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# Property Rights and Religious Liberty

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*The following is adapted from a speech delivered on October 16, 2015, in Omaha, Nebraska, at a Free Market Forum sponsored by Hillsdale College's Center for the Study of Monetary Systems and Free Enterprise.*

**Many Christians,** while they cherish religious liberty, seem to believe that property rights, and the commerce that arises from the establishment of property rights, are somehow un-Christian. At the same time, a lot of free marketers seem to think that all we need are property rights and the rest will take care of itself. Neither of these views is correct, and I will explain why with reference to both James Madison and Winston Churchill.

Pope Francis is one who sometimes seems to be an example of the Christian who reads the New Testament as pointing in the direction of socialism. Commerce

appears, in some of his writings and speeches, to be a grubby business purely based on self-interest—maybe even on exploitation, the opposite of charity. This reading of the New Testament—which I think flawed, by the way—is why Karl Marx, although he was famously an atheist and militantly opposed to Christianity, praised Christianity in one respect: that it declaimed against private property in the name of an otherworldly denial of self.

In writing my book on Winston Churchill, I spent a number of months reading about the founding of the Labour Party in Britain—Churchill detested the Labour Party from the beginning, so I was interested in its origin—and I found that Christians cooperated in its founding, and thus in the founding of British socialism. There were two strains of Christianity involved, one of them sounder than the other I think. The first was a strain that took its inspiration from Jesus's insistence that we take care of the poor. The second strain—one that is much less sound in exegetical terms—held that since Jesus came down to earth, our task as Christians is to build a heaven on earth. Lots of Quakers in particular seem to have thought that. Although many socialists were atheists, many Christians took up with them for either or both of these reasons.

Today in America we can see as well that at the heart of the leftward movement in our government is a claim against property. The claim goes this way: the divisions among us are as deep as they are because of economic inequality, and if we do not address that inequality today, it will worsen tomorrow. Many well-meaning Christians think this way.

On the other side, recognizing that property is at the heart of the political argument we are having these days, are those who say that all that is needed is to protect property rights. Get money right and get property right, these people think, and leave it at that—leave morality and religion out of the political equation. But that way of thinking too is foolish. [See End Note 1.]

The most formidable enemies of property rights are formidable precisely because they know better than to separate the issue of property rights from the issue of other freedoms, including freedom of conscience and religious liberty. They know better because they see that human beings are an odd integrity of soul and body. Marx is clear-sighted about this. He understands that if you like the way the human being is organized—if you like this integrity—then you are going to have to protect it all. And if you do not like it, you are going to have to uproot it all. Thus he makes clear in the *Communist Manifesto* that overthrowing the age-old institution of property will involve as well "the most radical rupture with traditional ideas." If private property is going to be abolished, everything will have to be abolished. Marriage and religion are two prominent examples in Marx's writings.

Several decades later, in the *Fabian Essays in Socialism* that led to the

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founding of the British Labour Party, George Bernard Shaw and others tried to downplay that side of Marxism. They claimed that they intended only to destroy property rights—that socialism is not about getting rid of the family or religion. But they were not entirely convincing. Shaw, for instance, wrote that "a married woman is a female slave chained to a male one; and a girl is a prisoner in the house and in the hands of her parents." Graham Wallas, another leading Fabian and co-founder of the London School of Economics, argued that it is inefficient for families to eat their meals separately in their houses, and lamented that it would be a long time "before we cease to feel that an Englishman's home [is] his castle, with free entrance and free egress alike forbidden." Clearly, then, the Fabians' ideal society involved more than the redistribution of wealth.

There are obvious parallels in our own time and country. In 2008, President Obama campaigned on the idea that we should "spread the wealth around," and had little to say about the family and religious liberty. But money is not all that he and his allies are interested in, is it? The President has altered his position about the nature of marriage, and now the enforcement of a new understanding of gender identity is pressed upon us through powerful means, both legal and social. We at Hillsdale College, servants of an old mission that requires promotion of the Christian faith, wonder if it will remain legal for us to separate our student body into dormitories for men and women. Will we be compelled to join the swelling chorus that denies any connection between nature and sex, and that conjures up countless new so-called genders and writes protections for these so-called genders into law? Did you follow the recent campaign over the measure that sought to do this in Houston? Are you following the case of the Little Sisters of the Poor versus Obamacare? It is not inconceivable that what we teach at Hillsdale College, and what we have taught for over 170 years, might someday soon be declared illegal. So it is not just a fight about property, is it?

* * *

What is it about the family that stands in the way of the socialist project? My wife was born to an old English family. It has a long history and has been in the same part of England forever and ever. Compared to that I am a mongrel. I was raised in a small town in Arkansas, and my family was not wealthy. But on the other hand, my dad went to college, and he loved to read books. He became a schoolteacher. My mother was proud that she was valedictorian of her class—dad was only salutatorian—and she too loved books. So there was always someone around to read to me and encourage me to read. And there were always books around to read. That is a blessing, but it is not a blessing that everybody enjoys—and that is perceived as unfair. The president of France has proposed in that country that homework be outlawed, because it is unfair that some parents but not others help their kids with it. Along the same lines, the U.S. Secretary of Education recently said that there are so many broken homes in the inner city—broken families that are subsidized of course by government policy—that we are going to have to think about building dormitories in which to raise the children. Think what this means for the liberal state, if it commits itself to an engineering project to take over childrearing and make everything equal—to remake society on a scientific basis.

