

DO HUMAN RIGHTS EXIST?

Do human rights exist?

I think they do. Not as physical objects, certainly, nor as some mystical vibration. Nor do I presume that a violation of human rights brings on some natural or automatic form of retribution, to the violator of rights.

Some argue that if something is neither physical in an observable sense, nor physical at a level where it can be detected by our five senses or by equipment devised to expand or extend the range of those senses, then it is non-existent. This is to argue, in effect, that a contract agreed upon between two persons, but not set down on paper, does not exist. Of course, the contract exists. It finds its existence in the agreement between at least two minds respecting an exchange of goods or services.

A human right exists at this same level—the level of the mind—although it does not exist on the basis of agreement.

Human beings have never agreed as to what rights are or that they exist. To the person who

does not focus his attention upon the details of a specific contract, the contract may not exist. That doesn't remove it from existence, it removes it from his knowledge of its existence.

The same is true respecting rights. If a person persists in looking for human rights in the same way that he hopes to detect some kind of vermin crawling over a person's body, he will not find them. He is looking in the wrong place.

It has been my observation that most of the debates which frequently range across the spectrum of libertarian belief (or non-belief) are based on inferences drawn from what some persons have said or written. In far too many cases, the inferences are not drawn from what was said so much as they are manufactured by the person inferring as a result of his own background. Few of us listen, because few of us want to learn. We all have a tendency to think we KNOW. So we argue against the other because we infer that the other is arguing against us. In many cases, this requires the construction of a straw man. Straw men are easily

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destroyed. Principles, if they can be found, cannot be destroyed.

One of the immediate arguments arising here is this: If something exists at the level of the mind, then it is subjective. This means that the individual mind has manufactured it and, therefore, it doesn't exist objectively. Whatever is subjective is non-existent, for it does not exist physically. But wait. A contract is subjective. It is formed by minds and may exist only at the level of those minds. But it does exist. We are left with the realization that we must either deny the existence of contracts, because they are subjective; or we must agree that what is subjective becomes objective. Neither of these arguments is satisfactory.

I would like to suggest an alternative. I have referred to it in a prior issue (*LeFEVRE'S JOURNAL*, spring 1977, vol. IV no. 2), and I call it the 'cojunctive' order. All knowledge falls into this category.

Let me spell it out. Whatever is objective exists independently of our knowledge of its existence. It simply is. We may or may not know of it. But knowing about it does not create it. Our journey through life is largely a voyage of discovery, not of manufacture. We find something and, in so doing, learn that it was there and had existence before we found it. I like the way Karl Popper expresses it. What is objective "kicks back." We trip over a rock. We didn't happen to see it so we tripped. But it told us it was there. We tripped because it really was there.

Whatever is subjective is formed in the mind and is not independent of our existence. Hence its existence is subordinate (subjective) to us. Our use of reason is subjective. Reason does not exist independently of the mind. The nature of reason has been examined sufficiently so that rules of logic have been devised. Do such rules exist? Not physically or as a mystical vibration. Of course, we can write them down and the paper and print will exist objectively. But the rules are concepts, subjective.

Opinion is subjective. Opinions are formed by individuals using their minds. They are not formed independently of minds; they are a product of the minds that form them.

Value is subjective. It exists only in the mind. Remove all human minds and all human value will vanish. To value is to favor, or negatively, to fail to favor, something. What we favor might be objective. But we can also value (favor) a concept (subjective). Our preferences (values) range across the objective and the subjective orders.

The usual point of difficulty in trying to understand the full meaning of liberty relates to the definition and use of the term 'subjective.' What is objective is pretty well agreed upon: something

either exists or it doesn't. But we do not yet thoroughly understand the mind. And there is a tendency to suppose that whatever is subjective is in error.

The use of the mind reveals that it can function on at least three levels. The mind can formulate accurate impressions. These are opinions drawn precisely from the objective order, or from an accurate grasp of the subjectivity others express.

The mind is also capable of forming inaccurate impressions. This introduces and, when understood, proves that what we think is not objective. The possibility of error always exists. Were the products of our minds objective, we could not be in error. What is, is. But we are capable of incorrect observation. And we are particularly capable of inaccurate observations and of incorrect conclusions respecting the conclusions others have formed and sought to communicate.

