



The Land, the Law, and the Poor*

ROY BRASFIELD HERRON

Vanderbilt Divinity School, Nashville, Tennessee

I. INTRODUCTION: IN THE BEGINNING WAS THE LAND

Deuteronomy 26:1-11 sets forth the ceremony for the offering of the first fruits of the land. “The most important item in the whole ceremonial is the declaration to be made by the offeror” who recites “the chain of the actions of salvation”¹ from Jacob to the entry into Canaan:

A wandering Aramean was my father; and he went down into Egypt and sojourned there, few in number; and there he became a nation, great, mighty, and populous. And the Egyptians treated us harshly, and afflicted us, and laid upon us hard bondage. Then we cried to the Lord the God of our fathers, and the Lord heard our voice, and saw our affliction, our toil, and our oppression; and the Lord brought us out of Egypt with a mighty hand and outstretched arm, with great terror, with signs and wonders; and he brought us into this place and gave us this land, a land flowing with milk and honey. (Deuteronomy 26:5-9)

As Jon Levenson has pointed out, awareness of God entailed awareness of Israel’s own poverty and the death averted only by God’s active intervention.² God delivered a landless, enslaved people and gave Israel “this land, a land flowing with milk and honey.” The fundamental self-understanding of Israel gave the people a sympathy with the poor and abandoned, a sympathy they could lose only at the cost of their historical identity. Their self-understanding

*The writer gratefully acknowledges the guidance of his teacher and colleague, Walter Harrelson, Distinguished Professor of Old Testament at Vanderbilt University, for whom a more comprehensive version of this essay first was written. The writer also gratefully acknowledges the editing of Reverend Nancy Carol Miller, Esquire, of West End United Methodist Church in Nashville, Tennessee, and the support of Vanderbilt Divinity School in general and Ms. Judy Matthews Taylor in particular.

¹Gerhard von Rad, *Deuteronomy* (The Old Testament Library; Philadelphia: Westminster Press, 1966) 158.

²Jon D. Levenson, “Poverty and the State in Biblical Thought,” *Judaica* 25 (1976) 230-31.

was, like life itself, inescapably connected with the land. Israel’s laws reflect the people’s experiences of poverty and their connectedness with the land. When they were landless poor in Egypt, God delivered them. When there were landless poor in Israel, God’s laws protected them. It is fitting then that we consider “The Land, the Law and the Poor.”

II. HISTORICAL SETTING

In the Old Testament justice is fidelity to the threefold relationship with God, others, and the land.³ As John Donahue observes, what these relationships concretely involve assumes different forms in different literary traditions as the social and religious world of the Old Testament evolves. In a nomadic civilization families may be richer or poorer, but the tribe is not divided into different social classes.⁴ Even slaves are not a separate class; they also form part of the family. So it likely was with Israel while it was semi-nomadic, moving about the land.

Settlement, however, brought a “profound social transformation.”⁵ During the early days of the settlement, all Israelites enjoyed approximately the same standard of living. Wealth and income came from the land, and the land had been divided between the families with larger inheritances to large tribes (Num 26:55-56; 33:54; 36:2; cf. 27:7). One inherited family property from one’s father. Each family guarded its property carefully. The estate was defined by boundaries which were not to be removed (Deut 19:14; 27:17). These small farmers or peasants were deeply attached to the land, as was seen when Nathan refused to surrender his vineyard to the king (1 Kings 21:1-3). The ideal was for each one to live “under his vine and under his fig-tree” (Mic 4:4; Zech 3:10). Commerce and the buying and selling of land for profit generally were still unimportant economic factors. Even the first two kings of Israel came from “only moderately well-to-do families.”⁶ Saul plowed the fields himself (1 Sam 11:5) and David looked after the flocks (1 Sam 16:11; cf. 17:20,28, 34f.). Excavations of Israelite towns confirm this equality. Houses of the tenth century were the same size and arrangement. Yet, eighth century houses on the same sites reveal bigger and better constructed houses for the rich located in a different area from the huddled houses of the poor. Between those two centuries a social revolution occurred.

