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Paul Rickert's Tax Day TEA Party Speech - Lafayette Square, Washington, DC

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Paul R. Rickert's Tax Day TEA Party Speech

given 15 April, 2009

at Lafayette Square, Washington, D.C.

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Good Afternoon! I am Paul Rickert. I've driven up here from Lynchburg, VA where I teach Criminal Justice at Liberty University's Helms School of Government. I'd like to take a few minutes to get to the heart of the matter that has brought about so much attention to the issue that draws us here today, the day our taxes are due. Actually the Tax Foundation said that I began working for myself just yesterday. The previous 103 days I spent – as did most of you I suspect – working for the various aspects of local, state, and (dare I say) the *National* government. Not voluntarily of course, but under compulsion by them. Certainly our Founders understood, that a little tax here and a little tax there, and before long we've ceded our property from our posterity to the government and someone else's progeny. This is something that greatly concerns me, as it did those involved in the first TEA Party.

TAXATION IS REALLY ABOUT PROPERTY RIGHTS!

The recently passed – and so-called “spendulus bill” (and a sarcastic “thanks a lot” to Senators Specter, Collins, and Snowe) has really demonstrated the incompetence of our “representatives” (and I trust that you will tell them this when they come up for re-election).

But I digress. The repeated instances of our “representatives” passing bills that increase spending on alleged “general welfare” issues – even without reading them – which create new and permanent bureaucratic structures and their resulting tentacles at the national level to “spread the wealth around” isn't “good for everybody” as our President thinks, but it displays a fundamental lack of understanding of what the Constitution means by our leaders, and of what our founders *told* us it means. Ideology blinds them and they cloak their arguments in moral terms; But I say “Woe to those who call evil good, and good evil” (Is. 5:20).

James Madison – in his 1792 article entitled “Property” quotes Blackstone, defining property as "that dominion which one man claims and exercises over the external things of the world, in exclusion of every other individual." He continues arguing that:

Government is instituted to protect property of every sort; as well that which lies in various rights of individuals, as that which the term particularly expresses. This being the end of government, that alone is a *just* government, which *impartially* secures to every man, whatever is his. That is not a just government, nor is property secure under it, where the property which a man has in his personal safety and personal liberty, is violated by arbitrary seizures of one class of citizens for the service of the rest.

The modern American defense against Madison's argument here seems to be that these seizures are no longer arbitrary; As if somehow *calculated* seizures makes it all better.

Walter Williams in a recent piece entitled “Our problem is Immorality” asks the questions

Do you believe that it is moral and just for one person to be forcibly used to serve the purposes of another? And, if that person does not peaceably submit to being so used, do you believe that there should be the initiation of some kind of force against him?

I think Williams is correct in answering “no” to BOTH questions. But a “no” answer means that MOST of what the governments tax us for is illegitimate – and the modern American defense against Williams' claim is that it is for the “general welfare” which every politician seems to define as simply “MORE” – again in the words of Madison again, “If Congress can employ money indefinitely to the general welfare and are the sole and supreme judges of the general

welfare, they may take the care of religion into their own hands...". Madison and those who ratified the Constitution thought that Article 1, Section 8 was a general caption to the enumerated powers of the Congress – hearkening back to the Magna Charta, The Petition of Right, and the Declaration of Independence – and *not* some genie to grant indefinite wishes for funding or whatever they wished, no matter how nice it seemed. Williams ends his article with the following elucidation

“...the U.S. Congress has established the principle that one American has a RIGHT to live at the expense of another American, [and] it no longer pays to be moral. People who choose to be moral and refuse congressional handouts will find themselves losers. They'll be paying higher and higher taxes to support increasing numbers of those paying lower and lower taxes. As it stands now, close to 50 percent of income earners have no federal income tax liability and as such, what do they care about rising income taxes? In other words, once legalized theft begins, it becomes too costly to remain moral and self-sufficient. You might as well join in the looting, including the current looting in the name of stimulating the economy.”

Williams commentary on “legalized theft” sounds distinctly familiar. Frederic Bastiat wrote on the same issue 160 years ago. (Students of mine who read Bastiat's *The Law* often confuse historic France with modern America...). Bastiat argues that the law seeks to punish “theft and swindling” of illegal plunder, but it seeks to protect “legal plunder”. He wrote

But how is this legal plunder to be identified? Quite simply. See if the law takes from some persons what belongs to them, and gives it to other persons to whom it

does not belong. See if the law benefits one citizen at the expense of another by doing what the citizen himself cannot do without committing a crime.

Bastiat continues

Now, legal plunder can be committed in an infinite number of ways. Thus we have an infinite number of plans for organizing it: tariffs, protection, benefits, subsidies, encouragements, progressive taxation, public schools, guaranteed jobs, guaranteed profits, minimum wages, a right to relief, a right to the tools of labor, free credit, and so on, and so on. All these plans as a whole—with their common aim of legal plunder—constitute socialism.

Notice that Bastiat says nothing about the *ability* of the first citizen nor the *need* of the second.

In short, the modern American politician's answers to Walter Williams' questions are apparently "yes" and "yes".

There are several charities that I regularly support; my church, missionaries, educational institutions, and other non-profits that do good both here and abroad. As my taxes balloon, the margin I have between meeting my family's needs and donating where I wish to, decreases.

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I even work for a university that is largely supported by donations that grew out of a local church. If donations begin dwindling as the margins tighten, there will be fewer non-governmental organizations and ministries that can afford to do good for the needy in society. The government will be the only option left and governments don't "ever let a crisis go to waste"... We're living in a government caused crisis right now. I must live within my budget,

¹ At this point, at about 2:15pm the Secret Service interrupted my speech and cleared Lafayette Square as someone had thrown a package over the fence to the White House. It was later determined to be tea. This event effectively ended the event.

and if I refuse, I cannot force my employer to pay me more, not, at least, without committing a crime! The National government sees fit to do this though! The current mode of taxation sounds a lot like Bastiat's definition of both legal plunder and socialism.

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