Published on *Adam Smith Institute* (http://www.adamsmith.org)

Liberty and justice for all? [1]

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According [3] to the *LA Times,* welfare officers in San Diego, California have the authority to search through the homes of benefit recipients to root out welfare fraud. The 9th Circuit Court of Appeals (the regional court one level below the Supreme Court) ruled against an American Civil Liberties Union suit in favour of San Diego County. Yesterday, the Supreme Court declined to hear the case.

This issue raises some interesting points. First, the prohibition of government officials from searching private homes without cause is protected by the US Constitution and considered one of the cornerstone civil liberties of the nation. But to what extent do individuals give up some of these rights when they receive public funds? If the government pays your rent, does your home belong to you as a private residence or to the state? Government handouts complicate civil liberties because those liberties are fundamentally based on the rights of autonomous individuals from state intrusion, not individuals living off state funds.

Nevertheless, setting a precedent that eroding the liberties of those receiving state funds is permissible is dangerous, especially given the growing number of people who receive benefits and might now be subject to warrant-less searches.

In the San Diego case, county officials claimed that their searchers did not violate the 4th amendment because they were not searching for evidence of a crime. Police in Boston used [4] a similar argument when trying to convince parents to allow them into homes to search for guns hidden by teenagers. Police argued that they would not charge the teens, just remove the guns in an effort to get them off the street. These are the classic arguments of government, which naturally seeks to expand its own powers.

The libertarian solution would be to end welfare benefits, as they allow the state an avenue through which to constantly expand its power. For now, courts must prioritize the protection of civil liberties, even as they are complicated by the increasing role of the state in people's lives.

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