

“The Bible’s Eighth Commandment”

Excerpts by John Rushdoony

What does it mean, “Thou shall not steal” and to whom does the command apply?

For this answer, we want to draw from the work of John Rushdoony and his *magnum opus*. John died in February 2005 and his death was a great loss to Christianity. A sixth generation Presbyterian scholar, Rushdoony read a book a day, six days a week for over 50 years of his life. Gary North calls him the source of core ideas of the New Christian Right from which Pat Robertson, Jerry Falwell, President Reagan, and others drew many of their ideas. Besides having a photographic memory, he was a great writer. Enjoy the following excerpts and comments on the eighth commandment in his work, The Institutes of Biblical Law, pp. 448-541 (1973).

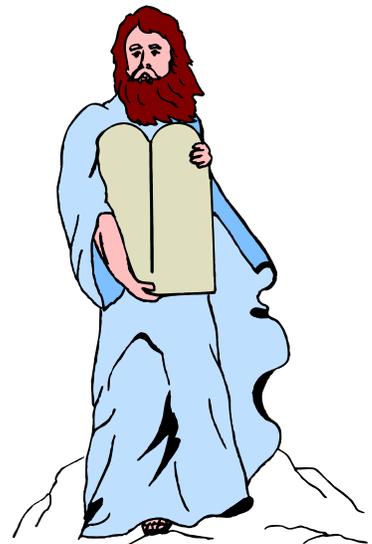
Rushdoony on the Eighth Commandment: Man was created in the image of God and commanded him to subdue the earth and to have dominion over it (Gen. 1:26-27). As a result of the fall, however, man’s urge to have dominion is now a perverted one, no longer an exercise of power under God and to His glory, but a desire to be God. This drive to be god has driven men to theft.

The purpose of regeneration is to re-establish man in his creation mandate, to exercise dominion and to subdue the earth. The earth is indeed the Lord’s, as is all dominion, but God has chosen to give dominion over the earth to man, subject to His law-word with property as the central aspect of that dominion. *It is the contention of liberals that the state must own and control property.* However, Scripture places property in the hands of the family, not the state. It gives property to man as an aspect of his dominion as a part of his godly subduing of the earth.

Thomas Paine, *however*, affirmed totalitarianism . . . the state as god became the source of authority, morality, and dominion. Quite logically, the *French Revolution* became a boot, grinding down the face of man.

What is Theft?

The purpose of wealth is the establishment of God’s covenant (Deut. 8: 1, 18); its goal is that man prosper in his task of possessing the earth, subduing it and exercising dominion over it (p. 524). Theft robs man of his power to achieve dominion over his environment.



Theft is taking another man's property by coercion, fraud, or without his uncoerced consent. Cheating, harming property, or destroying its value is also theft. Theft can be simple or complex. Theft can be accomplished by indirect and legal means; i.e., by passing a law which steals from the rich, the poor, or the middle-classes, for the benefit of a particular group. The state becomes the agency whereby theft is accomplished, and pseudo moral cover is given by legal enactment.

Necessity does not justify theft. The idea that *a man can steal to meet his present distress* [or that *necessity knows no law*] gives man's life priority over God's law. Theft is more than an offense against another person; it is an offense against God's law.

Theft on property can take two forms. **First**, by denying God's law, powerful individuals despise the property rights of weaker individuals. Social Darwinists had no real interest in private property. **Second**, the theory of evolution was used as a guide for society. For them the state became this "dynamic" environment whereby man could remake himself. Since property is a form of power, the totalitarian state seeks to control or to seize private property in order to prevent the people from having any power independently of the state. Private property is a power given to man [families] to be used under God and to His glory.

Theft by Warped Forgiveness

We steal when we do not make restitution. A serious and major error, which has infected Christian and non-Christian thought alike is that sin can be forgiven. Sin as a principle of independence cannot be forgiven. A particular sin can be forgiven; sin as a principle, original sin, cannot be forgiven. With this in mind, we can understand why, with respect to criminal law, the death penalty was mandatory for incorrigible animals.

