

Amos, Prophet of *Ubuntu*: New Insight on Amos's Concept of Justice

Robert D. Miller II

Ordinary Professor of Old Testament, The Catholic University of America
Research Associate, University of Pretoria
millerb@cua.edu

The concept of צדקה in the book of Amos is broader than suggested by the English words often used to translate it, such as "righteousness" or "charity." Amos uses the Hebrew term in connection with indicting Israel's enemies primarily for war crimes and Israel itself for the wanton disregard of its own poor. This essay analyzes Amos's use of the term in dialogue with the (South) African concept of ubuntu, which concerns human dignity and solidarity, and demonstrates that Amos sees צדקה as the core of morality and reflective of God's actions.

The prophet Amos is often called the "prophet of righteousness" because justice has been identified as the most important theme of this prophetic book. However, interpreters have struggled to summarize the justice Amos demands as the core of God's message. This essay uses the (South) African concept of *ubuntu*¹ to help unpack Amos's concept of justice.

First, the essay will flesh out various aspects of justice in the book of Amos. Next, it will explain *ubuntu*, drawing on current philosophical, social, and legal discussions and noting ties to justice in the book of Amos. The essay will then offer a short but necessary excursus on a potential downside raised against *ubuntu* and potentially against Amos's presentation, arguing this defect is not actually present in either. Finally, it will show that *ubuntu* brings the seemingly disparate aspects of Amos's idea of justice into a unified whole.

RIGHTEOUSNESS IN AMOS: TSEDEQAH AND BEYOND

Amos earned the moniker "prophet of righteousness" as early as 1915, but it caught on greatly after Emil Kraeling's 1964 *Life* magazine article, "The Prophets:

¹ The term is found in multiple Bantu languages, but as the Benin philosopher Paulin J. Hountondji, "Tradition, Hindrance or Inspiration?" *Quest* 14 (2000) 8, observes, it is important to not overlook the pluralism of African cultures. So, the focus here is entirely on South Africa. I am grateful to the University of Pretoria "Prophets" class I taught in July 2020 who encouraged my vision of *ubuntu* in Amos.

The Lord’s Messengers Changed All History.” The epithet is accurate as far as it goes, but only if time is spent unpacking the word most English Bibles translate “righteousness,” צדקה (*tsedaqah*; Amos 5:7, 24; 6:12).² Although Modern Hebrew and Judaism understand צדקה to mean “charity,” scholars have long known the term has a different meaning in Amos and the rest of the OT. As Ahuva Ho magisterially sets out in *Tsadiq and Tzedakah in the Hebrew Bible*³—צדקה means something like “right covenant relationships.”

Exclusive focus on צדקה, however, would be misleading. Syntactically, the term is often used in Amos in parallel with *mishpat* (משפט; 5:7, 15, 24; 6:12).⁴ Justice and right covenant relationships are integrally associated throughout the book.⁵ As Jörg Jeremias observes, “Amos never speaks of righteousness without noting justice in connection with it.”⁶

However, in order to understand concepts, the reader must move beyond terms to a more expansive contextual reading. As James Barr famously and repeatedly advised, Hebrew terms cannot be understood except in the contexts of their actual use, and the semantics bring meaning to the terms rather than the terms bringing meaning to the context.⁷ One must therefore approach the text inductively.

To unpack the justice Amos expects and demands inductively, the reader can begin with the first chapters.⁸ Beginning in 1:3, Amos employs a repeated pattern that turns into a crowd chant.

² Albert Nolan, *Hope in an Age of Despair: And Other Talks and Writings* (Maryknoll: Orbis Books, 2009) 131.

³ Ahuva Ho, *Sedeq and Sedaqah in the Hebrew Bible* (New York: P. Lang, 1991).

⁴ Hans Walter Wolff, *Amos, the Prophet: The Man and His Background* (Philadelphia: Fortress, 1973) 59-60; Albert Nolan, *Biblical Spirituality* (Springs, South Africa: Order of Preachers [Southern Africa], 1986) 29; Jannie du Preez, “Let Justice Roll on Like . . .”: Some Explanatory Notes on Amos 5:24,” *JTSA* 109 (2001) 96-97.

⁵ Ted Grimsrud, “Healing Justice: The Prophet Amos and a ‘New’ Theology of Justice,” in *Peace and Justice Shall Embrace* (ed. Ted Grimsrud and Loren L. Johns; Telford, PA: Pandora, 2000) 73; Adolphus Chinwe Iroegbu, “Let Justice Roll Down like Waters”: An Exegetical and Pragmatic Study of Amos’s Critique of Social Injustice and Its Cruciality in the Contemporary Nigerian Context (Hamburg: Kovac, 2007) 127.

⁶ Jörg Jeremias, “Justice and Righteousness: The Message of the Prophets Amos and Isaiah,” *Sacra Scripta* 14 (2016) 21.

