

Asbury Theological Seminary

JUSTICE, HARVEST AND THE MARGINALIZE:
AN EXEGETICAL STUDY OF DEUTERONOMY 24:17-24

Submitted to Dr. Sandra Richter
In Partial Fulfillment of the Requirements for
OT710 Exegesis in the Pentateuch: Deuteronomy

By:
Benjamin D. Kickert
December 11, 2008

Translation and Text Criticism

Deuteronomy 24:17-22

¹⁷ You shall not pervert [the] justice of a sojourner or orphan, and you shall not take a widow's garment in pledge. ¹⁸ And remember that you were a slave in Egypt and YHWH your god redeemed you from there. Therefore, I am commanding you to do this thing. ¹⁹ When you reap your harvest in your field and you forget a sheaf in a field, do not return to take it, it is for the sojourner, for the orphan, and for the widow; so that YHWH your god may bless you in all the work of your hands. ²⁰ When you beat your olive trees, do not go over the boughs after you. It is for the sojourner, for the orphan, and for the widow. ²¹ When you cut off your vineyard, do not glean after you. It is for the sojourner, for the orphan and for the widow. ²² And you shall remember that you were a slave in the land of Egypt; therefore, I am commanding you to do this thing.

¹⁷ לֹא תִטֶּה מִשְׁפַּט גֵּר יִתּוֹם^{i, ii, iii} וְלֹא תִחַבֵּל בְּגֵד אִלְמָנָה¹⁸ וְזָכַרְתָּ כִּי עֶבֶד
הָיִיתָ בְּמִצְרַיִם^{vi} וַיִּפְדֶּךָ יְהוָה אֱלֹהֶיךָ מִשָּׁם^v עַל־כֵּן אֲנֹכִי מְצִוֶּה לַעֲשׂוֹת
אֶת־הַדָּבָר הַזֶּה¹⁹ כִּי תִקְצֹר קִצְרֶךָ בְּשֹׂדֶךָ וּשְׂכַחַת עֹמֵר בְּשֹׂדֶךָ לֹא תָשׁוּב
לְקַחְתּוֹ^{vi} לַגֵּר לִיתּוֹם^{vii} וְלִאִלְמָנָה^{viii} יִהְיֶה לְמַעַן יִבְרַכְךָ יְהוָה אֱלֹהֶיךָ בְּכָל מַעֲשֶׂה
יְדֶיךָ^{ix, x} כִּי תַחֲבֹט זֵיתְךָ לֹא תִפְאֹר אַחֲרָיֶךָ^{xi} לַגֵּר לִיתּוֹם^{xii} וְלִאִלְמָנָה^{xiii} יִהְיֶה²⁰ כִּי תִבְצֹר כְּרֶמֶךָ לֹא תַעֲוִלֵּל אַחֲרָיֶךָ^{ixv} לַגֵּר לִיתּוֹם^{xv} וְלִאִלְמָנָה יִהְיֶה²² וְזָכַרְתָּ
כִּי־עֶבֶד הָיִיתָ בְּאֶרֶץ מִצְרַיִם עַל־כֵּן אֲנֹכִי מְצִוֶּה לַעֲשׂוֹת אֶת־הַדָּבָר הַזֶּה²¹ כִּי תִבְצֹר כְּרֶמֶךָ לֹא תַעֲוִלֵּל אַחֲרָיֶךָ^{ixv} לַגֵּר לִיתּוֹם^{xv} וְלִאִלְמָנָה יִהְיֶה²² וְזָכַרְתָּ
כִּי־עֶבֶד הָיִיתָ בְּאֶרֶץ מִצְרַיִם עַל־כֵּן אֲנֹכִי מְצִוֶּה לַעֲשׂוֹת אֶת־הַדָּבָר הַזֶּה²¹ כִּי תִבְצֹר כְּרֶמֶךָ לֹא תַעֲוִלֵּל אַחֲרָיֶךָ^{ixv} לַגֵּר לִיתּוֹם^{xv} וְלִאִלְמָנָה יִהְיֶה²² וְזָכַרְתָּ
כִּי־עֶבֶד הָיִיתָ בְּאֶרֶץ מִצְרַיִם עַל־כֵּן אֲנֹכִי מְצִוֶּה לַעֲשׂוֹת אֶת־הַדָּבָר הַזֶּה²¹ כִּי תִבְצֹר כְּרֶמֶךָ לֹא תַעֲוִלֵּל אַחֲרָיֶךָ^{ixv} לַגֵּר לִיתּוֹם^{xv} וְלִאִלְמָנָה יִהְיֶה²² וְזָכַרְתָּ