Exodus 22:1 If a man shall steal an ox, or a sheep, and kill it, or sell it; he shall restore five oxen for an ox, and four sheep for a sheep.

Exodus 21:28 If an ox gore a man or a woman, that they die: then the ox shall be surely stoned

Forgiveness and restitution are inseparable. Forgiveness always requires repentance and restitution. To steal a sheep is to steal the present and future value of a man's property. Restitution must calculate not only the present and future value of a thing stolen, but also the specialized skills involved in its replacement. Destitution is no excuse (Ex. 22:2, 3, 5, 6).

When Sarah was seized from Abraham by the Egyptian totalitarian state due to the doctrine of eminent domain, there is not the slightest hint of any condemnation of Abraham. Pharaoh escaped the judgment of the Sovereign God only by making restitution to Abraham (Gen. 12).

Forgiveness in Scripture is a juridical term. It has reference to a court of law. ***When forgiveness is separated from law and made a matter of feeling, the end result is sentimentalism.*** Many modern

theologians and Christians insist on an unconditional forgiveness for all men, irrespective of repentance and restitution. Such a position is simply a subsidy to and an acceptance of evil as evil.

Theft by Negligence

We steal when we fail to render aid. Failure to render aid was once a serious offense. The direction of humanistic education, *however*, is progressively absolving men of any legal obligation to be a Good Samaritan. Thus, one decision,

A bystander may watch a blind man or a child walk over a precipice, and yet he is not required to give warning . . . he owes no legal duty to render assistance.

Biblical law, however, asserts the liability of the bystander:

Deuteronomy 22:1 Thou shalt not see thy brother's ox or his sheep go astray, and hide thyself from them: thou shalt in any case bring them again unto thy brother.

We cannot rob a man of his property by our neglect; we must act as good neighbors even to our enemies and to strangers. Lost or strayed animals, property, or clothing must be protected and held in ward with every public effort at immediate restoration.

A woman assaulted, must be given aid (Deut. 22:24). *The Rabbis considered the plight of an unaided maiden a reason the Sun would not shine (dark horror), and linked it along such sins as sodomy and forgery.* It was rated as worse than giving a false witness. A false witness misrepresents the truth; the non-interfering bystander becomes an accomplice to the crime by his refusal to render aid: “*When you see a thief, you join with him; you throw in your lot with adulterers*” (^{NIV} Psalm 50:18) (*thieves and adulterers both steal*).

The law “*requires the doing of good at all times*” [*Moore v. Strickling* (1899)]. Under common law, a sheriff has the right to muster every male citizen of a community of 15 years or older to assist him in the enforcement of law.

William B. Saxbe, Attorney General of Ohio . . . “United States law holds that a private person may arrest someone for committing or attempting to commit a felony or a misdemeanor in his presence . . .”

American law has become contradictory since the old common law has been superceded by statutory law. *Today, the law does not require you to call the cops even if someone is burning your neighbor's house down.* While the civil legal situation may be equivocal one; the Biblical legal requirement is not. *Misprision*, concealment of a crime, is a serious offense. In the parable of the Good Samaritan, the religious parties “*passed by on the other side.*” It was easier to tithe mint; it sometimes takes moral courage to help a victim. It is thus a ***serious error to reduce this parable to the level of feelings alone***, or to a matter of charity; these things are subordinate to the law in this case.

Theft by Fraudulent Money and Measures

Deuteronomy 25:13 Thou shalt not have in thy bag divers weights, a great and a small.

Fraud in weights and measures is essentially fraudulent money. Dishonest merchandising is a serious matter as dishonest judges and courts. *Caveat emptor, let the buyer beware*, is not Biblical. The law cannot encourage irresponsibility on the part of either buyer or seller. Honest goods are necessary, but also honest payments. The state, as a ministry of justice, does have a duty to maintain justice in the market-place, but it cannot confuse justice with charity.

