

# The rich, the poor, and the law

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## Abstract

*This article explores the social and religious dynamics of parables of Jesus in which “rich” and “poor” are juxtaposed. It focuses on Luke 16:19-31 (the parable of the rich man and the poor beggar Lazarus) and on Luke 18:9-14 (the parable of the Pharisee and the tax collector). The core of the exploration relates to questions concerning “wealth” and “poverty” in a limited-good society such as first-century Palestine. The article aims to expose the legitimisation provided by the Israelite elite to ensure the collection of taxes placed on the peasant population by the Roman Empire.*

## 1. INTRODUCTION

Jesus was a great storyteller. He told narratives with which his listeners could identify. The stories portrayed the dynamics of life and human interaction common to a first-century agrarian society. It is a world of small urban towns surrounded by villages, of aristocrats and peasants, of landlords and tenants, of sowing and harvesting, of shepherds and labourers. It is also a world of oppression and foreign rule, of governors and regional kings, of soldiers and toll collectors, and yet also a world firmly rooted within an age-old theocracy, of priests and scribes, of religious festivals, of temple servants, of sacrifices and tithes. The “everydayness” constituted an important element in Jesus’ stories. This everydayness drew the listeners into the story. They began to see themselves in certain characters and began to relate to other characters and events in the story. Although fictional, the story became *their* story.

Jesus, however, hardly told stories to confirm conventional norms in society. In most cases the purpose of his narratives was to turn the world of his listeners upside down. His stories were profoundly challenging.

The challenge was frequently provided by an unexpected twist in the story line. Instead of continuing the story along expected lines, Jesus often embarked on a totally unsuspected diversion (Scott 1981:99). Such diversions

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caused chaos within the well-ordered world of conventional wisdom. More often than not the chaos was caused by the reversal of fortunes of characters on opposite poles of the economic and religious scale of first-century Palestine. Insiders were portrayed as outsiders, and outsiders as insiders. The unclean were justified and enjoyed the fortunes of Paradise, whereas the clean suffered pain in Hades.

The twists in Jesus' stories, including the reversal of fortunes, are (on a literary level) in most cases easily identifiable. However, the shocking, world-shattering nature of the challenge is often overlooked. This is primarily because of a lack of insight into the social, cultural, and religious settings of the parables. In this particular essay our focus falls on the backdrop of those parables, which involves the juxtaposition of "rich" and "poor" (both terms are to be defined more closely below). One such parable is that of *the rich man and Lazarus* in Luke 16:19-31. The provided backdrop, however, is equally valid for the parable of *The Pharisee and the toll collector* in Luke 18:9-14.

Historical research provided us with some valuable information on who the "rich" and the "poor" were. It is our endeavour, however, to further explore this topic from a socio-religious perspective, which will provide greater insight into the dynamic *relationship* between "rich" and "poor". As we do so a complex nexus of interrelated questions unfolds:

- X• Who were the rich and poor and how are they defined in a limited-good society?
- X• If within a limited-good society the accumulation of wealth was generally viewed as dishonourable behaviour, and if subsistence was a basic right of all citizens, entrenched by God's Law, what was the cause of the ever-increasing poverty in first-century Palestine?
- X• To what degree were the people of Israel burdened by taxation and in what way did the temple authorities collaborate with the Roman authorities to extract more from the already suffering large base of the peasant population?
- X• How was religious taxation justified to a degree that wealth was hailed as a blessing from God and poverty as a divine curse?

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The above largely interrelated questions provide the underlying drive to explore the world of the "rich" and the "poor" and the role the "Law of God" played in legitimising a clearly unwarranted situation.

## **2. THE RICH AND POOR IN A LIMITED-GOOD SOCIETY**

A limited-good society is governed by the inherent belief that all goods are available only in limited amounts and that they have already been distributed

in accordance to once inherited status (cf Malina 1993:103-107). The notion of “limited good” was not restricted to material goods, but included honour, friendship, love, power, security, status – literally everything in life. In these societies, most people work to preserve their inherited status, not to get rich. The accumulation of wealth, or access to a source of wealth previously not held, is invariably seen to be at the expense of another person. The exception to the rule would be if the increase of wealth were seen to be direct result of a divine act visible to the public eye, as it would be the case, for example, with a plentiful harvest after good rains.

Ancient perceptions on “goods” contrast sharply with those regarding our modern economies. Modern economies assume that all goods are, in principle, in unlimited supply. If shortages of material goods, for example, do occur, they can be overcome by increased production. This also impacts on the wealth and/or status of the individual person. If any one person manages to increase his or her wealth or social standing, it does not automatically mean that someone else has less, but rather that the concerned person worked harder.

As an increase of “goods” was viewed suspiciously, the honourable person in ancient societies would not seek to acquire or accumulate “riches” beyond the socially defined boundaries. His efforts would be confined to preserving his inherited status, whether “rich” or “poor”. Any form of acquisition, that is, to take what rightfully belongs to others, would by its very nature be understood as stealing. This is confirmed by the often cited fourth-century Mediterranean proverb: “Every rich person is either unjust or the heir of an unjust person”, or “Every rich person is a thief or the heir of a thief” (Malina & Rohrbauch 1992:48; Malina 1993:104).

