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Human Rights by Frank Dupuis

An International Conference Address

"THEY that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety," said Benjamin Franklin. The ringing phrases of two manifestos of the rights of man breathed the spirit that resists government pretensions, scorns patronage and begs nothing from public funds. It is like a cold douche to turn from the American Declaration of Independence, 1776, and the French Declaration of the Rights of Man and of Citizens, 1789, to the text of the Universal Declaration of Human Rights approved by the United Nations in 1958.

"The natural liberty of man," said John Locke, "is to have only the law of nature as his rule." All are born equally free to use the natural resources of the earth for their support and to exert their natural powers, mental and physical, as seems best to themselves within the limits that nature imposes. The equal freedom of natural opportunity is the basis of all human rights. If the sponsors of the Declaration of Human Rights, later referred to as the Charter, had made this clear at the outset the document might have been more convincing.

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, taxes, national treaties and alliances, better than by leaving trade to the individuals concerned.

If an alleged right conflicts with another or requires someone to do something, one or both must be spurious. No right can be created by government; human rights are anterior to all government. We are told everyone has the right to social security, to favorable remuneration, supplemented, if necessary, by other means of social protection, and to a standard of living adequate for the well-being of himself and his family. "Everyone has the right to education," the Charter states, but "education shall be compulsory," and directed to purposes it prescribes.

As we are also told that "education shall be free" and that "parents have a prior claim to decide their childrens' education," the clauses on education

(Continued on page 14)

called on the legal profession to try to establish a sounder system of taxation. He said "double taxation" of the individual and the land was the thing that led to socialism. By the simple means of dropping personal taxes 5 percent in the first year and boosting economic rent 5 percent he believed personal taxes could be painlessly eliminated.

In a book published that year, *Constructive Taxation for Free Enterprise*, he gave a "clear and thorough explanation of the principles of land value taxation," according to Dorothy Sara's review in HGN, relating them to the current scene and tracing economic difficulties to their statutory source. In a chapter addressed to lawyers he emphasized that the legal profession should make itself informed about land value taxation, saying the statesman-lawyer must distinguish between fundamental rights and mere privileges created by law.

Judge Fuchs never believed that important gains were made without effort. He said, "the best methods of approach may not be found until we Georgists get strong enough to invoke open and public opposition." He believed our leaders must be politicians in the best sense of the word, and that

the practical statesman must be willing to compromise, since most of the world's progress has been accomplished through compromise.

Twenty years ago he wrote, "There never was a more opportune time to hammer home Georgism than now, by demonstrating that our present tax system plays directly into the hands of the socialists and communists."

For this breed of men who had such great hopes for our young Republic death is perhaps a merciful release. The judge left among his intimate friends a touching published record of his early life and his marriage which was ideally happy. Two children born to that marriage survive, a son, Mark V. of New Braunfels, also a lawyer and John P., an educator.

His last visit with Georgist friends was in 1964 when he came to the school's international conference in New York in the company of Foxhall Parker of Texas, now deceased. His quality and regard for others are reflected in the gentle statement, "A great and lasting personal reward has come to me through Georgism, in that I have made many friends, and these friendships I value among the richest treasures of my life."

(Continued from page 1)

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.

Totalitarian regimes find it necessary to set up prison camps in which those who seek truth independently,

despite the influences of state education, prevailing opinion and authority, are subjected to brain washing designed to restore them to what is considered a normal condition of mind. In a letter recently smuggled out one victim, an historian who had survived the corrective process, observes: "Despotism begins its chronology from the time people stop thinking of compulsion from above as evil, and begin to regard it as normal."

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 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 might, by debasing the currency, reduce to destitution everyone whose means are only in the form of money; by putting a complete embargo on 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 record suggests that systemizing state relief for all as a human right can never bring happiness . . . students on public assistance demand more assistance and few obligations to the society that supplies it. Closed shop trade unionists do not strike

to assert the right to work, but to monopolize 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 landowners; 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.

Land—First Human Right.

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 almost always ignored in relation to social questions. If the first of human rights, that on which all other rights depend, is not the right to land, everybody's conception of the world around him 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.

The method of overcoming difficulties by providing a substitute for rights must always create further difficulties because it ignores human nature. A recent government survey, noticing that elderly British people are reluctant to beg for everything the regulations allow them, suggests some form of psychological treatment—but it is unlikely that these experts will succeed in stamping out the last embers of self respect, a task in which even the Russians have failed. It might be objected that the inherent dignity of these

friendless people does not reflect the attitude of younger people conditioned to accept state protection as natural. But self respect is only one form of the urge to self assertion which everyone feels. Young people of today, having never breathed the hopeful atmosphere of freedom, often regard the ideal of self reliance as an affront to their "rights." This only diverts their self assertion to other channels . . . they deny the restraints it is easiest to break, those moral obligations our forbears in harder conditions found it necessary to respect.

The Oldest Establishment

The young denounce the establishment, not noticing, as yet, that collectivism is an establishment. But land monopoly is the oldest establishment in modern society and so influential that all the others, left, right and center, keep quiet about it. If the attention of young inquiring minds could be drawn to this they might realize that the source of all the restrictions that frustrate their energies is denial of genuine natural rights. This would give them what they are unconsciously seeking—a generous cause to fight for.

One aspect of the question of the universal right to land is unique in current discussions of social questions. Whatever their differences, leaders of opinion adopt the same attitude to the essential principle — they neither op-

pose nor support, denounce or approve it—they simply ignore it. Land shortage in Western countries is recognized but it is treated as if it were a shortage of some manmade commodity, capable of being supplied by subsidies and regulations. In Eastern countries we are told the difficulty can be overcome by arbitrary redistribution of ownership. In both cases the principle is avoided.

Land speculating companies, however, are not misled. In attracting investors they point out that the supply of land cannot be increased, and that throughout history the ownership of land has literally given power of life and death over the landless. Earlier societies, to whom eternal things were more obvious, also recognized this.

"The association of poverty with progress is the great enigma of our times. It is the riddle which the Sphinx of Fate puts to our civilization and which not to answer is to be destroyed." Thus said Henry George some ninety years ago, and technological advance has made not the slightest difference to the basis on which he formulated his answer. Land and labor are still the primary factors in the production of real wealth. However affluent the disguise, no person depending on state allowances can be otherwise than essentially poor. No one can acquire wealth by artificial privilege except at the expense of producers.

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