- ⁱ The editors of the BHS think the following phrase should be deleted. "or orphan, and you shall not take a widow's garment in pledge." There is no evidence to suggest this is the appropriate reading.
- ⁱⁱ Variants in B. Kennicott's edition, 2 Manuscripts, Septuagint (excluding a manuscript according to Holmes-Parson's edition), Syriac Peshitta, Targum manuscripts in A. Sperber's critical apparatus, Targum Pseudo-Jonathan and the Latin Vulgate have וְיִתּוֹם ("and orphan"). Since Codices in Greek, Syriac, Aramaic and Latin all support this reading this variant is accepted. Additionally, even when translating the BHS text as provided, some assumption must be made to allow for a coherent reading of the opening phrase. Either a conjunction is assumed (which would match the variant) or the word יִתּוֹם must in some way relate to גֵּר either adjectivally or in a construct chain. Of these later options, the word יִתּוֹם does not occur adjectivally in the BHS according to the BDB; likewise the option of this being a construct chain is unlikely considering in this passage every other time these words appear together, they are separated by a waw conjunction and clearly delineated. Even when the variant is not accepted, the most coherent translation of this phrase is still "sojourner or orphan."
- ⁱⁱⁱ Origin's Hexaplaric recension of the Septuagint adds καὶ χήρας ("and widow"), which can be compared to Deuteronomy 19:20 and following. This appears to be a later addition inserted to promote continuity.
- ^{iv} A few manuscripts, such as Septuagint (excluding Origin's Hexaplaric recension of the Septuagint) and the Targum Pseudo-Jonathan have בְּאֶרֶץ מִצְרַיִם ("in the land of Egypt"). There is not enough textual evidence to argue for the inclusion of this phrase.

- v A manuscript from the Samaritan Pentateuch deletes מִשָּׁם (from there). Since this is the only instance of such a variant, it will be ignored.
- vi The Septuagint, except for Codex Vaticanus and the Greek miniscule manuscripts, and Origin's Hexaplaric recension of the Septuagint add τῷ πτωχῷ καὶ (to the poor man and) which is equivalent to לְאֶבְיֹן וְלִקְהָלָם. This should be compared with to verse 20 and following, which have similar variants.
- vii 2 manuscripts as well as the Septuagint, Syriac Peshitta and the Latin Vulgate have וְלִיתָם ("and for the orphan"). This appears to have been inserted to make for a smoother reading; since there are no Hebrew texts representing this variant, it is not considered in this translation.
- viii A Septuagint manuscript has לְאֶלְמָנָה ("to the widow" without the conjunction). Since there is only one instance of this variant, it will not be considered for this translation.
- ix Variants in B. Kennicott's edition and multiple manuscripts have יָדַי which makes it singular rather than dual. This variant seems to be an example of an editor seeking to provide continuity with other Deuteronomic texts since the dual version of this phrase only occurs twice, while the singular occurs 19 times in Deuteronomy.
- x The Targum Pseudo-Jonathan has יְדֵיכֹן (plural determined: "the hands"). This does not affect the translation and occurs in only one variant.
- xi The Codex Freer and the Miniscule manuscripts add τῷ πτωχῷ καὶ ("to the poor man and") which is equivalent to לְאֶבְיֹן וְלִקְהָלָם compare to verse 19. This appears to be an insertion since it does not occur in any of the Hebrew manuscripts.
- xii A few manuscripts such as the Septuagint, Syriac Peshitta and multiple manuscripts of the Latin Vulgate have וְלִיתָם ("and for the orphan"). This appears to have been inserted to make for a smoother reading; since there are no Hebrew texts representing this variant, it is not considered in this translation.
- xiii A Manuscript has לְאֶלְמָנָה ("to the widow" without the conjunction). There is not enough textual evidence to consider the inclusion of this variant.
- xiv The Codex Freer and the Miniscule manuscripts add τῷ πτωχῷ καὶ ("to the poor man and") which is equivalent to לְאֶבְיֹן וְלִקְהָלָם. This should be compared to verse 19 where a similar construction is found. Just as was the case in verse 19, this variant is rejected because it lacks corroboration with any Hebrew manuscripts.
- xv The Septuagint, except for one manuscript, and the Syriac Peshitta puts this before the copula. This links the subject with the predicate. This does not affect the translation from Hebrew.

Tucked in the concluding chapters of the Deuteronomic law code is a passage addressing the practice of gleaning that brings together the issue of justice for the marginalize with the agricultural customs that defined the day to day life of Ancient Israel. A reader of the passage will notice it is straightforward with no vague clauses or frustrating textual variants to confuse an exegete. However, because of the cultural divide between the original audience and the modern reader, the true task of translation comes in sketching an understanding of this pericope in terms that are familiar for a non-agrarian society on the other side of the globe thousands of years later.

Deuteronomy 24:17-22 addresses the manner in which the people of Israel were to care for the sojourner, the orphan and the widow. It opens by demanding generic justice for the sojourner and the orphan and then gives a specific command concerning the pledges of a widow. These commands are linked to the plight of the Israelites when they were slaves in Egypt. Verses 19-20 include three commands directed at farmers for when they harvest their crops. During the harvest of grain, olives and grapes, they were not to pass over their land a second time so as to leave a provision for the sojourner, the orphan and the widow. Verse 22 reiterates the connection between the actions of Israel and their former status as a people of slavery. Additionally, concerning the harvesting the field, the passage includes another reason to obey: "so that YHWH your god may bless you in all the work of your hands."

