

# 1 Declaration of Unalienable Rights

A manifesto by free people in the early 21<sup>st</sup> century that explicitly sets forth certain types of governments and laws to which we refuse to be subject.

## 1.1 Preamble

In order to stem the erosion of liberty and the creep of corruption that inevitably occurs when humans are granted the authority to govern, we make this declaration of unalienable rights. We hold these rights to be natural, self-evident, and higher than the laws of any government, and also higher than the constitutions that govern them. As all conscionable governments derive their authority from the consent of the people, we, the people, unite to explicitly deny our governments any authority to abridge or regulate the liberties that we now set forth. For the sake of preserving liberty for ourselves, our posterity, and other present and future inhabitants of this planet, we hereby refuse to be governed by, and pledge to defy, any laws that infringe upon any of these natural rights. Further, we shall not recognize as being legitimate any process of government that consistently and repeatedly attempts to form laws in violation of our natural rights, and we vow to sacrifice to whatever extent necessary, to bring about the destruction of oppressive governments that attempt to forcibly exercise illegitimate authority upon us.

We do not imply that any government has power to regulate affairs not mentioned in this document, but as governments have historically failed to operate within the bounds of powers explicitly granted to them, we hereby establish an absolute and extreme limit of our tolerance. We herein formally establish only the most fundamental rights, such that all honorable people may agree, and be united in defiance of those who scheme for power at the expense of liberty. If the constitutions of every nation would limit their governments to protect our natural rights, this document would not be necessary, but as they have thus far established only vague guidelines that politicians have freely transgressed, we now declare the limits of our tolerance with increased clarity, and with the advantage of several years of additional experience. We expect all governments to honor and defend a superset of the rights that we herein set forth, and we shall not honor or submit to be ruled by any government that does less. These rights are independent of government, and no plurality of votes, no due process of law, no exigency of war, no urgency to prevent chaos in the wake of pending change, no moral outrage, no justifying ends, no supposed superior foresight, no threat of witches, Mormons, savages, communists, terrorists, hackers, idealists, or boogie-men, no condition whatsoever, shall give any governing entity any authority to infringe upon any of these unalienable rights.

## 1.2 Enumeration of Rights

We shall not be subject to any law that infringes upon any of the following rights. This list is not exhaustive, but the rights herein set forth are non-negotiable.

### 1.2.1 Rights of thought and belief

All people have the right to form their own beliefs<sup>1</sup> and opinions about all matters, and shall not be denied any rights, including the right to seek election to positions in government, on account of having expressed unpopular or unfavorable opinions. We shall give no deference to any law that attempts to direct the opinions or beliefs of any person on any matter.

#### 1.2.1.1 Criticism

All people have the right to express opinions of any nature to those who are willing recipients, and to read and receive the opinions from anyone of their choosing. Criticism of government and other entities and organizations must be explicitly protected, and failure to protect such criticism shall render a government invalid.

##### 1.2.1.1.1 Websites and blogs

We explicitly claim the right to post any opinion on our own web sites, web logs, and on-line social networks. Where such opinions are found to be offensive or inciteful, it is the duty of the reader to bridle any rage, to stop reading, and to unsubscribe from offending material, and it is not the duty of the author to refrain from causing offense.

##### 1.2.1.1.2 Anonymous communications

We claim the right to post opinions anonymously. This right is necessary to protect ourselves, our families, and our friends, from the backlash that inevitably comes from corrupt people trying to preserve power by silencing criticism. In order to protect this right, we shall freely create pseudonyms, and reserve the right to facilitate and forward the anonymous communications of others, without regard for any law to the contrary. Restricting anonymous communication is not an appropriate mechanism for enforcing laws.

### 1.2.2 Communication and privacy

We claim the right to communicate with those willing to communicate with us. It would be a cruel and unjust punishment to ban any non-incarcerated person from using a computer or freely accessing the Internet. Any mandatory filtering of Internet communications is a violation of this

1 [http://en.wikipedia.org/wiki/Missouri\\_Executive\\_Order\\_44](http://en.wikipedia.org/wiki/Missouri_Executive_Order_44)

right.

