

“Justice as Obligation”
Deuteronomy 24:1-22
April 27, 2014

INTRODUCTION:

God is concerned about matters of justice. He wants societies to be just, and the matters with which he concerns himself in this passage are surprising and refreshing. He is concerned with things such as the happiness of newlyweds and the protection of women in divorce, something no other culture of this era cared about. God is also concerned that poor people not be put in situations that bring embarrassment to them. He wants people’s dignity to remain intact. All of these things, and more, are matters of justice.

Before getting into the details of this passage, we need to consider briefly exactly what the Bible means by justice. It is a major concept in the Bible. The Hebrew word for justice, *mishpat*, occurs over 400 times in the Old Testament. Its meaning is not exactly the same as our modern idea of justice. If you’ve ever been to the Supreme Court building in Washington, you have perhaps seen the statue of Lady Justice there. She has a blindfold across her eyes and a balance scale in her hands. The definition of justice implicit in that statue is that people should be treated fairly, no matter who they are. That is a noble idea, and a biblical idea, especially if we remember that the ones who tend to get favorable treatment without such an emphasis are the rich and powerful. Isaiah 5:23 pronounces a curse on those **“who acquit the guilty for a bribe, and deprive the innocent of his right!”**

The Bible’s view of justice, though, goes further than this to include the idea of obligations to certain people. We call them “rights” today, and *mishpat* can be interpreted as a right. For example, in Deuteronomy 18:3, Moses is giving direction concerning food offerings that are given to priests for their sustenance, and he calls it their *mishpat*, their right or due. That sense can be seen in verse 17 where Moses commands, **“You shall not pervert the justice due to the sojourner or to the fatherless, or take a widow’s garment in pledge.”** The Good News Bible captures the sense well when it translates that “Do not deprive foreigners and orphans of their rights.” There is a sense in which a just society takes off the blindfold upon Lady Justice and does treat certain people with favoritism. It is the God-given right of the poor and needy to be treated in this manner.

Our current passage has a great many laws concerning the just society that God envisions. We need to take off our blinders and see people as God does and treat them in the just manner he commands. Let’s consider three aspects of this justice.

I. Economic Justice

A number of these commands relate to those who have found it necessary to borrow money in order to survive. The lending in view throughout Deuteronomy is not business loans but subsistence loans, the kind necessary to provide the basic needs of life. As is still the case, collateral is usually required when a loan is made. Collateral is referred to in our passage as a pledge, and several commands are given to lenders about this collateral. Verse 6 forbids the taking of a millstone or upper millstone. This refers to the family mill, consisting of a larger and a smaller stone used in grinding grains used for a variety of foods. A hard-nosed lender might take the upper millstone, without which the whole mill is useless, in order to pressure the borrower somehow to come up with the money that had been borrowed. But a family would then be forced to pay even more money to buy already ground grain. A downward spiral would begin that would send the borrower into much deeper neediness. This is what happens today in payday loans, which is a type of legal loan-sharking. One simple loan can lead to multiplied financial stresses that, instead of delivering from need, cause further impoverishment.

Another item that might be taken as collateral for a loan was a man's cloak. An average person would own only one cloak, and it would be used as an outer garment during the day, protecting one from the hot sun, and as a blanket by night, protecting from the cold. In this climate, there was often a significant difference in temperature between daylight and night, with chilly temperatures often coming at night. Because of the daily necessity of the cloak, a person would typically not offer his cloak as a pledge for the loan unless he had nothing else. So these are the poorest of the poor. The lender is told to allow the borrower to keep his cloak at his neediest time, at night. To deprive the borrower of such a necessity would only result in shivering, sleepless nights that would significantly add to his burdens. The kind of daytime work needed to pay his debts and provide for his needs would be more difficult.

There are a couple of important truths we learn from this command forbidding the taking of the cloak at night. First, God is concerned about cold, sleepless nights, and so he makes this a matter of justice, an obligation upon the lender to make sure the cloak is kept by the borrower at night. This brings up a question that will lead to a second important truth. Why take the cloak at all if it has to be returned at night? I think it's that taking it during the day would at least provide assurance that the borrower hasn't used the cloak as pledge for more than one loan. This means that God is also concerned to see that borrowers don't borrow too much.

Another matter of economic justice is mentioned in verse 10, where the lender is forbidden from entering the home of the borrower to collect his pledge.

The reason is to protect the borrower from a feeling of powerlessness and shame. God is concerned not only about his poverty, but also about his feelings. God knows that one of the worst aspects of poverty is the shame that often accompanies it. I've had a few brief experiences with poverty. During my first trip to Africa, all my cash was stolen within my first few hours of a six-week trip. The bag in which the cash was hidden also contained all my clean underwear, and everything was taken. All the other men on the trip lent me underwear, and I came home with sizes ranging from 30 inches to 40. Though I've tasted poverty, I've never experienced the deep shame that can accompany poverty, and that is the worst part. Have you ever known someone who has grown up with such shame, to the point that he vows never to be in a position again where that could happen? Such a vow could make him cruel and oppressive. God knows the power of this kind of shame, and so he commands that we be aware of it and take care not to make the poor feel like outsiders. In the church, we need to do all we can to shield those who are needy among us from feeling the sting of shame that accompanies economic need.

A couple of other matters of economic justice are mentioned here. Verses 14-15 require the payment of adequate and timely wages for workers. Those on the lower end of the economic scale are not to be oppressed by being paid overly low wages. Apparently, God is not as completely committed as some to free market forces in determining such things as wages. I know of no place in the Bible where complete equality of wages is required, but there are plenty of warnings against oppressively low wages. The timing of the wage payments is to be determined not by the employer's convenience, but by the need of the worker. Those at the subsistence level will need to be paid on a more frequent schedule.