To be labelled “rich” was, therefore, not in the first place an economic statement, but rather a moral one, where once social status is not only guarded, but also exploited in a way to take what rightfully belongs to someone else. “Rich” was synonymous to being “greedy” or being a “money lover” (cf 1 Tm 3:8, 13; 6:5, 6; Tt 1:7, 11; 1 Pt 5:2; 2 Pt 2:15; Jude 1:11, 16). “Rich” meant “having the power or capacity to take from someone weaker what was rightfully his” (Malina & Rohrbauch 1992:48). This is confirmed by Luke’s characterisation of the Pharisees as “money lovers” (Lk 16:14). Scholars have noted that this description of the Pharisees scarcely coincides with what is historically known of them at the time of Jesus (see Moxnes 1988:1-9). Unlike the Sadducees and many scribes who belonged to the upper classes, the Pharisees were not known for their wealth or for their efforts to acquire more wealth. An example is Hillel, who was poor and generous and most alert to the dangers of wealth (Forbes 2000:301). At the

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time of Jesus the Pharisees were foremost a (small) faction in Israel concerned with observing ritual purity and trying to influence the rest of Israel to do the same. However, after the destruction of the Jerusalem temple in 70 CE, and at the time of the composition of Luke's writings, the Pharisees had risen to *political* prominence. Luke uses them as a "topos" for all those who have power and dominance over others and abused their power for personal gain, that is, being "rich". A distinction, therefore, needs to be drawn between the dishonourable and the honourable rich. The dishonourable rich are the "lovers of money", those who are greedy and who abuse their power to take what rightfully belongs to others. The honourable rich are those who rightfully preserve their inherited status (regardless of how high or low that status is) and resist the accumulation of capital and other "goods" at the expense of others.

By the same token, the "poor" are those who are unable to defend what is theirs. They cannot maintain their inherited status. This is usually the result of some unfortunate turn of events, such as illness (being blind, lame, deaf, or having leprosy), death of a spouse (being a widow), living in a foreign country (during times of severe drought) not being able to pay a debt and being robbed of one's inherited land (cf Malina 1993:106). Based on the unfortunate events, the "poor" are vulnerable to the "greedy" who prey on the weak. Unable to defend their status, they lose their honour, which in turn is the worst that could happen to any person in the first-century Mediterranean world, where honour was the core value of any society (see Malina & Rohrbaugh 1992:76-77; Malina 1993:28-62).

To sum up, "rich" or "poor" are not in the first place economic designations, but social conditions relative to one's neighbour. The poor are the socially ill-fated, who have become powerless to defend their rightful inherited status. The rich are the greedy, the money lovers, who exploit the powerless state of the poor for personal gain.

### **3. THE RIGHT TO SUBSISTENCE AND THE ISRAELITE DEBT CODE**

The point of conflict between "rich" and "poor" in first-century Palestine was neither status nor wealth. Indeed the chasm that separated the "rich" (as the elite) from the "poor" (as the non-elite) was of little concern to the "poor". Based on the notion of limited-good there was no ambition amongst the honourable person to improve his or her social status. As long as the "poor" could interact with the "rich" in a patron-client relationship, the relevant social position or wealth was accepted. There was, therefore, also no ancient

programme aimed at the redistribution of wealth in the sense of levelling the economic playing fields. There were no public rallies demanding social upliftment for those at the bottom of the social scale. It was only when the right to adequate subsistence was lost, that the “poor” rebelled (Malina 1993:104).

The basic right to adequate subsistence is “constitutionally” entrenched in the Torah, most vividly expressed in Exodus 22:25-27: “If you lend money to one of my people among the poor with you, do not be to him like a money-lender; charge him no interest. If you take your neighbour’s cloak as a pledge, return it to him by sunset, because his cloak is the only covering he has for his body.” This and other passages of the Hebrew Scriptures (see also Lv 19:9-10; Ezk 22:29; Am 2:6-8) denounce the exploitation of the needy. Despite the debtor not being able to keep his pledge or to repay his debt in time, the situation may not be exploited in such a way as to cause the debtor to fall below the basic level of subsistence: no interest is to be charged and the cloak is to be returned by nightfall.

The basic right to subsistence of all Israelites has its roots in the so-called Israelite “debt code” (see Herzog 1994:94, 179-184 with reference to Fernando Belo). The debt code begins with reference to the land promised and given to Israel by God: “I am the Lord your God, who brought you out of Egypt, out of the land of slavery ... and I have come down to deliver [you] from the Egyptians, and to bring [you] up out of that land to a good and broad land, a land flowing with milk and honey” (Ex 20:2; 3:8). As God gave the land inhabited and cultivated by the Israelites to them, the conclusion is drawn that all people living and working on the land are “indebted” to God. God’s ownership of the land is explicitly expressed in Leviticus 25:23: “The land must not be sold ..., because the land is mine and you are but aliens and my tenants.”

God’s ownership of the land is also the reason behind the regulations governing the sabbatical and jubilee years. Every seventh year the land is to have a Sabbath of rest (Lv 25:1-7). There is to be no sowing in the field and no pruning of the vineyards. Instead the Israelites are to nourish themselves from what grows naturally on their fields. These regulations were to serve as a reminder of God’s ownership of the land and the dependence of all Israelites on God’s provision. Similarly, after a cycle of seven sabbatical years (forty-nine years), a jubilee year is declared (Lv 25:8-54). The year is inaugurated on the great Day of Atonement. The jubilee year is characterised by the