In order to outline the meaning and implications of this passage, we will seek to place Deuteronomy 24:17-22 in its literary as well as socio-historic setting. In order to capture the subtle nuances of the text, we shall first analyze the literary structure of these six verses and then place them in the larger context of Deuteronomy. From there, we shall explore important concepts mentioned in the passage including the specific nature of sojourners, orphans and widows in this era as well as the agricultural setting of these verses. With those elements in hand, we will be

able to formulate a conclusion on the meaning and implication of the pericope. Finally, these exegetical insights will pave the way for practical application.

Literary Matters

The gleaning commands of Deuteronomy exist within the largest section of the book: the Law Code. While some scholars may debate the specific division of the book, there is consensus that chapters 12 through 25 or 26 are a coherent unit. Various outlines have been proposed to organize the laws presented ranging from thematic links¹ to a connection with the Decalogue.² While these may be generally helpful, every rigid outline presented seems to fall short of capturing the specifics of the organization. Perhaps the best way to approach this segment is not by attempting to impose strict categories, but rather to appreciate the general flow and natural connections.³ While this may alleviate the need to make strict divisions in outlines, it does make it more difficult to delineate individual passages; Deuteronomy 24:17-22 is no exception.

In looking at the flow and placement of this passage within the larger unit, we find 24:19-22 to be the smallest cohesive collection of verses as it deals specifically with leaving some of the harvest for the marginalized. In seeking to find a clear boundary for the pericope, this can be expanded to include verse 17-18 because of the similar theme of justice for sojourners, orphans and widows. If one were to go one step further, verses 14-16 provide continuity to the theme as well by dealing with fair treatment for the marginalize, which includes the alien. A case could be made for including verses 10-13 since they deal with taking pledges from widows – a theme revisited in verse 17. If we go this far, it is clear verse 6 and on should be included because of its

¹ Ronald E. Clements. "Deuteronomy." *NIB* 2:378-9.

² *Ibid.*, 380.

³ Sandra Richter proposes we view the structure as cyclic in nature. That is to say, rather than being a strict linear outline, perhaps the Deuteronomic Law Code presents an idea and moves on then cycles back to it. Sandra Richter, "The Second Address." *OT 710: Exegesis in the Pentateuch – Deuteronomy*, Asbury Theological Seminary. Wilmore, KY, Fall, 2008.

connection with justice and pledges. Going the other direction, 25:1-3 continues the case for justice and could clearly relate. If we follow this patter of expansion in looking for continuity, this passage could easily expand out to include 23:15-25:19 since all of these verses cover various laws relating to neighbors.

For practical reasons, a division must be made somewhere. For this exegetical study, we will select the range 24:17-22 with a particular focus on the gleaning laws. This range explicitly covers laws related to three distinct marginalized groups: the sojourner, the orphan and the widow. To expand any farther would dilute this focus. Furthermore, the repeated connection between obedience and the remembrance of the slavery in Egypt links 17-18 with 18-22. This passage has the following structure:

Protecting the Marginalized Because of Egypt (17-22)

- I. General Care for the Marginalized (17-18)
 - A. Commands (17)
 - 1. Protect Justice of sojourner and orphan (17a)
 - 2. Protect pledge of widows (17b)
 - B. Reason for command: Egypt (18)
- II. Gleaning Laws (19-22)
 - A. Harvests (19-21)
 - 1. Reaping Grain Harvest (19)
 - a. Leave Seconds for marginalized (19a)
 - b. Reason: Your work will be blessed (19b)
 - 2. Leave remaining olives for Marginalized (20)
 - 3. Leave Remaining Grapes for Marginalized (21)
 - B. Reason for Command: Egypt (22)

Within this passage, several structural elements are immediately apparent. The most obvious is the use of repetition. The author revisits a grouping of the marginalized that includes the sojourners, orphans and widows. This combination occurs in verses 17, 19, 20 and 21. The purpose of this repetition is to constantly remind the reader the reason these laws exist is

specifically for these people.⁴ The other repetitive element is God's command to care for the marginalized while remembering Egypt; verses 18 and 22 echo each other in this regard. This three-way connection of YHWH, Egypt and the marginalized reveals semantic elements that feed off one another to tightly draw the passage together. The first structure we see is that of contrast. The Israelites are given specific commands relating to the proper care of the marginalized including protecting justice, providing a means of survival for the sojourners, orphans and widows. This commanded lifestyle of selflessness contrasts with the Israelite experience while they were in the bondage of slavery. The Israelites experienced persecution when they were among the marginalized; by contrast, they are to extend protection. This calling up of a contrasting memory initiates the command of YHWH and thus serves as an example of causation. If we take this one step further we find YHWH is giving the commands found in this pericope specifically because of the memory of Egypt. The structural elements become cyclic when one realizes the laws given are substantiated because YHWH commanded them. This interconnected relationship between memory, commandment and acts of justice can be summarized in this way: The people of Israel are called to protect and care for the marginalized because YHWH commands it. YHWH commands this because of the memory of Egypt. The memory of Egypt reveals a need to care for the marginalized; and thus the cycle repeats.⁵ Other

⁴ This argument is further bolstered by the syntax of verses 19-21. Each time this group is referred to the following phrase is used: לַיָּתוֹם וְלָאֵלְמָנָה יְהִיָּה. Here we find the verb comes at the end of the sentence, but for clarity in the translation it is often placed first. The linguistic effect is the subjected is emphasized; in this case it is the sojourner, widow and orphan.

