

Biblical Teaching and the Objectives of Welfare Policy in the U.S.

Few public programs have come in for as much criticism in the U.S. during the latter decades of the twentieth century as has welfare policy. From the nature of the attention paid this issue in recent political campaigns it is clear that a majority of citizens view long-term welfare “dependency” to have reached crisis proportions, requiring reforms to impose some form of work requirement (“workfare”) as a condition for receiving public assistance. A prominent Clinton campaign theme in 1992, for example, was “two years and out” for those who go on welfare—after two years of receiving welfare a recipient would be expected to take a job to maintain eligibility.

On the conservative side of this emerging majority view lie those who would restrict welfare eligibility even more stringently than the current attempts at reform. At the least a tough form of workfare should exist, forcing recipients to take “just any job” as a condition of continued public assistance. At the extreme some critics would eliminate the state provision of welfare altogether, forcing the poor to rely on traditional forms of extended family support and charitable assistance.¹ Conservative critics share a perception of socio-economic reality which combines the claim that sufficient employment opportunity exists in the economy (for those willing to expend the necessary effort) and are confident in the capacity of virtually anyone (when pressed) to scrape by.

Liberal critics of the majority view today are either content with existing welfare structures or at most would allow a soft form of workfare—work encouragements and expectations, but not tough requirements to take “just any job.” Liberal critics argue that labor market prospects for lower income workers have diminished as the economy endures a structural transformation away from high-paying manufacturing jobs and towards service sector jobs that pay high wages only for well-educated workers. To enforce anything approaching a harsh form of workfare in this economy would confront already discouraged poorer citizens with the

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AUTHOR

John D. Mason is Professor of Economics at Gordon College (MA).

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unacceptable choice of terribly demeaning jobs or the loss of the only financial assistance available to them.

What ethical guidance can be brought to this important debate? How can the U.S. discern whether to embrace a soft or hard form of workfare, to remain with the existing system of welfare, or to seriously restrict if not eliminate the availability of welfare altogether? To confront these questions—as with any difficult questions facing a democracy—it is important for each ethical community in society to revisit and sharpen the instruction of its ethical tradition. Having done so it can re-enter the public square of contesting ethical traditions with a better understanding of the trade-offs it is willing to make, and lay the foundations for resolving the problems of the administration of welfare in the United States.

This paper revisits the ethical foundations of those communities which seek contemporary guidance from the biblical (and especially pentateuchal) provisions concerning the proper treatment of the poor within society. In the late twentieth century this might seem to restrict its relevance to the theologically conservative branches of the Jewish and Christian traditions. The fit is too tight. From the colonial period to the present, to understand the American sense of moral obligation for the poor, whether expressed privately through charity or publicly through welfare, we must interact with the culturally conservative sympathies of orthodox Christianity.² These sympathies have been strongly influenced by the biblical materials under examination in this paper. Hence a better understanding of the biblical provisions regarding treatment of the poor will allow us broader insight into the range of feasible options constraining welfare policy and into the role that could and should be played by private assistance to the poor.

The paper develops in the following way. Section I argues that in order to wend

our way through the numerous debates surrounding welfare it is helpful to discern the essential purpose of assistance to the poor in the social and economic order. The remaining sections of the paper take up our primary concern, an appeal to biblical teaching in the search for fresh ethical insight. Section II considers the structure of the welfare system commended by the Law of Moses for early Israel. This is followed in section III by an assessment of the normative objective(s) of that system. A concluding section IV applies the arguments drawn from the Bible to the current debate over American welfare policy. The essential argument of the paper is that assistance to the poor should have as its primary objective establishing and maintaining economically and socially secure families. This objective, as obvious as it sounds, seems to have been deemphasized if not (in some programs) abandoned altogether in the development of U.S. welfare policy in the twentieth century.

I. The Objectives of Welfare in the U.S.

Our appeal to the Bible is motivated by the dilemma we face as a society over how best to assist the poor in our midst. It will be helpful therefore to give some initial attention to the system of welfare in America, and especially to the basic objectives of this system as it has developed since the 1930s. First, what is meant by “welfare” in the late twentieth century? In the popular mind welfare typically means three basic programs: 1) AFDC (Aid to Families with Dependent Children)—cash assistance to primarily single-parent, low-income families; 2) Food Stamps—coupons that can be used to purchase food; 3) Medicaid—in-kind (as opposed to cash) medical assistance. Casting the net a bit wider would draw in: 4) SSI (Supplemental Security Income)—cash assistance for those aged and disabled not adequately assisted by Social Security; 5) the EITC (Earned Income Tax Credit)—a

reduction in the tax owed on earned income for poorer families; 6) access to publicly subsidized housing. The broadest possible definition would embrace all state-mediated assistance helping those who would be poor without it, including many within the general Social Security system (including Medicare), a number of those receiving cash as unemployment compensation, publicly-funded education (Head Start, public schools generally), and numerous other programs.³

Tax-payer attention of late has focussed primarily on whether too many welfare recipients are being allowed to receive public assistance without having to work—and hence the plea for “workfare.” Other contested pieces of the welfare puzzle in recent years include the following. What are the legitimate rights of welfare recipients in their dealings with state agencies? Should a woman on welfare be granted increased assistance when she bears additional children? What should be the appropriate levels of financial assistance provided to the poor, and should individual states be allowed to establish substantially different support levels (thus creating incentives for welfare recipients to relocate among states in order to receive more adequate assistance levels)? Should the state aggressively identify and pursue non-supporting parents (even teen fathers?) and force them to contribute financially towards the support of their children?

It is dangerous, however, to become so focussed on any one issue that we fail to maintain a clear vision of what the system of welfare properly is designed to achieve within society. This tendency has led us too often to outcomes contrary to what was intended in the flush of initial concern, thus contributing to what some have called a “patchwork” or “band-aid” system of welfare. For example, out of an earlier concern not to provide public assistance to employable males, we created incentives for some families not to form in

the first place and for some marriages to officially break up in an effort to gain eligibility for public assistance. This generated a higher level of welfare assistance, along with who knows what other undesirable outcomes because children are being raised in single-parent households. If we now fail to increase financial assistance for a subsequent child once a mother is receiving welfare, might the end result be greater funding through other programs (criminal justice perhaps) because the mother is not able to offer proper care?

Certainly each piece of the welfare puzzle warrants the popular attention assigned it, along with rigorous ethical and socio-economic analysis, if we ever hope to reach a broadly accepted resolution to the administration of welfare. However, to evaluate properly the separate pieces of the welfare problem in a way which lessens the potential for counter-productive reforms, it is necessary to have a firm grasp on welfare’s purpose in the social and economic order. How do we find ethical criteria with which to examine each important issue? The argument I advance here is that having a clearer grasp on the overall social purpose of welfare should help us develop the needed criteria. In this regard it is useful to consider several expert assessments of the objectives of the American welfare system as it developed since the 1930s.

Numerous scholars have pored through the historical records regarding the origins and development of welfare in the U.S., seeking to discern what it is that we as a nation intended in this controversial institution.⁴ Working from the debates and commentary of the time, historian James Patterson assesses the first substantive federal commitment to welfare in the 1930s as follows:

The most obvious characteristic of the new order was its primary reliance on contributory social insurance and its concomitant distaste for

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welfare, a reliance reflecting the age-old distinction between the deserving and the undeserving poor. The American emphasis, moreover, was unique; other western nations developed a blend of social policies, including family allowances, health services, housing allowances, and assistance, that benefited poor and nonpoor alike and obscured the distinction between social insurance and welfare. The separation of the two policies in the United States narrowed severely the scope of welfare, segregating general assistance and categorical aid as *the* cash-relief, means-tested programs and making the stigma for those who participated all the greater.⁵

From Patterson's description of what was said and done by different actors, we can piece together the following outline of the consensus view of welfare: (1) because of a general confidence that most citizens could provide for themselves with a normal amount of effort, any welfare assistance (as opposed to public insurance programs like Social Security) should be limited and submit recipients to stigmatizing treatment; (2) nonetheless, extended depression conditions had convinced most that some centralized welfare assistance was required; (3) granting the necessity for welfare, this should be as localized as possible, with numerous concessions to individual state distinctives.

As Patterson and as others observe, the objectives of the welfare system changed during the 1960s,⁶ with greater liberalization of benefits and in limited areas (especially medical care) the creation of entitlements—all in all a “softening of attitudes toward the poor.”⁷ Amidst failed efforts in the 1970s during both Republican and Democratic administrations to create an assured basic income for any low income family, followed by successful reforms in the 1980s reversing several of the liberalizing changes made during the 1960s (tightening the administration of AFDC and initiating work requirements),

it can plausibly be argued that a generally consistent set of American values has constrained welfare administration from the 1930s to the present.

