

# Stephen Gambescia: [Public] officials broke the social contract

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***The basic mandates of our government — to protect life and property — have been fractured. Are these fractures irrevocable?***

By ***Stephen F. Gambescia***

The “social contract” is not a household set of words. It has its origins in the 18th century and pertains to the agreement between the state and the people living in that state. The central notion is that by remaining in a governed state, people have agreed to surrender some of their liberties in exchange for being governed and, subsequently, protection of their individual rights.

During Hurricane Katrina, some critics were quick to blame then President George W. Bush, claiming the federal government broke the social contract. This category 5 hurricane took the lives of more than 1,200, many whom were poor and minorities. Additional failures by the government included many stutter steps to act by the mayor of New Orleans and the governor of Louisiana. Also, shockingly, many police and first responders simply left town while rescue operations were still underway. These failures catapulted the notion of the social contract into public policy and public health discourse.

Today’s public officials’ responses to civil disobedience, destruction of public property, looting, breaking, burning businesses, and damages to life and limbs can be characterized as breaking the social contract. Since the founding of this nation, the least that we ask for and expect from government at any level is to protect the people and property.

After winning our Independence, the 55 Founders asked a fundamental question: “What type of government do we want?” They reviewed all types of governments throughout history to see what type was likely to survive. The science, and political science, of their time was enlightened. They were skeptical of the Rousseauian “follow the general will,” as they knew men were not angels and some guards needed to be put in place to keep order. They were frightened by Thomas Hobbes’ *Leviathan*, given he never answered who would rule. They found the English philosopher John Locke’s “social contract” theory just right. Locke called for limited government, accountability to the people, and for government’s job to be protection of person and property. This, according to the founders, was just right, and the expectation has generally served us well since 1788.

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Thomas Jefferson got it, when he told the truth that we have unalienable rights to “Life, Liberty, and the pursuit of Happiness.” The Founders were influenced by the writings of an enlightened Locke who in *The Second Treatise of Government* explained that by the very Laws of Nature our person and our property are sacrosanct. Nobody, including the government, is to subjugate another, take one’s property, or exploit one’s labor.

James Madison wrote in Federalist 51: “If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and the next place, oblige it to control itself.” Through the social contract, we ask government, at the least, to put up guards to protect our person and property. John Locke explained that “it is not without reason that man seeks out and is willing to join in society with others who are already united or have a mind to unite for the mutual preservation of their lives, liberties, and estates, which I call by the general name—property.”

Today, across our country, mobs — organized, coached, and funded — are taking advantage of communities already stripped of their labor by the coronavirus government lock down edict. The mobs come to “burn down the mission.” Public officials, corporate leaders, and not surprisingly media pundits, turn the other way or watch with a smug reaction that “It is just some stuff; it can be replaced and rebuilt.” Again, they missed the fundamental enlightened point that our labor is inextricably linked to our person. John Locke made this point as well writing: “Though the earth, and all inferior creatures, be common to all men, yet every man has a *property* in his own *person*: this no body has any right to but himself. The *labour* of his body, and the *work* of his hands, we may say, are properly his.”

Public health measures to protect the community from a contagious and deadly virus are important, but some city and state leaders’ responses morphed from being guided by science to seeking political power gains and appeasing angry mobs. It is as if the mayors of our major cities forgot that they are actually responsible and in charge. The stunning abandonment of law enforcement personnel and the subsequent destruction of business districts, neighborhoods, and public places apparently left almost all legislators — Democrat or Republican — speechless.

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James Madison writing in The Federalist Papers (10) explained why the Founders went with a Constitutional Republic and not a pure Democracy. Pure Democracies risk persuasion to “govern,” whether this be a minority or majority, by people’s base instincts. These instincts can be bad, even evil. Such “factions,” as Madison calls them, can go unchecked and push a narrow agenda while encroaching on others’ rights or having a total disregard for overall community benefit. Sure, factions will occur, but the Founders knew to put checks in the system to guard against wanton passions. Mob rule is rule by passion alone, with little regard for reason, reflection, and a high dose of virtue. The Founders had the foresight to not trust, what is often described in political science terms as, “the masses of asses.”

