing. Thus they are forward looking as opposed to the historical clauses, which look back. Such clauses are attached to laws governing the treatment of widows, orphans, and resident aliens. Deuteronomy 14:28-29 commands Israel to give the tithe which may be eaten by the widow, orphan and resident alien "in order that the LORD your God may bless you in all the work of your hand which you do." Deuteronomy 24:19 also attaches this clause to the gleaning law. This class of poor were powerless—outside the patriarchy—so from a human perspective, it would not be worth showing concern to them. They were unlikely to be able to repay the favor later, so landowners would not be predisposed to help them unless truly motivated by their respect for the Lord.

Summary of Theological Foundations

Deuteronomy 10:12-11:1 uses Abraham as a model for social ethics in the nation at large. Abraham had been granted the land of Canaan by the Lord, the great King. The nation preparing to enter Canaan from the other side of the Jordan river was also being granted the land by the Lord, the great king. The grant was unconditional, but Abraham was still to be a responsible participant through his faith and obedience. Israel was also tasked with being responsible participants. And both were being asked to believe something humanly difficult to believe and even more difficult to do. So respect for the Lord himself

was the only motive that could really overcome such difficulties and the Lord's presence in the nation was required if they were to be produced. For Israel in the long term, that faith would also be demonstrated by the way they treated the widow, fatherless, and resident alien. In addition to the overall structure of the Abrahamic and Mosaic Covenants, Motive clauses exhorting obedience based on the nature of God are attached to a number of the laws. Unquestionably, the Pentateuch indicates that social justice is a matter of religion and theology.

Applications for Modern Believers

The life of Abraham and its application to Israel at large indicates that social ethics are directly tied to one's respect for the Lord; they are a matter of worship. Abraham also demonstrates that it is the Lord's work in the life of an individual that produces these ethical standards. The application is therefore that one must be worshipping the Lord to want his law and that the Lord will be providing the ability to do it. And this emphasis agrees with that of John's first epistle. He states, "Beloved, if God so loved us, we also ought to love one another. ... We love, because he first loved us" (4:11, 19).

This realization that the highest ethical behavior comes only by God's work in one's life leads to one important distinction: that between good law and moral ideals. Whatever human law can accomplish, it will fall far short of the Lord's standard. And any law we support should recognize the limits of law. As Gordon Wenham observed:

In most societies what the law enforces is not the same as what upright members of that society feel is socially desirable let alone ideal. There is a link between moral ideals and law, but law tends to be a pragmatic compromise between the legislators'

ideals and what can be enforced in practice. ... What legislators and judges tolerate may not be what they approve. Laws generally set a floor for behaviour within society, they do not prescribe an ethical ceiling.³⁹

The difference is illustrated by a news story from May 23, 2011. The story relayed the account of a newborn infant, umbilical cord still attached, that had survived an 8 story fall. The mother had thrown him out in a trash chute, but he survived because the trash cushioned the fall. The mother was being charged with attempted murder and endangering the welfare of a child.⁴⁰ Of course, the law was doing the right thing in this case. But the story also noted that disposing of the baby was unnecessary.

A state law called the Abandoned Infant Protection Act gives parents up to 30 days to leave a newborn in a hospital, police precinct, firehouse or other safe location. If the baby is not injured and the parent is not suspected of a crime and promptly notifies the authorities, he or she can leave the baby anonymously and without fear of prosecution.⁴¹

Our initial response to this law may be that it is a bad law. And if it is assessed on a purely ethical basis, it is a poor ethic indeed. The Lord's ethical ideal is for two married parents to raise a child together. Raising a child also necessarily includes doing all the work of raising the child to be a responsible adult. It requires personal sacrifice. But how would any law ever motivate one to do all of the other things a parent must do? So one can make the

³⁹ Gordon Wenham, *Story as Torah* (Grand Rapids: Baker, 2000), 80.

⁴⁰ Karen Zraick, "Newborn survives toss down NYC trash chute," http://www.nbcnews.com/id/43139314/ns/us_news-crime_and_courts/t/newborn-survives-toss-down-nyc-trash-chute/#.UzCCTqKPO40. Accessed 3/24/14.

⁴¹ Ibid.

argument that this law is still good law because it is encouraging a behavior that will protect the child. It is likely a baby saved in this way would be put up for adoption and that it would be the best outcome the law could hope to secure for the child. In this case we would view laws protecting all the unborn from the moment of conception as the legal floor.

But anti-abortion laws are still woefully inadequate as a standard for how a society should view children. And make no mistake: how a society views children will start to have social implications. How many social problems are starting to be social problems simply because people are marrying older (if at all) and having fewer children and the population is skewing older? I do not want to start telling people how many children they should have and when they should have them. But every believer must prayerfully consider their motives in such instances. It is at least possible that a married couple might not have children simply to free time to serve the Lord elsewhere. If so, I praise the Lord for them and their choice would doubtless show up in ministry activity. But I fear far more are not having children simply to buy a better lifestyle. And in our culture, not having children can even look like a moral decision if one uses the extra income to buy a Tesla and solar panels. Those items are good in themselves and something I would not mind having if it made any financial sense in my budget. But all too often they are simply luxury items masquerading as moral. In other words, they are virtue signaling.

A second example of the need to distinguish between law and morality is in the area of economics. Free market capitalism often does provide greedy people with the opportunity to obtain far more wealth than they need. And there are a number of problems

associated with it that younger generations see that have started to make socialism a preferable system in their thinking. But given the complexity of economic systems and the sinful people who run them, capitalist free market economies are still the far better alternative than wealth redistribution, whether in the form of a welfare state or socialism. I do not mean to imply that there is no room for government involvement in free market economies, that a *laissez faire* style Libertarianism is preferable. For example, the Sherman Anti-Trust Act of 1890 seems to be a generally good government limitation on businesses. In principle it allows a company to make as much money as it can make, but not by creating a monopoly to limit competition within an industry. It establishes a minimum floor that the law can allow even though it allows people to be greedy and amass wealth. It works precisely because it does not attempt to accomplish too much. It is content with forcing one to be a contributing member of society, even if a greedy one.

In contrast with the good but still limited results of free market capitalistic solutions to economic problems, redistribution of wealth in a welfare state causes far more problems than it solves. Such programs may mean well initially, but once enacted the cure is normally worse than the disease and they should largely be eliminated. The law cannot make one have the right motives and be content with making a reasonable salary for the human heart is incurably greedy. Williams articulated the difference between the free market and socialism well:

In the last twenty-five years, 1.25 billion people have risen above extreme poverty. ... The major factor in this historically unprecedented rise from poverty, according to economists, has been the spread of free market economies, particularly in countries like India, China, and Nigeria. The

“Asian Tigers”—Singapore, South Korea, Taiwan, and Japan—have become prosperous despite a lack of natural resources as they have encouraged free markets, while resource-rich Russia and Brazil remain poor with big government systems that claim to help the poor.⁴²

So we should expect that this world will continue to be imperfect in all sorts of frustrating ways. That should not be an excuse to avoid acting when we should act. But it should severely chasten our desire to use the law. At some point a law that originally had good intentions should be called bad law, a misguided attempt to do something law cannot do. Otherwise, we have adopted either utopian socialism or a Christian postmillennial version thereof. And we should be more convinced than ever that we desperately need the Lord Jesus to return and set up his kingdom. Only his millennial theocracy will accomplish social justice to the fullest extent for all.

⁴² Williams, *Confronting Injustice*, 190.

LECTURE 2

IMMIGRATION IN THE OLD TESTAMENT

Donald Trump's recently concluded Presidency proved surprising in a number of ways. First, it was surprising that he was nominated in 2016 to be the Republican candidate (most of my personal acquaintances did not vote for him in the primary and neither did I). Next, it was surprising that he won the election. But it was perhaps most surprising that he did so much of what he promised as a candidate once he took office. In this respect, Trump was unlike many who say what they think will get them elected, but do not follow through on their promises once in office. One infamous example from recent history is George H. W. Bush. The signature line from his August 18, 1988 speech at the Republican National Convention was "Read my lips, no ... new ... taxes!" In spite of his accompanying promise to repeatedly say no whenever Congress asked for higher taxes, the 1990 Omnibus Budget Reconciliation Act revealed that he would indeed say yes to Congress, given the right situation. Trump seemed to mostly buck that trend, especially when it came to his signature campaign issue: illegal immigration. So committed was he to immigration reform that even in December 2020, after he appeared to have lost the election, he continued to work toward restricting the availability of H-1B visas.¹

Once the newly inaugurated President Trump made it clear that he would indeed follow through on his immigration policy, the public response was predictably polarized. On the one hand were those who heartily agreed that Trump should be addressing

¹ <https://www.forbes.com/sites/stuartanderson/2020/12/14/final-trump-immigration-push-expected-to-restrict-h-1b-visas/?sh=41bf4a2219e8>, accessed 1/7/2021.

it and that America should be for Americans first. On the other side were those thinking that it was wrong to limit immigration. In the current political climate, such polarization was not surprising. What was surprising, however, was that the responses of professing Christians tended to be equally polarized. Some thought Government should control immigration and others thought it unloving and unchristian to do so. Countless arguments erupted on social media over the issue.

The problem with the Christian response was not, of course, that people had an opinion. Rather, it was that few of the Christians arguing about immigration gave evidence of understanding what scripture actually says about the topic. In a sense that is understandable because most systematic theologies do not articulate a Theology of Immigration. At the same time it is a solvable problem since Scripture says a great deal about immigration. So, the goal of this lecture is to understand what the Bible actually says about immigration so will not misrepresent the Lord.

Border Control and Territorial Sovereignty

The first question of Biblical Theology concerns the issue of national borders. Is there any warrant for thinking the Lord would approve of or even allow border controls? Time constraints preclude a full discussion of the evidence regarding the issue, and those wishing to do more study should consult James Hoffmeier's *The Immigration Crisis*.² Several basic facts, however, should be noted.

² James K. Hoffmeier, *The Immigration Crisis* (Wheaton, Ill.: Crossway, 2009), 43.

National Borders

The table of nations in Genesis 10 records the genealogies of Shem, Ham, and Japeth. From these offspring, the “coastlands of the nations were separated into their lands, every one according to his language, according to their families, into their nations (10:5).

These defined borders are not a matter of chance but of divine sovereignty. Deuteronomy 32:8 states “the Most High gave the nations their inheritance, ... He separated the sons of man, He set the boundaries of the peoples, according to the number of the sons of Israel.”³

This divine sovereignty over borders is also demonstrated in Israel. When God first established the Abrahamic Covenant in Genesis 15, he specified the border of the land he would give Abraham, asserting “to your descendants, I have given this land, From the river of Egypt as far as the great river, the river Euphrates.” The blessing of Jacob on his sons gives general descriptions of much of the tribal territory for Israel. For example “Zebulun shall dwell at the seashore; And he shall be a haven for ships, And his flank shall be toward Sidon” (49:13). Detailed tribal allotments are specified Joshua 13-21.

Though the Lord generously gave Israel land, it was limited and he expected them to observe and respect other nation’s territorial claims. When Edom denied Israel permission to pass through their land, Israel did not cross the border even though the refusal was unreasonable. As Israel prepared to cross the Jordan, the Lord warned them in Deut 2:19 “when you come opposite the sons of Ammon, do not harass them nor provoke them, for I

³ An alternative translation of the phrase “sons of Israel” occurs in Qumran manuscripts and the LXX. The issue is not relevant to the purposes of the paper. For a discussion, see Peter C. Craigie, *The Book of Deuteronomy* (NICOT; Grand Rapids: Eerdmans, 1976), 378, footnote 18.

will not give you any of the land of the sons of Ammon as a possession, because I have given it to the sons of Lot as a possession.” And though national borders in modern times are frequently drawn apart from ancestry, Rom 13:1 asserts “Let every person be in subjection to the governing authorities. For there is no authority except from God, and those which exist are established by God.” As Doug Moo noted, Paul’s purpose here may be “to stifle the kind of extremism that would pervert his emphasis on the coming of a new era and on the ‘new creation’ into a rejection of every human and societal convention, including the government.”⁴ This would include territorial sovereignty.

The Patriarchs as Immigrants

Moving to the issue of immigration, the Old Testament contains several examples of immigrants seeking legal status or asylum in Genesis. First Abraham respected local customs, and purchased a field on which to bury Sarah. Later, Isaac’s initial attempts to settle in the land proved difficult. His servants dug two wells to water his flocks. When both created tension with the local population, he moved on to a third location and dug a well that was not contested. Canaan was much more sparsely populated at this time and a collection of city states, so borders may have been ill-defined. Nonetheless, Isaac respected them and moved on until, as he noted “at last the LORD has made room for us, and we shall be fruitful in the land” (Gen 26:22).

⁴ Douglas Moo, *The Epistle to the Romans* (NICNT; Grand Rapids: Eerdmans, 1996)

The longest account in Genesis, that of Jacob's family seeking legal residence in Egypt, again indicates the Lord expects potential immigrants to follow the laws of the land. Ancient Egypt was wealthy and prosperous due to the Nile River, so it was a desirable destination for immigrant populations. At times this created a crisis of Egyptian immigration. Hoffmeier summarizes the biblical and archaeological evidence regarding Egyptian immigration policy as follows:

Clearly the Egyptians were not anti-immigration or against foreigners per se (an impression you might get from reading the early chapter of Exodus), but they did want their sovereignty respected and their borders protected, and they wanted to control who entered their land and why. It is fair to say that this is the attitude of most countries today.⁵

Joseph respected this Egyptian policy. First, though the family had been invited by Pharaoh himself, Joseph had them appear before Pharaoh to formally request settlement in the land. During the audience they were respectful of Pharaoh, recognizing his sovereignty over the land. Second, they emphasized their occupation as shepherds from their youth until now. As Kenneth Mathews concluded:

The purpose in answering that their family heritage was always shepherding was to ensure that Pharaoh would conclude that they were best suited for this livelihood. ... This would avoid any concern of Pharaoh's that the family has ambitions beyond settlement in Goshen. There is not a household of kings, despite Joseph's high office.⁶

⁵ Hoffmeier, *The Immigration Crisis*, 43.

⁶ Kenneth A. Mathews, *Genesis 11:27-50:26* (NAC 1B; N. c.: Broadman & Holman, 2005), 843.

There was no expectation that Jacob's family accept Egypt's worldview and defer to its religion. Nonetheless, there was a general expectation that the men would not interfere with Egyptian sovereignty and interests, a desire that the men willingly complied with.

Immigrants in Israel

The patriarchal narratives show what exemplary immigrants look like and how they should comport themselves in their new land. The remainder of the Pentateuch outlines the other side of the equation: a theology for Israel as the host nation. The foundational nature of such laws is highlighted when one realizes that one of the very first laws given to the Israelites was an immigration law.

This immigration law occurs in Exod 12:43-49 in conjunction with the first Passover as Israel prepared to leave Egypt. The immediate need was to determine who would be allowed to partake of the Passover and on what basis. In our system of law that need would be classed as a religious ordinance only, a qualification for partaking of a ceremonial feast even if it does contain an ethnic element. And since Israel did not yet have any borders to control, this law cannot be classified strictly as an immigration law. But since a "mixed multitude" of ethnic groups departed from Egypt with Israel, this law has obvious implications for national Israel. First, it was necessary from the start to determine who might be included in the newly forming nation besides, of course, native Israelites. And second, it draws attention to the need to determine the level of inclusion an ethnic foreigner could have and on what basis it was to be granted. There were standards for inclusion and not all would be granted the same level of inclusion.

Exodus 12's Passover law provides an excellent starting point for the discussion of Israel's "immigration policy" since it refers to all four classes of non-native Israelites. The first class is the true foreigner. Verse 43 stipulates that no son of a foreigner (נִכְרִי) may eat the Passover.⁷ As A. H. Konkel noted, the term used here, *nekar*, refers to "that which is alien and to be excluded," and a person "designated by these terms is usually perceived as dangerous or hostile."⁸ A person so designated is consistently excluded from worship functions throughout the Pentateuch's legal codes. It is also the term used in Ezra 10 when Ezra rebukes the people for marrying foreign women. So there is a definite attempt to exclude such foreigners from any significant role in community life even if by marriage. The law does assume that Israelites will interact with this class of foreigner in business dealings. He might sell a dead carcass to a foreigner and profit from it, though he was forbidden from consuming it himself (Deut 14:21). He is exempted from forgiving debts to a foreigner during the sabbatical year (Deut 15:2) and may collect interest on debts from a foreigner (Deut 23:20). But there is no sense in which the foreigner is included in the

⁷Helmer Ringgren attributes the designation "son of a foreigner" to P and the simpler designation "foreigner" to D, but does view them as synonyms (Helmer Ringgren, "נִכְרִי *nkr*," *TDOT* 9:429). Ramírez Kidd has concluded that they are two different groups of people based on the usages of the terms in context (Ramírez Kidd, *Alterity and Identity*, 29). "It is only with the גֵר with whom the Israelite enters into mutual relationships. The זָר is basically an enemy, and with the נִכְרִי there is never *communio in sacris*. The only relationships expected with him (i.e. with the נִכְרִי), are commercial relations." See also Georges Chawkat Moucarray, "The Alien According to the Torah," trans. Joye Smith, *Them* 14 (October/November 1988): 17-18.

⁸ A. H. Konkel, "נִכְרִי," *NIDOTTE* (Grand Rapids: Zondervan, 1997), 3:109.

positive benefits of Israel's relationship with Yahweh. He is deliberately excluded from the community and cannot permanently reside in Israel

The the most fully integrated immigrant in Israel is indicated by the Hebrew term *ger* (גֵּר), normally translated "resident alien." This person is a non-Israelite settler in Israel's territory who has a legal right to reside in the land on a permanent basis. This legal right presupposes at least a measure of acceptance of Israel's religion, though it is difficult to determine the exact level of acceptance required. Jacob Milgrom argued for a basic level acceptance that nonetheless stopped short of a full conversion to Yahwistic faith. He states,

The *ger* is bound by the prohibitive commandments [of the law] but not by the performative ones. For example, the *ger* is under no requirement to observe the festivals. The paschal sacrifice is explicitly declared a voluntary observance for the *ger*: Whereas an Israelite abstains from the sacrifice on pain of *keret*, the *ger* may observe it provided he is circumcised.⁹

Georges Moucarray accepts a stronger level of integration, concluding that "aliens living in Israel were closely associated with and even integrated into the national life. The solemn act sealing this relationship was probably their participation in the making of the Covenant, confirmed by their commitment to respect the law."¹⁰ Rolf Rendtorff offers a mediating position, concluding that the resident alien "is ... included in the cultic life of his

⁹Jacob Milgrom, *Numbers* (JPSTC; Philadelphia: The Jewish Publication Society, 1990), 399. See also the extended discussion of the resident alien in Milgrom, *Leviticus*, 2:1495-501. Stuart Krauss similarly observes that "the connotation of *ger* in the Torah is stranger or non-Israelite resident who is obligated to follow many of the Torah laws. The concept of a non-Israelite being able to convert was a post-exilic idea." Stuart Krauss "The Word *Ger* in the Bible and Its Implications," *JBQ* 34 (October-December 2006): 269.

¹⁰Moucarray, "The Alien According to the Torah," 18.

surrounding[s]. [But] to what extent he remains unconcerned by certain laws is not quite clear.”¹¹ Overall the evidence suggests that not every resident alien would not be equally integrated into Israel, but that at least a broad acceptance of and conformity to Israel’s worldview was required. A prime example of this expectation occurs in Josh 8:30-35 right after Israel’s victories at Jericho and Ai. Joshua gathered the people between Mount Ebal and Mount Gerazim to read the Law of Moses and all Israel participated, resident aliens included. The resident alien made a significant commitment, abandoning not only his native land, but his native gods.

