

GOD DESIRES JUSTICE
Teaching-Learning Resources
BAPTIST LEADER

August 2, 1981

Thomas McDaniel

Background Scripture: Deuteronomy 16:18–17:20; 24:1–22

Key Passage: Deuteronomy 16:18–20; 24:10–15, 17–19

[Page 35]

The Biblical Background

This lesson brings us to the end of Unit II, “Laws to Live By,” which has dealt with Moses’ second discourse in Deuteronomy 4:44–26:19. In the previous eight lessons we considered selected passages from fifteen of the thirty-four chapters in Deuteronomy. This lesson alone must span ten chapters, for the next lesson moves on to the third discourse of Moses in 27:1–30:20.

The fifty legislative units in Moses’ second speech can be organized around certain themes. The last “Teaching-Learning Resources” included a list of those legislative units that dealt with worship. The following is a similar listing of those laws that are generally related to today’s theme, “God Desires Justice.” The list incorporates five categories: (1) government, (2) the military, (3) family, marriage, and sex, (4) the criminal code, and (5) the “social gospel.”

1. Government — 16:18–20 (local court/judges); 17:8–13 (central court of judges and Levites); 17:14–20 (office of king).

2. The military — 20:5–9 (exemptions); 20:10–20 (the choice offered to besieged cities); 21:10–14 (treatment of female captives); 24:5 (exemption for newlyweds); 23:3–9 and 25:17–19 (friends and foes).

3. Family, marriage, and sex — 21:15–17 (fathers with two wives); 22:5 (men’s and women’s attire); 22:13–30 (adultery,

GOD DESIRES JUSTICE

rape, and incest); 23:17–18 (cultic prostitution); 24:1–4 (divorce and remarriage); 25:5–10 (care of a brother’s widow).

4. Criminal code — 19:1–21 (manslaughter, murder, property, witnesses); 21:1–9 (murder cases); 21:18–20 (rebellious son); 21:22–23 (hangings); 24:6, 10–12 (illegal loan securities); 24:7 (kidnapping); 24:16 (capital punishment); 25:1–3 (forty stripes); 25:11–12 (foul fights); 25:13–16 (honest weights and measures).

5. The “social gospel” — 15:1–18 (seventh-year release from creditors); 18:1–18 (provision for landless Levites); 22:8 (safety parapet for roof of house); 23:15–16 (freedom for escaped slaves); 23:19–20 (usury); 23:24–25 (a neighbor’s food); 24:11–13 (poor person’s coat); 24:14 (work/payment of the poor); 24:17–22 (widow, orphan, and alien); 25:13–16 (honest weights/measures). The comments that follow will focus primarily on the first and fifth categories.

God’s desire for justice as demonstrated in this list from the second discourse, reflects in many ways the ancient and universal desire for justice and righteousness. The Mosaic legislation has numerous parallels in the law codes and legends of the ancient Near East. Three examples will put our lesson on justice in its cultural context.

In the famed Law Code of Hammurabi,¹ the monarch of the Old Babylonian Dynasty (who reigned from 1728–1686 B.C.) envisioned himself as having been appointed by

1. See the translation of Theophile J. Meek in *Ancient Near Eastern Texts Relating to the Old Testament*, 2nd ed., ed. James B. Pritchard (Princeton: Princeton University Press, 1955), pp. 163–180. The quotations are from pp. 164, 165, and 178.

GOD DESIRES JUSTICE

the gods to establish justice. He wrote,

Anum and Enlil named me to promote the welfare of the people, me, Hammurabi, the devout, god-fearing prince, to cause justice to prevail in the land, to destroy the wicked and the evil, that the strong might not oppress the weak . . .

These words from the prologue of the Code are reinforced by a statement of his achievements: “I established law and justice in the language of the land, thereby promoting the welfare of the people.” In his epilogue he concluded, “I made an end of war; I promoted the welfare of the land . . . in order that the strong might not oppress the weak, that justice might be dealt the orphan (and) the widow . . . to give justice to the oppressed.”

In Canaan as well as in Babylon, there were some who were gravely concerned about justice and the needs of the poor and the oppressed.. In the Canaanite legend of King Keret² the story ends as follows, reflecting a Canaanite concern for justice for the poor. The king’s son, named Yassib, goes to his father with the request that the king step down from the throne because he is too ill. The son is concerned about the deteriorating social scene during the king’s prolonged illness. In these words he requests the abdication so he can become king: “Thou canst not judge the case of the widow, canst not try the case of the wretched, canst not put down them that despoil the children of the poor, canst not feed the orphan before thy face and the widow behind thy back, when thou art brother to a bed of sickness.”

2 . See G. R. Driver. *Canaanite Myths and Legends* (Edinburgh: T & T Clark, 1956), pp. 29–47. The quotation is from p. 47.

