

# THE ORANGE COUNTY REGISTER

## James Dorn: The welfare state's road to riots

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If the riots in Britain have taught us anything, it is that when government fails in its most basic function – protecting persons and property – civil society ends, and warfare begins. The rise of the welfare state has eroded respect for private property rights and fostered a socialist mentality that dulls individual responsibility.

The U.S. is quickly catching up with European welfare states. Entitlement spending has skyrocketed since the Great Society programs of the mid-1960s, especially Medicare and Medicaid. Those two programs along with Social Security now account for more than 40 percent of federal spending, which itself has risen to 25 percent of GDP, or nearly \$4 trillion. If all entitlement spending is included, payments to individuals account for 66 percent of federal spending.

The transformation from limited government (true liberalism) to the welfare state has no constitutional basis. The three branches of government have failed in their solemn duty to uphold the Framers' Constitution, or what F. A. Hayek called "the constitution of liberty."

It is not free enterprise and limited government that led to the riots in Britain; it is rather their demise. The U.S. should wake up and recognize the danger the welfare state poses to property – broadly understood as rights to life, liberty, and the pursuit of happiness.

The most fundamental question facing any society is the role and scope of government. The Framers of the Constitution accepted the idea that the primary role of government is to safeguard private property. In 1792, James Madison, the chief architect of the Constitution, wrote, "Government is instituted to protect property of every sort. ... This being the end of government, that alone is a just government, which impartially secures to every man, whatever is his own."

The Preamble to the Constitution states that the purpose of the charter is to "establish justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty." To "establish justice" means to prevent the violation of an individual's natural rights or property rights; it does not give the federal government an unlimited power to take private property and interfere with freedom of contract.

Madison and the other framers would not have enumerated – and therefore limited – the powers of the federal government in Article 1, section 8, if they thought a redistributive state was just. Nor would they have added a Bill of Rights.

Amendments to the Constitution – notably the Thirteenth, Fourteenth, and Fifteenth – further strengthened property rights. But the Progressive Movement (1890s–1920s) began to erode the Framers' Constitution. Today, the broad interpretation of the General Welfare Clause, the Commerce Clause, and other clauses have expanded the powers of the federal government far beyond that envisioned by the Framers. In doing so, the meaning of justice has been turned on its head: from its legitimate meaning of safeguarding property to its modern meaning of using taxes, regulation, and laws to redistribute income and wealth to achieve "social justice."

The problem is that when government is seen as an instrument for "doing good" rather than a force for preventing harm, there is no end to government mischief. By its very nature government operates by coercion,

not consent; and as Milton Friedman liked to remind us, when government spends other people's money, it will naturally want to do more and more.

The lesson from the British riots is that when government overextends itself, it will fail to do what it is supposed to do: protect persons and property. If an anti-market and socialist mentality replace an ethos of liberty and responsibility, then the harmony that results from limited government and free markets will disappear – and hooligans will gain the upper hand.

The massive U.S. debt is a reflection of the rapid growth of entitlements and a do-good vision of government. Next year's elections will be a referendum on the size and scope of government. If Americans return to the Madisonian principle of justice that underlies the Constitution – and is the foundation of morality – the future of peace and prosperity will be bright. If they adhere to the illiberal principle of "doing good with other people's money," the welfare state will grow and eventually put out the light of liberty.

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