Robert Lampman, a sage observer of these programs, boiled down the immediate goals of the broadly conceived public assistance system to : (1) offsetting income losses (Social Security, unemployment insurance); (2) helping people to buy the essentials (education, food, health care); (3) reducing income poverty (cash transfer programs such as AFDC); (4) sharing the tax burden fairly (a “progressive” income tax and, today, the Earned Income Tax Credit).⁸ Lampman uses verbs like offsetting, helping, and reducing, rather than outright elimination of poverty.

Working from a similar experience as Lampman, Irwin Garfinkel assessed the welfare system as seeking to balance three conflicting basic values shared by all members of American society, including the poor: (1) a compassionate concern to help those less fortunate than ourselves; (2) a constraining concern to promote self-reliance among welfare recipients; (3) a thrifty concern to do whatever we do as inexpensively as possible.⁹ It has been cheaper, for example, to give the poor money rather than provide the necessary programs to help them become self-reliant—and hence the third-mentioned value dominates the second. Similarly, out of a concern for thrift and self-reliance, we established categorical programs that typically denied assistance to employable males. In both these cases the outcome appears to have been some marital disruption and greater dependency upon welfare than otherwise, making welfare mothers less self-reliant.

In his influential book on poverty and welfare, David Ellwood argues that though Americans are willing to use the state to help the poor, they have come to hate welfare as a means for doing so. Given this unhappy state of affairs we need a fundamental reconception of state-

mediated assistance in order to assist the poor both more effectively and in socially acceptable ways.¹⁰ Sifting through the public and academic discussion of what Americans believe about poverty and helping the poor, Ellwood discerns the following recurring themes or values: (1) that people can provide for themselves if they are willing to make the necessary sacrifices (autonomy of the individual); (2) that people should work hard both to provide for their families and as a mark of strong character (virtue of work); (3) that the nuclear family remains the primary social and economic unit (primacy of the family); (4) that people have a desire for community—seen in everything from religion to neighborhood—which manifests itself in compassion for others. Like Garfinkel, Ellwood views the welfare system as unnecessarily forcing these values into conflict. Offering greater financial assistance to poorer families, for example, weakens the resolve to work, and in the case of single mothers weakens the commitment to form and maintain two-parent families. Though in his assessment of American values the family receives strong affirmation, the structure of welfare in fact has done little to reinforce the family.

Patterson's assessment of the origins of the contemporary welfare system suggests a more constricted and possibly harsher set of objectives than is true for the others cited; Americans had a "distaste" for welfare and therefore sought to stigmatize it. It is interesting, even troubling, that in the lists from Garfinkel and Ellwood compassion is seen as different from a concern for work and self-reliance. Can one not promote self-reliance and a strong work ethic out of a compassionate concern for those involved? Certainly this seems to be true within most families, for example. In considering the several *lists* of likely objectives that define and constrain public assistance one wonders if part of our difficulty as a nation with administering

welfare may lie in trying to satisfy too many objectives. But which of the cited objectives should dominate? What criteria do we offer Americans to help them prioritize the objectives that should constrain welfare? Questions such as these motivate examination of the biblical tradition.

II: A Biblical Welfare System?

In that we draw on biblical materials that are in some cases at least three millennia old to inform contemporary welfare policy, an initial word about the propriety of this task is in order.¹¹ An ethical assertion found systematically throughout the Bible is that Yahweh is the God of all creation and all peoples, and the instruction He provides to early Israel and the early Christian community is intended to inform all nations: Gn. 18:18, II Kgs. 19:15, Job 12:23, Ps. 22:27f, Is. 2:2-5, 42:4ff, Dan. 7:27, Micah 4:1ff, Zech. 8:20ff, Matt. 25:32, Gal. 3:8, Rev. 2:26, 21:24, 22:2, among many other similar citations.¹² Commentators through the ages have divided over precisely how this material is to offer contemporary insight. Some within the Christian community argue that little ethical guidance is found in the Pentateuch, and find more helpful instruction in the prophetic concern for justice and the New Testament emphasis upon love as the fullest expression of the Mosaic Law. Others claim contemporary ethical guidance for all of the Bible, nonetheless confining much of the pentateuchal materials to relevance primarily to the Christian community today and not to the broader society.

The interpretation advanced here is that God encoded, within the numerous legal and extra-legal provisions designed to govern ancient Israel, ethical emphases which form a normative foundation which the remainder of the Bible develops.¹³ It is these ethical urgings, along with the fuller understanding and greater refinement provided by the totality of the Bible and informed by commentary from Jewish and

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Christian faith communities over the centuries, which are to be held up before all nations today as a measuring rod for discerning what are just and righteous institutions and dealings.

Christopher Wright describes the position taken here as paradigmatic. "What God did with Israel in their land functions for us as a model or paradigm from which we draw principles and objectives for our socio-ethical endeavor in secular society."¹⁴

The purpose of redemption is ultimately to restore the perfection of God's purpose in creation, that perfection which sin and the fall have corrupted. Israel, as God's redeemed community, was to have been a "light to the nations"—not just the vehicle of God's redemption, but an illustration of it in actual historical life. Israel's socio-economic life and institutions, therefore, have a paradigmatic or exemplary function in principle. It is not that they are to be simply and slavishly imitated, but rather that they are models within a particular cultural context of principles of justice, humaneness, equality, responsibility, and so forth which are applicable, *mutatis mutandis*, to all people in subsequent cultural contexts.¹⁵

That love is the fulfillment of the "Law and Prophets" (Mk. 12:28-31, Rms. 13:9, Gal. 5:14) was made clear in Lev. 19:18. Stephen Mott helpfully explains that such a broad norm as love must be given specific content in any particular situation.

It is the Law of God that love brings to completeness. Love is a commitment to the good of the other, but it does not in itself specify what that good is. The implementation of love must depend upon a theory of human needs and of values and of how one loves. The morality that directs the way in which one loves in the Bible is the Law of God, articulated in the Old Testament and clarified in the New.¹⁶

That the biblical provisions have special applicability to God's people yesterday and today does not prevent the ethical urgings embedded within these provisions from offering guidance to all peoples and nations—particularly if this is how the teaching was intended (as the repeated reference in one form or another to Israel as a "light to the nations" would clearly suggest).

What then are the ethical emphases in the pentateuchal passages dealing with treatment of the poor, and how does the fullness of the Bible help us understand them? Given the substantial amount of teaching in this regard, it is clear that some type of systematized response is commended. Is the normative response to be a system of "welfare," with the state-mediated income redistribution implicit therein? If so, what fundamental objective was that system designed to achieve? Or should the commended system arise from private action without state mediation, whereby families and larger voluntary gatherings manifest their faith by sacrificial giving to those in need? In sharpest relief, these are the two options before us.

The argument made here is that the system of assistance commended in the Law of Moses most likely did involve state-mediated income redistribution, although the purposes of and constraints on this system take it some way from the current U.S. welfare system. Whether the interpretation of state-mediated assistance is accepted or not, what must be granted is that the presence of debilitating poverty within society represents the likely potential for an organized system of community response beyond the person or family involved.

Occasional adversities are the stuff of life, confronting each family at one time or another: a field receives too little rain and the harvest is ruined; a factory closes with little hope of new employment within the region; a spouse or child dies; life-threatening sickness sets in. It is only during the

latter decades of the twentieth century that a few people in economically advantaged parts of the world have been able to avoid the bulk of these shocks and to soften the remaining ones. Debilitating poverty is a particularly devastating form, albeit only one form, of these adversities. During such times, the extended family has been the primary source of comfort and assistance throughout all of world history and in all social settings. As we shall argue below, this is how it should be; God established the extended family to serve this necessary role.

When, however, the extended or nuclear family becomes broken or dysfunctional, or when it cannot provide the needed help because the condition is too severe, assistance from the wider community becomes necessary. This is the consistent message of the entire Bible. It is taught clearly in the Law of Moses in the provisions to be considered immediately below. It is repeated systematically in the wisdom literature and by the prophets in their instructions to the princes of Israel (Job 29:7-12, Ps. 72, Jer. 22:15f, Ezek. 34, Micah 3). It is there in the well-known judgment scene of Matt. 25:31ff, and in Paul's admonitions for wealthier churches to provide economic assistance to their poorer brothers and sisters (II Cor. 8). Indeed, the fundamental message of the New Testament is that each one of us, however self-sufficient we may think we are, is so unable to avoid all the adversities of life, and thereby to resolve our ultimate problems on our own, that we need outside assistance: at the least God's provisions for us in Christ and all that He accomplished, along with the indwelling presence of the Holy Spirit.