The British Fabians wrote about this extensively. They believed that if we could get competition out of society, society would become more productive. People's talents would be liberated from the necessity of trying to outdo each other. Writing in the late 19th

century, they saw that a scientific revolution was beginning to transform our relationship to nature. It occurred to them: why not take the techniques and attitudes of science and apply them to the governance of human beings? Only by that means, they thought, could we put this conflict over inequality behind us and set everything right. That is the plan of the Fabians in Britain and of the Progressives in America. That is the reason the government of the United States grew to a multiple of its previous size over two generations—the idea that if we put experts at the center we can make things more

rational, and poverty and strife and envy can at last be mitigated.

Of the greatest statesmen in history, Churchill is the only one to witness this attempt to apply modern science to human affairs—an attempt that entails a massive increase in state power and is accompanied by the understanding that to make everything better, we are going to have to control everything about the human being. And for one thing that means replacing religion with science, which is why Marx excoriates religion as the opium of the people—opium in the sense that it teaches the masses to abide their pain rather than do something about it, to put off to the next world a gratification that is possible in this one.

Churchill was among the first to see this new ideology put into practice, but he was following a long tradition in understanding the connection of property rights to the right of conscience and religious liberty. James Madison wrote an essay on property in 1792 in which he connects property rights to all human rights, including freedom of religion, speech, and the press. Madison defines property as "every thing to which a man may attach a value and have a right, and *which leaves to every one else the like advantage*" (emphasis in original)—the italicized words distinguish the natural rights of the Declaration of Independence from the kind of rights proclaimed by socialism, such as the right to a guaranteed income or to free education, which by definition make claims on the property of others.

Madison continues:

> In [one] sense, a man's land, or merchandise, or money is called his property. In [another] sense, a man has a property in his opinions and the free communication of them. He has a property of peculiar value in his religious opinions, and in the profession and practice dictated by them. He has a property very dear to him in the safety and liberty of his person.

Here Madison refers to the freedom not to be killed or injured or enslaved as "a property very dear." And then immediately following this he writes: "[A man] has an equal property"—equal to the right not to be killed—"in the free use of his faculties and free choice of the objects on which to employ them."

Madison's point rings in every corner of the American Revolution: give me liberty, and especially liberty of the mind, or give me death. And this liberty is inseparable from property rights. Thus Madison concludes: "In a word, as a man is said to have a right to his property, he may be equally said to have a property in his rights."

Madison's broad definition of property is based on the understanding of the integrated human being that I began with—the human being as consisting of a body and a soul. Think of the prime moral virtues, the first of which is courage, which has to do with the right disposition toward pain and danger. As bodies, humans feel fear and pain as much as horses and dogs—but as integrated beings they understand that there are things for which they must risk their lives. Cowardice is shameful because we humans know that some things are more precious even than our lives. The second prime virtue is moderation, which is the correct disposition of the soul toward pleasure. As bodies, we are seduced and tempted all the time; but in every action we take, our souls are set as judges over our desires. In other words, the testing place for human beings is in this connection between the body and the soul; we are good or we are bad, and therefore we are happy or we are unhappy, according to how we regulate that connection. Understood properly, then, to do away with the right to property would be to deprive us of the foundation upon which we exercise our humanity.

In our age, this foundation of our humanity is under attack by the combined forces of modern science and modern ideology. Churchill saw this with breathtaking clarity as a very young man. He saw it first in warfare, where the power of modern science to destroy as much as to save first became apparent. At the turn of the century he fought in Sudan against the Dervish forces of the Mahdi—the great-grandfather of a current Imam and former prime minister of Sudan, and the founder of what was probably the first Islamic state. Churchill wrote about this in a book called *The River War*. He despised the enemy and wished their defeat, but at the same time he described the way they were defeated—mowed down with machine guns and artillery from a distance, they themselves having no such weapons—as cruel and unfair. And he lamented that courage in the future will not count for so much on the battlefield—that in the past it was the bravest who tended to win, whereas now it is the ones with the most advanced weapons.

Churchill saw corresponding dangers confronting humanity in peacetime, in the form of socialism. In the same way that men had transformed their ability to kill, they were transforming their ability to impose tyrannical rule. The proof came about for all to see in the two great tyrannies of the twentieth century, Nazism and Soviet communism. Never had anything like them been seen before, and Churchill thought they were the same kind of thing and hated them both. One thing he hated about them was their war on independent thought. Not even family dinners were uncontrolled, because the children were taught by the state to act as witnesses against their parents. Prayers and table talk were dangerous.

