

VII. STEALING

by Murray N. Rothbard

“Thou shalt not steal,” along with the other commandments, is refreshingly direct, clear, and absolute. There is no need to “deconstruct the text” or for anguished inquiry into what God *really* meant. Evidently, too, God was not a practitioner of situation ethics. The commandment did *not* say: “Thou shalt not steal, unless thou feelest that thy need is greater than the owner’s.” Neither did the commandment say: “Thou shalt not steal, unless thou really needest the money.” In particular, the commandment calls into profound question the entire existence of the modern welfare state. For God also did not say: “Thou shalt not steal, unless thou is a legislator or a duly certified official of the state.” There are no exceptions to or exemptions in this commandment.

How can taxation be theft? How can it *not*? Theft is taking someone’s property by force. If A grabs X’s property by force, that is theft. If A and his buddy B do the same thing, they too are stealing or committing theft. And even if A, B, C, and most of the neighbors in the community grab X’s property by force, the act of stealing remains the same. For at what point does the *number* committing the sin negate the sin? Even if it is an IRS official who grabs your property, as duly authorized by Congress, the act still remains theft. Whatever way you slice it, and regardless of the number of people involved in the theft or of their official titles, Peter is being robbed to pay Paul as well as the robbers themselves, who must of course acquire their handling fee.

Put another way, this commandment directly implies that the property rights of everyone in society must be respected, that they must not be invaded. But what is taxation but aggression against private property? It is not an accident that one of the great traditions of Western thought is the likening of the ruler of the state to a bandit writ large. Cicero tells the parable of the pirate and Alexander the Great. When the pirate was dragged into court, the king berated him for piracy and brigandage and asked him what impulse had led him to make the sea unsafe with his one little ship. The pirate boldly and trenchantly replied: “The same impulse which has led you [Alexander] to make the whole world unsafe.”

In *The City of God*, the great St. Augustine borrowed and expanded the parable:

For it was an elegant and true reply that was made to Alexander the Great by a certain pirate whom he had captured. When the king asked him what he was thinking of, that he should molest the sea, he said with defiant independence: “The same as you when you molest the world! Since I do this with a little ship I am called a pirate. You do it with a great fleet and are called emperor.”

In the same passage, Augustine likened kingdoms to “great robber bands” and the latter to “little kingdoms.” When the robber band (“this plague”) grows large enough so that it “holds territory” and “seizes cities and subdues people,” then “it more conspicuously assumes the name of kingdom,” the

name accruing to the robber gang “not for any subtraction of cupidity, but by addition of impunity.”

When I first became interested in political theory, I eagerly read *General Theory of Law and State* by the great early 20th-century Viennese legal theorist Hans Kelsen. Kelsen, a legal positivist, tried to set forth a deductive, objective, scientific, and “value-free” theory of law and the state. Early in the book, Kelsen came to one of the critical questions of political theory: What distinguishes the edicts of the state from the orders of a bandit gang? Kelsen’s answer, however, was less than satisfactory: the edicts of the state are “valid,” whereas the bandit decrees are not. Searching fruitlessly for an explication of “valid,” I finally realized that for Kelsen, the orders of the state are valid *because* they are orders of the state, an absurdly question-begging solution to the crucial problem. I promptly lost interest in Kelsen’s deductive system. Once again, the wisdom of the ancients proved far more perceptive than modern “value-free science.”

We live in an age where we are confronted with wholesale violations of the commandment against theft. Every day we face unorganized violent robbery “from below”; and every day we are looted systematically and regularly “from above” by the minions of the state, backed by the power of organized coercion. While conservative moralists tend to concentrate on the pervasive violations of some of the other commandments, they should not overlook what has happened to this one. In fact, the current system of taxation and theft provides economic support for those who break the other commandments and builds up and sustains the state apparatus that blazes the path, leads the cheering squad, and often even provides the finances for these violations. For anyone seeking to restore a society of commandment-keepers, bringing back and enforcing the injunction against theft should be of prime importance. <e>

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VIII. BEARING FALSE WITNESS

by E. Christian Kopff

In the ancient world, the Persians taught their young men to ride, shoot straight, and tell the truth. The Hebrew Bible inveighs against false testimony. Greek thought returns again and again to the idea of *aletheia* or truth, the possibility of knowing about a world outside our own impressions and desires. Anglo-Saxon culture made telling the truth to a jury an important part of developing a free state. Jefferson felt that the same standards needed to be applied to the press. The press should be free to tell the truth, but not to lie. Madison had to explain to his mentor that a standard that punished that kind of falsehood would soon mean the disappearance of the press. Our modern world agrees with Madison.