⁷ James Barr, *Comparative Philology and the Text of the Old Testament* (Oxford: Oxford University Press, 1968; repr., Winona Lake: Eisenbrauns, 1987) 136, 156, 267, 293; Barr, “Did Isaiah Know about Hebrew ‘Root Meanings’?” *ExpTim* 75 (1964) 242; Barr, *The Semantics of Biblical Language* (Oxford: Oxford University Press, 1961; repr. Eugene, OR: Wipf & Stock, 2004) 56, 215-219, 233.

⁸ The argument of Jon L. Berquist, “Dangerous Waters of Justice and Righteousness: Amos 5:18-27,” *BTB* 23 (1993) 59-60, that justice and righteousness in Amos are always God’s, never even theoretically Israel’s, seems unnecessarily hairsplitting. Berquist is forced to argue that even in 5:15, humans do not perform justice, they either prevent it or get out of the way of its flowing from God.

Thus says the Lord for three transgressions of Damascus and for four, I will not revoke it: because they thrashed Gilead with threshing boards of iron. I will send down fire upon Bit-Hazael and it shall devour the fortresses of Ben Hadad.

I will break the gate bars of Damascus and wipe out the inhabitants from the valley of Aven, and the scepter and ruler of Beth-Eden and the people of Aram shall be exiled to Qir, says the Lord.

Whether the text reflects Amos's actual oral preaching **or not**, it depicts a prophet from Judah who shows up in Israel and begins preaching. Amos spends much of chapters 1 and 2 denouncing Israel's enemies. The first is Damascus.

No one in the (narrative) crowd will disagree with anything Amos says; in fact, he sounds quite patriotic: "Thus says the LORD, for three transgressions of Gaza and for four, I will not revoke it: because they exiled an entire population which they delivered to Edom" (1:6). Amos then turns to cities of the Philistines.

The crowd is drawn in because this seems to be a nationalistic speech. He proceeds through Israel's other enemies. The crowd is drawn into praising God's righteous anger, opening the door for the grand finale in 2:6: "For three transgressions of Israel and for four I will not revoke the punishment."⁹

Israel is then indicted for several crimes, all of them against the poor.¹⁰ "Sell the righteous for silver and the needy for a pair of sandals" in 2:6 relates to the kind of debt slavery described in 2 Kings 4.¹¹ Perhaps a person loses a child into slavery to a cobbler since they could not repay the loan taken to purchase a pair of sandals, and the child was the collateral.¹²

What is notable is that the practice is legal in all phases of Israelite law. No interest has been charged; the enslaved person entered into the debt entirely voluntarily. However, Amos claims valuing a person as equivalent to a pair of sandals violates justice.¹³ Therefore, justice is broader than the law. Justice is about the value of the human person—human dignity.¹⁴ That all these crimes have to do with the poor helps clarify what happens in 1:7-8. "They trample the head of the poor into the dust of the earth and twist the case of the lowly," then, refers to distortion of judicial process.

This view is confirmed by the middle of Amos's "Three Woes," (5:7-13), the structural center of the book.¹⁵ Skipping 5:9-10, which is misplaced from earlier in

⁹ Claudia Sticher, *Gerechtigkeit wie ein nie versiegender Bach: das Buch Amos* (Stuttgart: Katholisches Bibelwerk, 2012) 70.

¹⁰ Iroegbu, *Let Justice Roll Down like Waters*, 53, 76.

¹¹ Ibid., 77-79, 218-221. Grimsrud, "Healing Justice," 69.

¹² Grimsrud, "Healing Justice," 72; Sticher, *Das Buch Amos*, 71.

¹³ Sticher, *Das Buch Amos*, 72.

¹⁴ Donoso S. Escobar, "Social Justice in the Book of Amos," *RevExp* 92 (1995) 171.

¹⁵ A. Graeme Auld, *Amos* (London: T & T Clark, 2004); Martin Lang, *Gott und Gewalt in der Amosschrift* (Würzburg: Echter, 2004) 117, 265.

the chapter, this “woe” reads: “Woe to you who turn justice to wormwood and cast זָדִקָה to the earth. They hate him who testifies in the gate”—the city gate being where legal cases were heard.¹⁶ Continuing, “Therefore, because you trample on the poor and you exact taxes of grain from him, you have built houses of wood and stone, but you shall not dwell in them. You have planted pleasant vineyards, but you shall not drink their wine. For I know how many are your transgressions and how great your sins, you who afflict the righteous to take a bribe, turn aside the needy in the gate courtroom.” This corrupt judiciary is the exact opposite of זָדִקָה, and God stresses that his court—unlike theirs—is just.¹⁷

Thus, Amos believes treatment of the poor must include but is not limited to the legal or judicial system.¹⁸ Here, the most important institution for right treatment of the poor is being manipulated.¹⁹ If courts are unjust, they are always unjust the same way: Judges are taking bribes. If the judges are taking bribes, only the rich can bribe.²⁰ In other words, a rich person can get justice from an unjust judge; a poor person cannot.

