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Economic and Social Reparations: The Jubilee as Biblical Formation for a More Just Future

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During the last decade, there has been a resurgence of discussion about reparations for black and indigenous Americans, inspired in large part by Ta-Nehisi Coates's bracing 2014 *Atlantic* essay, "The Case for Reparations."[1] I write not as an expert on reparations, but as a privileged, white, male biblical scholar[2] who has become convinced that (especially white members of) the Christian community in North America must be at the forefront of reflection about and the enacting of economic and other social forms of reparations.[3] What follows is a brief attempt to

[1] Ta-Nehisi Coates, "The Case for Reparations," *The Atlantic Monthly* 313, no. 5 (2014): 54–71. The article was republished with other works and extended reflections by the author, in *We Were Eight Years in Power: An American Tragedy* (New York: One World, 2017), 151–207. Among numerous recent titles, see William A. Darity and A. Kirsten Mullen, *From Here to Equality: Reparations for Black Americans in the Twenty-First Century* (Chapel Hill: The University of North Carolina Press, 2020); and, from a Christian perspective, Duke L. Kwon and Gregory Thompson, *Reparations: A Christian Call for Repentance and Repair* (Grand Rapids: Brazos, 2021).

[2] Further, I identify as, among other things, a fifty-something, cisgender, heterosexual, able-bodied, married, educated, homeowning, Protestant (Presbyterian) Christian, well-educated, tenured college professor.

[3] All forms of reparations are, of course, inherently economic and social at the same time. Money and financial concerns are always at issue, whether in reference to stolen bodies, labor, land, wealth, and

The question about paying reparations to the descendants of enslaved Americans has a long and sometime difficult history. Without endorsing a specific proposal for reparations, this article suggests that there is a theological and biblical necessity for Christians to support such proposals.

highlight some biblical imagery that may help form and shape churches to begin to address past and present injustices—in part, at least, by means of reparations.[4]

Opposition to reparations—whether for contemporary indigenous, black, or other communities—often turns on utilitarian and libertarian reasoning, moral logics that are almost as "American" as apple pie, we might say. Utilitarian and libertarian forms of reasoning regularly serve to underscore both the theoretical and the practical difficulties involved in making restitution for historical injustices, whether through financial reparations or other types of structural adjustments aimed at restitution (e.g., affirmative action).[5] These logics often fail to foster change and redress that go beyond the superficial and episodic.

The typical outcome, if not the objective, of utilitarian and libertarian reasoning regarding reparations is to leave the past in the past—to attempt to move toward an eventually less fraught social reality without adequately taking stock of contemporary evidence that past (and, of course, present) injustice continues to have negative, intersectional impacts.

Ultimately, utilitarian and libertarian forms of moral reasoning are inadequate for Christian discussions of restorative justice and, specifically, reparations. Not only is biblical reasoning unswervingly attentive to historical and contemporary realities "on the ground," but, informed and shaped by divine purposiveness (the *missio Dei*), it imagines and encourages radical and creative possibilities in the face of the pragmatic challenges that confound contemporary moral logics. After we consider how utilitarian and libertarian logics fall short, we will turn to Jubilee imagery in Leviticus 25 to explore an alternative and exegetically robust biblical logic that could support arguments in favor of contemporary reparations, despite the theoretical and practical difficulties highlighted by utilitarian and libertarian objections.

Utilitarian Moral Logic

From a utilitarian perspective, in which the ends ultimately legitimate the means, outcomes and consequences are all-important.[6] Inasmuch as utilitarian moral logic focuses almost exclusively on the results of decision-making, and since it is usually impossible to foresee or guarantee such results, the range of options for potentially sound decisions may appear limited. For example, in social contexts, policies that could eventually threaten the hegemony and status quo of

opportunities or to redress for these and other forms of theft.

[4] This essay stops short of making a prescriptive argument for specific models or forms of reparations. My aim is merely to demonstrate that biblical moral logics would seem to suggest the theological necessity of contemporary Christian participation in advocating for and actively enacting reparations.

