

Justice P1

What's the Biblical Vision of Justice?

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Speakers in the audio file:

Jon Collins

Tim Mackie

What's the Biblical Vision of Justice?

Jon: Hey, this is Jon at The Bible Project. In this episode of the podcast, we're starting a new series on the topic of Justice in the Bible. We have a new theme video on justice coming out on our YouTube channel soon. These conversations are Tim and I talking through the theme of justice and righteousness, how it weaves through the biblical story.

This is a very important and timely conversation. This is also a very convicting conversation, but at the same time, a really exciting and empowering conversation for those who follow Jesus. We'll look at how the theme of justice and righteousness weaves through the biblical story.

Tim: The phrase "giving someone their rights," "protecting their rights," all this language comes from the Bible. All this language of rights in our culture is rooted in the Old King James translation. For the prophets, what does true justice look like? What does mishpat and mercy look like? It's where the poor, the widow, the orphan, and the immigrant don't have to worry about their safety. It's a community where they don't have to worry about who's going to take advantage of them. That is the just society.

Jon: So what's the Bible's vision for justice and righteousness? Thanks for joining us. Here we go.

All right. We're going to talk about justice in the Bible.

Tim: We're laying the groundwork for a new theme video - biblical theme of justice in the bible.

Jon: And we've got six pages of your notes in front of me.

Tim: Sorry.

Jon: I'm ready to learn.

Tim: All right.

Jon: Bring the learn.

Tim: It's hard to know where to begin. The word "justice" appears a lot in the Bible. I did my word search numbers this morning, the word "justice" occurs over 400 times in the Old Testament alone. Then once you bring the related

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vocabulary word "righteousness" in the mix, that appears another 130 times just in the Old Testament.

Jon: Righteousness is 130, justice is 400?

Tim: 400. And they're related. They aren't that related in English anymore, but they're deeply related in the storyline of the Bible. First, as we normally do, we need to clear the ground, identify what's going on in English with our categories with these words, and then find a way to check those at the door, and then let the Bible kind of rebuild its own categories.

Jon: The other day, Paxton, my oldest, came up to me and he said, "Papa, it's not fair. Sayers watching a show, I should be able to watch a show, too." I said, "What do you mean, it's not fair?" And he goes, "It's not fair. It means he gets to do something I don't get to do."

I was like, "Well, that happens all the time. You get to go to school and he doesn't get to go to school. You get to wear underwear during the day and he doesn't get to." I could see him kind of thinking about it and he kind of was getting it, but then he was like, "No, no."

Tim: "You're trying to pull one over me."

Jon: "You're trying to pull one over me. If he's watching a show, I get to watch a show." Fairness is definitely something just deeply ingrained in the psyche. It actually surprised me. I was just thinking, like, "I never sat down with them and was like, 'Let me teach you about fairness. If someone else gets something, you should get it too.'" It's just something he learned and has become a core value of his.

Tim: It's a value that tends to form early and in almost all human beings. I'm not a philosopher or anthropologist or anything, but I think this is a fairly accurate statement to say, all human cultures develop a sense of fairness and have deep-rooted because it's rooted in the human experience of being aware of other people's life experience. Then being aware of what I lack that that's either not going on in my life, and they have that going on so I should be able to have that going on because they're stoked on watching shows or ice cream or having clean water or having religious freedom.

Jon: "If he gets it, I should get it too." And that is equitable.

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Tim: Our English word which has a long history...Well, there's few words. I guess "fair" that's what your son was saying. But "just" is the classic English word. "It's not just." That's the adjective. Then the noun that comes out of that is the English word "justice."

You have online etymology thing you sometimes use. I just did a quick Oxford English Dictionary search. "Justice" comes from the Latin word "iustus" meaning fair or upright. The noun is "justitia."

Jon: Upright is a metaphor?

Tim: Yeah, it is. Not crooked.

Jon: And that actually is in the Old Testament a lot like—

Tim: It is. Uprightness.

Jon: Uprightness?

Tim: Yeah.

Jon: That's a different word?

Tim: It's a different word, but it's related. We'll see some examples of that. Fairness, straightness.

Jon: Straightness?

Tim: Yeah. There's a straightness to how humans ought to relate to each other and it becomes very evident when things are crooked between humans. Things were crooked between your sons.

Jon: Right.

Tim: It's crooked.

Jon: Why has "straight" become so meaningful to us versus "crooked"? If something crooked, it's not as easy to work with, it's less beautiful, it might be damaged in some way when it's crooked. I mean, things in nature are always crooked: branches, veins. But humans create straight things. Nothing in nature is straight.

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Tim: No.

Jon: Nothing,

Tim: I remember being very aware of this after I started skateboarding.

Jon: What was that?

Tim: Because all you're looking for is smooth concrete. How much you like a place is depended on whether the concrete is smooth. I remember different parts of town, older parts of town.

