

LAND RIGHTS: JUSTICE IN LAND USE AND MANAGEMENT ACCORDING TO
LEVITICUS 25

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DECLARATION

This thesis my original work and has not been presented for award of a degree in any other university.

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DEDICATION

The thesis is dedicated to the People of Kenya, who are looking for solutions to the emotive issue of land and land injustices. The encouragement is that, Yahweh provides hope through scripture.

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I would like to thank God because He has been with me all the way in my education endeavours. This far that I have come it is all because of His underlying love and to bring glory to His name.

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ABSTRACT

The thesis deals with land rights in Ancient Israel with a comparison to the Kenyan context and gives a conclusive deduction on the land rights based on Leviticus 25. The main argument of this thesis is that the land in Ancient Israel was under supreme ownership of Yahweh, who spelled the terms of land use and management in comparison to the Ancient Near East Communities, Egypt and Mesopotamia where land belonged to a different tenure system. The objectives of the thesis were to examine the land rights, by considering the theology of land in relation to land rights, institutions that Yahweh provides to guard land rights and a comparison of the land laws in Leviticus 25 and Kenyan land laws to find the similarities and the differences in the laws. The thesis seeks to answer the following questions, what is Israel's theology of land in relation to land rights? What are the institutions provided in Leviticus 25 to guard land rights? And how do the Israel's land laws compare with the Kenyan land laws? In answering the questions the objectives of the thesis will have been met.

The thesis is an exegetical work using the grammatico-historical method and the social justice theory to examine Leviticus 25. Chapter one introduces the study with the background to the study, problem of the statement, objectives of the study, significance of the study, methodological considerations and the scope of the study. Chapter two deals with the literature relating to the land and land rights and chapter three looks at historical and cultural context of Leviticus with a special emphasis on the Holiness code of Leviticus 17-26. Chapter 4 deals with the analysis of Leviticus 25 using the social scientific method and social justice theory and chapter 5 deals with the recommendations and conclusion of the thesis.

ABBREVIATIONS AND ACRONYMS

ESV- English Standard Version

Gen – Genesis

Jer - Jeremiah

NASB – New American Standard Version

NIV – New International Version

NJB – New Jerusalem Bible

NRSV- New Revised Standard Version

NT – New Testament

OT – Old Testament

Pg - Page

PS – Psalm

RSV – Revised Standard Version

TJRC- Truth Justice and Reconciliation Commission

1KGS - 1 Kings

CHAPTER ONE: INTRODUCTION AND BACKGROUND TO THE STUDY

Introduction

This chapter deals with preliminary studies on land rights which include, the background of the study, the statement problem, significance of the study, the objectives of the study, research questions, methodological considerations, justification of the study, scope, the limitations and delimitations of the study.

Background of the Study

Genesis 1:1 gives a definition of land as the ground. (Munter, 2015), says that “Biblical land designates the entire earth according to Genesis 1:1 which can be translated into ground.” (Pg 4). It is on this ground or earth that God’s redemptive Biblical story is staged. An understanding of the land and land rights, which are rights to people’s ownership of land is essential in the understanding of the Leviticus 25, which stipulates the legal framework through which this rights are to be exercised.

Land is an important component in the Bible narrative, playing an important character in the redemptive plan of God. (Wright C. J., 1983) , says that the “Bible’s story of redemption begins with God’s promises to Abraham” (pg 46). A fundamental constituent of that promise, as it is revealed and repeated in the Patriarchal narrative, is that God would give to Abraham and his descendants land. It is on this theme of the Promised Land that the redemptive plan of Yahweh to mankind is anchored on. (Wright C. , 2004) , says that the land is a very dominant theme and a neutral stage on which the drama is staged.

Central to safeguarding the land rights is the Sabbatical and Jubilee years which are in the book of Leviticus to regulate land use and provide ethics when dealing with land transactions in the

Promised Land. Leviticus 25, which deals with sabbatical year and jubilee year, addresses the land issues to help prevent excesses that may be prevalent in land ownership and management. The ownership and management of land is dictated by the land tenure system that was in place even amongst the neighbouring communities around Israel. The appropriate land tenure system addresses the land rights and prohibits the excesses that any individual would use to oppress another in the Promised Land, and that is enshrined in Leviticus 25.

The land view amongst Israel is shaped through the tenets of Leviticus 25. The views which are social, cultural and theological shaped the land rights in ancient Israel. Violation of the social cultural and the theological conceptions about land automatically violated the land ownership, management and use. A brief analysis of the theology of land is crucial to understanding the land rights which are the conceptions or the views about land and play a crucial role in understanding Leviticus 25.

Land determined the livelihood of the people. Agriculture and pastoralist life which was the centre of livelihood depended on the land. Yahweh promised to bless the land with rain if Israel obeys Him. The household and the clan owned land and depended on the economic resource for daily provision. (Wright C. J., 2013), says that “the household with its landed property, stood as the basic unit at the centre of several spheres of Israel’s life” (pg 1). Land then played an integral component in the social and economic life of Israelites.

Israel finds her identity in the land. The land issue goes beyond just the ownership but deep within the culture and history. Yahweh establishes a covenant between Him and Abraham before Israel could be taken into slavery in Egypt. In Egypt, they had no identity, in bringing Israel to Canaan meant that they were people to have an identity. (Spiro, 2018), says to say that God gave Abraham and his family the Land of Israel as a unique homeland where his descendants are

supposed to create the nation that is the model for the world. It is on the premise of building a model that is different, that Israel finds her identity.

Under the jubilee law, land is under divine ownership. Divine ownership forms the theological dimension to land rights in ancient Israel. The man is a steward of the land as Yahweh retains the ultimate title deed to the land. (Wright C. J., 1983), says that “He has retained the ultimate title of ownership and therefore also the ultimate moral authority over how it was used” (Pg 57). Through Leviticus 25, Yahweh reminds Israel of this reality of His divine ownership of land as He gives them the Promised Land as a divine gift. The divine ownership levels up everybody in the society where the Israelites dwelt and that in reduces the excesses that might arise in terms of land injustices.

To address the land rights and shape the land tenure system that would ensure fairness in the Promised Land, Yahweh provides a redemptive plan through the provisions of Jubilee law. After the Israelites, had settled in Canaan and a system of governance introduced, injustices arose that threatened the land rights. Ahab for example, desires to take land that belonged to Naboth in a manner that is contrary to the Law of Yahweh. (Tidball, 2005), says that when bankruptcy threatened, ways of redemption had to be found. The redemptive ways are well anchored in the Jubilee provisions that include the sabbatical and jubilee years.

Statement of the Problem

Land an important economic resource determining the economics, social and the religious spheres of influence even in the ancient world as communities socialized around land. Land being an integral part of the livelihood of the people could be abused and hence disrupting the social order of the communities that dwell on it. This then would result in injustices to the dwellers of the land as some would have felt short-changed in the land allocation, management and use.

The land in Ancient Israel was under divine ownership of Yahweh in comparison to the ancient Near East communities, Egypt and Mesopotamia which had a different land tenure system. Yahweh being the God of justice was at the centre of land transactions, for He acquires settles and adjudicates matters land addressing and how the land is to be utilized. To avoid excesses in land issues so that individuals and families could have rights to land ownership, Yahweh establishes a legal framework or provisions within the Pentateuch to regulate the excesses that might arise due to land ownership and management. Yahweh retains the right to land ownership establishing a landlord-tenant relationship; which He is the Lord and man the tenant. In doing so Yahweh maintains the social order through the provisions of Leviticus 25.

Objectives of the Study

The research will seek to:

- i. Understand the Israel's land theology in relation to land rights.
- ii. Determine the institutions provided in the Leviticus 25 to guard land rights.
- iii. Compare Jubilee laws and the Kenyan land laws.

Research Questions

The research shall seek to answer the following questions:

- i. What is Israel's land theology in relationship to land rights?
- ii. What are the institutions provided in Leviticus 25 to guard land rights?
- iii. How does Jubilee laws and Kenyan land laws compare?

Previous Studies on Land Rights

Christopher Wright writes extensively of the Jubilee laws highlighting the Ancient Israel's land transactions and organisation to help guard land rights. Land was an important component in the theology of Israel in the settling of what God had promised Israel. If Yahweh had denied them the land, then they would not have an identity and a source of life a matter stressed by Wright when (Wright C. J., 2013) who says that a denial of the land to people by selling the same land is denying them their primary source of life (pg 142).

One important relationship is between Yahweh, Israel and the land. (Wright C. J., 2013) views the relationship as a covenant promise between Yahweh and His people. The relationship was that of a tenant landlord relationship as (Wright C. J., 2013), declares that He is the land lord and that indicates the absolute rights to the land of which he gave Israel a concept that (Kaiser, 2012) calls the concept eminent domain.

At the time of writing the thesis no material was available to the researcher in connection to the land rights in Ancient Israel and the Kenyan conceptualization of land. Most material point to the relationship of the land and land rights to Israel which is well illustrated in the next chapter. If that would have been provided, then the researcher would have depended heavily on the material. However, Egypt and Mesopotamia nations provided a platform of forming the basis of research because Israel came from Mesopotamia through Abraham and they were brought out of Egypt by the mighty hand of Yahweh.

Scope of the Study

The study is limited to the land rights through the exegetical analysis of Leviticus 25. The study will focus on the land rights basing on the Jubilee law and its application in the New Testament and comparison with the Kenyan land laws.

Assumptions of the Study

This study is done on the assumption that, Leviticus 25 brings out the land rights concept highlighting the three objectives stated. This means that the underlying jubilee law is well elaborated throughout Leviticus 25 and brings out the land rights concept very well to highlight the land issues and the excesses.

Significance of the Study

The research will be useful in helping the church play a crucial role to ensure injustices to do with land are dealt with since it is the mandate of the Church to help guard land rights through the appropriate teaching on the Pulpits. Government can also use the research especially with the ministry of lands and the land commission in solving land injustices, a thorny issue in Kenya now. Individuals and families could also find amicable solutions directly from the scriptures in dealing with the issues of land injustices, inheritance practices and the land tenure policies they employ which is helpful in solving the land problems they do face.

Methodology

The section of the study deals with the method the researcher will employ to get the results desired for the study. Exegesis of Leviticus 25 will be done using the grammatico-historical

method and social justice theory to bring the underlying social and cultural issues that are embedded within Leviticus 25.

The grammatico-historical method refers to studying the Biblical text, or any other text, in its original historical context, and seeking the meaning of its author(s), most intended for its original audience (s) or addressees based on grammar or syntax, (Blomberg, 2012). In the digging of the history, a better understanding of the Leviticus 25 will be obtained mixed with the syntax of crucial phrases and words to bring out the meaning of the text.

In the analysis of the text, the researcher will also consider at the social aspects of the text, the theological and social dimensions and the way the text which is Leviticus 25 responds to a social and cultural context. This will also be done using the social justice theory. Proponents of social justice theory advance the social justice theories on the tenets of distributive, retributive, procedural and environmental justice. Perhaps one of the most significant works is that of John Rawls. Rawls' theory provides a framework that explains the significance (pg 26), “in a society assumed to consist of free and equal persons, of political and personal liberties, of equal opportunity, and cooperative arrangements that benefit the more and the less advantaged members of society” (Rawls, 2001). The theory advances equity and fairness while ensuring distribution of wealth is fairly within the society.

The use of Grammatico-historical criticism and the social justice theory would bring out proper conclusions on the land rights topic. History will be blend with all aspects of justice to draw proper conclusions on the subject at hand.

Definition of the Terms Used

In the thesis, the researcher used the following terms:

Jubilee law: The law in the Pentateuch that regulated the land use and management ensuring equity in the distribution of land. The law has the Sabbatical year and the year of Jubilee.

Jubilee year: The year celebrated in the Jewish calendar that was marked with return to each man's property and freedom of slaves. The year also was marked with cancellation of debts.

Land tenure: The system of land ownership agreed upon by those who dwell on the land. In the case of Leviticus 25, the land tenure is defined by Yahweh.

Sabbatical year: This is a year of rest for the land observed every seventh year in ancient Israel. In that year, no tilling was allowed on the land.

Conclusion

The chapter has introduced the thesis highlighting the key components that sets the pace for the study of the land rights. Land being an integral component in the Biblical narrative, should be considered with the magnitude 'she' deserves.

CHAPTER TWO: ANCIENT ISRAEL'S LAND ACQUISITION AND USE

Introduction

This chapter contains literature on past related studies dealing ancient Israel's land acquisition and use. The section of the chapter shall deal with the theology of land, land tenure system in ancient Israel, land as identity, land inheritance practices, and how Sabbatical year and Jubilee affect the formation of land laws. The related literature will be examined in this chapter to understand land and land rights. An understanding of theology of land is crucial in understanding how the Israelites viewed land socially, culturally and in the theological dimensions. The conceptions which form the theology of land form the preliminaries of understanding the land rights. The Israelites theology of land encompasses Yahweh's ownership of land, land as a divine gift, land and a covenant and land as a source of livelihood. It will be prudent also to consider the land tenure system because that forms the land rights the research is anchored on.

The Land as the Source of Livelihood

An overview of the Israel's lifestyle indicates that agriculture and pastoralist life formed the lifestyle of an Israelite. This lifestyle depended on the availability of a fertile crescent for the food production, which Yahweh promised He will give. The ground or soil produces the food and as (Watson, 2004) says that "*adamah* represents the fertile soil or the arable land which is the source of human's livelihood, (pg 20)". (Stanojeric, 2014) , says that "the Promised Land will be examined as the sacral reality Israel received as an inheritance, a reality which involves the concepts of holy space and holy time" (pg 6). The holy life was meant to be lived by remaining faithful to the covenant and through the implementation of covenantal Laws, which regulate Israel's life. The regulation of life is meant to mean the dictation of the everyday life of Israel.

Ancestral land was not to be sold permanently according to the Biblical culture. The land was the main source of income for the people. This is meant to guard them from loss of the source of living. Joseph, for example, buys the whole land from the Egyptians and makes Pharaoh the owner of the land. The people of Egypt are made vulnerable after selling their land. This means that they had to depend on the provision from the king and the fives they are given to till the land. Naboth refused to sale his inheritance to Ahab the King. (Fayer, 1993), in explaining the origin of Jubilee alludes to the importance of land by saying that, given the vocabulary used in Leviticus 25, and he concludes that that the jubilee was strictly agrarian legislation whose sole aim was to affect the distribution of land that produces food, that is, which would act as the basis of survival.

The life they were to live, which basically is agricultural was dependent on the sufficiency of the land. (Waltke, 2007), while commenting on Genesis 1 says God created the land separated land from water to provide a source and sustain life for a flora, fauna and human beings. Yahweh calls it *a land flowing with milk and honey*, this is a description that literary alludes to the land with a lot of food. In explaining the concept of land flowing with milk and honey, (Stern, 1992) calls the wrest the rule of the land from Baal and demonstrate an ability to provide the land with fertility and abundance which was done by Yahweh. To demonstrate the prosperity of the land which Leviticus 25, alludes to *'the land I am going to give you'*. (Kwakkkel, 2009), says that, "back in the land they shall again enjoy its agricultural goods. They shall have a fixed place there and shall prosper and multiply for the benefit of Yahweh, whom they shall recognize as their God" (pg 168). Prosperity hence which is indicates the livelihood of the people was pegged on the promise of Yahweh for the land. The land dictated everything for the people. (Stager P. J., 2001), views agriculture as, the basis of the economy in ancient Israel, that affects every facet of the daily life

and that is all done on land. This meant that the life of any Israelite was depended on agriculture which is done on land.