The centralization of the monarchy had brought significant changes. The king’s officials formed a kind of caste detached from, and sometimes opposed to, small town interests. This class of officials profited from their posts and the king’s favors. Most importantly, the new economic life with its business deals and land sales destroyed equality between families. Some became rich, while others sank into poverty. Some made vast profits from their land through good

³John R. Donahue, “Biblical Perspectives on Justice,” *The Faith That Does Justice*, ed. John C. Haughey (New York: Paulist, 1977) 68-112 (especially p. 77).

⁴Roland de Vaux, *Ancient Israel*, Volume 1 (New York: McGraw-Hill, 1965). Throughout this section and much of this essay the writer relies upon de Vaux’s excellent work, especially 68-76.

⁵Ibid.

⁶Ibid., 72.

luck or hard work. Others gained plunder less honorably. While prosperity became the order of the day, according to de Vaux, “The wealth of the day was in fact badly distributed and often ill-gotten: ‘If they covet fields they seize them; if houses, they take them,’ Mic 2:2.” The rich landlords speculated and defrauded others (Hos 12:1, 8; Amos 8:4-5; Mic 2:2). Judges took bribes (Isa 1:23; Jer 5:28; Mic 3:11; 7:3). Creditors had no pity (Amos 2:6-8; 8:6). The weak, the landless suffered. The prophets took up the cause of these who were small; the poor and the landless suffered. The prophets took up the cause of these who were suffering (e.g., Isa 3:14-15; 10:2; 11:4; Amos 4:1.; 5:12).

Israel's social legislation reflects its historical experience. As the poor and landless suffered increasingly, laws developed which sought to provide increased protection for them. The Book of the Covenant (Exod 20:22-23:33) is thought to be Israel's earliest law. It forbids the exaction of interest from a poor person and requires a creditor to return before sundown a neighbor's garment that has been pledged (Exod 22:25-27). The Holiness Code (Lev 17-26), a compendium likely compiled by the Temple priesthood, further forbids gleaning the corners of the field; the crops in the corners are left for the poor and the sojourners (Lev 19:9-10). In the Deuteronomic Law Code (Deut 12-26) the gleaning prohibition also benefits the widow and fatherless (24:19-22). Deuteronomy, which came into prominence in the generation prior to the Exile, extends protections not only to the poor, but also asserts rights for the working persons against employers (24:14-15). Thus, we see increasing legal protections in light of increasing needs for such protection. The most fundamental protections for the poor concerned that which was most fundamental for life: the land.

III. THE LAND

A. *Basic Understandings of the Land.* One cannot understand Israel's laws concerning the land without understanding Israel's relationship to God and God's relationship to the land. The Holy Land is the "domain of Yahweh," (Josh 22:19) the "land of Yahweh" (Hos 9:3; cf. Ps 85:12; Jer 16:18; Ezek 36:5). This is the land promised the ancestors (Gen 12:17; 13:15; 15:18; 26:4; Exod 32:13; Deut 1:35-36), the land God conquered and gave to God's people (Num 32:4; Josh 23:3, 10; 24:11-13; Ps 44:1-4). God retains ownership and property rights over all the land. Because of or through God's supreme dominion the laws limit the rights of human occupants. Thus, we find the duty to leave gleanings of corn and vines for the poor (Lev 19:9-10; 23:22; Deut 24:19-21); everyone's right to satisfy hunger when passing through a field or vineyard (Deut 23:25-26); the annual tithe due Yahweh (Lev 27:30-32) to be eaten in Yahweh's presence (Deut 14:23-26; cf. Deut 12:5-7, 17-18) or given to the Levites (Num 18:21-32); the tithe each third year for the poor (Deut 14:28-29); the law about fallow ground in the Sabbatical Year (Exod 23:10-11; Lev 25:2-7); and the Jubilee Year (Lev 25:8ff.).