Jon: Over time straight things become crooked. It's smooth things becoming bumpy.

Tim: Yeah, that's right. But the whole point is that nowhere in the forest do you encounter a surface for skateboarding. It's clearly a human-made entity.

Jon: It's so interesting. We just watched "The Lion King" as a family, and it's weird to have...Because in "The Lion King," the animals are anthropomorphized. But they are animals. The lions, they eat the gazelles. And they have to talk about it.

They have to figure out like, "how do we talk about how is this fair, inherently fair." And the way they talk about is the circle of life. So like the father, I forget his name, but Simba's Dad, Simba's like, "Oh, man, we eat the Animals. That's a bummer." And he's like, "Well, we eat the animals, but then we die and we become dirt where the grass grows and the animals eat us. So there's this inherent fairness the circle of life."

But humans, we seem to be creating a world of justice that isn't [inherent?] in the natural order. We're trying to bring it out.

Tim: It's a human project - the creation of a just community. It doesn't come from some previous stage of development. There's nothing. It actually is unlike anything in the universe.

There actually is a good analogy to that. Annie Dillard, she went to go live in a small cabin by a creek for a long period of time to just isolate herself and be alone with nature. So the book is about her experience.

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One of the big takeaways in the book was that she actually had this whole season where she was terrified by what she was seeing every day down at the creek, namely that nature, this beautiful, idyllic thing that she was going to experience was absolutely bloodthirsty and terrifying. She has this whole thing about a praying mantis, like what kind of a horrible creature a praying mantis is.

It leads to this reflection of nature is not just. There's nothing just about how animals behave towards each other. There's nothing in the natural world that leads logically or naturally to our concept of straightness and how humans relate to each other. Don't come into existence in a just way. Here's a quote from Annie Dillard.

"There's not a person in the world who behaves as badly as praying mantises. But, wait, you say. There is no right or wrong in nature. Right or wrong as a human concept. Exactly. We are moral creatures living in a moral universe. Or consider the alternative. It's just a human feeling that's freakishly amiss in the world.

Okay, then we're freaks of nature and nature is what is normal. So let's all go have lobotomies and be restored to our natural state, and we can leave lobotomized, go back to the creek, and live on its banks untroubled like any muskrat or weed. You go first." Annie Dillard, "Pilgrim at Tinker Creek."

Jon: Is that the idea of the Golem in a way? Like, he kind of just goes back to this instinctual animalistic.

Tim: Her point, justice. The Justice society is very much...

Jon: We all want it.

Tim: We all want it. If it's going to happen, it's going to be something humans create. The natural trajectory of human relationships is not towards justice. At least human history has not shown that to be the case. There has to be some active force or choice or value system or story driving people to live unnaturally.

Jon: But wasn't Martin Luther King Junior's thing about the arc of history is long but it bends towards justice?

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Tim: Correct.

Jon: He's saying the opposite thing, right? Which is, there is a force pushing us towards justice.

Tim: Correct. Yes. He's saying that very much as a Christian living in the biblical story.

Jon: So the biblical story animating us as humans is bending towards justice, not nature itself?

Tim: God's that worked in the world, Dr. King believed through Jesus to bend the universe back towards straightness. That's the Christian story. Otherwise, humans left to their own devices, or left to alternative stories will descend into injustice.

Anyway, just as a preface. Here's what's interesting in our culture today. Justice is a very fashionable word. It's a positive word that gets respect if you can claim to have justice on your side. But in our modern Western culture that comes out of these kinds of Judeo Christian roots, there's an extremely confused conversation happening about what constitutes justice.

Jon: We all want justice, but we don't necessarily agree on what it is.

Tim: Yeah. Because how you define what is the straight thing and what is the crooked thing actually isn't self-evident. It's not self-evident in nature. It comes from a set of core values, usually religious values, a worldview that says these things in life are the ultimate good to the ultimate values.

Helpful book that I was pointed to by Timothy Keller, who wrote an excellent book on a Christian vision of justice called "Generous Justice." In it, right at the beginning, he quoted from this Harvard law professor who wrote this book that was excellent. His name is Michael Sandel, and it's called "Justice: What's The Right Thing to Do?"

And Sandel is not a Christian. Well, actually, he might be. I don't know. I haven't looked up his Wikipedia page. But he's not writing as a Christian for Christians. He's trying to identify the fact that America and the West, modern West, Europe too lives in this really confused state where we all say, "liberty

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and justice," but we have subcultures that have totally different core values that define what the just thing is.

He boils them down to three that I found were helpful. This is helpful for understanding what's going on in the Bible's justice. That's why I'm bringing this up.

He says, "There's a whole group and subculture with political parties attached that their core value in defining what is straight or just - he calls it the maximizing welfare view - the straight action, the just action is whatever will bring the greatest amount of good and reduce the greatest harm for the greatest number of people.

