



No Inconsequential Matter

Are socialistic policies ever legitimate in a constitutional republic? French Philosopher Frederic Bastiat provides a fit answer in his penetrating classic, "The Law:"



When the law has exceeded its proper functions, it has done so merely some inconsequential and debatable matters. The law has gone further than this; it has acted in direct opposition to its own purpose. The law has been used to destroy its own objective. It has been applied to annihilating the justice that it was supposed to maintain; to limiting and destroying rights, which its real purpose was to respect. The law has placed the collective force at the disposal of the unscrupulous who wish without risk, to exploit the person, liberty, and property of others. It has converted plunder into a right, in order to protect plunder. And it has converted lawful defense into a crime, in order to punish lawful defense.

You see the trouble with those who view our system today as a democracy rather than what the American Founders called it — a republic — is that they forget that there are some political activities, some laws, that can never claim legitimacy (even by direct or indirect majority support). This is so because our republic balances out its democratic features with an emphasis on the rule of law, inalienable rights, and especially the protection of property broadly defined — namely, the protection of life, land, home, family, religion, conscience, political conviction, private papers, and other personal affects from the grasp of others.

Legitimacy in a republic, therefore, translates into a government that limits its activities to punishing those who those who violate the sacred property rights of others, and of setting up and sustaining a system of laws that permit men and women to freely and fairly exercise their property rights.

Socialism, inasmuch as its primary purpose is to overthrow private property and its primary supports: faith, family, eternal law, home and private education; and inasmuch as it does so via methods that by design tend to centralize and expand government beyond constitutional limits; is seditious in a republic. This is equally the case whether it chooses to do so through violence or legislation, all at once or by patient gradualism, via a broad-based assault or piecemeal.

That makes defending property against such assaults the highest sort of patriotism.



Written by [Dennis Behreandt](#) on May 8, 2010

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