[5] See, for example, David Horowitz, "Ten Reasons Why Reparations for Slavery Is a Bad Idea for Blacks—and Racist Too," *The Black Scholar: Journal of Studies and Research* 31, no. 2 (2001): 48. The set is one of the most well-known and long-standing opponents of reparations for Black Americans. At least several of his ten points are rooted in utilitarian and/or libertarian reasoning.

[6] For an accessible and helpful introduction to utilitarian reasoning, see Michael J. Sandel, *Justice: What's the Right Thing to Do?* (New York: Farrar, Straus & Giroux, 2009), 31–57.

the majority are regularly rejected as legitimate possibilities. Indeed, inequities characteristic of the status quo are often maintained in utilitarian logic through appeal to the impracticalities and unknowns of potentially challenging choices. If the route toward a potentially ideal outcome appears challenging, or the end result is largely unpredictable, practical matters—more than explicitly moral considerations—tend to dominate discussion and debate.[7] In short, initiatives aimed at making restitution for past injustice often founder on the rocky shores of *pragmatic* challenges. Obvious and important questions—about such matters as who, why, in what context, for what reason, in what form, and how—often function less as invitations for exploration and creativity than as the means by which serious reflection and sustained action in support of reparations can be derailed relatively early in the discussion.

To be sure, utilitarian decision-making is at least theoretically committed to a maximum welfare model—often understood in terms of "the greatest good for the greatest number." *In theory*, utilitarian reasoning enables the widest possible consideration of what should be done in any complex scenario. If the circle of welfare to be maximized is extended far enough—across human and other diversities, species, and generations—choices that would have appeared impractical or even wrongheaded in more circumscribed analyses may begin to seem more reasonable, practical, and even necessary.

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In practice, however, maximization of welfare is usually conceptualized in limited terms, both socially and temporally—as is usually the case with reparations. Indeed, utilitarian logic tends to privilege and justify the limited scope of well-being envisioned by societal majorities—or, in real-life contexts characterized by significant power imbalances, by powerful and influential minority

[7] Among the practical problems cited in Horowitz's "Ten Reasons," he claims that "there is no single group clearly responsible for the crime of slavery"; "there is no one group that benefited exclusively from its fruits"; "America today is a multi-ethnic nation and most Americans have no connection (direct or indirect) to slavery"; "the historical precedents used to justify the reparations claim do not apply, and the claim itself is based on race, not injury"; "the reparations argument is based on the unfounded claim that all African-American descendants of slavery suffer from the economic consequences of slavery and discrimination." From Horowitz's perspective, therefore, reparations are both impractical and unjustifiable.

perspectives.[8] Social location is, of course, a crucial and often definitive consideration here; those who benefit from the status quo tend to resist change.

The wisdom of the majority is not necessarily wise, however. Unsurprisingly, the inscrutable nature of the future can effectively shield potential majoritarian foolishness from the kinds of scrutiny that opposition to status quo "wisdom" (in the name of wider circles of well-being) regularly receives. The result is often an insufficiently broad consideration of potential benefits and an inadequately critical engagement with social and historical realities. Potentially misguided calculations regarding risk today versus reward tomorrow are difficult to falsify.[9] Failure to discuss reparations seriously is a case in point.

Libertarian Moral Logic

Libertarian reasoning, for its part, does take seriously the threat to individual and minority well-being that results from the tendency of utilitarian logic to valorize and enshrine majoritarian impulses. Libertarian commitments to autonomy and self-ownership necessitate protection—and thus defense—of individual rights, which naturally leads to an emphasis on present-day contracts and procedures—and the moral responsibility to uphold and abide by them.[10] The potential implications for the future of such present-focused reasoning usually receive less consideration. (Think, for example, about the trope of the anti-tax libertarian who expects to benefit from communal firefighting resources when her house is ablaze.)