Let us now consider the system of assistance for the poor commended by the Law of Moses. To grasp this instruction properly we must understand something of the social and economic life in early Israel.¹⁷ The vast majority of Israelites in that era lived in small villages as members

of extended families of typically three generations: what in Hebrew is called the *bet' ab* (house of the father) and what Wright calls the household (because potentially slaves and residential employees were included). The patriarchal head of a *bet' ab* would serve as one of the governing elders of his Israelite village. Indeed, a number of villages would have been comprised almost solely of related *bet' avoth*, or what the Hebrew refers to as a *mishpàhà* and Gottwald calls a "protective association of extended families."¹⁸ The presence of major trade routes running through the land suggests the presence of some market-related economic activity and hence the potential for some specialization in production. For the majority of the population, however, subsistence agriculture was the main source for economic well-being.¹⁹

To the extent there was a "state" in the modern sense, it was comprised practically of the elders of a village's extended families who interpreted and enforced the Law of Moses.²⁰ A telling passage from the wisdom literature offers rich insight into what we believe was the normative nature of the Israelite "state" in the pre-monarchic era.

When I went to the gate of the city and took my seat in the public square, the young men saw me and stepped aside and the old men rose to their feet; the chief men refrained from speaking and covered their mouths with their hands; the voices of the nobles were hushed, and their tongues stuck to the roof of their mouths. Whoever heard me spoke well of me, and those who saw me commended me, because I rescued the poor who cried for help, and the fatherless who had none to assist him. The man who was dying blessed me; I made the widow's heart sing. I put on righteousness as my clothing; justice was my robe and my turban. I was eyes to the blind and feet to the lame. I was a father to the needy; I took up the case of the stranger. I

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broke the fangs of the wicked and snatched the victims from their teeth (Job 29:7-17).

Job joins the other elders before the people in the “public square.” In such capacity righteousness and justice are the legal norms, which clearly meant a special concern for weaker members of the community. These “judges” hardly are passive officials. Job saw himself as eyes to the blind and feet to the lame and father to the needy. The picture is one in which these community overseers (the state) not only issued decisions to contested claims, but actively intervened to make sure that righteousness and justice characterized the community. The normative standard for all this, the standard which decreed righteousness and justice—and which specified these norms in a vast number of cases—was the Law of Moses.

There is little evidence in Israel’s earliest history of a permanent central government. Israel was to have neither king²¹ nor standing army,²² making her unique among the nations. Equally unique at the time was the instruction that those responsible for Israel’s cult (the sons of Levi) were to be granted no allotment of land and were to depend upon voluntary offerings (Nbs. 18:8ff), and this was accompanied by numerous admonitions to other Israelites not to forsake them (Dt. 12:19). Twin dangers lay in concentrating too much economic and political power into a central state: the use of such power to selfish ends and the detriment of common Israelites—especially the poor (II Sam. 11, I Kgs. 21, Amos 2:6-7, 5:12); and the joining of state and temple, thereby appropriating the true King’s name for unrighteous ends.²³

Despite the warning of God through Samuel (I Sam. 8) the temptation proved too great; like the surrounding nations, Israel embraced the monarchy. Though Samuel’s warnings proved all too prescient, nonetheless Israel’s king should (and would)²⁴ be different from kings in

the surrounding nations. Exactly like the village elders Israel’s king was to be a steward of the covenant conditions of the Law of Moses (Dt. 17:14ff), and seek to establish justice and righteousness (I Kgs. 10:9), with special concern for the weaker members of society (Ps. 72:1-4, 12-14). He was so to protect property rights that each family could sit under its own vine and fig tree (Micah 4:4).

The Law of Moses was delivered initially to the scattered network of Israelite villages, and this socio-economic setting serves as something of a paradigm within a paradigm: a simplified social reality that allows us to see God’s ethical intentions more clearly than otherwise—whether in the marginally more complex era of the Israelite monarchies, or amidst the industrialization and urbanization of today’s far more complex reality.²⁵ To these villages God provides an extensive set of instructions on how to care for the poor in their midst.

Poorer brothers falling into poverty should be granted zero interest loans, with cancellation of any remaining balance after six years (Ex. 22:25, Lev. 25:35ff, Dt. 15:1ff). Israelites committed to slavery for debt repayment were to be released after six years, assuming the debt had not been repaid earlier, accompanied by release from servitude (Ex. 21:2ff, Lev. 25:47ff, 39ff, Dt. 15:12ff). An Israelite forced to sell his land for debt-repayment should have the land returned in the Jubilee year (Lev. 25:8ff)—unless, we presume, the fair market value had been raised earlier and the land repurchased. Each of these provisions is associated in some way with indebtedness and loan repayment, and it seems likely they were intended primarily for otherwise able-bodied extended families who would have the capacity to accumulate a surplus sufficient to meet loan obligations. Implicit within each provision, therefore, is a strong work expectation. Even so, each provision potentially presumes some act of commu-

nity compassion: to make the zero-interest loan in the first place, to remit an outstanding loan balance or release one from enslavement after six years, to return a family's land in the forty-ninth year.

The remaining provisions are not attached to loan repayment and thereby assume a stronger element of community compassion or charity. It seems likely, therefore, that they were intended primarily for weaker families or individuals. Gleanings and corners of fields were to be left ungathered and unharvested for the poor, and especially the widows, orphans, and sojourners (Lev. 19:9f, 23:22, Dt. 24:19ff).²⁶ Each field was to be left fallow or unworked every seventh year, with the natural growth available to the poor (Ex. 23:10f, Lev. 25:1ff). The tithe in every third year should go to widows, orphans and sojourners, in addition to the Levites (Dt. 14:28f, 26:12). An obvious work requirement was involved in gathering the gleanings and harvesting the fallow-year growth—albeit not as strenuous as in the provisions connected with loan repayment. It seems likely, therefore, that the third-year tithe was intended for the least able among the poor who were not expected to work in exchange for assistance.²⁷

When faced with requests for or situations demanding assistance, what level or standard of assistance should be used? The instruction attending several of the specific provisions commends “sufficiency for need” (Lev. 25:35, Dt. 14:29, 15:8). In determining what need would mean in any specific situation the general urging of the entire Bible is for a generous rather than a niggardly interpretation (Ex. 16:18, 22:21, Lev. 25:38, Dt. 24:18, 22, Ezek. 47:14, II Cor. 8:13), and hence “liberal” sufficiency for need. Anticipating the argument in section III to follow, assistance to the poor was intended to maintain each family unit as an economically viable and contributing component of the community if the family worked the normal

amount and remained faithful to the community.²⁸

In addition to these specific provisions, more well-to-do members of society were admonished generally to care for the poor and needy, such as in sharing feast days with widows, orphans and sojourners (Dt. 16:11-14). This is taught explicitly in passages like Ex. 22:21ff and Dt. 15:11, 24:10ff. It is affirmed throughout the Old Testament in passages referring to the “poor and needy” (e.g. Job 29:11ff, Ps. 72, Jer. 22:16). It is implicit in God's whole treatment of Israel, rescuing them from slavery in Egypt and providing them a land with wells they did not dig and vineyards they did not plant, even when because of their disobedience they were undeserving (Dt. 6:10ff, 8:7 to 9:6). Unsurprisingly, this admonition echoes through the New Testament as well (Lk. 16:19ff, Gal. 6:10, I Jn. 3:17).

We noted above several structural elements that characterized this system of assistance: an able-bodied/dependent distinction related to loan receipt, implicit work obligations, and a commended level of assistance. An important element remains undeveloped. Was this in fact a welfare system involving state-mediated income redistribution or a system of privately-orchestrated voluntary provision? A number of commentators argue that these provisions call for voluntary compliance only and that the moral/legal power of the village elders would not have been used to enforce them.²⁹ The use of “motive clauses” attached to a number of these laws, whereby an appeal is made to God if the instruction is not honored, suggests to some the legal unenforceability of such laws.³⁰

It seems clear with these instructions, as with so many of the pentateuchal laws, that voluntary compliance was the ideal. Given their previous experience in Egypt, as well as the excessive and corrupt presence of the state in virtually all surrounding nations of the time, the

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Israelite preference (and God's desire) was for a polity with the least oppressive role for the state as possible.³¹ The question, however, is whether a breach of the ideal of voluntary compliance would have met with some attempt at moral/legal coercion by the village elders. In our reconstruction of how these provisions were lived out in practice, intervention by the elders appears very likely—and thus state-mediation was present in that setting.