Fractional reserve banking, unbacked or partially backed paper money, and inflation of money by debt and credit, is thus a violation of this law. Isaiah, in listing the charges in God's bill of indictment against Jerusalem, declared that "Thy silver is become dross, thy wine mixed with water" (Isa. 1:22). As surely as a false yardstick or a false cup measure defrauds a man, just as surely a false money defrauds a man. Dishonest money introduces a false weight into every monetary transaction in society, so that radical corruption and injustice prevail . . . then the entire society is polluted (Prov. 20:10, 23).

The consequence of violation of this law was *expulsion* from the land (Amos 8:8) and keeping this law lengthened life itself (Deut. 25:13-15).

The Commandment, therefore, plainly forbids changing, cheapening, and adulterating merchandise and such fraud or theft is no small concern of the government. Legislation is necessary to enforce honest weights and measures . . . to protect men from the sin of rapacity of men and against the power and depravity of the state.

Biblical law declares the rule of God and His law. God's self interest is alone the true foundation of law and order. Only law men are redeemed and submit, by grace and/or by compulsion to God's law-order can there be justice (Ps. 127:1).

Theft by Usury

NAS Exodus 22:25 "If you lend money to My people, to the poor among you, you are not to act as a creditor to him; you shall not charge him interest.

We can rob people by charging interest on loans (usury). However, total condemnation of interest has led to moral consequences. The Lord Jesus chastised a servant because he failed to commercially lend his money with interest (Lk. 19). Citing Rylaarsdam, commenting on Exodus 22:25-27, Rushdoony points out the real point is that in his regulations with a poor man, possibly his own employee, an Israelite must be generous. If he gives his employee an advance payment on his wages, he must not charge interest. Charity is in mind for Israelite "brethren." Not charging interest on the loan was an act of grace. The loan had to be repaid, but the interest was cancelled. God is not asking the employer to help everybody, but he is asking the employer to help his employee by not charging interest; that is, interest free loans had to be made available by employers to employees. Charging interest had the power to destroy. For this reason, Nehemiah condemned the bankers for charging interest on the loans upon their poor brothers (Neh. 5).

A pledge (a garment), however, could still be required as a form of insurance (Deut. 24:6, 17). Gary North points out that this law forbids fractional reserve banking, in that the security cannot be used to negotiate a second loan.

Quoting Unger's summary, Rushdoony points out that the Israelites were not commercial people. Money was not loaned for business, but rather to aid the struggling poor. The only kind of interest forbidden in the law was an interest loan to the poor (Ps. 15:5; Jer. 15:10; Prov. 28:8; Lev. 25:36; Ezek. 18:8, 13, 17). While interest was permitted on commercial enterprises, even these loans were subject to Sabbatical law; that is, they had to be cancelled at the end of six years (Deut. 15:1-6). **No godly man had the right to mortgage his future indefinitely; his life belongs to God and cannot be forfeited to men.** The Sabbath cancellation of debt was intended for rest; i.e., debt free living. The normal life of covenant living is to be debt free. The purpose of the law, therefore, was to deliver every man to freedom.

Consequently, donning and compelling pledges or extracting pledges by force or coercion robbed men of dignity. The dignity of the borrower cannot be broken or harmed. The widow's raiment could not be taken from her. A poor man's house has a sanctity which the creditor cannot challenge. The pledge had to be secured. No man has a right to mortgage his future indefinitely or to risk those things which provide life and security. Thus, **failure to restore a pledge or pawn when repayment is made is robbery** (Deut. 24:10-13, 14-16).

Theft by Permissiveness

In Exodus 21:28-32, animals are held accountable as well as owners of animals for their actions. If an ox gored a man causing his death, the ox had to be stoned. If the owner "hath not kept him in" then the owner was responsible. If a man is responsible for the actions of an ox, he is certainly responsible for the actions of a delinquent son, if he "hath not kept him in." if no attempt has been made to prevent the son from giving vent to his delinquency.

