



*"...The heart of the sons of men
is full of evil,
and madness is in their heart
while they live..."
(Ecclesiastes 9:3)*

*Wherewith shall I come before the LORD,
and bow myself before the high God?
He hath shewed thee, O man, what is good;
and what doth the LORD require of thee,
but to do justly, and to love mercy,
and to walk humbly with thy God?
(Micah 6:6, 8)*

a homily on just society and our mad state of rebellion

healing our brokenness inadequately (part 8):

three strikes and you're out

isaiah 1.¹⁶⁻²⁰

*"They heal my people's brokenness inadequately, asserting:
'It's OK! It's OK!'
But nothing is OK!" (Jeremiah 6.¹⁴, author's translation).*

i Introduction

Judicial inequality and injustice. Economic inequality and injustice. Rampant greed and fraud on the part of wealthy individuals and essential institutions. Bribery and corruption of government officials. Inordinate influence of the wealthy on laws and public policy. Unjust laws and policies favoring the powerful and influential while disadvantaging the less powerful and influential. The infliction of the vulnerable with hunger, homelessness, sickness, and anxiety. Out of control materialism. Self-righteous justification of the mad state of rebellion. Stubborn refusal to acknowledge these and a host of other societal ills.

No, I am not talking about America of 2024. However, if the shoe fits...

I am talking about the ancient nations of Israel and Judah. These, and many other evils came to undermine the temporal, moral, and spiritual health of the nations. All the signs were there. The nations were on the verge of collapse. They were in desperate need of truth, however sour it might be to the national palate. But the nations' shepherds fed the populace an empty diet of propagandistic myths of state. Many of Israel's and Judah's prophets joined the fray. Judah's watchmen, Jeremiah charged,

“Heal my people's brokenness inadequately, asserting:

‘It's OK! It's OK!’”

“But nothing,” Jeremiah replies, “is OK!”

Does this, too, sound familiar? Strike close to home? It should. Too often, today's religious leaders—whether they go by the name, “prophet,” “priest,” or “pastor”— seem to lack both discernment and courage. They seem utterly blind to and mute about sin and evil, unless, of course, it involves some form of real or imagined sexual deviance. If they do speak out on matters of real social ills, it is often with muted, vague, delicate, and generalized voices and statements. These shepherds seem not up to the challenging task of bold and clear truth telling of the sort that our society so desperately needs. Now is not the time for delicacy and caution.

This homily is the eighth in an ongoing series entitled, “Healing Our Brokenness Inadequately,” based on Jeremiah 6.¹⁴ In this series, we explore specific examples of destructive individual and societal sins about which political and religious leaders all too often remain willfully blind or, if sighted, stubbornly mute... and therefore complicit. Tragically, sometimes their complicity is even active and enthusiastic.

With specific societal evils in mind, we call upon the Hebrew prophets to speak as if from the dust. We read these discerning writings in light of the societal ills and injustices that abound in our modern world. Sometimes we even imagine and take a stab at replicating what a Hebrew prophet might have to say if he were to come to us from the past.

In today's homily, we offer another example of our national brokenness about which too many remain silent and worse, in which too many engage themselves. Such moments as ours desperately cry out for the type of discernment, boldness, and truth-telling so characteristic of the Hebrew prophets.

How many strikes is that?

The Washington Post recently reported that “Allen Weisselberg, the former longtime top financial officer of Donald Trump’s company, pleaded guilty Monday to perjury, admitting that he lied under oath to the New York attorney general’s office while it was investigating the former president.” The piece reminded us that this is not the first time Weisselberg has been found lying to authorities. Indeed, he has in the past pled “guilty to multiple felonies in a different case.” As a result, he served “months behind bars” and faced “stiff sanctions, including a \$1 million penalty, following a separate civil fraud trial.”¹

So, here we have a man who has been found guilty of multiple—that’s *multiple* as in a whole bunch—felonies—that’s *felonies* as in way worse than misdemeanors. In fact, in this latest case, Weisselberg was charged with five—that’s five in just sort of half-a-dozen—counts of perjury in the *first* degree—that’s perjury of the worse kind, committed with “intent and premeditation.” “He is,” according to the Post, “expected to receive a five-month sentence—that’s (presumably) several months short of the rest of his life.

Sounds like justice was served. No?

Well... maybe. I mention a sentence that is “several months short of the rest of his life” because his sentence is so short compared to many poorer and less well represented repeat offenders. Indeed, one recalls the now discredited “three-strikes-and-your-out” laws that many of the so-called “law and order” folks on the right want to resurrect. Perhaps you

¹ “Longtime Trump Executive Pleads guilty again, this time to perjury charges,” El M. Calabrese and Mark Berman.

remember, as I do, the petty thief who ended up with life in prison because of a “third strike” in which the thief was guilty of the heinous crime of stealing a few videos from a video rental store. Or maybe, as a more contemporary example, you will consider the many repeat drug addicts who are currently serving long—sometimes life—prison sentences because they were caught in possession of a few measly ounces of some illegal drug one time too many.

