

From the Word
by Stephen Charles Mott
The Partiality of Biblical Justice

Partiality is a characteristic of Biblical justice. In contrast, some forms of justice demand impartiality. We are familiar with the goddess of justice standing blindfolded while she holds the scales of justice.

Whether justice is considered as partial or impartial makes a tremendous difference in the politics which carries it out. The politics of impartiality is freedom oriented. The same procedures of political freedom are to be secured equally for all. The politics of partiality includes economic benefits, which cannot be provided without giving more to the needy and taking from the strong.

The task of justice to which the Bible calls us, as exemplified by the prophets, is to restore the marginal, such as the poor, to participation in all the essential aspects of community. Biblical justice accordingly has a bias toward the weak. If security of life and well-being are to be sought for all, some individuals will need more care than others. In passage after passage the group to whom justice is applied are those on the edge of the community—the widow, the orphan, the resident alien, the wage earner, the poor. We can understand such special treatment in the case of a threat of violence made on some citizen's life. That person then justly receives special police protection to bring his or her security level to that of others. The Bible recognizes hunger or the loss of productive property as also threats demanding special treatment.

The unequal treatment that the person under the threat of violence received ensures equal distribution of the right to security. The equal provision of basic rights, including economic rights, requires unequal response to unequal needs. Justice must be partial in order to be impartial. It is not that God loves the poor person more than the rich person, but the poor person requires special attention to receive the good that God wants for all.

Such biblical justice is dominated by the principle of redress. Inequalities in the provisions of life necessary for the standards of well-being must be corrected. God is the source such redress. "All my bones shall say, 'Oh Lord, who is like you? You deliver the weak from those too strong for them, the weak and needy from those who despoil them'" (Psalm 35:10, *NRSV*). The Lord, the mighty creator, is the one "who executes justice for the oppressed; who gives food to the hungry." This justice reaches out to the prisoners, the blind, those who are bowed down, the stranger, the orphan, and the widow (Psalm 146:7, 9).

Normally, such justice by God is implemented by means of human justice. The ideal ruler receives justice from God (v. 1) and is to "defend the cause of the poor of the people, give deliverance to the needy, and crush the oppressor" (Psalm 72:4). The ideal individual is one who in justice (v. 14) "championed the cause of the stranger" but "broke the fangs of the unrighteous" (Job 29:16-17).

As these passages indicate, the redress often will not be to the advantage of everyone in the community. The wealthy who have profited from the distress of the needy will have to suffer loss (1 Sam. 2:4-10). Their luxury is as much out of line as is the affliction of the poor on which it is based (Isaiah 3:14-26).

To alleviate poverty, policies are supported that provide such benefits as adequate income maintenance, decent housing, adequate medical care, and humanization and radical revisions of welfare programs. On the other hand, measures are advocated that "would reduce the concentration of wealth in the hands of the few." This approach is partial, but from the biblical perspective it is just.

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The Pertinence of the Justice Teachings of the First Testament

The theological foundation for the Nurturing Community draws upon both Testaments of the Bible. Indeed, the materials which most clearly inform us about the nature of social justice come from the First Testament. This can be a problem for those who see the Old Testament as primarily for the ancient Jewish people and rely instead on the New Testament for current Christian ethical guidance. The justice articulated in the First Testament, however, cannot be restricted to that part of the Bible or to any one people, or to any particular covenant with God or dispensation from God. This justice is basis of the contemporary Christian social ethic.

Justice in the Bible is grounded in God as one of God's chief attributes. As such it is grounded in God's character, not merely as the sovereign of the people of God, but in God as the sovereign of the universe. For example, Psalm 99 declares that "God is king." God is exalted over all the peoples of the earth, and they should tremble before God (vv. 1-3). The Psalm then declares, "Mighty king, lover of justice" (v. 4). All people are to be obedient to this ruler and to the justice of this ruler.