The third level to which I refer I will call the creative. We are capable of envisioning what does not exist. That means that we are capable of artistry, design, formulation, construction, of physical things that, as yet, do not exist. We are also capable of the formulation and construction of concepts that have not yet been conceptualized.

This last is probably the most exciting area of mental activity. It is also the area in which much misunderstanding arises. When an adversary fails to glimpse what an individual is conceptualizing, it is easy to charge error. And error is always possible. But to formulate does not dictate error. An architect formulates a building. He does it in his mind. Then he reduces it to a blueprint. And presently where there was no building, one appears.

How can he do that? He does it because he understands (subjective) the principles (objective) of the things he uses and the concept (subjective) of enclosing space (objective). The architect has *knowledge*. He has entered the realm of the cojunctive. It contains both the objective and the subjective, accurately joined. His vision (mental and subjective) coincides with reality (objective).

Any artist does the same thing in producing a work of art. Any writer does it when writing. Any cook when planning a meal. Any salesman, projecting a sales campaign.

Just as the logician employs the "principles" (subjectively observed) of logic in making an argument, and the party forming a contract forms it in his mind respecting the exchange of goods or services, so do we locate the area in which rights exist. They are the product of knowledge, to wit: the result of an accurate observation (subjective) of reality (objective). Rights are cojunctive. They are formulated by conceptualizing. And they accurately relate to reality.

One of the next obstacles that must be removed, if we are to understand what is meant by human

rights, is the clutter provided by legal intrusion. There are other clutters as well, but one thing at a time. Persons acquiring power over others have presumed to spell out the common rights all of us have. Additionally, they have arrogated to themselves rights OVER others. While I cannot object to any effort of the mind to spell out what rights are, my objection to legal intrusion arises not because of its ability to analyze, but because of its ability to enforce.

Human rights cannot be rightfully enforced; they can only be accurately observed.

When government presumes to spell out the rights of ordinary people it does so as though it is bestowing a favor. But if a human right is conceptualized logically, it cannot be created by government. Human rights are not bestowed, although political or legal rights can be. Thus, upon examination, all legal rights are merely political grants of privilege.

The government says you have a "right" to vote. What it means is that the government extends to you, the individual a political privilege, according to political rules, relating to your age, your past record, and, in prior times, relating to your race, sex or financial level of achievement. Whatever the government grants it can take back. So your alleged "right" to vote is merely a political privilege to be granted or withheld, according to the political exigencies of the moment.

The same can be said of any other government grant of rights. The "civil rights" of blacks, for example, were withheld by government until pressure compelled the government to reassess and reverse its position. Along with this the government granted what it calls a "right" to medical treatment (a political privilege to be treated at the expense of others), a "right" to an education (a political privilege to be schooled at the expense of others) and so on.

When it comes to property, the legal approach is to define any property as a "bundle" of rights. Thus, in the legal phraseology long in use, a person can transfer specific rights to a given property, retaining others. Or he can acquire rights over a property which rights were formerly held by another.

All of the foregoing has muddied the waters respecting the nature of human rights.

Now to a second pool of clutter. The concept of human rights has been muddied by the value judgments of various organized groups, not the least of which has been the organized church. Each has set up a list of rightful and wrongful actions, according to its own interpretation of divine will. Since these interpretations vary widely, one's adherence to a particular theology fairly well indicates what he is apt to view as rightful or wrongful action.

Unfortunately, this area is now cloaked with bigotry, both those who favor a particular theology,

and those who condemn any and all theologies have fallen into the same trap.

The religious devotee is prone to conclude that if you differ with his value judgments you are "wrong." The atheist is prone to conclude that if you differ with his value judgments you are "wrong." The wrongness arises as "guilt by association." The theist does not listen to the arguments of the atheist, nor is a more open ear offered in reverse. Each brands the other as being "wrong" out of hand because he believes as he does.

It is possible the theist is talking about something the atheist does not glimpse. It is also possible that the atheist is talking about something the theist does not glimpse. Each might learn from the other. But bigotry will prevent it.

Let us be fair, both to those who occupy positions in state and church and to those who follow them. Any human being can, if he chooses, become familiar with the principles of liberty and the concept of human rights. His religious belief will not do it for him; nor will his lack of religious belief. Deists, theists and atheists are all thinking creatures and as capable as any of detecting reality and concepts deduced from reality; thus each is capable of knowledge. Both seek the conjunctive, an accurate opinion based on reality and the concepts which derive from reality.

