

## The Holy Nation Protects Private Property

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In our study of politics and the Bible we come to another of the foundational concepts, the right to own and protect private property.

God made this a foundational concept by putting it as number eight of the Ten Commandments. “*Thou shalt not steal.*” (Exodus 20:15). Let’s break it down.

First, the commandment assumes that the individual has a right to own and hold their property. Communists believe that all property is publically owned. Christianity doesn’t object to governmental entities owning property provided they lawfully attain that ownership but it expressly allows the individual to own property.

Second, that ownership should not be taken away by theft, or stealing by any means including coercion, fraud, or without his uncoerced consent. God says you can safely own the property and it cannot be stolen from you.

Third, by making it a commandment of His law, enforceable by action of the community, God established the interests of the state in protecting that right. The individual is not left to his own strength alone to defend his property. Rather, the defense of private property is also the obligation of the state. Without the inclusion in the law, you might have the right to own property but only so long as you can personally defend it from those who might want to steal it. It is entirely Christian to call the police when your property is being threatened and God wants the police to show up to help you defend your stuff.

King David’s inspired account gives the earth for common human use: “*The highest heavens belong to the Lord, but the earth he has given to man.*” God has given the earth to man and we therefore have the right to own our little piece of it.

The teachings of Jesus reflect positively on private ownership. The parable of the tenants in Matthew 21 assumes the right of ownership by the landowner who is likened to God.

<sup>33</sup> “*Listen to another parable: There was a landowner who planted a vineyard. He put a wall around it, dug a winepress in it and built a watchtower. Then he rented the vineyard to some farmers and moved to another place.* <sup>34</sup> *When the harvest time approached, he sent his servants to the tenants to collect his fruit.* <sup>35</sup> *“The tenants seized his servants; they beat one, killed another, and stoned a third.* <sup>36</sup> *Then he sent other servants to them, more than the first time, and the tenants treated them the same way.* <sup>37</sup> *Last of all, he sent his son to them. ‘They will respect my son,’ he said.* <sup>38</sup> *“But when the tenants saw the son, they said to each other, ‘This is the heir. Come, let’s kill him and take his inheritance.’* <sup>39</sup> *So they took him and threw him out of the vineyard and killed him.* <sup>40</sup> *“Therefore, when the owner of the vineyard comes, what will he do to those tenants?”* <sup>41</sup> *“He will bring those wretches to a wretched end,” they replied, “and he will rent the vineyard to other tenants, who will give him his share of the crop at harvest time.”* <sup>42</sup> *Jesus said to them, “Have you never read in the Scriptures: ‘The stone the builders rejected has become the cornerstone; the Lord has done this, and it is marvelous in our eyes’?”* <sup>43</sup> *“Therefore I tell you that the kingdom of God will be taken away from you and given to a people who will produce its fruit.* <sup>44</sup> *Anyone who falls on this stone will be broken to pieces; anyone on whom it falls will be crushed.”*

Notice Jesus doesn’t sound like a communist and claim that the renters have as much right to everything as the owner. Each has contractual requirements which they must fulfill but there is no effort to create the communist vision of economic equality “from each according to ability and to each according to his need.” Obviously a parable has one main point which in this

case is about people not receiving Jesus as God's Son. Even so, private property is acknowledged and approved in the parable and contracts are to be honored.

The son had the right to receive an inheritance according to the parable. That is, I can own property and when I die I can pass it along to my kids or heirs. The right to own property is also the right to pass it on to heirs otherwise you don't truly own the property.

**God established procedures so families could retain their property.** In cases of theft, an essential element in preserving property is restitution. If a person has been deprived of his property by theft or stealing, it must be restored to him, plus additional amounts. Theft is not just a disturbance of the "king's peace," deserving a stint in the king's prison, but deprives a person of his property, and he must be compensated. Exodus 22:1-17 has an extensive list of restitution requirements. Here is just a sample: **22** *"Whoever steals an ox or a sheep and slaughters it or sells it must pay back five head of cattle for the ox and four sheep for the sheep.*

*<sup>2</sup> "If a thief is caught breaking in at night and is struck a fatal blow, the defender is not guilty of bloodshed; <sup>3</sup> but if it happens after sunrise, the defender is guilty of bloodshed.*

*"Anyone who steals must certainly make restitution, but if they have nothing, they must be sold to pay for their theft. <sup>4</sup> If the stolen animal is found alive in their possession—whether ox or donkey or sheep—they must pay back double."*

Laws regarding the 50 year Jubilee cycle, and the right of redemption were both designed to preserve private ownership of property. The power of the rulers was enlisted to help families retain property. Here is a sample of just some of the rules about redeeming property from Leviticus 23: *'The land must not be sold permanently, because the land is mine and you reside in my land as foreigners and strangers. <sup>24</sup> Throughout the land that you hold as a possession, you must provide for the redemption of the land. <sup>25</sup> "If one of your fellow Israelites becomes poor and sells some of their property, their nearest relative is to come and redeem what they have sold. <sup>26</sup> If, however, there is no one to redeem it for them but later on they prosper and acquire sufficient means to redeem it themselves, <sup>27</sup> they are to determine the value for the years since they sold it and refund the balance to the one to whom they sold it; they can then go back to their own property. <sup>28</sup> But if they do not acquire the means to repay, what was sold will remain in the possession of the buyer until the Year of Jubilee. It will be returned in the Jubilee, and they can then go back to their property.'*

The point is that God instituted many procedures to promote the enduring private ownership of property. If our politics is to follow that concept then law should be supported that can allow a person to recover when their property is threatened.

