



# LIBERTY TREE

Vol. 11, No. 4 — April 2009

By Dick Greb

## To secure these **RIGHTS** ...

*We hold these Truths to be self-evident, that all Men are created equal, that they are endowed, by their Creator, with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness.--That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed ...*

According to our founding fathers, as expressed in the Declaration of Independence, it is self-evident that men create governments to secure their rights. And yet, this truth seems far from being self-evident these days. In fact, if you were to look only at the way the government operates in modern times, you would likely come away with the conclusion that government's purpose was to eliminate the people's rights completely. Certainly, if you compare the extent to which one was free to exercise their rights 100 years ago with the extent one is "allowed" to exercise them today, you would have to agree that the latter is a mere shadow of the former. Indeed, comparing today to just 10 years ago would give you the same result.

There's no doubt that the government no longer considers this principle to even be true, let alone a self-evident truth. But that's not the point I want to discuss here. Over the years, I've noticed that this principle has been subtly distorted in the minds of many people, even long-time Patriots. To be sure, I'm talking about only a slight distortion, but that small change can manifest a significant difference in the proper function of government.

How often have you heard (or said yourself) that the only lawful function of government is the protection of life and property? And yet, look closely at the quote above again, and you'll see that it isn't life or property that governments are instituted to protect, but the **rights** to life and property (among all of our inalienable rights). Some might argue that there's no difference between the two, but when you've finished this article, I

think you'll agree that the difference is important.

To begin, it should be obvious that a right to a thing is not the same as the thing itself. An easy example is a debt. A debt gives you a right to be paid, yet you may never actually get that money. You have the right to possess property, yet that property might be stolen from you. In both cases, the right remains, yet the ob-

ject of the right does not. Although a bit more abstract, the same goes for your right to life — someone might take your life, but the right to life is not taken. Indeed, that is the fundamental nature of *inalienable* rights — you cannot alienate yourself from them. Samuel Adams had this to say about inalienable rights:

*If men, through fear, fraud, or mistake, should in terms renounce or give up any natural right, the eternal law of reason and the grand end of society would absolutely vacate such renunciation. The right to freedom being the gift of Almighty God, it is not in the power of a man to alienate this gift and voluntarily become a slave.*

You can, however, alienate yourself from the object of the right — for example, you could give away all of your property, but you would still have the right to acquire more. You can also alienate yourself from the exercise of a right, such as by contracting into servitude for some period of time; yet your right to freedom remains. I submit that this is not the same as voluntarily becoming a slave, who is under the complete domination of their owner. The bottom line is that while the rights are inalienable, the subjects of those rights are not.

### **Protecting you**

Understanding that, then what is the difference between the protection of a right and the protection of the object of that right? This is where the distinction really

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becomes meaningful. Consider first the protection of the right to life versus the protection of life itself. It's not hard to see that the latter is much more involved, and to be sure, much more intrusive. Since there is virtually no limit to the ways that one might be hurt or killed, then there is also no limit to the things that might be necessary to

protect your life (not to mention the hundreds of millions of other people's lives, too). If it really was the duty of government to protect everyone's life, then it might justifiably enact restrictions on the keeping and bearing of arms, or on what you are allowed to eat, drink, and even do. It might restrict the kind or amount of medical treatment you can receive. At the extreme, it might even decide that it's necessary to station a policeman in your home, to make sure no fatal evil befalls you there. Not only are such 'protections' obtrusive and even oppressive, they are also very expensive.

On the other hand, if protecting your life was left up to you, then you would need to weigh the risks of any harm against the odds of its occurrence, and then decide what precautions were necessary to protect against it. Everybody would choose their own level of appropriate precautions. The protection of your *right* to life doesn't necessitate any of the oppressive elements mentioned above. In fact, in most cases, it would necessitate the opposite. To protect your right to protect your life, laws mandating unfettered access to buy, carry and use firearms are necessary, rather than the restriction of them. Laws guaranteeing your access to whatever medical care you deem appropriate to your situation are necessary, rather than laws that restrict your choices, or force you to accept treatment you deem hazardous to your health.