Returning to the text, 2:7 reads, “Father and son go into the same girl so that my holy name is profaned. They lay themselves down beside every altar on garments taken in pledge, and in the house of their God, they drink the wine of those who have been fined.” Some scholars argue the second half of the verse concerns temple prostitution supposedly endemic to “Canaanite fertility cults.”²¹

However, little evidence of such an institution exists. Canaanite religion had no orgiastic religious rites (other than in myths, such as KTU 1.21 and 1.114).²² In fact, Baal is said to hate such practices (KTU 1.4 III 17-22). The father and son going into the same girl noted at the end of 2:7 are not depicted “beside the altar,” which is part of a new sentence in 2:8.

Instead, 2:7 concerns another crime against the poor related to Exod 21:7-9, “When a man sells his daughter as a slave . . . if she does not please her master who has designated her for himself, then he shall let her be redeemed. He shall have no right to sell her to a foreign people since he has broken faith with her.”

Slavery was legal in ancient Israel, even buying a female slave to serve as a concubine, as is the case here. If a man had intended a female slave to serve as his con-

¹⁶ Iroegbu, *Let Justice Roll Down like Waters*, 138.

¹⁷ *Ibid.*, 224-227.

¹⁸ *Ibid.*, 135, 137.

¹⁹ Grimsrud, “Healing Justice,” 72.

²⁰ Iroegbu, *Let Justice Roll Down like Waters*, 217-218.

²¹ William Rainey Harper, *A Critical and Exegetical Commentary on Amos and Hosea* (New York: Scribner, 1915) 51; Nolan, *Biblical Spirituality*, 31.

²² Nick Wyatt, *Word of Tree and Whisper of Stone* (Piscataway, NJ: Gorgias Press, 2007) 120. KTU, which stands for *Die keilalphabetischen Texte aus Ugarit*, is a collection of Ugaritic cuneiform texts.

concubine and then does not want her, he cannot sell her. However, “if he designates her for his son,” that is, if he had intended her to serve as his son’s concubine, “he shall treat her as a daughter.” Thus, in saying father and son go into the same girl, Amos 2:7 describes the kind of practice the law prohibits: a concubine for the whole house.²³ Otherwise, it makes little sense. Why would Amos abruptly shift to temple prostitution in the midst of his indictment of Israel’s treatment of the poor?

Amos 2:8 describes another problem—“they reclined by every altar on garments taken in pledge”—perhaps echoing that same section of Exodus. The law of Exod 22:25-27 is very familiar in Judaism: “If you lend money to any of my people with you who is poor . . . if you ever take your neighbor’s cloak in pledge, you shall return it to him before the sun goes down, for that is his only covering and it is his cloak for his body. In what else shall he sleep? And if he cries to me, I will hear, for I am compassionate.”

So, 2:8 is addressing the crime of keeping pledge garments overnight. That they are sleeping in the temple of God illustrates the hypocrisy of these abuses.²⁴ All the sins for which God will punish Israel concern its treatment of the poor. More words for “poor” are used in the book of Amos and at higher concentration per verse than anywhere else in the OT.²⁵ This derives from one of Amos’s basic theses: Israel’s lack of צדקה, its lack of justice, is best seen in its treatment of the poor.²⁶ Justice, therefore, “righteousness,” is fundamentally economic but only in the sense that economics are corrupt when the poorest are not served.

The oracle continues to 2:9: “Yet I destroyed the Amorite before them, whose stature was like the cedars and who was as stout as the oak, destroying his boughs above and his trunk below, and I brought you up from the land of Egypt and led you through the wilderness forty years to possess the land of the Amorite.” Why the sudden move into history?

Moreover, why refer not simply to the Exodus but to one specific element? Amos does not refer to the plagues or to the sea crossing but to an episode in Numbers where God destroyed “giants” who opposed Israel’s migration to the Promised Land.

The reason might involve reminding the Israelites of what God has done for them to elicit their obedience. But more importantly, it illustrates that at a time when Israel was weak and powerless, God fought the giants for them. Now that

²³ Francis I. Andersen and David Noel Freedman, *Amos: A New Translation with Introduction and Commentary* (New Haven: Yale University Press, 2008) 318; Sticher, *Das Buch Amos*, 77; Iroegbu, *Let Justice Roll Down like Waters*, 81.

²⁴ Grimsrud, “Healing Justice,” 71; Iroegbu, *Let Justice Roll Down like Waters*, 81-82.

²⁵ Wolff, *Amos*, 70-71; Iroegbu, *Let Justice Roll Down like Waters*, 70-75, 228-229.