Special challenges arise when the limited scope of responsibility envisioned in libertarian moral logic meets past injustice. Arguments that "it wasn't me—I wasn't there" and "I'm not the problem—personally, I don't treat people unfairly" are ubiquitous in the United States, and often carry significant weight in debates about historical injustice and the possibility of making restitution for past wrongs.[11] Many are loath to admit that contemporary social structures and privilege, coupled with widespread inaction (and thus complicity in the injustice), enable them and others to benefit from inequities, past and present. It is difficult

[8] Sandel, *Justice*, 210. Sandel notes that, in general, one of the primary drawbacks of utilitarian reasoning is the way in which it allows the will of the majority to override legitimate minority concerns. He cites polling data indicating "that while a majority of African Americans favor reparations, only 4 percent of whites do." He also reminds readers that Representative John Conyers, who died in 2019, sponsored legislation (House Resolution 40) to study reparations for slavery every year since 1989. In 2021, HR 40 was finally passed out of committee, paving the way for its consideration by the entire House of Representatives.

[9] Sandel, *Justice*, 211. As Sandel notes, some utilitarian objections to reparations do run along these lines: "In some cases, attempts to bring about public apologies or reparations may do more harm than good—by inflaming old animosities, hardening historic enmities, entrenching a sense of victimhood, or generating resentment. Opponents of public apologies often voice worries such as these." These objections are powerful, not because they are insurmountable, but because as potentialities they are difficult to falsify in the present.

[10] See Sandel's accessible introduction to libertarian reasoning in *Justice*, 58–74.

[11] In this connection, we could highlight, among other things, slavery, Jim Crow legislation, redlining, subprime lending, racialized wealth gaps, educational inequities, disproportionate rates of officer-involved shooting deaths and incarceration, and workplace and gender discrimination.

for a society to own up to the past when atomized notions of responsibility are considered legitimate.

From a libertarian perspective, consent functions as a moral imperative. As the *sine qua non* for moral reasoning, consent (rooted in the principle of self-ownership) tends to focus deliberation on *present* rights and choices, which can inhibit social change. Libertarian reasoning can certainly take past injustice into account. Robert Nozick, for example, contends that present holdings are just if past exchanges were made justly.[12] At a certain point, however, the depth and ubiquity of past injustices (such as, e.g., stolen land and labor) tend to render the impulse for present change practically unworkable, which in turn often limits the scope of debate to recent (and often relatively superficial) situations. Emphasis on consent in the present can relegate the past to the past, since focusing on protecting the right to consent in the present may effectively keep past coercion from receiving the attention it deserves.

By privileging rational principles over the concrete, often messy lived situations in which societies find themselves, utilitarian and libertarian forms of reasoning tend to underestimate—and even misrepresent—the continuing effects of historically unjust decision-making upon present circumstances, functionally dehistoricizing and decontextualizing past and present social realities.[13] Testimonies of pain and suffering caused or exacerbated by social injustice and structural inequities may provide anecdotal, illustrative evidence of a need for change, but concrete historical realities of this nature too often remain ancillary in moral debate. By contrast, the supra-historical rational principles that give utilitarian and libertarian moral logics their power and appeal can, in effect, function as both judge and jury when deliberations (about, e.g., reparations) are fraught with challenging implications for those with financial, sociocultural, or political hegemony.

Jubilee Imagery as Biblical Formation for Reparational Reasoning

Forms of utilitarianism can be found in biblical reasoning, though libertarian logic seems largely foreign to the Bible.[14] Jubilee legislation in Leviticus 25 starts with different assumptions and draws different conclusions than these approaches. Could Jubilee imagery potentially help to "transform the . . . reasoning of those

[12] See Sandel, *Justice*, 63.

[13] Horowitz's "Ten Reasons" document reflects this phenomenon. Temporal distance from the era of slavery problematizes reparations by sharpening the question about who should benefit in a time far removed from the original offense. It also enables opponents such as Horowitz to isolate situations in the past (or present) in ways that fail to take adequate account of the connectedness between earlier and later circumstances.

[14] I suspect that many American Christians would be surprised to discover how seldom moral reasoning in biblical texts reflects ends justifying means or a foundational commitment to personal autonomy and individual rights.

who seek to participate faithfully within the larger *missio Dei*,"[15] particularly with regard to reparations?