At this juncture I profoundly wish I had another word to use instead of the time-worn phrase, 'human rights.' However, I am going to use the phrase because, despite the clutter, more can be gained by using it than by manufacturing some harmless but, thus far, meaningless word.

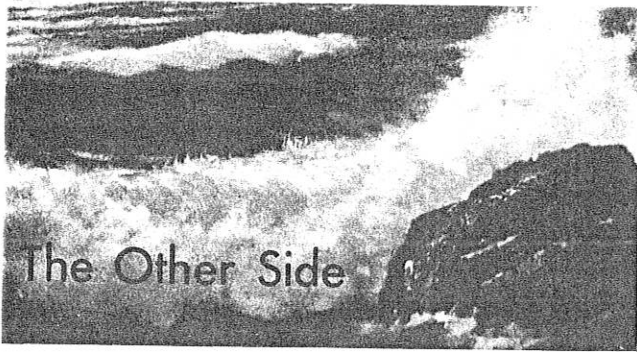
Human rights, if the clutter is removed, derive from the nature of man. A human right is not a legal grant of privilege. Nor is it a church supported endorsement, although it should be noted that some churches have done a better job on the question of human rights than any government I have ever heard of.

Unless the church is backed by the state, we need not fear it. Although the church may say that playing cards is "wrong" and charity to the poor a universal "right," so long as that view is not enforced, we are at liberty to disregard it. We are hardly at liberty to disregard the state.

What is the nature of man? Every human being is endowed, from birth, with the ability to think and act on the basis of his own conclusions. Therefore, man has the ability both to think and to act.

Granted, this ability exists without natural boundaries, saving only the physical and mental limits with which each person is endowed. None of us can do things which no human being can do. And even where we have some mental and physical ability, the degree of it will vary from one to another.

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I think it only fair to inform my readers of my intentions. *LeFevre's Journal* is now in its fifth year of publication, which, if present plans

mature, will be the final year. This is to say that following this issue, two more will make their appearance, the summer and fall issues for 1978. I am hopeful that someone else will produce a publication which will welcome some of my writings so that my voice can still be heard. But the costs of publication, constant increases in postage charges and other factors have joined forces to silence this very personal and costly effort. While some have generously supported the *Journal*, there has never been an issue that has paid its own way, and I must cease underwriting it. Again, I wish to express my thanks to the many who have supported these efforts and who continue in their valiant efforts to extend and multiply the areas of freedom in a world which is now rapidly moving in the opposite direction.

BESSIE BLASKA: "I differ with you on sudden tax-exemption. I believe exemption should be gradual. Willis Stone's work on taxes is excellent, and his is a gradual one. Swift changes cause anarchy in my opinion." *We aren't far apart in our thinking. Real changes come gradually. But to bring change at all it is sometimes necessary to use mental TNT. Only then, when you are ready to blast through long held fallacies all at once, will gradual change be effected. The important item is the change in direction and the totality of tax exemption to be sought. Rapidity is as rapid does.*

ROSE CANDELORO: "Here's my gift for 1978. Especially enjoyed 'Freedom' in fall '77 issue. Thank you."

BILL CHALUPNY: "Thank you for the wonderful and courageous articles not only in your *Journal* but also in the *Colorado Springs Gazette Telegraph*. They are a source of knowledge and inspiration for me. We've been reading your *Lift Her Up, Tenderly* together with the whole family. It is a great way to introduce the kids to economic fundamentals. Next we are going to order your *Power of Congress* to read together."

EVERETT CONOVER: "Just read and appreciated your requiem for Ruth Dazey. Beautifully done!"

LESLIE FLEMING: "A small contribution is enclosed to keep the *Journal* coming. I feel the need to make a small comment in regard to your reply to the Sanders' in your fall *Journal*. As a person with a 'Vas you dere Charley!!' comment, I raised three children. When you, as parents, jump to every

little cry made by the little person from day one through the diaper stage, that little one tends to believe it is the boss. No amount of 'open communication' will change its mind to behave in an orderly fashion in the family structure during its next advancement stage. It will need, at some time, despite all the patience of its parents, a pointed reminder on the bottom side. This reminder, given in a judicial manner will, and does, not impart any incorrect lesson on the small one." *The problem of the teacher, be he parent or otherwise, is to get attention. Learning is an intellectual process unless we are to buy Pavlovian behaviorism and descend to treating children as nothing more than animals. Ideas are glimpsed by the intellect; reaction, often with tragic overtones, is obtained by violence.*

DR. C. M. FOOTE: "Please continue sending me your quarterly *Journal*. I agree with your philosophy and I appreciate the articulate manner in which you are able to express it. Enclosed is another small amount in support of your efforts and in exchange for the challenge you give me."