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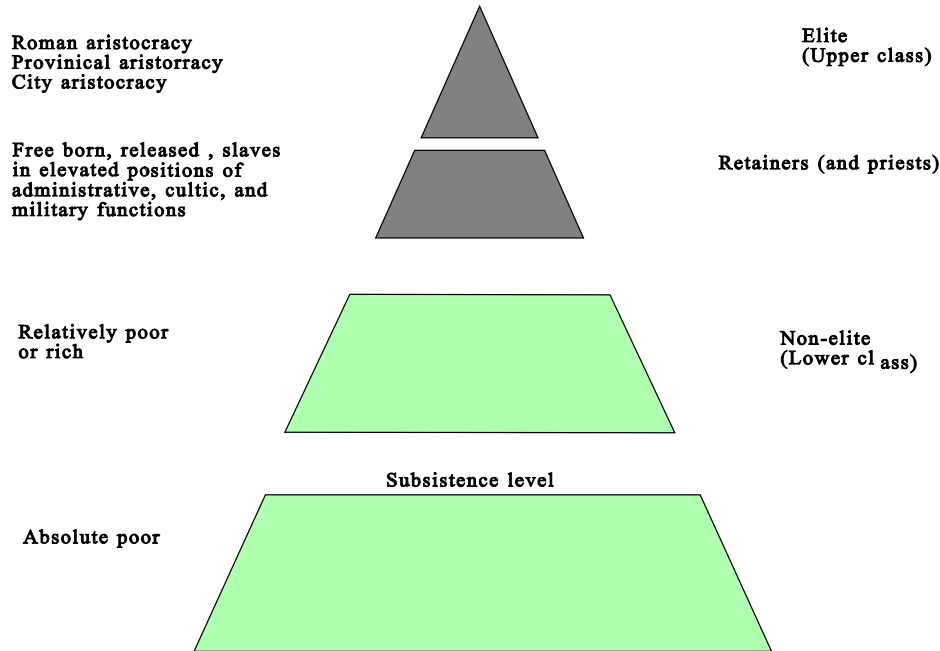
redistribution of property. Property that had been sold by the poor and could not be redeemed either by themselves or their relatives was to be returned in the jubilee year (Lv 25:25-34). Likewise, if a person sold him- or herself as a slave, the slavery is to last only until the jubilee year, at which time the person is to be released (Lv 25:35-54). Every ruling is concluded and substantiated with the ever resounding refrain: “[Because] I am the Lord your God, who brought you out of Egypt ...” (cf Lv 25:17, 38, 54). The debt code provided the means to curtail the greed of the rich and to secure subsistence for the poor.

The core principle governing the Israelite debt code is “extension” (Herzog 1994:94). The blessings flowing from the land, given to the Israelites by God, were to be “extended” and to be enjoyed by all. A landlord was not the sole owner and benefactor of what was produced on his land.

Deuteronomy 23:25-26 rules: “If you enter your neighbour’s vineyard, you may eat as many grapes as you want, but do not put any in your basket. If you enter your neighbour’s cornfield, you may pick the ears with your hands, but you must not put a sickle to your neighbours standing corn.” Similarly Leviticus 23:22 rules: “When you reap the harvest of your land, do not finish the corner, or when you reap the gleaning of the harvest, do not gather [them]. Leave them for the poor and the alien” (see also Rt 2:2). Also to be noted is the provisions regarding the tithes, especially the so-called second tithe, to be distributed every third year to “the Levite (the landless), the alien, the fatherless and the widow” (Dt 26:12). The ideal of the debt code is summarised in Deuteronomy 15:4-5. It expresses the hope that (through the principle of extension) there would be *no poor in Israel*, in the land which God had given his people. The more one received, the more one was to give. If God blessed the country, every Israelite should share in the abundance provided by God. That anybody should drop below a sustainable level of subsistence is thus in direct violation of God’s will and Law.

In the light of the above, it seems extraordinary that the first-century Mediterranean world, including Palestine, was characterised by an ever-widening chasm between the rich upper class (the elite) and the poor lower class (the non-elite), the latter consisting largely of people living *below the subsistence level*. This is depicted by the following graphic representation of the social stratification of the first-century Mediterranean world (Stegemann and Stegemann 1995:74):

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The upper class constituted no more than two to five percent of the population. The rest belonged to the lower class, consisting of the relatively poor (*penh̄te*) and the absolute poor (*ptwcoi*). From an economic perspective the relatively poor were those who – on the basis of their property or income – still managed to provide the necessary subsistence for themselves and their families. This group could vary from relatively poor to relatively rich. The absolute poor, however, were those who lived *below* the subsistence level. Stegemann and Stegemann (1995:91) describe them as those who were hungry and thirsty, wearing only shreds on their body, without home and hope. For the necessities of life they were dependant on the help of others, for instance through begging. Van Aarde (1996:953) draws attention to the important social distinction made between the *penh̄te* as the “respectable poor” and the *ptwcoi* as the “unrespectable poor”. Based on the failure to maintain their inherited status, the unrespectable poor were those who have lost all their honour. They were “nobodies”, equal to the social identity of a non-person, such as a dog or a pig.

The question begging for exploration is: What caused this immense poverty and suffering of a substantial group of people in a country in which the right of subsistence was entrenched as a basic right?

#### **4. THE ACCUMULATION OF WEALTH AND INCREASED POVERTY THROUGH TAXATION**

Taxation was one, if not the major, single cause of the ever-increasing poverty amongst the peasantry population. Palestine, as most of the Mediterranean world, was subjected to Roman rule. Although Israelite belief attributed all land to God, who rescued them from Egypt, the Roman Emperor declared the right of land ownership to himself. All land belonged to him and he could do with it whatever he pleased. Accordingly all provinces within the Roman Empire, including Judea and Galilee, were subjected to excessive taxation.