### **1.2.2.1 Encryption**

We claim the right to use encryption to protect the privacy of our data, our files, and our communications<sup>2 3</sup>. We shall use encryption freely<sup>4 5</sup>, without regard for any law to the contrary. We claim the right to “forget”<sup>6</sup> our pass-phrases<sup>7</sup> when it is convenient for us<sup>8</sup>, and on principle shall never divulge them under pressure or duress, even when they protect nothing of significance.

### **1.2.2.2 Peer-to-peer**

We claim the right to engage in peer-to-peer communication, regardless of whether the lack of centralization makes it difficult for the government or any other entity to monitor and/or regulate the communication. Banning peer-to-peer networks is not an appropriate method for governments to enforce any law, as peer-to-peer communication is a natural right.

### **1.2.2.3 Gag orders and data retention laws**

We shall not be subject to gag orders. We may freely warn our relatives and friends when we are investigated or penalized by the law. We shall not refrain from monitoring and distributing information about the practices of law enforcement officers. We shall show respect for the privacy of our customers by notifying them when the government requires us to disclose information about them. We reserve the right to delete information about our customers, particularly if requested by the customer, even if such is in violation of data-retention laws. It is unethical to permit such laws to violate the natural right of showing common courtesy and respect for the wishes of our customers regarding their data.

## **1.2.3 Rights of intellect**

All people have a natural right to think, to do math, and to compute in any manner, and to be free of regulations regarding permissible manner of thought or computation.

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2 <http://www.networkworld.com/news/2011/063011-wiretaps.html>

3 <http://www.uscourts.gov/uscourts/Statistics/WiretapReports/2010/2010WireTapReport.pdf>

4 <http://www.bis.doc.gov/encryption/guidance.htm>

5 [http://en.wikipedia.org/wiki/Export\\_of\\_cryptography\\_in\\_the\\_United\\_States](http://en.wikipedia.org/wiki/Export_of_cryptography_in_the_United_States)

6 <http://www.techburgh.com/2010/01/05/how-to-protect-when-you-are-forced-to-reveal-your-computer-password/>

7 [http://news.cnet.com/8301-13578\\_3-10172866-38.html](http://news.cnet.com/8301-13578_3-10172866-38.html)

8 <http://it.slashdot.org/story/10/10/05/2038219/British-Teen-Jailed-Over-Encryption-Password>

### **1.2.3.1 Thinking and computing devices**

People may consider computing devices to be an extension of their minds, and thus no law may direct how people can compute in private. We shall respect no law limiting any particular type of math. We reserve the right to reverse-engineer software, devices, protocols, etc. It is no crime to “brute-force” a password or to circumvent weak encryption. Rather, it is the responsibility of those who use passwords and encryption to use such of sufficient strength for the intended purpose.

### **1.2.3.2 Modification of equipment**

We explicitly claim the right to install any software that we own or have rights to on any device that we own, and to modify any device that we own in any way that we see fit. We also claim the right to modify devices owned by others, with their permission, even if the manufacturer of the device prohibits it. We shall respect no prohibitions by a manufacturer of any device regarding how it may be used or modified. We reserve the right to circumvent mechanisms that seek to “manage rights”. We authorize no device to manage our rights. We shall consider it to be no crime to create or use a device emulator.

### **1.2.3.3 References**

No government has any right to declare something to be so vile that it may never be mentioned, discussed, identified, or referenced. We claim the right to make reference to anything, according to our own discretion, without fear of repercussion for referencing some material that the government fears. Thus, we will publish citations, hyperlinks, and any other form of reference with complete disregard for any unjust laws that seek to regulate making references. By extension, we claim the right to form indexing services, even if the government finds the indexed materials to be undesirable, inappropriate, subversive, contraband, or illegal. No reference, citation, or link can be illegal. If distributing information can be a crime, then the crime is committed only by those who distribute the illegal information, not by those who reference, identify, index, or link to it. Deep-linking is not a crime.