The responsibility of the parent does not absolve the child of his responsibility. The goring ox is always guilty; the owner is only guilty if his negligence can be proven. The parent's responsibility to provide for and protect their son ends with the son's delinquency. If responsibility (provision for his needs) is maintained beyond that point it becomes robbery. No relationship between man and man can be absolutized. We have no absolute bond which ties us unconditionally to any man, either to obey or to love him. In every human relationship, the only absolute is God's law, not man's relationship. **It is an infraction of God's order to indulge evil.** It involves robbing one person of his due in order to reward or indulge another, and this means also the violation of God's order to continue disorder. If the ox, an animal of limited intelligence, is accountable for his acts, then every man in his station is also responsible. A world without responsibility is a world of the dead.

Theft by Enslavement

Kidnapping is theft (Ex. 21:16; Deut. 5:19). "Thou shall not steal another man's freedom by forcibly enslaving his person or his property." The purpose of man's existence is to have dominion over the earth.

To kidnap a man and enslave him is to rob him of his freedom. A believer is not to be a slave nor is a master to enslave men (1 Cor. 7:23; Col. 4:1).

The institution of slavery in Israel was voluntary. Kidnapping or manstealing was punished by death (Ex. 22:3; Deut. 24:7). No discretion was allowed in court. Clearly, Joseph's brethren were guilty of robbing Joseph of his freedom and deserved death. Furthermore, mistreatment of man as "chattel" or "merchandise" or "brutal treatment" robbed man of his dignity. Intending to degrade or destroy him is a form of robbery.

Contrast this with the Code of Hammurabi which prevented stealing children, but did not prevent the manstealing of adults. Adults were unprotected. Helping kidnapped person escape or harboring a fugitive was punishable by death (15-16).

Property is basic to a man's freedom. A tyrannical state always limits a man's use of his property, taxes it, or confiscates that property as an effective means of enslaving a man without necessarily touching his person. Theft is more than stealing property, *it is at the same time an assault on a man's freedom.* Neither the state nor an individual has any right to transgress this law.

The state does transgress this law not only by acts of confiscation, manipulation of money, and by taxation, but also by any and every undercutting of Biblical faith and education. State supported and controlled education is theft, not only in its taxation plan, but also by virtue of its destruction of public character, so that a godly society is turned into a thieves market. In the 1860's the United States saw a decline of Christian faith, a rise of statist education, and the birth of *Social Darwinism*. For example in 1860 gold was transported in bags. If a bag ripped, the coins spilled onto the street. In those days, a crowd would gather around, form a circle, and keep thieves out. Any man found on his knees picking up coins, was given a boot in the rear.

The loss of public character robs every godly man of considerable peace and security. This theft is chargeable against the state and its anti-Christian schools.

Archaeology reveals a fact that is interesting. In ancient lands, families made doors for their homes. In Israel, they used cloth and that only for privacy. No metal or wooden doors have been found in misphat dwellings. Why? Because Israelites honored a man's right to own property and freedom. Remember, the definition of theft also includes stealing freedom as the property of man.

Theft by Seizure of Property

In Israel, landmarks could not be moved (Deut. 19:14). To remove a landmark was a double crime: *It is both theft and false witness—a violation of the whole law* (See James 2:10).

The land could not be sold for it remained holy unto the Lord ("For mine is the land," Lev. 25:23). "The earth is the Lord's" (Ps. 24:1) and the family is a tenant of a portion of that land. Rabbi Eleazar said, "Any man who owns no land is not a proper man, for it is said, '*The heavens are the heavens of the Lord; but the earth hath he given to the children of men*'" [Yebamoth, 62b-63a; p. 419]). The exercise of

dominion is in relation to the earth; man's duty here is binding on all men. The land must rest. To deny a Sabbath to the land is to defraud the land and rob it of its due. But, the heart of the matter is that land must not be sold or confiscated forever (Lev. 25:23-28). Land is an inheritance, which cannot be alienated. For poor Israelites, God provided a return of his farm in the year of Jubilee.

Throne rights extend very clearly to every part of the earth. God does intend (in every country) that land laws give a stability to society. The absence of any land and property tax in Biblical law very definitely protects enduring ownership, **whereas modern tax laws destroy ownership**. Taxation of property is a means of destroying property and is a form of robbery.