B. *Gleaning the Land.* Gleaning is the practice of gathering or picking up what was left in the field after reaping, and gathering grapes left under the vines or olives in the orchards.⁷ The basic understanding is that the owner was pre-

⁷H. N. Richardson, "Gleaning," *Interpreter's Dictionary of the Bible*, ed. George A. Buttrick (4 vols.; Nashville: Abingdon, 1962) 2.401.

vented from cleaning up the field, from claiming what remained in "a grasping spirit."⁸ Instead, the remains of the harvest are left for the widow, the fatherless, the sojourner and the poor. Deuteronomy 24:19-22 offers the most comprehensive statement in the law concerning gleaning. If one forgets a sheaf in the field as one harvests, one shall not go back and get it. When one beats the olive trees, one shall not beat them again, but shall leave them. And when one gathers grapes from the vineyard, one shall not glean it afterward. Why not? Three times in this passage it is stressed that this fruit of the land "shall be for the sojourner, the fatherless, and the widow."

C. *Tithing from the Land.* The earliest code providing for tithing is in Deuteronomy.⁹ The tithe was a tenth of the land's yield and was to be used in two ways. First, it was to be used each

year in an offering culminating in a sacrificial meal in which the farmer's household shares and to which the Levite is invited (14:22-27; cf. 12:6-19). The second way Deuteronomy speaks of the tithe is as an offering for charitable purposes every third year (14:28-29; 26:12-15). This tithe is to be distributed to the Levite, the sojourner, the fatherless, and the widow—those without land on which to produce crops for themselves. Is Deuteronomy contemplating two separate tithes? Probably not. The use of the tithe simply differed in the third year. The tithe in Deuteronomy was an offering acknowledging God's ownership of the land and its fruits, a means of support for the Levite, and an offering for those in need and without means.¹⁰

IV. THE LANDLESS

A. *The Gerim*. Among the free population in Israel were the *gerim*. The term *gerim* is understood to mean strangers, aliens, resident-aliens, or sojourners. These sojourners were essentially foreigners who lived more or less permanently in another country, persons who occupied "positions between that of the native-born and the foreigner."¹¹ To recall the sojourners in the history of Israel is to recite a "Who's Who in the Bible." Abraham was a sojourner at Egypt (Gen 12:10) and at Hebron (Gen 23:2-4); Moses was in Midian (Exod 2:22; cf. 18:3). Other sojourners include Lot, Isaac, Esau, Jacob, David, and Elijah. Indeed, the people of Israel sojourned in Egypt (Exod 22:21; 23:9; Deut 10:19; 23:7).

When the Israelites finally settled in Canaan, they considered themselves the legitimate owners of the land. The indigenous population of Palestine, unless assimilated by marriage or reduced to slavery, became sojourners. Immigrants also became sojourners. The sojourners lacked the protection and benefits ordinarily provided by kin and birthplace. Their status and privileges came from the bond of hospitality. They had claims to protection and full sustenance (cf. Gen 18:1-8; 24; Judg 19:16-21; Job 31:32).

⁸Samuel Driver, *Deuteronomy* (International Critical Commentary; New York: C. Scribner's, 1895) 278.

⁹H. H. Guthrie, Jr., suggests that the most probable explanation of why tithes are not mentioned in the Book of the Covenant is that tithes and the offering of the first fruits are of common origin. H. H. Guthrie, Jr., "Tithe," *Interpreter's Dictionary of the Bible*, 4.654.

¹⁰*Ibid.*

¹¹See T. M. Mauch, "Sojourner," *Interpreter's Dictionary of the Bible*, 4.397-99.