Land as a Covenant Between Yahweh and Israel

Yahweh had promised Israel land through the Abraham as (Waltke, 2007) affirms that the call of Abraham to the land of Canaan, with its attendant promise to give him the land informs and unifies the entire Pentateuch and by Yahweh bringing them to Canaan is an indicator of the covenant that is everlasting between Him and His people. (Wright C. J., 2004) has the view that entering the land is not entry into a safe space but into a context of covenant. The land would then act a covenant seal between Yahweh and His people. He is the Lord of the land and they are the tenants and stewards of that land.

The covenant relationship is stressed in the Leviticus 25. The Children of Israel were at Sinai and Yahweh tells them that when they enter the land He is going to give them. The term '*going to give*' simply strengthens His commitment in fulfilling that covenant. Eventually they enter and possess the land fulfilling what He had promised Abraham. (Munayer & Lisa, 2011), points to the fact that, Abraham's promise was a divine promise which contained three aspects: a land, a posterity and a global blessing. The land remains core to that covenant relationship. That covenant relationship is central to understanding the law of Jubilee and sabbatical year.

It is prudent to remember; the covenant was between Yahweh and Abram pegged on the promise of land. Leviticus 25 begins by telling the Israelites that, '*when you enter the land I am going to give you...*' signifying the Yahweh's fulfilment of the covenant He had already established. The centrality of the matter is that, land is an integral part of that covenant. Yahweh had promised to bless Abram and His descendants, Israel and thus in the formation of a nation where land is a space where that nation was to exist. Jubilee and Sabbatical year provide the laws

required to regulate land use in Israel. The fulfilment of the covenant would bring about the fulfilment of the law in totality.

Land as an Identity for Israel

The land was an identity for the children of Israel. Abraham moves from the mother land in Mesopotamia to a place God was calling him to go. He moves from his people meaning a change in his identity, from his cultures to acquire a new culture. He is changing his identity with the introduction of a new culture different from his culture. Abraham wonders in the desert from Mesopotamia to Canaan, the land Yahweh gives him. Abraham then is introduced to a different culture which is the worship of Yahweh different from what he had. The identity had to change with the promise of the land to his heirs. Yahweh tells Abraham:

And he said to him, "I am the LORD who brought you from Ur of the Chaldeans, to give you this land to possess." Genesis 15:7 RSV

Abraham who becomes the father of the nations after the covenant is given the land of Canaan. Land becomes a crucial asset in determination of the Israel faith in Yahweh. For them to be in position to worship well, sacrifice, they need that space. They were sojourners in a foreign land, without any identity. By the fact that Yahweh had Promised Land that gives them an identity after settling in Canaan. (Brueggemann, 1977), who has argued that land is the central reality to biblical faith says that, the acquiring of land by the children of Israel gave them a new identity from that of wanderer in the desert and Egypt.

The fact that Israel was an alien in Egypt is pure indication of the lack of identity. Their culture and interactions which spelt their identity was curtailed in Egypt under slavery. They were slaves, people who are desperate and destitute. (Waltke, 2007) , looks at the land to symbolize the transition from disordered existence to ordered structures and slavery in the other hand which is

pegged on land in Ancient Israel as an indication of loss of identity for the slaves could not own land. (Gossai, 2010), commenting on humiliation of Israel in Egypt says that, “about affliction of the Hebrews in Egypt, it touched their inner selves, the transcendental part of their being, their dignity and their persons. It represents a degradation of the human being, a seizure as it were divine, image in the person” (pg 13). That oppression and exploitation (*anah*) is accompanied by human degradation and humiliation. These were people without identity and therefore the Promised Land would eventually give them an identity.

Israel was to remain faithful in observance of the law of Yahweh. To be able to settle in the Promised Land, they had to totally obey Him. The Torah was the source of identity for them making them distinct from those observing the worship of Baal and the other gods of the people of Canaan. Settlement in the land is linked to the observance of the Torah. (Preston, 2017) looking at the concept of identity says that, “it is insisted that to deny Israel the land, is to deny her election, her identity as God’s people” (pg 1-2). He was basically looking the present Israel and seeing how they have been deprived of the portion of the land they were to own. (Preston, 2017), continues to say that “if possession of the land was dependent on faithful observance of Torah and if Torah were to be removed, this would be tantamount to a total loss of identity, a loss of any “right to the land” (pg 1-2).”

An important point to note is that, (Starvakopoulou, 2010) brings to the story of land as identity in what he calls land “a dominant ideological referent in the Hebrew Bible for the mythic, social, ritual and political expressions of identity with which the Biblical literature is so concerned” (pg 7). Basing his arguments from the Book of Amos in relation to the issue of land, (Thang, 2014) gives the following profound statements that would form the basis of understanding the land as an identity. He continues to say that “the essential factor concerning the covenant election-tradition

is Israel possession of the land, which functions as part of their mission in relation to all people”. (Thang, 2014), brings the element of covenant relation which makes Israel a peculiar people giving them identity, but ties that to land. He continues to say that, entry into the land is not entry into a safe space but into a context of the covenant. The covenant that gives them identity was established between Yahweh and patriarchs. In quoting, Clement, (Thang, 2014), says that, “as Clement puts it, ‘the land acquired a very significance as a visible expression of Israel’s elect status’.”(Pg 38) (Thang, 2014), says that “the ultimate relationship between Yahweh and Israel leads to the formation of a specific theology of Israel in comparison with other peoples and their land’ giving the land as a basis the identity of Israel” (pg 38).

A landless people are without identity, they are foreigners or aliens and that denies them access to vital economic gain. That was the story of Israel in Egypt, without land and identity. Without proper way to worship and desired to go to Canaan to worship Yahweh in the wilderness. Yahweh thus ensures that He settles Israel in Canaan giving them an identity.

The land as a Divine Gift and Divine Ownership

The redemptive story of Israel is with the promise of land which Yahweh says ‘*the land I Am giving you.*’ The land which defined an identity for Israel is given by Yahweh intertwining the concept of divine gift and divine ownership of land as (Wright C. J., 2013) says, “Yahweh’s giving of the land presupposes His prior ownership of it-that is, that as owner it was in Yahweh’s authority and power to give the land” (Pg 10).

Israel’s land tenure is explained by two concepts; that the land ownership is by Yahweh as He retains the title to the land and that the land is given to Israel as a gift that they be stewards to the economic resource. (Wright C. J., 2013), in the Book, *God’s People in God’s Land*, views the promise of Land as historical concept. He views land as a divine gift and divine ownership. (Wright

C. J., 2013), says that “from Israel’s point of view it was the land of promise and gift – the major theme of their historical traditions” (pg 10). Here Wright is advancing the concept of historicity of the land by pegging it to the covenant relationship that had existed between Yahweh and Abraham. He concludes examining at the concept of covenant pinning it to history and looking at that relationship by saying that, because of its explicit links with the land traditions, the relationship between God and Israel was thoroughly earthed in the socio-economic facts of life – shaping and being shaped by them, and at times threatened by developments in that realm.

At the heart of Israel’s land tenure system which is extensively discussed in the text of reference is the issue of Yahweh being the landlord and Israel as tenants. The concept is important in establishing the kind of relationship that existed between Yahweh and Israel and the kind of faith they had. It is also important for understanding the implications of Jubilee laws on the land which they were going to enter. (Wright C. J., 2017) points clearly to the fact that “land forms the pillar of faith of Israel’s Community’s faith. One of the central pillars of the faith of Israel was that the land they inhabited was YHWH’s land” (pg 15). This casts the main theme of Yahweh’s ownership of the land. (Wright C. J., 2017), continues to say that, “so the land was in Israel’s possession, but still under God’s ownership” (pg 18). This dual tradition of the land (divine ownership and divine gift) was associated in some way with every major thread in Israel’s theology.

The relationship between Yahweh and His people should be strengthened as He is the Lord of the land and His people the stewards of the land. The Israelites had to observe some commandments before they could enter the Promised Land. This was a precursor to them getting into the land of the promise. This then demonstrates the relationship that existed between Yahweh

and His people. Nobody could then inherit the land without the follow up of the procedures described within His Word.

The promise of land was an essential part of the patriarchal election tradition and the goal of the exodus redemption tradition. The maintenance of the covenant relationship and the security of life in the land were bound together. Divine judgment eventually meant expulsion from the land, until the restored relationship was symbolized in the return to the land. The land, then, stood like a fulcrum in the relationship between God and Israel (notice, for example, its pivotal position in Leviticus 26:40-45).

The covenant that existed between Yahweh and the Israel was that of the landlord and tenant relationship. The land belonged to Yahweh and Israel was entrusted to take care of the land. That means that the right to invoke the “title deed” of the land then belongs to Yahweh. He provides Israel with the regulations on how to live in the land He had promised way back before they enter and possess the land He had provided.

The link between divine ownership and divine gift to the land rights is elaborated in the Jubilee law of Leviticus 25. (Wright C. J., 2013) , says that “crucial areas of Israel’s property law and ethics, which we shall be examining, are dependent on the belief in God’s ownership of the land” (Pg 12). The Concept where God is put away from the picture hence becomes discriminatory to land rights and was introduced by the pagan worship. To emphasize Yahweh’s ownership of land, (Wright C. J., 2013), asks questions why he why he thinks Yahweh’s ownership of land is crucial; “Yahweh’s ownership of land as a politico-territorial concept? Yahweh’s ownership of land as a cultic conception? Yahweh’s ownership of land as a theological-economic concept?” (pg 11). The view of land in his line is due to political, economic and cultic conceptions meaning that, for Yahweh to own land, and then He considers the three aspects important. The main reason why

Yahweh owns land is for the aspect of Justice, he doesn't delight in individual families suffering at the expense of rich people due to the important asset He has given man.

The linkage of divine ownership of land to land rights connects to the concept of eminent domain. The concept of divine ownership also called eminent domain by (Kaiser, 2012) who illustrates the land ownership concept. Violation of the land rights is the violation of the concept of eminent domain for (Kaiser, 2012) says that it is for this reason that God brings judgment on the land; because He is the only one with the right to eminent domain which gives Him an edge over other gods. Yahweh retains the rights to eminent domain which contrasts with the surrounding nations. In Egypt for example, (Vaux, Freedman & Beck, 1997) alludes to the fact that the land in Egypt belonged to Pharaoh or the temples in comparison to Israel where the land belonged to Yahweh. They continue to say that, in Mesopotamia, though, the king and the sanctuaries owned large estates, but the oldest texts show that communities and families and individuals already had certain lands. Unlike in Israel where Yahweh declares that He is the ultimate owner of land, in the surrounding nations had a different tenure that is different from that of Israel. (Kaiser, 2012) quoting R. J. Rushdoony observed that the "concept of eminent domain originated in the idea of pagan kingship, even though the term was not generally known and utilized in modern times until the time of Grotius in 1625" (pg 1). Eminent domain is in the concept of natural law, which attributes ultimate law to nature-not to God. The aspect of eminent domain is the basis of Yahweh's ownership of land. It is on this basis that the relationship between Israel and Yahweh concerning land is strengthened. The concept is well explained by (Kaiser, 2012) who the researcher quotes, to say:

The right of eminent domain is the claim of sovereignty by the state over all property within the state. This right is appropriately used when, in the view of the state, a part or a whole of that property was necessary for public, state, or federal use, such as in obtaining the right of way to build a highway through one's property or to erect some state building on what had

been one's private property. Usually some type of compensation is given to the original property owner, but this was not regarded as a binding limitation on the state. Moreover, it is an assertion of sovereignty by the state or the legislative body, which Scripture has declared to exist solely in and for God alone. (page 1)

It is for this reason that God brings judgment on the land; he is the only one with the right of eminent domain (Exodus 9:29: "*so you may know that the earth is the LORD's*"). *In fact, God claimed that "the whole earth is mine"* (Exodus 19:5), which Deuteronomy 10:12 repeated: "*To the LORD your God belong the heavens, even the highest heavens, the earth and everything in it.*" Yahweh therefore retains all rights to land ownership. Since He is a righteous judge, then He deals with the issue of land with righteousness and justice.

The aspect of son ship and how it is linked to land is an important aspect to be considered. Wright (1990) says that the conception of Israel's relationship with Yahweh in father-son terms was very ancient. Yahweh's ownership and the gift of the land have import in the light of the Deuteronomic description of the whole land as the inheritance of all Israel. Yahweh in doing so ascribes the land then as the inheritance of the Israel by giving them as a gift. (Fayer, 1993) , summarizes the concept by saying the following profound statement:

The priests explicitly stated that the land belonged to Yahweh. Through this concept, the priests expressed three beliefs. First, God was portrayed as the "liege lord" who owned the land and its produce and the people and their service. If the people had put themselves or their land at the absolute disposal of anyone other than Yahweh, that would have been an act of disloyalty, a denial of the owner's rights. Second, the divine ownership of the land implies the dependence of the people on God. To be landless in an agrarian society was to be dependent on another to provide the means of survival; therefore, the people relied upon the divine landowner to provide them access to the land. Finally, since the lord of the land was understood to be the God of justice, the use of the land must also reflect that justice. The very fact that God owned the land called for a distribution of the land that reflected the divine purpose for the people, namely, a people who had access to the means of survival so that they were dependent upon God alone and not upon the whim of a few wealthy humans. (Pg 64).

Land is also viewed as a gift to Israel from Yahweh. In the conclusion of chapter on land as a gift, (Thang, 2014), says that in conclusion on the land issue that therefore, “the land was the goal of the Exodus redemption. Both Exodus and wilderness wandering gradually led to the conquest of the land by Yahweh’s act” (pg 20). (Thang, 2014) ,continues to say that in this way, “both the Exodus and wilderness wandering find their goal in Yahweh’s extending His fame to His people in the possession of the land of the Amorites, hence the gift of the land” (pg 20). The Exodus from Egypt and Wilderness wondering for forty years would be meaningless apart from the gift of land. This is a pure indication that land was a central theme in the Exodus expedition and was core to the promise which Yahweh had indicated to Israel.

To regulate the excesses that might accrue due to land use and inheritance, Yahweh forms a land tenure system to guard that. The land tenure is entrenched in His divine ownership and land as a divine gift. He sets the laws that govern the land use since He is the ultimate title holder to the Promised Land.

Land Tenure Policy

Ancient Israel in the formation of the nation had an elaborate land tenure system. Land belonged to the family or tribe, who are stewards of the land. It is quite phenomenon to look at the division of the land where every family was given land based on the tribe they belonged to. The kin group, (*mispaha*), the (*bet-ab*) the fathers house, and divine ownership of the land had a significance role in the determination of the land tenure system. To understand the land tenure system, the kin group and the father’s house play a significant role.

The Kin Group

The land of Israel was divided and owned on tribal basis. The clans during the conquering and division of land dealt with the issue on tribal basis. (Wright C. J., 2013), looks at the Kin group as a cluster of families and disputes the interpretation of some versions as “according to families” terming it misleading. He says that the land majorly belonged to the kin group, a group of families forming the clan which is a group of related families by blood. (Wright C. J., 2013), says that the common translation according to their families is misleading, since the *mispaha* was not a single family but groupings of several units and he calls them self-sufficient- protective organism.

Land in Israel was communal. (Hong, 2006) , says that, “land was held by the extended families or kinship groups, i.e., the village. The family members shared a dwelling in the village and together worked a portion of its arable land” (pg 102). This type of system (Hong, 2006) refers to it as the *musa system*. The *musa system* according to (Lemche, 1985) “was an outward system that must have functioned as a defensive mechanism against the wealthy” (pg 97). The system also kept the community solidarity

The understanding of the kin group is crucial to unfolding of the land tenure system. The Kin group was the most important form of social organization of Israel and a very important determinant on the allotment of land. Access to land via membership in communities that have control over resources remains very important in ancient Near East. In corporate communities, community membership was very important for any person to access land and is allocated to individual households through the community governance structure, (Wolf E. R., 2004) . The communal land policy hence has its own advantages which supersede the normal way of owning land. There are potential advantages to maintaining resources under common property rather than individualizing access. They include efficiency and equity reasons. Just like in the modern world

with some communities, efficiency gains derive from potential economies of scale and non-divisible natural features (e.g., water holes) or investments (e.g., deep tube wells), the possibility of internalizing externalities over a larger geographical unit (e.g., watersheds with joint upstream and downstream interests in controlling erosion, and other forms of interlinked interests among individuals in the watershed areas (Sadoulet, 2001). The most protruding reason linked to the Biblical story about the communal land policy is the issue of equity which should be expounded in the exegesis later.

