



11350 Random Hills Road, Suite 800, Fairfax, Virginia 22030 Phone (703) 934-6101 Fax (703) 352-3678

fff@fff.org www.fff.org

The Ten Commandments Controversy

by Jacob G. Hornberger

Recently the Ten Commandments were embroiled in controversy in the state of Alabama, where the chief justice of the Alabama Supreme Court defied a federal order to remove a stone monument containing the commandments from the rotunda of the state supreme court building. The controversy raised important issues relating to federalism and freedom of religion.

Unfortunately, however, both sides of the controversy missed an important point — the extent to which the American people have knowingly and deliberately enshrined violations of God’s Ten Commandments into their political system. It would seem that, from a substantive standpoint, that should make at least as much difference to American Christians and Jews as the issues relating to whether or not the federal judiciary should have the power to interfere with state actions.

Let’s begin with a fundamental moral precept that is enunciated in the Ten Commandments: “Thou shalt not steal.” Underlying that commandment is a very simple moral precept: It’s morally wrong for one person to take what belongs to another person without his consent.

Consider a simple case of stealing. Person A has \$100 in her purse. Without her consent, Person B removes the \$100 and puts it into his pocket. Person B spends the money at an amusement park.

Most people would agree that that is stealing and that what the thief has done is immoral. Why? Again, because it’s wrong for a person to take what doesn’t belong to him without the consent of the person to whom it belongs.

What if Person B argues that he has helped the economy by spending the money at the amusement park, thereby giving people jobs there? Most of us would agree that that type of economic “benefit” does not relieve the thief of the moral consequences of his action. It’s wrong to steal even when the manner in which the money is spent benefits others.

But what if Person B (the thief) decides to spend the money entirely on someone else? That is, let's say that Person B, behaving selflessly, doesn't spend the money at the amusement park but instead uses it to buy a gift for a friend.

Again, most of us would say that that still doesn't excuse the thief's behavior from a moral standpoint. It's morally wrong to steal even when the money is used to bring someone else some happiness.

But what if Person B uses the money to purchase aspirins to relieve his mother's headache? Does that make a difference from a moral standpoint? It's hard to see how it does. He has the moral duty to ask for the money — or to work for the money — rather than to simply take it.

But what if his mother is dying and the medicines will save her life? Obviously, we would have much more sympathy for Person B in this instance but, again, most people would recognize the act as stealing and require that Person B be punished, albeit perhaps less severely than usual.

What does all this have to do with the American people's decision to enshrine violations of the Ten Commandments into their political system? By adopting the socialistic welfare state in the early part of the 20th century, the American people knowingly and deliberately embraced a way of life based on the notion that there's nothing morally wrong with taking money from one person in order to give it to another person, so long as the taking and redistribution are done through the political process, preferably democratically.

In other words, while Americans would agree that it's morally wrong for Person B to take Person A's money without her consent, they have implemented a political system in which the very same result is achieved through political means. In fact, the moral corruption has become so pervasive that not only do Americans no longer consider the welfare-redistribution process to constitute stealing, they have convinced themselves that what they are doing is actually moral, compassionate, and benevolent.

Nothing could be farther from the truth. By making a violation of God's commandment against stealing a permanent feature of their political system, the American people have perverted and corrupted the sacred words of God. And by pretending that their political stealing actually reflects their goodness, morality, compassion, and benevolence, they mock and ridicule God's sacred words.

Some people suggest that the concept "economic necessity" morally justifies the existence of the welfare state. What they are referring to is a defense that some jurisdictions permit an accused to raise in a criminal prosecution for theft. If the defendant can convince a jury that the theft was necessary to prevent a great harm (e.g., breaking into a cabin in the woods to avoid starvation), the jury is entitled to acquit the defendant of theft.

That defense, however, which is decided on a case-by-case basis in the criminal-justice system, is a far cry from the establishment of a political system whose foundation is to tax almost

everyone for the purpose of redistributing their money to others. While the legal system condemns stealing but sometimes relieves people of its consequences because of exceptional circumstances, the socialistic welfare state glorifies and exalts stealing as long as it is done collectively through the state. Moreover, no one can honestly suggest that the welfare state's massive seizure and redistribution of wealth is based on the emergency "economic necessity" that is used in the criminal law.

