

toward those in actual need. Moreover, private organizations are smaller and more localized, allowing them to address the specific problems that needy people have and apply specific solutions, instead of merely sending out impersonal checks drawn against government accounts. Finally, private charities must be more accountable, for they do not have the coercive power of taxation available to ensure continued funding.

Government programs, unfortunately, have co-opted this superior private approach. Many people believe that they need not get involved because of a flawed perception that the government is doing the job. Moreover, many cannot afford to assist privately, given the drain on their budget from taxation. In tort law, a person can be held liable for preventing a needy individual from getting more effective assistance.<sup>4</sup> That, essentially, is what the government does by its discouragement of private charity, but again, the government is not liable for the harm it does.

The rules of the common law, developed over many centuries, usually exhibit a profound wisdom in the ordering of human affairs. The rule against compulsory rescues is such a rule. If you were obligated to help everyone in need, the

demands on your time and money would be almost endless. The only solution to the problem that protects the individual's freedom of action and property rights is the one adopted by the common law: there is no legal duty to rescue. There may be a moral duty, but the law leaves that to the individual and his conscience.

#### REFERENCES

1. *The Cato Handbook for Congress*: 104th Congress. Washington, D.C.: Cato Institute; 1995: 19.
2. Anon. Joseph Story, Natural law. *Encyclopedia Americana*. Reprinted as an appendix in: McClellan J. *Joseph Story and the American Constitution*. Norman, Okla.: University of Oklahoma Press; 1990.
3. *Farwell V. Keaton*, 396 Mich. 281, 240 N.W. 2d 217 (1976).
4. *Lacey V. U.S.*, 98 F. supp. 219, 220 (D.Miss. 1951).

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## Ode to the Welfare State

Mr. Truman's St. Paul, Minn., pie-for-everybody speech last night reminded us that, at the tail-end of the recent session of Congress, Representative Clarence J. Brown

(R-Ohio) jammed into the Congressional Record the following poem, describing its author only as "a prominent Democrat of the State of Georgia":

### Democrat Dialog

(1)

*Father, must I go to work?  
No, my lucky son.  
We're living now on Easy Street  
On dough from Washington.*

(3)

*But if Sam treats us all so well  
And feeds us milk and honey,  
Please, daddy, tell me what the hell  
He's going to use for money.*

(5)

*But, father won't there come a time  
When they run out of cash  
And we have left them not a dime  
When things will go to smash?*

(2)

*We've left it up to Uncle Sam,  
So, don't get exercised.  
Nobody has to give a damn—  
We've all been subsidized.*

(4)

*Don't worry, bub, there's not a hitch  
In this here noble plan—  
He simply soaks the filthy rich  
And helps the common man.*

(6)

*My faith in you is shrinking, son,  
You nosy little brat;  
You do too damn much thinking, son,  
To be a Democrat.*