DON FRASCELLA: "A humble gift toward the work of a great spirit. May your voice of freedom ever go on!"

HENRY HOHENSTEIN: "Your ideas, like water on a rock, slowly and undeniably integrate themselves into my consciousness."

PAUL HYATT: "Enclosed is small consideration which I hope will keep your very fine *Journal* coming to me. I really look forward to the thought provoking ideas you so clearly outline

in each issue. In between it is nice to go back to the file and re-read some of the past issues. Keep up the good work."

AGNES M. McFEE: "Once more this old year has stumbled and staggered around to the starting point again. I am always slightly amazed that it makes it, politically speaking. I have long since come to the conclusion I am not a very good prophet because I was sure 'we' would never make it this far 'as is.' Enclosed is my gift to the *Journal* which in no way pays for its worth in my estimation."

MARK C. PHILLIPS: "Here it is. It's not much, because, at the moment at least, I honestly CAN'T afford more. It's five bucks (\$5.00) in fiat 'money.' While I may not always agree with your conclusions and/or strategies (though, I find I'm *disagreeing less and less!!*), we are in 100% agreement regarding basic principles. I value your commentary, so please keep sending me the *Journal*."

JOHN RAYMOND: "Enclosed — a gift — to the gifted. (Consider yourself 'gifted.') In your 'Achilles' essay I was taken by the picture . . . the voting public is like a field of grain swaying before each political wind . . . reaped and/or raped came to mind."

NANCY SPIKES: "Keep on keeping on! This check cannot come close to expressing my appreciation of your efforts. I have used many of your ideas and articles in discussions with my economics professor. We are probing the possibilities of a seminar. Do you object to appearing at a state-supported school? Keep up the good work and I'll keep trying on a one-to-one

basis on this level." *I object to entering the den of thieves only when I am subsidized in whole or in part by stolen funds. Convince me that all costs are covered by voluntary means and I'll run a seminar inside bureaucratic headquarters, if necessary.*

MICHAEL STADELMAIER: "I was pretty much convinced by the arguments in favor of (private) defense agencies. Your *Journal* forced me to rethink the matter, though I'm not sure I wanted to. People don't like being told they are aggressors, particularly when they claim to be defending themselves. No wonder pacifists are silenced during wartime, precisely when they are most needed. Is there any solution to this problem?" *I know of only one solution. Each individual has to do his own homework and think it through for himself.*

WINIFRED SWITZER: "I have read your winter *LeFevre's Journal*. I have been receiving your publication for a long time, starting from Colorado. Being a Conservative and for constitutional government, I followed along but never could quite understand just what were your convictions. I did note that I could not recall you ever mentioning God. After reading 'Requiem for Ruth Dazey' it is apparent that you do not believe in a living God. Evidently, you have not studied or considered the *Bible* for truth. I wonder if Ruth did, as you say that she was 'unrelenting in her drive for truth.' Could it be that the Holy Spirit was speaking to her, the fine person that I am sure she was. She must have been contemplating her passing as she astonished you by asking you 'Do you believe in God?' You failed to give her what she was seeking. She settled for loyalty. She would be waiting for you if you could have comforted her with the truth." *It is always astonishing that some know so much where knowledge is non-existent.*