But as a core principle, if the core is whatever reduces harm and increases flourishing for the greatest number of people, if that's your guide, that does get you going in a direction that will make life good for many people. But what that core value doesn't do is help you determine what is the greatest good, and what defines harm." You have to define that. Anyway, this is a very broad brushstroke.

Jon: So maximizing welfare, basically, what will help the most people and hurt the least people.

Tim: And hurt the least amount of people.

Jon: And whatever we do we should always be maximizing that?

Tim: Yeah. That's a true north.

Jon: In that view, there's a social equity. So you're getting more and more towards equality for everyone? Is how that would bend?

Tim: Yeah. This view would find itself most often expressed in more socialist political groups.

Jon: So groups that are really interested in...

Tim: Redistribution of resources.

Jon: ...and making sure everyone has equal rights.

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Tim: Correct? Actually, that's number two. He thinks that's different. And they're not all different universes. These three overlap. But the point is, if you listen to our public discourse about justice, you'll tend to find these three patterns in people's arguments.

Jon: But people could have a number of them operating?

Tim: Yeah. Usually, we're a hodgepodge but we tend to value one more than the other.

Jon: Okay. Maximizing welfare. Got it.

Tim: Sandel says the second is the respecting freedom view. This is about liberty - individual liberty. Justice is what creates the greatest amount of respect for the rights and freedoms of each individual to live how they want to live. This is deep-rooted in American culture history. "Don't tread on me." "Don't tell me what to do."

Jon: I had a hat that said, "Don't tread on me," with a snake in a boot and I didn't know what it meant. I just thought it was awesome.

Tim: Was it a trucker hat?

Jon: Yeah, it was a trucker hat. I wore it for a long time and then later when I wasn't wearing anymore, I learned that that symbol had a lot of meaning. Then it just occurred to me, like, "Man a lot of people just assume something about me because of that hat, rightfully so probably, my liberty."

Tim: If this is your core value," Sandel says "these will be groups that for their view of the just society is a society that will accommodate and adapt to promote the fair treatment and the equal liberties of every single different kind of person.

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Tim: Then the last core distinct vision of justice Sandel talks about, he calls it the promoting virtue view. Justice is what is going to shape a society so that people act as they ought to in accordance with moral virtue. Here there's the vision of humans ought to behave this way - a certain kind of moral compass, a certain level of virtue and integrity, and the just society is what will push

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people to become like this. The freedom view tends to get connected with what in America is called political libertarianism.

The third is political conservatism. Then the first maximizing welfare is often connected with socialism.

Jon: And liberalism, yeah.

Tim: Sandel whole point is when you're talking across the spectrum, it's just helpful to be aware that even though you're using the same vocabulary, these words "justice" and "fairness" you actually have really different views.

Jon: You put a liberal socialist, a libertarian and a conservative in the same room, and they're all using the word justice. They're using them in a different way.

Tim: So plug in any of our hot topic cultural—

Jon: Yeah, I was just thinking about that.

Tim: Whether it's about wage—

Jon: Well, let's talk...

Tim: But just go down hit list and you can begin to plug them in, like a minimum wage or right to life, abortion issues or anything to do with definitions of marriage.

Jon: What seems really hot right now or comes up a lot is transgendered issues.

Tim: That's right. Gender. That's right,

Jon: So like respect for freedom would be, "Hey, if someone else is able to marry someone, you should be able to marry someone. If someone has a choice who they want to marry, you should have a choice who you want to marry." That's the liberty. But then if you think of it through the virtue lens, then you might say, "No, they're actually has to be some boundaries to this."

Tim: Actually, marriage is a good example. There's been voices from the first few maximizing welfare, nonreligious voices from the maximizing welfare view arguing against the redefinition of marriage. I forget who it was, but they

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were a couple of law professors and they were arguing against redefinition of marriage, not from a religious point of view,

Jon: They were saying we shouldn't redefine marriage because it won't maximize welfare?

Tim: In the long run, they made a historical argument that it will be at the detriment of our society as a whole. The point is, these are three different—

Jon: You could take that issue and you could argue it through any of these three lenses. And you're going to get into different places when you start with any of those.

Tim: Sandel's point is this is a 30,000-foot map of American views of justice and how it shapes very charged emotional conversations in our culture. Here's what tends to happen is there are religious believers of all kinds, Christians of all kinds, who are in all of those camps. What tends to happen, is the Bible, the role—

Jon: You get conservative Christians; you get liberal Christians.

Tim: And they will all appeal to the Bible as advocating for their particular point of view. This was Tim Keller's point and why he brought up Sandel. This is I think just the point to make. We won't be able to have this conversation in the Justice video, I don't think. Maybe acknowledged it that it's complex.

