

ON THE RIGHTS OF MAN

THERE is still some magic in the words, the Rights of Man; it is as if they awaken a deep instinct as well as provoke discussion. It is strange to us in the atmosphere of today, to imagine that a statement of government policy could arouse such feelings. But the American Declaration of Independence, 1776, and the French Declaration of the Rights of Man and of Citizens, 1789, were not election addresses. Despite imperfections, such as "all men are created equal," these documents were the culmination of a century of active thought, known to historians as "the Age of Common Sense," or "the Age of Reason." After the English Glorious Revolution, 1689, "the eternal spirit of the chainless mind" had been awakened. The ideas of John Locke, that government itself has no rights, only the duty of protecting individual rights, began to spread like slow fire at the roots of paternalism. Carried to America and back again to Europe on two great occasions it had brought into public affairs not professional politicians but amateurs of courage and conviction, not yet corrupted by power. The ringing phrases of these two manifestos breathe the spirit that resists government pretensions, that scorns patronage, that begs nothing from public funds; a spirit based on the conviction that "the sole causes of public misfortunes and corruptions of government" are not defects in the planned economy or welfare regulations but "ignorance, neglect, or contempt of human rights." They were uncompromising appeals from man to man, not from organisations to the timid who seek the shelter of organisations. Said Benjamin Franklin: "They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety."

It is a cold douche to turn from these declarations to the text of the Universal Declaration of Human Rights – later referred to as the Charter – originally approved by the United Nations Assembly at Paris, 10th December, 1948.

The Charter does not begin with a clear definition of universal human rights, ie, inherent to every person any time and in any place. This might have saved the sponsors from confounding rights and duties in so many of the Articles. This not only confuses the reader; it blurs perception of both rights and duties. We all acknowledge moral obligations, duties to society; but these would have been much clearer if tabulated separately. Moreover, in such a statement it is necessary to use words only in their essential, unmistakable meaning. In the preamble the Charter refers to "freedom from fear and want" and to "fundamental freedoms." But freedom, the state of being exempt from outward restrictions or compulsions, has no direct reference to human emotions. Open the prison door and the man is free, but he is still subject to natural fear and the need to supply his requirements by his own efforts. Misuse of the word freedom, in this context, deflects enquiry from possible restrictions or compulsions leading to unnatural fear and unnatural privation. Freedom is a universal principle with infinite application; to pluralise such an abstraction is absurd and misleading.

"The natural liberty of man," says John Locke, "is to have only the law of nature as his rule." All are born equally free to use their natural powers, mental and physical, as seems best to themselves within the limits that nature imposes. This equal freedom of natural opportunity is the basis of all human rights, and one which any intelligent person can understand. If the sponsors of the Charter had made this clear at the outset the document

By Frank Dupuis



AFTER spending twenty years in Central Africa, during which time he served in the East Africa campaign and managed cotton, tobacco and sisal estates, Frank Dupuis returned to England in 1931. This was the period of industrial depression and widespread unemployment, and it was this rather than any interest in economics that first led him to the economics and philosophy of Henry George.

He joined the United Committee for the Taxation of Land Values in 1937 and for forty years was one of its leading figures, contributing articles to *Land & Liberty*, speaking at meetings and distinguishing himself at international conferences with his wide grasp of history and philosophy.

Those who knew Frank Dupuis will remember his gentleness, his kindness, his quiet humour and above all his great intellectual capacity by which he would reduce the most complex of questions to their innate simplicity.

In *A Planter's Story*, the first of a series of "personally speaking" articles which were published in *Land & Liberty*, he wrote:

"Some people are surprised that we hold so firmly to our convictions against the prevailing drift of thought and the course of events. Perhaps some of these do not realise how impossible it is to give up an opinion acquired by study in favour of a notion accepted on trust. They cannot imagine the satisfaction of striving not against persons or parties but against common error; of knowing that every step gained is in the sphere of sound thinking, the point from which all improvement begins."

Among the numerous articles written by Frank Dupuis are *Letter to a Clergyman*; *Georgeists, are they Human?* *The Silence of the Historians*, and his searching examination of the United Nations Declaration of Human Rights, a condensed version of which is reproduced in this issue as a tribute to his memory. He will for long be remembered with admiration and affection.

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might have been more convincing and have attracted more attention. A right is a negative conception. If an alleged right conflicts with another, one or both must be spurious. If an alleged right requires someone to do something, it is spurious. No right can be created by government; human rights are anterior to all government.

The first sentence of Article 1 of the Charter: "All human beings are born free and equal in dignity and rights," clearly accords with this definition, and so with a number of subsequent passages, eg: "Everyone has the right to life, liberty and security of person." "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence." "Everyone has the right to own property." "No one shall be arbitrarily deprived of his property." "No one may be compelled to belong to an association." "Everyone has the right to work." Assuming that property is understood in its universal sense, all the foregoing accord with the negative conception of rights and with the definition, in every reputable dictionary, of freedom as "the state or condition of being free."

In other parts of the Charter, however, we find so many passages in conflict with the above that an inattentive reader might forget these quoted statements as mere