Israel's sojourners initially were reduced to hiring out their services (Deut 24:14), since all land belonged to the Israelites—at least theoretically. As a rule they were poor and were grouped with the poor, widows, fatherless, and all the "economically weak" who were recommended to the Israelites for help.¹² Like the rest of the poor, they were under the protection of God (Deut 10:18; Ps 146:9; Mal 3:5). As noted above, fallen fruit, olives on the tree, leavings of the grapes, and gleanings after the harvests were left for the sojourners and other marginal persons (Lev 19:10; 23:22; Deut 24:19-21). They were to share in the tithe each third year (Deut 14:29) and to share in the produce of the Sabbatical Year (Lev 25:6).

Three perspectives informed the laws concerning the sojourners. First, Israel was to remember that she was a sojourner in Egypt; God saw her oppression, delivered her, and established her in a bounteous land (Exod 22:21; Deut 5:14-15; 10:17-22; 16:10-12; 23:7; 24:14-22; 26:5-11). Secondly, the God who saved Israel from bondage is the protector of the poor and

weak and disinherited. The purpose of Israel's economy was to supply need, so special attention had to be given those who needed help (see Exod 23:9; Deut 10:17-19; cf. Exod 22:21-24; Deut 14:28-29; 24:14-22; see also Pss 94:6; 146:9; Jer 22:3; Zech 7:10; Mal 3:5). Third, the covenant between God and Israel depended upon the participation of all members of the community in its requirements and benefits; Israel was a holy people and the land must not be defiled (Deut 21:23). The sojourner, therefore, had to conform as far as possible to the covenant regulations.

B. *Wage-Earners*. Social legislation mentions the wage-earners or hired servants—free persons who took specific jobs at certain times for wages—less frequently. Sojourners and travelling foreigners worked like this (Exod 12:45; Lev 22:10; Deut 24:14) but eventually increasing numbers of Israelites became wage-earners after losing their land, or in order to increase their income. The condition of the wage-earners was not enviable (Job 7:1-2; 14:6). Unjust masters did not give them their due (Jer 22:3; Sir 34:22). The difficulty of the wage-earners is expressed clearly in the law designed to protect them. The law required that they be paid each evening (Lev 19:13; Deut 24:14-15) because the wage-earner “is poor, and sets his heart upon it” (Deut 24:15). Even so, the law repeatedly was flouted and the prophets condemned the foul practice of disobedient employers (Jer 22:13; Mal 3:5; Sir 7:20).

C. *Slaves*. Even more difficult than the life of the wage-earner, however, was the life of the slave. Persons fell into slavery in five ways: they became war captives, were foreign slaves, were sold as minors, sold themselves into slavery or became insolvent.¹³ The “voluntary” sale of children into slavery by their parents was not an uncommon practice in the ancient Near East, particularly in times of economic stress and war. At the time of Nehemiah 5:1-5, the economic depression forced some farmers to hand over both their land and their children as pledges for loans. When the debts were not paid, the creditors foreclosed, took the land, and sold the pledged children—against the parents' will.¹⁴

¹²Roland de Vaux, *Ancient Israel*, 75.

¹³I. Mendelsohn, “Slavery in the Old Testament,” *Interpreter's Dictionary of the Bible*, 4.384-85. Much of the following discussion may be found in Mendelsohn at 383-391.

¹⁴*Ibid.*, 4.384.

Hunger and debt forced people to sell not only their children, but also themselves into slavery. Voluntary self-enslavement was common among sojourners and probably even among Hebrews. The basic source of slaves in the ancient Near East, however, was the freeborn native debtor.¹⁵ A creditor had the right to seize a defaulting debtor and reduce that debtor to slavery. There were many causes of insolvency, but a chief factor undoubtedly was the exorbitant interest rate charged on loans.¹⁶

The legal status of a slave was that of a chattel. The slave was a thing that could be bought, sold, leased, exchanged, even inherited. Women slaves were subject to the abuses of their male masters and anyone else to whom the masters subjected them. The laws attempted to protect the slaves. Slaves formed part of the family, joining in family worship, resting on the sabbath (Exod 20:10; 23:12), sharing sacrificial meals (Deut 12:12, 18), and sharing in the celebration of religious feasts (Deut 16:11, 14). One blinding or breaking the tooth of a slave had to set the slave free (Exod 21:26-27). A master beating a slave to death was to be punished, unless the slave survived a day or two (Exod 21:20-21). Leviticus even prescribes that a slave of

Israelite birth was to be treated as a visitor or wage-earner and was not to be made to do a slave's work (25:39-40).

