



Social Justice

The pursuit of social justice probably accounts for most human misery. What's more, throughout history, one form of injustice has usually been replaced by another that is far worse. Russia's 1917 revolution expelling the Czars and their injustices ushered in Lenin, Stalin, and a succession of brutal dictators who murdered tens of millions in the name of the proletarian revolution. The injustices of Chiang Kai-shek were replaced with those of Mao Zedong; Castro's ousting of Batista and Ayatollah Khomeini's toppling of the Shah of Iran produced regimes far more brutal. After Africa became independent the injustices of colonial powers were replaced with those of brutal dictators.

The slaughter of nearly 200 million poor souls, not including war deaths, during the twentieth century was a direct result of the pursuit of visions of social justice, such as income equality, the common good, and the various alternatives to the so-called evils of capitalism. As if by design, measures taken to produce what was seen as the good society lowered both the common man's human-rights protections and his standard of living.

By contrast, after the American revolution, we laid the groundwork that produced the world's freest people. However, for most of the twentieth century, we have been losing ground. If you ask which way are we head-

ing—away from totalitarianism or toward it—there is no question that, by tiny steps, we are heading toward totalitarianism and arbitrary governmental abuse and control.

Some Americans are naïve enough to think that the oppression seen in other countries can't happen here. But let's not forget that the country that gave the world great men like Goethe, von Humboldt, Beethoven, Bach, and Schiller also gave us Auschwitz, Buchenwald, and Treblinka. Also keep in mind that it was German-Americans who helped create the underground railroad to assist runaway slaves, and it was German-Americans who had the best reputation for getting along with the Indians. Let's also not forget that pre-Nazi Germany provided Jews with one of the most hospitable climates in Europe, so much so that during the early 1900s, in nearly one-half of all Jewish marriages, one of the spouses was a German gentile.

If social justice has any operational meaning at all, it is that the purpose of law is to prevent one person from violating another person's right to acquire, keep, and dispose of property in any manner so long as he doesn't violate another's simultaneously held rights. In other words, laws should be written to prevent force and fraud. Laws that force one person to serve the purposes of another are immoral. These values, expressed in our Declaration of Independence as the unalienable rights to life, liberty, and the pursuit of happiness, guided the framers in the writing of our Constitution and Bill of Rights. Today, our government has become increasingly destruc-

Walter Williams is the John M. Olin Distinguished Professor of Economics and chairman of the economics department at George Mason University in Fairfax, Virginia.

tive of the ends it was created to serve. Americans have become increasingly hostile and alien to the liberties envisioned by the framers. We have disregarded the inscription that graces the U.S. Department of Justice: "Where the law ends tyranny begins."

Why Is Slavery Immoral?

Most people agree that slavery is immoral. But what makes it so? Slavery denies a person the right to use his property (body) and the fruits of his labor as he sees fit. Slavery forcibly uses one person to serve the purposes of another. Tragically, most Americans, including blacks, whose ancestors have suffered from gross property-rights violations, think it quite proper for one person to be forced to serve the purposes of another. That's what income redistribution really is. That's also what theft and robbery are. We could call slavery income redistribution. Income redistribution, theft, and slavery are all practices in which the fruits of one person's labor are confiscated for the benefit of another.

Article I, Section 8, of the U.S. Constitution enumerates the functions of the federal government and gives it taxing authority to carry out these functions. For the most part these functions relate to national defense, federal courts, copyrights and patents, coining money, borrowing, and a few other activities. With even a cursory reading of the Constitution, one cannot find any authority for Congress to confiscate the property of one American and give it to another. Yet this activity now constitutes over two-thirds of federal expenditures that will top \$1.7 trillion dollars in 1998. Expenditures that have that characteristic include Social Security, food stamps, farm subsidies, business bailouts and subsidies, disaster insurance, and expenditures by the departments of Health and Human Services, Housing and Urban Development, Agriculture, Commerce, and Education. These government activities and many others have been justified in the name of promoting social justice.

In the pursuit of social justice, personal liberty has become a secondary or tertiary matter. Consider the following as just one example: suppose a citizen, as an emancipated adult, sent the following affidavit to Congress: "I hereby renounce any claim to Social Security benefits and Medicare services. If I don't prepare for my later years or poor health, I shall depend on the charity of others or suffer the consequences. Release me from further Social Security and Medicare 'contributions.'" A safe bet is that Congress would greet such an affidavit with contempt.

The Price of Abstaining

Suppose I refused to make payments into Social Security. What would happen to me? First, a fine would be assessed. Suppose I refused to pay the fine? I'd be threatened with property confiscation. Then suppose I tried to protect my property from the actions of the agents of Congress? I would surely be killed.

You say, "But Williams, you're violating the law; people can't go about deciding which laws they will obey!" My response is that laws do not determine what is or is not moral conduct. In Nazi Germany, there were laws that required the reporting of a person hiding a Jew. In our country, the Fugitive Slave Act made assisting runaway slaves a crime. In apartheid South Africa, hiring blacks for certain work was illegal. In the former East Germany, assisting people in their efforts to escape to the West was illegal. Would any decent person demand that any of these laws be obeyed? Decent people must always ask: does the law have a moral basis?

Liberty is not mankind's normal state of affairs. Liberty is fragile. Our liberties are under siege because most Americans are ignorant about our Constitution and its philosophical underpinnings. Thus, we fall easy prey to political charlatans and quacks all too ready to exploit this ignorance in their quest for power and to satisfy popular visions of social justice. □