But how many strikes has Weisselberg against him? So, let’s hear it, America. Let’s hear it, you true blue law-and-order cranks! Let’s hear you get fired up and demand that the repeat offender, the repetitious violator of just law, the habitual criminal, Alan Weisselberg, who has, in fact, struck out with three strikes against him more than once—Let’s hear you call him out on strikes. Let’s hear you call for a longer, maybe even life sentence.

But, I won’t hold my breath. No, neither these law-and-order pretenders nor the legal system that they have helped to craft and corrupt over the past several decades will call for such “extreme” treatment of rich white men. This would be fine, I guess, if America had an equal judicial system for rich and poor criminals alike. But it doesn’t. America has two legal systems: one for the haves and one for the have nots. One for the wealthy and influential and one for the poor, whose poverty denies them influence. One for those who buy the best and most unscrupulous attorneys money can buy and those who cannot afford counsel—indeed, those who are often not provided any legal counsel at all, contrary to constitutional principles.

the return of hebrew prophets

How fortunate for the many repeat “white-collar” criminals that there are no Hebrew prophets around today. How very fortunate for them, too, that those who call themselves prophets, priests, and pastors stubbornly and cowardly remain mute about the white-collar criminal class. How fortunate for them that too many prophets, priests, and pastors are, themselves, engaged in the same greedy and unscrupulous business and legal practices, making them a peculiar kind of “white-collar” criminal.

Just as justice and equity before the law is fundamental to the American judicial system, justice and equity was one of the foundational principles and expectations of Israel's covenant relationship with God. Deuteronomy stipulated,

“And I charged your judges at that time, saying, Hear the causes between your brethren, and judge righteously between every man and his brother, and the stranger that is with him. He shall not respect persons in judgment; but ye shall hear the small as well as the great; ye shall not be afraid of the face of man...”²

Similarly, Leviticus says,

“Do not act with inequity in any legal procedure. You are not to give advantage to the vulnerable, or show favoritism toward the influential. You are to adjudicate each citizen's case with justice.”³

Unfortunately, these expectations were not met in Israel any better than they are in 21st century America. Isaiah made the following complaint.

“Warning! To those who issue oppressive statutes
and continuously write laws that afflict;
that put redress out of the reach of the underprivileged
and rob the poor among my people of justice,
making prey of widows
and plundering orphans”⁴

More than a century later, Jeremiah complained,

² 1. 16-17

³ 19. 15, author's translation.

⁴ Isaiah 10. 1-2, author's translation.

“For there can be found among my people ungodly individuals.
They keep watch, like bird catchers watching a trap.
They place traps, they capture human beings.
Just as a bird cage is full of birds,
their houses are filled with deceit.
This is how they have become powerful and wealthy.
They have grown fat and plump,
having gone beyond, even, the wicked words they speak.
They will not hear a legal case—
such as that of an orphan—and yet they enjoy success.
Nor will they bring the cases of the impoverished to trial.
Should I not level a charge against these?—
an oracle of YHWH—
Should I not take vengeance on a nation such as this?”⁵

The little-known prophet with the funny name, Habakkuk, lamented,

How long, LORD, must I call for help,
but you do not listen?
Or cry out to you, “Violence!”
but you do not save?
Why do you make me look at injustice?
Why do you tolerate wrongdoing?
Destruction and violence are before me;
there is strife, and conflict abounds.
Therefore the law is paralyzed,
and justice never prevails.
The wicked hem in the righteous,
so that justice is perverted.”⁶

⁵ Jeremiah 5.²⁶⁻²⁹, author’s translation

⁶ Habakkuk 1.²⁻⁴, NIV.

Such lamentation is heartbreaking. And all too familiar.

Conclusion

There are far, far too many examples of injustice in America's judicial system and in society at large. Our example of Alan Weisselberg and the preferential treatment he has received at the bar of our courts is but one. There is simply no doubting that he, like so many wealthy and influential citizens, has been treated differently than so many less affluent and poorer represented defendants.

The Hebrew prophets did not brook any type of injustice in ancient Israel. Nor should we or our contemporary prophets, priests, or pastors. We need bold and clear renunciation of injustice, both private and institutional. We need our prophets, priests, and pastors to take their head out of the sand and see the injustices that inhabit every facet of our society. We need our prophets, priests, and pastors to unbind their tongue and speak truth to power.

Without justice and equity, America cannot stand. Without justice, America is guilty, its sin as scarlet as blood and as black as night. Only through justice can the stain of sin be removed from the belligerent nation. This, anyway, is Isaiah's view.

“Wash yourselves!

Clear yourselves!

Remove your evil deeds from my sight.

Stop doing evil.

Learn to do good.

Seek after justice.

Set things right for those treated unjustly.

Take the side of the orphan.

Plead for the widow.

‘Come! Let us reason together,’ says Yahweh.

‘Though your sins be as scarlet,
they shall be as white as snow.

Though they are as red as scarlet died fabric,
they shall be as wool.

If you are willing and listen,
you can eat the good of the land.

If you refuse and rebel,
you will be consumed by sword.’

This comes from Yahweh’s own mouth.”⁷

Even so, come, Lord Jesus!

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⁷ Isaiah 1.¹⁶⁻²⁰