The final principle of economic justice addressed in this chapter is the practice of gleaning. Farmers were commanded not to maximize their profit, but to leave part of the harvest in the field, that the poor might come and gather it for their needs. Three times in this passage about gleaning we read about the produce to be gleaned **"It shall be for."** The Old Testament scholar Christopher Wright says that this is "an expression normally used to indicate ownership." In other words, in God's view, the gleanings are owned not by the landowner but by the poor. Again, we see here this idea of justice as an obligation rather than mere charity. We also see again the concern of God not only for poverty, but also for the dignity of the poor. It is part of our dignity as men and women in God's image that we work for a living, and the gleaning principle preserves such dignity. I love the balance of Scripture, and we can see that in God's concern also for the rights of the owner. In the previous chapter, God limits what gleaners can do. They can harvest grain from another's field with their hands, but not with a sickle. They can enter a vineyard belonging to another and eat as much as they want, but they can't carry any grapes out with them.

II. Miscellaneous Justice

There are a variety of laws here that are all focused on the protection of various groups. We are going to look at three of them. The first four verses are for the protection of women, who in this day were often regarded as little more than property. But God's people have always been called to be somewhat counter-cultural, and the provisions here for women are part of that. Jesus once commented on this passage and pointed out how it doesn't command divorce, but merely permits it. Jesus then added that the permission for divorce was due to hardness of heart. What it does is to regulate divorce for a woman's protection. If husband A divorces a woman, he is to give her a certificate of divorce, which would permit her to remarry. That is one protection offered here. The second one is found in the fact that if she marries and then loses her second husband either to divorce or death, then the first husband would not be allowed to remarry her. This would prevent men from passing around wives like a football and would at least cause them to think carefully before divorcing their wives.

We won't have time to deal with all of these miscellaneous laws, so let me focus our attention on a few that may seem curious to us. Laws about kidnapping (v. 7), for example, are straightforward and easy to understand, and we can skip over such laws. What's the point, though, of the commands concerning leprosy in verses 8-9? The people are told to be careful to observe what the law requires of them when leprosy is suspected. Leprosy in the Bible is a little different than the disease that goes by that name today. It refers to a variety of different skin afflictions. Two chapters in the book of Leviticus detail what the people are to do when skin diseases occur. Basically, they are required to call in the priests, who serve something of a role of public health official. They are even warned to pay careful attention to this by the reference to Miriam, who thought she knew better than God and was struck with leprosy in judgment. They are warned not to think they know better than God and call in the priests whenever skin diseases are seen. In this way, God is protecting the health of the community.

What about this law forbidding the punishment of people for crimes committed by family members? This law was necessary because, once more, it was contrary to the common practice of the day. In Babylon, for example, the laws of Hammurabi prescribed that if a builder builds a house that collapses and causes the death of the homeowner's son, then the builder's son was to be put to death in return. God said that only the guilty, and no one else, should be punished for a crime. As in all of these laws, we can see something of the kindness of God's heart. He wants to release people from taking false guilt upon themselves. I see this sometimes with parents whose children walk away

from the Lord. That is an extremely painful situation for Christian parents, and our tendency is always to ask ourselves what we did wrong in raising these children. Even the most spiritual and godly parents can have children who go astray. Jesus didn't have any physical children, but he did have spiritual children. One of those, Judas Iscariot, ended up betraying the Lord, and it wasn't because Jesus did anything wrong.

III. The Motivation for Justice

Much of what we have considered about justice in this chapter is not new information for us. You know you're supposed to be generous to the poor and promote justice. What's needed for most of us is the motivation to do so. Throughout the Bible, God motivates us by his love and by his warnings. Because he loves us, he warns us. Such warnings are seen here. Verse 15, for example, warns us that to deny a worker his fair wages will result in the judgment of being accounted guilty before the Lord. We are also to be motivated by the love of the Lord. Moses addresses twice this issue of God's love when he urges Israel to **"remember that you were a slave in Egypt and the Lord your God redeemed you from there"** (v. 18, 22). The power comes by remembering the Lord. We are going to be taking communion shortly, in which this command to remember occurs again. Jesus said to do this in remembrance of him. This idea of remembering is more than calling to mind some fact. Today is my son's first wedding anniversary. His wife, Rachel, wants him to remember their anniversary. But like all women, she wants him to do more than remember a fact. If he gets up on this morning, and she asks him, "Do you know what today is?" she wants more than his reciting a fact. "Yes, one year ago today was our wedding." She wants him to remember as a celebration. She wants him to say, "If I had a do-over when it comes to our marriage, I would marry you all over again. You have enriched my life in numerous ways, and I'm so glad you're my wife." That's the kind of remembering she wants, along with every other wife.

That's also the kind of remembering being commanded here, and the kind of remembering we are called to as we celebrate the Lord's Supper. It is the remembering of celebration. Israel is being told here to celebrate afresh their deliverance from Egyptian bondage and their Lord who delivered them. Let's remember Jesus, who was born as a poor man, lived as a poor man, and died as a poor man, that we might be made rich. Jesus identifies with our poverty. His parents made an offering of two pigeons when he was circumcised, the offering prescribed for the poorest citizens. During his ministry, he was largely homeless. At his death, his only possession was his robe, and they cast lots for that. He was laid in a borrowed tomb after he died. All this that we might have the riches befitting a child of God. Let's celebrate that today.