

Commentary on Jeremiah 31:31-34  
Lectionary for April 2, 2006  
By the Rev. Noelle Damico

***God's faithfulness and the CIW-Yum Brands Agreement***

Our text from Jeremiah comes to us from the 6<sup>th</sup> century B.C.E. during the Jewish exile in Babylon. While the primary burden of the book of Jeremiah as a whole is that Israel, Judah, and Jerusalem will be dismantled, in chapters 30-33 – often called “the Book of Comfort” – a counter theme of God’s promised newness and Israel’s restoration prevails.

One of the challenges to the ability to be faithful to God is our ability to believe that God can do a new thing – even when the present evidence seems to declare that things are as they always will be. And this challenge was particularly acute for the Jews in Babylon who are called by God through Jeremiah’s words to “plant and build” where they are, trusting in God’s sovereignty, faithfulness and power.

As many people, Presbyterians included, first learned about the Taco Bell boycott called by the Coalition of Immokalee Workers (CIW) back in 2001, they were incredulous and frankly quite skeptical. How could a few thousand poor farmworkers take on Taco Bell, a part of Yum! Brands the largest fast food company in the world, and possibly think they could be successful? But the farmworkers had a different perspective. Trapped in an economic system that paid sub-poverty wages and no rights their only choice was to hope and resist. They believed deeply that it was possible to change what was so deeply entrenched and their faith reminded the church that “with God all things are possible.”

Biblical scholar Walter Brueggemann insists “In the end, ‘building and planting’ requires a wholly different perception of historical reality, a perception that regularly subverts and destabilizes all present tense reality for the sake of what God yet intends.”<sup>1</sup>

As the CIW, the PC(USA) and partners from the human rights, student, labor and grassroots communities now turn our sites towards McDonald’s, it is important for us to remember that we have seen, through the ground-breaking agreement with Taco Bell, that change *is* possible. God’s intentions are sovereign even over powerful systems that seem impenetrable and whose oppression seems inevitable. God’s faithfulness calls out to us through this passage, imploring us to remember that God can and does bring about newness.

***God's newness, the heart-written covenant and the McDonald's campaign***

We read in verses 31-34 specifically of a new covenant which is different from the former covenant to which Israel was unfaithful. In this covenant God promises to Israel through the words of Jeremiah, “I will put my law within them, and I will write it on their hearts; and I will be their God, and they shall be my people” (c.f. 33b). The new

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<sup>1</sup> See Walter Brueggemann, *To Build, To Plant (Jeremiah 26-52)*, *International Theological Commentary* (Grand Rapids: Wm B. Eerdmans Publishing, 1991), p.43.

covenant is not different in kind (it is still based, like the former covenant on God's intention for justice), nor different in terms of the community to whom it is given (it is still given to the Jews who received the first covenant), but it is different because God's forgiveness has made possible a new kind of covenant that frees the Jewish exiles from their understanding of law as a cycle of reward and punishment. Instead, the law written on the heart is a law that binds people in loyalty to God in a way that is so natural, that it will be something the community can live into and live with, not fear, fight against, or even, ultimately fail to observe. For God's faithfulness and forgiveness is the guarantee of the efficacy of this new, heart-based covenant.

Brueggemann cautions us, however, not to over personalize the writing of this heart-written covenant which effects "knowledge of God." While it certainly forms the deep identity of the Jewish people, and Christians to whom, by grace, this covenant has also been offered, it is not a matter of simple personal righteousness or faithfulness. "...the 'knowledge of Yahweh' means affirmation of Yahweh as sovereign LORD with readiness to obey the commands for justice that are the will of Yahweh."<sup>2</sup>

So as we think about the "newness" that God offered to the Jewish community while in exile in Babylon, and which God offers to our world and to us we see that it is profoundly social, concrete, and relational. Brueggemann maintains, "the newness this God will work out beyond the failure of Jerusalem and the dominance of Babylon is never otherworldly or private, but always public, social, political and economic."<sup>3</sup>