²⁶ Nolan, *Biblical Spirituality*, 34; On the logic of this thesis, see Thomas Nagel, *Mortal Questions* (Cambridge: Cambridge University Press, 1979) 99, 106.

they are the giants, oppressing the weak, they should know they are placing themselves in opposition to God.²⁷ Moreover, to act with justice would entail them emulating God.²⁸

Moving to the “Three Woes” at the center of the book (the middle “woe” being that which starts in 5:7 discussed earlier), consider the final “woe” in chapter 6: “Woe to those who are at ease in Zion and to those who feel secure on the mountain of Samaria—the notable men of the ‘first of nations’ to whom the house of Israel comes.”

In 6:4, Amos describes the luxury Israel enjoys with no care for society.²⁹ “Woe to those who lie on beds of ivory and sprawl on their couches and eat lambs from the flock and veal from the midst of the stall, who howl idle songs to the sound of the harp, and like David invent for themselves musical instruments. They drink wine from vats and anoint themselves with the finest oil but are not grieved over the ruin of Joseph”—a poetic term for the northern kingdom.

Some scholars argue this depicts a *marzeah*, a sacred memorial feast for the dead. The weeklong, drunken feast, practiced by the affluent, was meant to console mourners. Examples abound from Canaanite texts all the way to the Roman period.³⁰ Amos follows the five parts of the feast: having the meat before the wine, anointing with oil, music, and eating while reclined. If a *marzeah* is intended here, then the irony is that this is Israel’s own funeral, an image picked up again in 2:9-10.³¹

No elephants roamed Israel. So the ivory represents African imports, exemplified by the famous Samarian ivories that have been discovered through archaeological excavations.³² The veal mentioned indicates the cattle of the wealthy, which did not spend their lives as traction animals before finally being slaughtered for their tough, stringy meat.³³ The wine vats mentioned were the size of modern punch bowls.³⁴

But the problem here is not simply an accumulation of wealth.³⁵ Amos does not really care whether Israel’s wealthy have ensnared themselves in a web of super-

²⁷ Nolan, *Hope in an Age of Despair*, 52, 133; Iroegbu, *Let Justice Roll Down like Waters*, 83.

²⁸ Jeremiah, “Justice and Righteousness,” 23.

²⁹ Mark E. Biddle, “Sinners Only? Amos 9:8-10 and the Problem of Targeted Justice in Amos,” *PRSt* 43 (2016) 168; Iroegbu, *Let Justice Roll Down like Waters*, 206-207, 216-217.

³⁰ Philip J. King, *Amos, Hosea, Micah: An Archaeological Commentary* (Philadelphia: Westminster, 1988) 137-138; Iroegbu, *Let Justice Roll Down like Waters*, 207.

³¹ King, *Amos, Hosea, Micah*, 138-139; Lang, *Gott und Gewalt in der Amosschrift*, 116, 162, 166; Jonathan Ben-Dov, “Justice and the City: A Reading of Amos 3:9-15,” *VT* 67 (2017) 541.

³² King, *Amos, Hosea, Micah*, 139-143.

³³ *Ibid.*, 149; Iroegbu, *Let Justice Roll Down like Waters*, 207.

³⁴ King, *Amos, Hosea, Micah*, 158.

³⁵ Contra Wolff, *Amos*, 74.

ficial gratification that is hampering their individual fulfillment.³⁶ The problem is they are “not grieved over the ruin of Joseph”; they have detached their own fulfillment from their fellow Israelites.³⁷ They see the Israelite poor as no concern of theirs and their own lives as independent of other persons’.³⁸ Amos’s justice requires that missing sense of solidarity.³⁹

Nothing in the text suggests their acquisition of wealth was dishonest or illegal.⁴⁰ Thus, Amos’s justice requires that wealth in society be allocated in light of its effects on persons whose basic material needs are unmet. Amos certainly has no goal of ending poverty, but wealth must be distributed with an eye to how the poorest fare. That is distributive justice.

SUMMARY: AMOS’S VIEW OF JUSTICE

Amos’s view of justice is thus broader than “righteousness” in the sense of not sinning.⁴¹ The overall sense of *סְדֵק וְצְדָקָה* here might better be captured by translating it “solidarity.” Like solidarity, Amos’s justice includes equal dignity and committed unity. Yet unlike solidarity, Amos does not expect equal rights: He certainly has no objective for slaves or women to be treated as *equal* to non-slaves or men. Amos is after “fairness of process not fairness of distribution of wealth.”⁴²

Another helpful equivalent in English might be “commutative justice.” Philosophers define this as fundamental fairness in all exchanges between individuals or groups and respect for the equal human dignity of all persons. The phrase is often used specifically with economics.⁴³ For example, workers owe their employers diligent work in exchange for their wages. Employers are obligated to treat their employees with human dignity, paying them fair wages in exchange for work done, and setting conditions for work that befit human beings.

³⁶ Escobar, “Social Justice in the Book of Amos,” 171.