So, resident aliens had responsibilities to fulfill before being numbered among Israel. But they also enjoyed numerous benefits. Before discussing those benefits, however, it should be noted that their status is always distinct from that of native Israelites. They were not direct descendants of Abraham. Therefore, they would not be given any land inheritance in Canaan. Nor were they a part of the ruling class of elders, which was limited to male Israelite landowners. This distinction between Israelite and resident alien is maintained throughout the Old Testament, and their status relative to Israelites was “always terminologically distinguished.”¹² Practically speaking, this ongoing distinction means there was no process for becoming a naturalized citizen. Resident aliens were expected and even welcomed in Israel, but limits remained in place on their role in the community.

¹¹Rolf Rendtorff, “The Gēr in the Priestly Laws of the Pentateuch,” *Ethnicity and the Bible* (BIS 19; ed. Mark G. Brett; Leiden: Brill, 1996), 84.

¹²Roy Beacham, “Ancient Near Eastern Covenants,” *The Journal of Ministry and Theology* 15 (Spring 2011): 114-15n12.

The remaining two classes of foreign persons in Israel were the *sakir* (שָׂכִיר) and the *toshab* (תּוֹשָׁב). Foreigners so designated were not allowed to eat the passover, so they were not as integrated into Israel as the resident alien. The *sakir* is generally defined as a hired laborer since the term occurs in texts making reference to the payment of wages (Exod 22:15[14], Lev 25:50, Deut 15:18, Job 7:1-2, Mal 3:5).¹³ The meaning of the term *toshab* is not entirely certain. For some interpreters, “the terms ... seem interchangeable, [so] we cannot assume that they had discrete connotations.”¹⁴ Others hold that some level of distinction was present. It might be best to conclude they represent two similar yet distinct persons, classified based on some standard not fully clarified in the Mosaic Law.

So, given the use of the four terms for a foreign ethnicity, what can be concluded about the various ethnicities present in Israel? Surely as in most modern societies there were at least several different types of foreigners present or potentially present. Some would be there in the role of foreign traders or merchants with no indication that they desired permanent residency. The term *nekar* is applied to this group. The majority, however, were there on a permanent basis and would likely work as agricultural hands. They were the *sakir*

¹³Gregory C. Chirichigno suggests based on a survey of the ancient Near Eastern evidence that “hired workers were usually contracted to do a specific task (e.g., various craftsmen such as carpenters, smiths, jewelers, etc. LH §274; ploughmen LH §§257-258; herdsmen LH §261; soldier HL §42; smith HL §160-161), although there were ‘casual’ or ‘unskilled’ workers who were employed to do various kinds of tasks. ... Most of the hireling laws deal in the main with the needs of an agriculture which remained the single most important part of the economy.” Gregory C. Chirichigno, *Debt-Slavery in Israel and the Ancient Near East* (JSOTSup 141; Sheffield: JSOT, 1993), 333.

¹⁴Houten, *The Alien in Israelite Law*, 129.

and *toshab*. The resident alien was also an agricultural worker, but was a more permanent and integrated member of Israelite society.

It is not difficult to imagine the gradation if one considers foreign workers in modern countries are also classed in various ways. A Honda executive might make a trip to the United States to inspect a factory. Another might have a longer assignment in a factory perhaps as a trainer. Finally, one given a more permanent role might obtain a visa allowing longer employment while maintaining his Japanese citizenship. At some point, however, he might decide to take up permanent residence and apply for citizenship. It would allow him to remain permanently and would give him all the rights and privileges normally accorded to American citizen (except the right to run for the Presidency). Israel recognized the first three classes, but did not have the fourth class: the naturalized citizen.

Gaining Resident Alien Status in Israel

In Israel, the path one followed to become a full resident alien is not as immediately apparent. There was no official immigration office in ancient Israel. Furthermore, the person's work situation might not change much either. Most people in ancient Israel—native Israelites, hired hands and full resident aliens—worked in agriculture.

Basis of Resident Alien Status

Some have argued that most immigrants started out as *sakirim*, hired hands or migrant workers and moved almost imperceptibly up the ranks. At some point does such a person through longevity of service and presence in the land become designated by one of the other terms? Perhaps, but the Mosaic law suggests at least a basic acceptance of Israel's

way of life and religious worldview was required. It also implies a recorded legal process was part of it as illustrated in the book of Ruth. Though Ruth was attached to the household of Naomi, she was technically a foreigner. She was also somewhat surprised by the hospitality shown her by Boaz due to that status. Boaz, however, justified his treatment due to her treatment of her Israelite mother in law. Later, when Ruth requested that Boaz redeem the family of Naomi by marrying her, he indicated he would do so based on the general knowledge of her character in Bethlehem as a woman of excellence. Simply stated, she had earned the right to be there and the right to marry into the Israelite community by her obvious commitment to Israel's God. And to finalize the arrangement, Boaz used the proper legal channels of his culture.

A general process of gaining the right to legally reside among a tribal group has also been recognized by modern anthropology. Meyer Fortes' anthropological studies among several African tribes noted a relatively predictable pattern in "the passage from the status of a stranger to that of a guest, then to that of friend and, with luck, eventually to that of the quasi-kinship of the accredited sojourner."¹⁵ In such societies, a visiting stranger is treated with the hospitality normally accorded guests in all cultures, but those who wish further admission into the group must earn that status. Such status is granted only after trust is earned by convincing the group that the guest respects their ways and customs.¹⁶ This

¹⁵Meyer Fortis, "Strangers," in *Studies in African Social Anthropology* (ed. Meyer Fortis and Sheila Patterson; London: Academic Press, 1975), 250.

¹⁶*Ibid.*, 249-51.

modern study demonstrates a similar process occurred in the case of Ruth, in this case based on the expectations of the Mosaic Law.

It can also be said that the Mosaic Law expects resident aliens choosing to reside in Israel must do so primarily out of a commitment to Israel's God. Economic opportunity would come, but only as an outgrowth of the nation's covenant with the Lord which the resident alien had to agree to uphold. The land of Canaan was not a land of opportunity in the way the United States is considered a land of opportunity. In the ancient world, people wanting a better life looked to Egypt, not Canaan, and Canaanites, in fact, often attempted to go to Egypt. An Egyptian text, "The Wisdom of Merikare" describes Canaan as follows:

As for the miserable Asiatic [Canaanite], wretched is the place where he is;
Lacking in water, hidden because of trees.
Many and difficult are the paths there because of mountains.
He has not settled in one place.
Food causes his feet to roam about.¹⁷

Canaan did not have any rivers that were useful for agriculture, but Egypt had the Nile. The Nile's yearly flood made Egypt, not Canaan, the breadbasket of the ancient world.

Furthermore, Canaan was not a unified nation but a collection of decentralized city states, a fact which only contributed to the instability of life there. Once the Lord gave the land to Israel, of course, it had the potential to become prosperous due to the Lord's care. But ongoing prosperity was guaranteed only if Israel obeyed the Lord, which of necessity meant holding anyone living in the land to the Law of Moses, native and resident alien alike.

¹⁷ Translation in James Hoffmeier, *Israel in Egypt* (New York: Oxford, 1999), 55.

Benefits and Responsibilities for Resident Aliens

The relationship of the resident alien to the Israelite in worship and religious observances is best described as one of real albeit partial inclusion. Leviticus 16:29 indicates how the resident alien figures in the annual Day of Atonement. The disjunctive *waw* introducing the command not to work on the day suggests that the only definitive requirement placed on the resident alien is to avoid manual labor on this important day.¹⁸ Nonetheless, the sacrifice cleansing the tabernacle was offered on behalf of the resident alien as well as the Israelite, for it had been defiled by his actions as well. In addition, the sacrifice cleansed the resident alien of this ritual defilement just as it cleansed the Israelite.¹⁹

Leviticus 17:3-14 unequivocally places the Israelite and resident alien under the same sacrificial regulations. Both must offer sacrifices only at the authorized location at the tent of meeting, and both must scrupulously avoid the consumption of blood. The penalties for both infractions are strong in that the person is to be cut off, a penalty involving either the revocation of the benefits of citizenship in the covenant community or death.²⁰

¹⁸The Hebrew text reads:

וְכָל-מְלָאכָה לֹא תַעֲשׂוּ הָאֶזְרָח וְהַגֵּר הַגֵּר בְּתוֹכְכֶם:

See also the discussion in Levine, *Leviticus*, 109, and Milgrom, *Leviticus*, 1:1055.

¹⁹Houten, *The Alien in Israelite Law*, 140-41.

²⁰John E. Hartley seems to opt for the first view, noting it would involve forfeiture of “inheritance rights and the privilege of worshiping at the cultic center.” John E. Hartley, *Leviticus* (WBC 4; Dallas: Word Books, 1992), 100. Sarna argues that it refers to God’s determination to punish an offense, normally by death, if the local judicial figures did not (Sarna, *Exodus*, 242). Milgrom suggests a combination of both, and also suggests eternal implications (Milgrom, *Numbers*, 405-07).

Leviticus 17:15-16 is similar to the preceding paragraphs in that it applies a cult standard equally to the native and the resident alien. It commands, “when any person eats *an animal* which dies, or is torn *by beasts* whether he is a native or an alien, he shall wash his clothes and bathe in water, and remain unclean until evening; then he will become clean. But if he does not wash *them* or bathe his body, then he shall bear his guilt.”²¹

One final section of cult stipulations occurs in Numbers 15. This text notes that once Israel enters the Promised Land and makes an offering, they must offer the appropriate food offering with it. This standard is applied equally in vv. 13-15 to the native, the resident alien, or anyone in their midst throughout their generations. Opening up the offerings to anyone as long as the proper procedure is followed is an open invitation to anyone who wishes to worship Yahweh by presenting him with an offering.²² The second section requires an offering of dough to Yahweh from the produce of the land. It is not an optional offering and as such it is required of all Israelites without mention of resident aliens. The next section deals with offerings for unintentional sins. Verses 22-26 are addressed to community sins, and offering the sacrifice atones for the sins of all the sons of Israel along with the aliens who were dwelling in their midst. Verses 30-31 indicate that the one who willfully sins, whether native or resident alien, is guilty of whatever sin he has committed.

²¹The two textual variants in this verse involve the details of the cleansing and neither is germane to the present issue. For a discussion, see Hartley, *Leviticus*, 263.

²²Some have concluded this refers to the alien. Others take these as separate classes of people (Timothy R. Ashley, *The Book of Numbers* [NICOT; Grand Rapids: Eerdmans, 1993], 281, and Milgrom, *Numbers*, 120).

The following episode recorded in the chapter, in which a man is stoned for gathering sticks on the Sabbath, is apparently included in the book at this point to illustrate the type of sin that would be considered willful.

The relationship of the resident alien to the native Israelite in Israel's social protections is one of complete inclusion and equality. This inclusion is true even though some distinction in status is consistently maintained in the theocracy and no occurrence of the term *ger* in Leviticus lacks some indication of how they should be treated with relation to the natural born citizen, the Israelite.

This inclusion begins with the fair and equitable payment of wages. The clearest statement of such occurs in conjunction with Leviticus 25's discussion of the year of jubilee. The year of jubilee was designed to keep Israelite families from losing their land when they fell into poverty.²³ The key point for the current issue is that when the Lord commanded Israelites to treat other impoverished Israelites well, he stated that his countrymen "are to sustain him like a stranger (*toshab*) or a sojourner (*ger*) so he may live with you" (25:35).²⁴ If the impoverished Israelite does have to become a debt servant, it should not technically be considered slavery but that his service will be as that of a hired hand or foreign resident (*sakir* or *toshab*). Chirichigno suggests that this protection likely involved "the contractual privilege of doing a certain task and working for a fixed number of

²³ For a helpful discussion of the year of jubilee legislation and its relevance to modern issues of social justice, see Michael A. Harbin, "Jubilee and Social Justice," *JETS* 54 (December 2011): 685-700.

²⁴ This is my translation. Unless otherwise noted, all Hebrew translations are from *Biblia Hebraica Stuttgartensia* (Stuttgart: Deutsche Bibelgesellschaft, 1984).

hours per day.”²⁵ The picture being drawn is that such workers were to be fairly, whether native Israelite or foreign born.

The terminology further suggests that the full resident alien was not a slave and might even have some financial resources at his disposal. In Lev 25:45 only the *toshab* (temporary resident) is specifically designated as a possible candidate for permanent slavery, a usage pattern again suggesting the term *ger* (resident alien) applies only to those most fully integrated into Israel (Lev 25:45-47). That the law entertains the possibility that the resident alien might even amass sufficient resources that he would take on an Israelite debt servant also indicates a high degree of integration, else how could he afford to do so?

Several remaining texts are straightforward and require little elaboration. Leviticus 19:9-10 and 23:22 both command that gleanings be left for the Israelite needy in general and the resident alien (*ger*) during harvest time. Leviticus 19:33-34 commands Israelites to treat the resident alien well, stipulating that “the stranger [*ger*] who resides with you shall be to you as the native among you, and you shall love him as yourself.”

This equality of Israelite and resident alien also permeates the Mosaic Law in all judicial matters discussed in Leviticus 24:10-23. The text begins by noting the uncertainty regarding what to do after the son of an Egyptian father and Israelite mother cursed God. Moses inquired of Yahweh, who commanded the execution of the guilty party. But God then emphasized that judicial equity extended to non-capital and capital cases involving other living beings (death of animals, personal injury, and death of human

²⁵Chirichigno, *Debt Slavery*, 333.

beings).²⁶ Whatever is to be done to the Israelite, is to be done to the resident alien.

Numbers 35 establishes additional capital punishment provisions for cities of refuge so that a person guilty of manslaughter may flee there and avoid execution.²⁷ The provisions are applied equally to the sons of Israel, resident aliens (*ger*), and resident workers (*toshab*).

An additional example of a text with judicial implications is Num 25:1-10.

This incident begins with the execution of the Israelites who had practiced idolatry by worshipping Baal of Peor. At this time, an Israelite man also tried to bring a Midianite woman into the congregation. Both were executed by Phinehas. There is no designation for the woman in this text, but the overall context makes it quite clear that she was not welcome because of the need to keep Israel's worship pure. The danger of the introduction of idolatry in Israel through foreign influences is clear, so in this case the foreigner was not tolerated. Furthermore, the penalty was blind to the class of the offender. The action undertaken is to execute the woman, not to simply deport her from the camp of Israel.

Ongoing Distinctions between Israelites and Resident Aliens

As the chart below indicates, though resident aliens enjoyed a very high degree of inclusion in Israel's religious observances and the right to equal treatment under the law, the situation was quite different when it came to participation in Israel's government. The resident alien was completely excluded from it. They owned no land and therefore could

²⁶Levine summarizes: "Extraterritoriality was not endorsed by biblical law in cases of killing or bodily injury, nor in cases of blasphemy" (Levine, *Leviticus*, 168).

²⁷For further discussion of the city of refuge, see Preston Mayes, "Cities of Refuge," *Calvary Baptist Theological Journal* 14 (Spring 1998): 1-25.

not engage in legal transactions as complete equals with native Israelites. As noted above, Israel had no provision for naturalization as in the United States where a foreign born person is accorded all the legal rights and privileges of a native citizen. To citizens of the United States, this exclusion may seem unfair so some explanation for the rationale behind it is warranted.

	Responsibilities	Benefits
Full Participation in religion	Yes	Yes
Under same laws, wages, and social provisions	Yes	Yes
Possibility of equal participation in government	No	Some

The Land as a Covenant Gift

Land as the Covenant Gift. Israel's occupation of the land fulfilled the promise made to Abraham hundreds of years before the Exodus and subsequent conquest. Taken together, the land passages in the Pentateuch assert the following to be true.

1. The land was given by Yahweh in fulfillment of the promise to the fathers-the historical tradition;
2. Nevertheless, Yahweh was still the ultimate owner of the land, a fact which was to be acknowledged in various legal and cultic ways;
3. Israel and its land were bound together in . . . an "umbilical" relationship, that is, a relationship determined by the nature of Israel's own relationship to God. ²⁸

²⁸ Christopher J.H. Wright, *God's People in God's Land: Family, Land, and Property in the Old Testament* (Grand Rapids: Eerdmans, 1990), 9.

The land promise was made to Abraham as a result of his faith and obedience. The proselyte had no legitimate natural claim to the land either through historic custody of the land or through personal character (Deut 9:4f). ²⁹

Israel's right to continue in the land, however, was not absolute. As the previous lecture indicated, Abraham had received Yahweh's unconditional promises in Genesis 15, but then was told in Gen 17:1-2, "walk before Me, and be blameless. And I will establish My covenant between Me and you." Abraham was required to be righteous, but Yahweh had guaranteed to work in that manner on his behalf, so the covenant was unconditional in that sense. Israel's right to live in the land was similar, except that it involved the Mosaic Covenant and was not guaranteed by Yahweh. Israel's continued possession of the land depended on the nation maintaining a proper relationship with their God. If that relationship wavered, then Israel could expect their unfaithfulness to manifest itself in the land through bad harvests, natural disasters, military defeat, and eventual expulsion and captivity. Israel forever maintained the right to the land, but the actual possession and enjoyment of it for any particular generation depended upon obedience to the Mosaic Covenant. Therefore, the Mosaic Law operated in both a positive and negative sense. Anyone guilty of a covenant violation jeopardized his ability to live peacefully in the land due to the disobedience. But positively, the obedient Israelite was assured he would never lose possession of the land given to him by Yahweh.

²⁹ Patrick D. Miller, Jr., "The Gift of God: The Deuteronomic Theology of the Land," *Interpretation* 23 (October 1969): 453.

Maintaining the Covenant Gift. From the very beginning the Promised Land was divided among the people, leading to a number of economic advantages. It prevented a small number of citizens from acquiring large landholdings and impoverishing the majority of Israelites. It allowed many to enjoy the benefits of being in the land. These economic benefits, however, are never viewed as an end in themselves. The theological reason for them is always most prominent. For an individual Israelite to lose this ancestral land for any reason other than disobedience was unthinkable. It would mean he had lost his covenant gift from Yahweh and create theological confusion. As Wright again concluded:

The maintenance of the covenant relationship and the security of life in the land were bound together. Divine judgment eventually meant expulsion from the land, until the restored relationship was symbolized in the return to the land. ... For the Israelite, living with his family on his allotted share of Yahweh's land, it was the proof of his membership of God's people and the focus of his practical response to God's grace. Nothing that concerned the land was free from theological and ethical dimensions—as every harvest reminded him (Dt. 26).³⁰

So, the regulations on land tenure and poverty are designed both to function as an integral part of the covenant and to ensure the place of the individual within that covenant. They are economic measures with a decidedly theological focus. The following regulations are designed not to mitigate poverty in Israel (though they could), but to uphold the foundational theological principle that Yahweh owns the land and has given it to the

³⁰ Christopher J. H. Wright, *Walking in the Ways of the Lord*, (Downers Grove, IL: InterVarsity, 1995), 200. Wright, *God's People in God's Land*, 65, also states, When ... economic changes and human greed later combined to attack and destroy large numbers of such small family landholdings, certain prophets were moved to denounce this, not merely on the grounds of social justice but because it represented an attack upon one of the basic socio-economic pillars on which Israel's relationship with Yahweh rested--the family and its land.

descendants of Abraham. Leviticus 25:23 states, "The land, moreover, shall not be sold permanently, for the land is Mine; for you are but aliens (*gerim*) and sojourners (*toshabim*) with Me." The terms used to indicate Israel's status in the land are the same as those used of the resident alien and the hired laborer. Israel was to Yahweh what a proselyte was to a native Israelite. The land was Yahweh's to give or take, but he would take it away only in response to covenant infidelity. For possession of the land to be lost for any other reason would risk introducing theological confusion into Israel, so all legislation regarding the poor in Israel seeks to maintain that theological ideal.