The main form of Roman taxation was tribute. Tribute was a "right" associated with domination in all agrarian societies (Herzog 1994:180). It was a form of permanent "war tax" as booty for the victors and for the provision of administrative and military services to occupied territories in a hierarchy of patron-client relationships. But the purpose of taxation was not the redistribution of wealth, nor the social well-being of the people, but enhancement of the position of the elites. Malina (1988:4) asserts that as "a rule patron-client societies are extensive and extractive; leadership is concerned with plundering rather than developing, taxation exists for the benefit of the elites, not for the common good." The system was exploitive, and almost all members of the governing class participated in the system to enrich themselves. A position of authority did not only provide the opportunity, but gave those in authority the "right" to extract from others as much as possible. Exercising this right was classified as an "honest craft", a socially accepted form of distortion to enrich oneself during one's term of service, the total amount often exceeding many times a person's regular income (cf Herzog 1994:61, 180). As a result of the "honest craft" a ruler received about twenty-five percent of the annual income of his domain, with the ruling elites receiving approximately forty percent of all wealth generated each year (Herzog 1994:61).

Tribute was collected through direct and indirect taxes. Direct taxes consisted mainly of a tax on landed property (*tributum agri* or *tributum soli*), calculated on the estimated annual yield in crops and cattle, and tax on personal property of some other kind (*tributum capitis*) (Bruce 1984: 253; Stenger 1988:19-25). The census was the basis used to assess the taxable amounts. A well-known example of such a census was the census called by emperor Augustus in Judea in the early first-century. After deposing Archelaus (whose rule was intolerably oppressive) Judea received the status of a Roman province of the third rank, to be governed by a prefect appointed by Augustus (cf Bruce 1984:253). In order to calculate the tribute to be paid to Rome, a census was held under the supervision of the Legate of Syria, P Sulpicius



Quirinius (Lk 2:1-3). In this way the Roman Emperor could assess the annual amount, which this new province could reasonably be expected to raise in taxes. In calculating the taxes various factors were taken into account, which did not only include the fertility of the land, but also the capacity of work (*caput*) of each person (Stenger 1988:23). Taxes were paid partly in money and partly in the form of farm produce. The latter was used to provide basic food for the Roman military in occupied territories and for the huge urban population of Rome, the Roman citizens being largely exempted from tax (Stegemann & Stegemann 1995:53). Taxes were collected mercilessly. A second century source reports of an incident where peasant farmers were “robbed” of all their grain by the military, which they then had to buy back again at excessively high prices to feed their own families (see Stegemann & Stegemann 1995:54). Hardest hit were those at the bottom of the economic scale who, tried as they may, simply could not raise the taxes demanded.

Apart from the land, taxes also had to be paid for personal property. Personal property had to be declared by the homeowner, with a minimum, mandatory tribute being fixed for each citizen irrespective of his property and wealth (Stenger 1988:24). Again it was a ruling that placed immense pressure on those who lived at a subsistence level. They were constantly faced with the danger of descending into the “unrespectable” state of beggary. But no matter how significant the crisis, no mercy was shown and no exceptions were made. On the contrary, various intimidatory tactics were used to extract the last “drop” out of the already suffering peasantry population. A third century source relates how some citizens, often children and women, were brutally flogged and tortured to disclose property belonging to others, family members or other village dwellers (Stenger 1988:21). If the torturers were not satisfied with the results, they would turn on the owner himself, who – no longer being able to bear the pain – would declare some non-existing property. The elderly, the bodily impaired, and the ill were not exempt from these tactics.

Apart from direct taxation there were many kinds of indirect taxation. Stenger (1988:26-30) provides an overview:

- “Wreath taxation”: Originally it was a birthday present (a golden wreath) to the Hellenistic kings, but under Roman rule a general donation of gold to the emperor on certain festive days.
- “Salt taxation”: With salt being a priceless commodity in ancient times, the Roman emperor possessed the salt monopoly. All salt used in industry was taxed.

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- “Sales tax”: Under Emperor Augustus it amounted to one percent of all goods, four percent at the sale of a slave, and five percent at the redemption of a slave, an amount to be paid by the freed slave himself.
- “Judicial fees”: These fees were payable on all trade agreements and “trade tax” on all goods traded.

In addition to the indirect taxes mentioned above, there were also a variety of custom duties or toll (cf Stenger 1988:30-34). Duties had to be paid on almost all goods on entering or leaving a particular customs area. At times this even included a traveller’s own clothes, resulting in some travellers wearing as many sets of clothing as possible. If a toll payer could not pay, all his goods could be confiscated. Duties also had to be paid for the use of certain roads, bridges, and gates.

It remains extremely difficult to determine the load of taxation in Palestine under Roman rule. Ultimately all estimates are speculative, particularly as it remains difficult to determine the load of indirect taxes. Stenger (1988:133) estimates taxation in first-century Palestine to have amounted to approximately twenty-five percent of all national products. As all resistance was brutally crushed, the only form of resistance was to exit from human society and to enter the state of beggary or banditry (see Stenger 1988:136-146).

If the situation described above was adverse for those provinces subjected to Roman rule, it was even worse for Palestine. Palestine occupied the unique position of being subjected to *two* forms of taxation. In addition to the Roman imperial taxation, all Israelites were also subjected to religious taxation. As a relic of its former state of self-governance as a theocratic state subjected to the rule of God and the regulations of the Torah, Israelites were also obliged to meet the demands placed on them by their *religious* aristocracy. Whereas most other nations became absorbed into the unitary form of Roman imperial governance, this was not the case with Israel. Israel remained a theocratic territory with all religious obligations firmly in place.