But it's just saying, the Bible, we tend to do is be in a camp ourselves, have a point of view ourselves and assume that the Bible supports my particular point of view. What's fascinating is, when you look at all of these hundreds of uses of these words "justice" and "righteousness" in Old and New Testaments, you find that actually the biblical definition of justice taps into all of these. It doesn't support one against the other.

There are different places where biblical authors will be connecting to each of these core values. Which means this. It means the Bible doesn't fit neatly into our more modern categories...

[crosstalk 00:21:54]

Tim: ...like a broken record. It takes great discipline to just set aside our modern debates about whatever topic and just listen, learn how to listen to the

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biblical story and how it defines justice, and then come back to our modern context and see what wisdom it has to offer us. But the unique thing is that it doesn't just tap into any one of these that actually unites them I think under a bigger vision.

Jon: So this bigger vision is a fourth bucket?

Tim: Well, I don't know. We'll just have to let the conversation unfold, and go there.

[00:22:51]

Tim: Here's a helpful place to start. One of the most famous Bible verses about justice from the Old Testament, prophet from Micah of Moresheth. In the sixth chapter, he has this classic line. He says, "God has told you, O, human, what is good; and what the LORD requires of you it's to do justice, and to love mercy, and to walk humbly with your God." Epic.

Jon: Did you sing that as a kid?

Tim: No.

Jon: I know there's a song to it.

Tim: Oh, there is?

Jon: Yeah. It's something like a hymn. I don't know. Maybe it's a hymn. But, yeah, we'd sing it.

Tim: It's that line, it's a little poem. "He's told you, O, human, what's good, what LORD requires of you. Three things; To do justice, love mercy, walk humbly with your God. The Hebrew word "justice," you don't have to clear your throat. It's pretty simple to say. Mishpat.

Jon: Mishpat.

Tim: Then the context of Micah as a whole, Micah was accusing the leaders of Israel specifically. Remember, the Israelites are in the land, Joshua divided up the land to all the tribes. Everybody's supposed to have their own piece of land that they can work and develop and cultivate to provide for themselves and to contribute to their community. It seems very fair.

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Tim: It's very fair. In the Old Testament story, the land boundaries it's like the ideal state where everybody has the chance to work hard and contribute. But as the kingdom period went on, it's just what naturally happens just like what happens at Tinker Creek, is there certain individuals begin to accumulate through fair or unfair means more resources, more land, and what Micah identifies as there are people who are changing the boundary lines at nighttime, or there are people who are buying land from lower income landowners, and then slowly turning them into bondservants or slaves. Or they rig the weight systems in the market so that...whatever. It's what humans do. And he's ticked Oh, my gosh. Like the whole book of Micah, he's ticked.

This statement comes at the pinnacle of him accusing the elite leaders and landowners of Israel. And that's what he says. "Here's what God defines as good justice, mercy, and humility." We'll talk about what he means by mishpat, but it's interesting that he joins it with mercy and humility.

One part of what he means is, hey, we need to go settle these disputes and write these wrongs. These are inequities, probably need to go to a courtroom.

Jon: He means that by doing justice?

Tim: By doing justice, but it's clear that he doesn't mean only that this is going to happen in a courtroom. Because he joins these three things together, doing justice, but also loving mercy. Mercy is about your motivation for why you would do justice. Whatever justice is—

Jon: Let's back up the whole courtroom thing. In our culture and in many human societies, when there is a dispute about whether something that's happened is fair or not, just or not, we've created a system in which we can try to get to that answer in the best way possible by calling in witnesses, by looking at evidence, and by someone—

Jon: Or appealing to legal statutes that define what is right in our land.

Jon: Appealing to what we've already decided is the right and wrong thing to do and then interpreting those things. And this is all presided over by a judge, generally.

Tim: Who's carrying out the statutes of the definitions of right and wrong created by a body of elected leaders.

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Jon: This whole process of finding justice then happens in an environment that we're calling the courthouse. If you're trying to do justice often times, it will end up in court. That's just the place where justice is considered. It can be considered in other places - around a table with friends, but—

Tim: But in terms of where things get decided in a public way and for the public good, yeah. Actually here - this is right below in the notes - there are two main modes of justice that you can think about.

One is you could call it retributive or rectifying justice. This is what happens in a courtroom. You stole five bucks, that's wrong in our land. That's crooked. So you need to make that straight. You need to pay five bucks and probably do some community service and whatever. That—

Jon: You put a soul out so you need to contribute.

Tim: Or I was accused of stealing five bucks. I didn't steal five bucks. Now you've put me out of all this time to sit here in this room and prove to you that I didn't steal five bucks. It's both you're declaring behavior wrong and rectifying it, which means punishment, or recompense. That's one mode of justice.