³⁷ Biddle, “Sinners Only?,” 169; Grimsrud, “Healing Justice,” 71.

³⁸ Iroegbu, *Let Justice Roll Down like Waters*, 205.

³⁹ Jeremias, “Justice and Righteousness,” 24.

⁴⁰ Contra James Luther Mays, *Amos: A Commentary* (Philadelphia: Westminster, 1969) 11.

⁴¹ Escobar, “Social Justice in the Book of Amos,” 171; du Preez, ““Let Justice Roll on Like . . .”: Some Explanatory Notes on Amos 5:24,” 96.

⁴² Iroegbu, *Let Justice Roll down like Waters*, 223.

⁴³ Kevin E. McKenna, *A Concise Guide to Catholic Social Teaching* (Notre Dame: Ave Maria, 2019) 35.

UBUNTU IN DIALOGUE WITH AMOS

A more precise correspondence to Amos’s justice lies in the African—especially South African—concept of *ubuntu*.⁴⁴ *Ubuntu* is a “set of folk-psychological beliefs, rather than a theory.”⁴⁵ And although “a number of distinct attempts have been made to formalize a theory of *Ubuntu*, none is taken as canonical . . . and new work could meaningfully be said to be talking about *Ubuntu* without reference to any of these theories.”⁴⁶

Although the term emerged in the 1920s Zulu cultural movement of Inkatha and can be found in S. E. K. Mqhayi’s poem “Christmas 1936,”⁴⁷ *ubuntu* was first used in South African ethical writings in a 1960 address to the South African Institute of Race Relations in Durban.⁴⁸ It does not appear in South Africa’s current Constitution but was included in the “post-amble” of the 1993 Interim Constitution.⁴⁹

To call *ubuntu* an African philosophical notion does not mean Israel might not have shared the concept, and its prominence somewhere else in human history does not make it less “African.”⁵⁰

⁴⁴ For a poetic first-person insight into the importance of Ubuntu in South Africa today, see Andi McIver, “*Ubuntu*,” *Grub Street* 68 (2019) 50.

⁴⁵ Jason Van Niekerk, “On the Tension between *Ubuntu* and *Simunye*,” in *African Philosophy and the Future of Africa* (ed. Gerard Walmsley; Washington, D.C.: Council for Research in Values and Philosophy, 2011) 61; Cedric Mayson, *Why Africa Matters* (Maryknoll, NY: Orbis Books, 2010) 31, 124; T. W. Bennett, *Ubuntu: An African Jurisprudence* (Claremont, South Africa: Juta, 2018) 31.

⁴⁶ Van Niekerk, “On the Tension between *Ubuntu* and *Simunye*,” 61; Rianna Oelofsen, “Afro-Communitarianism, Humanization, and the Nature of Reconciliation,” in *An African Path to a Global Future* (ed. Rianna Oelofsen and Kola Abimbola; Washington, D.C.: Council for Research in Values and Philosophy, 2018) 161, believes the term has been “used in so many contexts and in so many ways that the concept has become too contested to be useful.”

⁴⁷ T. W. Bennett, “Ubuntu: An African Equity,” in *Ubuntu, Good Faith and Equity: Flexible Legal Principles in Developing a Contemporary Jurisprudence* (ed. Frank Diedrich; Claremont, South Africa: Juta, 2011) 4; S. E. K. Mqhayi, *Iziganeko Zesizwe: Occasional Poems (1900–1943)* (trans. Jeff Opland and Peter T. Mtuzze; Pietermaritzburg, South Africa: University of KwaZulu-Natal Press, 2017) 425.

⁴⁸ Mfuniselwa John Bhengu, *Ubuntu: The Essence of Democracy* (Cape Town: Novalis, 1996) 10.

⁴⁹ Chuma Himonga, Max Taylor, and Anne Pope, “Reflections on Judicial Views of *Ubuntu*,” *Potch Elekt Regs* 16 (2014) 372–373. Commentators have noted many African governments and businesses have quite dramatically failed to live up to *ubuntu* ethics; Grivas M. Kayange, “Rediscovering Individual-Based Values in *Ubuntu* Virtue Ethics,” in *An African Path to a Global Future* (ed. Rianna Oelofsen and Kola Abimbola; Washington, D.C.: Council for Research in Values and Philosophy, 2018) 107.

⁵⁰ Thaddeus Metz, “The Final Ends of Higher Education in Light of an African Moral Theory,” *Journal of Philosophy of Education* 43 (2009) 194; for discussion of the comparable notion of fraternity in the West, see Charles D. Gonthier, “Fraternity: A Global Value Underlying Sustainable Development,” in *Sustainable Justice* (ed. M. C. Cordonier Segger and C. G. Weeramantry; Leiden: Brill, 2005) 38–46.