REV. KEN TAMER: "I take very strong issue with Bob LeFevre's basic philosophy that government is always evil. If this makes me a statist, so be it. I would be more than happy to debate this with our distinguished libertarian publisher. Contrary to his assertion, no group on the face of the earth exists without government. Even primitive tribes, erroneously called governmentless, have elders that command and advise tribes in their daily affairs. The ideas that I particularly wish to oppose are found on the second to last paragraph of 'Without the Consent of the Governed' on page 10. It is argued

that since man is evil, we cannot afford government since they invariably use their power evilly against us. This is wrong with a vengeance." *Rev. Ken Tamer is in error in quoting me as stating: "since man is evil." That is his conclusion, not mine. I do not see man as either evil or good. I agree with Locke that man is born tabula rasa (the blank slate) and knows nothing at all of what awaits him, what the nature of the world may be, or what good and evil may be. Man is an innocent. That does not make him good or evil. He is merely ignorant. All men seek profit. That is to say, each human being acts in terms of his own best interests as he sees it. I use "profit" to denote "plus factor," not dollars, although dollars are not excluded. Men are not endowed with omniscience. They err. This does not prevent them from acting, but it helps to explain why some of the things done are beneficial and some harmful. Thus, I view man as an opportunist, neither good nor evil. Rev. Ken Tamer is a statist, even if he is sometimes haunted by the realization. This does not make him an evil man. He merely endorses universal evil both as a common human trait and as what he views as the absolute necessity, the existence of evil government, managed by evil men. The problem is that having established the parameters of evil, he proclaims his ultimate conclusion good. This turns his argument upside down. It grows dizzy and falls on its face.*

MARTHA WALASHEK: "It is always reassuring to know that you are 'out there' skillful and articulate winning people over to the knowledge of their natural freedom. As Henry Ford said: 'And the world advances only as ideas gather believing men about them.' My problem is — how to be more actively involved in using books and material coming my way — rather than just 'spinning my wheels.' Any involvement, for me, would seem to be in the area of dissemination. I would like to see a wide circulation of these valuable concepts — rather than intellectual stratification. 'The problem of the age,' someone has said, 'is how to get individuals involved in their own emancipation.' We are all entangled in this 'Web of Government,' to some extent, but many are willing to accept this massive deception as a way of life. 'No slave was ever held to involuntary service that was so completely enslaved as a person who sacrifices his own freedom by choosing literal authority in opposition to his spiritual

experience. It is doubtful if a person could be convinced by any literal process that he was serving another's interest if his weakness of understanding presented a cheerful contentment . . .' So says Mr. Sturdy. As to 'getting a few good men in office,' he has this to say: 'It is no rare circumstance to hear prominent educators declare that what is needed to correct present evils is to send better men to the Legislature. What made them so bad as not to represent the situation faithfully? They were all educated by modern methods, hence where but in the cradle can men be found to send to the Legislature? It would be necessary to send them before their wills were thoroughly broken to modernism or they would be unfit to improve the situation. . . .' W. A. Sturdy (*The Economy of Education*). "If one would be true to the concepts of liberty, then the means employed to disseminate information must be in harmony with the ends sought. This means that we may not intrude. We are like salesmen, offering our wares. We display and proclaim the merits of the product. We cannot compel purchase. But we can keep this in mind. With only rare exceptions, life itself prepares the way for knowledge about itself. Each person at his own time, opens to the truth of his own being. Then and only then is he ready to receive. You and I do not know the timing. We must be like the rays of the sun, available to all, but not resentful of those who shade themselves in darkness.

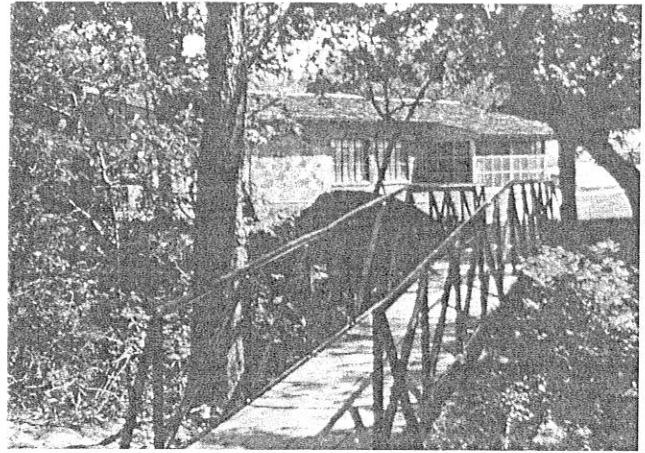
HELEN J. WINTERS: "Your *Journal* keeps coming to us, addressed to my son, Brian. Brian has long since left the nest, leaving us heir to this exemplary publication. I feel guilty accepting the *Journal* in his name while I derive the inspiration and benefits it affords. My gift is token and while gratitude doesn't pay the rent, be sure I am grateful for the stabilizing effect your *Journal* has.