Both the taxing power, and the eminent domain exercised, are anti-Biblical. Eminent domain is a divine right. **It belongs to God alone**. The "right" of the state to eminent domain has no place in Biblical Law. **The state has a duty to protect man and his property, but not to tax or to confiscate it.**

Theft by Unconstitutional Ideology

"The earth is the Lord's and fullness thereof" (Ps. 24:1) and "Therefore let all the house of Israel know assuredly, that God hath made that same Jesus, whom ye have crucified, both Lord and Christ" (Acts 2:36). "And he shall reign over the house of Jacob for ever; and of his kingdom there shall be no end . . ." (Luke 1:33).

*The doctrine of separation of church and state has been used to usurp authority of the state over moral and ethics which rightly belong to the Church. Any doctrine of the state like the "doctrine of sovereignty of the United States" or "eminent domain" **rob God of his prerogatives**. The law, "Thou shalt not steal" means also that man cannot rob God of His prerogatives, nor of His property. God casts thieves out of His vineyard (Matt. 21:33-44).*

Theft by Fraud

Leviticus 19:13 Thou shalt not defraud thy neighbour, neither rob him: the wages of him that is hired shall not abide with thee all night until the morning.

Calvin stated that the force of this law is to prohibit "all unjust oppression," any seizure of the goods of another." The law deals with the faults of power, the "conversion of might into right," particularly undue retention of wages. Biblical law requires the just treatment of a laborer; it forbade fraud in foods, measures, money, drugs, patents, property, and intellectual property like copyright laws.

The basic intention of this law, since it deals with the "faults of power," is to legislate against the various forms of legalized robbery which so often accompany the control of the state by one class or another. "Rob, not the poor, because he is poor: neither oppress the afflicted in the gate [locative of civil administrators]" (Prov. 22:22) and Proverbs 28:24 is a reference to the abolition of robbing parents by children who twist the law or the courts to their advantage. The extortionists and oppressors create a social order which will ultimately destroy them also.

Biblical law represents an ultimate order which is written into the texture of all creation. Civil statutes represent only the will of the state, not an objective and absolute moral order. Statutory laws create lawlessness, because society is then no longer governed by absolute standard of justice by rather by the fiat will of the state.

Theft by the Doctrine of Eminent Domain

In June, 2005 Americans were stunned by a 5-4 Supreme Court decision enabling the doctrine of eminent domain in New London, Connecticut thereby granting power to the state to seize and demolish private homes in order to promote commercial development in the region.

Eminent domain is the claim to sovereignty by the state over all the property within the state, and it is the assertion of the right to appropriate all or any part thereof to any public or state use deemed necessary to the state.

Eminent domain is an assertion of sovereignty, and in Scripture sovereignty is ascribed to God alone (Isa. 46:10; Eph. 1:11; Jam. 4:12; Ps. 146:6). Because of His right of eminent domain, God brought judgment upon Egypt,

“that thou may knowest the earth is the Lord’s” (Ex. 9:29).

“Behold, to the LORD your God belong heaven and the highest heavens, the earth and all that is in it.” (Deut. 10:14).

Eminent domain was the doctrine of Ahab and Jezebel used to kill and seize the vineyard of poor, but righteous Naboth (1 Kgs. 20).

“It was the theory of Grotius that the power of eminent domain was based on the principle that the state had an original and absolute ownership of the whole property possessed by the individual members of it . . . quoting Seneca to the effect that to kings belongs the control of things, to individuals the ownership of them” (William M. McKinney and Burdett A. Rich, Ruling Case Law, 10 R.C.I., 10).

There is **no** express delegation of eminent domain to the federal government in the Constitution, **which means that it was prohibited to it, if** the Tenth Amendment has any meaning. The Constitution at no time uses the word “sovereignty.” In any claims to sovereignty and to eminent domain is unsupported by the constitution and no law has validity.

Quite logically, the federal income tax legislation calls what the taxpayer is allowed to keep as an “exemptions” by the state; i.e., an act of grace (p. 502). All a man’s property and income, his artistic and commercial products, are, in terms of this claim to sovereignty and eminent domain, the property of the state.

Only as the sovereign power and saving grace of the triune God are asserted and accepted can the claims of the state to be the source of sovereignty and grace by undercut and nullified.

