

# 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.

VHB

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

verbal formalities. We are told, for example: "Everyone has the right to social security." "Everyone has the right to favourable conditions of work and to protection against unemployment." "Everyone has the right to equal pay for equal work" and to "just and favourable remuneration . . . supplemented, if necessary, by other means of social protection." "Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay." "Everyone has the right to a standard of living adequate for the well-being of himself and his family, including food, clothing, housing." etc. "Everyone has the right to education." "Education shall be compulsory" and directed to purposes the Charter prescribes. "In the exercise of his rights and freedoms everyone shall be subject only to such limitations as are determined for the purpose of securing the general welfare in a democratic society."

As we are also told that "education shall be free" and that "parents have a prior claim to decide their children's education," the clauses on education are contradictory; but one can see, on examination, that none of the above statements conforms to a universal human right. They are all statements of claims for things which everybody has the alleged right to compel everybody to provide. If A has the right to well-paid employment with paid holidays, B must necessarily provide it; but if B has the same right, then A must also provide B with the same. This is not a statement of universal human rights in the enjoyment of which all might freely provide for themselves; it is a code of regulations for a dependent world. Such statements might have been drawn up by a committee of well-meaning persons, who, taking slavery for granted, were concerned to ensure that the slaves were well treated; allowing the inspector, however, wide discretion in interpreting what shall be "reasonable," "adequate," conducive to the "general welfare," etc. All is based on the acceptance of compulsion as a necessary and permanent element in human rights.

### ***'It is a cold douche to turn from these declarations to the Universal Declaration of Human Rights'***

The most significant aspect of the Charter is its omissions. Almost all controversy today is concerned with what are called economic matters: questions of inflation and trade, taxation, and the prohibitive cost of land for people to live on and work on. And it is conducted with so much expertise, jargon and metaphor that it is a kind of closed circuit from which the common sense of ordinary people is excluded, although they are well aware that their interests are at stake, and when the promised miracles do not emerge they feel sullen discontent. Here, if anywhere, a clear lead on their rights is required. Yet on these subjects the Charter has nothing to say, leaving the public to infer that no human rights are involved. For all the Charter has to declare, any ruling authority, by debasing the currency, might reduce everyone whose means are only in the form of money to destitution; by putting a complete embargo upon the exchange of goods and services it could reduce its subjects to the lowest scale of human existence; by taxing all their earnings it could confiscate all their property; by denying them the use of the earth it could deprive them of life itself.

The Charter requires drastic revision if the original purpose is to be realised. Many persons are capable of a surprising degree of self-delusion when faced with awkward realities, but the patrons and sponsors of this Charter occupy the highest positions in Church and State.

If they delude themselves they delude millions. Intellectual integrity is a moral obligation; it could not be more so than in framing such a declaration.

The Charter declares that recognition of human rights promotes the "inherent dignity" of men and women and "freedom, justice and peace in the world." If the earlier conception of rights is accepted, a general view of history confirms this, and a specific example can be quoted in relation to one human right which the Charter omits.

The right to trade freely is a natural right. It conflicts with no other right and requires no compulsion. At all times and places the natural impulse to exchange goods and services to mutual advantage has tended to form a peaceful bond between individuals and nations, to stimulate intelligence and to promote prosperity. Governments have always denied this right, usually succeeding in persuading people to believe that the infinite series of exchanges can be directed by officialdom, using restrictions, penalties and taxes, national treaties and alliances, better than by leaving trade to the individuals concerned. But in Britain and in the 1840s popular agitation obliged the government to allow this essential human right to trade. Restrictions were progressively removed, and with opportunity increased and more open to personal initiative, the material benefits were so impressive that restrictions could not be re-imposed until 70 years afterwards, when the example had been forgotten. But the moral effects were equally marked. Poverty remained, but the victims had more spirit to fight it. People discovered that by relying upon themselves instead of protection from above, life had much more to offer. Respect for their own powers in providing for their material needs enhanced their dignity as men and citizens. Feeling that honest effort was rewarded more than political intrigue, they respected the property of others and the laws that protected it. At the beginning of Victoria's reign crime was rife and pauperism widespread; by the close, the incidence of crime had declined to a quarter of the earlier figures and pauperism perhaps even more.

If recognition of an important, though not all-comprehensive right, had this effect, and if the Charter's view of human rights as claims on society is correct, one would expect similar effects to have become evident during the last twenty years, during which Western governments have increasingly implemented the Charter's view, and indeed extended it to industries. Yet who could say that the standards of self-respect and public spirit have risen; that peoples, classes and individuals are more at peace with each other; that life and property are more secure; that confidence in freedom is firmer?

The record suggests that to systemise state relief for all as a human right can never bring happiness. The general malaise threatens to erupt in violence as blind and selfish as that which preceded the downfall of previous civilisations. The riotous demand is not for recognition of human rights. Students on public assistance demand more assistance and fewer obligations to the society that supplies it. Closed shop trade unionists do not strike to assert the right to work but to monopolise it. Consumers are exploited by private and state monopolies; taxpayers are subjected to arbitrary and crushing imposts; elderly savers are robbed by debasing the reward of thrift; land users have to pay an ever-increasing toll to land owners; but none of these victims think of invoking the United Nations Charter of Human Rights. If they did they would find no specific Article to protect them.