Maintaining the theological ideal that Israel had received its land as a covenant gift of Yahweh informs all of the legislation regarding the poor. Caring for both resident alien and native Israelite are still virtues commanded by the Lord, but the ongoing distinction means they are offered different types of help for different reasons. Additional discussion of the details regarding these ancient institutions is given in the next lecture, but for now it is sufficient to note that poverty law for Israelites was designed to ensure Israelites maintained title to their land. Presumably, however, times would arise when individuals would need financial help, and since Israel's economy was very similar to that of other ancient Near Eastern agricultural societies, they would need to resort to the same charitable institutions: loans, land sales, or debt servitude. Given this reality, the provisions of the law governing these institutions safeguarded against the possibility of the loss becoming permanent. Laws governing loans, land redemption, and debt slavery were all designed to allow the native Israelite to work his way back into a position to enjoy the full benefits of his relationship with Yahweh. But this was not the motivation for any of the law including the

resident alien since they do not have any land to lose. Resident aliens would still benefit from living in the land, but there was no need to ensure a covenant gift for them. Therefore, there is no path to naturalization which grants them the right to own land or function alongside the native leadership as a city elder.

Toward Modern Applications

Deriving patterns of application from Old Testament law for modern nations is normally dangerous, but especially so regarding immigration. The danger becomes immediately apparent when comparing Old Testament law to the general parameters of immigration law in the United States. The top line of the chart below indicates Israel had a relatively clear standard for who might live there: only those accepting the Yahwistic faith. That standard cannot and should not be applied to secular modern nations. On the middle line of the chart, those living in Israel received equal protection under the law, an element which seems most likely to inform the broad parameters of US law. But on the bottom line of the chart, Israel had no path to citizenship, no equal participation in government, and no land grant, which is again different in a modern nation.

	Israel	United States
Must accept religion and worldview	Yes	No
Under same laws, wages, and benefits	Yes (Exception: land ownership)	Yes
Possibility of equal participation in government	No	Yes

Establishing some pattern of application for modern policy seems easiest on the middle line of the chart. The moral ideal is for citizens and immigrants—regardless of status—to be under the same law and treated as equals in matters of jurisprudence. They are to be paid the same wages. It is morally wrong to pay documented or undocumented workers “under the table” to avoid paying standard wages or taxes. The provision that resident aliens be given access to glean in Israel’s fields can be taken as a broad principle that legal immigrants should be given access to the other benefits of living in the land as well.

Hoffmeier suggests:

Today aliens (i.e. legal immigrants) who are needy should be extended governmental social services such as welfare, unemployment, food stamps, job training, and other benefits offered to disadvantaged citizens. Aliens and their children should qualify for public education and tuition breaks like in-state residents.³¹

As Hoffmeier implies, the moral principle of equal treatment under the law should not be confused with the debate over the legitimacy of government programs to begin with. As noted in the first lecture, many of these programs, though well meaning, have created more problems than they solve, and it would be better if they were scrapped rather than reformed. So, immigration and welfare are two separate issues, but they may be combined in people’s thinking. If the two are entwined in one’s thinking, limiting immigration is either viewed as morally justified due to budgetary concerns or morally unjustified as inherently selfish. Either combination introduces unnecessary confusion into a complex problem. The immigration issue should be kept separate from the legitimacy of social programs issue.

³¹ Hoffmeier, *The Immigration Crisis*, 155.

The key difference between Old Testament Israel and the United States exists, of course, at the top line of the chart. Israel is a theocracy ruled directly by the Lord. Everything in Israel's laws, including its immigration laws, is subservient to the Lord's primary agenda: spreading knowledge of himself and his ways through the ancient world using Israel as a model. The Lord is not currently working to fashion such a nation and the church has neither the power nor the wisdom to use the government structures of United States (or any other nation) to do so on its own. New Testament theology offers no warrant for attempting it and history demonstrates consistently that whenever the institutional structures of church and state are combined, disaster ensues.

Given God's purposes for Israel versus his purpose for nations during the church age, the Old Testament requirement of accepting a Yahwistic worldview before one can reside in Israel cannot be adopted as a national standard for any nation during the church age. Israel's law was fundamentally part of their covenant relationship with God in a way that it is not for any secular state. But Israel's law also functioned as their national constitution. It governed all the normal issues of nationhood including provisions for raising an army, a judicial system, and eventually a king. Protecting that structure was important. So neither is it inherently wrong for a nation to protect its sovereignty by controlling its borders. The reason for doing so might be morally justifiable (e.g., the person is a criminal or we can only accept a certain number of immigrants at any one time) or morally unjustifiable (e.g., we do not like certain people groups), but those two things should be carefully separated in our thinking. This application of Israel to the issue of modern national borders is warranted based on New Testament theology. Romans 13:3 tells us governments

are still God's ministers, appointed to punish evil and commend what is good. 1 Peter 2:13-14 repeats the instruction. It even recognizes that there will be various types of institutions and that we should submit to every one of them for the Lord's sake.

In conjunction with this biblical theology, nations in general and the United States in particular have also historically viewed government control of their borders as part of their duty. In some cases, the reasons were justifiable, in some cases, immoral. But that should again not be confused with the conclusion that limiting immigration for the protection of the nation is neither unreasonable nor unusual. Furthermore, the idea that a nation should not limit immigration is relatively new in human history. Tom Cotton, U.S. Senator from Arkansas offers the following summary of Immigration:

The history of immigration in America is not one of ever-growing tides of huddled masses from the Pilgrims to today. On the contrary, throughout our history, American immigration has followed a surge and pause pattern. The first big wave was the Irish and German immigrants in the 1840s and 1850s. The immigration tapered off during the Civil War. The second big wave was the central and southern European immigrants in the late 19th and early 20th centuries. That wave ended with the 1924 Act and the years of lower immigration that followed. And now we're in the longest wave yet, the surge of immigration from Latin American and East and South Asia, which followed the 1965 Act.³²

Consistent with this longstanding precedent, the U. S. Government would be warranted in putting restrictions on immigration back in place to protect the system of constitutional government. Simply put, only so many immigrants can be admitted before risking the destabilization of constitutional authority.

³² Tom Cotton, "Immigration in the National Interest," *Imprimis* 46 (October 2107): 4.

Admittedly, Israel's reason to secure their borders was scripturally revealed and that of the United States is not. Nonetheless, the United States does have a document establishing its government: The Constitution. The Constitution has wisely divided power among 3 branches of government to make it more difficult for any one of the branches to abuse its power. Most basically, the federal government's power is supposed to be limited to matters of national concern. Other powers are reserved for state or even local governments. And no branch of government can make a law violating the rights of citizens as specified in the Constitutional Bill of Rights and Amendments. That constitutional government system is the law of the land and it is what should be upheld.

In practice, however, keeping a constitutional form of government is difficult. Edward J. Erler, professor emeritus of political science at California State University, noted, "constitutional government has been found only in the nation state, where the people share a common good and are dedicated to the same principles and purposes." Erler further notes this system depends on "a defined American character—devotion to republican principles, republican virtue, the habits and manners of free citizens, self-reliance."³³

So, it is the general maintenance of that shared outlook that is supposed to ultimately sustain the constitutional structure of the United States government. It is a maintenance requiring that one understand and embrace the principles on which it is based. It is a fragile basis which can quickly erode in the face of unlimited immigration whether it leads to citizenship or not. A nation is morally justified to limit the number of both

³³ Edward J. Erler, "Does Diversity Really Unite Us? Citizenship and Immigration," *Imprimis* 47 (July/August 2018): 3.

naturalized citizens, resident aliens, and temporary workers allowed on an annual basis in order to ensure proper acclamation to the culture, to give people time to understand and embrace a commitment to a constitutional representative democracy. The total optimum number of immigrants that can reasonably be expected to acclimate to life in the United States is, of course, a separate matter open for debate. The specific reasons for which people would be allowed residence in the United States are also matters for debate. Clearly an ethnically based standard is wrong, but other issues enter into the debate. For example, what preference should asylum seekers be given as opposed to those with a work skill? Those issues and more are worthy of discussion, but they should not become reasons to disallow the conclusion that border control is warranted in principle even for modern states.

Of course, given the present makeup of the electorate and the accompanying political situation, it is highly unlikely any restrictions on immigration will be imposed. The larger issue for those wishing to live under the U. S. Constitution is to first convince voters in the United States that, as Erler put it, “devotion to republican principles, republican virtue, the habits and manners of free citizens, self-reliance,” are vital. At present, it seems unlikely that a majority of people will indeed be convinced of those principles. As Scott Aniol summarized, “biblical values that once did govern the civilization have been replaced with secularist philosophies, and this has impacted all aspects of the public sphere.”³⁴ This philosophical move away from the broad Judeo-Christian worldview renders it increasingly

³⁴Scott Aniol, *By the Waters of Babylon: Worship in a Post-Christian Culture* (Kregel Publications, 2015), 17.

likely that some uniquely American form of totalitarian government will develop regardless of immigration policy. As Murray concluded:

We have been living through a period of more than a quarter of a century in which all our grand narratives have collapsed. One by one the narratives we had were refuted, became unpopular to defend or impossible to sustain. The explanations for our existence that used to be provided by religion went first, falling away from the nineteenth century onwards. The over the last century the secular hopes held out by all political ideologies began to follow in religion's wake. In the latter part of the twentieth century we entered the postmodern era. And era which defined itself, and was defined by its suspicion toward all grand narratives.³⁵

The Judeo-Christian worldview was produced by a combination of evangelistic activity and Roman political meddling in the church. One would think that some combination of those events would be required to get it again. I would love the evangelism part and hate the political meddling part, but it hardly matters. It seems unlikely that the Judeo-Christian ethic will ever take hold to that degree in the western world again. But the impossibility of doing something only makes it difficult, not wrong. In principle, a government should control its borders for the protection of its citizens. In the United States, it also does so to protect its constitutional form of government.

Finally, moving to the bottom line of the chart, application is again difficult. As noted, immigrants under the Mosaic Law are to be treated fairly. But the law does not make some of the provisions that we make to ensure fair treatment of immigrants such as trial by a jury of one's peers or ability to vote in elections. Those matters ultimately remained in the hands of male Israelite landowners. The Old Testament refusal to grant status as part

³⁵ Murray, *The Madness of Crowds*, 1.

of the ruling class suggests citizenship should not be considered an absolute and God given moral imperative even if one is willing to abide by the law of the land.

To someone living in the United States, that refusal to create one equal class of citizens sounds unfair. Should we not all be on an equal playing field? It should be noted, however, that United States citizens do not exist as complete equals either. To do so requires some form of direct democracy – all people voting on every issue. But it is it is cumbersome and inefficient. Neither is it advisable, for given human nature it often leads to anarchy. So, what we actually have is a representative democracy. Though I get the right to cast a vote for my representative, I have restricted access to the political process. The executive, legislative, and judicial branches of our government are the ones who write the laws and determine what the application will be. Though I may run for those offices if I wish, there is little chance of me being elected. Even if I were elected, many others would be cut off from the direct processes of government. There is simply no way around the power inequality problem. Certain people are going to stand in different relationship to the system than I do even when we are all citizens. An equitable system requires only that every citizen be allowed to run for office if they wish. A similar situation prevails with the immigrant in Israel. An equitable system requires only that he be judged by the same laws as everyone else. It does not in theory require that he be given equal power.

In conclusion, it is much easier to summarize a Biblical Theology of immigration than it is to suggest policies believers should support with the voice and vote. I have suggested three principles in broad terms. First, borders are warranted in scripture. Second, limitations on immigration are not inherently wrong. And third, there is no

necessary requirement that immigrants be admitted to full citizenship. How that works out in practice requires detailed analysis and discussion of the specific issues involved. Dennis Hollinger's recent article articulated a basic framework for doing so that is helpful. He concluded,

There are three main purposes of governments: order, freedom, and justice. ... An emphasis on one to the neglect of others will lead to regrettable policies. ...

Holding these together in creative tension is not easy, especially when we as a society lack a common framework for core values and worldview commitments. But this is the messy, broken world to which God has called us. And heralding order, freedom, and justice together just might serve as a common grace core that all people can both understand and embrace.³⁶

³⁶ Dennis P. Hollinger, "The Role of Government and the Immigration Issue: A Christian Ethics Perspective, *JETS* 63 (December 2020), 761,

LECTURE 3

WIDOW AND ORPHAN: A CASE OF MALE ISRAELITE PRIVILEGE?

As we consider the specific laws governing the treatment of the poor, we need to remember several facts. The first lecture demonstrated that the Lord was the undisputed ruler of Israel and maintained ownership of the land. Building on this idea, the second lecture noted how the Lord guaranteed Israel the ability to live in and enjoy the land if they obeyed His law. For an Israelite to be disinherited for any reason other than covenant disobedience would call into question the promise of the Lord to Abraham and his descendants. A resident alien, of course, owned no land to lose. Nonetheless, his choice to come to Israel still had theological implications. For such a person to be forced to leave to find food would imply that the Lord was unable to take care of those who came to him for refuge and that they were better off in their native land worshipping their native gods.

The previous lecture defined the resident alien as an agricultural worker, but one who was a more permanent and integrated member of Israelite society. He was to be accorded the same treatment as the native Israelite, but those benefits did not include, as we would conceive of it, a path to becoming a naturalized citizen. This lecture will investigate the two other persons often mentioned with the resident alien: the widow and orphan. Like the resident alien they were not part of the ruling class of male Israelite landowners and did not have that kind of influence in legal matters. At the same time, they controlled an asset: land. In addition to providing for them, the law also seeks to keep them from losing their ancestral land.

Definitions: Widows and The Fatherless

Widows. The English term “widow” most basically indicates a woman whose husband has died. But it also suggests an accompanying life situation, a prototypical widow in our culture. Widows may be young, but they are more likely to be older women with grown children. Widows may be poor, but they normally inherit the husband’s estate in addition to receiving social security benefits, so some are even wealthy. Finally, regardless of age, widowhood does not change her legal standing in society. To be sure, the law recognizes the end of the marriage, but the widow’s status as a full citizen in a representative democracy (e.g., a voter) does not change and the woman can represent herself in all legal matters.

When an Israelite woman was bereaved of her husband, however, the situation was quite different. Life expectancies for men in the ancient world were shorter and husbands were normally 10-15 years older than wives, so the widow was likely middle aged or even young. Widows had little discretionary wealth. And most significantly, both financial and legal status questions were inevitable in a way they would not be in the modern United States.

The financial and legal status questions are the most difficult ones to understand, so some explanation is needed. These questions arose because of the combination of gender roles and the nature of the estate (primarily land). Regarding gender roles, Carol Meyers explains that many ancient societies including Israel had a social structure involving both “patrilineal descent (a system that traces descent and group membership through males) and patrilocal residence (a norm that requires newlywed couples

to live with or near the husband's parents).”¹ Genesis 38 illustrates this reality, for Tamar was joined to the house of her husband, the house of Judah. Upon the death of her husband Onan, Judah made all decisions regarding his daughter-in-law, who likely was still a teenager. This cultural situation was common in the Ancient Near East and not specific to Israel.

The widow in these cultures would not inherit the husband's estate. In addition to gender role distinctions as outlined in scripture, the practical reason for the normal line of inheritance is that the estate consisted mostly of the capital asset of land. Unlike modern investment accounts, land produces income only when used for agriculture. Farming is labor intensive and more difficult for a woman to do. Adding to the labor problem, widows frequently had young children needing care. Numbers 27:8-11, a text dealing with inheritance issues, reflects this reality, for “under the heirs of a dead man (in sequence: son(s), daughter(s), brothers, father's brothers, nearest relatives), the widow is not mentioned.”²

The ideal situation, of course, was for the adult son of the deceased to inherit the estate. In such cases, the transition would be smooth. He would farm the family land and assume the care of his mother. But given the young age of many widows, direct inheritance was often impossible. If the widow had a young son, she held it in trust until he was old

¹Carol Meyers, “The Family in Early Israel,” in *Families in Ancient Israel* (FRC; ed. Leo G. Perdue et al.; Louisville, Ky.: Westminster/John Knox, 1997), 34.

²Cornelius van Leeuwen, “אַלְמָנָה,” *NIDOTTE* 1:413.

enough to inherit it. If the widow did not have a son, she might raise up an heir by marrying her departed husband's brother or another one of his close relatives.³ In that case, the son of that second marriage became the heir of the estate through the wife.

If direct inheritance was impossible, the widow was in the same unenviable position as the resident alien in the previous lecture. She could not represent herself as an equal in legal transactions. But in a sense, she was in an even more vulnerable position than the resident alien. She controlled an asset of considerable value in that culture: land. The nature of her vulnerability is best understood by looking at the 3 terms the Old Testament uses for widows: אִלְמָנָה (*'almānâ*), “a widow”; אִשָּׁה אִלְמָנָה (*'iššâ 'almānâ*), “a woman, a widow”; and אִשְׁת־הַמֵּת (*'ēšet-hammet*), “the wife of the deceased.” Naomi Steinberg's study of the terms concluded that the *'almānâ* is the woman who controls land but has no son. The lack of a male heir means she has “no obligated basis of support from the patrilineage of her husband and has limited economic resources at her disposal but ... may have a patrilineal birth family to return to if they agree to take her back (as was the case with Naomi's daughters-in-law).”⁴ In such cases the issue would not be her survival. The term *'iššâ 'almānâ* is used exclusively of a widow with sons. The narrative of the widow of

³Harry A. Hoffner, “אִלְמָנָה,” *TDOT* 1: 290. An heir could be obtained through a marriage to the brother of the deceased (a levirate marriage), or even through a marriage to a near kinsman. The two types of marriage were distinct even if they did produce a similar result. The issue of raising an heir in this manner is discussed at length in chapter 5.

⁴Naomi Steinberg, “Romancing the Widow: The Economic Distinctions between the *almana*, the *issa-almana*, and the *eset-hammet*,” in *God's Word for Our World* (ed. J. Harold Ellens et al.; London: T&T Clark, 2004), 1:332.

Zerephath in 1 Kgs 17:8-24 is an example cited at this point, for *'iššâ 'almānâ* is used to refer to the woman until her son dies, at which point she is referred to as the master of the house (*'iššâ bā'lat habbāyit*).⁵ Finally, the meaning of the term *'ēšet-hammet* (literally, “the wife of the dead”) is best illustrated by the narrative of Ruth. The widow is referred to using this term only when she remarries, and the estate passes through her to a child born of the second marriage.

Fatherless. Most scholars understand the Hebrew term *yatom* to denote a fatherless child, never a motherless one.⁶ Like the widow, the fatherless child was reckoned as part of the father’s house, not part of the mother’s house, so he could not automatically expect support from the maternal side of the family.⁷ Such a child could become the inheritor of his father’s family land and would in theory take care of his aging mother. But since he was too young to be one of the ruling city elders he was in the same vulnerable position as his mother. A fatherless child might lose title to the land through some judicial maneuvering unless a male relative watched over the interests of the fatherless and his

⁵Ibid., 335-36. As she notes, the same terminology is used of the woman of Tekoa in 2 Sam 14. In similar fashion, this widow has a son who she argues will be lost if the king does not intervene to pardon his crime. This case is somewhat more ambiguous, for the presence or absence of a landed estate is never clarified in the text, but the one ambiguous case does not invalidate the clear examples.

⁶So Helmer Ringgren, “יָתוֹם,” *TDOT* 6: 479; Victor P. Hamilton, “יָתוֹם,” *NIDOTTE* 2: 570-71; Harold V. Bennett, *Injustice Made Legal* (Grand Rapids: Eerdmans, 2002), 55; Norrback, *The Fatherless and the Widow*, 11; and David E. Holwerda and Roland K. Harrison, “Orphan,” *ISBE* 3: 616-17.

⁷H. Eberhard von Waldow, “Social Responsibility and Social Structure in Early Israel,” *CBQ* 32 (April 1970): 187.

mother.⁸ If no male relative were forthcoming, the responsibility fell to someone in the community at large to do so, which put him in a precarious position. Job's oath of innocence in Job 31:21-22 provides a compelling example of what might happen in such situations. He states, "if I have raised my hand against the fatherless, because I saw my help in the gate, then let my shoulder blade fall from my shoulder."⁹ Job thus disavows using his status as a respected elder to wrongly influence the outcome of legal matters involving the fatherless. Such abuses were doubtless motivated by a "you scratch my back, I'll scratch yours" mentality among city elders, and they may have been common.