⁵ Clements keys in on this relationship when he says, "The source of God's blessing is clear in this structure. It comes from protecting the aliens, orphans, and widows in our midst." Clements, 596. While this is certainly the case, he fails to acknowledge the contrast Egypt plays in this commandment/blessing cycle.

structural elements may be present, but they do not play an essential role in understanding this passage.⁶

Context and Canonical Clues

It has already been noted how difficult it is to decipher a definite structure to the Law Code section of Deuteronomy. However, this should not stop us from placing this passage in its proper context. If we assume the Law code is cyclic in nature, it is essential to understand the general flow of the text where this pericope is found. Christensen has placed this passage in a larger segment he calls "Laws on Human Affairs in Relation to Others." He argues this segment runs from 21:10-25:19.⁷ Clements narrows this range to 23:19-25:4 and identifies a segment that is "predominately aimed at achieving a balance between accepting the necessity for commercial enterprise and the protection of family capital, while at the same time setting limits on both."⁸ It is the contention of this present author that the most discernable segment runs from 23:15 through 25:19 and focuses on laws addressing neighbors. This then is part of a larger section running from 22:1-25:19 and encompasses practical laws for everyday living. Whatever outline is chosen, the theme of this section is clear: YHWH cares about the day-to-day interactions of his people. This is significant because it helps paint the gleaning laws in a clearer light. These laws

⁶ Clements has suggested this passage exhibits a strong chiasmic structure with the blessing of God in verse 19b standing at the focal point. While this suggestion addresses the break in form for the grain commandments in contrast with the olive and grape commands, it appears his model stretches the text beyond what it can go. See Clements, 596.

⁷ Duane L. Christensen, *Deuteronomy 21:10 - 34:12*. Word Biblical Commentary 6B. (Dallas: Thomas Nelson, 2002), 463-71.

⁸ Clements, 466.

are concerned with the wellbeing of others; that is to say, how Israel treats the people around them is very much a part of what it means to be YHWH's chosen people.⁹

Looking at the broader scope of scripture can help us understand the meaning in the text we are studying. Of primary importance are the other occurrences of the triplet found here: sojourners, orphans and widows. In the Old Testament, this grouping appears nineteen times.¹⁰ Of those, eleven occur in Deuteronomy with four of those being in the passage studied.¹¹ Four broad themes emerge in these nineteen verses. In four cases this group is oppressed by those who are opposed to YHWH, either as enemies or as a rebellious people (Deut 27:19; Ps 94:6; Ezek 22:7, Mal 3:5). Twelve times the scriptures give specific instructions about caring for these people (Exod 22:21-23; Deut 14:29; 24:17, 19-21; 26:12-13; Jer 7:6; 22:6; Zech 7:10). In two places these people are included in the festivities of Israel (Deut 16:11, 14), and in two places, the care of these people is described as an action of YHWH (Deut 10:18, Ps 146:9). Even this brief survey reveals important insights. Throughout scripture sojourners, orphans and widows are to be cared for; to do so is an explicit aspect of Israelite life – to avoid this responsibility is a heinous offence.

In addition to the biblical picture of sojourners, orphans and widows, it is important to identify parallel passages regarding gleaning and harvest laws. The most direct parallels are Leviticus 19:9-10 and 23:22. These Levitical laws require farmers to leave the edges of their fields for the poor and the aliens. Leviticus 19:10 also restricts farmers from passing over their

⁹ J. G. McConville points out this chapter, along with chapter 15, "contains the greatest concentration of laws demonstrating in practice that nature of Israelite society as the people in covenant with Yahweh." J. G. McConville, *Deuteronomy*. (Apollos Old Testament Commentary. Downers Grove: InterVarsity Press, 2002), 364.

¹⁰ Information from *BibleWorks*. Version 7.0, 2007. Hermenueutika, Big Fork, MT. Results derived from morphological search of גֵּר, יְתוֹם, and אֵלְמֹנָה occurring within three verses of each other.

¹¹ Exod 22:21-23; Deut 10:18; 14:29; 16:11, 14; 24:17, 19, 20, 21; 26:12-13; 27:19; Ps 94:6; 146:9; Jer 7:6; 22:3; Ezek 22:7; Zech 7:10; Mal 3:5.

grape vines a second time. Christensen points out this is "much more systematic than that in Deut 24."¹² In both cases, it is expected for the farmer to forgo part of his harvest to provide opportunities for the marginalized to collect what they need to survive.

Perhaps the most important parallel in the Bible is the story of Ruth. In Ruth chapter 2, we find the hero of the story is at a point of desperation; she is "at the same time, an alien, an orphan and a widow."¹³ The only way she can survive is to glean in the field. It is noteworthy that in the biblical account, it is the expectation that she will be able to glean. Furthermore, her gleaning did not bother the landowner Boaz. Even without judging the historicity of the Ruth account it is clear that the concept of gleaning by the marginalized was a familiar idea; farmers were expected to allow it and those in dire straits knew they could depend on this method for survival.