Ubuntu is articulated via traditional sayings, especially the Xhosa proverb, *Umuntu ngumuntu ngabantu*, “A person is a person through other persons.”⁵¹ Commenting on this aphorism, South African Constitutional Court Justice Yvonne Mokgoro wrote,

Generally, *ubuntu* translates as ‘humaneness.’ In its most fundamental sense, it translates as personhood and ‘morality’. Metaphorically, it expresses itself in *umuntu ngumuntu ngabantu*, describing the significance of group solidarity on survival issues so central to the survival of communities. While it envelops the key values of group solidarity, compassion, respect, human dignity, conformity to basic norms and collective unity, in its fundamental sense it denotes humanity and morality. Its spirit emphasizes respect for human dignity.⁵²

This accords with Amos’s emphasis on human dignity and group solidarity, based in compassion as well as respect, and his estimation that therein lies the essence of morality.⁵³

Another common aphorism of *ubuntu* is “I am because we are, and since we are, therefore I am.”⁵⁴ In other words, *ubuntu* goes beyond solidarity between autonomous individuals to the interdependent communion of persons.⁵⁵ “To be human is to be [a] fellow-human being.”⁵⁶

But *ubuntu* is never collectivism to the point that it erases the individual.⁵⁷ Its insistence upon human dignity is precisely what prevents the nullification of “the

⁵¹ Mfuniselwa John Bhengu, *Ubuntu: The Global Philosophy for Humankind* (Cape Town: Lotsha, 2006) 56; Ilze Kevvy, “*Ubuntu*: Ethnophilosophy and Core Constitutional Value(s),” in *Ubuntu, Good Faith and Equity*, 32.

⁵² Yvonne Mokgoro, s.v. Makwanyane and Another, Constitutional Court of South Africa 1995, sec. 308, <http://www.saflii.org/za/cases/ZACC/1995/3.html>; see Himonga, Taylor, and Pope, “Reflections on Judicial Views of *Ubuntu*,” 381.

⁵³ See Nagel, *Mortal Questions*, 126.

⁵⁴ Bhengu, *Ubuntu*, 83; Suzanne Membe-Matale, “Ubuntu Theology,” *The Ecumenical Review* 67 (2015) 274.

⁵⁵ Bhengu, *Ubuntu*, 58, 79; Cedric Mayson, “Power Sharing and Secular Spirituality,” in *Power Sharing and African Democracy: Interdisciplinary Perspectives* (Pretoria: University of South Africa Press, 2010) 2; S. F. Khunou and S. Nthai, “The Contribution of *Ubuntu* to the Development of Constitutional Jurisprudence in a Democratic South Africa,” in *Ubuntu, Good Faith and Equity*, 66; Faustin Ntamushoboro, *The Philosophical Presuppositions of Ubuntu and Its Theological Implications for Reconciliation* (Nairobi: Daystar University, 2012) 3; Himonga, Taylor, and Pope, “Reflections on Judicial Views of *Ubuntu*,” 381-382. This need not be set up as a wholesale contrast to “Western” individualism, although many have made such a (faulty) comparison; for discussion, see Kayange, “Rediscovering Individual-Based Values in *Ubuntu* Virtue Ethics,” 108, 114.

⁵⁶ Nico Koopman, “Trinitarian Anthropology, *Ubuntu* and Human Rights,” in *Building a Human Rights Culture: South African and Swedish Perspectives* (ed. Karin Sporre, H Russel Botman, and Högskolan Dalarna; Falun, Sweden: Dalarna University Press, 2003) 199. N. 57 on next page.

uniqueness and integrity of the individual.”⁵⁸ Solidarity is not an end in itself but a motivation undergirding concern for one’s fellow man or woman.⁵⁹

As with commutative justice, therefore, *ubuntu* includes obligations. A person is born with obligations to his or her parent and “accumulates other obligations—to other persons, to friends, to society and even the world.”⁶⁰ Employer-employee relations are part of this,⁶¹ and Amos’s discussion of injustices, which take place *within* an institution of slavery he does not question, illustrates that he also has such obligations in mind.

Ubuntu’s economic implications extend beyond interpersonal obligations. Human dignity requires that the allocation of wealth, though it need not be equal,⁶² must take into account those whose basic needs are at risk of not being met.⁶³ The reason is twofold: solidarity, which means “your neighbour’s poverty is your poverty,”⁶⁴ and human dignity, which means even the poor merit.⁶⁵

As demonstrated above, Amos holds this view, although he also grounds his call for justice in a third factor: God’s own preferential option for the weak, most clearly manifest in his saving the Exodus Israelites from the gigantic Amorites.⁶⁶

⁵⁷ Koopman, “Trinitarian Anthropology, *Ubuntu* and Human Rights,” 199-200. The idea that Africans do not think of humans as individuals but as parts of an organic cultural assemblage originated with Placide Tempels, *Bantu Philosophy* (trans. Margaret Read; Paris: Présence africaine, 1962), although his own presentation was more balanced than those who popularized it. But already in 1906, Pixley Seme, “The Regeneration of Africa (1906),” in *Readings in the ANC Tradition* (ed. Ben Turok; Auckland Park, South Africa: Jacana, 2011) 9, emphasized the importance of “free and unique individuals.” Kayange, “Rediscovering Individual-Based Values in *Ubuntu* Virtue Ethics,” 115-119, notes the frequent emphasis on individuality, self-reliance, etc. in Malawian proverbs.