Furthermore, the Founders and the writers of the Federalist disabused us of the unrealistic aim of Utopia. After studying the works of Plato, Thomas More, Thomas Hobbes, and Jean-Jacques Rousseau, among others, realized that these mind experiments of returning to a state of nature or fast forwarding to a glorious revolution have no real end game. These ideas are still carried forward by the likes of Karl Marx and operationalized in our Post Modern era by socialist dictators or self-proclaimed anarchists who seek a common goal of burning down the mission and letting the phoenix of socialism rise. The results produce the same conclusion: Utopia doesn't work.

In the end, we pray they don't win the war, but in the meantime, there are some bloody battles being fought and ironically those who are ostensibly on the streets fighting for truth and justice — “our way” not the American Way — are putting a chilling effect on government's ability to provide the basic service of protecting our person and property. The chilling effect on government hurts the most vulnerable, e.g. rampant murders in our cities, more poverty in minority neighborhoods, and elderly individuals at risk.

Early signs of “the resistance” having a chilling effect on government to fulfill the social contract abound. For example, in Philadelphia, the state public health department neglected to inspect the abortion clinic of Kermit Gosnell, when serious problems of health and safety of poor women were reported to them. Philadelphia police officials did not act on a woman's suspicious death at this site. The district attorney proceeded gingerly once this house of horrors was searched. The tragedies for women who needed the most care and protection revealed how the media chose its personal ideology over the principle of being a responsive and responsible press; they did not cover the Gosnell trial and its aftermath.

In Portland, Oregon, we saw the first signs of police standing down when a group of agitators took it upon themselves to direct traffic. They profiled drivers and harassed those whom they believed were the cause for their socio-cultural ills and harmed them for not being in line with their policy preferences. University of North Carolina at Chapel Hill students lost patience with university administrators deciding on what to do about a controversial civil war statue on campus. Just before classes started that year, a group of “rallying” students became the makeshift wrecking crew. Campus security passively watched as students toppled the statue, and stomped, spat and sneered at “Silent Sam,” who stood for over 100 years. Another total lack of government protection and abandonment is the dropped charges on Jussie Smollett who paid two men to stage his attack, called police, and made a public spectacle calling it a racially and homophobic hate crime. Chicago's Attorney General dropped the charges on Smollett—a case that burned many days of police investigation in a city that has daily shootings and murders.

Today's anarchist agitators and political change surrogates want a revolution. Fair enough, as the *Declaration* allows for this right. “That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government.” But these people have as their bible Marx's *Communist Manifesto* and Saul Alinsky's *Rules for Radicals*. Those who care about the future of our country should consider Thomas Paine's *Common Sense* and the *Declaration of Independence*, written by true revolutionaries, not masked men and women with no direction in life and nobody to care for but

themselves. We have the *Constitution* and the *Federalist Papers* to look to. These have been submitted and are available “candidly” to the American people.

What is being served up by the anarchists qualifies as “light and transient.” They have no end game, as shown by CHAZ or CHOP. They could not govern six blocks without the help from city officials, taking food through threats and theft from businesses, and taking stealth money from nonprofits that should be helping people in real need.

Maybe it is time for a revolution, but one that puts real leaders in places of authority and responsibility; public officials who get back to the basics of protecting all men, women, and children’s persons and their property, so they can build their own station in life unencumbered by the thumb of the state or the whims of an unenlightened mob. These self-evident principles and values cannot be burned or torn down by links and chains. They are in the hearts, minds, and souls of the American people.

The solution to failed leadership? Most will think I close with the obligatory “vote the bums out,” or “vote with your feet.” No need, as with any mob rule they will turn on these public officials. The mob will eventually crash into their places of work, or pull them from their cars, or crash the gates and fences surrounding their homes. They will do what they did to our historic statutes, topple them from on high, take off their heads, set them ablaze, and throw them into the closest river. Who will they call to protect them?

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