Remembering the days in Egypt is a final theme that is important in understanding the larger canonical context. The story should be familiar and the connection obvious. When God calls the people of Israel to be his chosen people, he rescues them from the bondage of slavery. God clearly shows favor in the light of hardship. In Deuteronomy alone Egypt is mentioned fifty times in forty-seven verses. In six instances, the book gives the same command to "Remember you were a slave to Egypt" (Deut 5:15; 15:15; 16:12; 24:18, 22; 25:17). With this in mind, it is reasonable to conclude a significant portion of the book of Deuteronomy is written with the days of Egypt in mind. The story of the Exodus not only reminds the Israelites of their status as a redeemed people, but it also serves as a stark contrast – the ways of YHWH are not the ways of the world.

¹² Christensen, 596.

¹³ Christensen, 597.

Understanding the literary context of Deuteronomy 24:17-22 helps us understand the implications of the passage. These verses address the day-to-day interactions between people. A larger thematic study helps us to better understand the characters and conditions in question. The marginalized described in the passage serve as the Old Testament poster-children for the weak and it is an expectation of the people to God to care for them. Israel will be judged based on how they treat these people. Furthermore, the practice of gleaning in the biblical story is validated as a measure the troubled turn to and one that Israel was expected to allow.

Socio-Historic Context

Understanding the larger canonical context of key concepts is essentially to understanding this pericope; however, to fully grasp the implications a larger study of the socio-historic context is necessary. This section will explore the background of sojourners, orphan and widows in the Ancient Near East as well as the cultural milieu this passage speaks to. This includes the societal structures as well as the agrarian system. Finally, concept of gleaning laws in particular will be placed in a larger historic context.

We shall begin by seeking to understand the nature of a sojourner. Simply put, a sojourner is a displaced person who is in, but not fully a part, of the land they occupy. There is a variety of reasons a person might become a sojourner. Nature disasters such as famine often drove people from their homeland in search of better condition. Similarly, warfare and military encounters often produced sojourners. Finally, a person on the run may choose to become a sojourner.¹⁴ In each of these cases, what we find is a person who has been forcibly removed from one place and has settled in a semi-permanent manner in another place. Because of this status, they are landless and usually without a family structure to support them. This places them among

¹⁴ D. Kellerman, “גֵּר,” *TDOT* 2:443-4.

the poor since they generally possess few means for providing for themselves.¹⁵ A sojourner was "a 'protected stranger,' who was totally dependent on his patrons for his well-being."¹⁶ The best they could hope for was to work as day laborers and artisans.¹⁷ Even within the Old Testament, the sojourner occupies a hybrid status. At times, they are considered a part of the people of Israel, and at other times, they are clearly on the periphery.¹⁸ In Exodus, the people of Israel are considered sojourners because according to the narrative of redemptive history, they do not belong in bondage, but instead belong in the Promised Land.

The second group mentioned is the orphans. Across the Ancient Near East, the orphan was always considered to be among the most destitute and misfortunate.¹⁹ Just like the sojourner, an orphan is lacking in the family structure necessary to survive. Whereas a sojourner may be held at arms length because of their allegiance with their home country, an orphan was usually looked upon with pity.

Third, we find the place of widows in this society shares many of the same attributes as the sojourners and orphans. A widow is "a woman who loses her social and economic support through the death of her husband."²⁰ Naomi Steinberg has done an extensive study on various phrases used to describe a widow and has concluded the phrase used in Deuteronomy 24:17-22 (*ʿalmānâ*) represents the "lowest end of the financial spectrum of widows in biblical Israel."²¹

¹⁵ R. Martin-Achard, "גור," *TLOT* 1:308-9.

¹⁶ David L. Lieber, "Strangers and Gentiles." *EncJud* 19: 241.

¹⁷ Ibid.

¹⁸ John R. Spencer, "Sojourner." *ABD* Vol. 6:104.

¹⁹ Ringgren, H. "יָתוֹם." *TDOT* 6:478-9

²⁰ J. Kühlewein, "אַלְמָנָה." *TLOT* 1:128. See also H. A. Hoffner, "אַלְמָנָה." *TDOT* 1:288.

²¹ Naomi Steinberg, "Romancing the Widow: The Economic Distinctions between the *ʿalmānâ*, the *ʿiššâ-ʿalmānâ* and the *ʿēšet-hammēt*." (Paper presented at Women and Property in Ancient Near Eastern and Mediterranean Societies Conference sponsored by the Center for Hellenic Studies at Harvard University, August, 2003. Cited 06 December 2008. Online: http://zeus.chsdc.org/chs/files/women_property_steinberg.pdf), 1.

Widows had three options following the death of their husband. If they were wealthy, they could support themselves. Many could also return to their homes and live with their fathers. Finally, if the widow had no son or father to support her, she could marry her husband's brother. An *ʿalmānâ*, according to Steinberg, had none of these options. Their future was bleak because of their lack of financial resources coupled with the lack of a familial support structure.²² Like the sojourners and orphans before, the widow is a landless person.