⁵⁸ Koopman, “Trinitarian Anthropology, *Ubuntu* and Human Rights,” 200; Mwiza J. Nkhata, “Towards Constitutionalism and Democratic Governance: *Ubuntu* and Equity as a Basis for Regulating Public Functionaries in Common-Law Africa,” in *Ubuntu, Good Faith and Equity*, 91; Himonga, Taylor, and Pope, “Reflections on Judicial Views of Ubuntu,” 381; Bennett, *Ubuntu*, 32; Nagel, *Mortal Questions*, 126-127.

⁵⁹ Kayange, “Rediscovering Individual-Based Values in *Ubuntu* Virtue Ethics,” 121.

⁶⁰ Bhengu, *Ubuntu*, 77.

⁶¹ *Ibid.*, 94.

⁶² Thus, *ubuntu* per se does not seek to eliminate poverty; Mayson, *Why Africa Matters*, 96. Some writers have noted “how diametrically opposed Ubuntu is from communism”; Bhengu, *Ubuntu*, 51.

⁶³ Bhengu, *Ubuntu*, 7; from a Western perspective, so also Nagel, *Mortal Questions*, 118. Again, this is not to suggest South Africa is particularly good at observing this; Nolan, *Hope in an Age of Despair*, 47.

⁶⁴ Bhengu, *Ubuntu*, 9; Membe-Matale, “*Ubuntu* Theology,” 274.

⁶⁵ Bhengu, *Ubuntu*, 8-9.

⁶⁶ On the role of knowing Scripture in modern justice, see Gabriel Housseini and Christian Tumi, *L'éternité promise: Conversations avec son éminence le cardinal Christian Tumi* (Paris: L'Harmattan, 2014) 143; on the specific value of Genesis 1, see Housseini and Tumi, *L'éternité promise*, 146.

God is not irrelevant to *ubuntu*, although *ubuntu* is unique to no single creed. Cedric Mayson writes, “Ubuntu is not dependent upon religion: it is the other way around.”⁶⁷ Yet when some Christian theologians explore *ubuntu* as a model for understanding the internal perichoresis of the Trinity, their Trinitarian theology gives further focus to and spiritual basis for *ubuntu*.⁶⁸

For these theologians, the “heavenly *ubuntu*” is a counterpart of the earthly horizontal *ubuntu*.⁶⁹ For Amos, the vertical *ubuntu*—God’s respect for the dignity of Israel in the Exodus, even his solidarity with them—ought to be the counterpart of the horizontal *ubuntu* between Israelites.⁷⁰

The law can and should be an element of *ubuntu*, a support for *ubuntu*: “My society’s law is my law; law is my scepter. . . . To know the law is the glory of being human.”⁷¹ In South Africa, for instance, *ubuntu* is regularly brought into jurisprudence as an inherent element of customary law.⁷² *Ubuntu* realizes the role of government in ensuring human dignity, but at the same time “requires a deep review” of government’s actions.⁷³

Finally, those who have thought about *Ubuntu* come to the same conclusion as Amos: “The guiding question is this: how is the most vulnerable in society affected.”⁷⁴

IS UBUNTU BAD FOR YOU?

Jason Van Niekerk extensively outlines a tension he sees in *ubuntu* between what he calls a “responsiveness” to others generally and a solidarity he fears can easily slip into jingoistic xenophobia.⁷⁵ However, the solidarity of *ubuntu* is never

⁶⁷ Mayson, *Why Africa Matters*, 129; Bennett, *Ubuntu*, 43.

⁶⁸ Koopman, “Trinitarian Anthropology, *Ubuntu* and Human Rights,” 200; Ntamushoboro, *Philosophical Presuppositions of Ubuntu*, 8-10. In fact, some have argued modern *ubuntu* is not authentically African but a residue of Christian missionary activity; Inga Švarca, “*Ubuntu* in the Transitional Justice Mechanisms of South Africa,” in *Ubuntu, Good Faith and Equity*, 118.

⁶⁹ Ntamushoboro, *Philosophical Presuppositions of Ubuntu*, 2. And only by conversion in and to the God-man Christ can this conformity occur; Housseini and Tumi, *L’éternité promise*, 142. Traditional African religions likewise envision earthly *ubuntu* as a subset of cosmic harmony involving God and ancestral spirits; Keevy, “*Ubuntu*: Ethnophilosophy and Core Constitutional Value(s),” 35.