WALTER J. OTTO: "With all my heart I am certain that the least government is the best government but feel helpless in my desire to help dismantle it to the point where it does no more than what our people can do without it."

DONNIE McCARSON: "A man who practices what he preaches is truest to himself. Your teachings of the free market system are being constantly reinforced by exchanging your priceless gifts of libertarian thought for my gift of a prime example of government's frivolity."



RAMPART LIBRARY FINDS NEW HOME



I find great pleasure in announcing the sale of the Rampart College Library. The winning bid for this splendid collection of books was made by Dean Kenneth Ryker of The Freedom Education Center and Northwood Institute, Cedar Hills, Texas. Dean Ryker is a former student of Rampart College. Prior to his enrollment in Colorado, he was a stalwart supporter of human liberty.

The library will be housed in The Freedom Education Center building which is being enlarged to accommodate the material.

The Cedar Hills campus of Northwood Institute is one of three locations at which Northwood Institute flourishes. The primary campus is in Midland, Michigan, where some 1600 students are enrolled in a four-year liberal arts college, emphasizing private enterprise, the importance of private ownership and private management.

The head of the Economics Department for Northwood Institute has been Dr. V. Orval Watts, a long time personal friend of mine and a man who has influenced me profoundly. One of the principle administrators of the school, Dr. Dale Haywood, received his Master's Degree from Rampart College.

The Cedar Hills campus, just outside the Dallas-Ft. Worth area is a two-year junior college with an enrollment of about 320. The Freedom Education Center is on this campus. A third campus is at West Baden, Indiana, where another two-year junior college presently has an enrollment of approximately 200.

In addition to obtaining the primary library, Dean Ryker will be presented with the signature boards from Rampart College. Those who attended the school in Colorado will recall that they were asked to sign a large wooden plaque upon admission. Those signatures were then burned into the wood and the boards kept. These signature boards will be permanently on display at Cedar Hills. Also, the large sign forming the arch of the Freedom School campus in Colorado and bearing the statement: "The Man Who Knows What Freedom Means Will Find A Way To Be Free," will be

moved to the Texas campus. Later on, the personal library of Bob LeFevre will be shipped to Cedar Hills and become an integral part of the Freedom School library as it was in Colorado. Thus, the transfer of the books will be in two increments, the first already shipped; the second to be moved at an undisclosed time in the future.

It is Dean Ryker's hope and intention to conduct classes in the freedom philosophy at this location and to invite the publisher of *LeFevre's Journal* there from time to time to do the same.

"In a few words, Bob," Dean Ryker said, "The Freedom School will be reinstated here!"

I would like to thank all of the other interested parties who submitted bids. I have long been frustrated by having all these books in my personal possession where it was almost impossible for anyone to have access to them except myself. Now the books will be put to good use by increasing numbers of inquiring young minds.

Northwood Institute was the brain child of Arthur E. Turner and R. Gary Stauffer. The two men, still in their forties, dreamed of creating an educational institution with emphasis upon business, free enterprise and private property management. While many private schools and colleges have fallen by the wayside during the past decade, Northwood Institute has gathered both momentum and assets.

The Institution was launched in 1959, with a borrowed \$60,000. Today its assets exceed \$15,000,000, and in addition to its three campuses, it has recently acquired the Bloomfield Country Day School of Bloomfield Hills, Michigan.

Dr. Watts has expressed the Northwood idea as follows: "The distinctive feature is that our graduates will look on business, not merely as an easier way to attain ease and affluence, but as an opportunity for utilizing their highest human qualities and attaining lasting satisfaction in a life well spent."

I believe the Rampart collection will be in excellent hands.



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Each human being, by his nature, is unique. Some persons have enormous ability and some very little. By observation we have learned that the fact of ability differentiation, one person from another, does not mean that any one person may control the actions of another. In fact, each person controls himself. He may not control himself to our liking. But the energy he uses by means of which he thinks (well or badly) and by means of which he uses (or fails to use) his muscles to accomplish any particular objective, is exclusively his energy. That energy operates under his control.