A specific description of the many different obligations is complex. The Torah contains many and often partially conflicting regulations on the same laws, leading to a diversity of applications during the course of Israel’s history. Nehemiah (10:32-38) provides an overview of these obligations in the post-exilic period:

- ✘•      A *third of a shekel* each year for the service of the house of God.
- ✘•      Each year a *contribution of wood* to burn on the altar of the God.
- ✘•      Each year the *first fruits* of crops and of every tree.

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- X• The *firstborn* of sons and of cattle.
- X• The *first* of ground meal, of grain offerings, of the fruit of all trees and of new wine and oil.
- X• A *tithe* of the crops for the Levites.
- X• A *tenth of the tithes* to be paid by the Levites to the house of God.

This list of religious taxation is not exhaustive. Many of the taxes listed by Nehemiah enjoyed forms of change and elaboration in subsequent years. The elaborations were more often than not the result of combining many of the older requirements listed, for example in Deuteronomy with the latter requirements found in the priestly code (Herzog 1994:181). Stenger (1988:149-228) provides a detailed description of all these taxes. For the purpose of this article we will confine ourselves to a broad, partially grouped description of some of the major taxes.

The “temple tax” (called *shekalim*) was relatively small, but nevertheless important in defining Israel’s identity as a people of God. In Nehemiah 10 the amount is a *third shekel*. The origin of this tax is traced back to Exodus 30:11-16. Exodus 30 refers to *half a shekel*, as a “single” sacrifice to be given by all once they had reached the age of twenty. Notably the taxable amount is the same for rich and poor. The tax is called an “atonement” as a symbol of the life redeemed by God, to be used for the service in the Tent of Meeting. After the building of the first temple it took the form of an official temple tribute to be collected by the priests solely for temple renovations (2 Ki 12:1-6; cf Stenger 1988:152-154). In the post-exilic period the tribute was also used to furnish the temple with cult objects (cf 2 Chr 24:14). That the temple tax was still in place in the first-century is confirmed by Matthew 17:24, where it is referred to as the “two-drachma tax”, which corresponds to the half shekel of Exodus 30.

The first of the major taxes were the annual “wave offerings” or “first fruits”. They were so called because they were *waved* by the priests (Ex 29:24, 26, 27; Lv 7:20-34; 8:27; 9:21; 10:14-15) as a sign of being consecrated to God. The first fruits were the “first” fruits that grew on a tree each year. However, In the case of newly cultivated trees, the law determined that the trees first had to rest for a three-year period, followed by a year during which all fruits were consecrated to the Lord (see Lv 19:23-34). The law governing the first fruits only came into force during the fifth year. A sheaf of grain, two loaves of wheat bread, and one year old lambs all formed part of the annual wave offerings (Lv 23:4-21). Apart from the natural products, certain finished products were “waved” as well, the “finest olive oil and also the finest new wine” (Nm 18:12). The wave offerings were designated for exclusive use

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by the priests and their sons (Nm 18:9-10). As the Torah did not determine the quantities of a particular wave offering, these were calculated and often, when obligations were no longer voluntarily adhered to, collected by the priests themselves. It is estimated that at the time of the first-century the annual wave offerings amounted to anything between one and three percent of the land produce (Stenger 1988:194; Herzog 1994:181).

The “(first) tithe” (to be distinguished from the first fruit) was the most important and materially the highest of all religious taxes. It was an additional offering over and above the annual wave offerings. The tithe was earmarked for the large contingent of Levites (Nu 18:21-24). Although the Torah was not specific regarding what products were subjected to the tithe, it was inferred from Leviticus 27:30, “A tithe of *everything from the land*, whether grain from the soil or fruit from the trees”, and Deuteronomy 14:22, “Be sure to set aside a tenth of *all that our fields produce* each year”, that “everything that serves as food and can be stored and has its growth from the earth, must be tithed” (Stenger 1988:195). Included in the annual tithe were also one tenth of all herds and flocks (Lv 27:32-33). A historical overview of the tithe shows that it invariably became a bone of contention between Levites and priests, the latter interpreting the Law in such a way that part of the tithe should be extended to them. From the designation that the tithe was “holy to the Lord” (Lv 23:30; Nm 5:8), the priests deduced that the tithe (also) belonged to them as they served as God’s representatives on earth. Stenger (1988:196) advocates that the “tenth of the tithe” demanded from the Levites (Nm 18:25-29; Neh 10:38) mirrors a compromise solution between Levites and priests.

Not specifically mentioned in Nehemiah 10 is the “second and third tithe” (labelled as such by later rabbinism; cf Malina & Rohrbaugh 1992:382). In contrast with the ruling that the annual tithe was to be extended to the Levites (Nm 18:21-24), Deuteronomy 14:22-27 records that the tithe (both farm produce and animals) was to be enjoyed by the owner when on pilgrimage to Jerusalem as a festive meal in the presence of the Lord so as to learn to revere the Lord. In an attempt to reconcile these conflicting rulings in the Priestly and Deuteronomic codes, the latter was interpreted as a “second tithe” (cf Stenger 1988:218).

Deuteronomy 14:28-29 (see also Dt 26:12) also makes provision that the “poor”, the widows, the orphans, the aliens, and the Levites, are to be supported by means of a tithe to be raised every third year. Although Deuteronomy 14 infers that this tithe was to replace the (second) tithe in the third year, the interpretation that it should be regarded as an additional “third tithe” gained widespread support in the rabbinical period (cf Stenger

1988:224-228). What seems to be an “accumulation of tithes” confirms the ever-increasing load of taxation placed on the people of Israel.