The first thing to note is that every fiftieth year, a sabbath of sabbaths, "all rural ancestral land was to be returned to its original owner during the Jubilee year (Lev 25:13, 31)."[16] Land changed hands in a variety of ways, including (as presupposed in this legislation) through exploitation and poverty-induced selloffs (often catalyzed by drought, crop failure, and insurmountable indebtedness). As the basic unit of capital in an economy characterized largely by subsistence agriculture, the return of ancestral lands each Jubilee year would have represented a widespread and iterative redistribution of wealth. Many American Christians, formed more by libertarian than biblical reasoning, "believe that even legal forms of redistribution are fundamentally unjust, especially to those who have wealth." By contrast, "the Jubilee law . . . unequivocally advocates wealth redistribution as *a matter of justice*" for the impoverished.[17]

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Second, both utilitarian and libertarian moral reasoning begin with human beings—whether in terms of anticipated results and greater "happiness" or in terms of autonomy and individual rights. Jubilee redistribution, by contrast, begins with God; it is initiated by divine command: "The land shall not be sold in perpetuity, for the land is mine; with me you are but aliens and tenants" (Lev 25:23).[18] The logical basis for economic and justice-oriented reform here is entirely different from what we find in utilitarian and libertarian approaches. Land belongs to God, the landlord who establishes terms for its occupation and use. Israelite moral reasoning is shaped by the assertion that all land exchange was to be temporary and, effectively, functional. Purchase of land, in fact, represents nothing more than the securing of a number of (potential) harvests (Lev 25:16). Divine land is held in trust by members of the covenantal community and is not to be sold permanently—presumably to prevent the kind of grinding, multi-generational poverty that recurring Jubilee redistribution was intended to mitigate. The moral logic here assumes that the poor must not remain poor in perpetuity, which is why land must not be sold in

[15] Michael Barram, Missional Economics: Biblical Justice and Christian Formation (Grand Rapids: Eerdmans, 2018), 116.

[16] Barram, 112.

[17] Barram, 116. Here and elsewhere, the Bible would seem to be far more comfortable than many Americans with institutionalized wealth redistribution.

[18] Unless noted otherwise, all biblical translations are from the New Revised Standard Version.

perpetuity. Land as wealth is a divinely sanctioned and protected means for life and essentially functions as an end in and of itself.

Third, the transitory nature of land ownership in Leviticus 25 is striking. Landholders are metaphorically described in terms normally reserved for some of the most socially and financially vulnerable—they are to be understood as "aliens and tenants" on the land (Lev 25:23). For their part, "aliens" (Hebrew: *gerim*; occasionally rendered as "strangers" or "sojourners"; better: "vulnerable outsiders"), who are inherently "othered" (even in the labels assigned to them) by the dominant community, are often landless and financially insecure; tenants may have access to land but remain dependent upon landlords.[19] The God of the exodus provides the very land these "aliens and tenants" have been largely unable to access themselves. The Jubilee legislation makes it imperative that God's people not "alienate" others by allowing landless poverty to endure for more than fifty years.[20]

Fourth, in the Jubilee legislation—as in the biblical corpus, generally—what we might think of as social justice is consistently assessed from below, from the lowest strata of the community's social hierarchies, where the widows, orphans, and *gerim* (or "aliens" / vulnerable "outsiders") are found. The situation in which the weakest, most needy, and least influential find themselves in the present is the metric for measuring whether the community is functioning in a manner faithful to the character and purposes of the God of justice.[21] Contrary to the contemporary tendency to reason in terms of potential outcomes for the powerful and influential—for the benefit of what we might consider the "functional majority" (even if it remains, in reality, a numerical minority)—or in terms of defending individual autonomy, one of the most overlooked and underappreciated of biblical criteria for moral reasoning, across the Bible, is the basic datum of unmet need. Moral reasoning that is entirely predicated and focused on meeting human need may seem strange and radical in a context shaped by utilitarian and libertarian logics, but human need functions as a fundamental and unavoidable criterion for biblical morality.[22] Ultimately, the present and future well-being of the community requires justice for those most marginalized and vulnerable.