But then there's another mode of justice. You could call it restorative, which is we're going to create codes by which we choose to live and the creation of those codes will embody a vision of straightness or justness. And as we draw those up, who are we going to pay attention to? Who are these laws going to benefit? There's this huge debate, of course, in modern political theory.

In the creation of laws, should laws be oriented as completely irrespective of persons or should there be laws created specifically for certain groups that tend to get the short end of the stick more often than anybody else. So we're going to create specific laws so that these people get a leg up. And this is huge debates. And that doesn't happen in courtroom. That happens on—

Jon: On the legislation?

Tim: Yeah, we've called this legislation in our culture. There we're talking about rights - somebody's rights being protected by the creation of law. The question is, what's Micah talking about to do justice?

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Jon: Is he saying, "Go to a courthouse and anyone who's stolen needs to be punished?"

Tim: Yeah. But if you're doing that, why does he combine that with mercy and humility?

Jon: Because when you go to a courthouse, it's not about mercy.

Tim: It's not about mercy. It's just like you still five bucks.

Jon: It's about justice.

Tim: It's about justice.

Jon: It's about what's right and wrong.

Tim: Yes. It's about justice in a retributive sense.

Jon: Oh, I see. But the other sense does have mercy because if you say, "Hey, look at this group of people are often marginalized. No matter what, they always end up being marginalized. So let's proactively and mercifully create rules which protect them. That means you're not actually seeking strict justice. You're doing something merciful.

Tim: And here, we're to it. This is another issue. In the Bible, the word "mishpat," 9 times out of 10 gets used in that second sense.

Jon: The merciful sense.

Tim: Creating a society where the most disadvantaged and the most vulnerable are supported and cared for. You're creating legislation and your leaders are specifically focusing on the most vulnerable in the community. Of the 400 plus uses of the word "mishpat," the vast majority are focused on that second one. Which is why in the Bible justice is often connected with mercy, love, humility. It's great if a judge in a courtroom is a nice guy, but it's irrelevant to his role as judge.

Jon: Sometimes they kind of need to be hard.

Tim: We have this English word to translate mishpat, but mishpat is about much, much more than just what happens in the courtroom. There you go. Mercy is

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about looking on people who are in situations that are difficult, and that are not my situation. If I'm going to act in their favor or do good to them, that's called mercy. The same with humility. I'm going to treat other people as more important than me. And so their problems, I make my problems. This is one of the main meanings of mishpat: justice. To make other people's problems my problems is justice in the Bible.

Jon: Nine times out of 10?

Tim: Yeah. I'm going to show you many examples.

Jon: All right. Let's look at some examples.

Tim: Here's what's interesting. Here's how this restorative sense works out. It's this development of meaning. This is interesting.

Jon: Restorative is the second one?

Tim: Yeah.

Jon: Okay. Retributive and restorative?

Tim: Yeah. Retributive is punishing wrongdoers by standard justice. Restorative is making sure everybody in my community is treated fairly and is given an opportunity to flourish. The phrase "giving someone their rights," "protecting their rights," all this language comes from the Bible. All this language of rights in our culture is rooted in Old King James translation. It's really fascinating.

This is really Old Testament trivia. When Joshua divided up the land and all the tribes got to live on their land, which of the tribes actually didn't get their own land inheritance?

Jon: The Levites.

Tim: Good job. There you go. I couldn't have answered that a long time ago. That's not a common knowledge. Anyway, maybe it is if you've read the Bible.

Jon: Well, it wasn't from reading the Bible. It's from whatever, Bible class.

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Tim: So the Levites' job wasn't to work the land. They weren't farmers. They were a tribe dedicated in shifts, volunteering at the temple. The Levites were grounds and maintenance in facilities.

Jon: For the temple?

Tim: For the temple. Then one tribe within Levi...

[crosstalk 00:34:07]

Tim: ...from the line of Aaron and Zadok and so on. All of the tribes were to donate a 10th or a tithe of their field produce and animals. This is where the word "tithe" comes from. What's interesting, is multiple places, here's just one example, In Deuteronomy chapter 18, it's talking about all of the other tribes giving a 10th of their income to the Levites. This temple tax is called the Levites mishpat. It's the mishpat of the Levites.

Now, it makes no sense to translate that word justice there. It's the justice of the Levites? What are we talking about? We're talking about they have arranged their society so that the right and good thing is to have one whole group of people that's supported by the income of the other tribes to maintain the worship and the honor of God in the temple.

And so we have decided that the Levites have a right, a mishpat to one-tenth of the income of all the other tribes. They create that. To not do that then, is to do injustice. It's to violate their rights. This is what's at the core of this meaning of restorative justice is that there are these certain people who have unique rights. And so we as an Israelite society need to be aware of who these unique people are because their rights could be easily neglected.

Think about it. These Levites, these guys aren't working the land, they could starve if the rest of the tribes don't respect their mishpat - their God-given right.