Consider, for example, the case of a creditor who demands interest or payment in the seventh year, or of a gleaner who is denied access to a farmer's field. The offended party could complain to the "elders at the gate" who then would be compelled to render a ruling. Most likely the initial response would be a call for the offending party to respect the law—a judicial intrusion requiring no further action. Were this response to fail, however, the elders most likely would become an administrative body and assure the poorer family of adequate assistance—in which case some type of mandatory income redistribution seems likely. Biasing this interpretation is the fact that a number of texts make reference to the "rights" or "cause" of the poor (Ex. 23:6, Dt. 24:17, 27:19, Job 36:6, Ps. 140:12, Prov. 29:7, 31:9, Is. 10:2, Jer. 5:28), and these words have unmistakable legal significance. Lacking biblical evidence to indicate that these rights possess a different legal meaning when it comes to assisting the poor, we must assume that those responsible for interpreting and overseeing enforcement of these laws would have held the community as accountable for them as for the other laws.³²

We have attempted, in summary fashion, to reconstruct the actual and normative responses to poverty in the villages of early Israel, because—our working hermeneutical assumption—therein lies the basis for discerning the ethical emphases that God prefers for any nation that seeks to order itself rightly.³³ We are impressed with the numerous

provisions found throughout the Pentateuch, which then are informed by commentary from the entirety of the Bible, and conclude that the presence of debilitating poverty is serious enough in God's eyes to warrant a *systematized* response. Structural attributes of this system emerged as well: the use of an able-bodied/dependent distinction in the *type* of assistance, not (as has been true with many U.S. programs) as the basis for assistance; a work requirement, albeit marked by elements of compassion;³⁴ a level of provision deemed "liberal sufficiency for need."

The structural element given greater attention in our reconstruction is the question of state-mediation involved in assistance to the poor. The ideal polity for early Israel was a limited state, reflecting God's preference for deconcentrated political power (accompanied by deconcentrations in property ownership and the economic arena generally).³⁵ This preference granted, one of the normative roles for the deconcentrated state of local village elders was to assure that the poor were assisted properly. Ideally and typically this would have been done through private initiative (Dt. 16, Job 31). The initial act of the elders when a case was appealed to them would be to encourage the parties involved to honor the instructions of the Law. Ultimately, however, if efforts at private resolution were insufficient, the elders would have compelled a response—albeit in as deconcentrated a way as possible. What remains undeveloped in our reconstructive efforts to this point is an understanding of the overall objective of this system of assistance, which is the topic addressed in section III.

III. The Objective(s) of Israel's Welfare System

In searching for the basic objective of Israel's welfare system we rely heavily upon Christopher Wright's *God's People in God's Land*³⁶ a work in Old Testament property ethics. Wright's work follows a

long hiatus in which little systematic work was done in this area of biblical ethics (due in good part we suspect to the impact of criticism which viewed the Old Testament as a composite of diverse literary strands pieced together and amended years after the events described, and which thereby seriously questioned the potential for discerning *an* Old Testament ethic). Wright interacts with and uses the critical material to argue that a consistent ethic does indeed emerge from the Bible.

Starting with a quest to discern the normative role of property, Wright was led to the Bible's more foundational concern for the social and economic well-being of the family. A theological assessment of land and property is "inseparable from Israel's consciousness of their unique covenant relationship with Yahweh," and this ultimately is "earthed" in the family (23). As noted above, the primary family unit in mind in the normative appeal is the extended family, the *bet'ab* or "household." We argue the following: as the social and economic well-being of the family was the objective of the Bible's instructions regarding property and land in general, so was this true of Israel's welfare system—and so should this be true for the welfare system in any nation.

Why was/is the family fundamentally important within society? Although our brief attempt to capture this for the normative setting of early Israel relies upon Wright's work, we place emphases and draw extensions where he does not—and thus we do not want to implicate him in conclusions he might not make.³⁷ We observe three crucial functions that only the family can serve adequately: it is (1) the surest setting to pass on the faith in Yahweh and to form personal character that takes on God-pleasing values; (2) the surest setting wherein the individual finds any lasting sense of personal significance and meaning; (3) the surest setting from which effective service is offered to the larger community.

God's chief concern is that we come to both acknowledge and worship Him and to live a life of obedience to Him. We should expect, therefore, to find in the Bible social arrangements geared to this end. Wright considers "the internal role of the family as a vehicle of continuity for the faith, history, and traditions of Israel," emphasizing both the didactic function of teaching the law (Dt. 6:7, 11:19) and the catechetical function of rehearsing cultic institutions and memorials of historical events (Ex. 12:26f, 13:14f, Dt. 6:20ff, Josh. 4:6f, 21ff) (81ff). "As a didactic force throughout succeeding generations, the family stood at the center of the twin relationships between Israel and Yahweh and between Israel and their land (as stressed in Dt. 32:47)" (82).

Moral philosophy has seen the reemergence in recent years of a concern for the conditions most conducive for the formation of virtuous character.³⁸ The Bible affirms that this is done best within socially and economically secure families, a claim that a growing body of contemporary evidence also affirms.³⁹ Reflecting on his several decades of work in biblical studies, George Mendenhall recently observed that the "transcendent ground of ethic in the Sinai covenant is perhaps one of the most important aspects of the biblical heritage to Western cultures." We have therein an ethic which "excludes behavior that works to the detriment of others," and which (tied by covenant) constrains otherwise harmful behavior "no matter where and in what context that individual acts."⁴⁰ In other words, a healthy society requires individuals possessing morally upright character, and this is best achieved within socially and economically secure families.

Secondly, the healthy family provides the surest setting, short of our relationship with God, for individuals to experience a sense of personal significance and meaning in life. This is as true for the child as it is for the adult (as previously notable individuals so frequently experience).

God's chief concern is that we come to both acknowledge and worship Him and to live a life of obedience to Him.

The family must be protected socially as well as economically.

Wright argues this particularly in terms of so-called dependent persons of the biblical era—wives, children, and slaves (plus resident aliens)—which raises difficult issues today because in some way they “belonged to” the father/head of the household. In each case, however, he argues that the claims of ownership are characterized more by the responsibility of the father/head rather than his rights.

The relationship between Israel and Yahweh was vested, initially at any rate, in the socio-economic fabric of household-plus-land units. On them lay a large measure of responsibility for the fulfillment of the obligations of the relationship and for the preservation of its historical traditions. Furthermore, it was by belonging within a household, with its portion of land as the proof of its share in the people of Yahweh, that the individual Israelite shared in the privileges and protection of this relationship (88).

Our extension takes this claim beyond the tightly argued provisions characterizing early Israel, as Wright presents these, to the presumption that God revealed therein the proper social basis for all of us to find the acceptance and significance and meaning that He wants us to experience in our earthly lives.

Finally, it is within the family that individuals best are groomed for offering service to the larger community. Our use of Wright’s work sees this expressed nicely by the role of the father/head as one of the governing elders of the local village.

Now it is probable, thought the evidence is not very explicit, that the main qualification for eldership and the exercise of its judicial rights was the possession of landed property and family... Anthony Phillips is correct in emphasizing the disastrous consequences arising for an Israelite from the dispossession of home and property. Apart from the obvious economic disabilities, it meant loss of standing and participation in a sphere of social life where the

obligations of the relationship with God impinged most closely on the practical realities of society—the local administration of justice (80f).

Referring to our earlier suggestion that at least for early Israel God desired a decentralized state built on widely dispersed land ownership along family lines, the elder’s participation in local administration helped achieve the preferred decentralization. Accordingly, the family provided a man of sound character who had learned responsible stewardship in the home, which was in turn grounded in the Law of Moses and the rehearsal of God’s faithfulness to all Israel and this family through good and lean years.

If the family had such important functions to perform within society, it is crucial that it be protected socially and economically—and the Bible provides considerable evidence in this regard. Wright’s arguments are most complete in examining the normative economic supports for the family, reflecting his study’s starting point. Working from the Jubilee claim that God is the true owner of all property (Lev. 25:23), he argues that “Yahweh’s ownership of the land is affirmed to ensure the security of *individual families* by preventing permanent alienation of *their land*. It is not simply a grand statement of national belief about the national territory, but the theological sanction of an *internal* economic system of land tenure“ (63, emphasis in original). Although he grants it is an argument from silence, he finds it “an impressive fact that the whole Old Testament provides not a single case of an Israelite voluntarily selling land outside his family group,” and the “silence of the text is matched by the absence as yet of any inscriptional evidence from Palestine of Israelite sale and purchase of land, though there is abundant evidence of such transactions from Canaanite and surrounding societies” (56). Where there was forced sale of one’s land to pay debts, the Jubilee institution of Lev. 25 was provided to restore the land to the

family of original ownership (123ff).

Reinforcing the importance of each family continuing to own its own land as a source of economic well-being, there are numerous provisions protecting private property rights. Boundary stones marking property lines were not to be moved (128ff). Wright gives special attention to the eighth and tenth commandments prohibiting theft and coveting—both dealing with property, he observes (131ff). As traditionally understood, violation of these two commandments does not carry a death penalty; indeed the tenth commandment is unique in proscribing behavior against which there are no legal sanctions. Contesting Phillips' claim that these two were criminal statutes, as with each of the commandments,⁴¹ Wright nonetheless appreciates the seriousness with which Phillips' solution treats these two commandments.

Theft, therefore, was not solely an attack on property, but indirectly on the fellow Israelite's person and on the stability and viability of his family. The prohibition of theft, therefore, did not imply the "sanctity of property" *per se*, but rather *the sanctity of the relationship between the Israelite household and Yahweh*. It was this relationship which could be impaired or destroyed in its material aspects by theft. In such a threat at the domestic level lay, as we have seen, a potential, intrinsic threat to the national relationship with God (136, emphases in original).

