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## **Poor or no poor? Pragmatic and idealistic perspectives on the poor in Deuteronomy 15:1-11**

### ABSTRACT

In this article I would like to discuss Deuteronomy 15:1-11 as an example of how the Old Testament engages with the challenge of poverty in a pragmatic and idealistic way. My hypothesis boils down to presuming that the provisions related to the poor in Deuteronomy 15:1-11 are linked to the third commandment concerning the keeping of the Sabbath. This hypothesis, I would like to argue, has significant implications for our theological-ethical reflection on why believing communities should address the problem of poverty in Africa.

### INTRODUCTION

In Africa the stark and disturbing realities of economic hardship form part of our daily existence. So much so, that communities of faith can be numbed by the pervasiveness and overwhelming nature of poverty as the most important socio-economical problem Africa has to address at the beginning of the 21<sup>st</sup> century.

In this article I would like to discuss Deuteronomy 15:1-11 as an example of how the Old Testament engages with the challenge of poverty in a pragmatic and idealistic way. My hypothesis boils down to presuming that the provisions related to the poor in Deuteronomy 15:1-11 are linked to the third commandment concerning the keeping of the Sabbath. It is clear that the provisions in Deuteronomy 15:1-18 concern the sabbatical years of the release for those in debt, the poor and slaves. I do not presume that the structure and content of Deuteronomy 12-26 as a whole, is determined by the commandments in the Decalogue (Braulik 1993:327).

This hypothesis, I would like to argue, has significant implications for our theological-ethical reflection on why believing communities should address the problem of poverty in Africa.

The provisions collected in Deuteronomy 14:11-16:17 reflect in numerous ways “the required interruptions in time, work, and ambition that are at the heart of the commandment to keep the Sabbath holy” (Olson 1994:73). It is as if “time” develops a new quality and function due to the community of faith being called to interrupt their daily existence by bringing offerings and keeping festivals:

- Tithes of agricultural produce “each year” (14:22).
- Tithes for the Levites, aliens, orphans and widows “every three years” (14:28).
- The cancelling of debts “every seven years” (15:1).
- Freeing of servants “in the seventh year” (15:12).
- The eating of firstborn animals in the presence of the Lord “each year” (15:20).
- Celebrate the Passover during the “month of Abib” (16:1).
- Eat unleavened bread for “seven days” (16:3).

- Celebrate the Feast of Weeks “seven weeks” after the grain harvest (16:9).
- Celebrate the Feast of Tabernacles for “seven days” after the harvest (16:13, 15).

#### COMMENTS ON DEUTERONOMY 15:1-11

The provisions related to the sabbatical year of release in Deuteronomy 15:1-18, correspond with other provisions in the Pentateuch – the slave laws in Exodus 21 and the fifty-year jubilee in Leviticus 25. According to Levinson (1997:92) Deuteronomy 15 represents “a redactional association of two originally separate types of legislation”, that serves as a “redactional gloss upon the festival calendar that immediately follows.”

Deuteronomy **15:1** starts with an apodictic injunction that indicates:

- What must be done? 15:1b – “*you must cancel debts*”.
- When it must be done? 15:1a – “*At the end of every seven years*”.
- Who should be doing it? 15:1b – The “*you*” refers to Israel as a nation.

No mention is made in 15:1 “who” or “what” must be released from debts. This vagueness allows verse 1 to function as a thematic introduction to the instructions concerning the sabbatical release of debts in 15:2-11 and the sabbatical manumission of servants in 15:12-18 (Joy Joseph 1997: 226-227).

*Shemittah* (“release” or “remission”) is a difficult concept to explain since it can refer to either “suspension” or “termination” (Craigie 1983:236; Morrow 1995:92). Early Jewish interpreters favoured the “termination” of debts – Philo and the Mishnah – while some scholars during the past two centuries opted for the mere “suspension” of the debts (Driver 1895: 179). Most recent commentaries on Deuteronomy concur with Mann (1995:115) that the *shemittah* “require a permanent cancellation of debt rather than a temporary reprieve.”

Laws related to the remission of debts were found in many ancient Near Eastern societies. At the beginning of the reign of an Assyrian or Babylonian king, a *misharum* or proclamation of remission of debts could take place (Tigay 1996:145). According to Jewish tradition the remission or release of debts took place at sunset on the last day of the seventh year and was not dependent on the reign of a king (Christensen 2001:312). Nehemiah 10:32 suggests that in the early post exilic period the seventh year “included both fallowing and debt remission” (Tigay 1996:145).

The important innovation of 15:1 is that the sabbatical release is seen as something similar to the rest on the Sabbath. Miller (1990:135) therefore argues that the obligation to rest on the Sabbath is carried into the economic life by demanding the burden of debt to be stopped (15:1-6) and eventually that bond slaves had to be released (15:12-18).