Other Israelite Households

Three (Four) At Risk Groups. The widow, fatherless and resident alien are two distinct classes of people that might need help. For a widow led family (the third column of the chart) the goal was to keep the land in the family until such time as her son would inherit it. The goal for a resident alien (the fourth column of the chart) was to allow him to

⁸Whether this term refers to a son, a daughter, or both is debated. Since daughters inherited land in the absence of sons (Num 27:6-11), the danger of being defrauded would have been just as real. For those reasons, this study will assume that the term can refer to either a male or female child, though perhaps more often the male would have been in view. For a discussion of the various issues, see P. H. de V. Uys, "The Term *Yatôm* in the Book of Proverbs," *Studies in Wisdom Literature* (ed. W. C. van Wyk; OTS 15 & 16; Hercules, South Africa: N. H. W., 1981), 84-85.

⁹ The exact nature of the procedure indicated by the phrase "raised my hand" is somewhat uncertain (See David J. A. Clines, *Job 21-37* [WBC 18A; Nashville, Tenn.: Thomas Nelson, 2006], 1023, for a survey of proposed options), but the legal context is clear. As John E. Hartley notes, such a procedure might be used to decide a case "to his own or to a friend's advantage." John E. Hartley, *The Book of Job* (NICOT; Grand Rapids, Mich.: Eerdmans, 1988), 417.

survive once he came to Israel. A full discussion of the first and second groups, the viable and unstable households, is beyond the scope of this lecture. Nonetheless, understanding Israel's poverty laws requires that we understand something about their situation as well.

Family type → and subtype Characteristic ↓	Israelite			Foreign
	Viable	Unstable	Widow-Led	Resident Alien
In covenant nation by birth	Yes	Yes	Yes	No
Led by Male Israelite	Yes	Yes	No	No
Farming their own Land	Yes	No	Maybe	No

Helping Unstable Families: The first group is in the best position. They are financially stable and have influence as part of the ruling patriarchy. But even those having stability and influence could quickly fall into poverty. In the ancient world, times of economic hardship due to bad harvests were common. The short-term need in such situations was obvious: the farmer needed enough food to survive. He also needed enough grain, the staple crop, to plant the next year's crops. But the greater need was the long-term need, the need to ensure his ongoing viability by maintaining title to his land.

When the farmer started to have problems, three options were available to him: secure a loan, sell his land, or sell himself into indentured debt servitude. Loans would normally be the first line of defense against poverty. The problem with a loan is that if crops continued to fail, then the indebtedness would grow. To survive and eliminate his debt, a

peasant farmer would next try to sell his land. To do so, however, would bring an end to his land ownership unless he could somehow find sufficient means to repurchase it (an unlikely possibility). The cycle would end with the impoverished farmer selling himself into debt servitude, thereby eliminating any chance that he could repurchase his land.

The famine recorded in Genesis 47 during the time of Joseph illustrates the pattern. The first year of the famine, the people purchased food from Joseph in exchange for money (Gen 47:14). When their money ran out, they exchanged their livestock for food (Gen 47:17). Finally, they sold their land and themselves into Pharaoh's service (Gen 47:18-20). Pharaoh then received 20% of the harvest. These terms were generous for the day and amounted to a tax, not a loan with ongoing interest due at a fixed rate. But such arrangements between individual farmers were normally loans with far less generous terms for the tenant farmer. At the end of the process, a farmer who needed to resort to help in this way was likely farming his own land, only now as a tenant farmer working for a landlord who perpetually received a portion of the harvest.

In order to avoid the problems created by loans, Lev 25:35-7 prohibits the collecting of interest on any loan to a fellow Israelite, regardless of the group he or she was in. Surprisingly, however, it adds "in case a countryman of yours becomes poor . . . then you are to sustain him, like a stranger (*ger*) or a sojourner (*toshab*), that he may live with you. ... You shall not give him your silver at interest, nor your food for gain." The temptation to not help a neighbor in this case might have been stronger than not helping a resident alien. Making a loan to a landowner at interest was more than just a profit opportunity. It could lead to permanent indebtedness and provide the financially viable landowner a rare

opportunity to increase his land holding at his neighbor's expense. So rather than scheming to take over an Israelite neighbor's land, one should treat him as a resident alien or a hired laborer and not as a foreigner, i.e., a paid worker. The year of jubilee was then the final stopgap protecting Israelites from permanent servitude and loss of land. A discussion of that institution is again outside the scope of this lecture, but it indicates the emphasis on keeping an Israelite from being alienated from the land.¹⁰ This law actually governs what we call issues of employment, not welfare. When an Israelite works for another Israelite it should be a generous arrangement, but especially important is that it cannot lead to loss of land. Exodus 21:2-6 stipulates that a period of indentured servitude may not last longer than 6 years, at which time the servant goes free. If the Israelite comes into slavery with a family, then they must be released when he is. To this point, the legislation is uncomplicated and obviously protects the indentured servant.

Protecting Viable Families. But the law was also careful to keep this indentured servant—the employee—from taking advantage of the system. Exodus 21 next states if the master gave the servant a wife, then the wife and children still belong to the master. That sounds oppressive to our ears, especially since the marriage bond is so important. But the stipulation was actually necessary to protect the landowner and ultimately the bride herself.

¹⁰ For a helpful discussion of the year of jubilee legislation and its relevance to modern issues of social justice, see Michael A. Harbin, "Jubilee and Social Justice," *JETS* 54 (December 2011): 685-700.

The reason the bride and landowner needed to be protected was that the impoverished groom in debt servitude was being given a bride without having to pay the customary bride price. Walton, Matthews, and Chavalas summarize the function of the bride price in ancient marriages:

Typical marriage customs would have included a payment made to the bride's family by the groom or his family. This could provide a sort of trust fund to provide for the wife should the husband die, desert her or divorce her. Alternatively it was at times used by the family to pay the bride price for the bride's brothers. In some cases it was even returned to the bride in the form of an indirect dowry.¹¹

Rather than a true purchase price, the bride price was an exchange of large gifts between families, worth quite a bit more than a diamond ring today. The marriages of Leah and Rachel to Jacob illustrate the procedure. The normal bride price would have been 3-4 years of a shepherd's wages. So Jacob's offer to labor 7 years for Rachel may have been extravagant, a way to sweeten the deal since he was contracting a marriage on credit. Or the 7 years were simply necessary to also account for Jacob's living expenses. Laban's dowry was given to each daughter in the form of a servant, Zilpah and Bilhah respectively. Again, both had considerable value and were technically given to the daughters, not Jacob.

As the story unfolds, of course, Jacob and Laban ultimately part ways. But as Jacob fled, Laban hastily pursued him, leading to a financial confrontation between the two men. As Calum Carmichael explained,

Jacob wants his two wives and the children he has by them to leave Laban's household with him, but Laban claims that the two wives and children are his

¹¹ John H. Walton, Victor H. Matthews, and Mark W. Chavalas, *The IVP Bible Background Commentary: Old Testament* (Downers Grove, Ill.: InterVarsity, 2000), 63.

possessions (Gen 31,43). From Jacob's viewpoint he brought his wives with him into his third period of service, but from Laban's viewpoint Jacob was continuously a slave and therefore his daughters were given to him as a slave. ... In the law, Moses addresses the comparable problem for a Hebrew slave where, unlike the Jacob narrative, there is no ambiguity about his status as a slave (nor about the status of the wife the master gives him).¹²

Laban's losses in this case were, of course, deserved. He had mistreated both his daughters and Jacob. The law did not allow, however, a similar outcome for an Israelite master if it came because of his kindness. So, there is a balance in the system. In every case, the Lord ensures the ability of a person to benefit from living in Israel. The person of means should be generous. The person with a need should not take advantage of the situation. That was an equally unacceptable outcome for it suggested the Lord would allow travesties of justice for the poor because they were poor and felt they had an excuse, as we would say, "to game the system."

More germane to the present issue is an assessment of the help available to the widow, fatherless, and resident alien. It was a lot more difficult for them to "game the system" than it was for the male Israelite farmer. They were the prototypical poor and powerless persons who were more likely to need help. And yet it will become quickly clear that they are not generally recipients of charity as we conceive of it. The law places a primary responsibility on those with means to be generous toward this group. It also exhorts them to avoid abusing their power, especially by scheming to take their land. But it is a

¹² Calum Carmichael, "The Three Laws on the Release of Slaves," ZAW 112 (2000): 513.

balanced system. There is a secondary responsibility laid on the widow, fatherless, and resident alien to be responsible contributors to the well-being of the community.

*Direct Legal Protections for Resident Alien,
Fatherless, and Widow*

Deuteronomy 24 contains a cluster of benevolence regulations for the benefit of resident alien, fatherless, and widow. Understanding these laws, however, is difficult since the broad context of Deut 24:1-25:19 in which they occur does not initially have an obvious organizational principle. The laws govern divorce, mustering armies, kidnapping, leprosy, loans, maximum number of beatings, muzzling an ox, and levirate marriage; the issues are diverse. But the section's unity is not topical. Rather, the unity comes in that all the laws govern, limit, or support the official judicial mechanism as it operated through the city elders in the gate or through the priesthood.¹³

Several of the laws are obviously judicial and require little comment. Kidnapping was punishable by death (24:7), capital punishment was limited to the guilty party (24:16), justice for resident alien and fatherless cannot be perverted (24:17), and beatings are limited to a maximum of forty stripes (25:1-3). But the remainder also have

¹³I actually see a connection to the legal mechanism for Deut 24:1-25:16 based on the fact that the individual formulations all involve either humans or Yahweh making some judicial decision. I do not mean to imply that this is the only organizational principle operating in this section; within the code individual laws may have been arranged to take advantage of other word or thematic associations existing between them, and the specific ordering of the laws is not a happenstance occurrence. For a fuller discussion of these issues, see Preston Mayes, "The Resident Alien, Fatherless, and the Widow in Deuteronomy: The Priority of Relationship with Israel's God for Social Benevolence," (PhD diss., Trinity Evangelical Divinity School, 2012), 209-23.

judicial significance. Verses 8-9 command, “Be careful against an inflection of leprosy, that you diligently observe and do according to all the Levitical priests shall teach you; as I have commanded them, so you shall be careful to do.”¹⁴ This stipulation removes jurisdiction over such matters from city elders and assigns it to “the central court, presided over by the priests and judges.”¹⁵

Verses 11-13 discuss the manner of collecting a loan pledge and then returning it in the evening, which seems to be a purely economic restriction. Financial transactions, however, normally involved the legal mechanism of the city, so that is why the law is given here. The restriction certainly indicates that any pledge given for a loan will be at the discretion of the debtor, and this allows the person to “borrow with honor, without having his personal possessions made open to the creditor.”¹⁶ If a garment is taken in pledge, then it must be returned in the evening so that the debtor will be able to sleep in it.¹⁷

¹⁴This is a strong argument in favor of seeing the perspective of Deuteronomy toward cult matters as compatible with Leviticus. The types of legal judgments made by Levites are found in Lev 11-15 and Deuteronomy has endorsed both the judgments and the position of Levites as adjudicators in such matters in this one verse.

¹⁵J. G. McConville, *Deuteronomy* (AOTC 5; Downers Grove, Ill.: InterVarsity, 2002), 361.

¹⁶Peter C. Craigie, *Deuteronomy* (NICOT; Grand Rapids: Eerdmans, 1976), 308.

¹⁷Phillips suggests that offering a cloak indicates a dire situation since this item would not be put up as collateral unless it were the last one available (Anthony Phillips, *Deuteronomy* [CBC; Cambridge: Cambridge University Press 1973], 163). The Yavneh Yam ostrakon records the plea of a man that his garment, which was taken, be returned. The text does not indicate that a loan was involved, but it does indicate that garments were taken in conjunction with legal matters. See “The Mesad Hashavyahu (Yavneh Yam) Ostrakon,” translated by Dennis Pardee (*COS* 3.41:77-78).

Deuteronomy 24:6 supports this general understanding of loans, forbidding the taking of either a complete handmill or even merely its upper mill stone as a pledge for repayment. As Jeffrey Tigay concluded, the rationale for taking only the upper stone was to force repayment of the loan as opposed to securing it based on the market value of the mill.¹⁸ The loss of either item would be felt immediately since “grain was ground daily into flour in preparation for cooking and baking.”¹⁹ In a number of ways then, “the creditor’s legitimate right to repayment is subordinated to the survival and dignity of the debtor. ... Loans to the poor are acts of charity that may well turn into outright gifts.”²⁰ In practical terms, loans in this culture were unsecured. And it was the city elders who should ensure it stayed that way when asked to witness such transactions.

Verses 14 commands, “you shall not oppress a hired servant *who is* poor and needy,²¹ whether *he is* one of your countrymen or one of your aliens who is in your land in

¹⁸Jeffrey Tigay, “Some Archaeological Notes on Deuteronomy,” in *Pomegranates and Golden Bells* (ed. by David P. Wright, David Noel Freedman, and Avi Hurvitz; Winona Lake, Ind.: Eisenbrauns, 1995), 374-76. Tigay also notes that the basalt out of which they were made was not always locally available, thus making the item difficult to replace.

¹⁹Philip J. King and Lawrence E. Stager, *Life in Biblical Israel* (Louisville, Ky.: Westminster John Knox, 2001), 94.

²⁰ Jeffrey Tigay, *Deuteronomy* (JPSTC; Philadelphia: The Jewish Publication Society, 1996), 223.

²¹Verse 14 contains four variants. First, *BHS* reads “you will not oppress a hired servant (שֶׁכֶּר), a poor and needy one.” A few Hebrew manuscripts including a Qumran text give the reading שֶׁכֶּר, which taken as a construct form leads to the reading “You will not withhold the wage of a poor and needy one.” Christensen and Craigie both opt for the variant (Duane L. Christensen, *Deuteronomy 21:10-34:12* [2d ed, WBC 6a; Nashville, Tenn.: Thomas Nelson, 2001] 2:584, and Craigie, *Deuteronomy*, 309n6). The variant is of no consequence to the present investigation because either reading still indicates that the issue is

your towns.²² Verse 15 specifies what is involved in this command: a hired servant should be paid his wages on the day they are earned. Though the text again suggests an interest only in economic ethics, its connection to the legal mechanism is again clear. The Hebrew verb *‘asaq* (עָשָׂק) frequently refers to the abuse of power for personal gain, a clear example of which occurs in I Sam 12:3 when Samuel asks for confirmation that he has not abused his position to oppress others and gain a financial advantage (see also Jer 7:6 and Amos 4:1). The worker, especially the resident alien worker, would have had minimal influence in the community and would have a more difficult time receiving redress of grievances were they not paid promptly. The lot of a hired hand could be worse than that of a slave (a person in whom the owner often had a substantial investment). An unscrupulous farmer might easily cheat them of their wages, and temporary workers of this type were ripe for abuse.²³ For example, Jacob’s complaint against Laban in Gen 31:7 was that his wages had been arbitrarily changed numerous times, and Jacob was not able to force Laban to act otherwise. In theory, such a defrauded worker might attempt to make his case in the local city gate

the withholding of wages for a hired worker, but the *BHS* reading has broader support and is the one accepted here. Furthermore the variant probably arose due to the use of the term in verse 15 (A. D. H. Mayes, *Deuteronomy* [NCBC; Grand Rapids, Eerdmans, 1979], 325).

²²“In your land” is omitted in 2 Hebrew Manuscripts, LXX Origen, and the Syriac. The longer phrase seems unnecessarily redundant and is preferred as the slightly more difficult and better attested reading. The Targum uses the singular “in your towns” instead of the plural, but this appears to be a poorly attested secondary reading.

²³For a brief discussion of the differences between slaves and hired laborers, see Salo Wittmayer Baron, *A Social and Religious History of the Jews* (2d ed.; 16 vols.; New York: Columbia University Press, 1952), 1:70-71.

nonetheless. There was always the possibility that somebody would take up his case and become an advocate on his behalf, but it was not a likely possibility.

The next command is more directly judicial in nature. Verse 17 states, Israelites “shall not pervert the justice due to an alien *or* an orphan.” The phrase indicates “a nonbiased juridical decision wherein a person avoids preferential treatment of a litigant. It is the result of weighing the evidence and reaching an impartial decision ... in a legal proceeding.”²⁴ The second clause in the verse commands that nobody “take a widow’s garment in pledge.” This stipulation bears some similarity to the command not to sleep with a garment taken in pledge (Deut 26:13), though the restriction is tightened since the taking of the widow’s garment even during the day is prohibited by the phrase. This prohibition may refer to a garment indicating her status as a widow.²⁵ Clearly such garments are in view in Gen 38:14, for Tamar removed widow’s garments in preparation for her plot to entrap Judah.²⁶ To lose this marker of social status would be to rob her of any special protection that might be afforded her as a result of the public identification of the same.²⁷ She was

²⁴Bennett, *Injustice Made Legal*, 100. Bennett is not totally certain that this is the intended meaning, but the use of the phrase in Exod 23:6 in context with a lawsuit brought by a poor individual coupled with the legal context of the entire chapter suggests it is indeed correct.

²⁵Victor H. Matthews, “The Anthropology of Clothing in the Joseph Narrative,” *JSOT* 65 (1995): 25-26.

²⁶ Garments may have been drab, but would have in some sense indicated the status. See Karel van der Toorn, “The Significance of the Veil in the Ancient Near East,” in *Pomegranates and Golden Bells* (ed. David P. Wright, David Noel Freedman, and Avi Hurvitz; Winona Lake, Ind.: Eisenbrauns, 1995), 330, 336-38.

²⁷Carmichael concluded that this was the problem with Judah’s treatment of Tamar in Gen 38 (Calum Carmichael, *Law and Narrative in the Bible* [Ithaca, N.Y.: Cornell

given a completely unsecured loan since she was in a more precarious position economically, legally, and emotionally than other poor Israelites.²⁸

Gleaning: Indirect Protection for Resident Alien, Fatherless and Widow

Deuteronomy 24:19-22 commands that resident alien, fatherless, and widow be allowed to glean in fields and among the olive trees and grape vines in order to get food. They do not seem to fit the judicial context of Deuteronomy 24 and 25 and are the laws contributing the most to the impression that it is a hodgepodge of legislation. Rather than specific legal stipulations, however, what should be emphasized is the role of gleaning as a support for judicial equity. As already noted, the chapter addresses issues which would not be strictly limited to the adjudication of legal cases, but that involve the establishment of certain legal rights (exemptions to military service and prompt payment of workers, for example). Second, the motive clause attached to the gleaning laws is similar to that attached to the command not to pervert justice—remembering that they were slaves in Egypt. Finally, and most important for the ethical discussion, the laws would have had the practical effect of supporting the rights of the distressed when faced by potential abuses of power by the landed class. The Mosaic law allows both temporary debt slavery and land leasing, of course, but those are last resort options. These gleaning provisions provide another option for the

University, 1985], 281). She had a right to Judah's third son Shelah and to a child by him, but he took advantage of her weak position. In order to obtain what should have been given to her, she was made to exchange widow's clothing for that of a harlot, an action best described as gambling with her life.

²⁸ Tigay, *Deuteronomy*, 228.

impoverished before they had to sell themselves or their land. It is conceivable that between the gleaning rights, the triennial tithe, and whatever they could eke out from their own land, that even a widow and fatherless child of a reasonable age could sustain themselves for a time. In such a case, there would be no need to sell either one's land or person in order to survive. This law makes another option for help available, and having multiple options always works to the advantage of the person who is in a weaker position. It did not permit an unscrupulous land owner the luxury of being able to defraud the poor simply through the monopoly of that one particular form of social help on their society.²⁹ Of course, it still had to be motivated by a love and appreciation for Yahweh if it had any genuine hope of succeeding as a remedy to the problem. On balance, it seems to undercut the ability of those with sufficient means to gain even more land because the poor person had only one option available: sell their land.³⁰ So rather than a direct judicial command, it should be viewed as one providing a supporting motivation for it.