Enjoining covetousness gives the Decalogue a radical thrust, making it more than mere legislation, and seeks to prevent at its source the desire that ultimately leads to measures (legal or illegal) which would deprive a family of its economic base.⁴²

The family must be protected socially as well as economically. The fifth commandment, calling for honor of parents (the first commandment with a promise) contains within it the dual warning emphasized here: failure to maintain the

social foundation of the family will ultimately give rise to loss of its economic foundation. In this regard, Wright examines two practices which could destroy the social stability of the family, rebellious behavior by children and adultery.

In this light, the various laws which proscribe the death penalty for any form of open disrespect for parental authority can be seen in a new and more positive perspective. They are not relics of a harsh *patria potestas* or an arbitrary, authoritarian patriarchy. They are in fact safeguards of the *national* well-being. For violation of parental authority—rejection of the domestic jurisdiction of the head of the household—was a crime against the stability of the nation inasmuch as it was an attack upon that on which the nation's relationship with God was grounded—the household (78).

In the context of his argument that the Pentateuch affirms a generally more influential and less demeaned role for women than often thought, Wright considers the "loose woman" of Prov. 2:16ff.

The thread of thought, then, which runs through Prov. 2:12-22 and the related passages, is this: one who, by attention to wisdom, is saved from the "loose" woman and so maintains the integrity and strength of his own household stays within the community of the "righteous" (v. 20) and continues to enjoy its prime privilege—possession of a share in the land (v. 21). But one who gets entangled with such a woman, who has thrown off the obligations of her family and marital relationship and has thus stepped "outside" both her household and thereby also the spiritual relationship of the nation of Yahweh, is likely to end up ruining his own family and substance. In so doing he will cut himself off from the privilege of sharing in the land with the rest of God's people. Worst of all, he risks, through neglect of his

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family, the complete extinction of extirpation. In short, he “has no sense;” he “destroys himself” (6:32) (96).

Protecting the family socially and economically, both from within and from without, was then the intent of much of the legal and extra-legal material of the Pentateuch. God’s desires as revealed in these provisions also help us to understand better the burning concerns of the prophets.

The abuses in the [socio-economic] sphere were not merely a “symptom” of Israel’s degeneracy. They constituted in themselves, in fact, a major “virus” which threatened the stability of society and *thereby also* the relationship with Yahweh. The prophets denounced them so vehemently because they saw in them an *intrinsic* threat to that relationship through the effect they were having on the units of landowning households. This familial aspect becomes explicit in such texts as Mic. 2:1-3, 8-9; 7:5-6; and Is. 5:8-10. If, as we have sought to establish in the preceding chapters, the experience of the relationship with God was vested in the household units of Israel—just as possession of the land was vested in inalienable family inheritances—then the socio-economic forces and changes which were destroying these family land units would inevitably and “internally” destroy the nation’s relationship with God as well (109).

Attesting to the consistency of the Bible, Wright extends this same concern into the New Testament, expositing particularly Eph. 2:11-3:6 (111ff). His general argument is that in Christ all peoples are allowed to enjoy the privileges and responsibilities of God’s people. This granted, there is to be no less concern in Christ’s body, the church, for the social and economic stability of families (“deeply practical mutual responsibility”) than was true in the Old Testament. “The explicit purpose of the Exodus was the enjoyment of the

rich blessing of God in his ‘good land’: the goal of redemption through Christ is ‘for a sincere love of the brethren’ (I Pet. 1:22), with all its practical implications” (113).

The arguments we have gathered to this point, though taking license with the general structure of Wright’s work, nonetheless have sought to stay within the spirit of his analysis. In concluding this section we extend the arguments in a way that picks up several themes developed in section II. There is something of a North American populist flavor to the Pentateuch’s ethical instruction as it relates to social institutions.⁴³ Property ownership should be kept deconcentrated and tied to the family as much as possible, accompanied by considerable local state responsibility and as little centralization of state authority as feasible.

Without question the Law of Moses strongly affirms the importance of privately assigned property. What Wright seeks to make clear, however, and what we affirm strongly, is that the Bible prefers private assignment of property not as an end in itself, nor necessarily because of its concern for individual rights (although the Bible is indeed very concerned for the individual’s rights *and* responsibilities), but because privately assigned property rights are the surest way of securing the economic protection of the family. The greater affirmation here is the importance of the family.

When we speak of “property rights” in the Old Testament, it is clear from the foregoing that we are not concerned with an abstract, impersonal principle, nor with an *inherent* sacrosanctity of property *per se*. A person’s right to the security and integrity of his ancestral land and other property was based (1) on his relationship to Yahweh, as a member of the community of his people, of which relationship and status his land was the symbol and guarantee and (2) on the fact that his land and property were essential to the economic viability of

his household, with all its social and religious significance of the individuals within it and for the national well-being before God. On the basis of the Old Testament, therefore, we cannot speak of property itself being “sacred” or of the “sanctity of property.” It is the *relationships*, Godward and humanward, of which property is a function and indicator, which are alone sacred (140f, emphases in original).

The preference for decentralized property ownership implicitly affirms not just the economic well-being of the family, but also the political and economic *responsibility* of the family. It affirms, in the political sphere, the “network” of local families (the *mishpāhā*) operating at times informally and voluntaristically, and at times officially as the “elders at the gate.” As noted, there was a clear preference in the Pentateuch to resolve most of Israel’s problems at the village level. As Mendenhall and Gottwald, among others, have made clear, this was a radical break with the practice of the surrounding nations, and therefore reveals the uniquely Yahwistic nature of Israel’s formation. These preferences for early Israel offer us insight today in the way God ideally would work with any nation.

In addressing the problems of poverty in our nation, the preferred solution would combine some interplay between voluntary associations like the church (or better yet, networks of cooperating churches within regional areas) and regional governmental coalitions. Larger metropolitan regions today serve a similar political function as the early Israelite village. Passing in and out of the gate in order to go to and from work in the fields of Palestine has its counterpart today in commuting *throughout* a metropolitan region. Indeed, metropolitan regions are coherent economic entities, and therefore should in some way be coherent political entities so that the problems within them (like poverty) can be resolved at the local/

regional level, rather than being foisted up to the state and national levels. The brand of federalism (if that is what it is) held forth in the Bible would have a central state, similar to the functioning constitution of the Law of Moses in early Israel, serve primarily as a source of informal authority that holds the various parties at the local level responsible for accomplishing the necessary political and economic tasks of society. As the central source of authority the central state would have to act when those otherwise responsible fail in their responsibility. Even in these cases the ideal form of central state action would be to devolve the actual resolution to as decentralized a level as feasible, compelling the previously responsible institutions to live-up to their responsibility rather than replacing them.

Whether these extensions of the earlier arguments, as suggestive as we find them, adequately capture the ethical urgings of the Pentateuch is less important in drawing this section to a close, as the unmistakable support in the Bible for the social and economic health and responsibility of the family, whatever forms of the state may be in place. The Bible clearly assumes and seems to prefer the extended family as the normative family. So it is that in I Tim. 5, St. Paul instructs grandchildren to be financially responsible for their grandmothers, such that the church will not assume this responsibility. Allowing for the several “structural elements” of early Israel’s welfare system noted in section II (such as work expectations and liberal standard of assistance), which otherwise could be called objectives, clearly the overriding objective of Israel’s system of assistance was to establish and maintain economically secure families.

IV. Conclusion

Given the recent attention paid in the U.S. to the importance of the traditional family for raising children successfully, and amidst the growing evidence of

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dysfunctional traditional families in the U.S.,⁴⁴ to now turn to the Bible and find the “family theme” being emphasized could appear as allowing current reality to inform the hermeneutical enterprise, rather than allowing the Bible to throw fresh light on the world around us. If so, there is nothing unusual in this regard. It is the truly exceptional person and exceptional era that correctly anticipates difficult ethical concerns before becoming overwhelmed by them. The general case finds us running to our sources of ethical insight as we struggle to comprehend what is happening to and around us. We must believe that our great God accounted for this human tendency from the beginning and provided for us in the Bible (aided by centuries of commentary) sufficient guidance if we but commit ourselves to careful study of this instruction for each new era.

This paper began not with troubles in the family but with citizen dissatisfaction with the administration of welfare in the U.S., the thrust of which is the complaint about growing dependency and too little work being done by those relying on public assistance. Out of concern that concentrating on single pieces of the welfare system runs the risk of counterproductive outcomes, we proposed asking what role the system of welfare properly should play within society. Thus we “back into” the concern for the family—albeit not from considering the likely objectives of the U.S. welfare system itself. The present system only tangentially, if at all, embraces a concern for the health of the family. The various incentives that comprise our welfare system are often likely to be detrimental to the family rather than supportive.

