

God, Man, and Government

by Steve Bonta

What is the proper amount of government? Not, as some might suppose, the complete elimination of government, for anarchy has inevitably proven fertile ground for despots. Nor, on the other hand, should governments be given unlimited authority to meddle in human affairs, for this inevitably leads to totalitarian abuses. Recognizing the need for government of some kind, human freedom is best protected by crafting a government somewhere between the extremes of totalitarianism and anarchy, strong enough to protect rights and freedoms but not strong enough to violate them.

Source of Rights

The Framers of the Constitution had a clear vision of what the powers and limitations of proper government should be, based on their understanding of where government derived its legitimacy in the first place. States the Declaration of Independence:

We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness. That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the consent of the Governed. That whenever any Form of Government becomes destructive of these Ends, it is the Right of the People to alter or to abolish it, and to Institute new Government....

Jefferson and the rest of the Founders believed in the reality of natural law, the doctrine that the laws of nature and of human conduct were established by God. These are "the laws of Nature and of Nature's God" mentioned in the opening paragraph of Jefferson's timeless Declaration.

But if God is the Author of laws, He is also the source of all human rights derived from those laws, including, but not restricted to, the divine endowments of "Life, Liberty, and the Pursuit of Happiness." Rights therefore cannot be conferred by a monarch, a government, the will of the majority, or any legal document, including a constitutional amendment; man-made institutions may only curtail or protect rights that God has already given to men. This notion, that the rights upon which freedom is predicated come ultimately from a higher authority than any that men may devise, is the true starting point of the philosophy of liberty, as Moses Mather, a prominent Connecticut preacher, explained in a 1775 sermon:

Free agency, or a rational existence, with its powers and faculties, and freedom of enjoying and exercising them, is the gift of God to man. The right of the donor, and the authenticity of the donation, are both incontestable; hence man hath an absolute property in, and right of dominion over himself, his powers and faculties; with self-love to stimulate, and reason to guide him, in the free use and exercise of them, independent of, and uncontrolable [sic] by any but him, who created and gave them. And whatever is acquired by the use, and application of a man's faculties, is equally the property of that man, as the faculties by which the acquisitions are made; and that which is absolutely the property of a man, he cannot be divested of, but by his own voluntary act, or consent....

The legitimate powers of the state originate with these pre-existent, God-given rights and powers inherent in individuals, as the Declaration, referring to the "just powers" of government" derived from "the Consent of the Governed," reminds us. Alexander Hamilton, in *The Federalist*, No. 22, added: "The fabric of American empire ought to rest on the solid basis of the consent of the people. The streams of national power ought to flow immediately from that pure, original fountain of all legitimate authority." Moreover, since government is brought into being by the consent of the individuals in its constituency, it follows that individuals may only cede to government a portion of those rights and powers that they justly possess, and may exercise

individually, in the first place. English philosopher John Locke observed in his *Second Treatise of Government* that individuals in a "state of Nature" are bound by the Law of Nature, which teaches all Mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his Life, Health, Liberty, or Possessions. For Men being all the workmanship of one Omnipotent, and infinitely wise Maker; All the Servants of one Sovereign Master ... they are his Property, whose workmanship they are, made to last during his, not one another's Pleasure. And being furnished with like Faculties, sharing all in one Community of Nature, there cannot be supposed any such Subordination among us, that may Authorize us to destroy one another, as if we were made for one another's uses.... Every one as he is bound to preserve himself ... so ... ought he, as much as he can, to preserve the rest of Mankind, and may not unless it be to do Justice on an Offender, take away, or impair the life, or what tends to the Preservation of the Life, the Liberty, Health, Limb or Goods of another.

Locke concluded from this line of thinking that "the end of law is not to abolish or restrain, but to preserve and enlarge freedom."

Frederic Bastiat, the 19th-century French statesman and economist who greatly admired the American experiment in liberty, taught of the proper function of government with unparalleled sophistication and clarity in his brilliant treatise, *The Law*:

[Law] is the collective organization of the individual right to lawful defense. Each of us has a natural right - from God - to defend his person, his liberty, and his property. These are the three basic requirements of life.... If every person has the right to defend - even by force - his person, his liberty, and his property, then it follows that a group of men have the right to organize and support a common force to protect these rights constantly. Thus the principle of collective right ... is based on individual right ... Thus, since an individual cannot lawfully use force against the person, liberty, or property of another individual, then the common force - for the same reason - cannot lawfully be used to destroy the person, liberty, or property of individuals or groups.

The Founding Fathers arrived at the same conclusion as Locke and Bastiat: government in its proper role should be limited to protecting God-given rights.

Protect or Provide?