### **1.2.3.4 Recording devices**

We reserve the right to have recording devices on our own private property, and to carry them on our person when in public areas. We shall not refrain from recording the actions of public servants, law enforcement officers, criminals, or those who may falsely accuse us of misbehavior, nor shall we refrain from distributing such recordings.

### **1.2.3.5 Memory extensions**

We explicitly claim the right, when such technology becomes available, to extend the capabilities of our mind and memory with computing devices. No government has any right to direct what information shall be kept within a human mind, even if the memory of that person is improved through the use of man-made extensions.

### **1.2.4 Laws intended to promote the progress of science and useful arts**

It is natural for a person to own the creative works that he/she makes, however, this does not imply that it is natural for a person to be able to distribute copies of a work while simultaneously retaining the privilege of directing how others are permitted to use it. Laws that give authors such rights step very close to regulating intellect, and must tread carefully.

We, the people, may tolerate our governments to enforce Copyright as an unnatural right for the purpose of promoting the progress of science and useful arts, with the condition that we are compensated after a limited time by receiving ownership of those creative works into the public domain. The practice of extending Copyright protection to unreasonable durations is a form of theft, because it deprives the public of works that rightfully belong to them, it regulates intellect without compensation, and deprives science and the useful arts of receiving those contributions, which is the very purpose of such laws. The practice of extending Copyright protection to insignificant works, and patent protection to obvious processes, is likewise an infringement upon the intellect of the people.

#### **1.2.4.1 Duration**

We shall honor no law that limits the copying or use of any information beyond 20 years of its initial creation. After 20 years from their initial creation, we shall consider all creative works to fall into the public domain, regardless of any laws to the contrary. It is inconceivable that after failing to derive sufficient compensation from a creative work within 20 years, a reasonable author/inventor/creator would still consider that work to contain significant commercial value. Thus, we establish this threshold as the absolute longest duration of time that any intelligent, informed, and reasonable person would honestly believe necessary in order to fulfill the purpose of promoting the progress of science and useful arts. It is our right, and not a crime, to copy works that are more than 20 years old, and we shall consider ourselves to be ethically-bound to actively exercise this right in order to preserve it for ourselves and future generations.

#### **1.2.4.2 Significance**

We shall honor no law that limits the copying or use of any

information that consists of an insignificant amount of creativity. So that this declaration may not be disregarded for being vague, we declare that any information which may be encoded in a generalizing manner using fewer than 10000 bits certainly does not contain sufficient creative information to be considered significant. We make no claim whether a larger number of “creative bits” is sufficient to establish other works as being significant.

#### **1.2.4.3 Patents**

Patents on mathematical formulas, software, and business methods inherently violate the natural rights to think freely, and are thus invalid. We shall honor no such patents, and shall seek to bring a speedy end to the tyrannical practice of issuing them. Additionally, we shall consider patents on anything that would be obvious to a person competent in the field to be immediately void.

### **1.2.5 Legal recourse**

Legitimate governments must protect the natural and unalienable rights of its people, and all people have a right to such protection. Where chaos would abound in the presence of anarchy, people have a right to form governments, to expect such governments to protect their rights, and not to infringe upon them, and to take such measures as are necessary to see that the government fulfills this duty.

#### **1.2.5.1 Due process of law**

All people have the right to due process of law. No crime whatsoever shall be punished without giving the accused an opportunity to face his/her accusers in a fair and unbiased trial, to present a complete defense, and at the option of the accused, to make the proceedings of such trial publicly available so that all may witness that justice was properly administered.

#### **1.2.5.2 Fitting punishments**

In all cases, punishments must be suitable for the actual crime committed, and not be exaggerated to make an example of a particular criminal or crime, or to cover actions for which the criminal was not explicitly convicted. Punishments must not be unusual or designed to strike fear into the public, nor shall the extent of any punishment be based on a prejudice or irrational disgust for a particular offense, nor shall punishments be determined by those who do not thoroughly understand the act that was performed, and its implications.