Kinship Units were crucial in the formation of Israel's system of land-tenure. (Wright C. J., 2017) "As Joshua 15; 22 makes clear, the territory was allotted to tribes, then 'according to their clans', and then within the clans each household had its portion or heritage" (pg 23). This points us to the way they viewed land within the context of tribe first, then clan which is the small unit of the tribe and then at the household individual which forms the smallest component of the kinship system. The three had a say then in the utilization and management of the land.

Each family had a territory within the larger kin group. These families were the units of the larger kin group. From the father's house, individuals could find the identity. (Wright C. J., 2017) explains how a large group was subdivided into subtribes but the kin group was itself composed of smaller familial units, the fathers'-houses, each of which also had its portion of land within the territory of the kin group.

The house composed of the slaves and aliens within the community and it was like an extended family. This was a social way of ensuring equity in the community. Inheritance practices which will be discussed below and linked to land right found the ground within the house. Looking at the issue of land tenure system, (Hong, 2006) says that, not all lands were community property.

For lands like Orchards and vineyards were not suited to this type of appointment for the case of Naboth illustrates the concept.

Having understood the land tenure system which was set to guard the excesses, it is also important to consider the land inheritance practices to see how they were instrumental in not only formation of land tenure system but also in the guarding the land rights in Israel. The land tenure system, (Wright C. J., 2017) says had two significant roles in ensuring equity on matters land rights in the community which are as below:

Equitable distribution

The system of kinship ensured equitable distribution of land among the tribal groups. Allotment was done according to how small or large the tribe or kin was. (Wright C. J., 2013), says that, “in pre-Israelite Canaan the land was owned by kings and their nobles, with the bulk of the population living as tax- paying tenant farmers” (pg 291). In Israel, the initial division of the land was explicitly to the clans and households within the tribes, under the general rubric that each should receive land according to size and need.

This is meant to point to the fact that, the three-level land tenure system ensured that land management portrayed equity in the distribution as land is distributed according to the need of the people thus ensuring that each clan and household get a portion of land according to the need. To cement the point of equity, (Cook S. L., 2004) says that the “Sinai covenant’s system of permanently allotted land lent a strong material reality to the interpersonal and communal relationships fostered by the covenant” (pg 32). Land tenure provided a concrete bias for membership in the covenant community for mutuality among covenant neighbours, who were co-vassals under Yahweh, and for care of the helpless and the poor. The system created a social structure of interlocked land owning families that cared for and nurtured primary groups and created

peace and friendship among secondary groups within society. The caring of the poor and vulnerable is what points us to the equity aspect of the kin group system.

Inalienability

Land was to remain within the family structure. Leviticus 25 points us to an important institution of the *goel*, the kinsman redeemer. His function was to ensure that land remained within the kin group. He had all the rights to redeem the land back to the kin so that the kin could maintain the territorial integrity they had. (Wright C. J., 2013) , says that “to protect this system of kinship distribution, family land was made inalienable” (Pg 291). That is, it was not to be bought and sold as a commercial asset, but was to remain as far as possible within the extended family, or at least within the circle of families in the clan.

It was this principle which lay behind Naboth’s refusal to sell his patrimony to Ahab (1 Kings 21), and it is most explicit in the economic regulations of Leviticus 25. The land tenure system was in that format to basically keep land ownership within the circles of the family. This is meant to help the family keep the ownership and ensure that they do not lose the ownership of the economic resource.

The land tenure system that existed in ancient Israel seems to be existing due to the prevailing circumstances that were taking place at the time. The law of Jubilee which deals with the Israel system seems to point to the facts that were taking place at the moment the land tenure system was being developed. (Fayer, 1993), puts it this way, “the Israelite jubilee was not created ex nihilo, but it grew out of notions of land tenure that existed in the world around it” (pg 180).

In examining several of the societies of the ancient Near East, we discover that, in one way or another, all of them limited the absolute right of individuals to buy or sell land at will. This puts us in an awkward situation in explaining how the concept crept in the Torah earlier or maybe by

the work of radiators. But that is not the concern at the moment, the most crucial component is that there existed a Jubilee law that was very elaborate to tackle issues to do with land tenure system in Israel. The most striking thing about (Fayer, 1993) explanation of the land tenure system is to do with the community solidarity. He says, “within this milieu, Israel understood itself to be founded upon a so-called tribal ethos” (pg 48). There was a strong sense of tribal solidarity in which members of the tribe were responsible to and for the other members. The financial ruin of one member of the tribe was unacceptable to the group; therefore, the economic viability of each family within the tribe was protected. This cements the notion of land belonging to the tribe (community) rather than the individual land system propagated in the modern world today.

Biblical Land Inheritance Practices

The ancient Israel took serious the issue of land inheritance. Yahweh was involved in every aspect of land transaction, making the land issue a very crucial aspect in the Old Testament times. Several scriptures show how land transactions were carried out and how inheritance of land was practiced. Having considered the land tenure system in the above analysis, it is prudent to consider how that was exercised in the matters inheritance of land because that played a significance role in the rights to land ownership.

Inheritance of the land had rules that governed its operations which were well spelt out in the various laws, the Bible included. (Wells, 2017) gives a detailed account of the laws that pertain to the land inheritance and says that certain texts suggest that a man's principal heirs were the sons born to him by his wife (or wives). The main emphasis here is the son born to the wife as sons by other women (concubines, slaves, prostitutes) were not included (Judges 11:2). The subject of the daughters sharing into inheritance is also elaborated in the scriptures as the book of Numbers 27 for the Zelophehad daughters who got an inheritance in Israel.

In the matters concerning the sharing of the deceased fathers' share, which is an important aspect in inheritance practices, Wells (2017) says that, when it came time to divide, the father's estate was apportioned into equal shares and that was likely done by casting lots. The casting of Lots thus ensures that Yahweh, who is a God of justice, is involved in the sharing of land. (Wells, 2004), continues to say that, Deuteronomy 21:17 suggests that typically the eldest son received two shares and other sons one each.

A father could, by a testament, designate a younger son as the "firstborn" and reassign the right to a double share to him. He could not do so, however, if he was married to multiple women and had previously chosen to "hate" (probably meaning "demote") the mother of the biologically oldest son. In this case, the oldest retained the status of firstborn (Deuteronomy 21:15-17). Unlike the African tradition where a lot of prominence is given to youngest son in terms of inheritance, the eldest gets a double portion just to keep in touch the family cohesion. (Kaiser, 2012), insists of the property through inheritance (Deuteronomy 21:16), but even here there is a warning against discrimination (Deuteronomy 21:16).

Inherited property could be sold. (Wells, 2004), continues to say, "families who fell on hard times and had to sell inherited land retained the right to redeem it" (pg 158). The family had also a right not to sale the same property as Naboth's story exemplifies the true picture of inheritance land not sold. But, in case the family was at the crossroads and needed the Shekels to sort few issues, they could sale the land at full price to help in the matter. The various cultures involved included the exchange of the shoe to indicate agreement between the two parties in the presence of the "court" the Elders. Upon the sale of the property the family retained the right to redeem the land through a kinsman's redeemer who was given to help in the provision of justice to the family. It was an act of justice to the family. The institution of the Kinsman's redeemer then

plays a vital role in ensuring that justice prevails when dealing with the matters to do with land. (Wright C. J., 2013), concludes by saying that “the head of the family owned land of his patrimony legitimately, not simply by the technical legality of his inheritance but ultimately because he and his family held it from Yahweh” (pg 119).

Jubilee Laws

The jubilee laws lay the foundation under which chapter 25 of Leviticus stands. These are laws that govern the land use and justice system to do with land. They are composed of the Sabbatical year and year of Jubilee laying the foundation to understanding the land laws once the Israel enters the Promised Land

Sabbatical Year

The Israel nation was to till the land for six years and allow the land to rest on the seventh year according to the regulations of Leviticus 25. The land was to have a year of rest. The land was to lie fallow as a measure of regeneration. Tilling the land for six years makes the land lose valuable nutrients and hence keeping it fallow for the seventh year makes the land gain the valuable nutrients. The fact is that land is an asset that provides food to the Israel community, keeping it fallow would make the land more useful in the next cycle of six years.

The seventh year, the Israelites depended on Yahweh for the provision. He had already provided in the six years more than enough to take them through the seventh year. The land reverted to the original owner of the asset bringing equity in the land. It is a measure of justice too because everybody now becomes equal as no one is tilling the land to wait for the produce as everyone has reverted land back to the original owner of the land. (Avery-Perk, 1991) , casts out

the individual land ownership in the Sabbatical year rendering it irrelevant for the food is left in the fields for all who are in need, it may not be treated as the property of the individual on where land it grows.

Year of Jubilee

In considering the year of Jubilee (Wright C. J., 2017) , writes extensively on the year of Jubilee analytically basing on the provisions of Leviticus 25 about the issue of land and land rights and it will be prudent to examine the material but a simple analysis of Leviticus 25 would be desired. Other literature materials are also examined.

In Leviticus 25, verse 8 gives what it means by Jubilee. Israel was to count seven Sabbath years making 49 years. It is not clear when Jubilee would be falling between the 49th year or the 50th year where the Israelites where to sound a trumpet throughout the land. The year is to be consecrated. They were not to take advantage of each other in the selling of land and land was not to be sold permanently. Jubilee was the declaration of freedom for the slaves as people return to their own land. In a nutshell, the Jubilee was the institution that ensured justice in the land.

Jubilee is viewed in economic terms by (Wright C. J., 2017) , who says that Jubilee is an economic institution targeting family and land as it was rooted, therefore in the social structure of Israelite kinship and the economic system of land tenure that was based upon it. The institution he points was based on the regulations governing the family settings and the land tenure system which Israel would employ once they settled in the land of promise.

The emphasise of Jubilee as a law targeting land tenure is also emphasized. (Wright C. J., 2017), looks at the Jubilee law of the land tenure system as sees the system as “providing equitable

distribution of land as each clan would receive land according to size and need” (pg 219). That would prohibit inequality in the land distribution thus ensuring equity. The second aspect he looks at is jubilee in terms of inalienability. He says that family land was to be kept within the confines of family. If the land was to be sold, then it must be kept within the confines of the family. Crucial to his article is Jubilee meant that Land belonged to Yahweh which was extensively discussed above.

Conclusion

Land being central in the determination of the livelihood of the people who dwell on it; should be examined with the magnitude she deserves. The literature above did not exclusively address the issues of land in terms of justice. The basic analysis of the literature above deals with land issues and its applications with conclusions on how it was never applied. The arguments the scholars allude to above purely indicate that the tenets of Leviticus 25 were not realised and could not be realised. The Chapter represents a utopian kind of life which was never realised. The argument the researcher portrays however, is that the tenets of Leviticus 25 alludes to the justice system that was to be applied in land use and management. When that system was to be applied then, the result would be a just social society which the scholars should have laid emphasise on.

CHAPTER THREE: HISTORICAL AND CULTURAL CONTEXT OF LEVITICUS

Introduction

The chapter deals with the historical and cultural contexts of Leviticus in which the text of exegesis (Leviticus 25) is derived. The chapter deals with the background to Leviticus, authorship of the text, audience, date and settings to interrogate the historical and cultural context of Leviticus putting Leviticus 25 in the context.

The Background to the Book of Leviticus

The exegetical text that has the Jubilee legislation is found Leviticus 25. But, it would be prudent to analytically look at the book of Leviticus to consider the historical and cultural context. Leviticus ויקרא is the third book of the Pentateuch outlining the process of offerings, sacrifices and worship in the Old Testament and with the special look on the conduct of the priest who are to administer the sacrifices. (Ridges, 2006), says that Leviticus gets its name from the tribe of Levi, the tribe of Israel chosen to perform Aaronic priesthood rites and ceremonies among the Children of Israel. The book of Leviticus represents the priestly religious life of Israel giving the priestly connotation.

Chapters 19-27 are referred to by scholars like (Tidball, 2005), as the holiness code where the text of analysis is derived. He says that the Holiness code dictates the way of living of the people in a holy way as part of what is prescribed for them in the Promised Land. Within the holiness code is the land, land rights and the legal framework which is inscribed in the 25th Chapter of Leviticus.

Historical Context of the Leviticus

To understand the legal genre of Leviticus 25, special considerations on authorship, audience, the date and the purpose of writing the text have to be considered. The historical context is discussed below giving special emphasis to Leviticus 25.

Authorship of Leviticus

The book talks of the Mosaic authorship through several Scriptures that attribute to Moses as the author. (Harrison, 1980) , says that “texts like those of Leviticus 1:1; 4:1; 5:14; 6:1, 8, 19, 24; 7:22, 28 among others directly involve Moses as the author of Leviticus”. The composition of Leviticus, along with other books of the Pentateuch, was ascribed formally by Jewish tradition to Moses, (pg 253) a position of which (Rooker, 2000) who says that for most of history of Biblical interpretation it has been assumed that Jewish and Christian interpreters that Moses was the author of the Pentateuch , alludes to a different authorship changing the consensus.

Enlightenment by scholars such as Julius Wellhausen, later in the West attribute to four sources of Pentateuch authorship, which they describe as JEDP. The J document (Rooker, 2000) says it used the name of Jehovah (Yahweh) which was composed around 850 B.C. The J source advance that author of several verses within the Pentateuch preferred to use the Name of God as Jehovah or Yahweh. The work of J source is attributed to unknown Jewish scholar. The E source was hypothesized to live about 750-700 B.C in Israel’s Northern Kingdom.

The E source used the generic name of God Elohim. (Rooker, 2000) , says that “E had a transcendent quality and was concerned with ethical issues than J. The D source was equated to the book of Deuteronomy and was said to have been written during the reforms of Josiah” (pg 24). The P source per (Rooker, 2000) says that it denotes the Israel’s religion post exilic beginning 539 B.C, and was largely influenced by the works of Ezekiel noting a relationship between the

arrangement of Leviticus and Ezekiel. (Rooper, 2000) continues to say that, “some scholars have argued that Leviticus is the combination of material from P (priestly) that includes Leviticus 1-16 and an anonymous H (Holiness) source Leviticus 17-26, composed later in the exile about the time of writing the Book of Ezekiel!” (Pg 24)

The Unity of the Pentateuch from Genesis to Deuteronomy points to Mosaic authorship. (Wolf H. , 2007) , says that “the books of Genesis through Deuteronomy present a coherent picture of the origins of mankind and the birth and development of Israel as a nation, which can only be attributed to one scholar making the narrative coherent” (Pg 51).

Audience of Leviticus

The understanding of the intended audience of the book is very important to know for the intentions. Understanding the audience helps place the text in its context and builds the cultural complexities that are better addressed after knowing who the people the text is addressing.

The book is widely known as a priestly manual that addresses the priests. (Robert, 2003), believes that, “despite its traditional title, the book of Leviticus is not primarily a book of priests. It is not a priestly manual, and it does not seem to have priests as its target audience, though priests were no doubt a part of intended audience” (pg 221). The fact is stressed by (Watts, 2007) when looking at portions of Leviticus and says, “its designation of the intended audience as all Israel, with the priests explicitly included, specifies these laws’ jurisdiction over all proper ritual performance” (pg 61). An analysis of the Leviticus reveals the audience to the people of Israel, sons of Israel, the congregation, elders, Aaron and sons of Aaron revealing the book to have been written to priests and Levites who are among the congregation.