### ***Protecting your property***

Now consider the protection of your property. What must government do to protect your property? Post guards? Regular mandatory inspections to make sure it's in proper operating condition? You get the idea. But what must be done to protect your right to property? Once again, the scope of necessary action is much smaller. And again, laws that would prohibit any restrictions of one's right to own, carry or use firearms (or other weapons, for that matter) would naturally also pro-

tect your right to protect your property. Laws establishing courts of justice where you could litigate property disputes are another necessity; laws prohibiting the taking of property by government for whatever bone-headed project that pops into their heads. These are the kind of things that protect your *right* to property.

Some may argue that the Bill of Rights would prohibit many of the intrusive actions I mention, and they would of course be correct. But that really misses the point. If government's duty was to protect *us*, then that duty would be in constant conflict with the Bill of Rights. On the other hand, since their duty is only to protect our *rights*, it is in total harmony with the Bill of Rights. This is certainly not surprising, since the Constitution was written to create the kind of government spoken of in the Declaration. And if we still had that kind of government, this little lesson would be unnecessary. But, we're a long way from that. Today, government actually does seem to believe that it is their duty to protect us from all harm.

### ***It's for your own good***

One of the results of failing to distinguish between protecting the right to property and the property itself is the enactment of laws, such as housing codes, which purport to protect you and your property *from yourself*. What other justification can be offered for laws which penalize you with ridiculously high fines (\$500 every day the violation exists) for cracks in the plaster of your walls, or paint chipping off of them, or worse yet, because your toilet isn't clean enough to suit them!<sup>1</sup> They admit in §26-1, that the purpose of the law is "to *protect the people of the County* against the consequences of urban blight, assure the continued economic and social stability of structures and neighborhoods, and *protect the health, safety and welfare of residents...*" So, these laws have nothing to do with protecting my *rights*, but are founded instead on the idea that the government must protect *me*, even from myself, if necessary.

1. Don't believe me? Go to: [http://www.amlegal.com/nxt/gateway.dll?f=templates&fn=default.htm&vid=amlegal:montgomeryco\\_md\\_mc](http://www.amlegal.com/nxt/gateway.dll?f=templates&fn=default.htm&vid=amlegal:montgomeryco_md_mc), and see for yourself. Section 26-9(c)(1) of the Montgomery County

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# U.S. at war with Pakistan?

By Dick Greb

Since the wars in Afghanistan and Iraq are apparently progressing so well, it seems the United States government has decided to expand its War on Terrorism into another sovereign country. According to an article in the March 22, 2009 edition of *The Baltimore Sun*,<sup>1</sup> our country, since last September, has been engaged in the “most expansive targeted killing program run by the CIA since the Vietnam War.” This killing program was accelerated “when the Bush administration abandoned the practice of getting permission from the Pakistani government before launching missiles” from unmanned Predator drones. The article goes on to say that the success of this killing program has prompted the Obama administration to “continue it despite civilian casualties that have fueled anti-American sentiment and prompted protests from Pakistan’s government.”

And how about those Predators? Not only can they provide video surveillance while hovering over a target at high altitudes (what they were originally designed to do), but “new versions are outfitted with additional intelligence gear that has enabled the CIA to confirm the identities of targets even when they are inside buildings and cannot be seen through the Predator’s lens.” Wow! You’ve got to be glad that they’re not using such high-

tech weapons against our own civilian population. Or, are they?

More importantly, if they are able to confirm the identity of their targets, yet civilian casualties are resulting, then it seems that the CIA must be either targeting civilians, or at the very least, are totally indifferent to the murders of innocent people by their hand. Or, as the case may be, by the hands of contractors, hired by the CIA to “pull the triggers on missiles.” Yes, you read that right; the CIA has hired professionals to help them in this killing program. But, unlike the more ‘hands on’ type of hit men we see on television, these killers fly the planes and drop bombs by remote control, sitting halfway around the world from their victims.

Imagine that. Flying planes from the ground by remote control. It makes you wonder why commercial airliners aren’t equipped with such capabilities, so hijacked planes could be safely landed in sparsely populated areas instead of crashed into tall buildings in densely populated ones. Or, maybe they do already have such capabilities.

So, we have a purported *intelligence gathering agency* of the government conducting bombing runs on one more sovereign nation, with neither a declaration of war on that country nor the consent of its government, knowing that it increases the level of anti-American sentiments throughout the world. Commenting on the reactions of al-Qaida, an unnamed senior counterterrorism official is quoted as saying: “[A]t this point, they’re wondering who’s next?” Indeed, all of us should be wondering the same thing.