Herzog (1994:181) concludes that Israelite religious taxes amounted to a total of between twenty-one and twenty-three percent. Together with the Roman taxation this amounts to more than forty percent (Bruce 1984:254; see also Schröder 1979:14-15). This may not seem excessive in the light of some contemporary first world standards, but since there was no tax exception and no tax rebate for the large base of the peasantry population who lived at subsistence level, the burden of taxation was simply enormous and produced a crisis. As the Law of God entrenched the right to subsistence, with special reference to the help that should be extended to the poor, the widows, the orphans, and the aliens, one could have expected some innovative moves on the part of the Israelite religious aristocracy to alleviate the burden on the very poor. Mercy, the heart of God’s Law, compelled such a step. However, the opposite was the case. Conflicting rulings in the priestly and Deuteronomic Codes were invariably interpreted in such a way as to increase religious taxation and to benefit the position of the temple authorities. It is evidently clear that the temple authorities were no less oppressive than the Roman authorities. Instead of endorsing the rights of the poor and compromising some of their own wealth, they collaborated with the Roman rulers and in effect became partners in crime.

Roman taxation could hardly be resisted. It was administered by Roman bureaucrats and supported by direct military force. There was also no rationale needed to legitimise it. Domination conferred the right to extract tribute. Temple taxation, however, could not be enforced. It needed a form of legitimisation, an ideology that would persuade all Israelites to “voluntarily” pay their religious dues.

## **5. THE LAW OF GOD AS A TOOL TO JUSTIFY BOTH WEALTH AND POVERTY**

In exploring the legitimisation of religious taxation by the Israelite authorities, it is necessary to provide some insight into the important role that retainers played in an emergent agrarian social order. The lower stratum of the upper class consisted of retainers (see the model depicted above). The retainers fulfilled the task of “retaining” the position of the political elites in exchange for a number of political and social benefits and securities (cf Stegemann & Stegemann 1995:72). Whereas the governing class (the top stratum of the upper class) consisted of one to two percent of the population in an agrarian society, the retainers comprised another five to seven percent (Herzog

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1994:61). Although a relatively small group, the role played by the retainers was vital in providing effective governance. Two percent of the population would hardly have been able to control the other ninety-eight percent. With the assistance that the retainers provided to the ruling class, the ratio decreased dramatically (see Herzog 1994:61-62). Serving as their functionaries, the retainers implemented the political policies of the ruling class and identified surplus produced by the peasants, artisans and other villages to be transferred to them. They also served as shields against the hostility directed at the largely invisible ruling class, who lived in secluded areas in the large cities.

Amongst the group of retainers, *priests* played an important role. Every agrarian ruler who seized control had to have his rule institutionalised and legitimised. The priests, who in turn constituted part of the top stratum in a theocratic state like Israel, were central to this process. (For a social and religious stratification of classes within Palestine, see Stegemann & Stegemann 1995:127, 167.) It was their task to produce an ideology that would motivate people to pay tribute to the rulers so that the rulers could maintain their wealth. The salaries of the retainers were usually low, but they could engage freely in the "honest craft" of extracting wealth from the poor for their own benefit (Herzog 1994:180). Rulers generally turned a blind eye and even granted tax exemption on the property of retainers, as long as they continued to produce the ideology to keep them in power. In Israel priests were engaged in extracting wealth for themselves largely through the payment of temple dues, but, as noted above, it had to be legitimised in such a manner that the large peasant population would participate *despite the burden of Roman imperial taxation*.

With Israel continuing to cling to its theocratic status as a nation governed by God who delivered them from Egypt, the development of an appropriate ideology was directly and inseparably connected to the interpretation of God's Law, the Torah. The "debt code" was described above as an integral part of God's Law. As God rescued the Israelites from Egypt and gave them the promised land, all Israelites were indebted to God. The principle governing the debt God was described as that of "extension", that is, that the wealth produced by the land should be extended to all, so that there would be no poor in Israel.

Concurrent to the debt code of the Torah is the "purity code". The purity code originated from the concept of God's holiness. The phrase "I, the Lord your God, am holy ... therefore be holy, because I am holy" (Lv 11:44-45; 19:2; 20:7, 26; 21:28), is the principle refrain that resonates throughout the Hebrew Scriptures and determined every aspect of Israelite life. God's holiness was understood as an act of ordering (cf Neyrey 1991:276). For God

to bless or to curse was to create order. God's prime act of blessing was creation. In and through creation God ordered chaos. In creation everything was categorised and classified: day and night, sun, moon and stars, days of work and a day of rest, dry land and water, animals each according to "their kind", humans in the "image of God" (Gn 1:3-27). God gave everything its proper place. What was "in place", was regarded as pure or clean. On the other hand, what was "out of place", was regarded as impure or unclean (cf Malina 1993:149-183). A central part of Israel's Law, therefore, dealt with the concept of holiness.