The importance of the family emerges from our examination of the Bible’s commended system for addressing a debilitating poverty within early Israel—a condition which, unfortunately, describes too many of the poor in the U.S. today. In the midst of waning economic opportunity in

the central cities and, more generally, for lower-skilled workers,⁴⁵ and amidst a practical attack on the importance of the traditional family,⁴⁶ it is not surprising that single parent families face great difficulty in coping economically or otherwise. It is our judgment that the social and economic conditions characterizing the second half of the twentieth century have created debilitating forms of poverty that could not have occurred earlier in U.S. history when the traditional family was stronger and when unskilled workers could find remunerative jobs in the emerging industrial landscape. Even today, where traditional families remain strong—one thinks of many recent immigrants to the U.S. from all parts of the world—economic difficulty (even within adverse central city locations) is far less likely to become debilitating. What is distressing about poverty today is that the nation’s historically most disadvantaged citizens—subject earlier to slavery, and subsequently to subtle and not-so-subtle forms of harmful race-based treatment by the dominant white citizenry—have borne a substantially greater incidence of the debilitating social and economic realities.

Bobbing somewhere in the midst of the difficult social and economic developments is the welfare system. When it was created in the mid-1930s, who could have foreseen the unfortunate future developments within the family, the economy, and the city? Allowing for an understandable lack in prescience, the system nonetheless maintained from its inception incentives that are contrary to establishing and maintaining strong traditional families—extended *or* nuclear.

Many have judged the basic Social Security program for the aged to have been a great success at lowering the incidence of poverty in a group who otherwise would have experienced relatively high levels of poverty. It did so, however, by lessening incentives for members of extended families to care for

one another privately. An alternative approach would have used positive financial inducements (possibly tax-based) for family members to care for their own. In contrast, unemployment assistance, apart from problems in administration which create incentives for prolonged idleness for unscrupulous participants, probably strengthens the family.

As noted in section I, “welfare” tends popularly to be associated with three programs: AFDC, Food Stamps, and Medicaid. The general assessment is that welfare has discouraged the formation and stability of traditional families. Most studies have addressed the nuclear family and asked whether the availability of welfare assistance has encouraged some families to separate (probably not an overwhelming number) and especially allowed unmarried couples not to marry when pregnancy results and the child is **brought to term (a far greater number)**. The existence of incentives affecting extended family responsibility has not been studied adequately—which itself tells us something about the nature of the U.S. commitment to the extended family.⁴⁸

The welfare-related issues troubling the U.S. at present are dependency and a desire on the part of what appears to be a majority of citizens for reforms that require more work. These are legitimate issues in light of the ethical thrust of biblical teaching. The message of this paper is that in our efforts to address dependency and workfare we should use as our ethical touchstone the impact upon the well-being of families, testing, as it were, whether a particular reform effort will help establish and maintain strong families, or whether it contains incentives that will weaken family formation and stability. And if we are to err in the risks we take with policy, let us err in the direction of over-loading incentives in the direction of securing strong families.

As we look around our society and

economy it is interesting to note how often various policies court economic inefficiency. One thinks, for example, of agricultural price supports, which today spread greater benefits to wealthier families (and corporations) than to small family farms, while holding prices higher for all consumers. In an earlier day various manifestations of so-called “blue laws” discouraged larger firms to the benefit of smaller, local ones, yielding higher prices than otherwise. Or consider the structure of import restrictions yesterday and today, in which all consumers are hurt by higher prices (and jobs lost wherever consumers accordingly decrease their spending), to the benefit of workers and property owners in the protected sectors of the economy. In other words, we have been willing to incur considerable economic inefficiency in order to pursue various (perhaps family-based) social objectives. Why are we not willing to court economic inefficiency in the administration of welfare in order to encourage families to form and stay together?

The message of this paper is that the incentives surrounding family formation embedded within the welfare system... should be positive rather than negative.

ENDNOTES

- 1 See C. Murray's substantial editorial page article, "The Coming White Underclass" *Wall Street Journal* (10/23/93).
- 2 See P. Boyer, *Urban Masses & Moral Order in America, 1820-1920* (Cambridge: Harvard University Press, 1978).
- 3 State-mediated income redistribution in general scatters benefits far wider than to the poor, both earlier in our nation's history (as in state-enforced slavery) and at present (as in subsidies to farmers, educational funding, import protection, and many more).
- 4 Most of these conclude that "elimination of poverty" has not been the sole objective of welfare policy. After all, it is argued, anation as wealthy as the U.S. in the late twentieth century could eliminate poverty were this the overriding objective. Clearly other goals have existed, if not predominated—and for a few observers, elimination of poverty has never been one of them. The best-known work in this regard is F. Piven and R. Cloward, *Regulating the Poor: The Functions of Public Welfare* (New York: Random House, 1971), who argue that welfare programs were created reluctantly in the face of social unrest (brought on by unemployment) and offer niggardly assistance; preventing social unrest is the objective, not eliminating poverty. W. Trattner (ed.), *Social Welfare or Social Control? Some Historical Reflections on 'Regulating the Poor'* (Knoxville: University of Tennessee Press, 1983) presents a historical evaluation of this thesis. A useful work in the tradition of Piven and Cloward is M. Katz, *In the Shadow of the Poorhouse: A Social History of Welfare in America* (New York: Basic Books, 1986), which advances four purposes of American-style welfare: relief of misery, preservation of social order and discipline, regulation of the labor market, and political mobilization.
- 5 J. Patterson, *America's Struggle Against Poverty, 1900-1980* (Cambridge, MA: Harvard University Press, 1981), p. 76.
- 6 The best known proponent of this view is C. Murray in his *Losing Ground: American Social Policy, 1950-1980* (New York: Basic Books, 1984). During the 1960s, Murray argues, welfare policy was modified to reflect a changed view of the causes of poverty: theretofore poverty was understood to result primarily from personal failure; the new view attributed poverty primarily to the structure of the economy. Subsequently policy was revised to extend assistance from the non-employable to all the poor, to make welfare a right rather than a reluctant and constrained provision, and to seek equal outcomes rather than provide the tools for more equal opportunity.
- 7 Patterson, *op. cit.* (note 5), p. 171.
- 8 R. Lampman, "Goals & Purposes of Social Welfare Expenditures" in P. Sommers (ed.), *Welfare Reform in America: Perspective & Prospects* (Boston: Kluwer-Nijhoff, 1982), pp. 3-14.
- 9 I. Garfinkel, "Income Support Policy: Where We've Come From & Where We Should Be Going" (Discussion Paper #490-78, Institute for Research on Poverty, University of Wisconsin, 1978).
- 10 "Welfare is a flawed method of helping people who are poor and disadvantaged. Welfare brings some of our most precious values—involving autonomy, responsibility, work, family, community, and compassion—into conflict." D. Ellwood, *Poor Support: Poverty in the American Family* (New York: Basic Books, 1988), p. 6. Note that "welfare" as Ellwood speaks of it is a *specific* set of current programs, and not a generic term for

state-mediated assistance programs as used in this paper.

- 11 For a more complete presentation of this argument, see sections I and II of J. Mason and K. Schaefer, "The Bible, the State, & the Economy: A Framework for Analysis" *Christian Scholar's Review* XX:45-64 (Sept. 1990). Examining particularly Dt. 15—and the remainder of the sabbatical laws in that context—J. Hamilton uses a very different hermeneutical approach. Rather than seeking to set these laws in the early centuries of Israel's life in Palestine, he emphasizes the much later date during which the texts of Scripture were compiled and edited: a time in which Israel was in exile. Accordingly he examines the texts in terms of the deliberately chosen literary construction and rhetorical devices, presuming they were designed to convince a people out of power to take these laws seriously. Even so, he comes to many of the same conclusions developed here. See J. Hamilton, *Social Justice & Deuteronomy: The Case of Deuteronomy 15* (Atlanta: Scholars Press, 1992).
- 12 See: D. Van Winkle, "The Relationship of the Nations to Yahweh & to Israel in Isaiah XL-LV" *Vetus Testamentum* XXXV:446-58 (#4, Oct. 1985); and C. Scobie, "Israel and the Nations: An Essay in Biblical Theology" *Tyndale Bulletin* 43:283-305 (#2, 1992), which extends the Old Testament emphasis of this theme to New Testament affirmation and refinement.
- 13 Throughout the paper we refer synonymously to the Mosaic Law, the pentateuchal provisions, the Laws of Moses, of God providing his Law through Moses—and no doubt other similar expressions. We are quite aware of the long debate, at least since Alt's argument in the 1930s, that many of the pentateuchal provisions have counterparts in the law codes of other

early Near Eastern societies, which for some suggests that these laws were not given by God through Moses, but were dictated by the ordinary circumstances of life in that region. We embrace the traditional view that in ways which may not be clear to us today God delivered through Moses at least the foundations for (Ex. 19 and 20), if not the totality of, all of the legal and extra-legal provisions in the Pentateuch that were to instruct early Israel. Regarding this debate, see E. Otto, "Town & Rural Countryside in Ancient Israelite Law: Reception & Redaction in Cuneiform & Israelite Law" *Journal for the Study of the Old Testament* 57:3-22 (March 1993), which argues that uniquely Israelite laws from the villages were later formally codified in urban centers in which Mesopotamian cultures were more influential, giving the laws foreign glosses that were not part of the original.