While examining the specific cultural situations around each category of person is helpful, they also represent a distinct group. Nearly every dictionary article cited for this paper refers to the three-pronged marginalized group of sojourners, orphans and widows. Two attributes define all three of these groups. They are landless and they are without family structure. This places them in a most disadvantaged circumstance, as we shall explore shortly. If the phrase sojourner, widow and orphan can serve as shorthand for the poorest of the poor, how did other societies of the time view such a group? According to F. Charles Fensham, "the protection of widow, orphan and the poor was the common policy of the ancient Near East."²³ He points out similar measure of protection in Mesopotamia, Egypt and Ugarit. He concludes this care for the marginalized was understood as the will of God, a sign of a great king, and a common way of life for ordinary people. Historically laws concerning the marginalized existed to protect those without rights.²⁴ In following Fensham work and addressing specifically the customs of Israel, Richard D. Patterson suggests the Israelites in particular clung to this imagery

²² Ibid., 4-6.

²³ F. Charles Fensham, "Widow, Orphan and the Poor in Ancient Near Eastern Legal and Wisdom Literature." *JENS* 2 (1962): 129.

²⁴ Ibid., 137-9.

specifically because it resonated with their own self-understanding as the redeemed people of God.²⁵

By understanding the cultural milieu of the day, we will better understand the implication of these laws. In Ancient Israel, the basic collective unit was the family household. There are six primary features of these family households. They were endogamous, meaning they married within their relatives. Inheritance was passed down through the father's bloodline in a patrilineal manner. Patriarchy placed the father as the head of the household, which was coupled with patrilocality wherein family members came into the household of the male. Most household consisted of joint families wherein multiple nuclear family units lived in the same home under the authority of a single patriarch. These family units were usually multi-generational. Finally, many of the household units were polygynous meaning it was common for one man to have multiple wives.²⁶ These family households were essential for survival and that is explicitly why the plight of the sojourner, orphan and widow was so harrowing. A strong family structure helped ensure support and well-being.

Discussion of family units moves directly into an understanding of the agricultural system. Family households banded together to form small communities centered on agricultural needs.²⁷ These larger units known as *mišpāhôt* shared resources and agricultural land.²⁸ In essence, the entire agrarian structure of Ancient Israel emphasized concentric circles of

²⁵ Richard D. Patterson, "The Widow, Orphan, and the Poor in the Old Testament and Extra-Biblical Literature," *BSac* (1973): 232-3.

²⁶ Philip J. King and Lawrence E. Stager, *Life in Biblical Israel*. (Library of Ancient Israel. Louisville: Westminster John Knox Press, 2001), 38.

²⁷ Carol Meyers, "The Family in Early Israel," in *Families in Ancient Israel* (The Family, Religion, and Culture Series; Louisville, KY: Westminster John Knox Press, 1997), 12-13.

²⁸ *Ibid.*, 13-14

support.²⁹ To participate in the agricultural system, you had to be part of a *mišpāhôt* but membership there was dependant on being a part of a family household. Since the agricultural crop provided the means of survival for people in the Ancient Near East, to stand outside this structure could certainly be insurmountable.

The preceding paints a basic picture of the interconnectedness between the familial structures of the day and the agricultural elements. In addition to this broad outline, a few specific issues need to be covered. First, what is the significance of the crops mentioned in Deuteronomy 24:17-22? By mentioning cereal grains, olives and grapes, the author of Deuteronomy covers all of the chief crops of ancient Israel.³⁰ Of these three, grain was the primary source of food while olives served as an export and was made into oil and the grapes were made into wine and used to celebrate.³¹ Within these crops, three distinct purposes are found: the grain served as food, the olives can be used to make money by selling the oil and grapes turned into wine served a celebratory purpose. In this, a wide swath of daily life is covered. Richter has taken this argument further by suggesting since the grain was harvested in the spring, the grapes in mid summer and the olives in fall, perhaps listing these three crops is a way of referring to all of the Israelite agricultural crops.³² A brief note needs to be made about the practice of gleaning. While this practice has already been established as a concept familiar to readers of the Bible, it is important to know that gleaning was also common place in other Ancient Near Eastern societies. In particular, we know gleaning occurred in Sumer and in Egypt.

²⁹ See Sandra Richter, *Epic of Eden: A Christian Entry into the Old Testament*. (Downers Grove: IVP Academic, 2008), 25-27.

³⁰ King and Stanger, 93.

³¹ Ibid., 93-101.

³² Sandra Richter. "Environmental Law in Deuteronomy: One lens on a Biblical Theology of Creation Care." (Paper presented at The Institute for Biblical Research Annual Meeting, 22 November 2008), 8, n 17.

In fact, there were laws governing this process; however, unlike the Deuteronomic law, other non-biblical laws also impose strict requirements on the gleaners: they were not to damage the land.³³

The Israelites were dependant on the land for survival and the family households were dependant on each other to cultivate that land. Individuals outside this system were forced to find other ways of surviving. Sojourners, orphans and widow stood outside this structure and risked not being able to survive. This harsh reality allows us to better understand the significance of Deuteronomy 24:17-22.