Not surprisingly, the assertion of the sovereignty of the state is a humanistic concept. For Bakunin (proponent of natural law and the state), the state was a sham god to be destroyed under certain conditions.

Against natural law philosophies, Biblical law declares the sovereignty of the triune God and His sole right to eminent domain. All property is held in trust under and in the stewardship to God the King. *No institution can exercise any prerogative of God unless specifically delegated to do so, within the specified area of God's law. The state thus is the ministry of justice, not the original property owner or the sovereign lord over the land.*

Theft by Violation of Labor Laws

"You shall not oppress your neighbor, nor rob him. The wages of a hired man are not to remain with you all night until morning" (Lev. 19:13). See also Deut. 24:14, 15; Jam. 5:4.

These laws forbid fraud and oppression with respect to workmen: failure to pay, short-changing on wages, or delay in payment of wages. The intent of the law is to promote the godly use of power. Wages¹ are not credited as a favor, but as an obligation. *A man's labor is his property, and when exchanged for monies, is not a salary or income. In a legal sense, income is gain severed from capital due to corporate activities.*² *In the case of deprived wages, God declares his Supreme Court the proper place to lodge a complaint, James 5:4.*

On labor strikes: The attempt to use violence to force an employer to pay a desired non-economic wage is clearly robbery.

Man-made law cannot be used to deprive a property owner of his property rights.

The law must allow us to recover property from a thief, but it cannot legitimately allow us to steal from that thief. When business and labor use the law to steal from the consumer, or from one another, they are denying the rule of law in favor of the rule of might. The premise of pro-business legislation is this: *It is right to steal for the sake of business, since business is good for the country.* The premise of pro-labor legislation is: *It is right to steal for the sake of labor, since the workingman is poor, and also because he has many votes.*

¹ Wages: What Rushdoony means by wages and what the Internal Revenue Code means by wages operate under two very distinct definitions. The term "Wages", as most terms in the Internal Revenue Code, has a very specific legal definition within the Code and is found in [26 U.S.C. §3401\(a\)](#). Because this term is defined in the code, you can assume by the rules of statutory construction that the commonly understood definition (Webster's) does not apply.

"Wages" is not a term to be taken lightly. Listing any amount for "Wages" in Block 1 of the W-2 implies that you are an elected or appointed officer of the United States government. Consult the IRC to research this concept.

² **Stapler v U.S., 21 F Supp 737 AT 739 (1937):** "Income within the meaning of the Sixteenth Amendment and the Revenue Act, means 'gain'... and in such connection 'Gain' means profit...proceeding from property, severed from capital, however invested or employed, and coming in, received, or drawn by the taxpayer, for his separate use, benefit and disposal... Income is not a wage or compensation for any type of labor."

Creational resources may not be exploited for personal gain or the enrichment of a group or a community, but must be developed for use in the service of mankind. This is simply socialism where theft is made into a principle of operation. Not a word in Scripture gives any ground for such a statement.

Theft by Robbing God

Every crime is an offense against God's law order, but certain acts are in particular singled out as especially offensive. One of these is the failure to tithe.

Will a man rob God? Yet ye have robbed me. But ye say, Wherein have we robbed thee? In tithes and offerings. Ye are cursed with a curse: for ye have robbed me, even this whole nation. Bring ye all the tithes into the storehouse, that there may be meat in mine house, and prove me now herewith, saith the LORD of hosts, if I will not open you the windows of heaven, and pour you out a blessing, that there shall not be room enough to receive it (Malachi 3:8-10).

Review of three laws: (1) the civil/poll tax [Ex. 30:15]; (2) the prohibition against mortgaging one's future through continual debt [Deut. 15:1-4]; (3) the tithe as required of all men [Lev. 27: 30-32; I Cor. 9:12-14; Hum. 18:21-28; Prov. 3:9-10; 11:24; Matt. 23:23; Heb. 7:1-8].