Deuteronomy **15:2a** provides an introduction to the subsequent instructions: “*This is how it should be done...*” The rest of verse 2 comprises of an impersonal injunction: “*Every creditor shall cancel the loan he has made to his fellow Israelite or brother*”, followed by an impersonal prohibition: “*He shall not require payment from his fellow Israelite or brother*” and this is linked to a theological justification: “*because the Lord’s time for cancelling debts has been proclaimed.*” The theological justification has a more homiletic ring to it and is not found in the corresponding legal texts of the Book of the Covenant (Ex 23:10-11). This text does not presume that the content of the release or *shemittah* law is known and therefore it must be explained (Hamilton 1992:17).

Here we have the first reference to the special obligation to the “brother” and this is repeated no less than seven times in this chapter (15:2,3, 7 [2x], 9, 11, 12). The synonymous reference to

“fellow Israelite or brother” suggests that one should not consider “brother” here as a gender-exclusive term (Miller 1990:136). By contrast not much is made of the obligation to foreigners and other nations (Sherwood 2002: 262; Hamilton 1992: 37-38).

In Deuteronomy **15:3** two apodictic injunctions: “*You may require payment from a foreigner*” and “*you must cancel any debt your brother owns you*”, combine to act as the subordinate clause for the main clause in verse 2. The utopian requirement is again restricted to the “brother” or fellow Israelite (Levinson 2004:399).

Verses 2-3 interpret the instruction introduced in verse 1, but not in a deed and consequence way, as it is done in the following sections – vv 4-6 and 7-11 (Hamilton 1992:18).

Deuteronomy **15: 4-6** consist of promises for the future entailing economical prosperity within the Israelite community and economic supremacy over other nations due to the blessings of the Lord. All of this serves as theological justification for the sabbatical release of the debts of the poor brother (Joy Joseph 1997:262-264).

What problems might occur if the Sabbatical release of debt was implemented? These anticipated problems are discussed in **Deuteronomy 15:7-9**. A provision against the abuse of withholding loans due to the approaching seventh year is formulated as a special clause by means of casuistic and apodictic instructions. One of the significant characteristics of the section related to the release of debts is the prominent use of body language. In 15:9 caution is advised that one must not “view” or “look at” the needy or poor brother in a hostile way (Miller 1990:136).

In **Deuteronomy 15:10** counsel is given to the creditor by means of a prohibition that his heart must not be grudging when he gives to his poor brother. The reference to “heart” is the third time that body language incorporating “*lebab*” is used (15:7, 9 & 10). Not only is the way you look at the poor important (15:9), but even more so the attitude of you heart and mind with regards to the poor brother or sister (Miller 1990:136).

This counsel is followed by a theological justification by means of a promise to the future of economical prosperity due to the blessings of the Lord – on condition that an Israelite lends to his poor brother. It seems as if the divine blessing that is required for the economic success of farming, may “be won through humanitarian behaviour” (Bultmann 2001:147).

This section concludes in **Deuteronomy 15:11** with another promise for the future: “*There will always be poor people in the land.*” It ends with an apodictic instruction: “*Therefore I command you to be open-handed toward your brothers and toward the poor and needy in your land.*” For the fifth time mention is made of the “hand” in this section (15:1, 2, 7, 8 & 11), and this is significant against the background of the three references to “heart” and the single mentioning of “eye” in 15:1-11 (Miller 1990:136; Hamilton 1992:13-14). Not only is a favourable view of the poor (1 x “eye”) combined with a compassionate orientation towards the poor (3 x “heart”), but also strong emphasis is placed on positive action and conduct towards the poor by requiring an open hand (5 x “hand”).

It seems as if one can discern a pattern of “see, judge, act” in this pericope’s use of body language – the reference to “eye”, “hart” and “hand”... To my mind the frequency of use of these three terms (1 x eye, 3 x heart and 5 x hand) suggest a certain priority of action, linked to prior observation and reflection!

#### AN IDEALISTIC VIEW ON THE POOR IN DEUTERONOMY 15:4

There is an obvious contrast between the utopian and unconditional affirmation that there shall be no more poor people among Israel, and the pragmatism in 15:7 and 11 that accepts the ongoing existence of the needy in Israel (Levinson 2004:399). Miller (1990:137) remarks that even if 15:4 is considered to be “utopian”, it remains to be a very important indication “the way things are meant to be in God’s intention.

The significance of the conditional statement in verse 4 is that there need not be poor people in Israel, due to the Lord's blessing, which depends on the obedience of Israel (Craigie 1983:237). Phillips (1973:104) captures the essence of this verse: "For the truly obedient community, blessing will be universal; poverty is here seen as a consequence of disobedience."