Fifth, the covenantal context of the Jubilee legislation is a critical component of the moral reasoning it seeks to engender. Everyone in the community is called to mutuality and implicated in what takes place. The "limited good" context of biblical reasoning is instructive here. Beneficiaries of our contemporary economic system and structures are inextricably connected to those who suffer at the hands of that system and those structures—whether the benefits they accrue are rooted

[19] Relevant here are numerous biblical affirmations of divine care and advocacy for widows, orphans, and the *gerim* (NRSV: "aliens"). See, e.g., Exod 22:21–24; 23:9; Lev 19:33–34; 24:22; Deut 10:16–19; 24:19–21; 27:19.

[20] In this connection, it would be worthwhile to reflect seriously on contemporary notions of inalienable property rights.

[21] See Barram, *Missional Economics*, 118.

[22] Examples are legion. See, e.g., the discussion of Matthew 25:31–46 in Barram, 185–95. See also Michael Barram, "Moral Reasoning and Embodied Love in Luke 10:25–37," in *Engaging the Bible: Contemporary Perspective*, ed. Mark Roncace (Wingate, CT: Point of View Publishing, 2020), 293–96.

in past injustices or not. Those who buy up ancestral lands, for example, benefit from past and present inequities—as do others only indirectly involved in such economic dynamics. Economically, we are all connected. No one can legitimately claim to be uninvolved and beyond responsibility. Jubilee legislation shoulders the entire community with proactive responsibility for the material well-being—past, present, and future—of each of its members. Passive avoidance of harm, emphasized in contemporary moral logics, is insufficient.

Finally, Jubilee legislation highlights the need to deal directly with the past. Those who lost access in the past to their ancestral lands continue to suffer in the present, which portends a problematic future for the community as a whole. Addressing the past adequately is a prerequisite for a just future. Strikingly, unlike contemporary moral logics, Jubilee imagery does not discriminate among possible reasons for the loss of ancestral land (as contemporary readers are often quick to do). In Jubilee imagery, those without land simply do not "deserve" to be poor in the present, regardless of what may have happened in the past. The onus for change is on those with means, not upon the poor. Again, need is need. Unmet need stands as an indictment on the community, rather than on the needy themselves. The future is not open for all until the past is addressed for all.

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The Jubilee texts in Leviticus 25 raise tricky historical questions. For example, there is scant evidence that the Jubilee was ever observed. Did it ever even take place? The fundamental interpretive question about the Jubilee, however, is not a historical one; rather, the critical question is one of moral logic. The Jubilee commands in Leviticus 25 are best understood as communal formation for moral reasoning. The hermeneutical import of these texts is less about historicity than about what the text communicates about God and about God's people, ancient and contemporary. As I have argued elsewhere, "this text functions as something akin to an economic parable . . . a vision of what God intends."[23] The legislation was included in the text, whether or not it was ever obeyed, as a constant and formative reminder of the character and purposes of the God with whom the people claimed to be in a covenant relationship. Jubilee imagery reflects a biblical vision of abundance for all, which stands in stark contrast to utilitarian and libertarian rationalities rooted in contemporary assumptions of scarcity. The Jubilee points to a set of convictions or values—indeed, a moral logic. That logic suggests that it is entirely insufficient to lament contemporary inequities and the ongoing effects of

[23] Barram, Missional Economics, 115.

past problems without serious and socially transformative, revolutionary redress of the past in the present.

I have highlighted the assumptions and logic of biblical moral reasoning relative to the Jubilee in order to challenge, at least within the Christian community, attempts to avoid discussion of or to reject reparations on the basis of other moral logics. The Jubilee highlights how movement toward a more just future is predicated upon and inextricably linked to an adequate dealing with the past. How might "Leviticus 25 . . . help to form and even transform our contemporary . . . reasoning, just as it served as an enduring, if unrealized, vision of justice for the Israelites[?] What would it look like . . . to live, as it were, according to a 'Jubilee economy'?"[24] Presumably life in a "Jubilee economy" would reflect a radical openness and commitment to discussing, advocating for, and indeed participating in the enactment of a process of reparations for historical injustice as a missional imperative for the Christian community.