Hebrew law recognized five means by which slaves were entitled to freedom. First, a Hebrew girl or woman sold by her father on the condition that she be married to her master or his son was to be freed if the master failed to provide food, clothing, and marital rights (Exod 21:7-11). Second, as previously mentioned, a slave permanently maimed by a master was to be freed without compensation to the master (Exod 21:26-27). Third, a fugitive slave, according to Deuteronomy, could not be delivered to the master, the right of asylum being granted the slave (23:15-16). The two other ways of regaining freedom pertain to using and regaining the land. Hebrew slaves were to be released after a six-year term of service (Exod 21:2-4; Deut 15:12). Also a Hebrew who sold himself voluntarily into slavery, either to a fellow Hebrew or to a stranger, was to be freed in the year of the Jubilee (Lev 25:39-43,47-55). These laws on the sabbatical year and the year of the Jubilee now deserve further consideration.

¹⁵Ibid., 4.385.

¹⁶In ancient times commercial relations were comparatively undeveloped, but loans were commonly needed for the purpose of relieving distress. The borrower was not solvent, able and willing to pay a price for what would enable him to profit, but rather the borrower was reduced to poverty by misfortune and debt. To exact interest from this person seemed to be making gain out of a neighbor's need (S. Driver, *Deuteronomy*, 267). Thus the Pentateuch condemned the taking of interest (Exod 22:25; Lev 25:36-37; Deut 23:19-20), unless the borrower was a non-Israelite. Violations of the law, however, were frequent. The practice of lending to Israelites at exorbitant rates had become "a social plague" that made debtors' situations practically hopeless. In Babylonia common rates of interest on produce and money were 33 1/3% and 20% with rates sometimes as high as 50% (G. A. Barrois, "Debt," *Interpreter's Dictionary of the Bible*, 1.809). Ezekiel and Nehemiah called for strict observance of the law (Ezek 18:8, 13, 17; 22:12; Neh 5:6-13), and the author of Proverbs comments that riches acquired by usury are unstable and shall not profit their owner ultimately (28:8). Despite the fact that interest-free loans to the poor were considered good deeds (Ps 37:21; 112:5; Sir 29:1-2), many refused to make them because borrowers often did not honor their obligations, even when they were able (Sir 29:3-7). All of Israel's neighbors practiced lending with interest, and their example plus economic development led to frequent violations. From Rabbinic sources, it appears that even the Jerusalem Temple lent at interest.

V. THE USE AND RETURN OF THE LAND

A. *The Sabbatical Year*. Alienation of family property and the development of lending at interest led to the greater poverty and enslavement of defaulting debtors and their dependents. This destroyed the social equality which had existed at the time of the tribal federation and which still was an ideal. Religious legislation tried to remedy these problems through the sabbatical and the Jubilee years.¹⁷

As noted earlier, the Covenant Code provided that an Israelite slave should not be kept more than six years, unless the slave preferred to stay with the master (Exod 21:2-6). The Covenant Code also provided that the fields, vineyards and olive groves were to lie fallow every seventh year and their produce left for the poor (Exod 23:10-11). Whether this reckoning varied with each field and owner or was a general measure to be applied at fixed dates is uncertain. The former seems more logical and realistic, and Exodus 23:10-11 leaves open this possibility. On the other hand, Leviticus 25:2-7 repeats the law of Exodus 23:10-11 about leaving the land fallow and its produce for the poor but seems to indicate that this would be a general measure at fixed dates. God pledged a blessing for the sixth year, the produce of which would enable people

to live through the year of the fallow and also the next year until harvest (Lev 25:18-22).