Further, all people are defended by the justice of God, the universal lover of justice. "The Lord works vindication and justice for *all* who are oppressed" (Psalm 103:6 *NRSV*, thus translating the two chief Hebrew words for justice). This does not mean merely all the oppressed among the people of God. Psalm 76:9 states that God rose "to establish justice and to deliver all the oppressed *of the earth*." As we saw in that previous column, God's justice is one of vindicating the oppressed and the weak. This is an aspect of God's universal kingship as the creator of the earth (Ps. 93.1-2). It applies to all, and thus is not restricted to one part of Bible.

We should expect to find this guidance in the First Testament. As Krister Stendahl has noted, the First Testament is closer to our situation in terms of the having access to government and the shaping of the institutions of our communities. In contrast, the early church of the New Testament was a small community without power.

The ethic of the New Testament can become individualistic and one can miss its broader community relevance if one does see that it presupposes the revelation of the First Testament. There God's attitude toward the weak and what God correspondingly expects from the strong is revealed. As 2 Timothy 3:16 states, referring to the First Testament, "every Scripture passage is inspired by God and useful . . . for education in justice."

Jesus in his ethical teaching and practice stands in the tradition of the prophets of the First Testament. One will miss the social relevance of his ethical teaching and that of the New Testament without the light of that continuity. Jesus condemned the religious and political leaders for neglecting "the more important parts of the Law: justice and mercy and loyalty." Instead they were "full of greed and self-indulgence" (Matt 23:23, 25). In this Jesus not only carries on the prophetic attack on the piety and practice that leaves out social justice. Jesus also clearly indicates the place of the teachings of the First Testament about justice: they belong to the highest level of the ethics of the First Testament and are essential for the order of life that he has come to establish.

We are agents of that new order as we face the challenges and the anguishing injustices here and abroad. To be faithful in our mission, we must be informed by the justice articulated particularly in the First Testament. This justice is a central pillar of the new order of Christ's reign.

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A Justice Centered on Needs

Justice is so central to our Christian mission, indeed to any society, that we use the term all the time. Every culture has a view of justice. There are vastly different understandings of what justice is, however. One statement for any society that, “we denounce as immoral an ordering of life that perpetuates injustice.” What we mean is not the denial of just any understanding of justice, but the view of justice of Scripture. What is that?

Justice has two functions. Again this is true for any society. One is “retributive justice.” Retributive justice deals with the penalties for violating the laws of the community. We address that in our concern for criminal justice. The second is “distributive justice.” Distributive justice is what we mean in our general calls for social justice. It provides the standard by which the benefits of living in society are apportioned. Yet there are very different understandings of what that standard is. If we are to be effective for justice, we need to know which standard is ours.

Gregory Vlastos (in *Social Justice*, ed.R. Brandt, p. 35) gives a helpful list of these varying interpretations of the standard of distributing social benefits:

1. To each according to each one’s need;
2. To each according to each one’s worth;
3. To each according to each one’s work;
4. To each according to the agreement each one has made.

These different maxims are not entirely exclusive. A view of justice can work with a combination.

For biblical justice, “according to each one’s needs” has priority. The needs (as we saw in the last issue) are that which is essential for participation in all aspects of the community. The model community described in the book of Acts put this principle into operation as fulfillment of the expectation of the First Testament. The people sold their lands or house and brought the proceeds to the apostles. It then was distributed “according to each one’s need” (Acts 7:32).

“According to each one’s worth” is not recognized in biblical justice. Claims of aristocracy and nobility have no place. Each person has equal worth as a creature of God and one for whom Christ died.

“According to each one’s work” (a harsher form is “according to each one’s *might*”) comes into play only *after* the basic needs of everyone in the community are met.

“According to the agreements each one has made” is secondary. Justice has a universal content prior to human agreements and contracts. At the same time, promise keeping binds us to the covenants made with God which originate and enforce the other principles of justice.