The Date of the Text

To date the book of Leviticus will be crucial in understanding the cultural complexities that existed at the time the material was written. Proponents of JEDP document theory attribute Leviticus 25, to have been written later by a priestly source P, most probably after exile! (Meyer, 2005), quoting Grundwaldt notes that, there is also the 50-year period in Chapter 25, which also points to a post-exilic date. He thinks that the 50 years of the Jubilee is in Babylon. (Meyer, 2005) , disputes that notion by saying that, Grundwaldt does not understand that this is a moral problem, that these laws might have been written to justify the return of land to the original owners returning from exile.

Commenting on the date of the text (Bergsma, 2007) , notes that, “in the case of Leviticus 25, the referent is the institution of Jubilee – which may have been in existence before the text of Leviticus 25 was composed” (pg 53). He continues to say that, “Leviticus 25 may have been composed at the same time as the code; it could be an old piece of legislation assumed into the Code or it could be a late interpolation into the Code” (pg 53). Bergsma believes that the institution of Jubilee which Leviticus 25 advocates existed before the Levitical code was written and that surrounding communities had similar type of institutions.

Genre of Leviticus 25

An analysis of the genre Leviticus 25 is useful in the analysis of the text of scripture in the sense of the approach employed to draw out the relevant meaning of the text. Engaging the scripture with the knowledge of the type of genre will help draw the proper conclusions from the text.

Pentateuch is a narrative with a legal code inscribed in between. (Meyer, 2005) , analyses Watt, who says that, the combination of story and list appears too widely and too predictably to be

regarded as a distinguished feature genre (though in Israel's Culture it did become a typical feature of Torah). (Watts, 2007), analysing Rendtorff, Koch, Knierim and Levine says that "they worked by identifying a genre that then become the basis for analysing the text. Whether using form-critical analysis or comparisons of ancient ritual texts, they attempted to explain the present text as derived from hypothetical oral or written antecedents described based on genre" (pg 84). (Watts, 2007) , says that "Knierim analyses the genre as a law genre"(pg 84).

Coherence and unity of Leviticus 17-26 is emphasised by (Joosten, 1996) hence the justification of the title Holiness Code, due to that unity of the text. The laws in Leviticus 17- 26 advance the theme of holiness and are sets of brief laws that are compacted together different from the other sections of the Leviticus. Jubilee law is part of the Holiness code.

Land in the Holiness Code

The holiness code chapters 17-26, describe how an Israelite was to live a holy life in the Promised Land they were going. The brief laws, forbidding eating of blood, speaking of unlawful sexual laws, different laws that speak about relationships with each other, punishment of sin, rules for priests, sacrifices that are unacceptable, the Sabbath and other celebrations, the stoning of a blasphemer, reward for obedience and punishment for those who disobey. It is very interesting to note that in within the laws and rules is the Sabbatical year and the year of Jubilee which are pegged on land. The question then is, why the land issue in the holiness code?

The holiness code personifies land. Land acts just like a human being acts. (Davis, 2009), refers to land as 'semi-autonomous moral agent' and her statements are echoed by (Kristel, 2014) who sees land as consciousness, takes initiative in acting, and possibly that it reasons self-reflectively about its actions. The personification of land signified that the land was to uphold the holiness standard just like the family institution and the priests in the holiness code. Defilement of

the land had the repercussions just like the priest's defilement or the people had. (Kristel, 2014) , says that "individuals who are considered, טמא ! *tame*'("impure"), are segregated from the community until they can regain their, טהור ! *tahor* ("pure"), status" (pg 15). Excommunication from the community where land is the social entity is defining the wholeness of the land where they were dwelling. (Kaiser, 2012) , says that "in fact when evil was left unchecked and was compounded, it caused the land to be defiled and guilty before God" (pg 167). That is why Leviticus 26 talks of the excommunication from the land due to the defilement.

The Holiness status of the land was to be maintained just like the temple and the people. Land is the space where the holiness code would be actualized. The observance of the laws of Sabbath of land would mean that Yahweh would reward the Israelites for their faithfulness, which is inscribed in the Holiness code. (Kaiser, 2012) , says that one of the central affirmations of the faith of Israel was that the land they occupied belonged exclusively to Yahweh. That means that the holiness status of the land was to be maintained by Israel in respect to the owner of the land.

Perhaps one of the most significant reason why the land is the main theme in the Holiness code is because the land belongs to Yahweh. He is the ultimate owner of the land and gives the laws that are to regulate the land in Leviticus 25. The concept of Yahweh's ownership of the land is expressed explicitly in the Old Testament texts and is compared to other cultures like Egypt where the King owned the land. But, the underlying concept of land ownership is what (Joosten, 1996) calls, "a cultic concept one: the land belongs to Yahweh because He dwells there" (pg 169).

Conclusion

The above discussion on the historical and cultural context show the importance of the land and land rights in the Holiness Code. Moses is the author of the book of Leviticus because the Pentateuch shows unique unity with the flow of the story from Genesis to Deuteronomy. Israel was the audience especially for the Holiness code with a unique reference to the priests to which the holiness code addresses. The land is addressed in the Holiness code with special emphasis on the excesses that may arise and defile the land. Leviticus then becomes the book that uniquely addresses land describing how holy the land should be.

CHAPTER FOUR: ANALYSIS OF LEVITICUS 25

Introduction

The chapter deals with the analysis of Leviticus 25 using the historical-grammatical method and the social justice theory, to draw the findings and answer the research questions by the analysis of Leviticus 25. The chapter also will deal with the exegetical synthesis of the findings of the social and the economic world view of Ancient Israel in contrast to the laws dealing with land in the Ancient Near East communities. This will help in the development of appropriate findings to answer the research questions.

The Content of Leviticus 25

Moses is instructed to speak to Israel at Mount Sinai on the instructions concerning the living in the Promised Land which they were going into. The instructions are divided into two major segments: those concerning the Sabbatical year, verse 1-7 and those concerning Jubilee year, verse 8-55 but in between is the theology of land.

Sabbatical Year verse 1-7

Moses is instructed at Mount Sinai by Yahweh on the sojourning journey to the Promised Land with an emphatic note as illustrated in verse 2,

דַּבֵּר אֶל-בְּנֵי יִשְׂרָאֵל, וְאָמַרְתָּ אֲלֵהֶם, כִּי תֵבֹאוּ אֶל-הָאָרֶץ, אֲשֶׁר אֲנִי נֹתֵן לָכֶם--וְשָׁבַתָּה הָאָרֶץ, שְׁבַת לַיהוָה translated as *speak to the sons of Israel and say to them, when you enter the land which I give unto you, make sure you keep a land Sabbath to the Lord*. The second verse of the chapter introduces a conditional that Israel was to keep in the Promised Land. The condition that is tied to land and land rights is וְשָׁבַתָּה הָאָרֶץ, שְׁבַת לַיהוָה translated as *make sure that you keep a land Sabbath to the Lord*. Sabbat is

mentioned also in Exodus 23:10-11 and Deuteronomy 15:1-18. In the former passage, it is described as the year to leave the land fallow (as here in Leviticus 25) without the year being specifically mentioned. In the Deuteronomy passage the year is called a *semitah* and is associated with the cancelling debts and freeing slaves and that year is not only as a year of rest from tillage of the land (Gaebelein, 1984). (Gaebelein, 1984) , concludes on the Sabbath by saying that the Sabbath to be a combination of these two ideas that is the fallow year for the land and a year of cancelling debts. The land was to keep the Sabbath meaning a rest in the Sabbatical year as the verse says.

It is worth mentioning that the Sabbath was for the Lord as mentioned in verse 4 וּבִשְׁנָה 4 which is translated as *but in the seventh year the Sabbath land rest shall be to the Lord* . The Lord is the owner of the land and its depletion would sum to depletion of the resource that He blesses His people with. The economic value of the land rest was more than the tilling. It meant that He could still provide for Israel even without tilling the land. Following the instructions that He was giving would amount to a good life He had promised. The understanding of the general principle of rest is important in unlocking the Sabbath concept. (Waltke, 2007) , has argued that three aspects of Sabbath: ceasing from work, using the day as an instrument of life, and setting it apart for YHWH which form the critical aspect of the Sabbatical year.

The Sabbath is a time to celebrate and enjoy what has been done the previous six days. It is a reminder that God does not value humans by their ability to produce (human beings) have worth apart from what (they produce), which Yahweh desires for His people. Furthermore, (Rempel, 2016) says that originally the Sabbath was present in the resting of God in Gen 2:1-3 but the command was passed on to humanity in the Decalogue. In Leviticus 25, it is now the land that

is subject of the divine command: the land shall keep a Sabbath to the Lord. For six years, you shall sow your field, and for six years you shall prune your vineyard and gather in its fruits, but in the seventh year there shall be a Sabbath of solemn rest for the land, a Sabbath to the Lord (Lev 25:2b-4a)

The land was to lay fallow in the Sabbatical year. For six years Israel, would sow the fields, prune the vineyards and gather crops as verse 3 says;

וְשֵׁשׁ שָׁנִים תִּזְרַע שָׂדֶךְ, וְשֵׁשׁ שָׁנִים תִּפְרֹץ כַּרְמְךָ; וְאַסְפֹּתָ, אֶת-תְּבוּאָתָהּ which is translated , *plant your field, prune your vineyard and gather fruits of the land for six years you*. The land was to rest on the seventh year and harvesting of any crop was not required in the seventh year. The man had to rest as the Sabbath tenets dictated as well as the rest of the land.

Several reasons attribute to the land rest, some of the reasons would be, that agricultural practices could be so draining to the soil especially when farmers plant the same crop year after year. The land was the livelihood of Israel, allowing it fallow would make the land regain the fertility and allow planting for the next seasons of planting. This was aimed at protecting the livelihood of Israel. This is in essence is an aspect of environmental justice, ensuring that the land is not reduced to a dust ball due to continues tilling of the land. Modern farmers consider fallowing as the last resort due to modern practices of farming and to allow maximum harvesting. Land must rest to allow nutritional value regain to the soil and enrichment of the soil. (Tidball, 2005), says that the Sabbatical year prevented Israel from raping the land and turning it into an arid dustbowl.

Allowing the land rest on the seventh year was a basis of their faith in Yahweh with whom they draw their identity. It is a show of their dependence on Him for provision. He would supply enough for the seventh year just like He supplied manna on the sixth day to Israel on the sojourning journey to Canaan. It should be remembered that He is the owner of the land, and therefore

allowing Sabbath rest denotes a dependence on Him to supply what He would have supplied on the seventh day.

Perhaps one of the most significance reasons for the Sabbath rest was that of distributive justice. The Sabbath here denotes benefit for all, the poor and the rich, the humans and the animals. Harvesting what the land produces on the Sabbatical year and keeping it for you will deprive the vulnerable an opportunity to use the land and its produce. The Sabbath year is meant to guard the interests of the poor and vulnerable, animals included so that equity was realized within the society. The land was to return to original status before it was tilled and all were to benefit from the land.

The 6th verse alludes to equity by saying:

וְהָיְתָה שְׂבַת הָאָרֶץ לָכֶם, לָאֲכֹלָהּ--לָךְ, וְלַעֲבָדְךָ וְלַאֲמָתְךָ; וְלַשְׁכִּירָךְ, וְלַתּוֹשָׁבָךְ, הַגֵּרִים, עִמָּךְ translated to *in the Sabbath, the land shall provide food for you, your male and female slaves, your hired servant and the sojourner who lives with you.* The natural produce of the land in the Sabbath would be a public property ensuring that the food is distributed to the society even to the animals. This is distributive justice, ensuring that the resources are shared in the society in a fair manner. It also ensures that equalization occurs in the society. (Gaebelein, 1984), says that the natural produce of the land would feed the poor as Exodus 23:11 says. The food belonged to everybody, hired servants, slaves and foreigners living in Israel. They could utilise the produce of the land in the Sabbatical year.

The land is to have a Sabbath, a period of freedom from human exploitation; it must experience a complete rest, a Sabbath of the Lord (Mays, 1988). To add to that, (Holdcroft, 1996) says that, in general the Sabbatical year provided the people with adequate substance, but it restrained those excessively pursuing personal wealth. It assured that Israel's lifestyle remained simple, and asserted God's ownership of the land. The Sabbath of the land in the Seventh year was to the Lord, so letting the land revert to its natural state carried religious significance. "According

to Exodus 23:11 there was also a humanitarian purpose: “then the poor among your people may get food from it, and the wild animals may eat what they leave” (pg 132) (Gane, 2004). Furthermore, (Calaway, 2013) says that “as the Day of Atonement which is a Sabbath and a Sabbath of solemn rest restores the temple to its original state of holiness, so the land’s Sabbath restores the land back to its original state, allowing the divine presence to dwell among the people” (pg 87). This is an aspect of restorative justice ensuring that the original state of the temple is maintained.

Jubilee Year 8-55

The Sabbatical year results to the year of Jubilee. According to the Levitical account, this occurs after seven Sabbatical years. Commenting on which year Jubilee laid (Tidball, 2005) says that Jubilee fell every fifty years and extended the fallow of the forty-ninth year for a further period. (Chavalas, 2000) , says that “every fiftieth year (seven Sabbaths of years plus one year)” alluding to an additional one year after the seven Sabbaths as the year of Jubilee. *Yovel* (Jubilee) refers to the blowing the ram’s horn which is done in announcing the year of Jubilee. Thus, “the root occurs also in the name Jubal, the father of musicians (Gen 4:21) (pg 87)”, (Harris, 1984).

In the analysis of the *yovel*, we will partition the remaining portion into segments for analyses. The portions include; verse 8-13 where Jubilee is defined, verse 14-22 where the implications are drawn, verse 23, the main theological foundation and verse 24-55 the way Jubilee was to operate.

Verse 8-13- Jubilee Year Defined

The seven sabbatical years compose of the Jubilee year according to the Leviticus 25. Verse 8 says:

וְכָפַרְתָּ לֹד, שִׁבְעַת שָׁנִים--שִׁבְעַת שָׁנִים, שִׁבְעַת פָּעָמִים; וְהָיוּ לְךָ, יָמֵי שִׁבְעַת הַשָּׁנִים, תִּשְׁעָה וָאַרְבָּעִים,

.שְׁנָה translated as *you shall count seven Sabbath years and multiply seven years and the Sabbath*

years , so that the time of the seven Sabbaths shall be forty-nine years. The verse denotes a period of forty-nine years *שְׁנֵה תִשְׁעַ וְאַרְבָּעִים* – *seba sanim seba* that define the jubilee but then the 50th year is when the Jubilee is celebrated according to verse 10 which says:

וְקִדַּשְׁתֶּם, אֶת שְׁנַת הַחֲמִישִׁים שָׁנָה, וּקְרַאתֶם דְּרוֹר בְּאַרְצְךָ, לְכָל-יֹשְׁבֶיהָ; יוֹבֵל הוּא, תִּהְיֶה לָכֶם, וְשָׁבְתֶם אִישׁ אֶל-אֶחְזָתוֹ, וְקִדַּשְׁתֶּם, אֶת שְׁנַת הַחֲמִישִׁים שָׁנָה, וּקְרַאתֶם דְּרוֹר בְּאַרְצְךָ, לְכָל-יֹשְׁבֶיהָ; יוֹבֵל הוּא, תִּהְיֶה לָכֶם, וְשָׁבְתֶם אִישׁ אֶל-אֶחְזָתוֹ, translated as *you shall hallow the fiftieth year, and proclaim liberty throughout the land to all its inhabitants which shall be a jubilee for you and each of you shall return to his property and to his family.*

The verse 10, has of two issues, when the Jubilee was celebrated and how it was to be celebrated. But, the previous verse 9 had alluded to the blowing of *שׁוֹפָר shofar*, trumpet throughout the whole land in 49th year. The blast of the horn could mark a time for alarm, a time for war (Num. 10:9); they were used to arouse the people of Israel in the morning (Num. 10:12); and it marked the Day of Atonements and the Year of Jubilee. It will be prudent to analyse the Day of Atonement and its significance in Leviticus 25 as verse 9 alludes to, before considering the components of Jubilee.