No government can legitimately claim the authority to redistribute wealth, inasmuch as no individual has the moral authority to forcibly despoil one neighbor of his property and give it to another whom he deems needier. Neither should the state attempt to deny individuals the lawful right to defense of person and property, nor the right to speak or publish opinions freely, nor a host of other freedoms that no individual could legitimately deny another human being. Yet from time immemorial, as a pretext for state abuse, men have been seduced into believing that government should not merely protect, but provide as well. Bastiat described the fallacy thusly: "it is not considered sufficient that the law be just; it must be philanthropic."

Many 18th and 19th-century European "democratic" reformers saw government as an agent for "benign" social engineering, a belief that persists to this day among so-called "liberals" and socialists of every stripe. The French Revolutionaries, for example, saw rights as flowing from the state, which in turn originated in the will of the majority - the fundamental premise of secular democracy. The Declaration of the Rights of Man and Citizen, a document as seminal to the French Revolution as the Declaration of Independence was to the American, exemplified this pattern of beliefs, referring in its preamble to the "natural, inalienable and sacred rights of man." Nowhere were rights attributed to God. Instead, inasmuch as rights were derived ultimately from the state, they became subject to such curtailments and limitations as the state (acting, of course, in the name of the "people") deemed proper. The French Declaration defined all sovereignty as residing "essentially in the nation. No group, no individual may exercise authority not emanating expressly

therefrom." According to the "democratic" view of popular government, then, secularized individual "rights" are derived from collective "rights," not the other way around.

Such guiding assumptions are not only diametrically opposed to the Founders' philosophy of limited government, they are also the very template for an unlimited, totalitarian state. In Revolutionary France, the assumption that rights are derived from the state led to the horrors of Robespierre's reign of terror and the eventual Napoleonic police state. Yet such statist tenets remain articles of faith among modern social engineers, including those whose ambitions run to grand schemes of global government.

The UN's International Bill of Rights - which consists of the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social, and Cultural Rights - is a case in point. The UDHR stipulates that "in the exercise of his rights and freedoms, everyone shall be *subject only to such limitations as are determined by law.*" Moreover, these rights, the UDHR explains in Article 8, are "granted [to everyone] *by the constitution or law.*" (Emphasis added.) Under the ICCPR, the UN presumes to subject the God-given rights of freedom of religion, of speech, and of assembly - freedoms generally taken for granted by many Americans - to such regulation as the world body sees fit. This is, of course, in stark contrast to our own Bill of Rights, in which Congress is prohibited, without qualification, from infringing on rights such as the right to free speech and the right to keep and bear arms, and in which all powers not expressly delegated to the United States government nor prohibited to the States are presumed to appertain to the several states or to the people.

Those partial to "philanthropic" government tend to confuse society with government, assuming the latter to be coextensive with the former. How often do socialists pretend to plead on behalf of "society" or "national consensus," as if the primary concern in "our" lives ought to be government? When government exceeds its proper bounds, all aspects of life are touched. Everything becomes politicized because everything is the concern of the state, pretending to act in "the people's" best interests. Those who expect philanthropic government to confine itself to remedying a few exceptional ills are inevitably disappointed. The state, masquerading as charity-giver, soon pervades and factionalizes every aspect of life. The energies of citizens are diverted from more productive pursuits to political activity as clamoring rival interests vie to operate the machinery of the state on their own behalf, in order to participate in the system of "legalized plunder," to use Bastiat's term. The state will draw into its employ a baser breed of men, as its ever-expanding powers attract those who wish to exert compulsion on their fellow-citizens.

Republican government, by contrast, encourages robust individualism and self-reliance. It acknowledges that government's role within society is comparatively limited. Republican government will not as a rule attract the unscrupulously ambitious to its ranks, since its limited powers provide scant incentives for would-be despots. In a republic, the age-old problem of order is only partially solved by the state; families, churches, civic organizations, and other non-governmental organizations will do far more to "promote the general welfare" than government.

Finally, government limited to its proper role, by acknowledging the equality of men before God, will not be tempted to "level the playing field" by applying the shackles of false egalitarianism. Republican governments, not "democracies" or welfare states, are the true champions of diversity, relying for much of their vitality on God-given inequalities of talents, means, and circumstances among human beings.

Though the American Constitution in its final form included political compromises, the federal government it brought into being was by far the nearest approach to perfectly limited government that the world had ever seen. This was because of the Founding Fathers' near-unanimous agreement on the fundamental principles of proper government. While from time to time, isolated men of influence, like Bastiat, have also seen the wisdom of proper government, nowhere in the world since the American founding have political conditions permitted as grand an experiment in human liberty as the American republic.