14 C.J.H. Wright, *God's People in God's Land: Family, Land, & Property in the Old Testament* (Grand Rapids, MI: Eerdmans Publishing Co., 1990), pp. 175-6.

15 *Ibid.*, p. xviii. Similarly, "[T]he law affords an insight into the contours of God's own ideal will for his people and for all mankind. . . . To do good, on such a view, is to imitate God, to do the things he would do, if he were a human being; and what these things are can be read off in some measure from the things he has done, especially his acts of love and faithfulness towards Israel in the crucial early years of her existence...[F]or the Old Testament as we have it ethics is a matter of imitating the pattern of God's own actions, in salvation and in creation, because these spring from a pattern which always exists in his own mind and by which he governs the world with justice and mercy. Torah—in one aspect simply the law of

- Moses—is in another aspect the design according to which the world was created, and which makes sense of it; and by adhering to it human beings form part of God’s plan, and enjoy a kind of fellowship with him.” J. Barton, “Approaches to Ethics in the Old Testament” in J. Rogerson (ed.), *Beginning Old Testament Study* (Philadelphia: Westminster Press, 1982), pp. 128-30.
- 16 S. Mott, *Biblical Ethics & Social Change* (New York: Oxford University Press, 1982) p. 49; see also pp. 76-78, 99-100, 192ff (esp. 199).
- 17 A fuller presentation can be found in several previous publications which provide the basis for the summary comments made here. See J. Mason, “Biblical Teaching & Assisting the Poor” *Transformation* 4:1-14 (April/June 1987); see also J. Mason, “Centralization & Decentralization in Social Arrangements: Explorations into Biblical Social Ethics” *Journal of the Association of Christian Economists [U.K.]* #13 (1992), pp. 3-47. Christopher Wright treats this same material, drawing basically similar conclusions, albeit with several different emphases. See especially chapters 4 and 5 of *God’s People in God’s Land* (op.cit. [note 14]).
- 18 N. Gottwald, *The Tribes of Yahweh* (Maryknoll, NY: Orbis Books, 1979). See also C.H.J. DeGeus, *Tribes of Israel* (Amsterdam: Van Gorcum, 1979).
- 19 See L. Stager, “The Archaeology of the Family in Ancient Israel” *Bulletin of the American Schools for Oriental Research* 260:1-35 (Nov. 1985), and D. Hopkins, “Life on the Land: The Subsistence Struggles of Early Israel” *Biblical Archaeologist* 50:178-91 (Sept. 1987), for careful accounts of what life for normal Israelites was like. For example, the eastern regions of the land in which the Israelites were concentrated (during at least their early years of settlement) receives limited and seasonally-concentrated rainfall, such that the construction of cisterns to catch and hold water was an important community-based task.
- 20 A number of studies have established that these elders, typically gathering at the main gate of the village (“elders at the gate”—e.g. Ruth 4 and Job 29), provided political oversight to the community and handled disputes between villagers. See R. Wilson, “Enforcing the Covenant: The Mechanisms of Judicial Authority in Early Israel,” in H. Huffmon, et. al. (eds.), *The Quest for the Kingdom of God* (Winona Lake, IN: 1983) pp. 59-75; H. Boecker, *Law & the Administration of Justice in the Old Testament & Ancient East* (Minneapolis: Augsburg Publishing House, 1980); K. Whitelam, *The Just King: Monarchic Judicial Authority in Ancient Israel* (*Journal for the Study of the Old Testament*, Supp. Series 12 (Sheffield: JSOT Press, 1979); J. Salmon, “Judicial Authority in Early Israel: An Historical Investigation of Old Testament Institutions” (Princeton Theological Seminary doctoral dissertation, 1968).
- 21 I see no other way to interpret I Sam. 8. An earthly kingship was not God’s preference for Israel. In a review article of G. Gerbrandt’s *Kingship According to the Deuteronomistic History*, David Howard argues that the Bible is pro-kingship. The king, however must not be one “like the other nations have” (I Sam. 8:5), but one like Moses and Joshua who would lead himself and his people into submission to the standards of the Pentateuch. See D. Howard, “The Case for Kingship in Deuteronomy & the Former Prophets” *Westminster Theological Journal* 52:101-115 (Spring 1990). For a similar argument see P. Satterthwaite, “‘No King in Israel’ Narrative Criticism & Judges 17-21” *Tyndale Bulletin*

- 44:75-88 (#1, May 1993).
- 22 That there were military encounters is obvious, since the region where the Israelite tribes settled was already occupied. The books of Joshua and Judges recount a number of these. In the biblical accounts, however, leadership arose from common men (and women—Judges 4 and 5) who were not part of a continuing military hierarchy, and troops were raised popularly as needed.
- 23 “As Solomon enthralled Yahweh as a patron of the dynasty, so David initiated the process by which Yahweh ceased to be god of Israel and became god of the king. The liberator god had become the symbol and patron of an oppressive oligarchy.” J. McKenzie, “The Sack of Israel” in H. Huffman, et al. (eds.) *Quest for the Kingdom of God* (Winona Lake, IN: Eisenbrauns, 1983), p. 33.
- 24 Granting the various problems associated with the monarchs of Israel, we must wonder how powerful in fact they were. For example, they could not prevent Israel’s sacred documents (many of which, we believe, were prepared during their watch) from saying much that was negative about the idea and practice of the kingship. In “Israel’s Judicial System in the Pre-exilic Period” (*Jewish Quarterly Review* LXXI V:229-48 [Oct. 1983]), R. Wilson argues that King David’s power may not have extended much beyond Jerusalem.
- 25 Norman Gottwald, the leading scholar to use a sociological model to explain the emergence of early Israel, describes that society as: “...an egalitarian, extended-family, segmentary tribal society with an agricultural-pastoral economic base...characterized by profound resistance and opposition to the forms of political domination and social stratification that had become normative in the chief cultural and political centers of the ancient Near East.” N. Gottwald, *The Tribes of Yahweh* (Maryknoll, NY: Orbis Books, 1979), p. 389. See also C. H. J. DeGeus, *Tribes of Israel* (Amsterdam: Van Gorcum, 1979).
- 26 Dt. 24:19ff explicitly mentions grain, olives, and the vineyard. The grain harvest was conducted from April through June, with barley preceding wheat. The grape harvest ran through the summer months to October, and the olive harvest took place in late October and November. In other words there was a continuous annual flow of gleanings from mid-spring through late fall for the poor who were able to gather them.
- 27 The particular Hebrew words describing ‘poor’ persons in early Israel (primarily ‘*ehyon* and ‘*ani*, but also *dal*) imply that the primary reason for different economic outcomes was not lack of ambition but adverse circumstances. There are other Hebrew words speaking of those who were poor due to laziness, with most English translations using “sluggards” or “idlers” in these cases. These terms (*atsel* and *remiyyah*) are found primarily in the Proverbs and not in the narratives dealing with the first several centuries of the settled Israelite nation. See also II Thes. 3:6ff.
- 28 Gottwald argues that one of the salient functions of the *mishpāhā* was “to protect the socio-economic integrity of *beth’avoṭh* threatened with diminution or extinction.” The *mishpāhā* “did not intersect with and impinge upon the family...but it heightened and brought to prominence the centrality of the family... Instead of qualifying the power and importance of the family, as a clan would necessarily do, the protective association of families maximized and guarded the integrity and viability of the member families.” N. Gottwald, *op. cit.* (note 25),