Merrill (1994:244) acknowledges a possible tension between 15:4 and 11 and considers it "indicative of the gulf that exists between the ideal and the actual, what could be the case were God's purposes carried out and what inevitably occurs when they are not."

I will not dwell on the possibility that 15:4-6 is a later addition to clarify "what is elsewhere promised in Deuteronomy... that the blessing of Yahweh will follow on obedience to the law and that this blessing brings with it prosperity to every Israelite" (Mayes 1979:248). The focus of this article does not have a redactional critical interest, without denying that it might entail illuminating questions to pose to this text (Joy Joseph 1997:198-199).

#### A PRAGMATIC VIEW ON THE POOR IN DEUTERONOMY 15:11

In Deuteronomy 15:7-11 there seems to be an appeal to the conscience of the Israelites, probably anticipating the problems attached to the implementation of the *shemmitah* law (Levinson 2004:399). The obvious requirement of generosity to the poor in verses 7-11 reflect a "humanitarian spirit" in the book of Deuteronomy that goes beyond the letter of the law and cannot in any way be used in an argument to ignore the poor as a pervasive part of society over the ages (Craigie 1983:237).

Mayes (1979:249) observes that "the pronoun 'your' appears with all three nouns, so emphasizing that it is to the community of Israelites living in their own land that the law applies." Deuteronomy 15:11 is "both a realistic admission (that there will always be Israelites in financial difficulties) and an implicit reminder of the necessity of generosity and the careful observation of the year of the release..." (Millar 1998:122).

It is also significant that 15:11 is repeatedly referred to during the ministry of Jesus (Mt 6:11; Mk 14:7 & Jn 12:8). Although Jesus states the fact of ongoing poverty in society, He is as clear to the ongoing obligation to open your hand towards the poor (Miller 1990:137).

#### CONCLUSION

How should we come to terms with the juxtaposition of Deuteronomy 15:4 in which it seems as if the blessing of the Lord will cause the end of poverty and 15:11 where there seems to be an acceptance of poverty? During the past two decades several points of view have been articulated to explain the juxtaposition of idealistic and pragmatic attitudes towards the poor:

- Walter C Kaiser (1983:212) argues that poverty is systemic and continues amidst programmes to eradicate it (American evangelical scholar).
- JG Millar (1998:121-122) does not consider verses 4 and 11 to be a contradiction: "The reflections on poverty must be read in the context of the year of the release. This legislation is not designed to eradicate poverty as such but to ensure that the phenomenon of the 'poverty trap' never arises in Israel." (British evangelical scholar).
- Werner Schmidt (1999:134) relates chapter 15 with a more general trend in the book of Deuteronomy: "the unity of the people of God as the basis for conclusions regarding the social life of human beings" and this trend is reflected in the frequent references to "brother(s)" (German historical critic).

- Bernard Levinson (2004:399) is of the opinion that Deuteronomy 15 reformulates earlier laws in the Covenant Code by adjusting the requirements to the centralisation of worship in Jerusalem (American Jewish scholar).

I am in full agreement with Patrick Miller (1990:138-139) that Deuteronomy 15 challenges two of our most basic assumptions of the nature of human existence: time is linear and not cyclical, as well as the acceptance of a causal nexus of events that cannot be broken. It seems to me as if developed economies of our globalised world assume that history informs us of the pervasiveness of poverty and that there is a nexus of economic realities that makes it inevitable to assume that most countries in Africa are doomed to remain in the poverty trap.

Deuteronomy 15:1-11 challenges believing communities in Africa and all over the globe to face up to the “sabbatical” economical understanding in Deuteronomy. This “sabbatical economy” reminds the believing community that from the very beginning, according to Genesis 1, there was no understanding of time that implied a relentless march of time and an unchangeable sequence of events.

The radicality of the Sabbath commandment, echoed in Deuteronomy 15:1-11, leaves the modern believing community no choice but to say “no” to an economic system that keeps people trapped in debt and accepts poverty as a part of an inevitable cycle of economic development. Sabbatical release or remission of debts indicates a systemic approach to the alleviation of poverty in the first section (15:1-6), whilst a personal obligation of charity towards the poor is required in the second half (15:7-11). The alleviation of poverty in Africa will indeed require a systemic approach by government, industry *and* believing communities, undergirded by the charitable resolve of its respective individual members.

Deuteronomy 15:1-11 is quite rightly considered to a signature command in Deuteronomy since it is concerned that no permanent economic underclass can be tolerated in a society where the members have become brothers and sisters of one another (Brueggemann 2003:88). In the final analysis, an appropriate response to Deuteronomy would entail being actively involved in the eradication of poverty. Poor? No poor!

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