²⁹The modern market price of oil provides a helpful example. The actual cost of discovery, drilling, processing, and transporting it are far lower than the actual market price which is driven by demand. It has settled at this level because at a rate higher than this, other forms of transportation energy become cost effective (electric and electric hybrids being the obvious examples). Oil as the basis for a liquid fuel simply has no good competitor until it reaches a price where oil derived products such as gasoline cost so much that more expensive alternatives become attractive. The price reflects supply and demand more than actual cost of production.

³⁰For a general description of the process in the Roman period that is doubtless similar to earlier periods, see M. I. Finley, *The Ancient Economy* (2d ed.; SCL 43; Los Angeles: University of California Press, 1985), 98-102.

Gleaning – a Balanced System Benefitting Recipient and Giver

The main burden of the command falls on those with resources to allow the poor access to them. This focus, however, does not mean all the burden falls on them. The poor had responsibilities as well. The better way to view the law was that it laid a primary responsibility upon those with adequate means and a secondary, but equally important, responsibility upon those who were destitute. That this was true is indicated by the demands of agricultural labor in the ancient world in general, and by the specific gleaning practices as they occur in Deut 23:24-25 and 24:19-22 indicating what may be collected and when it is to be made available.

Deuteronomy describes Canaan as “a land of wheat and barley, of vines and fig trees and pomegranates, a land of olive oil and honey” (8:8). These were the most important crops in the region, and even the honey speaks of agricultural prosperity since the term (שֶׁמֶן) often refers to a thick sweetener derived from dates, figs, or grapes.³¹ The Egyptian Tale of Sinuhe, dating to the 12th dynasty, conveys a similar perspective on the agriculture of Canaan. “Figs were in it and grapes. ... Abundant was its honey, plentiful its oil. All kinds of fruit were on its trees. Barley was there and emmer [wheat].”³² The most

³¹Tigay, *Deuteronomy*, 438.

³²“Sinuhe,” translated by Miriam Lichtheim (*COS* 1.38:79). For a discussion, see Yohanan Aharoni, *The Land of the Bible* (rev. and enl. ed.; trans. A. F. Rainey; Philadelphia: Westminster, 1979), 15. The same perspective may be found in Isa 36:16-17 where Rabshakeh mentions vines, fig trees and grain. Other fruits and nuts known to have been grown in Canaan were dates, sycamore figs, pistachios, and almonds.

important of these crops were the grains, grapes and olives, even though there were other secondary agricultural products.³³

Deuteronomy 23:24-25[Heb. 25-26] allows any Israelite to enter the vineyard or the standing grain of a neighbor and eat of it until full. They may eat as many grapes as they like, but may not use a basket to remove any from the vineyard; they may pluck heads of grain, but may not harvest it with a sickle. Practically speaking, the provision is aimed primarily at travelers and passers-by, and is not specifically directed toward any class of Israelite poor.³⁴ But the courtesy would also have been enjoyed by the poor as well as a way of meeting their immediate need for food. Such courtesy is limited, however, to these two crops.³⁵

³³Denis Baly, *The Geography of the Bible* (new and rev. ed.; New York: Harper & Row, 1974), 84. As Baly notes, they are mentioned together in Gen 27:28, 37; Deut 7:13, 11:14, 12:17, 14:23, 18:4, 28:51, 33:28; 2 Kgs 18:32; 2 Chr 31:5, 32:28; Neh 5:11, 10:39, 13:5, 12; Ps 4:7; Isa 36:17; Lam 2:12; Hos 2:5, 8, 22; Joel 1:10; Hag 1:11.

³⁴Eugene Merrill, *Deuteronomy* (NAC 4; Nashville, Tenn.: Broadman & Holman, 1994), 316, and Tigay, *Deuteronomy*, 219. Tigay also notes that Josephus and Rabbi Isi ben Yehudah believed the law applied to a passerby, but that the halakah restricted it to field workers.

³⁵The liberality of this provision is immediately apparent when compared to a similar passage in Plato. "If a foreigner sojourning in the country desires to eat of the crop as he passes along the road, he, with one attendant, shall, if he wishes, take some of the choice fruit without price, as a gift of hospitality; but the law shall forbid our foreigners to share in the so-called "course" fruit, and the like; and should either a master or a slave touch these, in ignorance, the slave shall be punished with stripes, and the free man shall be sent off with a reproof and be instructed to touch only the other crop, which is unfitted for storing to make raisins for wine or dried figs. As to pears, apples, pomegranates, and all such fruits, it shall be no disgrace to take them privily; but the man that is caught at it, if he be under thirty years, of age, shall be beaten and driven off without wounds; and for such blows a free man shall have no right to sue. A foreigner shall be allowed to share in these fruits in the same way as in the grape crop; and if a man above thirty touch them, eating on the spot and not taking any away, he shall have a share in all such fruits, like the foreigner; but if he disobeys

In addition to regulations regarding the standing grain, some of the crop was to be left behind for the poor during the harvest itself. Leviticus 19:9 commands that some grain be left standing in the corner of the field, and that whatever was dropped during the harvest should also be left behind. Similarly, Lev 19:10 commands that grapes left behind (perhaps because they were not yet ripe) or that had fallen to the ground during the harvest should be for the needy and the resident alien.³⁶ Deuteronomy 24:19-21 repeats the command that there be no second harvest of the grapes and extends that command to the olive as well. Both crops ripened unevenly, thus guaranteeing that some would be left behind.

Overall, then, the gleaning laws offer great benefit to the poor. The fact that the laws make the staple crops available guarantees the widest possible availability.³⁷ But they also required a person to work before benefitting from them. The triennial tithe is the one obvious example of an outright gift for the poor. Picking up whatever grain was dropped or whatever grapes were left behind, however, probably required long hours of work. The

the law, he shall be liable to be disqualified in seeking honours.” Plato, *Laws* 8.845 (Bury, LCL).

³⁶Leviticus uses the terms needy and resident alien instead of Deuteronomy’s resident alien, fatherless, and widow. The reasons for the differing terminology were addressed above.

³⁷Grain products “are the main focus of subsistence agriculture in the Highlands,” making them the primary food source. David C. Hopkins, *The Highlands of Canaan* (SWBA 3; Decatur, Ga.: Almond, 1985), 215, 224. Though the estimates are made for a different region, Thomas W. Gallant suggested 65-70 percent of the diet came from grains, 20-25 percent from fruits, vegetables, pulses, and 5-15 percent from oils, meat, and wine. Thomas W. Gallant, *Risk and Survival in Ancient Greece: Reconstructing the Rural Domestic Economy* (Stanford, Calif.: Stanford University Press, 1991), 68.

fact that the farmer had no say in who would or would not benefit from the gift further distances this practice from current practices wherein the giver decides who gets the contribution.³⁸

Making one's harvest available to the poor was a genuine sacrifice on the part of the farmer. Even though he was not going to have to harvest what the poor gleaned, it would have been difficult to walk away from a field or vineyard when unharvested food remained. With the unpredictability of crop yields from year to year due to the weather, pestilence, or war, one could never be certain regarding the viability of next year's harvest. At least two or three down years during each decade could be expected, sometimes consecutively.³⁹ Wheat was the most important staple crop. Grapes and olives were also widely grown and particularly valuable since they could be stored longer and had high commercial value. Given these facts, a farmer would have adequate motivation to harvest every possible stalk of grain or piece of fruit.

So the farmer was making a sacrifice to provide this food. But the law does protect the farmer's interests in his own crop as well. Only two crops are explicitly indicated as crops that one could eat while passing through a neighbor's field: grains and grapes. These two crops are the most common and harvesting them is time sensitive and labor

³⁸David L. Baker, "To Glean or Not to Glean . . . , *ExpT* 117 (July 2006)," 408.

³⁹William Domeris, *Touching the Heart of God: The Social Construction of Poverty among Biblical Peasants* (LHBOTS 466; New York: T&T Clark, 2007), 59.

intensive. The pressure on the farmer to begin the harvest at a certain time and complete it relatively quickly is high.⁴⁰

Grain crops in Israel were dependant exclusively on natural rain, were widely distributed (sometimes even at a distance from one's dwelling place). As David C. Hopkins summarized, planting of any one grain would be staggered to minimize risk of loss due to the uncertainty involved in timing the rainfall. Once ripe, grains had to be harvested at the correct time to ensure the best possible crop, a time pressure which might be intensified due to variations in the rate of growth based on the particular crop (barley or wheat) and the topography of the field in which it was sown.⁴¹ The optimal time frame for the harvest of both crops probably encompassed about six weeks.⁴² Furthermore, the process was complex.

Harvest involves a sequence of interrelated acts: (1) the harvest proper - reaping or picking; (2) collecting the harvested stalks; (3) transporting the harvest to the threshing floor; (4) drying the harvest; (5) threshing to disarticulate the spikelets and remove the hulls (glumes); (6) winnowing and sieving to separate the grain from the chaff and to clean the grain; (measuring and storing).⁴³

The nature of the enterprise is well illustrated by the book of Ruth. Ruth gleaned until the end of both the barley and wheat harvests (Ruth 2:23). The proposal for a redemptive

⁴⁰Even during harvests, flocks and farm animals had to be tended, food had to be prepared, children had to be cared for, and vegetable gardens had to be managed. Domeris, *Touching the Heart of God*, 68.

⁴¹Hopkins, *The Highlands of Canaan*, 215, 224.

⁴²Ibid. The Gezer calendar supports this notion, for it associates certain months with either planting or harvesting (for example, one line states, "His month is barley harvest," suggesting a month primarily devoted to this). See "The Gezer Calendar," translated by P. Kyle McCarter (*COS* 2.85:222).

⁴³Hopkins, *The Highlands of Canaan*, 225.

marriage was made at the time while Boaz was winnowing barley, the crop normally harvested first, at his threshing floor (Ruth 3:2). Boaz's complete attention was given to the harvest at this point, requiring that he sleep with his winnowed grain to guard it. Of course, while the harvest was being gathered, other life activities would have continued unabated and without the benefit of modern time-saving conveniences.

Harvesting grapes was an equally intense activity as they must be collected immediately "before they fall from the vines, become dehydrated, or fall prey to insect or animal pests."⁴⁴ The major focus on this crop was in the late summer when little other agricultural activity was occurring, and vintners often took up residence among the vines to guard the crop from foraging animals.⁴⁵ Like the grains, grapes had to be collected at the optimal moment. Some would be eaten immediately, but most had to be processed. Much of the harvest was stored (yes, grape storage was possible for several months), dried into raisins, or pressed and then ideally boiled down into a concentrated form. Some would be eaten, of course, but the majority of the harvest had to be processed by hand. So the time pressure to get in the grape harvest was similar to that of the grain harvest, making both ideal candidates for gleaning laws.

Olives, the third major crop of Palestine, seem to represent a middle case. There is minimal pressure to begin the harvest, since they "ripen slowly and can be picked at any time in the early rainy season when the farmer has time to spare" and are limited only

⁴⁴Ibid., 229.

⁴⁵Baly, *The Geography of the Bible*, 85.

inasmuch as they are “killed by prolonged frost.”⁴⁶ Even here, there may have been significant steps that the farmer could take to manage the harvest.

In years of very heavy crops, when the trees are overburdened with fruit, the olives are very slow in ripening, and this may be delayed so late in the fall that the olives become injured by frost. ... If the trees are thinned by picking a good part of the olives early, those remaining will not only size up but will reach maturity within a few weeks, where it will extend over a period of several months if all the olives were allowed to remain on the tree.⁴⁷

The fact that much of the crop was destined to be used for oil also added to the flexibility with which the harvest could be gathered, for olives in varying stages of ripeness can be used for this purpose.⁴⁸ The only pressure that came was to end the harvest before the fruit froze on the tree (still possible in Israel). And, the only explicit command given with reference to olives is that whatever was left of the crop after the initial beating of the tree to get the fruit to drop must then be abandoned for the resident alien, fatherless, and widow in Israel.

None of the other fruits or vegetable crops that were grown are singled out for discussion in the gleaning laws. Figs and pomegranates were the most prominent of the fruit crops, and they may have been excluded because they were viewed more as luxury items than dietary staples. If so, the law is emphasizing that caring for the basic needs of the

⁴⁶Baly, *The Geography of the Bible*, 86. See also Stanley Aschenbrenner, “A Contemporary Community,” in *The Minnesota Messenia Expedition: Reconstructing a Bronze Age Regional Environment* (ed. William A. McDonald and George R. Rapp, Jr.; Minneapolis: The University of Minnesota Press, 1972), 54, and George Christian Roeding, *Roeding’s Fruit Grower’s Guide* (Fresno, Calif.: George C. Roeding, 1919), 53.

⁴⁷Roeding, *Roeding’s Fruit Growers’ Guide*, 53.

⁴⁸*Ibid.* In this section, Roeding gives guidance to the farmer regarding when to pick green olives destined to be used for pickling or ripe ones for regular consumption, but shows much less concern if they are going to be used for oil.

poor is the important element. Beyond this possible distinction, however, they did not follow the same labor curve as grains, grapes or olives. The most obvious difference was that though they required some care from year to year, they did not require a yearly plowing and planting as did the grain crops, and the cultivation of all could generally be done at times when the harvesting of grain was not a pressing matter.⁴⁹ The pressure to harvest at the moment of peak ripeness was also lower. Figs were easiest as they ripen unevenly during the summer and are picked at a time when there is little other urgent agricultural activity.⁵⁰ Portions of the yearly crop were harvested in June, late August to early September, and late November,⁵¹ and only the grape harvest in late summer represented any potential conflict with figs for labor resources. Pomegranates likewise represent little competition in the labor cycle since the tree “bears heavily and regularly every year, requiring very little care.”⁵² The fruit is picked in early fall over the course of four to six weeks. It should be picked before it splits open, but some varieties are less prone to this than others and can remain on the tree several more months since the attaching stems are hearty.⁵³ Even picked, however, the grapefruit sized fruit stores very well.

⁴⁹Hopkins, *The Highlands of Canaan*, 227.

⁵⁰Aschenbrenner, “A Contemporary Community,” 51, 56-57. The goal of this project was to develop a social model for southwestern Greece during the Late Bronze Age. Greece was culturally different from Canaan, of course, but the similar climate and agriculture for the two regions make the findings germane to the present study.

⁵¹King and Stager, *Life in Biblical Israel*, 104.

⁵²Roeding, *Roeding’s Fruit Grower’s Guide*, 72.

⁵³Robert W. Hodgson, *The Pomegranate*, CAAESB 276 (Berkeley, Calif.: University of California Press, 1917), 183-84.

If picked with long stems and hung up to cure in a dry room, pomegranates will keep in very good condition for several months. The rind dries and hardens, but the interior remains good and even improves. The farmers in [modern] Algeria cure large quantities of pomegranates in this manner every year.⁵⁴

In general, the plant is quite hearty; though it does require adequate water and then dry heat preceding the harvest, it can survive droughts and frost very well.⁵⁵

The vegetable crops were omitted most probably due to the way in which they were grown.⁵⁶ Hopkins did a thorough survey of the agricultural procedures observed in ancient Israel, and he concludes it is likely that “the value of intensively cultivating—through manuring and jar-irrigation—nearby gardens in order to produce good and more consistent yields would not have been lost on the ancient Highlanders.”⁵⁷ That is certainly the impression left by I Kgs 21:2, for Ahab wanted Naboth’s vineyard in order to convert it into a vegetable garden since it was close to his house, and he was even willing to trade a better vineyard in return. If Hopkins is correct it would suggest, of course, that the gardens would be located close to the house in order to facilitate the frequent and necessary care. Therefore, given the way that vegetables were grown in ancient civilizations coupled with the fact that they tend to have a short shelf life, it should come as no surprise that they are not mentioned

⁵⁴Ibid., 185. Also Roeding, *Roeding’s Fruit Grower’s Guide*, 73.

⁵⁵Wilson Popenoe, *Manual of Tropical and Subtropical Fruits* (New York: MacMillan, 1920), 378.

⁵⁶King and Stager indicate that lentils, fava beans, chickpeas, cucumbers, watermelon, onions, leeks, and garlic are the main vegetable and legume crops (King and Stager, *Life in Biblical Israel*, 93-94).

⁵⁷Hopkins, *The Highlands of Canaan*, 243.

as part of Israel's gleaning laws. In addition, it might indicate that they could be grown even by the poor and weak in the limited plots of land that would be available for them around their dwellings, as long as some water supply could be found.

It seems unlikely that the law would deliberately forbid those with an acute need from partaking from some fruits of lesser importance.⁵⁸ Furthermore, it is hard to imagine that the law would condemn the farmer who allowed it given the generous nature of this action. Nonetheless, the legislation of the Pentateuch is laid out in such a way that it relieves some of the pressure from the farmer at peak times during the year. That this would have helped him cannot be doubted once the lack of modern agricultural methods is taken into consideration. The poor who glean are performing a service on behalf of the community, even if that service is construed only as one of saving farmers from working.

In summary, the gleaning regulations as spelled out in Leviticus emphasize there must be equal access to the gleanings for native Israelite poor and resident alien.

Deuteronomy emphasizes that the harvest is made available to all classes of potentially

⁵⁸The Mishnah understood that to be the case, for it explicitly made "sumach, carob, walnut trees, almond trees, vines, pomegranate trees, olive trees, and palm trees ... subject to the law of *Pe'ah*." Mishnah *Pe'ah* 1:5. Mark 11:12-14 may also indicate it was taken this way. Christ came to a fig tree, a tree not mentioned in the gleaning laws, and would have taken something to eat from it if the tree had had any fruit on it. Though ownership of the tree is not clearly established by the text, it seems best to assume that this was felt to be acceptably consistent with the spirit of the law. On the other hand, farming during the Roman period was considerably different from what was envisioned in the Pentateuch. The rise of larger aristocratic-style estates dates to the exile, and it was a tendency which had only accelerated by the time of Roman occupation of Palestine. In this type of system where harvests of every type were no longer controlled by free landholders, the Rabbis may have felt it entirely justified and even necessary to generalize the legislation to refer to multiple crops. See Domeris, *Touching the Heart of God*, 135.

disenfranchised poor. The Israelite farmer is responsible to make the harvest available in this way and in so doing will guarantee that those without patriarchal, land-owning judicial status will not be abused because they are poor. Obedience is motivated both by an appreciation for Yahweh's blessing on the farmer in the past and the promise of Yahweh's ongoing blessing in the future. The gleaners are granted access to the harvest, but not in an unlimited fashion and not without doing the work that will provide a legitimate service to the community in the process. They are supplied with basic needs, but not luxuries.

Summary

The realization that a male led family, a widow led family, and a resident alien led family were all at risk argues strongly against the notion that being part of the dominant class—in this case male Israelite landowners—automatically means one has privileged advantages as the modern social justice movement would have us believe. The triple line running through the middle of the chart indicates where the dividing line between groups runs and they did not share the same characteristics (see page 7). The goal is to help all the groups. The gleaning rights were a significant portion of this help for the widow, fatherless, and resident alien. At the same time the ability of the generous farmer to survive and thrive in the land was also guaranteed inasmuch as he was given first access to his crop and the poor were required to collect whatever food they received. The laws also seem to consider the ebb and flow of Israel's agricultural calendar, tacitly emphasizing the ways in which the gleaners' activities will free the farmer for other agricultural tasks.

The details of Israel's laws suggest two interrelated applications. First, modern social justice advocates often argue that "taking the poor's side includes taking the

poor's lived experience as authoritative in everything from biblical interpretation to public policy.”⁵⁹ Based on this thinking the poor hold the interpretive key to any issue and any request they make should be granted. The second is that certain sins require that one have power and that without it, one cannot be guilty of the sin. There is real legitimacy in these claims, for if we have not “walked a mile in a man's shoes,” we may misunderstand and contribute to the oppression of the poor, even if unwittingly. In practice, however, this emphasis on knowledge and power is often abused. It has come to mean that whatever the poor or disenfranchised want is right and whatever those with power say, they are wrong.