Scripture adds another maxim of distributive justice, which relates to the supply of the benefits, rather than their reception: “from each according to each one’s ability.” It also was expressed in the early church. The Christians in Antioch gave to the relief of the Christians in Judea “each according to each one’s ability” (Acts 11:29). For the advantaged justice “according to needs” is a duty to bring all who are marginally disadvantaged to the point where they have the capacity to participate in the full life of the community. In a world of scarcity the norm for material possession is neither poverty nor wealth but sufficiency (for participation in community) (Prov. 30:8-9; 1 Tim. 6:6-8).

Such justice is a matter of stewardship and grace. “God is able to cause you to have a surplus of every grace that . . . you may have an ample means for every helpful deed. . . . God will cause the harvest of your justice to increase (2 Cor. 9:8, 10). The language of justice throughout Scripture indicates that these gifts are voluntarily providing what is to be built into the operation of every institution of the community, supported by the government.

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God the Lover of Justice

The political community has much more to do with the church than a lot of the platitudes that one hears in the church would indicate. We often hear statements such, “Keep politics out of the church, or “out of the pulpit.” The fault often lies in the understanding of what politics is and should be.

The central principle of politics is justice, one of the dearest concepts in the Bible. Biblical justice, the justice that we would want to bring into the church and the pulpit, is an expression of God’s grace. Our justice is to correspond to God’s justice just as our grace corresponds to God’s grace, and our love to God’s love. In 2 Corinthians 8 and 9, Paul encourages his readers in Corinth to be generous in responding to his collection for the poor by speaking of the sufficiency of God’s grace. He then reminds them of God’s justice for the poor: “God distributes; God gives to the poor; *God’s justice* lasts forever. Now God who supplies seed to the sower and bread for food will also supply and multiply your seed and cause the harvest of *your justice* to increase” (2 Cor. 9:9-10). Our justice flows from God’s justice. God equips us for the very purpose of meeting the just needs of the poor. God’s grace flowing through us takes the form of justice.

In the Bible, the people of God are commanded to carry out justice because God, after whom we are to pattern our lives, carries out justice. Since God has a special regard for the weak and helpless, a corresponding quality is to be found in our lives. “God executes justice for the orphan and widow and loves the strangers, providing them food and clothing. You also shall love the stranger . . .” (Deut. 10:18-19). The justice is not ours but is a trademark of God. God is called “the lover of justice” (Ps. 99:4). In the political area, judges in deciding a legal case between two neighbors are not to favor the powerful, “for the decision of justice belongs to God” (Deut. 1:17; cf. 2 Chron. 19:6-7). When we properly intervene in a situation of injustice, we are God’s agents so that God does not have to act directly (Isa. 59:15-16).

Justice in fact is a chief attribute of God. God is one who vindicates the oppressed and defends the weak. “The Lord works *vindication* and *justice* for all who are oppressed” (as the *NRSV* renders the two major words for justice in Ps. 103:6). This is a general statement about God’s actions. The next verse shows a great particular application of that justice: “He made know his ways to Moses, his acts to the people of Israel.” This refers to the freeing of slaves and the forging of a nation in the Exodus. Psalm 146 repeats the general statement: the Lord “executes justice for the oppressed.” Several images then reflect the actions which carry out this justice: “who gives food to the hungry. The Lord sets the prisoners free; the Lord opens the eyes of the blind. The Lord lifts up those who are bowed down. The Lord watches over the strangers; he upholds the orphan and widow; but the way of the wicked he brings to ruin” (vv. 7-9, *NRSV*).

For the poor and the powerless, God remained the sure defender (Ps. 10:18; 35:10; Hos. 14:3). Those who are truly wise are those of whom these words can be said, “They understand and know me, that I am the Lord; I act with steadfast love, justice, and righteousness in the earth; for in these I delight” (Jer. 9:24).

Those who live in grace so that they understand God know that God is on the side of the poor. This knowledge determines their own political position in the social struggles of their day.