#### **1.2.5.3 Fear of excessive countermeasures**

People have a right to generally operate in a reasonable manner without fear of being sued or of facing excessive

punishment for trivial matters.

#### **1.2.5.4 Self defense**

In the event that legal mechanisms are not available, or are unwilling, and in cases where expediency renders them ineffective, people have the right to defend themselves, others, and the rights of themselves and others in an appropriate manner, and without fear that they will be punished for defending those rights.

#### **1.2.5.5 Searches and spying**

We shall not tolerate searches or seizures performed without due process involving the certification of a warrant by an impartial judge. People have a right to an expectation of privacy in telephone conversations, e-mail communications, instant messaging, geographical location information, personal credentials, identifying numbers, related matters, and so forth.

### **1.2.6 Government by the people**

All legitimate governments must be directed by the people. All governments that are controlled in perpetuity by a monarch, dictator, or single party are implicitly in violation of this right, whether or not they show deference for the other rights of the people. We shall defy all such dictatorships and shall never recognize any government that does not preserve to the people this highest power of directing the government.

#### **1.2.6.1 Changes of leaderships**

As tyrannical dictators are often the first to claim to be “servants of the people”, we now clarify that no government is directed by its people unless the people can and do frequently change all those who hold significant power and authority. All life-time, and lengthy appointments to positions with authority violate this principle. Any appointment in duration more than 15 years is certainly lengthy, as that represents a significant portion of the life of a subjected citizen.

#### **1.2.6.2 Competing ideologies**

People have the right to direct their governments by choosing among competing ideologies that represent the significance variance of opinion among the people. For example, if a large portion of the population was concerned about a certain issue, but every election involved only two major parties which both had a history of behaving the same way on that issue, or if the officials elected by the people lacked the ability to bring that issue to a vote, or if the election results did not represent the people, or if an unelected official always vetoed their decision, then that government would be a sham democracy. Sham

democracies are not a valid form of government.

#### **1.2.6.3 Government transparency**

As governments exist to serve the people, they have no business keeping secrets from the people. It may be understandable to delay the release of tactical information pertaining to warfare and law enforcement for up to fifteen years. Under no condition shall we tolerate any government to keep any information secret in excess of fifteen years. No government has any business engaging in any activity that prohibits the timely and full release of all information. While our governments fail to exhibit full transparency, we shall encourage, support, contribute to, and indemnify individuals and organizations that leak, hack, expose, report on, and/or publish information that such governments seek to keep secret or “classify”.

#### **1.2.6.4 Superfluous wars**

Declaring superfluous wars for the purpose of extending government powers is unethical.

#### **1.2.6.5 Right to record officers of the law**

We explicitly claim the right to record and publish observations of all public servants, including government employees, law-enforcement personnel, law-makers, and so forth. As such are the employees of the people, we certainly have the right to observe and report on their behavior.

### **1.2.7 Property and contractual obligations**

The right to buy, own, control, and sell property is fundamental and unalienable.

#### **1.2.7.1 Currency**

All people have the right to own money in the currency of their choice, to store that money in the manner of their choosing, and to transact that money with the merchants of their choosing. In order to be free from being subject to government-sponsored inflation and unreasonable government oversight, we explicitly claim the right to exchange in unregulated currencies, including precious metals, commodities, and peer-to-peer digital currencies. If such currencies make it difficult for the government to enforce taxation on transactions, that is the government's problem, and does not constitute a necessity for anyone to submit to using a government-approved method for transactions.

#### **1.2.7.2 Resale**

All people have the right to sell anything that they have legitimately purchased. We shall not consider the

“scalping” of tickets or the resale of media to be a crime. Merchants must not rely on business models that require the limitation of our inalienable rights, including the right to sell what we have purchased. All people have the right to sell their services, and items that they have made.

### **1.2.7.3 *Manufacturer restrictions***

As manufacturers and merchants are not law-makers, customers have the right to use products in a manner that was not intended, and to ignore any requirements from the manufacturer or merchant regarding the acceptable use of a product.