Synthesis

At the forefront of the gleaning laws in Deuteronomy stands the embodiment of society's most marginalized people: the sojourner, the orphan and the widow. The author uses repetition and syntactic structures to draw the reader's attention to an emphasis on this collection of people. The biblical narrative and the larger socio-historic evidence paints these people as fundamentally lacking the necessary support to survive. They do not have a family structure to support them and their status as landless people prevents them from being able to provide for their own well-being. They are completely at the mercy of those around them. It is with this vivid image that the author calls for remembrance of Israel's own plight as a marginalized group during their time in Egypt. Before the exodus, the only hope Israel had was for someone to intervene on their behalf and provide for their needs. In the story that drives the Old Testament, Israel's deliverance from Egypt, we find the perfect model for this provision as YHWH's divine action sustains his chosen people. In this same manner, Israel is now being called to provide for those on the margins of society.

³³ David L. Baker, "To Glean or Not to Glean..." *ExpTim*10. (2006): 406-7.

Deuteronomy 24:17-22 does not just call Israel to be a people of compassion; it outlines a brilliant plan to offer subsistence for those in need. Even though it is the farmer who puts forth the effort to bring the crop to maturity, he is always reminded the land belongs to YHWH and YHWH has a concern for all people. Rather than require the farmer to harvest the crops and then deliver those to the needy, the gleaning laws in Deuteronomy provides a system where the poor can contribute to their own survival. This not only allows them to meet their own needs, it provides an answer to the systemic struggles they are facing.³⁴ If you consider the uses of the crops available to gleaners, they are able to obtain food, as well as harvest olives to sell and bring in money and grapes to make wine to celebrate. Thus, they are able to participate more fully in the life of the nation.

Application

It would be easy to dismiss the message of Deuteronomy 24:17-22 as being irrelevant for modern societies; after all many readers are completely disconnected from the agricultural systems that provide for their well-being. However, the implications of this passage provides clear direction for a people seeking to live in covenant with YHWH while embodying the grace he extends. First, we must realize the plight of the poor around us. In commenting on this passage, Walter Brueggemann points out our first task must be understand the poor among us as neighbors.³⁵ Second, we must ensure structures are in place that not only alleviate the hunger of the marginalized, but more importantly offer them the mechanisms to escape systemic injustice by working for their well-being. We do not need to simply offer more handouts; this only segments the haves and the have-nots. Instead, we must revise our understandings of property

³⁴ McConville points out this custom "establishes the important principle of individual responsibility, even while integrity of the family, and ultimately of the whole people is established." 365.

³⁵ Walter. Brueggemann, *Deuteronomy*. (Abingdom Old Testament Commentaries. Nashville: Abingdom Press, 2001), 239.

and poverty so that we work side by side on the land YHWH has provided. Finally, we must constantly remember our own story of redemption so that our acts of charity are outpourings of a gracious heart and not just the seeds of obligation.

While many of us may never own our own grain field, or have to scour farmland for our next meal, we can all benefit from the perspective on the world this passage asks us to have. We must first remember who we are and who called us; that is to say, we must not forget our story of redemption because that is the story that drives our ethics. Once we understand who we are, we must understand those around us. This is a call to not only acknowledge the marginalized, but to embrace them as we should now see ourselves in their plight. Finally, we must never assume that things we possess belong to us. They belong to YHWH and he has required we use those resources for the good of all people. Deuteronomy 24:17-22 is not primarily about agriculture – it is about being a covenant people. The message it provides is applicable across all generations.

Bibliography:

- Avni, Haim. "Agriculture." Pages 486-501 in Vol. 1 of *Encyclopaedia Judaica*. Edited by Fred Skolnik and Michael Bernbaum. 22 Vols. Detroit: MacMillan, 2007.
- Baker, David L. "To Glean or Not to Glean..." *The Expository Times*, Vol. 117, No 10. (2006): 406-10.
- BibleWorks*. Version 7.0, 2007. Hermenueitika, Big Fork, MT.
- Brown, Francis, S.R. Driver, and Charles Briggs *The New Brown-Driver-Briggs-Gesenius Hebrew-English Lexicon* in *BibleWorks*. Version 7.0, 2007. Hermenueitika, Big Fork, MT. Print ed.: Peabody, Mass.: Hendrickson, 1979.
- Brueggemann, Walter. *Deuteronomy*. Abingdon Old Testament Commentaries 5. Nashville: Abingdon Press, 2001.
- Christensen, Duane L. *Deuteronomy 21:10 - 34:12*. Word Biblical Commentary 6B. Dallas: Thomas Nelson, 2002.
- Clements, Ronald E. "Deuteronomy." in Vol. 2 of *The New Interpreter's Bible: General Articles & Introduction, Commentary, & Reflections for Each Book of the Bible Including the Apocryphal / Deutrocanonical Books in Twelve Volumes*. Edited by Leander E. Keck et. al. Nashville: Abingdon, 1995.
- Feliks, Jehuda and Shimon Gibson. "Agricultural Land-Management Methods and Implements in Ancient Erez Israel." Pages 471-86 in Vol. 1 of *Encyclopaedia Judaica*. Edited by Fred Skolnik and Michael Bernbaum. 22 Vols. Detroit: MacMillan, 2007.
- Fensham, F. Charles, "Widow, Orphan and the Poor in Ancient Near Eastern Legal and Wisdom Literature." *Journal of Near Eastern Studies*, Vol. 21, No. 2 (April, 1962): 129-39.
- Friedman, Reena Sigman. "Orphan, Orphanage." Pages 483-7 in Vol. 15 of *Encyclopaedia Judaica*. Edited by Fred Skolnik and Michael Bernbaum. 22 Vols. Detroit: MacMillan, 2007.
- Hoffner, H. A. "אֱלֹמָנָה." Pages 287-91 in Vol. 1 of *Theological Dictionary of the Old Testament* Edited by G. Johannes Botterweck and Helmer Ringgren. Translated by John T. Willis. 15 Vols. Grand Rapids: Eerdmans, 1974.
- Kellerman, D. "גִּירָה." Pages 439-49 in Vol. 2 of *Theological Dictionary of the Old Testament* Edited by G. Johannes Botterweck and Helmer Ringgren. Translated by John T. Willis. 15 Vols. Grand Rapids: Eerdmans, 1975.
- King, Philip J., and Lawrence E. Stager. *Life in Biblical Israel*. Library of Ancient Israel. Louisville: Westminster John Knox Press, 2001.