Scholars disagree on the Biblical evidence concerning whether these provisions were observed and whether they were carried out before the Hellenistic period.¹⁸ Almost all agree, however, that during the Hellenistic period the law was applied, at least in leaving land fallow. In 163-162 B.C.E. the Jews lacked provisions, “for it was a sabbatical year granted to the land” (1 Macc 6:49, 53-54). This is the first dated sabbatical year and also the first direct evidence that sabbatical observance influenced military and political events. Other historical data are provided by Josephus.

Politically, due to the messianic stirrings, the sabbatical year was a restless time. John’s ministry (A.D. 28-29), the Egyptian Messiah (A.D. 55-56), and the Bar Kochba uprising (A.D. 132-133) occurred in sabbatical years. Since apocalyptic writings linked the coming of the Messiah with the sabbatical year, it seems likely that John synchronized his ministry with the season when the Hebrew slaves were to be freed, all indebtedness was to be cancelled, and the land belonged to God.

B. *The Jubilee Year*. In Leviticus 25 prescriptions concerning the sabbatical year were combined with those on the Jubilee year (25:8-17,23-55). All that was

¹⁷For a particularly moving and insightful comment on “Land Sabbath,” see Walter Brueggemann, *The Land* (Philadelphia: Fortress, 1977) 63-67.

¹⁸Roland de Vaux, *Ancient Israel*, 173-75, has written: “In the Bible itself there is scarcely any evidence for the institution apart from the legislative texts.” On the other hand, B. Z. Wacholder, “Sabbatical Year,” *Interpreter’s Dictionary of the Bible, Supplementary Volume*, ed. Keith Crim (Nashville: Abingdon, 1976) 762-63: “Contrary to the view expressed since Wellhausen, biblical passages suggest the actual observance of the sabbatical year during the pre-exilic period.” These two resources also are relied upon in the further discussion of the sabbatical year.

prescribed for the sabbatical year applied to the Jubilee year as well, but the Jubilee year had some unique characteristics.¹⁹

Exodus (21:1-6) and Deuteronomy (15:12-17) leave the possibility that landless Hebrew slaves could remain enslaved after six years, but in the Jubilee these people were freed (Lev 25:39-42). Furthermore, while the laws of Exodus and Deuteronomy applied only to an Israelite slaveowner, the public law of Leviticus applied to the non-Israelite slave owner as well (Lev 25:47-55).

Unique and most striking, though, was the return of the land in the year of the Jubilee. In that year, all lands sold during the previous years, except for houses in a walled city (see Lev 25:29-31), returned to the original owners or their descendants. The aim of the Jubilee was the restoration of the position as it was of old: “free persons living on free land.”²⁰

The theological grounds for the Jubilee’s measures are simple and profound: (1) the land cannot be sold absolutely, for it belongs to God (Lev 25:23); and (2) Israelites cannot be cast into perpetual slavery, for they are the servants of God, the God who brought them out of slavery in Egypt (Lev 25:42, 55). God’s gifts to Israel, land and liberty, have been given conditionally. Israelites cannot do with lands or other human beings as they might wish, for justice requires right relationships and right relationships require freedom.

The effects of the Jubilee could have been tremendously important. Families so poor that they had lost their land, their possessions and even their freedom would have had opportunities restored. The rich would have known that their Israelite slaves once more would be their equals.²¹

But was the Jubilee ever implemented? The main textual argument is that the Jubilee is mentioned only in the late parts of the Pentateuch, and only rarely then. No historical text mentions it, even when it seems to be required by the context.²² De Vaux argues that the Jubilee year would have followed immediately after the seventh sabbatical year and that would have meant two straight