**There are two main Christian viewpoints as to the origin of the right to property.**

The "*Dominion*" viewpoint holds that God is the absolute and transcendental owner of all land, but the present title has been donated to the family since God said in Genesis 1:26-26, "*Let us make man in our image, in our likeness, and let them rule over the fish of the sea and the birds of the air, and over the livestock, over all the earth, and over all the creatures that move along the ground.*"

When God gave man dominion over the land, he gave him title to it, and gave it for his personal use. It is given to those who are obedient to God's law, and it is a gift. Those who hold to this view and its conclusions in a variety of areas are called "Reconstructionists" or adherents of "dominion theology." People like the late Pat Robertson were heavily influenced by this viewpoint, and the former dean of his School of Public Policy, Herbert Titus, has written on the subject.

The other viewpoint, is “labor” based and was championed by the English philosopher John Locke. His ideas were developed in his treatise “Of Civil Government,” and became the model for the American viewpoint of property.

For a hundred years before the American Revolution, preachers preached Locke as though his writings were the fifth Gospel. Locke’s ideas were incorporated into Law by way of Blackstone’s Commentaries on the Law, the reference book for law in early America.

Here are some main ideas of Locke: First, John Locke believed that every person possesses himself first of all. “*Though the earth and all inferior creatures be common to all men, yet every man has a property in his own person: this nobody has a right to but himself. The labor of his body and the work of his hands, we may say, are properly his.*”

Second, Locke said we apply our labor, which is ours alone, to the world God has made, and thereby appropriate God’s common provision as our personal provision or property. “*Whatsoever, then, he removes out of the state that Nature hath provided and left it in, he hath mixed his labor with it, and joined to it something that is his own, and thereby makes it his property.*”

Karl Marx accepted Locke’s thesis, but took the conclusions a different direction saying that if labor gave man title to property, then the capitalist does wrong by exploiting the labor of others for his benefit. Only a transitional state should own land and give to each laborer the results of his labor. I believe the consensus of history will show Marx to have been wrong.

Let’s go a little further on Locke’s idea that the principal means of acquiring property has to do with labor. Ephesians 4:28 “*He who has been stealing must steal no longer, but must work, doing something useful with his own hands, that he may have something to share with those in need.*” Earlier we said God provided for private property, the ability to pass on an estate. Here we have labor as a means to property.

Martin Luther emphasized the ethical value of this life and the *sanctity of labor* saying, “*The man at the plough, the maid with the broom, are doing God better service than does the praying, self-tormenting monk.*” When the spiritual force of the “Protestant work ethic” met the spiritual and political reasoning of Locke, it was a marriage made in heaven which produced cultural strength prolifically.

Thinking politically, with this consensus in America, certain conclusions flowed from it namely that we believed strongly in the relationship of work to possessions. This bears on the question of the welfare state and the “social safety net.” We would have to look at almsgiving as a righteous requirement to round out that discussion.

**It was a legitimate function of government to protect private property.** More than a legitimate function, it is the requirement of government to restrain those who are evil, threatening life and property and to reward those who do good. Locke said that there was competition for property and some were not strict observers of “equity and justice,” so there needed to be some way to protect property: “*...Though in the state of Nature he has such a right (to his property), yet the enjoyment of it is very uncertain and constantly exposed to the invasion of others,... the greater part no strict observers of equity and justice, the enjoyment of the property he has is very unsafe, very insecure. This makes him willing to...join in society with others who are already united,...for the mutual preservation of their lives, liberties, and estates, which I call by the general name--property.*”

Even though Jefferson wrote the Declaration of Independence, his assertion that all men are endowed by their Creator with certain inalienable rights, among them life, liberty, and the

pursuit of happiness, was a virtual photocopy of Locke's writings. The pursuit of happiness is nothing less than Locke's right to acquire and keep property of whatever type.

Jefferson and Locke agreed with the common sentiment of their day that government's obligation is to preserve property rather than to take it. This was the reason free men formed into governments. They wanted "established, settled, known law," impartial judgment, and collective power to enforce the laws.

Even the right of free speech they rooted in notions about property. For example, an influential tract circulated in New England in 1744 said, "*Whenever therefore he sees a rock on which there is a probability the vessel may split, or if he sees a sand that may swallow it up, or if he foresees a storm that is like to arise; his own interest is too deeply concerned not to give notice of the danger: And the right he has to his own life and property gives him a right to speak his sentiments.*"

**If government excessively takes private property, it commits an injustice.** "Eminent domain" is based on the sovereignty of the state, rather than the sovereignty of God. At the very least, this power must be used only cautiously. "*In the United States, George Mason, author of the Virginia Declaration of rights, specifically excluded eminent domain in that document. The Virginia Declaration states "That no part of a man's property can be taken from him, or applied to public uses, without his own consent, or that of his legal representatives."* This principle, ostensibly restated in the Fifth Amendment to the US Constitution, was poorly worded and left grounds for the reintroduction of eminent domain."

Taxes also have an impact on property because they take from the property of the individual. To keep from violating the principles of property, taxes must be cautiously applied. Yet Jesus recognized the validity of taxes by proper government when he said, "*Give to Caesar what is Caesar's, and to God what is God's.*" God also told Israel when they wanted a king like other nation that taxes higher than 10% would bring prayers for relief from the people. *Samuel told all the words of the Lord to the people who were asking for a king. He said, 'This is what the king who will reign over you will do....He will take a tenth of your flocks, and you yourselves will become his slaves. When that day comes, you will cry out for relief from the king you have chosen, and the Lord will not answer you in that day.'*"

If the value of property is taken by government action, even if done legally, the individual's property has been taken. Therefore, government has an obligation to use its regulatory powers cautiously.