Funding government

Let's ask ourselves a basic question: How is government to be funded, voluntarily or by force (i.e., taxation)? To answer that question, let's first narrow the minimally legitimate functions of government down to three: (1) providing protection for the citizenry against people who commit acts of violence against others, including thieves, robbers, murderers, rapists, and the like; (2) providing courts whereby people can peacefully resolve their disputes; and (3) protecting the nation from invasion.

Most people would agree that all three are important and essential functions of government. But given that agreement, how should those functions be funded? Some would argue that they should be funded voluntarily, simply because it's morally wrong to force someone to fund something against his will. Those who take this position would also argue that funding would be adequate, because most people fund what's important to them, even if others do not. Opera, churches, theaters, cancer research, and scholarships come to mind.

Others would say that those functions should be funded through force. Their argument is that by living in society everyone has implicitly agreed to pay for the important and essential functions of government. They argue that there would not be a sufficient amount of voluntarily donated money to get the job done.

Fair enough. Both sides bring what they consider to be valid and persuasive arguments to the table about how to fund what most people would agree are the minimally essential functions of government; that is a subject for another discussion.

But it's not really the issue at all with respect to the socialistic welfare state. The central moral issue of the socialistic welfare state is not whether those three important and essential functions of government should be funded voluntarily or forcibly but rather whether government should have the power to take money from one person in order to give it to another person. That is, in addition to its minimal police, judicial, and defense functions, should the government also have the power to steal — the power to take Person A's money in order to give it to Person B?

It's God's commandment against stealing that is a powerful reason that Jewish and Christian libertarians call for a dismantling — a repeal — of every single welfare state program — that is, every single program that taxes people and then redistributes the loot to someone else. In

other words, “reform” of an enshrined political sin is unacceptable because it strives to continue the commission of the sin, albeit in a reformed way.

Repeal versus reform

So accustomed have Americans become to the welfare state’s sordid and corrupt political way of life that the word “repeal” inevitably shocks them. “Why, that would be anarchy!” they cry. But their argument is fallacious because anarchy involves the absence of government, not the repeal of immoral political programs.

In other words, if government is engaged in the minimal, essential functions but is not involved in the social-welfare taking of money from one person in order to give it to another person, that can’t be anarchy because, again, anarchy involves the absence of any government. To belabor the obvious, a government whose legitimate functions are limited to the three important and essential functions is, in fact, a government, albeit one whose powers are limited. Again, we could argue about how those three tasks should be funded, but that’s an entirely different issue from whether it is a legitimate function of government to take one person’s wealth in order to give it to another person.

To put the issue succinctly, should government be limited to protecting people from thieves or should it also have the power to assume the role of the thief? Unfortunately, all too many defenders of the socialistic welfare state have leapt to the conclusion that, if it’s okay to force people to fund a government whose function is to punish thieves, it’s okay to use the state to steal from one person in order to give the money to another person.

Thus, the central moral issues facing the American people are: Should the role of government include the taking of money from one person in order to give it to another person? Does such an act operate as an effective avoidance of God’s commandment against stealing? From a moral standpoint, does it make a difference whether the government that assumes such a role is a democratic one? Does a government that has the power to seize and redistribute wealth convert the citizenry into moral, compassionate, and benevolent people?

For libertarians of Jewish or Christian faith, the answer to all of those questions is “No.” Moral principles are immutable. They are unchangeable. God cannot be faked out. Given that it’s wrong to steal on an individual basis, it is also wrong to steal on a collective basis, even when it’s accomplished through the state, democratic or not. That’s why it’s just as immoral to steal in the halls of Congress as it is in a back alley.

By adopting the political way of life known as the socialistic welfare state, Americans have not only compromised moral principles, they have abandoned them. By virtue of the massive political stealing which forms the basis of the socialistic welfare state, the American people have also converted the federal government into a false deity that provides them with paternalistic care and sustenance in the form of such things as retirement, education, health care, unemployment

compensation, food, housing, clothing, subsidies, protectionism, and amusement, whenever the people need them. In the process, they have made the federal government their golden calf, which they have come to worship, adore, support, and follow, and which they're often slow to criticize or condemn. By placing their federal god alongside their other God — the God of Abraham, Isaac, and Jacob — they have knowingly and deliberately blocked out their minds the first of God's Ten Commandments: "Thou shalt have no other gods before me."

Jacob Hornberger is founder and president of The Future of Freedom Foundation.

This article was originally published in November of 2003.