

Voices: When theft is not a crime: A Christian approach to poverty

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American incarcerations have been rising for decades and show no sign of slowing. Of all industrialized nations, the United States incarcerates more of its own citizens per capita than any other nation in the world. Though incarceration rates have fallen, [according to the most recent Department of Justice report](#), America still locks up [more of its population](#) than any other country that releases these statistics.

Defining crime in the Dallas legal system

Recently, the district attorney in Dallas has fallen under scrutiny for his approach to this problem by proposing—in addition to other things—that the city [no will longer prosecute theft of personal items under \\$750](#). Dallas County District Attorney John Cruetzot's approach on other things—such as eliminating some kinds of cash bail—are in line not only with recent Supreme Court rulings but also with a desire to decriminalize poverty.

Those in poverty who are arrested are unable to make bail under the cash bail system, meaning they languish behind bars for minor offenses, losing their jobs and becoming delinquent on bills as a result. Those with resources are able to get out and continue their lives, while those without financial means remain locked up for the same offense.

By deciding not to “prosecute theft of personal items worth less than \$750

unless the theft was for financial gain,” the Dallas County district attorney was chastised by Texas Governor Greg Abbott, who proclaimed it now would be open season in Dallas and that this position by the district attorney made the laws meaningless.

However, both on the basis of Scripture and theological tradition, District Attorney Cruzot actually is on good ground.

Defining crime in the Ten Commandments

When we turn to the Ten Commandments, the command not to steal jumps out as an obvious objection to the district attorney’s approach. How can it be that Christians can support such a proposal? The reason lies in the distinction made between theft of personal items and theft for personal gain.

As the commandment about theft is described throughout the Old Testament, it becomes clear what is at stake in this commandment is *not* an absolute right to property, but rather that if a person is stolen from, it is a violation of the backbone assumption of the community: everyone has enough already.

In other words, the people of God were forbidden to steal because in doing so, they deprived someone of things needed to sustain their lives. When you steal a person’s clothes or animals, you are not simply stealing some excessive things, but their means of working and living (Exodus 22:7-9).

Defining crime in the whole Bible

This is not to say some kind of restitution doesn’t need to be made. In both the Old and New Testaments, the good of the community far outweighs our

things, and our things are to be used for the sake of God's kingdom. Therefore, when theft occurs, it is a breach of trust in the community which needs to be repaired.

For the Christian, the loss of goods always is to be viewed in light of God's redemptive work in the world. Our losses may be repaid to us tenfold—but our possession of goods always has, for the Christian, the good of the neighbor in view.

But the assumption in both Testaments is in God's kingdom, the things a person needs to survive—food, clothing, personal goods—already are provided and in abundant supply. In Israel, generous laws existed for the provision of the poor. Every 70 years, things lost over previous generations were to be restored to their original owners so that all had what they needed to be full participants in the work of God.

If a person had to steal to meet their needs, such theft was a sign—above all—that something was desperately rotten in his or her society. For if we truly live in a society where everyone's needs are met, then theft of food, clothing, and necessities, presumably would not occur.

Defining crime in the Christian community

Beyond the Scriptures, Christian commentators through various ages and places continued to affirm this principle: Stealing what was needed to survive was not theft, but a sign something was deeply wrong in that society.

Thomas Aquinas—the most important theologian of the Middle Ages, John Calvin, Martin Luther, John Chrysostom and many others understood theft this way. What appears to us as a deep violation, an unthinkable thought,

appeared to earlier ages as something we should pay attention to.

The distinction District Attorney Cruezot brings up is an important one: Stealing for survival is not the same as stealing for pleasure or personal gain. Stealing food and clothing, while wrong, ultimately is a sign that something far deeper is foul. It is a sign we have constructed a world that cannot think of existing in any other way than for some people not to have what they need except by stealing it.

Defining crime as judgment

For Christians, this is a challenging legacy: Some theft is, far from being criminal, actually a judgment on the society in which it happens.

If the kingdom of God were among us as Jesus intended, the proverbial twelve baskets would be left over from which anyone is invited to eat.

Outposts of the kingdom of God in the form of benevolence offerings and food pantries are the first step here, but it is not enough for Christians simply to be benevolent. Rather, following our Lord—who himself proclaimed freedom to the captives, sight to the blind and good news to the poor—we must ask, not what to do with those who have stolen necessities, but: Why do we live in a society where stealing necessities is the way some people have to find their daily bread?

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