In Israel, the tithe was ten percent of one's income (Deut. 14:28; Amos 4:4). The poor tithe every other year (Deut. 14:28), alternated with a rejoicing tithe (Deut. 14:22-26) on each six-year cycle out of seven. Thus, the combined poor tithe and religious tithe, averaged out to about 15 percent per year; some say 18 percent.

If this be true, when then is the failure to tithe held to be robbing God? The answer is very clear: **without the tithe, the totalitarian state progressively develops to play god over society. With the tithe, the rule of society is restored to God through His ordained tax.**

Failure of the church to teach its importance and meaning constitutes a form of robbing God as surely as the failure to pay a tithe.

Another form of robbery is "total harvesting", the provision of social welfare in Israel whereby the state is by-passed (Lev. 19:9-11).

The decline of tithing led . . . to a decline in Christian social financing. The result was the shift of power to the state, and also the growth of taxation to remedy the lack of financing. **Without restoration of the tithe, there can be no restoration of Christian social order**, nor can power be restored to the Christian man under God (p. 515). In the Medieval church, though corrupt at times, the charges against priests seldom raise the issue of the neglect of the poor.

The modern social order robs God by stripping virtually every area from His jurisdiction. Within a generation after the abolition of the legally required tithe in the United States, the state supported and controlled schools came into existence.

Because revivalism and antinomianism led to the decline of the tithe (denounce as “legalism” and bondage to law), but the beginning of the 20th century welfare came to a statist function. A new social order came with the abandonment of the tithe, and the rapid increase of taxes ensued, or statist double and triple tithes and more, to further a new order.

If the church collects the tax, the church rules society; if the state collects the tax, the state rules society. If, however, the people of God administer the tithe to godly agencies, then God’s rule prevails in that social order. In the modern world, the operative god is the state.

An age which today both rejects God’s order, and God’s son as well, is surely cursed with a curse and destined for judgment.

[Note: in Hurricane Katrina, New Orleans was totally destroyed. On September 13, President Bush apologized for the lethargic response of the state. Interestingly, it was the Christian relief agencies that were first on the scene to help refugees with food and clothing. These agencies rushed to disaster area and began serving before the government could even get its boots on.]

When man robs God, he must make restitution (p. 525-530).

Theft through Discrimination

Thou shalt neither vex a stranger, nor oppress him: for ye were strangers in the land of Egypt. Ye shall not afflict any widow, or fatherless child. If thou afflict them in any wise, and they cry at all unto me, I will surely hear their cry; And my wrath shall wax hot, and I will kill you with the sword; and your wives shall be widows, and your children fatherless” (Ex. 22:21-24).

Rushdoony recognized the sinful bent of man to preference the wealthy above the poor and the citizen above the alien. For this reason, God commanded his people not to oppress the widow or resident alien. “If the law discriminates against the weak because they are weak, and the strong because they are strong, then it cease to be law and is an instrument of oppression.” When we discriminate against people based on ethnicity or economic status, people are robbed of justice. However, Rushdoony was quick to recognize that while God called for aliens to be treated fairly, aliens did not have access to the covenant. Friendships were restricted to clansmen and were governed by faith and family. To call for the modern, humanistic society with an open relationship to all men would have appeared to the Israelites as the ultimate tyranny. God’s law did not call for a reordering of any of man’s private life.

Theft through Prisons

In Biblical law, the goal is ***not punishment, but restoration***. Where criminals were unable to make restitution, bond-service was mandatory in order to work out the required restitution. However, humanism being hostile to God’s law, blamed society for man’s crimes and demanded that society make restitution to the criminal for his actions. Humanistic restitution is anti-law in that it is fundamentally hostile to any concept of absolute law. Absolute law is replaced with the absolute person.

The Puritans asserted every man had an obligation to know the law by means of the Bible. The jury system, based on common law, was strong as long as the law was common law of Scripture. When lawyers turned instead to positive law (statist law) and statute law (in place of Biblical law), they cut themselves off from the people and became steadily a by-word for deceit because they were beyond the comprehension of the people with esoteric, humanistic law. A lawyer-society had replaced a law-society

In Christian law order, “ignorance of the law is no excuse,” because the book was open to all. In humanistic lawyer orders, *ignorance of the law is unavoidable*, because thousands of statute laws, having no basis in any ultimate moral order. When crime is blamed on poverty or society or the environment, society must pay through taxation to “correct” the criminal and to “rehabilitate” him. For environmentalism, evil is in the environment, not in the sinner. This results in robbery. Without God’s moral absolutes, man becomes eventually unable to cope with evil.