- pp. 315-16.
- 29 See in this regard: S. Loewenstamm, "Law" in B. Mazar (ed.) *The World History of the Jewish People, v. III Judges* (New Brunswick, NJ: Rutgers University Press, 1971) p. 246f; A. Phillips, "Prophecy & Law" in R. Coggins, et. al. (eds.), *Israel's Prophetic Tradition: Essays in Honour of Peter R. Ackroyd* (New York: Cambridge University Press, 1982) pp. 217-32, p. 222.
- 30 "In general, the motive clauses cited above are attached to unenforceable rather than policeable laws." R. Uitti, "Israel's Underprivileged & Gemser's Motive Clause" *Society of Biblical Literature, 1975 Seminar Papers, v. 1* (Chicago: Palmer House, 1975) pp. 7-13. He also notes that the use of motive clauses regarding the underprivileged is but a small fraction of the total use of these clauses; he does not conclude that the presence of the motive clause means such provisions are legally unenforceable, but only that they may be difficult to enforce.
- 31 See various works of G. Mendenhall, who argues there was very little (if any) state in pre-monarchic Israel: *The Tenth Generation* (Baltimore: Johns Hopkins University Press, 1973), p. 28; "The Suzerainty Treaty Structure: Thirty Years Later" in E. Firmage, et. al. (eds.), *Religion & Law: Biblical-Judaic & Islamic Perspectives* (Winona Lake, IN: Eisenbrauns, 1990).
- 32 Patrick argues that the provisions dealing with the underprivileged grew out of actual legal proceedings and court rulings, with the result that here "we have real law governing precisely defined legal relationships." D. Patrick, "The Rights of the Underprivileged" *Society of Biblical Literature: 1975 Seminar Papers, v. 1* (Chicago: Palmer House, 1975), p. 2. Daube understands this social legislation similarly; see D. Daube, *Studies in Biblical Law* (New York: Cambridge University Press, 1947), p. 45.
- 33 The Bible promises a condition of this-worldly personal and social harmony (referred to as shalom) for the nation that orders itself consistently with the ethical urgings embedded in the Law of Moses. To see this, examine the structure of the Mosaic covenant generally (Ex. 23:35ff, Lev. 26:3-13, Dt. 28:1-14), as well as the promised state of harmony in the prophets (Is. 11:6-9, Ezek. 34:23-31, Hos. 2:14-23). Mendenhall characterizes it as "...a condition of peace in which every man could sit under his own fig tree and under his own grapevine (I Kgs. 4:24, Mic. 4:4), doing 'what was right in his own eyes' (Judgs. 17:6, 21:25, Dt. 12:8, Prov. 12:15)." *The Tenth Generation* (note 31 above), pp. 26-27. See also: D. Gillett, "Shalom: Content for a Slogan" *Themelios* 1:80-84 (Summer 1976); D. Wiseman, "Law & Order in Old Testament Times" *Vox Evangelica* VII:5-21 (1973), especially p. 14f. Kohler writes: "Community life depends entirely upon peace, that is a state of affairs in which the members of the community have their claims and needs fairly adjusted to one another. The one force which makes for this peace and preserves it is law." L. Kohler, *Hebrew Man* (London: SCM Press, 1956), pp. 150-51.
- 34 To reiterate: for able-bodied Israelite families falling subject to difficult circumstances, a zero-interest loan with sabbatical yearforgiveness of principle; for weaker families and/or individuals the use of gleanings, corners of the fields, and fallow-year growth (work requirements to be sure, but less onerous than many work situations). In the case of gleanings the element of compassion is reinforced when we consider the instructions of

Boaz to his workers regarding Ruth: not to molest her, and to make her job somewhat easier by leaving extra grain as gleanings (Ruth 2). Though clearly this narrative is designed primarily to affirm the importance of extended family responsibility, we see in the instructions of Boaz something of the normative ideal for any case of gleaning. This interchange also shows that stigmatizing recipients of community assistance would *not* be part of a welfare system that pleases God.

35 See my centralization/decentralization paper cited in note 17 above. In a sea of voluntarily structured institutions

there were clear islands of compulsion to help bring about compliance to God's desires as revealed in the Law of

Moses: Joshua *ordered* the men of the Eastern tribes to march before the others in taking possession of the promised land (Josh. 1); David *ordered* the soldiers who had captured the plunder to share it with those who stayed behind (I Sam. 30); Ezra, certainly a careful student of the Law, was allowed to use the state treasury (Ez. 7:30) to supplement the freewill offering (Ez. 7:16) in rebuilding the Temple, and along with the elders *ordered* all exiles to assemble, subject to loss of property (Ez. 10:8); Nehemiah *ordered* those who had offended their Jewish brothers to repay them (Neh. 8:11), and he later recorded a voluntary renewing of the covenant and then *ordered* certain measures to prevent sinful practice (Neh. 13:19). In other words, amidst God's general preference for a limited and decentralized state compulsion was indeed exercised by those who held the power of the state so that the community would conduct itself in ways consistent with the Law of Moses.

36 *Op.cit.* (note 14). An earlier version of this book was presented as his doc-

toral dissertation at Cambridge University in 1977. Page references in this paper refer to the book. See also M. Schluter and R. Clements, *Reactivating the Extended Family: From Biblical Norms to Public Policy in Britain* (Cambridge: Jubilee Centre Publications Ltd., 1986).

37 Our application of his work is fully within the spirit of his overall arguments. That his argument does not proceed in the way we use it reflects the fact that he came to emphasize the family somewhat indirectly, having begun his work with an investigation of property/land ethics—a fact which to our mind makes the veracity of the relative emphasis upon the family even greater.

38 Alasdair MacIntyre is one of the leading figures in this movement; see *After Virtue* (Notre Dame, IN: University of Notre Dame Press, 1981).

39 See J.Q. Wilson, *The Moral Sense* (New York: The Free Press, 1993).

40 G. Mendenhall, "The Suzerainty Treaty Structure" *op.cit.* (note 31), pp. 97-98.

41 A. Phillips, *Ancient Israel's Criminal Law: A New Approach to the Decalogue* (Oxford: Basil Blackwell, 1970).

42 "[T]he biblical law of property was concerned less with the efficient use and transfer of a commercial asset than with protecting the rights of the family to the source of their economic survival, not only against outsiders but even against individual members of the family itself." R. Westbrook, *Property & the Family in Biblical Law* (Sheffield, UK: JSOT Press, 1991), p. 11.

43 We speak not of easy money, nor economic nationalism, nor ethnic and class prejudice, attributes that sometimes mark populism. We have in mind, rather, that attribute reflected in the familiar quotation from Justice

Learned Hand in his decision to

- limit Alcoa's monopoly control of the aluminum industry. "It is possible, because of its indirect social or moral effect, to prefer a system of small producers, each dependent for his success upon his own skill and character, to one in which the great mass of those engaged must accept the direction of a few." U.S. v. Aluminum Co. of America, 148 F.2d 416ff (1945). At least one recent scholar seems to be groping towards this recognition; see C. Lasch, *The True & Only Heaven* (New York: W.W. Norton & Co., 1991).
- 44 A growing number of recent reports chronicle this. See B. Whitehead, "Dan Quayle Was Right" *The Atlantic Monthly* #271:47-84 (April 1993); D. Hamburg, "The American Family Transformed" *Society* 30:60-69 (January-February 1993); J.Q. Wilson, "The Family-Values Debate" *Commentary* 95:24-31 (April 1993). To allay possible criticism by some, the "traditional" family norm to which I refer is not male-dominated in any harmful way. After instructing wives to submit to their husbands, Paul instructs husbands to love their wives as Christ loved the church and gave Himself up for her (Eph. 5:22ff), that is, in sacrificial service. The "wife of noble character" of Proverbs 31 hardly appears harmfully submissive, but is a strong partner to her husband. My desire is to establish the norm of biblical instruction and not the sin-tainted and imperfect image of that norm.
- 45 Ongoing debate surrounds these two characterizations of economic opportunity. Having considered the accounts of the lack of good employment opportunities for less skilled workers in central cities, and whether this spatial dimension to job location makes any difference, we are attracted to W. J. Wilson's arguments that current conditions in the economy and the family have created a historically exceptional level of job-related difficulty for poor residents in central cities. See W. J. Wilson, *The Truly Disadvantaged: The Inner City, the Underclass, & Public Policy* (Chicago: University of Chicago Press, 1987). See also his recent unpublished paper ("The New Urban Poverty & the Problem of Race," delivered as the Obert C. Tanner Lecture at the University of Michigan in October of 1993) in which he strengthens his argument that the poorest sections of the central city know today an exceptional degree of "social isolation" which makes grasping economic opportunity very difficult.
- 46 We have in mind the message seen and heard in much of popular media; we think sadly of the misogynous lyrics of many rap songs, the so-called comedy routines filled with appeals to racial and ethnic bigotry, and film and TV fare which displays values contrary to nurturing strong traditional families.
- 47 The deductive case is stronger than the empirical evidence offered to discern it. See R. Moffitt, "Incentive Effects of the U.S. Welfare System: A Review" *Journal of Economic Literature* XXX:1-61 (March 1992); I. Garfinkel and S. McLanahan, "Single Mother Families, Economic Insecurity, & Government Policy" (IRP Conference Paper, May 28-30, 1992, Institute for Research on Poverty, University of Wisconsin-Madison). Regarding female headedness, most studies find that welfare, though a contributing factor, certainly is not the most important cause. Conditions on labor markets and the general cultural climate affecting the acceptability of single parenthood are far more important.
- 48 Why the nation adopted the negative incentives is an important question, the answer to which will reveal attributes of the American character, an understanding of which will be necessary for effective reform. Given the scope of this paper, we cannot address this important issue. ■