GOD DESIRES JUSTICE

The young prince's concern was not with his father's failures in war or the protection and expansion of an empire. He recognized that the enemy was from within and that the battleground was in the arena of social issues. The legend ends on a tragic note. King Keret, too weak to kill his son whom he sees as a pretender, places a curse upon Yassib that the gods crush his skull for his [page 36] impudent profaning of the king's reputation. The legend ends at this point, but the quest for justice for the poor and the oppressed lives on in our Judeo-Christian heritage, waiting yet to be fulfilled.

The third illustration is from Babylonian wisdom literature. One text, written sometime before 700 B.C., reads as follows: "Unto your opponent do no evil; Your evildoer recompense with good; Unto your enemy let justice [be done] . . . Give food to eat, give date wine to drink; The one begging for alms, honor, clothe."³ These lines have long been associated with the Sermon on the Mount (Matthew 5:38–45) and numerous Old Testament parallels like Proverbs 24:17,

Do not rejoice when your enemy falls,
and let not your heart be glad when he stumbles;

and Proverbs 25:21,

If your enemy is hungry, give him bread to eat;
and if he is thirsty, give him water to drink.

The revelation to Moses matched these ethical and moral aspirations in the ancient Near East. Injustice most frequently occurred—as it *still* does—in the treatment of the poor. Although it was presumed possible that there would be no

3. See the translation of Robert H. Pfeiffer in *Ancient Near Eastern Text Relating to the Old Testament, op. cit.*, pp.425–427.

GOD DESIRES JUSTICE

poverty in Israel, provisions were made for the disadvantaged. (Note Deuteronomy 15:4–5, “But there will be no poor among you . . . if only you will obey the voice of Yahweh.”) The commonly repeated phrase in biblical and nonbiblical texts, “the widow, the orphan, and the sojourner (alien),” was the ancient expression for referring to the poor. It was a very appropriate expression, even in Israel. Once “holy war” theology moved away from permitting God to do all the fighting for Israel—as God did at the Red Sea—and moved to legitimate Israel’s fighting for or in lieu of Yahweh, provisions had to be made for a soldier’s next of kin. Surviving widows, unlike captured virgins, had little opportunity to marry. Without a base of support provided by the male head of the house, the widow was as badly off as the orphan or the displaced refugee. Lacking the opportunity for employment, the widow, the orphan, and the refugee became dependent on the community for life support. Justice was defined largely by issues related to the care of these helpless people.

In Israel it was recognized that it was not God’s will that the poor remain poor. Echoing the words of Moses, “There will be no poor among you,” the song of Hannah in 1 Samuel 2:8 claimed,

He raises up the poor from the dust;
he lifts the needy from the ash heap,
to make them sit with princes
and inherit a seat of honor.

As noted in the previous lesson, the tithe (especially the third year’s tithe) was to be used to alleviate the economic plight of the poor and landless. In addition to the charitable distribution of the tithe, the poor were given the right to glean the harvested fields and vineyards (Deuteronomy 24:19–21) or even

GOD DESIRES JUSTICE

enter a neighbor's fields before the harvest to satisfy their hunger (23:24–25).

Laws related to slavery were also designed to offer some protection to the poor. Israelites could voluntarily enter a slave status (Exodus 21:5–6), or they could forcibly be sold into slavery for defaulting in the payment of their debts (2 Kings 4:1; Exodus 22:2). Defaulting debtors sometimes opted to run from their creditors, like those who gathered around David before he became king. Others willingly entered slavery and were content to remain there the rest of their lives for reason of economic security or in order to stay with their wives and children who legally were the property of the slave owner and had to remain with the owner (Exodus 21:5–6; Deuteronomy 15:16–17). Provisions were made to make the slave system humane. The freedom of an escaped slave was guaranteed (Deuteronomy 23:15–16); servitude was limited to a six-year term (Exodus 21:2–4; Deuteronomy 15:12); freedom came to all in the year of jubilee (Leviticus 25:39–55); freedom was granted a slave when he or she was permanently maimed by his/her master (Exodus 21:26–27); and the slave who gained his or her freedom was to be furnished liberally out of the assets of his or her master (Deuteronomy 15:12–18).

The seriousness with which injustice for the poor was viewed in Israel is apparent from the curse pronounced from Mount Ebal at the instruction of Moses: “Cursed be he who perverts the justice due the sojourner, the fatherless, and the widow . . . (Deuteronomy 27:19). Wherever funds for the poor were collected or disbursed, there was opportunity for abuse and bribery. Not all cases were clearly indisputable. Consequently, the courts in Israel were called upon to

GOD DESIRES JUSTICE

establish and protect the rights of the poor justly. This was not the only reason courts were established, but it was one of the major reasons.

Provision was made for at least two types of courts. The first was the local court that convened at the gates of the various cities under the jurisdiction of an appointed judge (Deuteronomy 16:18–20). He was to judge with “righteous judgment,” i.e., a legitimate conclusion based upon the stipulations of the covenant and well-established precedent. The judge was instructed, “You shall not pervert justice; you shall not show partiality; you shall not take a bribe, for a bribe blinds the eyes of the wise and subverts the cause of the righteous. Justice, and only justice, you shall follow, that you might live(16:19).