Because this text from Jeremiah is so familiar to us, it is easy for our eyes to pass over the phrases without really hearing the profoundly egalitarian nature of this concrete promise of social transformation that is rooted in God's faithfulness. In verse 34, God speaks through Jeremiah to make it absolutely clear that everyone shall know God – "for they shall all know me, from the least of them to the greatest." All will have shared access to God; from the "least" in society to the "greatest." Everyone is on equal-footing before God and no one lacks what is required Brueggemann insists. "All know the story, all accept the sovereignty, and all embrace the commands."<sup>4</sup>

God's vision is of a world where each person has worth, each person is capable, each person does justice and ensures the well-being of all. This is a profound proposition when we consider it in light of the current response of McDonald's to the CIW's invitation to work as partners in improving wages and advancing farmworkers' rights in the company's tomato supply chain.

In early 2005, the CIW sent a letter to McDonald's seeking a meeting to discuss how they might work together. However, following the ground-breaking agreement between Yum! Brands and CIW in 2005, McDonald's decided instead to meet independently and confidentially with the growers that supply the company to create a group called SAFE, Socially Accountable Farm Employers. In November, McDonald's publicly announced

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<sup>2</sup> Ibid, p. 71.

<sup>3</sup> Ibid, p. 43.

<sup>4</sup> Ibid, p. 72.

that it was doing a new thing – but closer scrutiny revealed not only was it not new in terms of substance (the code developed just asks growers to obey the law and says nothing about improving workers’ wages or advancing their rights), it was also, sadly, not new in terms of how, in the creation of the code, the farmworkers, the very people who are the supposed beneficiaries of McDonald’s efforts, had been excluded.

Until the agreement between CIW and Yum! Brands in March 2005, Florida farmworkers have never had a place at the table to dialogue about wages or to have a role in protecting and advancing their own rights in the workplace. Instead, for generations they have been “done unto” by individuals, employers, corporations, service organizations, government, and yes, even churches, both from a so-called charitable motive of “doing good” as well as from a self-serving interest in protecting profits and power. We do well to remember the words of poet William Blake penned in 1789, “Pity would be no more, if we did not make somebody Poor.”<sup>5</sup>

Responding to McDonald’s public insistence that it is helping farmworkers, Todd Howland, Director of the Robert F. Kennedy Memorial Center for Human Rights said recently, “McDonald’s has put out a lot of PR about what it is supposedly doing *for* farmworkers, but McDonald’s has yet to meaningfully work *with* farmworkers themselves to address stagnant poverty wages and their systematic lack of rights. Farmworkers are neither objects nor children. They are human beings who must be accorded a role in the protection of their own rights.”

Of course such an approach of “doing good for others” (while never consulting them) can do wonders for a company’s public relations. But McDonald’s approach, if pursued, would actually roll-back the historic gains made in the CIW-Yum! agreement in March 2005 by pushing farmworkers away from the table. So McDonald’s initiative is not only *not* something new, it actually opposes the truly new and substantial gains that were made by Yum! Brands and CIW in the March 2005 agreement.

The PC(USA) as well as other organizations from the newly formed Alliance for Fair Food<sup>6</sup> have joined the CIW in insisting that farmworkers must have a role in the protection of their own rights. And while this is first and foremost a matter of human dignity, it is also the only way to truly guarantee the effectiveness of any change. For a code of conduct to be effective, it has to have provisions that can be concretely implemented on the ground and processes for monitoring that will give reliable reports about how that code is being followed by the growers and the crew leaders.

The Code that McDonald’s suppliers established not only did not include farmworkers in its writing, and therefore doesn’t address important concerns like stagnant poverty wages, it also has no role for farmworkers in the monitoring of the code. One of the most important precedents set in the CIW-Yum! Brands agreement is that the CIW

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<sup>5</sup> William Blake, “The Human Abstract,” in *The Complete Poetry and Prose of William Blake* (New York: Doubleday, 1998), p. 27.

<sup>6</sup> The PC(USA) is a founding member of the Alliance for Fair Food. For more information visit [www.allianceforfairfood.org](http://www.allianceforfairfood.org).

farmworkers have co-authored Yum!'s code of conduct for its tomato supply-chain with the company, and are named as a monitoring body to ensure growers supplying the company uphold this code.