¹⁹This arguably indicates the identity of the Jubilee and the seventh sabbatical year, as in the Book of Jubilees. Rabbi Judah maintained this (Babylonian Talmud, *Ned.* 61a). The majority of rabbinical authorities, however, concluded from Leviticus 25:10-11 (where the Jubilee is called “the fiftieth year”) that the Jubilee was the year following the seventh sabbatical year. Roland de Vaux also takes this position, *Ancient Israel*, 175. A. van Selms, however, thinks it probable that we understand “fiftieth” the same way as Christ rose “on the third day,” though the resurrection occurred on the second day after his death. This seems more likely than the view that the land remained fallow for two consecutive years, and it removes a major argument against the practical application of the law. See A. van Selms, “Jubilee, year of,” *Interpreter’s Dictionary of the Bible, Supplementary Volume*, 496-98.

²⁰A. van Selms, “Jubilee, year of,” 497.

²¹*Ibid.*, 498.

²²On the subject of the liberation of the Hebrew slaves, Jeremiah 34:14 quotes Deuteronomy 15, not Leviticus 25. Nehemiah makes the people promise to observe the sabbatical year, but does not mention the Jubilee (10:32). In the prophetic books, Ezekiel 46:17 apparently refers to the Jubilee: if the prince gives from his domain to a servant, the gift reverts to the prince “in the year of emancipation,” as in Leviticus 25:10. But Ezekiel’s directions are for a future time, and this particular text is generally thought to be an addition. In addition to these texts, van Selms points to Isaiah 37:30 (cf. 2 Kings 19:29), noting that whether it alludes to a sabbatical year or Jubilee is uncertain. He also speculates that the manumission of Hebrew slaves in 588 (Jer 34:8-22) could be a belated Jubilee, the same Jubilee as alluded to in Jeremiah 31:26, though the latter verses refer to Deuteronomy 15.

page 84

fallow years, an unlikely practice. While this argument has been met by others, notably A. van Selms,²³ another really has not. The most persuasive evidence against the implementation of the Jubilee year are the other practices of the time: transfers of property, loans at interest, and enslavement for debt. When these practices were taking place, and in such a developed society, it is hard to suppose that there was a general return of lands and real property to their original owners or their heirs.²⁴ Even van Selms concedes that many kings neglected their duties concerning the sabbatical year. The likelihood of neglect and the unlikelihood of implementation seem even greater for the Jubilee year. De Vaux concludes: “It was a Utopian law and it remained a dead letter.”²⁵ De Vaux may be right. But regardless of whether it was implemented then, it codified theology that might yet be brought to life.

V. CONCLUSION

The land is God’s gift to the people Israel; yet it remains God’s land, a part of the creation, a part of Israel’s very life. If persons do not have land, then they do not have their share of God’s promise. The Law assures that even the poor will not be totally denied the benefits of the land. They must be allowed to share its fruits. They must not be landless forever. The Law is the way to maintain God’s promises to the creation and to the human creatures.²⁶

But the religious world of the Hebrew Scriptures is not our world.²⁷ Many question the anthropomorphism and the interventionist or salvation-historical perspective. All realize our world is not the world of tribal confederacy, centralized monarchy, or community of exile and

restoration. Few would claim that our laws come from God, or even from particularly religious law-makers.

Despite the gulf between the Old Testament world and our own, however, certain constants remain. As far away as South Africa, we see the continued struggle for freedom and land. As near as our country's farming areas, we see the continuing struggle to preserve family farms. The preservation of those family farms and of the families who live on them is no less an issue for us today than it was for Israelites long ago. As in ancient Israel, laws are needed today. To be sure, laws can be perverted to the ends of evildoers and can be oppressive devices. Law also, however, can be a protector that enables life to flourish and the fruits of the land to be shared. May it be so.

²³See note 19.

²⁴De Vaux, *Ancient Israel*, 175.

²⁵Ibid., 177.

²⁶Letter from Walter Harrelson to this writer, September 9, 1985.

²⁷See J. R. Donahue, "Biblical Perspectives on Justice," 78.