Jubilee Formation in Action: Jesus and Zacchaeus

Although numerous biblical texts and traditions could be brought into this discussion, we will close briefly with two. In Luke's Gospel, Jesus draws from the prophet Isaiah to articulate his own mission statement, indicating that radical, upside-down changes to the social status quo are part and parcel of what he—and the gospel he announces—is all about. Good news comes to the poor, captives are released, the blind see, and the oppressed are emancipated (Luke 4:18). There is widespread agreement among scholars that "the year of the Lord's favor" refers to the year of Jubilee (v. 19). Major change and hope go hand in hand. Turning entrenched structures and logics upside down is never easy. Given widespread American opposition to institutionalized forms of wealth redistribution that benefit poorer members of society, perhaps we should not be surprised that when Jesus reminded those in his hometown that God does not meet needs in alignment with human assumptions, he almost got thrown off a cliff (Luke 4:29).

Finally, the story of Zacchaeus (Luke 19:1–10) provides a vivid illustration of how the logic of the Jubilee can and should function in contexts beyond the specifics of land redistribution in Leviticus 25. When Zacchaeus declared that he would make restitution for past injustices and present inequities, Jesus announced his salvation. Formed, as Zacchaeus was, by Jubilee-formed moral reasoning, white American Christians would do well to follow this repentant tax collector's lead, eagerly making restitution for the past and addressing inequalities in the present as if our own liberation depended on doing so. Biblical imagery seeks to form a people who recognizes that in fact it does.

[24] Barram, 116.

Conclusion

In conclusion, we must remember that the Israelite covenantal community did not find Jubilee provisions to be straightforward, practical, or convenient. The legislation corrects for what they would *not* have done naturally of their own accord. It is unlikely that the Jubilee provisions were ever conscientiously observed. Still, the Jubilee texts aimed to prevent future exacerbation of past inequities and exploitation, by forming their readers accordingly. Though American Christians do not share ancient Israel's theocratic, covenantal context, biblical economic and social reasoning can and should form our moral imaginations and inform how we participate in a radically different context, including how we vote. Shamefully and unfaithfully, the church has too often been toward the forefront in fostering racial and economic injustice in the United States, and now it often embodies the worst of the complicit-bystander phenomenon.[25] The faith community must face and make restitution for the past, not because doing so is straightforward, convenient, or readily practical, but because doing so reflects the character, values, and actions of the economically and socially just biblical God.

Jubilee legislation functions to form readers to seek a better future for all people, specifically through intentional and regular efforts to face the past honestly despite all the potential difficulties that may await.[26] Biblically formed Christians are to be missionally located as allies and accomplices among those willing to face our collective wrongdoing and make restitution. Let us squarely face our past—and the ongoing realities of our present—by actively advocating for and participating in the hard work of making restitution. Our present and future liberation, no matter who we are, depends upon it.

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[25] See, e.g., Jemar Tisby, *The Color of Compromise: The Truth about the American Church's Complicity in Racism* (Grand Rapids: Zondervan, 2019); Robert P. Jones, *White Too Long: The Legacy of White Supremacy in American Christianity* (New York: Simon & Schuster, 2020).

[26] "Won't reparations divide us? Not any more than we are already divided. The wealth gap merely puts a number on something we feel but cannot say—that American prosperity was ill-gotten and selective in its distribution. What is needed is an airing of family secrets, a settling with old ghosts. What is needed is a healing of the American psyche and the banishment of white guilt. What I'm talking about is more than recompense for past injustices—more than a handout, a payoff, hush money, or a reluctant bribe. What I'm talking about is a national reckoning that would lead to spiritual renewal." Coates, "The Case for Reparations," https://www.theatlantic.com/magazine/archive/2014/06/the-case-for-reparations/361631/.