The basic principle of the purity code was that of "demarcation". All spheres of life were "demarcated" into clean and unclean, pure or polluted, sacred and profane, with clearly drawn (symbolic) boundaries. Purity systems provided a society with "maps". Malina and Rohrbaugh (1992:72-73) provide the following descriptive summary of the maps prevalent in first-century Palestine:

There were maps of (1) *time*, which specified rules for the sabbath, when to say the *Shema*, and when circumcision should be performed; (2) *places*, spelling out what could be done in the various precincts of the temple or where the scapegoat was to be sent on the Day of Atonement; (3) *persons*, designating whom one could marry, touch, or eat with; who could divorce; who could enter the various spaces in the Temple and Temple courtyards; and who could hold certain offices or perform certain actions; (4) *things*, clarifying what was considered clean or unclean, could be offered in sacrifice, or could be allowed contact with the body; (5) *meals*, determining what could be eaten; how it was to be grown, prepared, or slaughtered; in what vessels it could be served; when and where it could be eaten; and with whom it could be shared; and (6) *"others,"* that is, whoever and whatever could pollute by contact.

The boundaries drawn by such maps were not "fixed", but could be modified with changing views on reality and may be radically different from one society to the next.

Within Israel different, more stringent codes of purity often applied to the priests as God's representatives. Notably, however, within first-century Palestine there was a small group of lay people, called the מַרְבֵּי (the associates) who took it voluntarily upon themselves to observe some of the priestly laws of purity (cf Sanders 1985:180-181). This practice gained support from the Pharisees. In opposition to the Sadducees, who controlled the temple, the Pharisees advocated that all temple regulations should also be applied to the *outside* world, a sphere where the Pharisees could exercise

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control (cf Dunn 1983:14; Van Aarde 2001:129-230). It was thus forbidden to eat at home any food that had not been previously tithed (cf Malina & Rohrbaugh 1992:382-383). Furthermore, preparation of meals and the slaughtering of animals had to proceed according to temple purity regulations. Also hands, perceived to be especially liable to uncleanness arising from unintentional touching of a defiled object, had to be washed before each meal (cf Lk 11:38; see also Sanders 1985:185-186). The laity was bombarded with purity regulations, which could hardly be fulfilled.

Important in understanding how the Israelite elite convinced the laity to continue paying their religious dues, is the relationship between the two above described codes. The debt code and the purity code are not necessarily complementary. Herzog (1994:184) advocates that the scribal Pharisees made *the debt code a function of the purity code*. In practice it meant that failure to pay tithes rendered a person impure, and once impure, such a person remained forever in debt. For Herzog (1994:184) this was a “theological move” on the part of the temple authorities to support the economic base of the temple in Jerusalem. The “instrument” used was that of stigmatisation and “deviance labelling” (cf Malina & Rohrbaugh 1992:97-98). People unable to pay their temple tribute and annual tithes, were labelled, ostracised and vilified as enemies of God and the Torah. Herzog (1994:182) writes:

Unable to meet their tithing obligations they [the peasants] were depicted as unwilling to fulfil the requirements of the redemptive media. Once they had been labelled, their further exploitation and degradation were made easier; they were no longer the people of God, whose covenant with Yahweh resided in their patrimonial plot of land, but rebellious reprobates, whose refusal to pay their tithes threatened the well-being of the land.

Ostracism of those not willing to pay their religious dues was not restricted to those Israelites who resided in Palestine, but also to those living in the Diaspora. This applies in particular to the annual temple tax (*shekalim*), which was collected throughout the Diaspora. Failure to pay the *shekalim* was tantamount to relinquishing one's identity as an Israelite. Stenger (1984:158) writes: “Verweigerung der Tempelsteuer and Apostasie dürften darum in der Diaspora nahezu Wechselbegriffe gewesen sein. Man schnitt sich damit von der Einheit des gesamten Israel ab.”

The move of making the debt code a function of the purity code ignored the reasons why a large group of the peasantry population could not pay their tributary tithes to the temple. Shockingly the role of the temple as an institution of extension (so that there would be no poor in all Israel) had been converted



into an institution of accumulation with the distinct aim to further enrich the religious elite (Herzog 1994:184). Having a debt was a form of impurity.

Herzog (1994:184) poses the interesting question: What would occur if the purity codes were interpreted as a function of the debt codes? The roles would have been reversed. The poverty of the people would then no longer be viewed as an indicator of their impurity, but as a sign of the failure on the part of the temple authorities to apply the principle of extension. The religious elite would then be the law-breakers. Herzog (1994:184) argues that “the purity codes provided an ideological framework for blaming the victims ....”

That the debt code was made a function of the purity code provides a plausible explanation how members of the lower class in Israel could degenerate to the social level of beggary and dispensability, despite provisions within the Torah to provide subsistence to all people of God. Those who did not pay their religious dues were no longer regarded as “people of God” to whom the regulations governing the principle of extension and also the commandment, “Love your neighbour as yourself” (Lv 19:18) apply.

## **6. ISRAELITE PROSPERITY TEACHING**

The above analysis also provides a probable explanation to the source of what could be termed “Israelite prosperity teaching.” The prevalent rabbinical view in the first-century – as will be indicated below – was that wealth is a sign of divine blessing and Torah obedience, and in contrast that poverty is a sign of disobedience and divine wrath. This view provides a remarkable shift in views concerning wealth and poverty in ancient limited-good societies described above (see 2). From a position where the accumulation of wealth was seen as dishonourable behaviour, a shift has taken place to where wealth was hailed as the divine fruit of Torah obedience.