Advocacy groups for black rights and women's rights have made the sufferer's experiences and lack of power a key component of their program, though many groups have adopted the argument. As Williams explains,

Powerful segments of our society have added something significant to the historic definition of racism. For them, racism is defined as *prejudice plus power*, a definition invented in 1970 by a white social scientist named Patricia Bidol-Padva. Only those “in power” can be properly deemed racist. Thus, it is impossible for any person of color to be racist because they aren't in power. Only white people can be truly racist because white people, it is claimed, hold all the power.⁶⁰

One supposes that those committed to this definition of racism would view Mosaic Legislation as similarly immoral. Rather than male white privilege it endorses male Israelite privilege while depriving oppressed minorities of power.

⁵⁹ Williams, *Confronting Injustice*, 157.

⁶⁰ Thaddeus Williams, *Confronting Injustice without Compromising Truth* (Grand Rapids: Zondervan, 2020), 180.

Williams offers a good analysis and rebuttal of the ideas that only the poor have authentic experience and that one must have power to commit a sin. And the law itself showed that there were ways in Israel for a person without power to misuse their situation as well. I simply add a few observations from James 2 in the New Testament which also refute the idea. In the ancient world, more than 90% of the population would have been poor, including those in the church. As one commentator noted, “wealthy persons ... paid for public works projects out of their own pockets (e.g., building of temples, public baths, paving of streets, and the city tax bill). ... [they made] cash gifts at marriages, coming-of-age ceremonies, and other public functions.”⁶¹ James 2:1-5 notes what might happen “if a man comes into your assembly with a gold ring and dressed in fine clothes, and there also comes in a poor man in dirty clothes, and you pay special attention to the one who is wearing the fine clothes, and say, ‘You sit here in a good place,’ and you say to the poor man, ‘You stand over there, or sit down by my footstool, have you not ... become judges with evil motives.’” James labeling of these people without political power as judges with evil motives indicates they are committing the same sin as somebody who perverts justice due to bribery. Only in this case, the treatment of visitors is perverted in hope of a gift of money. It is true, someone with authority to decide a legal case may have the ability to accept bribes or receive unwarranted favors from those he serves. They can manifest a sinful heart as judges with evil motives on a regular basis. But the most powerless of persons is guilty of the same sin whenever they treat those with wealth and power differently from those without it. “God’s

⁶¹ David P. Nystrom, *James* (NIVAC; Grand Rapids: Zondervan, 1997), 126-27.

solidarity with the poor and oppressed in Scripture never means that he elevates their perspective to sacred, unquestionable status.”⁶²

In the modern United States these principles have significant ramifications for all of our structures of government from the individual voter all the way up to the president. The representative democracy we have in the United States is built on the idea that the person with power will abuse it. The law’s solution to that reality is to limit the power of any one individual, to limit his or her ability to take advantage of another person. And if somebody is being abused, the law will then give them some power too. So, in the United States, all citizens over 18 are voters, including the naturalized citizen. Woman’s suffrage in the 19th and 20th centuries was driven by the fact that laws were skewed in favor of men. For example, divorce law at the time favored men in unjust ways. Woman’s suffrage changed the equation and helped undo injustices, which is always a very good thing. But now, women have power. And given woman outnumber men, they have greater collective power than men. Might not the power argument apply to them? Are not some women using their power against the most powerless of the powerless: unborn children?

The immigrant is also in a similar situation to that of the churches James has in mind. They often are victims. Even a documented legal worker may accept a bad work situation for fear that racial prejudice will make it difficult for him to find another job. And, of course, undocumented workers are regularly underpaid because the employer realizes the worker will not bring the situation to the attention of authorities for fear of being deported.

⁶² Williams, *Confronting Injustice*, 180.

The path toward naturalization was always designed to encourage equal treatment under the law. And that is again a very good result. But it is also likely to unmask the ugly reality that is true of all of us. The immigrant was always a sinner, and that did not change when he became a citizen. What changes is that a sinful heart now has the power to exercise it through the vote.

I am thankful for the government we have and for the checks and balances that can, to a degree, hold back evil. But it does not hold back evil because those who were once oppressed are necessarily more virtuous than their former oppressors. Both are tempted in their own way. Agur wisely asked in Proverbs 30, “Give me neither poverty nor riches; Feed me with the food that is my portion, That I not be full and deny You and say, “who is the Lord?” Or that I not be in want and steal, And profane the name of my God. It reminds one that high ethical ideals are produced only by the Lord’s work in one’s life and out of gratitude for his blessings, not by a system of government.

LECTURE 4

NAOMI, RUTH, AND BOAZ: SOCIAL JUSTICE AND THE FAMILY

The Pentateuch indicates that highest social ideals always flow from one's relationship to the Lord. They are not produced by a legal system. That foundational principle is best demonstrated by the narrative of Naomi and her family. Naomi, the widow of the story, was left devoid of resources when her husband and both sons died in Moab. This bereavement made her vulnerable since she no longer had a male judicial head over her family. It also threatened to end the line of her husband and alienate their family from the land. Neither of those events transpired, however, and the reversal was brought about by two people whose speech and actions show them to be worshippers of the Lord: Ruth and Boaz. Furthermore, their behavior contrasts with two other characters in the narrative: Orpah and the unnamed redeemer in Ruth 4. Both were possible candidates to assist Naomi. Neither did, however, and in both cases the reason was a convenient sidestepping of a family duty due to seemingly justified self-interest. The subtle censure of their actions in the narrative indicates the Lord would not have been pleased with the outcome had the two of them been the only candidates available to help Naomi.

Naomi as a Widow

Although the title of the book of Ruth draws attention to her role in the narrative, it is actually about Naomi. Adele Berlin summarizes, "Naomi is the central character in the book. All other characters stand in relation to her. ... We see things through her eyes, feel things as she feels them: her bereavement and loneliness, her return to Bethlehem, her bitterness and poverty, her concern with Ruth's future security, her view of

Boaz, and her restoration through the birth of her grandson.”¹ The blessing given by the women of Bethlehem in Ruth 4:15-17 also indicates this focus, for they note that the Lord provided a redeemer for Naomi, who will “be to you a restorer of life and a sustainer of your old age” (v. 15). Naomi becomes a nurse for the child and the women consider him to be a son for Naomi (v. 17).

Since the book emphasizes the importance of the events for securing Naomi’s place in society, understanding her status is important. She is an *almanah* widow. The last lecture defined this class of widow as a woman with no son. She would therefore lack legal representation from her husband’s family unless somebody took the role upon himself. That sad reality will create seemingly insurmountable problems which are specified in Ruth 1.

As the story begins, Naomi is returning to Bethlehem with her daughters-in-law, Orpah and Ruth. Since they are now attached to their husbands’ family, their mother-in-law controls what will happen to them. If Naomi had a son, she could assign the levirate duty to him. But since she does not, she released her daughters-in-law from their commitment to the family, allowing each to return to her birth house. Naomi assumed that freed from their obligation to her they would be able to find husbands in Moab. So she blessed each, hoping that they would “find rest, each in the house of her husband” (Ruth 1:9). Her statements indicate that the best option for a woman who had lost her husband was to

¹Adele Berlin, *Poetics and Interpretation of Biblical Narrative* (Sheffield: Almond, 1983; repr., Winona Lake, Ind.: Eisenbrauns, 1994), 84.

remarry.² They also indicate that losing one's husband could have very different ramifications for the woman depending on her age and situation. Naomi's concern does not seem to be that Orpah and Ruth will be unable under any circumstances to find husbands. Free from any attachment to Naomi's house, they might marry and have families of their own while being fully incorporated into the families of their new husbands.³ Her concern rather seems to be that their fate is tied to her.

In case the young women had missed the point of Naomi's initial statement, she offers further explanation. She is too old to have a husband, a euphemistic way of indicating she is past menopause.⁴ Hypothetically speaking, however, even if she were to marry immediately and have sons, she felt it unreasonable to make Ruth and Orpah wait for them until grown. Given the better options open to them compared with the lack of options open to her, she concluded, "it is harder for me than for you, for the hand of the LORD has gone forth against me" (v. 13).

All these implications also suggest that the larger question in the book is not what will Orpah and Ruth do, but what will Naomi do? If she had a son, she would probably

²Daniel I. Block, *Judges, Ruth* (NAC 6; Nashville, Tenn.: Broadman & Holman, 1999), 634.

³On the notion that marriage involved a union of two families, see Paula S. Hiebert, "Whence Shall Help Come to Me? The Biblical Widow," in *Gender and Difference in Ancient Israel* (ed. Peggy L. Day; Minneapolis: Fortress, 1989), 125-41.

⁴Robert L. Hubbard, Jr., *The Book of Ruth* (NICOT: Grand Rapids, Mich.: Eerdmans, 1988), 109, and Jack Sasson, *Ruth* (2d ed.; TBS 10; Sheffield: Sheffield Academic, 1989), 24-25.

just tell him to marry one of the daughters-in-law.⁵ It would solve everyone's problems. But she does not, so the only other option was to hope that someone voluntarily marry Ruth and father a son through her daughter-in-law.⁶ Though Ruth's eventual marriage to Boaz is not technically a levirate marriage, it functioned in much the same way once it was consummated, and therein lies the problem. To be frank, men generally try to avoid levirate duty.

Drawing on both the biblical data and observation of modern cultures in which a form of levirate marriage is still practiced, Dvora Weisberg demonstrated that men do indeed possess a marked aversion to this duty. In general, they "see levirate unions as a threat to their understanding of paternity and their desire to protect their own interests."⁷ The Mosaic law also provides testimony that levirate marriage might not be well received by a

⁵T. R. Hobbs discusses the nature of patron-client relationships in the ANE. In such relationships, both parties have responsibilities to each other, and the failure to fulfill them is a matter of public shame. T. R. Hobbs, "Reflections on Honor, Shame, and Covenant Relations," *JBL* 116 (1997): 501-03. It seems appropriate to conclude based on this general social concept in conjunction with the relevant textual data that a family was expected to provide a childless daughter-in-law with a husband from among the remaining sons, and that failure to do so was a serious breach of responsibility. Naomi had no son to give, and though that would not be counted against her, the lack of such only added to her sense of loss. Thomas and Dorothy Thompson indicate parallel ANE legal literature places the levirate responsibility on the father-in-law directly if there are no sons. Thomas Thompson and Dorothy Thompson, "Some Legal Problems in the Book of Ruth," *VT* 18 (January 1968): 94-95.

⁶For a thorough investigation of the data indicating Boaz was not legally required to marry Ruth, see Frederic W. Bush, *Ruth, Esther* (WBC 9; Dallas: Word Books, 1996), 223-27.

⁷Dvora E. Weisberg, "The Widow of Our Discontent: Levirate Marriage in the Bible and Ancient Israel," *JSOT* 28 (2004): 406.

potential levir. Deuteronomy 25:5-10 allowed a man to refuse this duty with an accompanying public shaming in the city gate. At the very least, the legal option provided a way for a woman to be released from her obligation to a family where a male or males were unwilling to recognize theirs.⁸ But for any man to seek such release was risky. In an honor and shame culture such as this one, towns were small and one's honorable standing in the community was important. The threat of public dishonor might have been a powerful motivator to do one's duty.⁹ Without this honorable status in the community, one's ability to conduct business might be significantly hampered, so this is a significant threat.¹⁰

Naomi, of course, could not coerce anyone outside her immediate family to perform this duty. A redeemer marriage could be avoided without the shame that would automatically attach to a son who refused a levirate marriage. This reality makes it highly unlikely in chapter 1 that somebody will willingly marry into Naomi's family. Naomi has no money for a dowry. Her land has essentially been mortgaged. Any man marrying into

⁸Sasson, *Ruth*, 145-46.

⁹Victor Matthews, discussed the nature of public shaming (Victor H. Matthews, "Honor and Shame in Gender-Related Legal Situations," in *Gender and Law in the Hebrew Bible and the Ancient Near East* [ed. Victor H. Matthews, Bernard M. Levinson, and Tikva Frymer-Kensky; JSOTSup 262; Sheffield: Sheffield Academic, 1998], 97-112). See 98-102 for his treatment of Deut 25:5-10. He allows for the notion that some may have preferred the shame and negative epithet to the loss of the newly gained status as eldest son.

¹⁰J. G. Peristiany cautiously offered a provisional explanation. "Honour and shame are the constant preoccupation of individuals in small scale, exclusive societies where face to face personal, as opposed to anonymous, relations are of paramount importance and where the social personality of the actor is as significant as his office. ... To accept this is to accept the all-powerfulness of public opinion rather than that of a hierarchical superior." J. G. Peristiany, "Introduction," in *Honour and Shame* (ed. J. G. Peristiany; Chicago: The University of Chicago Press, 1966), 11.

Naomi's family realizes he will be raising up an heir for somebody else and will not inherit the land himself. Willingly marrying into Naomi's family seemed to be financial suicide.

As for Ruth's status, she is not technically an *almanah* widow because she is not the head of the household. But in this culture a woman who did not fit the definition might still be forced to live as one.¹¹ This practical *almanah* status most likely arose when no eligible male was willing to marry her in a Levirate or redeemer marriage. In fact, given the general reluctance of human beings to assume responsibilities requiring personal sacrifice, that situation may have been common. The woman should be under protection of her father-in-law and should perhaps even be married, but the reality was otherwise.

The other way in which a wife of the deceased might be classed as an *almanah* widow was to be designated as such by her male authority.¹² John Rook concluded

¹¹P. H. de V. Uys additionally notes that the אֵלְמָנָה is "without any legal status and in a sense 'property' of the family. P. H. de V. Uys, "The Term 'Almānā in the Book of Proverbs," in *Studies in Wisdom Literature* (ed. W. C. van Wyk; OTS 15 & 16; Hercules, South Africa: N. H. W., 1981), 76. Her fate will, to a great extent, be determined by their disposition towards her."

¹²For a thorough discussion of the issues involved that agrees with the position taken here, see Harold V. Bennett, *Injustice Made Legal* (Grand Rapids, Mich.: Eerdmans, 2002), 24-37. Other studies that concur with this conclusion include M. R. Daniel Carroll, "Widow," *DOTP*, 891-92; Eyrl W. Davies, "Inheritance Rights and the Hebrew Levirate Marriage: Part 2," *VT* 31 (July 1981): 257-68; and Anna Norrback, *The Fatherless and the Widow in the Deuteronomic Covenant* (Åbo, Finland: Åbo Akademi University Press, 2001), 8-9. Studies concluding that the term indicates all male relatives are deceased or leaving the matter unclear include: Hoffner, *TDOT* 1:288; Léon Epsztein, *Social Justice in the Ancient Near East and the People of the Bible* (trans. John Bowden: London: SCM, 1986), 113-15; and Paula S. Hiebert, "Whence Shall Help Come to Me?: The Biblical Widow," in *Gender and Difference in Ancient Israel* (ed. Peggy L. Day; Minneapolis: Fortress, 1989), 130. Leeuwen seems to bypass the complex issues when, citing Gen 38:11, Deut 25:5-10, and Ruth 1:8-11, he states, "As long as the Israelites lived as semi-nomads in their tribes and clans and the family ties were still strong, the lot of the widow was not yet a problem. She returned to her parental home, where she shared in the protection and care of the clan and

that in this patriarchal society, the paterfamilias had the power to make a woman live like an *almanah* widow even if she did not technically fit the definition. His conclusion, based on the narratives of Judah and Tamar in Genesis 38 and David's concubines taken by Absalom in his attempted coup in 2 Samuel 20:1-3 is that

In both these stories a male has full control over females within their household. A male is able to make a woman a widow. By the actions of both Judah and David, women under their guardianship are relegated to live in a marginalized state. The patriarchal guardian is at work, able to remove women from a central place in society to the peripheral position of an *'almanah*.¹³

So, to summarize the situation in Ruth 1, it is Naomi who has the power to determine what will happen to Ruth and Orpah. The women were bound to do what their mother-in-law asked of them. Since most men avoid redeemer type marriages even in the best of situations, surely no man would want to marry into Naomi's family. Any woman of marriageable age stuck in that situation would also desperately want to escape it. So, when Naomi released her daughters-in-law from any obligation to her, she was offering them a taste of freedom that would have been hard to refuse.

kept the possibility of a levirate marriage" (Leeuwen, *NIDOTTE* 1: 413). The statement does not address the issue that these texts imply the lot of the widow could and often would become a problem even if clan and family ties were not threatened by a central government or imbalance in economic resources.

¹³John Rook, "Making Widows: The Patriarchal Guardian at Work," *BTB* 27 (Spring 1997): 14. Technically, 2 Sam 20:3 used the phrase אֶלְמָנוֹת חַיִּית (living as widows, or living in widowhood). Nonetheless, given the ethical nature of this study the designation is significant given the status of these women and the fact that David does care for them as if they are true widows.

A properly nuanced understanding of this fact may explain why Naomi took the course of action that she did to get Ruth a husband. She did not attempt to enter into marriage negotiations with Boaz herself, but sent Ruth to do so. An individual other than the family head might engage in their own marriage negotiations in ancient culture as Jacob and Esau had both done, for example. And yet, it was an act more properly performed by the male head of the family, even if the father took his son's wishes into consideration before contracting a marriage.¹⁴ Furthermore, her instructions appear quite unusual since she advises Ruth to meet Boaz at a threshing floor and to "uncover his feet and lie down" (3:4). It cannot be doubted that there was a definite logic behind sending Ruth, clean and anointed with oil, to Boaz at the time when he was most likely to be in a good mood so as to secure a favorable outcome.¹⁵ It is somewhat difficult to determine exactly what Naomi expected to happen once Boaz discovered Ruth in such close proximity to him. Some have argued that she hoped to entrap Boaz into a marriage after a sexual liaison, but this seems to strain the language in the chapter and qualifies as an excessively negative portrait of Naomi.¹⁶ She

¹⁴Ephraim Neufeld, *Ancient Hebrew Marriage Laws* (London: Longmans, Green and Co., 1944), 135-36. Raymond Westbrook and Bruce Wells provide a more recent discussion of the respective roles of fathers and children in contracting marriages based, in part, on the betrothal negotiations for Isaac and Rebekah, Shechem and Dinah, Samson and the Philistine from Timnah, and David and Michal. Raymond Westbrook and Bruce Wells, *Everyday Law in Biblical Israel* (Louisville, Ky.: Westminster John Knox, 2009), 56-60.

¹⁵Katharine Doob Sakenfeld observed that neither baths nor anointing were likely common occurrences. Katharine Doob Sakenfeld, *Ruth* (IBC; Louisville, Ky.: John Knox, 1999), 54.

¹⁶For example, Danna Nolan Fewell and David M. Gunn make the case that Naomi hoped to entrap Boaz. Danna Nolan Fewell and David M. Gunn, "A Son is Born to Naomi!: Literary Allusions and Interpretation in the Book of Ruth," *JSOT* 40 (1988): 99-108. For a more positive treatment of Naomi, see Bush, *Ruth, Esther*, 154-57. Leon Morris

clearly did want a marriage, something that her desire to “seek security” for Ruth and the uncovering of his feet as a marriage proposal indicate.¹⁷ However one takes the unusual marriage proposal instructions, either reading is consistent with the notion that as a widow one has very few options, and Boaz had not made any move toward a marriage with Ruth beyond allowing her to glean. His treatment of her did suggest a certain level of interest in her, however, and Naomi was making the potential of a marriage more attractive to Boaz by having Ruth do the asking.¹⁸ Furthermore, given the age difference between Boaz and Ruth (a specific number is unstated, but probably 20 years or more), he probably would have thought her to be uninterested in marrying him. His response to her request for marriage, “you have shown your last kindness to be better than the first by not going after young men, whether poor or rich” (3:10), suggests that was indeed the case.¹⁹

appropriately observes “we have no other example of a situation quite like this. What was to be done where two widows were left to their own devices? This story gives us an answer as to what might happen, though we have no means of knowing just how common the practice described was.” Leon Morris, “Ruth,” in *Judges and Ruth* (TOTC; Chicago: InterVarsity, 1968), 284. He additionally notes that “because of the family connection she has some right to look to him” (290).