Tyranny is not stable, because human nature rejects it. What does it take to make tyranny live? The fifth book of Aristotle's *Politics* teaches us that tyrants seek to wear down every excellence in society and to obstruct friendships, especially friendships among the best people, on the principle that if they degrade everyone then people will submit. What is Big Brother's target in George Orwell's *1984*? Not just people's property—it is all of the qualities that make up the full or integrated human being. Speaking of the Bolsheviks, Churchill said that they had perfected a kind of government that was not exactly like that of the honey bees, because it could not produce honey; rather it was like the government of white ants. But Churchill also believed that the Bolshevik way of ruling was only an extreme form of something that was growing up in the Western democracies as well.

* * *

In 1945, after the war was won, Churchill was the greatest living man—he could have rested on his laurels and been that for the rest of his life. Instead, in the election that year, he declared war on the Labour Party. The leaders of that party had served in the coalition government with him during the Second World War, and some of them were heroes from the First World War. Yet Churchill went against the advice of all his advisors, including his wife, to make the point publicly that the socialists would never realize their ultimate aims without the use of "some form of Gestapo." They did not intend this, at least the better of them did not, he said; but this is what it would take for their aims to be successful—this is what it would take to produce an equality of outcomes.

In 1931, the year before Aldous Huxley's *Brave New World* was published, Churchill wrote an essay called "Fifty Years Hence," in which he looked ahead to a time when man might attempt to carry out the whole cycle of human reproduction in a laboratory. Just this past April, in the *Wall Street Journal*, two Nobel Prize-winning biologists called for a moratorium on the alteration of germ-line cells, because we can now alter DNA to eliminate some birth defects—in which case maybe we can also make

some heritable improvements. And once we do that, then the human being becomes an artifact of the human being. What would that mean? But here is Churchill in "Fifty Years Hence":

> I read a book the other day which traced the history of mankind from the birth of the solar system to its extinction. There were fifteen or sixteen races of men, which in succession rose and fell over periods measured by tens of millions of years. In the end a race of being was evolved which had mastered nature. A state was created whose citizens lived as long as they chose, enjoyed pleasures and sympathies incomparably wider than our own, navigated the inter-planetary spaces, could recall the panorama of the past and foresee the future.

He is imagining a utopia created by science. And then he wrote, in one of his most beautiful and significant passages:

> But what was the good of all that to them? What did they know more than we know about the answers to the simple questions which man has asked since the earliest dawn of reason—'Why are we here? What is the purpose of life? Whither are we going?' No material progress, even though it takes shapes we cannot now conceive, or however it may expand the faculties of man, can bring comfort to his soul. It is this fact, more wonderful than any that Science can reveal, which gives the best hope that all will be well.

Nine years after writing this, Churchill became the leader of his country, and he had put in front of him a proposal for a peace conference that had been arranged by Mussolini. At that moment, Britain stood alone in the West in opposing Nazi Germany, whose forces vastly outnumbered those of the British. Germany had conquered France, and was threatening to cross the Channel and take England. Some in Churchill's war cabinet thought dealing with Hitler was the only sensible thing to do, but not Churchill. Here is what he said when the issue came to a head in a fateful cabinet meeting on May 28, 1940:

> I am convinced that every man of you would rise up and tear me down from my place if I were for one moment to contemplate parley or surrender. If this long island story of ours is to end at last, let it end only when each one of us lies choking in his own blood upon the ground.

And the cabinet members rose as one and cheered, even those who had just spoken in favor of the peace conference.

Knowing the horrors of modern war, Churchill hated and feared war all his life. Yet he made this speech to rally his cabinet, as he would rally the British nation, to war. Why? Because he was possessed of the knowledge of the nature of the human being—the fact that we are made in God's image to confront the eternal questions from inside a mortal body, and that our rights to our property and our rights to conscience and religious liberty are aspects of the two parts that integrate to make the human being. Churchill thought the human being was a thing produced by nature and by God and that no man, not even Adolf Hitler with his vast divisions, could ever conquer that. He fought for that belief. I think we are going to have to fight for it too. [Endnote 2]



**DID YOU KNOW?**

On November 2, Hillsdale College dedicated the new Boyle Radio Studio at its Allan P. Kirby, Jr. Center for Constitutional Studies and Citizenship in Washington, D.C. Nationally syndicated radio host Hugh Hewitt conducted the inaugural broadcast from the studio, with guests including U.S. Senators Ted Cruz and Tom Cotton, and Speaker of the House Paul Ryan.

**[Note 1]** "The greed of the common people prompts them to vote for politicians who will continue the government freebies and low cost imported goods. Debt is the problem with that. When one barrows money which he knows he can not, or does not intend to pay, he is stealing. This is a violation of God's natural law and has natural consequences. (Printing excessive money only pretends to pay.)" Phil Blake

**[Note 2]** "We need to be independent of dictators, Dependent on the earth God provided to us." Phil Blake