- Koehler, Ludwig, Walter Baumgartner, and Johann Jakob Stamm. *The Hebrew and Aramaic Lexicon of the Old Testament* in *BibleWorks*. Version 7.0, 2007. Hermenueitika, Big Fork, MT. Print ed.: 2 vols. Leiden: Brill, 2001.
- Kühlewein, J. “אֱלֹהִים.” Pages 127-30 in Vol. 1 of *Theological Lexicon of the Old Testament*. Edited by Earnest Jenni and C. Westermann. 3 Vols. Peabody: Hendrickson, 1997.
- Lieber, David L. "Strangers and Gentiles." Pages 241-2 in Vol. 19 of *Encyclopaedia Judaica*. Edited by Fred Skolnik and Michael Bernbaum. 22 Vols. Detroit: MacMillan, 2007.
- Martin-Achard, R. “גֵּר.” Pages 307-10 in Vol. 1 of *Theological Lexicon of the Old Testament*. Edited by Earnest Jenni and C. Westermann. 3 Vols. Peabody: Hendrickson, 1997.
- Meyers, Carol. “The Family in Early Israel.” Pages 1-47 in *Families in Ancient Israel*. The family, religion, and culture. Edited by Leo G. Perdue, Joseph Blenkinsopp, John J. Collins, and Carol Meyers. Louisville: Westminster John Knox Press, 1997.
- McConville, J. G. *Deuteronomy*. Apollos Old Testament Commentary. Downers Grove: InterVarsity Press, 2002.
- Patterson, Richard D. “The Widow, Orphan, and the Poor in the Old Testament and Extra-Biblical Literature.” *Bibliotheca Sacra*. (July 1973): 223-34.
- Richter, Sandra. “Environmental Law in Deuteronomy: One lens on a Biblical Theology of Creation Care.” Paper presented at The Institute for Biblical Research Annual Meeting, 22 November 2008.
- . *The Epic of Eden: A Christian Entry into the Old Testament*. Downers Grove: IVP Academic, 2008.
- . "The Second Address." OT 710: Exegesis in the Pentateuch – Deuteronomy, Asbury Theological Seminary. Wilmore, KY, Fall, 2008.
- Ringgren, H. “יָתוֹם.” Pages 477-81 in Vol. 6 of *Theological Dictionary of the Old Testament*. Edited by G. Johannes Botterweck and Helmer Ringgren. Translated by David E. Green. 15 Vols. Grand Rapids: Eerdmans, 1990.
- Ryken, Leland, James C. Wilhoit and Tremper Longman III, eds. "Foreigner." *Dictionary of Biblical Imagery* in *Logos Library Software*. Version 2.1g 1995. Logos Research Systems, Bellingham WA. Print ed.: Downers Grove: InterVarsity, 1998.
- . "Wanderer, Wandering." *Dictionary of Biblical Imagery* in *Logos Library Software*. Version 2.1g 1995. Logos Research Systems, Bellingham WA. Print ed.: Downers Grove: InterVarsity, 1998.
- Schereschewsky, Ben-Zion. "Widow." Pages 40-4 in Vol. 21 of *Encyclopaedia Judaica*. Edited by Fred Skolnik and Michael Bernbaum. 22 Vols. Detroit: MacMillan, 2007.

Seinberg, Naomi. "Romancing the Widow: The Economic Distinctions between the ʿalmānâ, the ʿiššâ-ʿalmānâ and the ʿēšet-hammēt." Paper presented at Women and Property in Ancient Near Eastern and Mediterranean Societies Conference sponsored by the Center for Hellenic Studies at Harvard University, August, 2003. Cited 06 December 2008. Online: http://zeus.chsdc.org/chs/files/women_property_steinberg.pdf.

Spencer, John R. "Sojourner." Pages 103-4 in Vol. 6 of *The Anchor Bible Dictionary*. Edited by David Noel Freedman. 6 Vols. New York: Doubleday, 1992.