This is a fact of human nature. While one person might be capable of frightening another, and thereby inducing some kind of action, or by rewarding him, and thereby inducing some kind of action, the only reason for employing fear or favor is because we *cannot* control the other person. Each person controls himself. We interrelate with other people by trying to encourage favorable conduct and discouraging unfavorable conduct. Were one person able to control another, neither fear nor favor would be used.

The concept of human rights arises from the observation of this fact. It arose because some of our forebears learned that even though the king had all kinds of advantages, such as education, money and power, this did not grant him the ability to do what others could not do . . . save only in degree. Thus, the CONCEPT of human rights is no more than a logical statement derived from the observable fact of individual self-control.

What it seeks to say is that despite the manifest differences we all have as individuals, no one person may NATURALLY control the energy of another.

Let me grant, further, that our forebears while stating a universal declaration of human rights, omitted the black and the Indian from consideration. Blacks and Indians were defined at that time as "less" than human. Therefore, they were viewed as creatures to whom the concept of universal rights did not apply.

What the concept of human rights does not say is that all human beings have equal ability. Or that they are equally deserving. What it acknowledges is a manifest inequality. But despite this manifest inequality, the charge is made that all men are equal in their abilities to control their own energies.

This was called a natural or human "right." Whatever it is called, it is an observable fact.

Standing on this fact, we recognize at once that human beings interrelate. No one acts successfully without the economic or social cooperation of others, at least to some degree. Our problems begin at this juncture. While it is a fact that each of us controls his own energy, it is also a fact that

it is possible for us to control our energy in such a way that it inflicts injury on another.

There is only one way in which a person can physically impose an injury on another person. To do so, he must physically violate a property boundary against the will of the owner. I have written extensively on this point and will not repeat the argument here.

What is immediately recognized is the essence of freedom. Man has the capacity to act as he will. He is capable of acting in such a way that he violates the freedom of others. He is also capable of acting in such a way that he does not. However, when a man acts in such a way that he violates the freedom of others, there is less freedom in the world.

From this observable fact came the recognition that there are such things as "right" and "wrong" actions. This, of course, is a value judgment. It is the same kind of value judgment by means of which a person enters into a contract or does not enter into it. It does not depend on state or church for its existence; only on human intelligence.

To say that it is a value judgment does not remove its validity. Of course, it is subjective. All knowledge contains subjectivity. It is, in fact, conjunctive. It is an accurate opinion of what happens when people act. If they violate the boundaries of others against the will of the owner, they reduce the freedom of the owner. If they do not, then they have not reduced the freedom of others. Whenever the freedom of a person is constricted by actions other than his own, he is injured.

But how does a person know what to do? How should he control his energy so that he acts in harmony with the observable fact of individual energy control? (The introduction of the word "should" introduces choice . . . a value judgment. It also reveals that there are constructive and destructive choices that can be made.)

Here is the emergence, not of a state or a church doctrine, but of a doctrine built on reason, the concept of human rights. Each man has a right (a natural ability, therefore, a moral one) to act in control of his own energies in respect to what is his. Thus, he has a right to his own life and a right to whatever property is his. This means that he has no natural ability (no moral right) to control the life or the property of another.

When it is said that a person has a "right" to his life, some infer from this that there is some kind of guarantee that he is to be kept alive at all costs. This inference is neither intended nor implied. What it means is that each human being has a *natural ability* to live his own life without asking permission from king or commoner. The concept of human rights provides a natural moral base on which to stand and by means of which all

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human actions can be evaluated.

Thus, each human being has the natural ability to stay alive, if it pleases him, and if he has the ability to do so. But since each human being has this same right, no human being has a contradictory right to stay alive at the expense of others, for they, too, have the same rights he has.

Human rights are distinct from legal privileges.

All human rights rest upon the ability of the individual to control his own energy.

At this juncture the question is often raised: What good is a doctrine that says a person has a right to his life if something isn't done to guarantee that he will stay alive? There is nothing in nature that guarantees the survival of anyone. Indeed, if a guarantee were to be offered, the only one that could be suggested would be in reverse. At any given moment we can virtually guarantee that sooner or later each of us will be dead.