¹⁷On the implications of Naomi’s desire to find a secure place for Ruth, see Block, *Judges, Ruth*, 680-81. On the meaning of spreading one’s garment over a woman, see Paul A. Kruger, “The Hem of the Garment in Marriage: The Meaning of the Symbolic Gesture in Ruth 3:9 and Ezek 16:8,” *JNSL* 12 (1984): 79-86. Kruger concludes that clothing in general was used in this culture to make gestures, and this particular act indicated “the establishment of a new relationship and the symbolic declaration of the husband to provide for the sustenance of his future wife” (86).

¹⁸Sakenfeld, *Ruth*, 55.

¹⁹Bush, *Ruth, Esther*, 156.

One final episode in Ruth indicates the degree of trouble that a widow might face just trying to survive. The law allowed widows to glean in the fields, and even if one was unwilling to take on the commitment necessary to marry a widow, nothing more than simple hospitality was necessary to extend this privilege. As the discussion of gleaning in lecture 3 indicated, however, landowners might not always be expected to cheerfully allow others a portion of their harvest. The story in Ruth demonstrates these problems through its portrayal of the specific steps taken by Boaz to ensure that Ruth might safely glean in his field. He virtually commanded Ruth to stay in his field, assuring her that none of the male workers would bother her. The Hebrew term *naga* '(נגע') can refer to improper behavior in general, but since Boaz specifically references improper behavior by young men, Block may be correct when he suggests that this is “the first anti-sexual-harassment policy in the workplace recorded in the Bible.”²⁰ Upon Ruth’s return from the day’s gleaning, Naomi’s statement that she continue to glean with Boaz’s maids “lest *others* fall upon you in another field” (2:23), makes the concern explicit.²¹ The implications of Naomi’s and Boaz’s statements are that a potential for breakdown in the system of caring for widows existed based simply upon the hesitancy of harvesters to share any of the harvest with the poor or, in more extreme cases, on the poor behavior of hired field workers. That both mention the problem suggests the risk was real. To guard against the danger, the landowner would have

²⁰Block, *Judges, Ruth*, 660. Sasson believes it simply refers to a directive “not to shoo her away should she seek water from the communal jars.” Sasson, *Ruth*, 50.

²¹Campbell observed that Naomi used “a much stronger and more violent word” than Boaz. Edward F. Campbell, Jr., *Ruth*, AB (Garden City, NY: Doubleday, 1975), 108.

to take the initiative not only to allow widows to glean, but also to make sure they could do so safely.²² Boaz does so, of course, but as subsequent events indicate, he is willing to do much more than that to ensure the well-being of Ruth and Naomi.

Boaz as a Model for Social Justice

Characterization. Boaz, who is described in Ruth 2:1 as “a man of great wealth, of the family of Elimelech,” enters the narrative in Ruth 2:3 a short time after Ruth began to glean in his field. Boaz’s initial greeting to his reapers, “May the LORD be with you,” and the reapers’ response “May the LORD bless you,”²³ portray him as a man who knows and serves Israel’s God.²⁴ The ease with which laborers and landowner greet each other also suggests that he is a model citizen, one who “provided a positive work environment for his people.”²⁵

The narrative continues the characterization by demonstrating that Boaz is a man who will help Ruth by generously allowing her to glean in his field because he is a worshipper of Yahweh. First, he seeks Ruth out and tells her to stay in his field and glean

²²Tamara Cohn Eskenazi and Tikva Frymer-Kensky note how Moses’ deliverance of Jethro’s daughters in Midian [Exod 2:17-18] indicates that there was a broad cultural tendency for “routine harassment of young women.” Tamara Cohn Eskenazi and Tikva Frymer-Kensky, *Ruth* (JPSBC; Philadelphia: The Jewish Publication Society, 2011), 42.

²³Eskenazi and Frymer-Kensky note how “the first words of a biblical character often hold a clue to the person’s ethos.” *Ibid.*, 31.

²⁴See Hubbard, *Ruth*, 144, for the possible theological implications of the greeting.

²⁵Block, *Judges, Ruth*, 655.

with his maids, virtually commanding her to do so.²⁶ He assures her that he has commanded his servants not to bother her, and invites her to drink water whenever she is thirsty (2:8-9). He then blesses Ruth, stating, “May the LORD reward your work, and your wages be full from the LORD, the God of Israel, under whose wings you have come to seek refuge” (2:12). It is a blessing that acknowledges Yahweh as the source of blessings and reflects the theological ideals of the Pentateuch, particularly his role as the God who provides refuge (Deut 32:37). After their initial meeting, he continued to show unusual kindness to Ruth, inviting her to eat of his own food, and publicly welcoming her by personally giving her roasted grain.²⁷ When she went back to the field Boaz commanded his men to let her glean among the standing grain and even leave some cut stalks behind on purpose for her. His treatment of her was so generous that Naomi was surprised when she saws the ephah of barley collected by Ruth.²⁸ Daniel Block estimates Ruth gathered between 30 and 50 pounds of grain that day.²⁹

That Boaz’s social ethics are ultimately an outgrowth of his devotion to Yahweh is supported by his personal sense of ethics demonstrated in the whole complex of events surrounding the decision to marry Ruth. One might argue that Boaz’s treatment of Ruth was not as altruistic as it initially seemed on the day he met her in his field. Boaz was a

²⁶Hubbard, *Ruth*, 154-55.

²⁷Morris, “Ruth,” 278.

²⁸See Sakenfeld, *Ruth*, 40-45, for additional discussion of the unusually generous privileges granted by Boaz.

²⁹Block, *Judges, Ruth*, 670.

contemporary of Elimelech and Naomi, and he ended up marrying a woman considerably younger than he. Ruth showed considerable industry in going to work in the fields, so she offered the promise of being an economic asset as well. And Ruth may have been attractive. Though her appearance is nowhere explicitly described, Naomi's instructions for Ruth to wash herself before going to request that Boaz marry her suggests Naomi believed he would find her attractive.³⁰ So, it is possible to conclude he was getting a relatively young and pretty bride at a time when he had enough wealth to preclude any worries about taking on a financial commitment to the house of Elimelech and Naomi.

Several facts, however, argue against explaining Boaz's marriage to Ruth solely as a result of his desire for her. First, he was willing to marry Ruth because her character recommended her as a suitable marriage partner; she was known to be "a woman of excellence" (3:11) by all who lived in Bethlehem. She may indeed have been pretty, but that is a secondary issue as far as the narrative is concerned and an uncertain one at that. Second, until she asked, he assumed she would be disinterested in a marriage to him.³¹ Finally, beyond the age difference, Boaz knew that such a marriage would be complicated in some sense by the closer relative who had the first right of redemption. But He was unwilling to

³⁰Ruth's appearance has been a matter of great speculation. See Eskenazi and Frymer-Kensky, *Ruth*, 32, for a summary of the Jewish history of interpretation.

³¹Some have doubted whether Ruth's request for Boaz to act as a redeemer included a marriage proposal at all (see Eskenazi and Frymer-Kensky, *Ruth*, 59-62). Bush, however, argued that a marriage proposal is in view based on the nature of Naomi's instructions (3:1-4), the likely interpretation of Ruth's appeal to "spread your covering over your maid" (3:9), and the response of Boaz to that request (3:10)." Bush, *Ruth, Esther*, 164-65.

ignore that technicality. He would not marry her unless a proper transaction took place in the city gate.

The characterization of Boaz as a man of impeccable personal morals is also demonstrated by his response to Ruth's marriage proposal in the middle of the night. The exact goals of Naomi in sending Ruth to the threshing floor in the evening to request a marriage were discussed above, and are a matter of some debate. What cannot be debated is that though Boaz found himself in a situation that could easily have led to a sexual encounter, he did nothing immoral or improper. Immorality at the threshing floor during harvest season did take place, and Ruth, after bathing herself, went there in the evening when Boaz was likely to be in a good mood after a meal at the end of the day. Naomi instructed Ruth, "it shall be when he lies down [שָׁכַב], that you shall notice [יִדַּע] the place where he lies, and you shall go and uncover his feet [רַגְלָיו] and lie down [שָׁכַב]; then he will tell you what you shall do" (3:4). As Frederic Bush and Daniel Block argued, these instructions can and should be taken as referring to literal actions without implying that Naomi counseled Ruth to do anything immoral.³² On the other hand, the fact that the terms may also be used euphemistically to refer to sexual activity naturally raises the possibility in the mind of the

³²Bush, *Ruth, Esther*, 152-55. Block concludes "the overtly sexual interpretation exaggerates the significance of Naomi's previous instructions and runs roughshod over the narrator's characterization of both her and Ruth in the story. How could Boaz, also a virtuous person, bless Ruth for her action (v. 10) and characterize her as a supremely noble woman (v. 11) if she was seeking sexual favors from him. [*sic*] Neither Naomi nor Ruth seems interested in sex or progeny at this point. Naomi is driven throughout by a concern to provide more security for Ruth than she, as mother-in-law, can provide." Block, *Judges, Ruth*, 686. Also see Moshe J. Bernstein, "Two Multivalent Readings in the Ruth Narrative," *JSOT* 50 (June 1991): 16-20.

reader that Ruth and Boaz will indeed be immoral.³³ The reader should be genuinely nervous about Ruth and Boaz. They are sympathetic characters, and the reader wants them to do the right thing, but will they? The answer is a definite yes.

That Boaz is acting as a righteous man would act in all the events surrounding his marriage to Ruth is also demonstrated by a play on words. When he first conversed with her in the field, he invoked a blessing on her that her “wages be full from the LORD, the God of Israel, under whose wings [כְּנָף] you have come to seek refuge” (2:12). By coming to seek refuge under the wings of Yahweh, she was “looking to him for protection.”³⁴ Boaz was giving Ruth and Naomi refuge to a degree by allowing her to glean in the field, but he apparently viewed it as something less than full remuneration. When she later asked Boaz to marry her, her specific request was to “spread your covering [כְּנָף] over your maid” (3:9). By the use of this language, she drew an association between the protection of Yahweh and that which she was now requesting from Boaz. “Their marriage was to be the means by which Yahweh protected Ruth and, at the same time, ‘paid her in full’ for her past kindness.”³⁵ And, for both Ruth and Naomi, this marriage clearly was the best means of providing for them. The discussion above demonstrated that marriages of this type were often unpopular with the male because of the sacrifice involved. As discussed in the first lecture, however,

³³Campbell observed that the terms used to describe the meeting between Boaz and Ruth in chapter 3 are fraught with possible sexual overtones. Campbell, *Ruth*, 130-32.

³⁴Block, *Judges, Ruth*, 664.

³⁵Hubbard, *The Book of Ruth*, 212.

one's willingness to make sacrifices for the poor reflected his relationship with Yahweh. Deuteronomy 10:18-19 states that Yahweh "executes justice for the orphan and the widow, and shows His love for the alien by giving him food and clothing. So show your love for the alien." Obedience to this command for most people in most situations would go no further than allowing the poor to glean and treating them justly. For Boaz, it meant marrying her. God did indeed provide for the widow in this instance, but he "worked here not by direct intervention but within righteous human acts."³⁶ Ultimately, then, Boaz will marry Ruth, raise up an heir to the lineage of Elimelech through Mahlon's wife Ruth, and redeem the land of Naomi.

Boaz's Role in the Events. As we all know, Boaz will ultimately marry Ruth and redeem the house of Elimelech. Yet the events leading up to the marriage in Ruth 4 present a legal puzzle not yet fully resolved. Susan Niditch summarized the difficulties germane to the issue.

[Studies] all note that the customs of levirate marriage, land redemption, and inheritance presented in Ruth differ significantly from the laws presented in Deut 25:5ff., Lev 25:25ff., and Num 27:8-11 respectively. For example, in Ruth the supposed levir is not a brother-in-law; the marriage itself is optional rather than obligatory; and so on.³⁷

The problem comes in that the events in Ruth seem to tie the kinsman redeemer function and marriage together in some fashion, requiring some discussion of what that relationship was.

³⁶Ibid.

³⁷Susan Niditch, "Legends of Wise Heroes and Heroines," in *The Hebrew Bible and Its Modern Interpreters* (ed. Douglas A. Knight and Gene M. Tucker; BMI 1; Philadelphia: Fortress, 1985), 452-53.

All the participants in the action (Boaz, the other redeemer, and ten city elders) seem to feel that land redemption and marriage to Ruth are appropriately linked, though the Mosaic law never indicates a kinsman redeemer should or even might marry a propertied widow. In general, there would seem to be three good options for understanding the relationship between Ruth and the Pentateuch that accord Ruth some basis in historical fact.³⁸ First, this problem may exist only because the Pentateuch's law codes are so brief that they do not cover a number of relevant aspects of Israel's law.³⁹ Though the Pentateuch is not explicit on this one situation, everyone would have understood that additional laws or cultural expectations applied. Second, this situation may represent a real legal requirement in Israel that was developed as people attempted to apply the Pentateuch's legal materials to new situations. If so, this solution would still indicate it was viewed as a requirement; the only difference between this and the first option would be the time at which it was viewed as such

³⁸There are a number of ways additional ways to construe Ruth if one views elements of the account as fictional. For example, Robert Gordis argued that this is an example of land redemption, but not of levirate marriage about "a distant and idealized past." Robert Gordis, "Love, Marriage, and Business in the Book of Ruth," in *A Light Unto My Path* (ed. Howard N. Bream, Ralph D. Heim, and Carey A. Moore; GTS 4; Philadelphia: Temple University Press, 1974), 259. I do not interact with that view because I view the text as a truthful record of actual events.

³⁹See the discussion of this issue in chapter 2 of Preston Mayes, "The Resident Alien, Fatherless, and the Widow in Deuteronomy: The Priority of Relationship with Israel's God for Social Benevolence," (PhD diss., Trinity Evangelical Divinity School, 2012). Thompson and Thompson take this approach to Deut 25:5-10. They argue that the law is not meant to cover every conceivable situation, but simply cites the most common one. Thompson and Thompson, "Some Legal Problems in the Book of Ruth," 90.

(Mosaic era versus judges era).⁴⁰ After considering the options, the best solution seems to be that this is a true case of the distinction between legal requirements and moral ideals. If so, this resolution would mean that the law expects only a brother to raise up an heir for the departed; that is the minimum requirement. Anyone from the more extended family—the father’s house, clan, or tribe—might still fulfill the role, but only those truly concerned with the welfare of others would do so.⁴¹ As Hubbard noted in his discussion of the issue, the law codes “constitute instructions about sample or crucial topics from which inferences about all other cases are to be drawn.”⁴² The Mosaic Law focuses on the redeemer’s primary responsibilities: blood vengeance for a murder, and redemption of land, debt slaves, or items dedicated to God. As Tamara Eskenazi and Tikva Frymer-Kensky observed, “the overriding notion of redemption in these four categories of redemption laws is responsibility for a needy

⁴⁰Based on the approach in this dissertation, the law operating in Ruth would have developed out of an attempt to apply the legislation in Deut 25 and the historical example of Gen 38 to a new situation. For a discussion of the proposals regarding the relationship between the three texts, see Timothy M. Willis, *The Elders of the City: A Study of the Elders-Laws in Deuteronomy* (SBLMS 55; Atlanta: Society of Biblical Literature, 2001), 251-53.

⁴¹Baruch A. Levine seems to opt for this approach, arguing that the laws did not actually govern the situation in Ruth and that the author created a fictional legal situation. His goal was to “extol the spirit, rather than the letter of Israelite law, as it functioned in the family and larger clan.” Baruch A. Levine, “In Praise of Israelite *Mišpāthā*: Legal Themes in the Book of Ruth” in *The Quest for the Kingdom of God: Studies in Honor of George E. Mendenhall* (ed. H. B. Huffmon, F. A. Spina, and A. R. W. Green; Winona Lake, Ind.: Eisenbrauns, 1983), 97.

⁴²Hubbard, *The Book of Ruth*, 50. His argumentation for seeing a broader responsibility for the redeemer including marrying a widow, if necessary, is given on pp. 51-52.

relative.”⁴³ The three categories requiring some monetary commitment on behalf of a relative all involved either keeping a kinsman on his land or keeping him from being alienated from it.⁴⁴ They seem to be much more likely situations than the unusual scenario in Ruth (that a woman would lose both married sons before they have children). But ultimately the marriage of Ruth and Boaz performed a function very similar to levirate marriages: to keep Elimelech and Mahlon from being alienated from their land while also providing for Naomi and Ruth.⁴⁵ So, this marriage is consistent with a legal category in Israel (the redeemer), but it is a category more dependent on the moral fiber of possible redeemers than on legal coercion. As Bush concluded, “I agree that there was no legal obligation [to marry], but I would insist that there was a customary obligation, which, though voluntary, was an acknowledged family obligation recognized by the community.”⁴⁶

These legal issues come to the fore once that action moves to the scene in the city gate in Ruth 4. The legal deliberation begins when Boaz introduces the topic of Naomi’s need for land redemption. The introduction is abrupt, and it has raised a number of additional interpretive issues regarding the exact legal status of the land, but regardless of the particulars, Naomi needs one of her close relatives to use his resources so that her field will

⁴³Eskenazi and Frymer-Kensky, *Ruth*, liv.

⁴⁴Sasson, *Ruth*, 138.

⁴⁵On the importance of maintaining the name of a man in Israel, see Thompson and Thompson, “Some Legal Problems in the Book of Ruth,” 84-88.

⁴⁶Bush, *Ruth, Esther*, 226.

not be lost.⁴⁷ The other redeemer was initially willing to do so, and there would be no reason not to. Naomi was old and she had no offspring, so upon her death, the man would add to his land holdings. Helping her now would make him appear generous, but would also be an excellent business decision, and, of course, it would be perfectly legal. It is at this point, however, that Boaz explicitly ties monetary land redemption to a more permanent solution: raising an heir through marriage to Ruth.⁴⁸

When Boaz ties marrying Ruth to redeeming Naomi's land, he is actually acting as a legal advocate for Naomi. It seems highly unlikely that the other redeemer or the rest of the town was unaware of the existence of Ruth. Bethlehem was very small, Naomi's return had created quite a stir, and Boaz had noted not only that people in the town knew of her, but knew enough about her to understand she was "a woman of excellence." Furthermore, people would have known that offspring born to Ruth would be reckoned to Naomi as long as Ruth was attached to her house. On the other hand, the danger appears that this detail will be overlooked in the transaction. Campbell offers a helpful reconstruction of the situation:

⁴⁷The issues raised by the sale of Naomi's land are discussed in Hubbard, *The Book of Ruth*, 52-56, and Bush, *Ruth, Esther*, 211-15.

⁴⁸There is some question regarding who Boaz was proposing would marry Ruth based on whether the Kethib (I acquire) or Qere (you acquire) reading is chosen. The majority of commentators and translations opt for the Qere (see Bush, *Ruth, Esther*, 215-29, for an exhaustive discussion of the issue), and this does appear to be the correct reading. Regardless of the reading chosen, however, the implications are the same: the nearer redeemer does not want to lose financially in this transaction for whether Boaz or he married Ruth a child was likely to be born.

What seems clear is that he [the nearer redeemer] did not reckon on having Ruth. And it must be admitted the circumstances requiring judgment here have become so complex by the time Ruth is introduced as a factor that we can understand the near redeemer's failure to have anticipated it. Somehow, however, what Boaz asserts about the levirate responsibility for Ruth must have been valid; once he broaches it, the near redeemer sees the panorama of consequences.⁴⁹

Frankly, it would have been easy for someone to take advantage of Naomi and Ruth in this situation even if the role of Ruth had been understood. It would have been tempting for a relative to say, "If I don't marry Ruth, I can take advantage of a loophole in the law and ultimately have all of Naomi's land." The legal mechanism could have been used to publicly sanitize such an outcome. The city elders were supposed to act as a check on such abuses, but it is not absolutely certain that "any of the witnesses ... had Ruth in mind, a childless widow of foreign origin, a marginalized figure."⁵⁰ In fact, the interchange between Boaz and Ruth at the threshing floor indicates sometimes widows did *not* remarry according to cultural expectations.⁵¹ So, it might indeed have been assumed by many that Ruth would marry whoever she could and that she was not relevant to any discussions over redemption of the land. So, the situation was primed for an injustice to occur. But Boaz explicitly raised the issue of marrying Ruth, making it part of the negotiations. In effect, he orchestrated "a

⁴⁹Campbell, *Ruth*, 159. See also Hubbard, *The Book of Ruth*, 61.