Difficult cases before the local court that could not be resolved were taken to the second type of court—one that convened at the central sanctuary/sanctuaries. The cases frequently involved homicide or assault. A decision would be offered by the presiding judge and the Levitical priest, which was absolutely binding and could not be appealed (Deuteronomy 17:8–13). A prophet, such as Samuel, was able to function as a “circuit rider,” going from town to town (1 Samuel 7:15–17).

During the monarchy the king became the judge *par excellence* who was to judge with wisdom and justice. The king was authorized to appoint judges (1 Chronicles 23:4; 2 Chronicles 19:5) and invest them with local authority. But the king remained the supreme judge, appointed and anointed by Yahweh. Deuteronomy 17:14–20 suggests that the office of king was anticipated by [page 37] Moses, just as Genesis 17:6 suggests that the presence of a king over Israel was a part of

GOD DESIRES JUSTICE

the covenant with Abraham. In view of the strong statements by Samuel against an Israelite monarchy (1 Samuel 8:10–22; 10:1 27), as well as the confession of sin by the Israelites in 1 Samuel 12:19, “Pray for your servants to Yahweh your God, that we may not die; for we have added to our sins this evil, to ask for ourselves a king,” the pro-monarchy tradition may reflect a later Israelite tradition. (Compare the pro-monarchy tradition in 1 Samuel 9:15–17; 10:1.)

All Israelites, from the king down to the poor citizen, were under the covenant obligation of establishing justice in their land of promise. Although all the people said “Amen!” when they were called upon to affirm covenant obligation, injustice became a daily reality and the goal of justice-without-partiality was lost, as lost as the book of the covenant. The prophets lament the injustice rampant in both the Northern and Southern Kingdoms. Amos identified the transgression of the people of Judah as follows:

. . . they sell the righteous for silver
and the needy for a pair of shoes—
they . . . trample the head of the poor
into the dust of the earth
—Amos 2:64

He also condemned the people of the Northern Kingdom

who oppress the poor, who crush the needy,
who afflict the righteous, who take a bribe,
and turn aside the needy in the gate [of justice].
—Amos 4:1; 5:1

For such violation of the covenant requirement of justice both Judah and Israel were destined to reap the curses listed in Deuteronomy 28:20–68. It was the preoccupation with the

GOD DESIRES JUSTICE

place of worship and the form of worship that preempted the priority of social justice as the true content of worship and religion. The words of Amos sum up the spirit of the Law,

I hate, I despise your feasts,
and I take no delight in your solemn assemblies. . . .
I will not accept them. . . .
But let justice roll down like waters,
and righteousness like an ever-flowing stream.

—Amos 5:21–24

Interpreting the Biblical Lesson

Deuteronomy 16:20 —“Justice, and only justice, you shall follow, that you may live and inherit the land which Yahweh your God gives you”

Without justice the inheritance of the land would be in jeopardy. The promise of the land was always conditional on obedience to the Law, and the essential ingredient in all the laws was justice. The Hebrew word for justice (*mishpat*) is derived from the verb *shapat*, “to judge.” It designated a right that had been established by law, covenant, and legal precedents derived from the covenant. The word “righteous” is frequently used to modify justice. To be righteous, in the biblical sense, means that an action, a decision, or a verdict had to be legitimate, consistent, and impartial. It did not connote a nebulous condition of piety. A self-righteous person was one who applied the law to oneself in a way he or she would not apply it to others, i.e., the law was bent to accommodate self-interest. Justice could not tolerate such partiality. “Justice” and “righteous” were not “religious” terms but legal terms. Consequently, justice could only be as good as the laws behind it, and for this reason a third term was commonly used in conjunction with justice and righteousness, namely, mercy.

GOD DESIRES JUSTICE

A law that did not pass the “mercy test” could be legitimately enforced, but it would never produce justice.

Deuteronomy 24:10—“When you make your neighbor a loan . . . , you shall not . . .”

In proverbial literature it was recognized that “the borrower is slave of the lender” (Proverbs 22:7*b*), but the rights of slaves were well protected in Israel. The borrower was granted the right of privacy, for the lender could not enter the borrower’s home and select whatever one wanted as a security for the pledge. The security offered for the loan was at the prerogative of the borrower. If poor persons secured a loan by the clothes they were wearing, the clothes would have to be returned at sunset so that the persons need not sleep semi-nude. Lending was to be tempered by mercy, for without mercy there was no real justice, just legalism.

Applying the Lesson to Life

The author of Psalm 37 had stated the case well for applying justice and righteousness to the act of lending and showing mercy,

. . . I have not seen the righteous forsaken
or his children begging bread.

For Yahweh loves justice.

The righteous shall possess the land,
and dwell upon it for ever.

—Psalm 37:25–29

Jesus combined the motifs of Psalm 37, cited here, and Proverbs 19:17 in his parable in Matthew 25:31–46, “Come, O blessed of my Father, inherit the kingdom prepared for you from the foundation of the world. . . . Truly, I say to you as you did it to one of the least of these my brethren, you did it to me” (vv. 34, 40).