Jon: But isn't it the case that the people running the temple were the ones in power? So it's not like they had to be careful for their rights.

Tim: After the exile, in the time of the kingdom or before the kingdom, that was not the case.

Jon: Because there was no king?

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Tim: In the Second Temple period, the high priest came to take the role of governor priest.

Jon: I see.

Tim: But that was not that was not the case...

Jon: Before the Kingdoms period when it's just a band of tribes, if there's one tribe that saying, "Hey guys we're going to take care of all the temple worship stuff on behalf of everyone. We're not going to farm, we're going to depend on you to take care of us by giving us 10%?"

Tim: Yeah. And everybody agrees and calls that 10% their mishpat. Their right.

Jon: The right of the Levite?

Tim: It's the right. It's their right. I mean, that's intuitive. There's another group of people whose mishpat is often actually talked about way more than the Levites and anybody else's rights. Biblical scholars call this "the quartet of the vulnerable": The widow, the orphan, the immigrant and the poor.

I could throw 30 examples at you right now. Here's just one from Zachariah chapter 7. "Thus says the Lord of hosts, dispense true mishpat and practice mercy and compassion." Those are the two key words from Micah chapter 6.

Jon: Mercy and humility?

Tim: Yeah,

Jon: But this one's compassion?

Tim: No. This is mishpat and mercy and compassion each to his brother and do not oppress the widow, the orphan, the immigrant or the poor. That's just one example. You have Old Testament prophet who's exposing injustice in his community. For Israel, the whole point was that they are a different kind of community among the nation that lives by different terms to become priests to the nations. So the prophets were constantly zeroing in.

For the prophets, what does true justice look like? What does mishpat and mercy look like? It's where the poor, the widow, the orphan, and the immigrant don't have to worry about their safety. It's a community where

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they don't have to worry about who's going to take advantage of them. That is the just society. It's interesting.

It's like in the Old Testament, the litmus test for mishpat is whether people in these four groups are these people worried of who's going to take advantage of them tomorrow? Are they worrying for their safety or their well being? If so, that's not a just society according to the prophets.

Which underneath it then assumes, "So what is the mishpat? If the mishpat of the Levites is one-tenth of the other tribes' income, what is the mishpat of the widow, the orphan and the immigrant, and the poor in Israel?" I think it raises that question or forces us to think that through.

Jon: What's their right?

Tim: Yeah. If we're saying, "do mishpat and mercy for these people, specifically," it assumes that they have a right that needs to be honored before God.

Jon: Which is to not be oppressed. They have a right to not be oppressed because of their condition.

Tim: That's right.

Jon: All these conditions are vulnerable conditions?

Tim: Vulnerable conditions. This is an ancient patriarchal farming tribal network. Stability is about being connected to a family that has land. So who is not connected to a family? Orphans, immigrants and the widow. Because it was an ancient patriarchal society, the land ownership rights of women in ancient Israel, it was complicated. We could say that. And so it would be very easy for an uncle to grab land from his brother's widow or something like that.

In that kind of community, these are the four that tend to fall through the cracks because they are not connected to family or land. Each culture has their different quartet of the vulnerable. It just depends on how their economy is structured or whatever. I just put together a shortlist.

In our own culture, this is just something I've been thinking about as my own parents' age is just the nature of elder care facilities and in our culture. Because you visit other family members and maybe they're only on Medicare, something and the kind of facility, like none of the family members have

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taken them in, it's not a great situation for millions of elderly people in our culture. They don't have influence anymore. So every culture has its own cracks that people fall through.

Here's the thing. In our culture, we would typically say, the person who goes and advocates for the elderly who are in really unacceptable conditions in a care facility or they go and give food they provide meals, we call that charity. We call that charity, giving or paying attention to—

Jon: Or activism.

Tim: Well, you could call it activism. I guess it becomes activism when you start to go into the public realm and speak out on behalf of these people who don't have a voice.

Jon: And try to create justice.

Tim: Yes. And this is mishpat. It's mishpat motivated by mercy. It's what Micah means when he says, "Do mishpat that's rooted in mercy and motivated by humility." You're treating other people's difficult situations as your own responsibility. That is mishpat. It just permeates the whole testament. And it's different. It just so that our word "justice" doesn't have quite that ring to it.

Jon: No, not necessarily. But it does little bit. I mean, it just depends on the context. It can mean just strictly making sure that wrong are righted. If you stole \$5 from someone, it doesn't matter if you're poor or rich, you still \$5 and the just thing to do is payback.

But this other thing, this restorative sense of justice, I could see calling someone who spends their life, their time, and their money to help a marginalized or oppressed people. There's someone who cares about justice. I can see that phrase being used, and not just simply someone who cares about charity. I mean, you can use either I suppose, but more and more—

Tim: Yeah. Our English word "justice" can cover both of those just like the Hebrew word "mishpat."