The Day of Atonement referred to in Hebrew as *Yom Kippur* was a significant day in the Jubilee year as the Leviticus 25:9. The day was linked with repentance as (Lampert, 2016) says that “within the Jewish tradition, *Yom Kippur* is closely associated with repentance”. Leviticus 25 says that the trumpet is to be blown throughout the land in the *Yom Kippur*. (Kurtz, 1998) calls the year of Jubilee as the highest, most perfect and most comprehensive of all acts of expiation. The day happened during the celebration of the feast of Tabernacles and it was on the seventh month of the year.

The day was also associated with the sacrifice of the goats for the purification of the people. It was a bloody day in which the priest would enter the Holy of holies for the atonement of Israel.

The priest would bath and put on white linen. (Kurtz, 1998), says that “during this day all people were commanded to afflict their souls on pain of extirpation” (pg 13). But, on the Jubilee, a horn of celebration is blown in contradiction to what the day was characterized with. The most significant reason for the blowing of the horn in the *Yom Kippur* is to signify freedom in the land, freedom from exploitation because everybody was going back to his own property signifying equality in the society. (Gunjeri, 2018) , says that “it is not by accident that Jubilee year began on the day of atonement because the Jubilee is connected very tightly with the atonement of sins” (pg 5). During the year of Jubilee debts were cancelled and land returned to the original owner signifying the forgiveness of sin which the Day of Atonement propagates. The cancelling of debts will be analysed in details which is a significant concept in understanding the Jubilee.

Components of Jubilee Year

During the Jubilee year, verse 10 talks of וקראתם דִּרֹר בְּאֶרֶץ which transliterated as *and proclaim-liberty-throughout the land*. Crucial to understanding the Jubilee law is what was meant to happen, proclamation of liberty! (Harris, 1984), commenting on verse 10 says that, the most significant sign of the Jubilee was to proclaim liberty for the slaves and the return to the family homestead which was a special feature of the Jubilee.

The word for “liberty” (*deror*) is also used at Jeremiah 34:8-17 of the freeing of slaves in the sabbatical year. It was a common practice then for the slaves to be released on the Sabbatical year. Liberty in this content which Jubilee is anchored to was characterized by everybody returning to his estate, slaves being released and debts being cancelled. It was the real liberty in the entire Israel where the land was reverted to the original owner equalizing the society. Significant to note is that everybody was to return to his property that was allotted to him and back to his family

restoring man back to his position before they were rendered deplorable by poverty as it shall be seen in the next portions of the analyses.

Apart from the hallowing of land which was a practice to be carried out in the Jubilee, to allow land regain its original status just like the normal Sabbatical year, Israel was not to sow and reap what grows by itself in the fields and not to gather undressed vine from the fields. This literary means the people and land rested from the agricultural activities that had been carried out in the past six years. The reason why land was to be hallowed is explained in verse 12 as: כִּי יֹכַח, translated as *eat what the field will yield in the year of Jubilee, for the year shall be kept holy*. The verse gives an assurance of Yahweh's provision on the Jubilee year for He speaks of increase in that year. This is a statement of faith, for Israel was to believe in Yahweh who was to supply enough to sustain them. The implication here is that even during the land rest, Yahweh still provides for the people because jubilee is realized in the Yahweh's provision. It shows that Yahweh could still provide even without tilling the land.

What follows verse 13 is a series of conditional clauses. The clauses allude to implications of Jubilee year and how the year was to be realized. The clauses set a condition and provide the avenues through which the condition is realized. Verse 14 says; וְכִי-תִמְכְּרוּ מִמֶּכֶר לְעֵמִיתְךָ, אוֹ קָנָה מֵיָד, translated as *and if you sell or buy from your neighbour, you shall not wrong one another*. The Good News Bible captures it well by talking of *you shall not deal unfairly* and the King James Version says *shall not oppress one another*. Yahweh is telling Israel that when the sale or surrender anything to one another, then justice had to prevail. They are not to mistreat each other.

The word used in verse 14 for justice is *tonu* which could be interpreted to mean mistreat or suppression of one another in any transaction. The mistreatment would arise in the land

transactions. Land was the asset that determined the livelihood, the economics and the religious spheres of the time. Land transactions could be abused by those who engage in the transactions leading to mistreatment. To prevent the abuses, Yahweh emphatically says no to any kind of mistreatment.

Verse 15 explains what Yahweh meant by not mistreating each other, the verse says: *בְּמִסְפַּר שָׁנִים אַחֵר הַיּוֹבֵל, תִּקְנֶה מֵאֵת עַמִּיתְךָ; בְּמִסְפַּר שָׁנֵי-תְבוּאָת, יִמָּכַר-לְךָ.* which is translated, *You shall transact with your neighbour according to the number of years after the jubilee, and he shall sell to you according to the number of years for crops*, elaborated further in verse 16 which says: *לְפִי רַב הַשָּׁנִים, תִּרְבֶּה מְקֻנָּתוֹ, וּלְפִי מְעוֹט הַשָּׁנִים, תִּמְעֹיט מְקֻנָּתוֹ: כִּי מִסְפַּר תְּבוּאָת, הוּא מִכָּר לְךָ* translated as *If the years are many, increase the price, and if few, reduce the price, according to the number of the crops that he is selling to you.* Israel was to consider justice during the transactions according to the years to Jubilee. Verse 16 explains what the 15th verse says.

Jubilee year was the standard of the transaction, for if the years towards jubilee are less, then the price of the crops is reduced but if the years are many then the price is increased. Inflation is factored in here to ensure that a brother does not mistreat the neighbour or the neighbour does not mistreat a brother showing an aspect of distributive justice. The process of selling and buying land involved justice as (Wilfall, 1980) notes that, the weighing of the money, deeds of various types were drawn up (albeit, not quite as elaborate as the paperwork in a property settlement of modern times, where most closing involve the killing of one tree to provide the paper); and the deeds which were used described the land being transferred in detail, which dictates the environmental degradation in that context. Furthermore, this was done in the presence of several witnesses, to insure the finality and the authenticity of the sale (see Jer. 32:9–12 and Gen. 23:4–20).

The promise of security in the land is pegged on the obedience to Yahweh by Israel. The 18th verse which is linked to verse 17, gives a command and a blessing at the same time. Verse 18 says that, וַעֲשִׂיתֶם, אֶת-חֻקֹּתַי, וְאֶת-מִשְׁפָּטַי תִּשְׁמְרוּ, וַעֲשִׂיתֶם אֹתָם--וַיִּשְׁכְּתֶם עַל-הָאָרֶץ, לְבִטָּחָה, translated as *if you obey my statutes, keep my rules and perform them, and then you will dwell in the land safely*. For the security of Israel, then Israel must deal with land transactions in a just manner that would not result to mistreatment. Mistreatment of each other would result to them being driven later from the land as seen in the later portions of scripture; they had defiled the land and not upheld the land rights resulting in them not living securely in the land. The promise of Yahweh is fruitfulness of the land as verse 19 says if they do not mistreat each other.

The verses that follow (from 20-22) assures Israel of the provision in the seventh year when the land rests. Yahweh says in verse 20 that: וְכִי תֹאמְרוּ, מִה-נֹאכַל בְּשָׁנָה הַשְּׁבִיעִית: הֵן לֹא נִזְרַע, וְלֹא נֶאֱסַף, translated to mean *and if you say, 'what shall we eat in the seventh year, if we may not plant or gather our crop?'* Israel had all the reasons to doubt because they had a land rest in the Jubilee. Their source of livelihood where they could get food was resting; they need an alternative source of food.

Yahweh tells them that they should not worry because וְצִוִּיתִי אֶת-בְּרַכְתִּי לָכֶם, בְּשָׁנָה הַשְּׁשִׁית; as 21 says and is translated as *I will command my blessing upon your land in the sixth year, so that it will bring forth fruit for three consecutive years*. “Since the Jews would take a year off, they would have nothing growing for that year or for the next so God would see to it that they would be provided for during the sixth, seventh and eighth years” (Wilfall, 1980). The verse demonstrates the ability of Yahweh providing even with the land resting. It is also tied to the theology of land as the thesis shall demonstrate in the next segment. The assurance is that there will be enough food that could last to the ninth year such that in the eighth year, they

will still be eating the produce of the sixth year as they plant. But that promise is pegged in ensuring that they do not mistreat each other and obedience to Yahweh.

The Theology of Land, Verse 23

Verse 23 gives the reasons why Yahweh was instructing Israel at Mount Sinai concerning land. The verse alludes to the theological foundation referred to by the researcher as the theology of land. The verse *וְהָאֲרֶץ, לֹא תִמָּכַר לְצִמְתָּת--כִּי-לִי, הָאֲרֶץ: כִּי-גֵרִים וְתוֹשָׁבִים אַתֶּם, עִמָּדִי* translated as *the land shall not be sold permanently, for the land is mine because you are strangers and sojourners with me*. Some other versions of the Bible talk of perpetuity for the word *lismitut* to the land but translated to permanent in this thesis.

Three important things that signify the theology of the land are: the land shall not be sold in perpetuity or permanently; the land belongs to Yahweh and Israel is a sojourner in that land. (Wright C. J., 2013) , says that “the cultic conception, on the other hand is a belief that the land was owned by Yahweh- Yahweh’s land, as a district from the Promised Land. The land clearest expression of this in Leviticus 25:23; “*the land shall not be sold in perpetuity, for the land is mine.*”” The concept is believed to have existed in the ancient Canaanite Baal worship an idea that is refuted by scholars like Von Rad quoted by Wright. Von believes that the idea belonged to the earliest Yahweism before the emergence of syncretism. (Wright C. J., 1983) , says on the subject the land under divine ownership that; “A cynic might be tempted to shrug off the prophets’ indignation by saying that surely, if the land had been given to Israel, they were free to use or abuse it as they pleased” (pg 57). Israel was not allowed to use the land as it pleased them because the land was still *God’s land*. He retained the ultimate title of ownership and therefore also the ultimate right of moral authority over how it was used.

An analysis of the other systems that existed during the time that dealt with land and land tenure systems reveals disparities and mistreatment of the dwellers who resided on the land. An analysis of the Babylonian land system reveals that a large portion of the land belonged to the royals in comparison to Israel whose land belonged to Yahweh. (Renger, 1995), says that the “typical of the economic system of the sixth and fifth centuries B.C. in Babylonia is the management of agricultural production through entrepreneurial middlemen and sharecroppers” (pg 269). This middlemen and sharecroppers owned large lands in the early Babylonia at the expense of the squatters.

The Egyptian land ownership system could be compared to the Mesopotamian and the land ownership in Israel. Like Mesopotamia, the land in Egypt was owned by Pharaoh. (Dollinger, 2018) , says that most Egyptians lived on land but it is only a few owned it. The squatters on the land where the majority in Egyptian context. The pharaohs owned large chunks of land and as (Dollinger, 2018) says that, “the accumulation of power in the hands of regional potentates and the subsequent unification of the country must have brought great wealth to the local nobility and the Pharaonic families which emerged from their midst: They became the great landlords of the country” (website).

Unlike Israel where the people did not pay rent on land, in Egypt the subjects paid rent or fifes for the use of land. Land in Egypt belonged to gods but Pharaoh was the custodian to the land. (Dollinger, 2018) , says that “in theory all the land seems to have belonged to the gods, and to the pharaoh as representative of Horus. Pharaoh would lease out land but with the payment of the fife unlike Israel where land was given by Yahweh to the Israelites freely. Evidence also point to land being owned by the temples” (website). (Manning, 2003) , says that “the decree of Memphis, better known as Rosetta, for example, provides important information of the taxation of the temple land”

(pg 19). Land was taxed unlike in Israel where the land was freely given and no amount of taxation imposed on the use of your land. Leviticus 25 does not address about land taxation meaning that land use on Israel was to be free for the benefit of all.

In the analysis of the term *כִּי-גֵרִים וְתוֹשְׁבִים אֲתֶם* in verse 23, which is translated as for you are *resident aliens or strangers and sojourners*, (Wright C. J., 1983) says that, the terms refer to a class of people within Israelite society who did not own any land, being descendants of the Old Testament Canaanite population or else immigrant workers; they were wholly dependent, on being able to reside within a landed Israel household God is the land owner and Israelites as his dependent tenants (pg 57). This therefore means that the protection of Israel was dependent of the relationship with Yahweh in matters land.

In comparison to other cultures in the Ancient Near East which land belonged to the king or few rich people, land could be also be sold permanently and therefore denying the deplorable brother right to own land subjecting him to further poverty, and that Israel dwelling on the land was just a demonstration that that was not their permanent residence as they were sojourners! A better place thus awaits them alluding to an eschatological denotation. With this understanding then, they are required not to mistreat each other in the land transactions since the land belongs to Yahweh, the one who has the title to the land and gives instructions on the use and management of the land.

The Pathway of Jubilee Realization of the Jubilee Verse 24-55

Having defined Jubilee and understood the theological foundation, it is prudent to consider the details of the Jubilee year. The pathway to attaining Jubilee is illustrated in the next 31 verses of Leviticus to demonstrate both the distributive and retributive justice.

Yahweh gives instructions in verse 24 which says: *וּבְכָל אֶרֶץ אֲחֻזַּתְכֶם, גֹּאֵלָהּ, תִּתְּנוּ לְאֶרֶץ*, which is translated as *and in all the country you possess, you shall allow a redemption of the land*. The verse continues to explain verse 23 that land was not to be sold permanently. The verse means that the land was to always be repurchased by the original family (those who owned the land in the original state) or if they are not in that portion to be returned freely during the year of Jubilee. This simply means that the family could not be deprived of their livelihood making them poor forever.

Verse 25 explains the process of redemption of land giving conditional clauses. Verse 25 says; *כִּי-יָמוּךְ אָחִיךָ, וּמָכַר מֵאֲחֻזָּתוֹ--וּבָא גֹאֵלוֹ, הַקָּרֵב אֵלָיו, וַיִּגְאֹל, אֶת מִמְכַּר אָחִיו;* which is translated as *If your brother becomes poor and sells part of his property, then his nearest redeemer shall come and redeem what his brother has sold*. The verse begins with a conditional clause giving a condition and explains the process through which the redemption takes place. The verse acknowledges that a brother could be restrained due to poverty and sells the land, a source of livelihood. The *גֹּאֵל* (*goel*) who is a close relative would then be charged with the responsibility of helping the brother come back to the original place he was before he sold the land, equalizing the community. Just in case the poor brother does not have a close relative as the redeemer then the members of the clan is called upon to redeem the brother and maintain the land within the community.

The *goel* concept is explained by (Wilfall, 1980) who says that; who categorises the *goel* concept into categories of a brother, a close relative, fellow countryman. It was credited upon a close countryman to redeem the brother who had lost his property and make sure that the property belong to the family, the clan or the tribe. (Wilfall, 1980) says that, generally speaking the word *gâch* [pronounced awhk] means simply brother, as in Gen. 4:2 27:6. However, there are times that it refers to a close relative, as in Gen. 14:14, 16 (Lot was Abram's nephew, not his brother) Lev. 10:4; and this word can refer to one's fellow-countrymen (Lev. 19:17 25:14, 46).