In today’s world the press is disappearing, anyhow. Every month or so another paper goes under. The process means little to the average citizen. We buy the paper for the sales advertised on Wednesday and the TV supplement on Sunday. As long as we are paying for it anyway, we read the sports and

the letters to the editor. Adults do not believe other sections of the paper, although occasionally we notice teenagers who do not know any better. We are so used to the atmosphere of lying and deception which permeates our society that we rarely even remark on it.

Usually the victims do not even protest. When a Denver paper reported that a governor of Colorado had told an audience of older citizens, "You have a duty to die," the governor objected, explaining that he was talking about the extravagant costs of run-away medical technology and that he had actually said, "We all have a duty to die." The paper, quite unusually, apologized, but years go by and the local Boulder paper warned the governor this summer that his comments were liable to be misinterpreted and "divisive," when in fact they had been misreported. The Vice-President of the United States makes a speech on Negro illegitimacy. The press tells us that the speech was about a television show. The Vice-President does not object. He goes along with the misrepresentation.

Sometimes known truths are hidden. After the evidence for Martin Luther King's plagiarism was published, it turned out that every section of the Establishment press had long known about it. "We decide what's news," as an important newspaper executive once said in my presence.

Of course, life could not go on if we did not tell the little lies and avoid the crude truths that would offend and wound to no purpose. "That new hairstyle looks so good on you." "You look great in that fashionable short dress." "Great book review." "Fine sermon." What good would it do to tell the truth? It is a question of prudence, and prudence is a much underrated virtue. Luther tells us that part of not bearing false witness is "to put the best construction on everything." We Americans have developed that hint into the art of advertising. Can we really tell the difference anymore?



"You don't print the truth," Paul Newman tells newspaperwoman Sally Field in *Absence of Malice*. "You print what people say. The truth doesn't just turn up." The search for truth, the effort not to bear false witness, is at bottom a moral effort. Most men are driven by their passions, and, wrote Housman, "the faintest of all human passions is the love of truth." Our society, however, is premised on science and information. The progress we want, the economic growth we feel we need, requires discovery. Discovery requires a self-sacrificing commitment to a reality that, if not exactly outside ourselves, is at least more than ourselves and our own desires and wants and needs. We found that making it up is easier than checking our hypotheses by observation. Soon we lost the ability even to make it up. Then we were reduced to copying. We print what people say. We repeat what people say. We do not check our references. (Most Americans do not know what the last sentence means.) We stop caring that we are setting an example for fellow workers, for students, for our own chil-

dren.

As our society sinks into the hungry quicksand of bankruptcy and ruin, we pretend that there is some technical, political, or social solution. Our situation cannot be due to a moral defect in us. Anyway, we did not make up that story. We are just repeating a joke Jay Leno told last night. If we asked for a reference for the remark, it might look rude. We believe in a kindhearted God. He gives us C's when we deserve F's and awards us A's when our work is barely worth a B. He would not condemn a soul, or a city, or a society because it had ceased to care about truth, because in carelessness or malice it bore false witness against its neighbor. Would He?



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IX. COVETING THY NEIGHBOR'S WIFE

by Harold O.J. Brown

The Decalogue consists of ten commandments, but they are not numbered in the Bible. Several of them contain more than one clause, and it is not always clear where one ends and the next begins. Jews and most Protestant Christians, wishing to underscore the prohibition against images, consider the commandment "Thou shalt not make unto thee any graven image" a separate commandment, the second. Roman Catholics and Lutherans, for example, run this prohibition together with the first, "I am the Lord thy God . . . thou shalt have none other gods before me." This leaves them, as they approach the end of the list, one commandment short. Consequently they divide a commandment that the Jews consider one, "Thou shalt not covet," into two, creating a separate ninth commandment, "Thou shalt not covet thy neighbor's wife," and turning the next phrase into the tenth: "Neither shalt thou covet thy neighbor's house, his field, or his manservant, his maidservant, his ox, or his ass, or anything that is his." The short form is usually "Thou shalt not covet thy neighbor's goods." (The first listing of the commandments, in the description of Moses on Mount Sinai in Exodus puts the neighbor's house before his wife, followed by all the other persons, animals, and things, giving a measure of plausibility to the short form that most Protestants call the tenth commandment: "Thou shalt not covet.")

There is a nice symmetry to the Catholic version: the sixth commandment (seventh, in the Jewish counting) forbids the act of adultery, the next one the act of stealing. Then the ninth and tenth forbid the thoughts as well as the deeds, first the thought of adultery, then the thought of robbery. This brings to mind the rather alarming words of Jesus in the Sermon on the Mount, "That whosoever looketh on a woman to lust after her hath committed adultery with her already in his heart." These are the words that caused then-presidential candidate Jimmy Carter to admit in his famous *Playboy* interview to having "committed adultery in his heart." Perhaps many readers take comfort in the fact that Jesus does not add the specific warning that he attached to calling one's brother a