Forbes (2000:299-303; see also Schmidt 1987:40-97) gives a helpful survey of the progressive development of “prosperity teaching” within Israel. In the Hebrew Scriptures wealth is not lauded in each instance. Instead it contains both positive and negative teaching on wealth. Within the positive approach, wealth is seen as a blessing of God (Gn 24:35; Dt 28:1-13; Job 42:10-18; Ps 122:3; Ec 3:13). More often than not these blessings are qualified by the conditional clause: “If you obey the Lord your God ...” (cf Dt 28:1-2). Within this strand of teaching, wealth is also characterised as a mark of wisdom (Pr 14:20), and generally as good, if free from sin (Sir 13:34; 31:8). Within the negative strand of teaching, warnings are sounded against the folly of storing wealth (Ps 39:6; Ezk 28:4-5; Zep 1:18; Sir 5:8). Wealth is severely condemned when it has been gained unjustly (Pr 10:2; Sir 5:8), or when it undermines concern for the poor (Ps 10:2-4; Am 4:1-3; 6:1-7; Sir 13:4).

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Both these strands of teaching are still evident in the writings of the Qumran community and subsequently in rabbinical writings. Forbes (2000:300-302) shows that in the Qumran community, the number of disparaging descriptions of wealth, especially of the wealth of the community's wicked opponents (1QS 11.1-2; CD 8.4-7; 1QH 10.25; 1QpHab 8.9-12; 12.10) exceeds the number of positive descriptions. However, the exact opposite trend is found in the rabbinical writings, culminating in a definite strand of "prosperity teaching". Forbes (2000:302) cites among others the following examples:

Beauty and strength and riches and honour and wisdom and old age and gray hairs and children are comely to the righteous and comely to the world. (*m. Ab. 6.8*)

For poverty comes not from a man's craft, nor riches from a man's craft, but all is according to *merit*. (*m. Qid. [Kidd.] 4.14*)

Rab on concluding his prayer added the following: May it be Thy will, O Lord our God, to grant us long life, a life of peace, a life of good, a life of blessing, a life of sustenance, a life of bodily vigour, a life in which there is not fear of sin, a life free from shame and confusion, a life of riches and honour, a life in which we may be filled with love of Torah and the fear of heaven, a life in which Thou shalt fulfill all the desires of our heart for good? (*b. Ber. 16b*)

A striking feature in these quotations is the relationship that is created between riches (wealth) and a life of Torah obedience ("the righteous", "merit", "love of the Torah") leading to the implicit conclusion that poverty is the direct result of Torah disobedience. This mind-set is further established by the lack of passages (in contrast to Jesus' teachings), which praise the poor, and by the presence of a number of passages that clearly denounce poverty as a curse (*Exod. R. 31.12; b. Ned. 64b; see also b. Ket. 50a; 67b; y. Pe'ah 15b; cf Forbes 2000:302*). Although the rabbinical sources quoted by Forbes date from a post-Scriptural period, there is evidence in the Gospel narratives that this mind-set was firmly entrenched in Palestine during the first century CE. Such evidence is, for example, provided by the dismayed response of Jesus' disciples to the "camel through the eye of a needle" pronouncement (Lk 18:26; Mk 10:31). The mind-set, as Forbes (2000:303) notes, seems to have been, "If the rich (who we thought were blessed by God) cannot be saved, then who can?"

There is little doubt that Israelite prosperity teaching forms part of the ideological apparatus construed by the religious aristocracy to ensure the payment of religious dues. Wealth is characterised as a divine blessing

resulting from the observation of all of God's Law's, not least of all those concerning temple taxation. In contrast poverty is a clear sign of God's wrath on those who refuse to keep his Law and pay the prescribed taxes. Although it is not part of this essay, it would nevertheless be a worthy exercise, to explore the motives behind contemporary prosperity teaching, which is so widespread within the Christian Church. When tithing is not motivated by the principle of extension, firmly rooted in God's mercy and compassion for the poor and needy, it invariably begins to serve the self-interest of its teachers.

## **7. CONCLUSION**

The purpose of this essay was to provide the backdrop to some of Jesus' parables (and other similar scenes) in which "rich" and "poor" are juxtaposed. The backdrop is to provide the reader with the necessary social and cultural insight into the world of first-century Palestine so as to sensitise the reader to the challenge that Jesus posed in his teachings. If wealth (and access to the source of wealth) was promoted to be a sign of divine blessing and confirmation of Torah obedience, the parable of Jesus in Luke 16:19-31 provides a profound challenge to those sharing such a "conventional" worldview. The "rich man", apparently blessed by God, finds himself in Hades where he suffers great torment. Equally disturbing is that Lazarus (the beggar), who – according to first-century Israelite mind-set – was a Torah transgressor, is placed in the comfort of Abraham's bosom. Most disturbing, however, is the realisation that the Law of God aimed at alleviating the plight of the poor was used to justify the adverse conditions of the poor so as to secure the privileged position of the Israelite elite and provide them with even more wealth.

Captivating is the juxtaposition of the Pharisee (as a member of the Israelite elite, especially in the post-70 CE era) and that of the toll collector in Luke 18:9-14. The toll collectors did not belong to the social and economic class of the very poor. On the contrary they could be quite wealthy. But they were nevertheless ostracised and marginalised from the "people of Israel" (and as such they were "poor") based on their collaboration with the (heathen) Roman authorities and the excessive taxes they demanded from God's people. The Pharisee in Jesus' parable clearly sees himself as a Torah observer who despises the atrocities of the toll collector. The Pharisee, however, fails to observe the remarkable resemblance between himself and the man he despises. Indeed, as Herzog (1994:178) fittingly notes, this is a parable of "two toll collectors". The greatest toll collectors of ancient times were the Pharisees. Both the toll collector and the Pharisee fail to adhere to

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the "heart" of God's Law. In Jesus' parable the former distinguishes himself from the latter by the realisation of his sin and his cry for mercy.

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