The question then is, why kinsman redeemer? (Wright C. J., 2013) , commenting on the concept of the kinsman in relation to land says that:

The Jubilee was created to prevent the accumulation of land in the hands of a few wealth. It protected a system of property rights that was intended to be broadly equitable, with the ownership of land widely spread throughout the population. It was an attempt to impede, and indeed periodically to reverse, the relentless economic forces that lead to a downward spiral of debt, poverty, dispossession and bondage. (Pg101.)

To avoid the bondage, poverty, debt and dispossession because of selling the land, Yahweh established the institution of the *goel*. This was meant to make sure that families do not lose source of livelihood to powerful individuals, and take them to slavery because they were a possession of Yahweh.

The second reason for the *goel* is given by (Hubbard, 1991) and is related to restorative justice. He says that “either through redemption or Jubilee, the Israelite recovers the family property previously mortgaged” (pg 3-19). He returns to the state of affairs before circumstances forced its surrender. The aspect of returning to land alludes to restorative justice as the Israelite is brought back to his normal life through the work of a kinsman redeemer who makes sure that fellow kin is not reduced to slavery. The nearest of kin had the responsibility of redeeming his kinsman's lost opportunities. If a person was forced into slavery, his redeemer purchased his freedom. When debt threatened to overwhelm him, the kinsman stepped in to redeem his homestead and let the family live. (Stager P. K., 2001) , defines the *goel* as the next of kin whose duty is to vindicate a family member within the *mispaha*. The role of the redeemer would extend even beyond the nuclear family to the extended family.

The redeemer may not be in position to redeem the brother from the poverty. Verse 26 gives the condition and a solution to the condition which is further explained in verse 27. Verse 26 and 27 says: וְהָיָה-לּוֹ גֹאֵל, וְהִשְׁיגָהּ יָדוֹ, וּמָצָא כָדִי גֹאֲלָתוֹ and

וְאִישׁ אֲשֶׁר מָכַר-לוֹ; וְשָׁב, לְאַחֲזָתוֹ which is translated as *If a man has no one to redeem him and then himself becomes prosperous and finds sufficient means to redeem it, then let him calculate the years since he sold it and pay back the balance to the new owner and then return to his original property.*

The concept of redemption is further illustrated in verse 26 and 27, where the brother should be bought back to the position he was before he sold the property. In case the brother does not have a redeemer, then he later gathers enough resources to redeem himself from the poverty then he can redeem himself. The redemptive process involves justice both to the person who had bought the land and the indigenous owner, where an appreciation on the property is factored in in case of redemption, the value of land at that time is calculated then the amount of appreciation paid to the new owner. This makes impossible to overcharge the property therefore ensuring that justice prevails even to the new owner. This is a win-win situation to both the two parties.

Yahweh further provides provisions where redemption may not be in position by the person who sold the land. He says in verse 28,

וְאִם לֹא-מִצָּאָה יָדוֹ, דִּי הָשִׁיב לוֹ--וְהָיָה מִמָּכְרוֹ בְּיַד הַקֹּנֶה אֹתוֹ, עַד שְׁנַת הַיּוֹבֵל; וְיָצָא, בְּיָבֵל, וְשָׁב, לְאַחֲזָתוֹ. translated as *and if the brother does not have sufficient means to redeem the land, then what he sold shall remain in the hand of the buyer until the year of jubilee. In the jubilee, the land shall be released, and the brother shall return to his property.* Circumstances may make a man not able to redeem the land and hence the ‘Owner of the land’ dictates that the land at the year of Jubilee should be reverted to the owner with no conditions. This makes the owner not to be deprived of the right of ownership to the property that dictates his daily living. The buyer will have benefited from the land to the time of Jubilee and the return of the land to the original owner is an aspect of retributive justice.

The focus then shifts to the regulation of the land in the urban setting where Yahweh gives instructions on how to regulate the property in the city. The house in the context, which can be translated as a site, place of shelter, then, that man has a right to redeem it within a whole year after its sale. That renders the redemption within that year of the sale and if that is not done then it does not accrue for redemption as in the case of land in the Jubilee year as verse 30 explains that: וְאִם לֹא-יִגָּאֵל, עַד-מָלֵאת לוֹ שָׁנָה תְּמִימָה--וְקָם הַבַּיִת אֲשֶׁר-בָּעִיר אֲשֶׁר-לֹא (לוֹ) חֵמָה לְצִמְיַתָּת לְקַנָּה אֹתוֹ, לְדֹרֹתָיו: לֹא יִצָּא, which is translated as *If it is not redeemed within that full year, then the house in the walled city shall belong in perpetuity to the buyer, throughout his generations; it shall not be released in the jubilee.*

It should be noted the use of the word, *shannah tymiyimah* is interpreted to mean a full year. This is the period between the sale and one year is when the redemption was to take place. The seller of the house is required to work hard and redeem his house within the year which it was sold and not expect to have it back freely in the Jubilee year. This also alludes to justice on the side of the person who purchased the house in the walled city. The point here is that the houses in the walled city are not the source of livelihood of the people who dwell therein and hence losing it will not dim the life of the people living in the house.

The houses that have no wall and are in the villages are treated differently apart from the walled houses in the city. Verse 31 says, וּבֵתֵי הַחֲצָרִים, אֲשֶׁר אֵין-לָהֶם חֵמָה סָבִיב--עַל-שְׂדֵה הָאָרֶץ, יִחָשְׁבוּ: וְאִם לֹא יִגָּאֵל, עַד-מָלֵאת לוֹ שָׁנָה תְּמִימָה--וְקָם הַבַּיִת אֲשֶׁר-בְּחֲצֵר הָאָרֶץ, לְדֹרֹתָיו: לֹא יִצָּא, translated as *but the houses in the villages that with no wall around them shall be classified with the fields of the land. They may be redeemed and they shall be released in the jubilee.* Some commentators allude to the houses in the un-walled cities as the villages near the city as: (Wilfall, 1980) says that the house in the country sitting on a little land will be just like the land and the same laws which pertain to the land pertain to that house; this is because the

land is God's. He continues to say that, the chief difference between a village and a city was not size or even density (although, that would certainly be a factor) but the walls. The houses in the un-walled cities then would be redeemed as the fields. This demonstrates that they were important elements that determined the livelihood of the people who dwelt on as they supplied food for the dwellers in the city. An analysis of the houses or real estate is important in relation to the understanding of the redemption process.

Leviticus 25 talks of houses in the walled city and those not in the walled city and how they are to be created in line with the Jubilee legislation. An archaeology of the ancient Near East will clarify the real estate concept of the Jubilee law. (Faust, 2014) , talks of two types of houses: “houses of the *chatzerim* (usually translated as “villages”) are released in the Jubilee, while houses in walled cities are not. The two types of houses existed both in the urban settings according to the Jubilee law”. The *chatserim*, the Jubilee law says they can be redeemed while those in the walled can be sold permanently according to the law. Archaeology indicates the dichotomy of the two houses; those build in the city and the fields as illustrated by (Faust, 2014) that:

During the early part of the Iron Age II there were very few rural settlements. The countryside was resettled mainly in the 8th-7th centuries BCE (slightly earlier in the north), before being devastated at the time of Nebuchadnezzar. The accumulating data suggests that in this period, three types of rural sites existed: large villages, small villages/hamlets, and farmsteads. (No pg)

An interpretation that the un-walled cities representing the farmlands near the city may be considered. Taking that interpretation, the houses in the un-walled represents the fields and they befall the same fate as those fields not in the walled city; they can be redeemed basically because they represent the livelihood of the people who owns them. Agriculture formed the basis of the livelihood of the people of the ancient Near East, selling the land in the fields permanently meant that that basis of livelihood is deprived from the native Israelite, hence the legislation to bar the

natives from permanent sale of the field. Since food was supplied to the urban places (walled houses) from the village, the urban house had no much significance in comparison to the house in the fields.

An analysis of the Ancient Near East reveals that the fields were tilled by peasant farmers who were not interested in the urban setting. As said earlier, they depended on the land for the life sustenance in comparable to the rich urban houses. (Fayer, 1993) , says that “the peasants in the Ancient Near East were subsistence farmers who were relatively uninterested in commercial profits and who always lived at the edge of existence” (pg 84). With that knowledge, then, jubilee was to protect the peasant farmer from losing the right to land ownership a source of livelihood.

The Levites have a unique privilege different from the rest of the people. Verse 32-34 says: and verse 32 which says that
וְאִשְׁרֵי יִגְאֹל מִן-הַלְוִיִּם, וַיָּצֵא מִמֶּכֶר-בֵּית וְעִיר אֲחֻזָּתוֹ בְּיָבֵל: כִּי בְתִי עָרֵי הַלְוִיִּם, הוּא אֲחֻזָּתָם, בְּתוֹךְ, בְּנֵי יִשְׂרָאֵל
וְשָׂדֶה מִגֵּרֶשׁ עָרֵיהֶם, לֹא יִמָּכֶר: כִּי-אֲחֻזַּת עוֹלָם הוּא, לָהֶם. which is translated as, *for the cities of the Levites, the Levites may redeem at any time the houses in the cities they possess. And if one of the Levites exercises his right of redemption, then the house that was sold in a city they possess shall be released in the jubilee. For the houses in the cities of the Levites are their possessions forever among the people of Israel. But the fields of pastureland belonging to their cities may not be sold, for that is their possession forever.* This is the first mention of Levites in the book of Leviticus and the mention comes with a privilege over any other person, the privilege of redemption. The Levites were to carry out the sacrifices described then in the book of Leviticus. They were not allowed to work as their work was specifically in the tabernacle and hence special privilege of redemption any time since that was their only source of shelter and livelihood. There are some cases where the Levite may not be in position to redeem the possession in the city.

As pointed in verse 33 that, the Levities might have not been in position to redeem the sources of livelihood were to repossess the property in the Jubilee year equalizing them with other people in the community where they dwelt. They could only loose the inheritance allotted to them temporary and repossess it back in the year of Jubilee. The understanding of the Levirate system and how that is linked to real estate is important in understanding the reasons why they had such privileges.

The priests in the Mosaic Law had a special privilege they enjoyed in the matters land and land redemption. Leviticus 25 says that they could redeem the houses in the walled cities unlike other people who could only redeem within the stipulated one year after sale for if he does not redeem within that year he will lose the house. The Levites are not restricted to the full year of redemption as other people are. They could redeem anytime of the houses in the walled city. The question then is, why such a privilege?

Some scholars argue that the Levites existed only during the monarchical period and helped in the building of the temple and their work was specifically temple oriented, though that school of thought is not Biblically sound. The Exodus episode alludes to Mosaic instruction on how the special people are to be treated and their function once they settle in Canaan. (Leuchter M. , 2017), commenting on the Levites and boundaries says, “in this conception, that the Exodus formed a monarchical doctrine establishing the parameters and character of the state YHWH cult, and the Levites served as teachers and trustees of its contents” (pg 10). This places the Levites right in the Exodus expedition. To differentiate between the Horonides (those of Aaron descend) and the Levites (those from tribe of Levi), (Leuchter , 2011) says, “virtually all scholars accept the broad division between Horonide priests, on one hand, and Levites, on the other, with long-standing sacral and political rivalries defining the boundaries between them” (pg 10).

The Levites were not allotted land like the rest of the tribes during their division of the land. Their role remained as offering sacrifices and maintenance of the temple and the places of worship which was different from the other people. (Keil C.F., 2014) , commenting on the inheritance of land by the Levities says that the levities did not receive either an inheritance in the land or even the town appointed by them to dwell in as their property. Unlike the other tribes who were given land, the Levites Keil says did not receive that inheritance. (Keil C.F., 2014) , continues to say that the Levitical towns were allotted to the different tribes in which they were situated with the simple obligation to set apart certain dwelling houses for the Levites. Basically, the houses set aside were the inheritance of the Levites. Selling that house would deny the Levite a source of livelihood because that was his inheritance. To caution the Levities from the state of poverty and loss of dignity, they could redeem their inheritance even after the one year period elapsed. The cautioning illustrates the distributive justice to ensure that the Levite too enjoys the property rights.

The shift now moves to poverty and how a poor person is to be treated by his brother and slavery which was something that existed in the society at that time and is directly linked to land rights. It is important to understand the link between poverty and land and how dealing with poverty is helpful in solving injustice. The verse 35 says that:

וְכִי-יָמוּךְ אָחִיךָ, וּמָטָה יָדוֹ עִמָּךְ--לֹא תִזְקֶקֶת בּוֹ, גֵּר וְתוֹשָׁב יָחִי עִמָּךְ translated as:

If your brother becomes poor and cannot sustain himself amongst you, you shall support him as though he were a stranger and a sojourner, and he shall live with you. The noun *achiykha* used in this instance is used in the literal relationship and metaphorical affinity or resemblance but can also be used to mean a fellow Jew. The brother would be *yamukh* which means to become thin or figuratively become improvised or poor is in the future perfect representing a resulting state in

future time; it denotes a future state that is antecedent to another future action. Important to the note is the verb is used to mean being made; becoming that alludes to someone causing the becoming. It is because of someone's work that causes the brother to be improvised. (Kellog, 2013), commenting on the verse and linking poverty to land says that, for in all these regulations it assumed that there would still be poor in the land, but the law secured for the poor great mitigations of poverty. Every seventh year the produce of the land was to be free alike to all; if one was poor his brother was to uphold him, when lending him, he was not to add any debt burden of interest or increase.

On matters interest rates and how exploitative that system was (Gane, 2004), commenting on the verses 36 and 37 says that the unfortunate Israelite is vulnerable to exploitation, but making a profit at his expense by charging interest or selling him food above cost is forbidden. Yahweh says in Verse 36 and 37 that: *אַת-בְּכֶפֶךָ--לֹא- וְאַל-תִּקַּח מֵאִתּוֹ נֶשֶׁךְ וְתַרְבִּית, וְיִרְאַת מַאֲלֵהָיָהּ; וְחֵי אָחִיךָ, עִמָּךְ* and *אַת-בְּכֶפֶךָ--לֹא-* and *אַל-תִּקַּח מֵאִתּוֹ נֶשֶׁךְ וְתַרְבִּית, וְיִרְאַת מַאֲלֵהָיָהּ; וְחֵי אָחִיךָ, עִמָּךְ* which are translated as *Take no interest from him or profit, but fear your God, that your brother may live beside you. You shall not lend him your money at interest, or give him your food for profit.*

The *neshekh* which means interest is a practice that was carried out by Israel neighbours. They would loan each other money an advance an interest on that person. Now because Israel was a peculiar people to Yahweh, they were not to exploit and already improvised brother due to selling of his land by giving them another burden of already established debt. That would mean advancing more debt to that brother. The main reason why they were not to do so as their neighbours is because of they were brought from Egypt by Yahweh and hence should not exploit each other. The interest is exploitation to an already poor brother. A comparative study of the communities that existed in the Ancient Near East alludes to the economic concept of charging interest. (Steinberg,

1995) , says that attending matters of wealth and power and the interconnection between the two dimensions of social structure that is the rich and the poor raises the question, ‘who gets what and why?’

