



"Independence is galling to those who want us to be dependent on them."

—Thomas Sowell

30-Sep-05

The Obsolescing Right

Thursday, September 29, 2005, the Cato Institute's "Daily Dispatch" ran this item concerning the debate over President Bush's choice of John Roberts, Jr., as the seventeenth Chief Justice of the United States Supreme Court:

In "The Key Issue for the Court Isn't Abortion," Edward H. Crane, founder and president of the Cato Institute, writes: "[A]bortion is a serious issue. . . . But the fact that the abortion debate so controls the debate over judicial philosophy is unfortunate. There are more important issues out there, such as federalism and private property rights, the cornerstones of our liberty."

The Cato Institute is a libertarian or "market-liberal" organization, stressing Constitutional freedoms along with a laissez-faire economic philosophy. As such, it tends to uphold individual rights as understood by the more conservative, constructionist jurists, though not exclusively (for instance, its support of medical marijuana runs counter to many conservatives' positions).

It is in this light that we should see Crane's comments regarding the "right" to abortion versus private property rights. That a woman should be free to

kill her fetus was never even remotely contemplated by those who attended the Constitutional Convention, while property rights were front and center, since many of the representatives were wealthy landowners. They were there to embed basic rights and protections regarding property ownership in the very bedrock of American government. They understood that private ownership of property, particularly of land and of businesses, was a bulwark against tyranny and autocracy.

However, over two hundred years later, private property rights in the U.S. are slowly being abridged and are creeping toward obsolescence. Perhaps the greatest blow to this essential freedom occurred just a few months ago, as Crane notes, in "*Kelo v. City of New London*, where in a 5-to-4 vote the Supremes ruled it was fine for a local government to use the frightening power of eminent domain, not for public use as stated plainly in the Fifth Amendment, but for private gain that would generate added tax revenues for the city." In response to the groundswell of opposition to this foolish decision, perhaps Congress, in concert with the states, will soon act to reverse *Kelo*.

Beyond this singular decision, property rights have been increasingly eroded as long as socialism has expanded in American government and culture. On its face, socialism - the, to some, outwardly beautiful, natural child of communism - emphasizes the larger group, in this case, the state, at the expense of the individual. It engulfs a person under wave after wave of restrictive laws and social programs that make him both increasingly subject to and dependent on the state, since his wages are confiscated through heavy taxation and government services are proffered in return.

As the socialist state approaches outright communism, it further curbs private ownership and simultaneously nationalizes both land and critical business sectors (utilities, communications, transportation, etc.). Though the U.S. has not reached this point - and fortunately the American psyche is highly sensitive to restrictions on private ownership - the process is underway, as growing federal holdings, extensive environmental building restrictions, and numerous centrally planned "growth" schemes indicate.

While some try to see a biblical basis for socialism in the experience of the early church (for instance, [Acts 2:44](#)), the overwhelming perspective of the

Bible upholds private property rights. As early as Abraham ([Genesis 23:17-18](#)), God's people are shown buying and selling all manner of property. Moreover, the laws [God](#) gave to Israel concerning property assume individual ownership - indeed, one could say that the [tenth commandment](#) ([Exodus 20:17](#): "You shall not covet your neighbor's house," etc.) makes property ownership a sacred right. Each person is to be satisfied with what God has blessed him and not crave what his neighbor owns.

Bits of biblical property law appear throughout the [Old Testament](#), as in [Deuteronomy 19:14](#): "You shall not remove your neighbor's landmark, which the men of old have set, in your inheritance which you will inherit in the land. . . ." Simply put, each individual or family owned specific plots of land whose boundaries were not to be violated. God later promises terrible retribution on Judah for doing just this: "The princes of Judah are like those who remove a landmark; I will pour out My wrath on them like water" ([Hosea 5:10](#)).

A main feature of the Jubilee was the repossession of land by its original owner, even if he had been forced to sell it due to debt in the intervening years ([Leviticus 25:13-17](#)). God set down rather strict rules regarding the sale and purchase of family lands so that Israelite society would have its base in individually owned properties that remained within families through inheritance. For example, when Ahab pressures Naboth to give him his vineyard, the Jezreelite responds, "The LORD forbid that I should give the inheritance of my fathers to you!" ([I Kings 21:3](#)). After Naboth is dead through Jezebel's machinations, and Ahab has taken possession of the vineyard, God harshly condemns their blatant abuse of authority, cursing them to ignominious deaths (verses 17-24).

In the New Testament account of Ananias and Sapphira's [sin](#), Peter voices the basic, biblical principle of private property ownership: "While it [their land] remained, was it not your own? And after it was sold, was it [the profit] not in your own control?" ([Acts 5:4](#)). Even while the brethren "had all things in common" ([Acts 4:32](#)), private property rights were not set aside. The entire New Testament operates under this view, to the point that the Mark of the Beast involves abolishing true Christians' right to [buy and sell](#) ([Revelation 13:17](#)).

God believes in ownership: "For [the world](#) is Mine, and all its fullness" ([Psalm 50:12](#)). He allows us to own things under Him to teach us wonderful lessons pertaining to [stewardship](#) and authority so that we can learn to be more like Him and eventually exercise great responsibility in His Kingdom (see the Parable of the Minas in [Luke 19:11-27](#)). Sadly, the ever-weakening right to property in this nation is another state of affairs that exposes just how far America has drifted from God and biblical principles.

- Richard T. Ritenbaugh

From the Archives: Featured Sermon

[Stewardship](#)

by Richard T. Ritenbaugh

A steward is a person responsible for the resourceful conducting, supervision, or managing of something entrusted into his care by a superior. Notable examples in scripture of this office were Eliezer, Joseph, David's stewards, as well as Jesus' parables illustrating faithful and unfaithful stewards. We, as stewards of God, have been entrusted with many things: His Spirit, His Word, His Spiritual gifts for the purpose of helping the congregation as well as the talents and abilities He has given us. We have been entrusted with our calling, hope, and inheritance. His disciples or ministers are to provide meat in due season, being ready to provide suitable answers, be watchful and protective of his master's goods and his master's flocks. We must be watchful and protective of our families and our relationships with others, and especially our relationship with God.

From the Archives: Featured Article

[This Is Not God's World](#)

by John W. Ritenbaugh

In several places in Scripture, God urges His people to come out of this world. Because He is the earth's and humanity's Creator, we may struggle

with this command. But the world of which He speaks consists of society's anti-God religious, psychological, and philosophical systems whose beginnings reside in the Adversary, Satan the Devil. John Ritenbaugh suggests we thoroughly evaluate how much of this world still influences us.

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