⁷⁰ See Housseini and Tumi, *L’éternité promise*, 150; Ntamushoboro, *Philosophical Presuppositions of Ubuntu*, 9-10, notes this is expressed in the NT in John 13-17 (esp. 14:10; 15:1-5).

⁷¹ Bhengu, *Ubuntu*, 9.

⁷² Himonga, Taylor, and Pope, “Reflections on Judicial Views of Ubuntu,” 373-375; Bennett, “Ubuntu: An African Equity,” 13; such jurisprudence rarely references philosophical or ethical writings about *ubuntu*, however; Himonga, Taylor, and Pope, “Reflections on Judicial Views of Ubuntu.”

⁷³ Mayson, *Why Africa Matters*, 108; compare Escobar, “Social Justice in the Book of Amos,” 171.

⁷⁴ Koopman, “Trinitarian Anthropology, Ubuntu and Human Rights,” 203.

⁷⁵ Van Niekerk, “On the Tension between *Ubuntu* and *Simunye*,” 62-66. Bennett, *Ubuntu*, 41-42, notes its abuse by the Inkatha Freedom Party’s 1990s violent tribal nationalism.

about an “in” group. Those who write about *ubuntu* repeatedly insist its limits extend to the entire human family.⁷⁶

But can we be so confident for Amos? The question is crucial: “Which entities have an address with respect to conceptions of justice?”⁷⁷ William Barbieri argues that this question of membership is “logically prior to considerations regarding the justness of distributions.”⁷⁸ Unfortunately, Amos lacks the references to “widows, orphans, and foreigners” so ubiquitous in the OT from Exodus to Zechariah. The foreigners in Amos are more often the instruments of God’s punishment on Israel (6:14).

Simply appealing to the general prophetic inclusion of the *ger* (גֵר), foreign guest worker, as evidence that people typically excluded are included within the scope of justice would be easy.⁷⁹ But Amos does *not* make this inclusion. And since Alasdair MacIntyre, Richard Rorty, Michael Walzer and other ethicists argue claims are incoherent that justify human rights as ahistorical features of all humanity,⁸⁰ we should let Amos be Amos and resist this temptation.⁸¹

Amos never calls on Israelites to grant human dignity to non-Israelites. He envisions no solidarity with foreigners, even, it seems, those within Israel’s own borders. The poor of Amos are Israelite poor.

Nevertheless, the oracles that begin the book of Amos seem to suggest he does envision humanity as a unit that falls equally under God’s purview. Amos denounces foreign nations in order to denounce Israel, suggesting God judges all the same. He denounces those nations primarily for war crimes, *not* for crimes against Israel. Amos’s strategy works only if his audience assumes the nations’ behavior is wrong and that God is active in judging non-Israelite nations.⁸² So while the scope of justice may not be extended to non-Israelites in Amos, the scope of injustice is.

⁷⁶ Bhengu, *Ubuntu*, 11, 212; Russel Botman, “The Oikos in a Global Economic Era: A South African Comment,” in *Sameness and Difference: Problems and Potentials in South African Civil Society* (ed. James R Cochrane and Bastienne Klein; Washington, D.C.: Council for Research in Values and Philosophy, 2000) 269-270; Mayson, “Power Sharing and Secular Spirituality,” 6; Membe-Matale, “*Ubuntu* Theology,” 274. Some have even considered inclusion of all living creatures, as discussed in Kayange, “Rediscovering Individual-Based Values in *Ubuntu* Virtue Ethics,” 111-112.

⁷⁷ William A Barbieri, *Constitutive Justice* (New York: Palgrave Macmillan, 2017) 24.

⁷⁸ *Ibid.*, 3.

⁷⁹ *Ibid.*, 32.

⁸⁰ *Ibid.*, 105.

⁸¹ *Ibid.*, 113; Barbieri explains why it would be difficult to construct constitutive justice on a species-wide scope.

⁸² Jonathan Burnside, *God, Justice and Society: Aspects of Law and Legality in the Bible* (Oxford: Oxford University Press, 2011) 80; Lang, *Gott und Gewalt in der Amosschrift*, 56; Grimsrud, “Healing Justice,” 76, 80-81.

CONCLUSION

Amos's idea of justice is, like *ubuntu*, an assumption that people deserve both human dignity and group solidarity, and Amos sees this as the core of morality. Amos also grounds this assumption in God's own actions in Israel's past, where God exemplified respect for human dignity and solidarity with his people.

Amos's justice concept also shares with *ubuntu* a focus on the legal and economic structures and practices of society. And as with *ubuntu*, Amos believes the best indicator of a society's justness is its treatment of the most vulnerable.

In both the concept of *ubuntu* and the book of Amos, the question lingers as to whether "outsiders,"— those beyond the bounds of the perceived community— are also to be accorded solidarity and equal dignity. This essay contends that in both *ubuntu* and Amos, the community does include all of humanity. ^{SCJ}




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