To answer the question basically is to consider the economic organization in terms charging interests rates and land relationship, relationship between debt bondage and land rights as demonstrated in the Leviticus 25. But, (Gane, 2004) seems to capture the relationship between land and debt bondage in the following statement;

Although Leviticus 25 is a legislation it appears to tell a story of increasing want and desperation. Verse 25 begins, ‘if one of your countrymen becomes poor....’ By verse 28 he has sold some of his ancestral property and is waiting for the next Jubilee to retrieve it. Verse 35 reiterates: if one of your country man becomes poor....’ Although the words are the same, his situation has deteriorated. Poor here means poorer. He is like an alien because he lacks land to support himself, without which his survival is at stake as indicated by the words ‘so he can live among you. Here live refers to living rather than dying, not living simply as residing. (Pg 437)

An analysis of the economic structure of Ancient Near East reveals the concept of interest rates. The lending was to be done without interest. But, the question then we ask is, why borrow? Borrowing was a result of being rendered poor and even poorer by the sale of land. In that situation, the person who was in the debt bondage was to be given what they had borrowed and return without interest. (Beck, 1997), says that “all this concerns loans without interests, the only kind of loan allowed by the Code of Covenant” (pg 170). The *neshek* or *tarbith* which means a bite and an increase consecutively were concepts applied in the communities in the ancient Near East as (Beck, 1997) says that the annual rate of interest in the ancient Near East was very high; in Babylonia and Assyria it was generally a quarter or a fifth for money loans, a third for loans in Kind, and often much more (pg 171). Charging the poor interest like the neighbours who charged up to half the value will be rendering them into more poverty. Yahweh ensures distributive justice by provision of the legislation on interest so that his people are not in debt bondage.

The verses that follow from 39 to 43 are interpreted together because they speak about the same idea and how to solve the problem of a brother who becomes poor and has sold himself into slavery. (Wright C. J., 2013), says that as the last resort, having no land left or use as security for loans, the person is reduced to selling himself and his family into the service of a kinsman (pg 122). It is the most deplorable situation that an Israelite could have after the sale of the land, the loans are not able to be serviced hence resorts into selling himself into slavery. Verse 39-43 says,

39 וְכִי-יָמוּךְ אֶחָיֶךָ עִמָּךְ, וְנִמְכַר-לָךְ--לֹא-תַעֲבֹד בּוֹ, עֲבָדַת עָבֵד

40 כְּשֹׁכֵר כְּתוּשָׁב, יִהְיֶה עִמָּךְ; עַד-שְׁנַת הַיָּבֵל, יַעֲבֹד עִמָּךְ

41 וַיָּצֵא, מֵעִמָּךְ--הוא, וּבְנָיו עִמּוֹ; וְשָׁב, אֶל-מִשְׁפַּחְתּוֹ, וְאֶל-אֲחֻזַּת אֲבֹתָיו, יָשׁוּב

42 כִּי-עֲבָדִי הֵם, אֲשֶׁר-הוֹצֵאתִי אֹתָם מֵאֶרֶץ מִצְרַיִם; לֹא יִמְכְּרוּ, מִמִּכְרֹת עָבֵד

43 לֹא-תִרְדֶּה בּוֹ, בְּכַרְדּוֹ; וְיִרְאֶתָּ, מֵאֱלֹהֶיךָ

The verses are translated as *If your brother becomes poor beside you and sells himself to you, you shall not make him serve as a slave: he shall be with you as a hired worker and as a sojourner. He shall serve with you until the year of the jubilee. Then he shall leave you with his children with him, and go back to his own clan and return to the possession of his fathers. For they are my servants, whom I brought out of the land of Egypt; they shall not be sold as slaves. You shall not rule over him ruthlessly but shall fear your God.*

An Israelite who had sold himself had been a dependent labourer and was not to be treated as the Egyptians had treated them in Egypt with forced labour. The Israelite had sold himself to slavery because of losing his inheritance a source of livelihood. They had been set to such deplorable situation even into slavery because of losing the land rights. Slavery was the lowest place an Israelite would be after the loss of the land rights. He was then to be saved from the

situation with the Jubilee provision. Israel is expected to deal with such a brother as a hired servant and not a slave giving him dignity and be released in the year of Jubilee to go back to his property equalizing him with other people in within the society, an aspect of justice. (Wright C. J., 2013) says that “jubilee then functions as an override to all this, in that it provides for the restoration of an impoverished Israelite of his freedom” (pg 123). This is hence an act of mercy an aspect important in justice. To advance the topic of slavery and how they were to be treated, verses 44 says,

וְעַבְדְּךָ וְאִמָּתְךָ, אִשְׁרֵי יְהוּדִי-לְךָ: מֵאֶת הַגּוֹיִם, אִשְׁרֵי סְבִיבֹתֶיכֶם--מֵהֶם תִּקְנֶנּוּ, עֶבֶד וְאִמָּה which is translated as, *for your male and female slaves whom you may have: you may buy male and female slaves from among the nations that are around you.* The foreigners are to be bought as slaves and not fellow brothers. The 44th verse has discouraged the brother from being enslaved and allowed the brother to be a hired servant instead. It seemed that slavery was advanced in the Near East during that period because Israel is encouraged to have slaves from the neighbours and consider the brothers as hired servants. It was detestable to have a fellow Israelite as a slave according to the Jubilee legislation.

Leviticus 25 talks about freeing slaves in the Jubilee year. An analysis of the slavery in the Near East is also important in the understanding of the Jubilee law and why the slaves were to be redeemed or freed in the Jubilee. It was a norm that the captured people during war are treated as slaves. (Beck, 1997) , says that “the slave is a chattel belonging to his master by right of conquest, purchase or inheritance” (pg 84). In Mesopotamia, (Beck, 1997) says that “he is branded like cattle, with tattoo marks or a brand made with hot iron or by label attached to his body” (pg 84). Such a cruel treatment was to a slave in the ancient Near East communities.

The analogy the legislation puts across is that the person becomes poor after selling his ancestral property, a source of livelihood. Then the next thing that will keep him surviving is selling 'himself' to slavery. It was the last resort for the man. To avoid the treatment of a fellow Israelite like the slaves were treated in Mesopotamia; Yahweh says they are not to serve as slaves as they had served in Egypt.

The rest of the verses from 47 to 55 deal with the redemption of a brother from the hands of a foreign rich man. Situation may arise where a foreigner may work hard and become rich, buy land from an Israelite and buy an Israelite into slavery as verse 47 says:

יד גֵר וְתוֹשֵׁב עִמָּךְ, וּמִן אֶחֱיָךְ, עָמֹ; וְנִמְכַר, לְגֵר תוֹשֵׁב עִמָּךְ, אוֹ לְעָקֵר, מִשְׁפַּחַת גֵר translated as *If a stranger or sojourner amongst you becomes rich, and your brother who lives beside him becomes poor and sells himself to the stranger or sojourner with you or to a member of the stranger's clan.*

The verse gives a scenario of an Israelite selling himself a slave due to poverty to a stranger or sojourner and allows the solution to the redemption of the brother from the stranger or his family. To avoid an Israelite from that labour forever, Yahweh provides a way of redemption from that through several people: Verse 48 gives the blood brother an opportunity first to redeem his fellow brother from the hands of a sojourner. Verse 49 says that the redeemer should be a family member of close blood relationship.

Verse 50-54 illustrates the process of redemption from the rich sojourner. The Verse 50 says that,

וְחָשַׁב, עִם-קִנְיָהּ, מִשְׁנַת הַמֶּכְרָו לֹא, עַד שְׁנַת הַיָּבֵל; וְהָיָה כְּסֵף מִמֶּכְרֹו, בְּמִסְפַּר שָׁנִים, כִּימֵי שְׁכִיר, יִהְיֶה עָמֹ translated as *He shall calculate with his buyer from the year when he sold himself to the buyer until the year*

of jubilee, and the price of his sale shall vary with the number of years. The time he was with his owner shall be calculated as the time of a hired worker. God does not deal with the foreigners unfairly as they too have a right to property they acquired and therefore justice must be shown in the way they are to be treated in the redemption process of a slave. Time should be calculated and amount paid by the redeemer to Jubilee just in case redemption happens before the jubilee year. (Wilfall, 1980) , says that fairness demanded that the brother who sold himself count the years that are remaining to jubilee, with the foreigner and pay for the years done which is done by the person redeeming him.

The legislation demanded that justice be shown throughout the process. The condition is that if the years remaining to jubilee are many equivalent amount is to be paid and if few then the equivalent is paid just to ensure that no one is unfairly targeted because they are foreigners. The verses that follow allude to the justice to the foreigner. It is so because some brothers may sale land to a rich foreigner not because of the poverty but out of greed. The reason may be because they would love to exploit a foreigner. To shield that appropriate measures are put in place that guards against such tendencies as explained in the following verses. Verses 51-54 gives conditional clauses and the remedy to the conditions given, they say that:

51 אם-עוד רבות, בשנים--לפיהן ישיב גאלתו, מכסף מקנתו

52 ואם-מעט נשאר בשנים, עד-שנת היכל--וחשב-לו; כפי שניו, ישיב את-גאלתו

53 כשכיר שנה בשנה, יהיה עמו; לא-ירדנו בפרך, לעיניך

54 ואם-לא יגאל, בגלה--ויצא בשנת היכל, הוא ובניו עמו

The Verses are translated as *If there are still many years left to Jubilee year, he shall pay proportionately for his redemption some of his sale price. If there remain only a few years until the year of jubilee, he shall calculate and pay for his redemption in proportion to his years of service. He shall treat him as a worker hired year by year. He shall not rule ruthlessly over him in your sight. And if he is not redeemed by these means, then he and his children with him shall be released in the year of jubilee.* After the redemption, has taken place, the redeemer is expected to stay with the person that he has redeemed and release them in the year of Jubilee together with his entire family. They were not to be harassed but treated as hired servants for the rest of the years to jubilee. (Wilfall, 1980) , says that the word years is implied by the demonstrative adjective. This Jew has been redeemed and he works until the Year of Jubilee and his work counts toward paying off this redemption amount. Here Jubilee is meant to equalize the society back to its position they were before the brother sold himself to poverty. Jubilee was the last resort in this context.

To wrap up the instruction is the reminder to Israel that they are servants of Yahweh who brought them from slavery in Egypt, a land where they had no identity because they were treated as slaves and had no land. Israel is to observe the legislation and what it demands of them because they are servants of Yahweh. The service is to be with fairness because they had been brought from where they had been mistreated by the Egyptians by forced hard labour.

Conclusion

The chapter illustrated the Sabbatical year and the year of Jubilee with the crucial definitions but also illustrating categorically the theology of land which is embedded within the chapter. Important considerations are highlighted above that help do better do exegesis as matters *goel*, interest rates and slavery comparing them to the Ancient societies that existed during that

period. The chapter was to set the tone for conclusions and recommendations in chapter six of the study.

CHAPTER FIVE: LAND RIGHTS IN KENYA

Introduction

The chapter deals with the studies on the land rights in Kenya with emphasise to the stipulated laws that govern land use and management in Kenya, land acquisition practises and the land tenure system. A comparison with the Israel's land tenure system is also analysed in the chapter to help draw conclusions on the subject land rights. ‘

Land Rights in Kenya

Land in Kenya has remained an emotive issue since the colonial times. (Syagga, 2013) says that “since the period when Kenya was under colonial rule, land issues have remained emotive, contentious and an obstacle to social cohesion and economic growth” (pg 2). Efforts to correct the land injustices that have existed since time in memorial has resulted to the development of National Land Commission, different Acts of parliament like the Land Act No. 6 of 2012, Land Registration Act No. 3 of 2012, the Commissions like the Truth Justice and Reconciliation Commission, the Ndungú Report and the Constitution of Kenya 2010.

The development blueprint, Kenya Vision 2030 (GOK, 2008), notes that “the country has not had a national land policy which gave rise to weak land administration and management framework,” (pg 7) (Syagga, 2013). The lack of a proper land policy which would guide the nation of Kenya into solving the land injustices which stemmed from the colonial era, the problem of the squatters and the land grabbing issues is one of the issues that the Constitution of Kenya 2010 addresses by defining and giving provisions in Chapter Five. The subsequent laws were enacted with an aim of solving the land issues in Kenya.

Kenyan Land Tenure System

The Kenyan land tenure system is addressed in the Kenyan Constitution 2010 that classifies land in Kenya. Land is classified into different categories as private, public and community. The owners of the private land have rights to ownership where the owner is entitled to use, control and dispose of the property. Apart from the right to ownership they have a right to access, for example, an easement confers the right to use the real property of another for a specific purpose (for example, access to another property). Usufructuary right which refers to the right of one individual to use and enjoy the property of another, provided its substance is neither impaired nor altered (for example, rights to use water from a stream for household use) is also within the rights of private land owners and a right to transfer, i.e. entitled to sell, inherit and/or reallocate property right, which are inscribed in the Constitution of Kenya 2010, Article 61(2) and Constitution of Kenya 2010, Article 60(2).

Public land refers to the land not set aside for any purpose, land set aside for public utility use or land that is occupied by the State organ as lessee, land transferred to the State by way of sale, reversion or surrender; land to which no individual or community ownership is traceable, land which no heir can be identified, all minerals and mineral oils, Government forests, game reserves, water catchment areas, national parks, government animal sanctuaries, and specially protected areas; all roads and thoroughfares, all rivers, lakes and other water bodies, the territorial sea, the exclusive economic zone and the sea bed, the continental shelf., all land between the high and low water marks, and any other land declared to be public land by an Act of Parliament according to the Land Act No. 6 of 2012. All those components form the public land.

The Land Act No. 6 of 2012 also specifies what composes the community land and elaborates that the Community land is composed of land registered in the name of group

representatives, land transferred to a specific community. It is also any other land declared to be community land by an Act of Parliament, and Land that is:

- i. held, managed or used by specific communities as community forests, grazing areas or shrines;
- ii. ancestral lands and lands traditionally occupied by hunter gatherer communities; or
- iii. held as trust land by the county governments, but not including any public land held in trust by the county government and any unregistered community land is to be held in trust by county governments on behalf of the communities for which it is held.

Private land owners can either own land on a freehold tenure or on a lease hold tenure. The freehold tenure of land ownership refers to the ownership of land with no definite period. This tenure of land is only applicable to Kenya Citizens. The leasehold period in Kenya is defined by the Kenyan Constitution 2010 as a period not exceeding 99 years. The following is the procedure for the renewal of the lease per The Land Laws (Amendment) Act No: 28 of 2016, section 48:

Before the expiry of the leasehold tenure, the Commission shall—

(a) within five years, notify the lessee, by registered mail, of the date of expiry of the lease and inform the lessee of his or her pre-emptive right to allocation of the land upon application, provided that such lessee is a Kenyan citizen and that the land is not required by the national or county government for public purposes; and

(b) if within one year the lessee shall not have responded to the notification, publish the notification in one newspaper of nationwide circulation. (1A) Where a lease is not granted after an application under subsection (1), the Commission shall give the lessee the reasons for not granting the lease, in writing.

The Concept of eminent domain in Kenya is worth interrogating. In Kenya, the issue of ownership of land is quite sensitive and important to the way of life. The economy of Kenya is predominantly dependent on agriculture and therefore the need for communities and,

more so, individuals to acquire property in land. The doctrine of eminent domain therefore invokes to government's competence to acquire property which would otherwise be for private use for purposes of meeting a public requirement, (Agak, 2016). Questions may arise to whether the government is infringing the rights of individual private ownership of land which are addressed within the constitution of Kenya.

Women and Land Ownership

The role of women in land ownership cannot be ignored. According to (Aura, 2008), "women ordinarily do not own land or movable property. It is said that their rights to ownership of land is pegged on their men". (Aura, 2008) elaborates with a research saying that;

Even through the estimated ratio of women to men is 1:1, only 5% of land title deeds in Kenya are held by women jointly with men, only 1 percent of land titles in Kenya are held by women alone, 89 percent of subsistence farming labour force is provided by women ,70 percent of labour in cash crop labour production is provided by women and about 32 percent of households are headed by women. (<http://www.fida.kenya.org>)

The research is based on the women right to ownership of property in Kenya and elaborates how they have been denied access to the land ownership in Kenya. The basic understanding here is that they can own land on the basis of the husband.