Here again comes the clutter from the legal mind. Nobody is assuring anyone that he can stay alive. Instead, what is being said is that staying alive is up to one's control of his own energy. And that you have a moral right to use your energy without asking permission, provided you do not use your energy by violating the property boundaries of others against their wills. For the others

have the same rights, the same energies, the same abilities you do. You didn't get them from the state or from the church. You were born with them. And you may "rightfully" use them, even though you have the ability to "wrongfully" use them. So long as you use them "rightfully" you don't have to ask anyone's permission. For no human being is your moral superior, even though it may be true that others are smarter, better educated and have more of this world's goods than you command.

What good is the doctrine? It is a statement of principle, that can only be glimpsed by those willing to employ knowledge, that is, willing to detect the difference between conduct that destroys freedom and conduct that does not.

Human rights, then, exist in the conjunctive. Like the multiplication table, they do not exist independently of our subjective abilities to see them and understand them.

There is no contract in existence which says we must all obey the concept of human rights. No such contract is sought. The devotee of liberty uses his mind to accurately envision the nature of man. The nature of man is objective. When it is envisioned, the process is subjective. But when it is done accurately, we enter the conjunctive, the area of knowledge, contracts, multiplication tables and human rights.



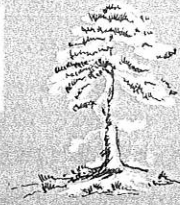
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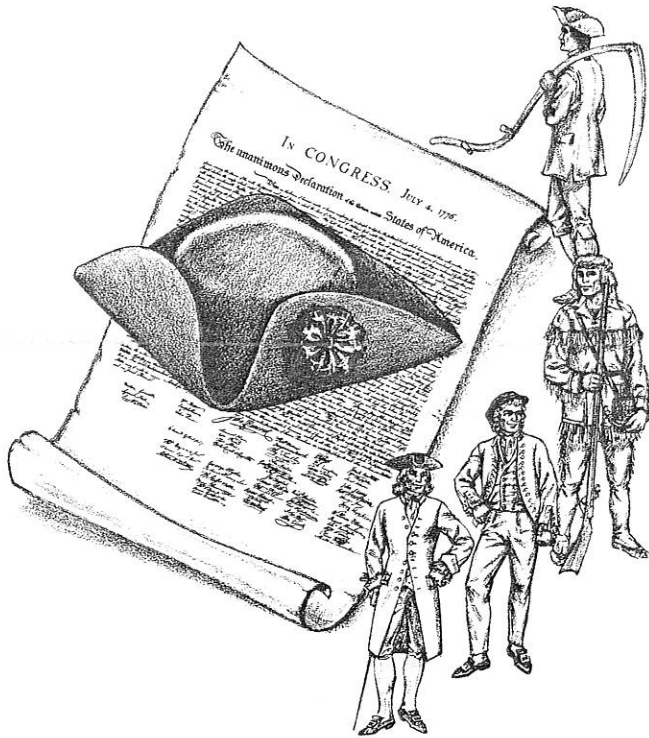
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the man who knows what freedom means will find a way to be free



DO HUMAN RIGHTS EXIST?

Do human rights exist?

I think they do. Not as physical objects, certainly, nor as some mystical vibration. Nor do I presume that a violation of human rights brings on some natural or automatic form of retribution, to the violator of rights.

Some argue that if something is neither physical in an observable sense, nor physical at a level where it can be detected by our five senses or by equipment devised to expand or extend the range of those senses, then it is non-existent. This is to argue, in effect, that a contract agreed upon between two persons, but not set down on paper, does not exist. Of course, the contract exists. It finds its existence in the agreement between at least two minds respecting an exchange of goods or services.

A human right exists at this same level—the level of the mind—although it does not exist on the basis of agreement.

Human beings have never agreed as to what rights are or that they exist. To the person who

does not focus his attention upon the details of a specific contract, the contract may not exist. That doesn't remove it from existence, it removes it from his knowledge of its existence.

The same is true respecting rights. If a person persists in looking for human rights in the same way that he hopes to detect some kind of vermin crawling over a person's body, he will not find them. He is looking in the wrong place.

It has been my observation that most of the debates which frequently range across the spectrum of libertarian belief (or non-belief) are based on inferences drawn from what some persons have said or written. In far too many cases, the inferences are not drawn from what was said so much as they are manufactured by the person inferring as a result of his own background. Few of us listen, because few of us want to learn. We all have a tendency to think we KNOW. So we argue against the other because we infer that the other is arguing against us. In many cases, this requires the construction of a straw man. Straw men are easily