⁵⁰Kirsten Nielsen, *Ruth* (trans. Edward Broadbridge; OTL; Louisville, Ky.: Westminster John Knox, 1997), 84.

⁵¹ Sakenfeld goes so far as to conclude that "Ruth was not under obligation to remarry in such manner as to preserve the name (memory, lineage) of her dead husband." Sakenfeld, *Ruth*, 72.

scenario [which] places the nearer kinsman in a position where the pressure of public opinion in the gate is brought to bear.”⁵²

We should note two characteristics of Boaz portraying him as the ideal legal advocate for a powerless person. First, he acted solely in the best interests of Ruth and Naomi. Unlike many legal advocates, he did not try to orchestrate the outcome he wanted. He did not let a conflict of interest dictate his actions. If he had wished to marry Ruth very badly, he was still unwilling to ignore the technicality that somebody else had the first right of redemption. He could not sidestep the recognized legal process just to get what he wanted. If he would rather not have married Ruth since doing so included redeeming Naomi too, he was still unwilling to overlook his moral responsibility to the family. At this point it should be remembered that everyone understood there was a nearer redeemer. Boaz might have felt justified in ignoring Naomi and Ruth because somebody else technically had a greater responsibility for them. Any public shame for Naomi and Ruth’s condition would have fallen on the nearer redeemer. But Boaz refused to avail himself of a golden opportunity to use a convenient excuse.

The second characteristic Boaz demonstrates as an ideal legal advocate is that he actively brought the issue to everyone’s attention in the city gate in a way that would force action. Injustices are often perpetrated simply because nobody takes the initiative to address them. But at least as frequently, injustices are perpetrated because the person taking the initiative places all the responsibility for doing so on somebody else. Boaz’s actions avoided

⁵²Ibid., 73. On the nature of this public pressure, see Bush, *Ruth, Esther*, 245.

both problems, assuring that Naomi and Ruth would not suffer because nobody attempted to help them. If the nearer redeemer would marry Ruth, then Boaz was willing to accept the result. But if the nearer redeemer was unwilling to do so, Boaz made himself the backup plan.

Contrasting Foil: The Nearer Redeemer. That Boaz's actions are indeed commendable is evident from a comparison with the closer redeemer. This redeemer was initially willing to redeem the land, but deferred upon learning that marrying Ruth was part of the arrangement. The excuse given, "lest I jeopardize my own inheritance," appears legitimate initially. Perhaps he has a wife and children. If so, he is not actively trying to defraud a widow; he is merely looking to keep his inheritance intact. In the absence of either an explicit assessment by the narrator of his actions or some specific law in the Pentateuch that one may cite to substantiate his guilt, he cannot be put on the same shameful level as Onan in Gen 38. Onan had schemed to make certain his older brother would never have a child and God's displeasure with him was stated unambiguously. Had Onan simply refused to marry her, she might still have had a child through another husband. But Onan was conspiring to keep her childless and steal his brother's rightful place in the family while avoiding any public shame that might come from openly renouncing his levirate responsibility. Nevertheless, despite these differences between Onan and the nearer redeemer of Ruth 4, there is a real possibility that the nearer redeemer was about to knowingly allow a judicial travesty. In Job's oath of innocence, he proclaimed a self-imprecation if "I have lifted up my hand against the orphan, Because I saw I had support in the gate" (Job 31:21). This disavowal of guilt suggests a more subtle abuse of power could

be promulgated in city jurisprudence wherein one “tests the waters” to see if he may get away with some injustice. Boaz’s introduction of the subject had mentioned only the land and had avoided the subject of marriage, so it is possible the redeemer knew the land and Ruth went together, but that he felt he was being given an opportunity to secure the land without added responsibility. Boaz, however, closed this potential loophole.

Whether or not the nearer redeemer intended to commit a judicial travesty, Ruth 4 contains a subtle censure of his decision to defer his responsibility.⁵³ To begin with, the man is referred to using the phrase פְּלִנִּי אֶלְמָנִי (which occurs only here and in I Sam 21:3[Heb. 2], II Kgs 6:8) and is probably best translated “so and so.”⁵⁴ It is unlikely that Boaz did not know the man’s name (Bethlehem was small, and he knew enough about the man to know he was more closely related to Naomi). Even if the narrator had felt it necessary to refer to him generically, “my brother” or “my kin” would seem to be more common options.⁵⁵ For someone who figures so prominently in the narrative, the omission of the name is unusual and is likely an intentional slight.⁵⁶ “Surely such a pointed way of

⁵³Robert Alter discusses the effect that the narrator’s choice of characterization technique has on one’s understanding of an individual in the story. The means used to discuss the nearer redeemer allow him to be construed as both a respected citizen and morally negligent individual at the same time. Robert Alter, *The Art of Biblical Narrative* (New York: Basic Books, 1981), 116-19.

⁵⁴Sasson, *Ruth*, 105-06, and Campbell, *Ruth*, 141.

⁵⁵Hubbard, *The Book of Ruth*, 234.

⁵⁶This conclusion is not universally accepted. See Campbell, *Ruth*, 141-43, for a summary of the options. Berlin, Campbell, Eskenazi, Frymer-Kensky, and Sasson

underscoring the namelessness of this man in a narrative that so carefully names the other protagonists ... subtly creates a less than favorable impression of him and prompts us to suspect a pejorative purpose in the choice of the expression.”⁵⁷ Second, the story records the sandal ceremony used to confirm legal transactions. This ceremony was common at some point in time before Ruth took its final form and was used to solemnize certain transactions. It is somewhat similar in nature to the ceremony recorded in Deut 25:8-10. That ceremony legally shamed a brother who refused to perform his levirate duty by the removal of his sandal. That the ceremonies in Ruth and Deuteronomy are different is clear. In Deuteronomy, it is the woman who pulls off a sandal and then spits in his face of her brother-in-law. Furthermore, only Deuteronomy explicitly attached a derogatory epithet to the man, whose name became “the house of him whose sandal is removed” (25:10). And yet, there is no need for the narrative to take two verses to first explain the meaning of the outdated ceremony and then indicate that it was performed. It might have just noted that the transaction was completed and moved on to the next event. So, the mention of a ceremony similar to the shaming of the unwilling levir in a similar context where raising up an heir is an issue draws up a negative association in the mind of the reader regarding what is taking place.⁵⁸ Though the greater distance from Naomi does not make the redeemer explicitly

ultimately reject this reason for the phraseology. Block, Bush, Hubbard, Linafelt, Nielsen, and Sakenfeld all accept the notion that at least a moderate censure is intended.

⁵⁷Bush, *Ruth, Esther*, 197.

⁵⁸Tod Linafelt also notes the nature of this connection. Tod Linafelt, “Ruth,” in *Ruth and Esther* (Berit Olam; Collegeville, Minn.: Liturgical Press, 1999), 71-72. See also Sakenfeld, *Ruth*, 75. As explained in Hubbard, *The Book of Ruth*, 248, it also functions as a literary pause. He explains: “The break allowed the audience to absorb the momentous

responsible to raise up an heir for her house, at least a moderate level of censure can be substantiated.

Finally, the blessing formula offered by the people in the city gate upon the completion of the transaction makes the redeemer's excuse that he would mar his own inheritance appear disingenuous. Ruth 4:11-12 reports the blessing of those present at that time:

May the LORD make the woman who is coming into your home like Rachel and Leah, both of whom built the house of Israel; and may you achieve wealth in Ephrathah and become famous in Bethlehem. Moreover, may your house be like the house of Perez whom Tamar bore to Judah, through the offspring which the LORD shall give you by this young woman.

The syntax of the phrase emphasizes the positive nature of the request as "Boaz's well-being, reputation, and posterity are at the center of the chiasmic structure of the blessing pronounced upon him by the crowd."⁵⁹ The reference to Perez may also be suggestive of attaining prominence, for his offspring "had bypassed older clans to achieve preeminence in the tribe of Judah."⁶⁰ The phrase "built the house" is also used in Deut 25:9 and is "one of the rather few verbal correspondences between the levirate passage in Deuteronomy and the Ruth

significance of v. 6. It also slowed the story's pace slightly, thereby extending the suspense and setting off the episode's conclusion from what preceded."

⁵⁹ Linafelt, "Ruth," 74. The translation difficulties present at the end of v. 11 are not germane to the present discussion as all possible interpretations view the blessing as positive for Boaz. See the discussion in Bush, *Ruth, Esther*, 240-42.

⁶⁰ Hubbard, *The Book of Ruth*, 12.

story.”⁶¹ As the genealogy at the book’s end indicates, this advancement did indeed happen as Boaz became the great-grandfather of David. The unnamed redeemer apparently did the reverse of what he was attempting to do: he jeopardized his inheritance by *not* redeeming Naomi’s land and marrying Ruth. In addition to this direct commendation of Boaz, a phrase and an allusion in the blessing are at least somewhat suggestive of a certain dereliction of duty on the part of the nearer redeemer.

Summary. Boaz took definitive steps to serve a troubled family line within Israel. Had it been left to the other redeemer, would this good outcome have happened? The implication is no, it would not have happened. The reference to Perez in the context only strengthens this allusion. He was born only because a secondary levirate marriage occurred, albeit one that involved Tamar tricking Judah into being immoral.⁶² Any son born of Ruth would also be born only because of a secondary marriage to a more willing redeemer. Though levirate marriage and that of Boaz and Ruth are ultimately different, both marriages secured the same objective, and the association is one that again casts Boaz as a positive figure and the nearer kinsman as a negative one.

Ruth as a Model for Social Justice

Ruth’s treatment of her mother-in-law most properly operated within the realm of family ethics, but it does have a certain relevance to social justice. Ruth did not

⁶¹Campbell, *Ruth*, 153.

⁶²See Block, *Judges, Ruth*, 724, for a comparison of Ruth and Tamar. There are similarities, but also significant differences between the actions of Tamar and Ruth.

have the status that Boaz enjoyed; she was not a male landowner with significant agricultural resources. And yet, she offered all that she had in her attempt to aid Naomi: her labor in the field and her ability to bear a child for the house of her departed husband.

Ruth's initial decision to immigrate to Israel is recorded in Ruth 1. As discussed above, this decision involved a willingness to embrace an uncertain future and to disregard the impassioned plea of Naomi to return to her mother's house to seek better marriage prospects. It is stated initially in terms of a personal commitment to go with Naomi, to live where she lives and to adopt her people as her own. But it is fundamentally a commitment to adopt the God of Israel as her God. As Daniel Block argued, "ancient Near Easterners appear to have had difficulty contemplating a politically unified people without at the same time recognizing that people as being under the protective supervision of a particular god."⁶³ Naomi's statement that Orpah had "gone back to her people and her gods" (1:15) clearly testified to this fact. Most people in the ancient Near East would have understood the theological orientation of this decision as a choice to fall under the protection of a particular national deity, at the very least. So this was a way of saying that Israel's God was insufficient to meet one's needs in a crisis situation. The seriousness of Ruth's

⁶³Daniel I. Block, *The Gods of the Nations* (2d ed.; ETSS; Grand Rapids, Mich.: Baker, 2000), 73. Elsewhere Block sees Ruth's choice as something less than a conversion (Block, *Judges, Ruth*, 641). That this choice should not be construed as indicating Ruth had genuine faith in Yahweh, however, is at odds with the theological thrust of the Pentateuch, which indicates that Yahweh himself provides for Israel in his land in response to their faith in his promise to do so. See the critique of Block in K. Lawson Younger, Jr., *Judges/Ruth* (NIVAC; Grand Rapids, Mich.: Zondervan), 425n52. Younger cites both Ruth's actions and her confession as signs she is a believer in Yahweh.

commitment is indicated in a number of ways. Naomi was unable to dissuade Ruth from this action even though her argument was sound. The verb used to indicate Ruth clung to Naomi (קָרַב) and the meristic word pair that Ruth uses to promise she will go anywhere Naomi goes (1:16) indicate the firmness of her resolve to accompany her mother-in-law back to Israel.⁶⁴ The final indication is also the most solemn as she attaches an oath to her commitment, “thus may the LORD do to me, and worse, if *anything but* death parts you and me” (1:17).

Ruth’s character and choices were the basis of her acceptance in Israel as a resident alien free to reside in the land. In this case, it led to the highest possible inclusion in the community: a marriage into an Israelite family. As the second lecture indicated, a resident alien could be accepted within Israel based on demonstrated commitment to Israel’s God. That commitment might take many forms, but Ruth’s choices clearly indicate she had made one. Historically, immigrants to many countries go to them in search of a better life. Ruth, however, was embracing what appeared to be a much harder life by embracing a family duty. Given the reluctance of men to voluntarily contract redeemer marriages and Naomi’s status, Ruth’s prospects for marriage were not good. But much more than embracing the family, she was embracing Israel’s God. Though she had no power as a female immigrant, she exercised the same sort of faith as Abraham in Genesis.

Contrasting Foil. As Boaz had a foil in the nearer kinsman, Ruth had a foil in Orpah. Orpah had apparently been a good daughter-in-law, for when Naomi released both women she blessed them, requesting that “the LORD deal kindly with you as you have dealt

⁶⁴Ibid., 423-24.

with the dead and with me” (1:8). One would expect that a trusted daughter-in-law, somebody that had been in the family for the better part of a decade, would have enough family loyalty to remain committed to it in the midst of a crisis. But the truth is that commitment to Yahweh is the foundation of all sorts of ethical decisions, both social and familial, and when the moment of decision came, Orpah decided to return to Moab instead of going to Israel. Now, one might argue that she was simply obeying the firm wishes of Naomi and is not directly censured by the narrator himself. Indeed, seeing her actions as deficient does not necessarily put her in the same class as one who would scheme to legally defraud a widow. There are several problems, however, with not attaching at least some level of censure to Orpah. First, Naomi’s assessment of the situation was indeed correct: Orpah had “gone back to her people and her gods” (1:15). Orpah’s knowledge of Israel’s faith is something of a matter of conjecture, but a foreign wife may have been expected to simply adopt the worship practices of her new family.⁶⁵ Assuming that Orpah would have known at least as much as Ruth it can be considered a repudiation of Israel’s God once she was placed in a position where the genuineness of her commitment would be tested. It is certainly the type of choice incompatible with faith in Yahweh. Second, there is a definitive personal cost in having a proper sense of familial or social ethics. In a case where family commitments should have produced loyalty, the text draws attention to the theological core instead. It is a theologically produced sense of family loyalty that has definite social

⁶⁵Joel S. Kaminsky, “Did Election Imply the Mistreatment of Non-Israelites?” *Harvard Theological Review* 96 (2003): 414.

implications, for only by Ruth's actions will Naomi's land and Elimelech's name be rescued from oblivion. "That is the narrator's point: Orpah did the sensible, expected thing, Ruth the extraordinary and unexpected."⁶⁶ So, looking out for one's interests even when family expectations and needs would seem to demand self-sacrifice for the good of someone else was a problem.

Summary and Application

Summary. Naomi, an *almanah* widow, is in the most vulnerable position in the book: she is old and widowed with no sons. Of course, there is an obvious solution for her problem. Either Ruth or Orpah can marry a close relative and have a son. The son will inherit the estate of Elimelech and Naomi will be cared for in her old age. But though the solution is obvious, it is also unlikely. Boaz and the nearer redeemer might meet the need, but most men in similar situations are unwilling to do so. As Naomi and her daughters-in-law return to Bethlehem, all of them know that Naomi is in a bad position. As long as Ruth and Orpah stay with Naomi, they are in the same bad position. When Naomi offered to free them from their obligations, it would have been difficult to turn down the offer. Relatively young and freed from a bad situation, they could probably find somebody to marry back in Moab.

In terms of Biblical Theology, the book of Ruth is an illustration of the theology of the widow, fatherless, and resident alien previously laid out in the Pentateuch. This theology states that social ethics are truly an outgrowth of one's relationship with the

⁶⁶Hubbard, *The Book of Ruth*, 115-16.

Lord. If there were any reasonable substitution for it, we would think family would be it, and that a sense of obligation to family would motivate the right behavior. And on some level in a culture with a strong sense of family ties, it does motivate. But a simple sense of family duty seldom leads a person to act in accordance with the highest ideals, the desire of the Lord. Orpah and the nearer redeemer illustrate that fact all too well. To fully appreciate the limits of family ties we should again note the distinction between law and moral ideals developed in lecture one. The Mosaic Law often spells out a minimum allowable requirement. It does not always attempt to establish ideals by force of law. Orpah and the nearer redeemer could sidestep their family duties without overt public shame. The book of Ruth's discussion of both, however, notes their omissions, adopting a stance toward them best labeled as "passive aggressive."

At a timeless application, we should note the emphasis of the Pentateuch on the family as a major consideration in issues of social justice. In Ruth, all of the responsibility for the widow and fatherless take place within the family and extended family. They are most likely to glean in the fields of others in their clan or tribe. And the long term needs are most likely met by those in the immediate or extended family. And this is the point at which the modern social justice movement fails most dramatically. Where is its emphasis on these primary responsibilities? Some social justice warriors adopt a stance of moral outrage toward anything they perceive as unjust. And, of course, injustice exists in the world, so such moral outrage is not unwarranted. But might not moral outrage actually be virtue signaling and blame shifting? Indeed, it seems very much like a refusal to take the log

out of your own eye before trying to take the log—or maybe even the speck—out of your brother’s eye.

Often, ignoring personal responsibility has manifested itself as a lackadaisical attitude toward the marriage bond. Divorce has become socially acceptable. Some refuse to marry altogether for selfish reasons. Often, this leads to cohabitation with a partner. These arrangements are normally justified by asserting that a loving heart commitment is all one needs, that a marriage ceremony is unnecessary. But I do not think Boaz would have agreed. Strong family ties and a strong sense of family responsibility are critical to the functioning of a society, and they begin with marriage. How many of the social problems we have would disappear if people took even a basic level of personal responsibility for their family? People can sidestep moral family obligations in a way that still appears legal and even socially acceptable. But true social justice requires that I tend to my own family.

And, finally, everyone interested in social justice should take stock of the effect they are having on the collective social consciousness. Personal responsibility for problems does seem to have been drown out by the din of the social justice movement. Ron Haskins summarized from a secular perspective the way in which an emphasis on a family oriented, personal responsibility emphasis might bear fruit:

Let politicians, schoolteachers and administrators, community leaders, ministers and parents drill into children the message that in a free society, they enter adulthood with three major responsibilities: at least finish high school, get a full-time job and wait until age 21 to get married and have children.

Our research shows that of American adults who followed these three simple rules, only about 2 percent are in poverty and nearly 75 percent have joined the middle class (defined as earning around \$55,000 or more per year). There

are surely influences other than these principles at play, but following them guides a young adult away from poverty and toward the middle class.⁶⁷

I know that the economy has become a complicated issue in the last few years. People have economic problems due to a variety of reasons. But certainly one of those reasons is an underemphasis on family. When that fundamental social problem is not emphasized as a solution to many problems, those other problems are given more attention than they deserve and the maintenance of the family is given less attention than it deserves. Such an emphasis, however, should be recovered; it is helpful at all times, whether good or bad, for the maintenance of society.

⁶⁷ Ron Haskins, “Three Simple Rules Poor Teens Should Follow to Join the Middle Class,” The Brookings Institute, March 13, 2013, <https://www.brookings.edu/opinions/three-simple-rules-poor-teens-should-follow-to-join-the-middle-class/>, accessed 2/6/21.