Jon: But while 9 out of 10 times in Hebrew it's referring to restorative justice, I think it's way more waited for us to talk about retributive justice.

Tim: Yeah, courtrooms punishment.

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Jon: Fairness vs mercy.

Tim: You're right. And we have other words that cover that ground like advocacy or activism.

Jon: Like civil rights movement, we would now call that a movement of justice. But when you're in the thick of it, you might just call it mercy and advocacy. But then eventually you realize like, "Actually, no, that's just justice." It kind of depends on the point of view you're coming from too.

Tim: And notice how in this vision it ties together all of Michael Sandel kind of three...The maximum number of people are not experiencing the opportunity to flourish. Their mishpat is being violated. Their right to live here in our community and exist here and have an opportunity, that's being violated.

Also, if we aren't a society that makes those people's problems our problems, we aren't actually truly virtuous. We aren't being fully human. O, human, what does God require of you? To do mishpat, to love mercy, and to walk humbly with humility. That's what I meant earlier. The biblical vision tie is all of these together in a way that our culture it's hard to capture that.

[00:45:08]

Tim: If you read through the poetry of the Psalms, a huge number of appearances of this word "mishpat" actually aren't describing what humans do. It's describing who God is, and God's character, and what God does. Actually, all of it is rooted in the story of the Exodus. The Justice video, the Exodus will play a big, big part of the storyline.

A poem like this, Psalm 146, "The Lord God, the one who uphold mishpat for the oppressed," what does it mean for God to seek mishpat for the oppressed? He gives food to the hungry, he sets prisoners free, he opens the eyes of the blind, he raises up those who are bowed down, he loves the righteous, he protects the immigrant, he supports the fatherless, and the widow and he thwarts the way of the wicked. When God shows up and does mishpat, these are the kinds of things that happen.

To me this is interesting. There are some things he thwarts the way of the wicked, take some of the courtrooms, fines them, punish them. We think yes,

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"All right, justice." He supports the fatherless and the widow. Like what we just talked about, advocacy, protecting the rights of.

But then giving food to the hungry, opening the eyes of the blind, these are things that in our culture connected with generosity or charity. But in this poem, they all are expressions of mishpat.

Jon: Giving food to the hungry is definitely in the category of charity. Opening the eyes of the blind, would be like just our desire to medical advancements and helping people.

Tim: Yeah. But think of like Doctors Without Borders. It's people in a more developed country take their skills, and then they go set up shop in a community somewhere else where people would never have access to those kinds of ear surgeries or some things. In this biblical vision, that's an expression of mishpat.

Jon: What did they mean back then "Open the eyes of the blind"? That would be a miracle. I mean, that's not like—

Tim: That's a good point. That's a good point. He opens the eyes of the blind.

Jon: Is it a metaphor?

Tim: It's connected to prisoners. So if you're in a dark prison, you're opening the eyes of the blind. It's a great point.

Jon: It's a metaphor for something more spiritual or something? Nowadays, yeah. I work for [unintelligible 00:48:01] nonprofit - what's their name? - but they just take eyeglasses to people who don't have access to them. And they're essentially people who are blind and all they need is some corrective lenses in front of their face and they can see. But back then I don't know if there was that technology.

Tim: You just stumped me. What is this metaphor of opening the eyes of the blind? Of course, our minds go to the narratives—

Jon: Medical side.

Tim: Oh, yeah, our minds go to medical or to the narratives about Jesus opening the eyes of the blind.

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- Jon: Jesus did that a number of times.
- Tim: But opening the eyes of the blind, I'm now thinking about it, it's a common motif in the prophets connected to—
- Jon: "Hey, you have eyes but you can see." That kind of thing?
- Tim: Yeah. But I'm saying, the eyes of the blind being opened can in a matrix of ideas and themes about the new Exodus based on the old Exodus.
- Jon: Oh, really
- Tim: Yeah. It appears like in Isaiah 35, the day of salvation has come, your God is here to save you. The eyes of the blind will be opened, the ears of the deaf stop, the lame leap like a deer.
- Jon: It's kind of a new creation image.
- Tim: Yeah. I need to think about that more.
- Jon: But mishpat is so radical that it reverses physical ailments.
- Tim: That's right. I think that's the point.
- Jon: Here we are in a—
- Tim: The whole point is praising God because he's the embodiment. It's almost the poem is asking us to say, "Wherever you see mishpat happening in the world, you're seeing God's will carried out. He's the one who upholds mishpat for the oppressed." Because these poems are celebrations of this is God's will that the quartet of the vulnerable are cared for, but it's rooted in the history of what God has in fact done.
- Jon: Because Israel wasn't an oppressed nation, it oppressed people group, I should say, slaves in Egypt treated brutally, building the Empire in Egypt—
- Tim: The mishpat was being abused and neglected.
- Jon: And then God rescued them. That then becomes for them the central—
- Tim: It's the foundation story. Then the Exodus story is what the God of Israel first revealed himself to the people. If you go through the storyline, He revealed

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himself uniquely to Abraham and the family of Abraham. But by the time of Exodus, they're being reintroduced to the God of their ancestor.