In order to construct and monitor a meaningful code of conduct, the authors need to have experience with the daily work, systemic abuses, and power dynamics in the tomato fields. The CIW has worked with the U.S. Department of Justice and the F.B.I. to investigate five cases of modern-day slavery in the fields, free more than 1,000 slaves, and prosecute the slavers who are serving decades in prison. The DOJ, FBI, and police turn to the CIW because its members are workers themselves. The CIW is in a position to go undercover to assess slave-rings, as they have in the past, as well as to provide safe haven for survivors who have escaped, because some of the workers are former slaves themselves. The CIW daily fights against wage-theft, getting growers to pay workers what they are owed as well as occasionally prosecuting systemic wage theft fraud with the Department of Labor. The farmworkers understand the barriers of language and the dynamics of power that often prevent workers from reporting abuses in the field because they fear retribution from crew-leaders or are fearful of other authorities like the police. In early March a crew-leader threatened a worker with a knife that was a foot-long. CIW was able to help the worker and the police with the complaint process.

Reflecting on its experience working with the CIW during a December 2005 interview with the Nation's Restaurant News, the premier retail food industry journal, Rob Poetsch of Taco Bell said, "The relationship between Taco Bell and CIW has been very good. We hope other companies follow our lead and participate in the program too."

To change our world for the better, to address systems of production, purchasing, retail and consumption that involve millions of people and billions of dollars, means that the primary stakeholders – the farmworkers, McDonald's and other fast-food companies, and the growers that supply them – must work together.

### ***Jeremiah as an Instructor in Truth-Telling and Non-violent resistance and the Truth Tour***

As the church, we believe that God is calling all of us to a new and deep covenant of justice and well-being. As customers who have influence over corporation's practices, and as stewards of God's creation, we have an obligation to be active in promoting the values we believe are a part of God's covenant with us. And the current McDonald's Truth Tour: The Real Rights Tour being sponsored by the CIW, gives us a unique opportunity to bear witness.

If God is even now about to do a new thing and has promised to bring newness and wholeness, "What then of us, living as we do in a contemporary Babylon, a crepuscular 'meantime'" asks Daniel Berrigan in his poetic commentary, *Jeremiah: The World, the Wound of God*. "One thinks of Jeremiah's trust in the power of truth-telling (and truth-

hearkening), knowing that the task often takes a symbolic form, requires imagination – and implies legal risk.”<sup>7</sup>

As the CIW sets off on this truth-tour, they will represent the oppression they experience in the fields and their determination to change these conditions together through creative artwork, song, chants, drama and marches. By engaging in non-violent protest and by taking the carefree symbols of fast-food and associating them with the grim reality of exploitation and slavery in the fields, the farmworkers prick the conscience of the nation and cause consumers to ask “what are we prepared to do to ensure that our purchasing practices do not exploit our sisters and brothers?”

Jeremiah the prophet understood the power of symbols and street theatre. Remember he was the one who buried his underwear and then dug it up a many days later, paraded it around Jerusalem and Judah saying that the people were “good for nothing” just like his rotten pair of undies (yes, it’s true – see Jeremiah 13:1-11). Dan Berrigan suggests that Jeremiah can be our instructor in symbolic, non-violent acts of resistance which are a principle way the community of faith tells the truth during this exilic ‘meantime’ before God’s promise is entirely fulfilled.

Our instructor in these is Jeremiah himself – bearing the yoke, breaking the jar, witnessing the vision of the basket of figs, the signs of drought, the vine devoid of grapes. Each of these bespeaks a nonviolent effort of conscience, even as it disarms, unmask, undermines, subverts ‘the system.’<sup>8</sup>

The CIW’s Truth Tour invites us to truth-telling resistance to the way things are, and to following in the path of the prophet Jeremiah, to open ourselves to God’s vision through word, symbol, and non-violent action, to how things could be. In the human rights victory that ended the Taco Bell boycott and made partners of Yum! Brands and the CIW, we have seen a glimmer of that vision. And it moves us forward as we trust in God’s faithfulness.

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<sup>7</sup> Daniel Berrigan, *Jeremiah: the World, the Wound of God*, (Minneapolis: Fortress Press, 1999), p. 133.

<sup>8</sup> *Ibid*, pp. 133-134.