Kenyan communities are patriarchal in nature. The dominance of men is well illustrated even in the land ownership and management. Despite efforts by the lobby groups and the promulgation of the 2010 Kenyan Constitution, efforts to allow women have a dominance in the ownership of land and land use. The Cultural dynamics of communities within the Kenyan context also is a reason as to why women have no right to land ownership and management. The most of Kenyan cultures only allude to the land inheritance basically as a function designated to sons as daughters were to get married and leave the homestead.

Despite the efforts by the legal framework set by the government and government agencies that deal with human rights, little has been realised to give women rights to land ownership and management. The National Land Policy, 2009, which recognises women rights to customary land ownership, distinguishes between married and unmarried women's inheritance rights, directing the Government to secure the inheritance rights of unmarried daughters with the Constitution 2010 giving women equal rights to ownership of land as men.

Historical Land Injustices in Kenya

The Land Act 2012 intended to correct the inconsistencies in the land laws correcting the land injustices. The laws gave power the cabinet secretary with the National Land Commission implementing what the Cabinet Secretary had put in place. The Act also introduces the concept of the ineligible person who is a non-citizen allowed to own land unlike the previous laws that did not allow such a consideration. Apart from the non-citizens owning land, the Act provides for NLC to notify the Lessees of the pre-emptive right, only where the land is not required by the national or county government for public purposes. This notification is to be given within five years before expiry and the lessee should make an application to exercise the right, (Inamdar, 2017).

The land Act 2012 prohibits unlawful possession or occupation of land by an individual. (Inamdar, 2017) says that, "unlawful occupation of any land, whether public, community or private is prohibited. The Act now provides for elaborate procedures for the giving of notice to unlawful occupiers and the carrying out of evictions upon expiry of such notice" (<https://www.hakijamii.com>). This was meant to regulate the land grabbing instances that has been witnessed in Kenya by the rich at the expense of the poor. The law was meant to highlight the land injustices but doesn't sufficiently address the environmental injustices and the problem of the squatters.

The grievances in land ownership and management in Kenya date from the time in the colonial times and after the colonialists had left the nation for self-rule. (Mulemi, 2011) gives the grievances about the land use and management which include,

Competing claims of being the indigenous land owners which are as a result of displacement of people from the ancestral land by the colonial powers, perceived injustices that have generally privileged individual over communal claims to land as a result of The injustices have also tended to create disparities in land ownership and even landlessness. The chronic injustices that now beg redress include irregular acquisition of title deeds, resettlement programs, and acquisitions that have a bias towards individuals and certain ethnic groups. Historical trends of dispossession and competing claims to land predate colonial times. Historical records and oral tradition indicate that competing claims to indigeneity shaped tribal clashes before European colonialism. Thus, the question of who the original inhabitants were, and how far back historical claims of land ownership should go is complex. The establishment of customary land tenure arrangements brought relative stability. This relative stability endured in spite of occasional inter-clan and inter-ethnic feuds about territorial ownership. The expropriation of land in East Africa and Kenya began as early as 1800. In 1887 the British colonial government declared all unoccupied land to be 'Crown Land', despite existing community ownership arrangements. (P.g. 4-5)

The Kenyan Constitution 2010 was meant to correct the above injustices with its promulgation. With the appropriate Acts of Parliament like the 2012 Land Act, the above grievances would have been addressed but the Act only defines the roles of the Secretary to land ministry and the roles of the National Land Commission without elaborately dealing with the land issues that are affecting the people of Kenya.

The coastal people of Kenya are the high hit by land injustices according to the Truth Justice and Reconciliation Commission. The Mijikenda, Taita and Pokomo communities in the Coast have suffered the worst land-related injustices since independence and successive governments did little to solve the problem, the Truth, Justice and Reconciliation Commission has concluded according to (Jamah, 2013). The problem of the squatters at the Coast of Kenya is prevalent where large portions of land are in a few individuals at the expense of the large populous. Other areas in Kenya that have experienced land injustices records is the Rift Valley where according to (Jelimo, 2018) residents are laying claim to large-scale tea and sugarcane estates, including Savani, Chemelil and Muhoroni companies, saying families were displaced to create room for cultivation.

The land issue in Kenya has been politicized in the past. To mention a case example of the Mau forest issue where two communities have been fighting each other. The Maasai community say that the Forest which is a water catchment area has been invaded by the Kalenjin community affecting the Mara River and the flow of water. The dispute over the Maasai Mau Forest boundary has placed Mr Natembeya on a collision course with Rift Valley leaders, who accuse him of creating a new outline in the ongoing evictions (Sayagie, 2018). The commissions that have been set to fix the historical land injustices have their recommendations shelved as the Ndun'gu report and Truth Justice and Reconciliation Commission not acted upon by the relevant people.

Among the factors that accelerated the Post-Election Violence in the 2007 was the land injustices as pointed in the Waki Report. The Waki Report indicates that, the Ndungu Report noted that there has been corruption in the misallocation of land both in settlement schemes in the countryside and in the urban areas. The Waki Report also indicates land injustices among the facts and surrounding circumstances relating to the post-election violence is;

A feeling among certain ethnic groups of historical marginalization, arising from perceived inequities concerning the allocation of land and other national resources as well as access to public goods and services. This feeling has been tapped by politicians to articulate grievances about historical injustices which resonate with certain sections of the public. This has created an underlying climate of tension and hate, and the potential for violence, waiting to be ignited and to explode. (Pg. 23)

It is alleged that the most prevalent issues that causes the animosity in the land of Kenya is the issues around land during the electioneering period and after the post-election. In the 2017 general election for example, the people of Kajiado woke up to leaflets in the major towns of Kitengela, Ngong, Rongai and Kiserian telling people who are not of the Maasai origin to vacate the land belonging to the Maasai Community as reported by (Ngunjiri, 2017) that the leaflets, written in Kiswahili are warning members of four tribes to leave or face unspecified consequences.

The Church in Kenya has been preaching matters reconciliation in an attempt to address the issues affecting the people but have not considered addressing the underlying issues to do with historical land injustices. Among the issues that have resulted to Church wrangles and splits include the land issues. The Anglican Church for example has had issues to do with tussles over land with the locals over development of the Land in Solai in Nakuru County. (Chebet, 2019) reports that, a tussle over public utility land in Ime area of Solai almost disrupted a church service after locals threatened to storm the church to demand a title deed. With the Church being involved in the propagation of the injustices, remains silent when such injustices are being propagated against her members.

Comparison Between the Jubilee Law and Kenyan Land Laws

In the analysis above about the Kenyan land laws in comparison with the Jubilee law of Leviticus 25 the following comparisons are made. Jubilee law stipulated the land rest after every seven years in the Sabbatical year. Under this arrangement, the food that grows on land on the seventh year was food for all and the animals. The major concern was the land rest which gave land time to regain the nutrients and an opportunity also to equalize the community since the seventh year provided the equilibrium in the society. Analysis of the Kenyan land acts and laws do not provide for the fallowing of the land in comparison to the Jubilee legislation. People in Kenya are allowed to use land as it deems to them. This has resulted to overuse of land in terms of sand harvesting and poor farming practices that have resulted to environmental distraction and poor yields respectively.

Under the Jubilee law, the Super Sabbath happened after seven Sabbaths totalling to 49 but celebrated on the 50th year, where land had a rest and was reverted to the original owner. In

contrast, the Kenyan land laws refer to a lease period of 99 years. (Nyakeri, 2012) says that “it is provided that, under Government Lands Act (now repealed) the Commissioner of Lands on behalf of the Republic of Kenya grants leases of town plots for any term not exceeding 99 years and of the agricultural land for 999 years”. Within that period which is a double the Jubilee years, the owner of the land has full rights to the management of the land. When the period of the ownership lapses, the owner of a leasehold property makes an application for extension and renewal of the Lease and upon approval and payment of requisite fees, a land owner continues to enjoy the land ownership for the next 99 years as (Katisya, 2018) says that in 2010 the Constitution of Kenya 2010 in Article 65 (1) provided that a person who is not a citizen may hold land on the basis of leasehold tenure only and any such lease shall not exceed 99 years.

Land in the Jubilee is under divine ownership where Yahweh retains the right to ownership. He determines the allotment and management of the land. The Kenyan land laws allude to land under private ownership, community land ownership and public owned land. The state retains the eminent domain powers as the state can acquire land for public use somehow infringing into individual rights. (Mwenda, 2012) says in his recommendations about community land that, the law on community land, upon enactment, should provide guidelines for protection of the interests of members of a community (particularly group representatives) when reaching investment agreements with any foreign or local investor, citing deficiencies in the land ownership in comparison to the rich and simple land tenure system of Israel.

Land ownership in Israel was only restricted to the natives as foreigners were not allowed to own land according to the Jubilee legislation. In case a foreigner owned land then that land was to revert to the native owner in the Jubilee year. (Karume, 2014) , says that foreigners can own property in Kenya in their name. The Constitution (2010), the Lands Act (No. 6 of 2012) and the

Land Registration Act No. 3 of 2012), subject to certain limitations, grant the right to any person, either individually or in association with others, to acquire and own land in Kenya. A case example is given at the Coast of Kenya where parcels of land are not in the hands of natives but are owned by the foreigners. This gives the rich foreigners advantage over the natives denying them a right to source of their livelihood. But, the provision only allowed 99 years for the ownership of the land a concept (Lovels, 2018) says promotes justice by saying;

The purpose of this provision has not been expressly stated in the Constitution or the Land Laws. It has been argued that the provision is aimed at correcting historical injustices emanating from colonial rule where foreigners obtained large tracts of land and are holding the same under freehold tenure in perpetuity. (www.kenyanlandreport.org)

Both the jubilee laws and the Kenyan land laws and Acts addresses land injustices, but the Jubilee law is very clear on the reversion of the land to the original owners after 50 years if they were not in position to redeem the land within the stipulated time. In the Kenyan land laws, the laws do not provide for such regulation of the land reverting back to the owner because once the land has been sold it is permanent under the new owner, in the case of a lease and it expires a legal fee is charged and the leased person continues to enjoy the land ownership. The legal process of Jubilee is well illustrated giving what needs to be done in the control of the excesses of greed and other injustices to do with land.

The Kenyan constitution in chapter 5 outlines that land in Kenya's primary resource and the basis of livelihood for the people, and shall be held and managed in a manner which is equitable, efficient, productive and sustainable. In saying so, the constitution under Article 60(1) states the principles of security of land rights for all holders, users and occupiers in good faith, which is what the national government should define and keep. The constitution then defines public land, community land and private land. The spirit of the constitution of Kenya outlines the

justice in matters land ownership and management which is the same ‘spirit’ the Jubilee law advocates, the spirit of equity. In this instance both the laws are propagating the same tenets, the tenets of equity.

The Kenyan constitution under Article 69, discusses the protection and conservation of the environment. It gives every person a right to protect the environment and maintain a clean safe and healthy environment. The constitution does not adequately address the environmental conservation issue adequately but gives the legislature a mandate to establish the laws that govern only the other aspects of environmental conservation. Jubilee laws allude to land fallowing as the thesis has stated above; an aspect the government and other land dealing agencies should consider to avoid the land from being turned into a dust ball due to continued tilling. This could be done by appropriate county government legislations because land rest has the advantages of soil conservation beyond exercising the divine call. Issues to do with continued sand harvesting, tilling of the land in the forest, construction of dams that do not meet the standards and end up killing people are aspects that could be cured by appropriate land laws that deal with environmental conservation, an aspect of land rights.

Conclusion

The analysis of Leviticus 25 has revealed several issues that are therein in the Jubilee legislation. The theology of land is about the divine ownership of land and land as a divine gift. The thesis established the Sabbatical year and Jubilee as the institutions Yahweh sets to guard land rights. The comparison between the Jubilee laws of Leviticus 25 and the Kenyan land laws and Acts revealed the similarities and disparities as in the laws that deal with land rights. Through scientific tools, the analysis established that the system of land ownership in Israel was different

in comparison to the neighbouring communities that existed in the Ancient Near East and that helped in putting Leviticus 25 in its context as shown in the analysis.

CHAPTER SIX: CONCLUSION AND RECOMMENDATIONS

The thesis sought to examine land rights through an exegetical analysis of Leviticus 25. The objectives were to understand Israel's theology of land in relation to land rights, determine the institutions provided in Leviticus 25 to guard the land rights and to compare the Jubilee laws and the Kenyan land laws by analysing Leviticus 25 using the grammatico-historical method and social justice theory. The main argument was that land rights in Israel was under Yahweh and comparable to Ancient Near East communities and Kenya. The thesis concludes that;

Israel's Theology of Land

An analysis of Leviticus 25 revealed that land is under divine ownership unlike other nations where land was under the ownership of the King like Egypt, for the King would determine the management and use of the land. This type of ownership determined equity in the land they were going to inherit.

The institutions in Leviticus 25

An analysis of Leviticus 25 revealed two institutions that are crucial for the guarding of the indigenous land rights. The institutions included the Sabbatical year and the Year of Jubilee. The institutions ensured that the land rights are guarded because the Sabbatical year was about environmental justice where land would be allowed to be fallow and distributive justice where all would benefit from the land animals included. The Jubilee year was about distributive justice on matters of lending, slavery and levirate rights as the findings alluded to, restorative justice where an individual is restored to the original position he was before he was rendered deplorable. The institutions ensured equity in the land they were going to possess.

Jubilee Law and Kenyan Land Laws

The analysis revealed that the ‘spirit’ of the Kenyan constitution and land laws highlights the equitable distribution of land giving each person in Kenya equal rights to own land. It is the same spirit that the Jubilee law advances to ensure that all people in Israel have equal right to the ownership of land, use and management.

Recommendations

The study recommends the following:

The laws need to be strengthened to highlight the land rights to ownership of land and solve the coastal land issues for instance. The land should be viewed as a resource that each and everybody in Kenya should have. Instances of squatters in their land at the expense of a leased land should not be heard of.

Land should be viewed as a resource of mutual sharing instead of personal interests. Some people own thousands of acres at the expense of the squatters. Those are the issues Jubilee handles. Land should not be a tool of oppression power and greed. Jubilee demands that land should not be sold permanently an aspect that cures the greed amongst those who want to use that to intimidate the poor. Jubilee tenets then could be incorporated within our land laws and that would tame greed and end up benefiting everyone. This can be done through public sensitization by the church and the government.

The Legislation on interest rates should be tightened in Kenya to avoid overexploitation by the lenders. High interest rates were the norm until the capping which was meant to stop the greed was introduced. Proper legislation should be put in place to make lending less predatory and

financial institutions encouraged considering ways of investing to avoid dependence on the interest rates charged on people.

The government of Kenya should establish special court that deals with a land settlement cases and historical land justices that majorly ensures tenets that promote equity are addressed. Jubilee is a simple legislation that ensures equity, such could be encouraged in the land by the court. Not only the aspects of restorative justice but also environmental justice could be dealt with in the court.

The church has also the responsibility of ensuring that the right doctrine on conserving land rights is thought because land is a major theme through which the biblical redemptive story is staged. The church should not remain silent when issues to do with land are discussed. Land should not be an emotive issue when the church is the custodian of the legislation that could turn around the land issues in Kenya if properly taught on the pulpits. Though the Jubilee law seems ancient, the principles that the law upholds is crucial to sorting greed, land grabbing, skyrocketing land prices, sorting the problem of urbanization and challenge of squatters, which the church should champion.

Conclusion

This thesis is anchored on Jubilee law as a tool of justice to help guard land rights in the Promised Land. The findings indicate the clearly jubilee law deals with environmental justice, retributive justice and restorative justice which are aspect propagated by and endorsed by Yahweh to bring equality in the promised land. The aim of the law was then to make sure that all live as already established in the thesis.

Appendix 1 – Certificate of Correction of Thesis Proposal

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