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1. *U.S.: Predator strikes ravage al-Qaida*, by Greg Miller.

## Reminder from ...

**Truth Attack**

**TA gearing up for Operation Stop Thief!**

Time is running out if you want to participate in **Operation Stop Thief II**. All patriots, no matter their particular issues, are needed to awaken Americans to the IRS' illicit theft of American labor, says Attorney Tom Cryer. **“We only get this opportunity once a year. Please join in the fun!”**

The first operation, on April 15, 2008, saw 734 post offices attended by “Truth Troopers” who held “What Income Tax?” signs and handed out flyers letting last-minute tax filers know that there is a genuine issue over whether the IRS is telling America the truth about the income tax laws.

**To join in the fun, register at [www.truthattack.org](http://www.truthattack.org).** TA will email you a free materials packet with a checklist of preparations; tips and detailed instructions (including how to deal with postal employees, police, press and public); Do’s and Don’ts; a sample press release and instructions on how to distribute it; and a flyer to copy and distribute. Free signs will be mailed by April 1, 2009.

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### Fair share

Another place where this difference between protecting the right to property and the property itself comes into play is progressive taxation. Progressive taxation is the socialistic practice of making those who have more pay higher taxes — that is, *from each according to his ability*. Members of Congress have justified the progressiveness of the income tax by arguing from the standpoint of government's function of protecting property. Rationalizing that the rich (Rockefeller was even named, if I remember correctly) own so much more property than the lower classes, and the protection of all that property being a correspondingly higher burden on the government, then it is only right that they should pay more for the maintenance of that government (and its protection). Yet, rich or poor, more property or less, the *right* to property is the same for everyone. That's what the Declaration says: *all men* are created with equal rights. A rich man has no greater right to property just because he has so much of it, than does the poor man who may have none at all. So how then is it fair to make the one pay a greater share of taxes than the other on that basis?

If government stuck to its proper function of just protecting our rights, there would be little for them to do, and little expense in doing it. All of the laws which could possibly be needed to protect those rights would have undoubtedly been enacted many years ago. There would also be little if any need to alter them as the years go by, since the kinds of laws that protect our rights are largely timeless.

The important thing to remember is that whoever is responsible for the protection of the object of the right is the one who must make the choices as to what form that protection will take, and making those choices entails balancing all the risks, odds and possible outcomes. Choosing without the balancing is irresponsible at best, and deadly at worst. And since these factors differ widely for every person, leaving that balancing act to a government of hundreds of millions of people is impractical, if not impossible, but more importantly, irrational! What sane person could think that under such circumstances the government would make better

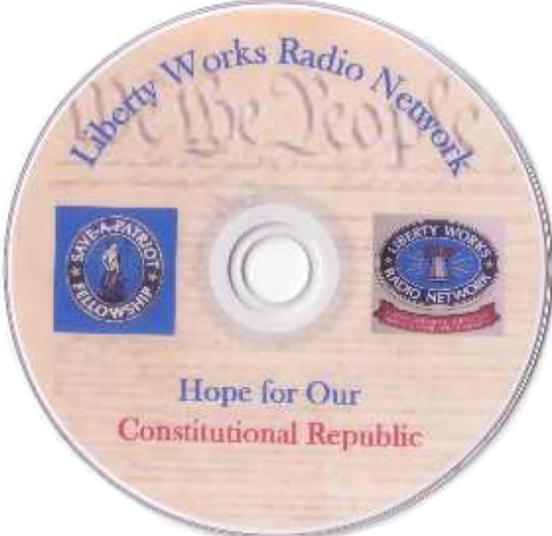
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[Maryland] Housing and Building Maintenance Standards says: "Each occupant of a dwelling unit or individual living unit *must maintain all plumbing fixtures in the unit in a clean and sanitary condition and must exercise reasonable care in their use and operation.*"

choices for your protection than you could yourself? But the choice is yours. Do you want a government that protects you and your property or one that protects your rights to them? As Patrick Henry might have said it, "Give me *protection of my right to Liberty*, or give me death!"



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