It is absurd to expect that this tide can be turned by ceremonious professions of well-meaningness, by hoping

Cont. on p.34, col. 1



● Ronald Rennie presenting the Silver Salver to Vic Blundell.

## Farewell to Vic, the dedicated campaigner

**A**S OUR regular readers will know, Tuesday, 22nd December, 1981, was VHB Day: the day on which, having reached the age of 70, Vic Blundell officially retired from his duties at 177 Vauxhall Bridge Road, and those of us who were able (72 in all) met together at a dinner at the Piccadilly Hotel in London to mark the occasion in an appropriate manner.

The collection that had been started in October, 1980 had produced a sufficiently large sum to enable us to purchase a handsome silver salver (which we had engraved with the words "TO VIC AND LOUIE FROM THEIR GEORGEIST FRIENDS THROUGHOUT THE WORLD - 22nd DECEMBER, 1981" and still leave a cash balance of £2,000. This amount (in the form of a cheque) and the salver, together with a gift card bearing the signatures and good wishes of all contributors, were presented to Vic by 81-year-old Ronald Rennie from Glasgow, who has himself been in the land-value taxation movement for 60 years and has been a member of the United Committee for some thirty of these, for most of which time he was on the Executive. In his presentation speech, Mr. Rennie summarised Vic's career with the movement and paid tribute to his untiring work and complete dedication.

Louie Blundell, who, over the years, has made her own contribution in many ways (not least of these being acceptance, without complaint, of the frequent occasions on which she has had to take second place to "the cause") was presented with a bouquet by Reg Smith.

Jim Busey, Professor Emeritus in Political Science at the University of Colorado, USA, then presented to Vic a Special Resolution, drawn up by Dr. Bill Filante of the California State Legislature, in recognition of Vic's activities and achievements.

Following this, the Master of Ceremonies, Ron O'Regan, read out tributes and goodwill messages from: Bob Clancy, President of the Henry George Institute, New York, and of the International Union; Bill Pitt, Treasurer of the Henry George Foundation of Australia;

Jerry Stovin of Calgary, Alberta;  
Yoshisaburo Yamasaki of Japan

Mirta and German Lema of Colombia, South America

Ron and Jill Banks, who were snowed up in Wiltshire

Shirley-Ann Hardy of Pitlochry, Scotland

John Kemp of London (but, at the time, holidaying in Switzerland)

The many other messages received had, since they were too long to include in the gift card, been incorporated into a file which was given to Vic.

Vic then took the floor to express not only the thanks of Louie and himself for the gifts and messages but also his appreciation of the loyalty and support he had always received, right from the start of his connection with the movement, from so many members all over the world.

Finally, Fred Harrison spoke of the debt of gratitude owed to Vic by younger members of the movement, such as himself, for introducing them to the works of Henry George and pointed out what a major role Vic had played not only in London and the UK but in the worldwide movement.

For the benefit of the very many contributors who were unable to attend the dinner, Vic and Louie have asked us to reiterate, through the medium of this journal, their heartfelt thanks for the beautiful salver and generous cheque and to say how deeply touched they were to receive not only these material gifts but also the numerous tributes and good wishes.

E.N.

### DUPUIS: Cont. from p.33

that justice can be done without injuring those who profit from injustice, or by merely ringing the changes in prevailing ideas. It can be turned only by giving a different direction to thought on social affairs. A beginning might be made by a new and arresting re-statement of human rights, capable of showing normally intelligent people that if essential rights previously overlooked were now acknowledged they could live and prosper by their own efforts, without having to interfere with others.

The inconsistencies and evasions of the Charter appear, on examination, to have arisen from the perception that under what was called freedom the mass of people found and still find themselves threatened by poverty and unemployment, so that any new statement of human rights must somehow help to allay this fear. The sponsors of the document had either to show that these evils were caused by violation of essential rights, and to denounce such violation, or to re-state human rights in such a way as to accord with artificial measures of protection and relief, as if these evils were natural and inevitable. They chose the latter alternative and produced a document which the most selfish land owner or trade monopolist could sign; but it has done little or nothing to enhance the value of human rights in the eyes of the people; the indifference is general. Only after long disappointed hopes and aspirations have Western peoples turned away from the ideal of self-reliance, but they still cherish it instinctively in their hearts. If a re-statement could satisfy both the logical understanding and the innate urge to be free, people would not remain indifferent.

The weakness of earlier declarations has been the failure to emphasise the essential conditions of human life within which all the rights of man must be exercised. Yet the key is to be found in common knowledge and observation. It seems a truism to point out that man and every one of his requirements, all drawn from animal, vegetable and mineral resources, go back to the earth; but it is a truism almost always ignored in relation to social questions. If the first of human rights, that on which all others depend, is not the right to land, everybody's conception of the world about them is mistaken. But if they are not mistaken, and as there is nothing in the order of nature to show that any individual has more right to land than another, then the first consideration in a synthesis of human rights is to ensure that rights to land are free and equal. Insofar as this right is denied, other rights cannot be freely enjoyed; they must appear in practice to be insufficient, and however reluctantly, people will surrender their rights in return for some form of charity, genuine or compulsory.