Theft Through Injustice

“And thou [a judge] shalt take no gift: for the gift blindeth the wise, and perverteth the words of the righteous” (Ex. 23:8). See also Lev. 19:15; Deut. 16: 18-20.

Based on Obad. 15; Jud. 1:27; Ps. 137:8; Ezek. 35:15; Joel 3:7,8 Josephus reported,

“If any judge takes bribes, his punishment is death; he that overlooks one that offers him a petition, and this when he is able to relieve him, he is a guilty person.”

Why the death penalty for a judge who takes a fifty-dollar bribe?

Quoting Calvin, “This kind of theft is the worst of all, when judges are corrupted either by bribes, or by affection, and thus ruin the fortunes which they ought to protect.”

Where bribery is involved, the offense is the judge’s, not the briber’s. The word for bribery is *kopher*, the word for “redemption.” The judge who accepts a bribe is granting a false or undeserved redemption or salvation to man who ought to be judged.

By taking a bribe, the public official or judge thereby **makes a thief of himself and a thieves domain of his office.** The most deadly and dangerous thieves are those who operate within the law and especially as the officers of the law. As Calvin rightly saw, “this kind of theft is the worst of all.” The whole social order is then converted into an instrument of evil.

Every corrupt official of state, and especially the judge, is guilty of using his office to destroy the foundation of social order, to kill godly society, and to replace it with a society of polite and legal thieves and murderers . . . and this requires the death of the judge. ***The first and major form of treason to any civil order is to destroy it as a representative of justice.***

Theft by Downgrading Law

Question: To whom does the commandment, "Thou shalt not steal apply?"

Rushdoony's Answer: The usual answer is "to all men." But, this answer is faulty.

The commandment applies to all men and to their institutions, corporations, and forms of government.

Failure to extend the law to its full jurisdiction has been productive of more than a little evil.

At the root of this error is the unhappy fact that most churchmen treat the commandments as simple matters of morality, not a law. To deny the Mosaic legislation its force as law is to surrender the world to the devil.

Quoting Bruins Slot, "Everything stands or falls on this simple question: does a government have more authority than its citizens? If so, it must have authority from some greater source than the citizens. The only greater sources are God or Satan. Satan is never considered by Calvinists to be the source of governments:

The state has a legitimate authority, but *not everything it does is thereby legitimate*. Paper money is theft. What you call a "hidden tax" is actually a hidden theft.

Where men exempt the state from the law of God, they make it an instrument of Satan.

The law is for everyone. If the citizen has no moral right to steal, neither does the state. If the citizen cannot expropriate his neighbor's property, neither can the state. "Thou shall not steal" applies to corporations, governments, and men equally. It forbids socialism, communism, inflations, gad checks, and every other form of theft. It forbids false advertising, and dishonest processing and adulteration of foods. It forbids featherbedding by worker's associations, and it forbids the cheating of workers. All men, their institutions, corporations, and forms of government are equally under the law of God. The reduction of the Ten Commandments to the status of a moral code is the destruction of law.

Citing James Madison (p. 541):

We have staked the whole future of American civilization, not upon the power of government, far from it. We have staked the future of all of our political institutions upon the capacity of mankind for self-government; upon the capacity of each of us to govern ourselves, to control ourselves, to sustain ourselves according to the Ten Commandments of God.

"Solution to Theft

Let him that stole steal no more: but rather let him labour, working with his hands the thing which is good, that he may have to give to him that needeth (Eph. 4:28)

The solution for theft is gospel, regenerated living and giving—a cheerful heart that tithes to God, makes restitution, pays adequate wages, and shares with the poor. Only by giving, can a victim of sin realign himself with the law of God” (Dr. B.S.).