Jon: Yeah, all of them.

Tim: And who is he? This is Exodus chapter 6. "I have heard the grounding of the sons of Israel because of the Egyptians holding them in bondage, I've remembered my covenant promise to Abraham, and so on. Say to the sons of Israel, I am the Lord. I'll bring you out from under the burdens of the Egyptians, I'll deliver you from bondage, I'll redeem you with an outstretched arm and great act of mishpat."

The Exodus story is like, if you could look up the ancient Israelite theology dictionary of mishpat, it would say, what God did for us in rescuing us from slavery in Egypt it's what gives the word its meaning. This is why the poet can say, "God is the one who upholds mishpat - by doing what? Setting prisoners free, raising up those that bow down. And they celebrate the story of Passover. Passover is a freedom and justice celebration.

Jon: It's their 4th of July.

Tim: Yeah, right. There are all kinds of passages in the Torah. Just one example in Deuteronomy 20. "When your son asked you, 'What are all of these judgments and statutes of the Torah...And that word "judgment" is mishpat. What are all these laws that create restorative mishpat in our community,' you shall say to your son, "Hey, we used to be slaves. God brought us up out of Egypt with a mighty hand. He brought us out of there to bring us into the land." This is why God wants us to live this way as a community. The Exodus story defines mishpat.

Jon: Why should I care about justice and then why is it written in our laws? Why do we make it a big deal about this? Why are we supposed to be merciful?

Tim: Why do I make somebody else's problem my problem?

Jon: There is a bunch of very essential kind of radical rules in the Torah about the year of jubilee and different things where it requires a lot of mercy to say, "Okay, I have this land, but it would be better if it was yours and so every seven years, it's going to go back to you."

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Tim: That's right. If you made a bad business deal, if there was a famine, you can't afford your property anymore, you have to sell it. Every Jubilee cycle, every 49 years, the land goes back. But every seven years, people had to sell themselves because of debts or their wages are garnished, the debt gets erased.

Jon: Why do we care so much and why are these laws in there? And then they would say, "Well, look, this is our history. We were rescued, we were oppressed and God showed us mishpat." Which in both senses they were being treated wrongly and they were rescued from that - from abuses.

Tim: Yes. God brought recompense on Egypt, on the bad guys, and he protected the mishpat of the vulnerable and brought them into a place where they could then flourish and provide for themselves and so on. It's all connected with all these other laws and the Torah about like, "If you own land, if you own all of the orchard, don't go through the trees a second time. Leave those for the quartet of the vulnerable: the widow, the orphan.

It's totally different than our definition of charity, which is you just hand somebody food. The point is, is they live in the land of Israel too, which is ultimately a gift to the charity in first place. So you actually don't own that land, your tribe is stewarding it right now.

So the mishpat of the widow and the orphan is to go through the second gleaning of that orchard and it's for them. That's one of the laws of the Torah.

Jon: Is that different than keeping the borders of it? [unintelligible 00:55:15] just to not pick the borders or something?

Tim: That's just about not stealing another tribes land.

Jon: No. I thought there was a rule about not harvesting the edges.

Tim: Oh, the edges of your field, that's right. There is like a wheat harvest, but there's another one about all the trees that go through and glean it once where you beat the branches with sticks and all the ripe offs fall.

In theory, you could maximize profit from those trees and do it again in a couple days. The law was, "No, that's actually doesn't belong to you. It belongs to the widow." It's the mishpat. Just like the mishpat of the Levites is

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one tenth, it's the mishpat of the vulnerable to go work and provide for themselves on your land. That's how the Israelite rolled.

Listen, we can point out all these other laws in the Old Testament that don't feel that way. There's plenty of them. So what's God doing? He's pushing Israel towards greater mishpat. What he's not doing is—

Jon: Is making them a perfect society.

Tim: Or even I would just say, making them what our vision of the ideal society is. But that's just the way God rolls throughout the history of the Bible is he works with people as he finds them.

Jon: He comes to where you are and pushes you further.

Tim: And He pushes you forward in a way that will make you stand out and feel uncomfortable, but also won't make you an alien in your culture. Really powerful.

Jon: It's cool. Thanks for listening to this episode of The Bible Project podcast. Next week, we'll continue this conversation on Justice in the Bible. Our theme video on justice will be released on our YouTube channel when it's ready. There's a lot of other theme videos there that you can watch and a lot more conversations on this podcast if you haven't listened to some of the older ones.

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