### **1.2.7.4 *Contracts***

People have the right to willingly enter into contractual obligations, and shall be bound to honor such contracts. Government-issued declarations of bankruptcy do not excuse the natural and ethical obligation to pay one's debts. It is unethical to enforce or expect conformance to terms that violate unalienable rights, including various forms of indentured servitude or slavery. Contracts that are forced upon a person, agreed to under pressure or deceit, that involve confusing and unnecessarily complex language designed to obscure significant obligations, that are forced upon a user after purchase of a product has already been transacted in order to validate a product, or that are agreed to as part of a click-through form shall be invalid, and no one should consider themselves to be under obligation to adhere to such ridiculous contracts.

### **1.2.7.5 *Oligopolies***

People have a right to engage in commerce in a competitive market, and governments are under obligation to ensure that the market remains free. If corporations manage to seize control in a market where competition previously existed, and begin to exercise that control by requiring customers to agree to unnecessary or superfluous obligations as a requirement for purchasing their goods or services, then such agreements shall be invalid as they were effectively forced upon the consumer.

### **1.2.7.6 *Freedom from inherited obligations***

All people are free from obligation to pay the debts of their parents and predecessors. Contractual obligations are not inherited by children.

## **1.2.8 *Fiscal responsibility of governments***

Taxation is contractual. A government that collects taxes must also meet obligations, including the provision of stability and the protection of unalienable rights.

### **1.2.8.1 *Excessive government debt***

Governments have no right to enter into excessive debt. Debt that cannot or will not be paid in full in the current generation without significant sacrifice is excessive. Such debt is a form of pushing obligations onto future generations for the benefit of the current generation, and thus violates the inalienable rights of the people. Governments are responsible to limit their activities to fit their budgets, and people are not obligated to support an invalid government that consistently misuses money. When a government's fiscal irresponsibility becomes unsustainable, intelligent people should recognize that it will inevitably default on its obligations. Such people should consider themselves robbed, and under no obligation to support that government.

### **1.2.8.2 *Austerity***

Governments do not have a right to default on their obligations, or to declare bankruptcy. Although such may be an easy way to recover from unethically irresponsible decisions made in the past, it is not honest. The honest way to get out of debt is to pay it, and to avoid entering into foolish obligations. The intention of becoming honest does not justify being dishonest. Thus, we shall consider bankruptcy, austerity, and failure on the part of a government to meet its obligations to be an act of war against its people, and we shall respond with rebellion. For example, if a certain nation were to withhold a compulsory “social security tax” from the wages of its citizens for the purpose of securing their future retirements, and then fail to make appropriate payment when those citizens reach the age of retirement because it had spent that money in advance, rather than save it, relying on the taxation of future generations to pay that debt, then the people would be ethically bound to punish that government for its unethical misuse of forcibly-taken property, and to reform that dishonest government. Failure of a government to accept reforms necessary to keep it honest is justification for bloodshed.

## **1.2.9 *The right to be stupid and to fail***

Laws should prevent people from infringing on the rights of one another, and not from hurting one's self or simply being stupid. It is neither the government's responsibility nor privilege to protect people from themselves. We shall honor no law that violates this principle.

### **1.2.9.1 *Bail-outs***

No government has any right to use money obtained by taxation for the purpose of removing or softening the consequences of those who made poor choices, or those who willingly engaged in risky practices. Businesses, in particular, should never be the recipients of government

aid.

### **1.2.9.2 Antiquated business models**

It is not the business of governments to preserve the sustainability of dying business models. Remaining relevant is the responsibility of businesses, and being able to find success by operating in a particular manner is not a right that any government has authority to protect.

### **1.2.10 Relocation and travel**

People have the right to travel, and to relocate their place of residence as they see fit in pursuit of a better life.

#### **1.2.10.1 Searches**

Traveling is not sufficient to justify unwarranted searches or inspections of a person's private belongings or parts.

## **2 Imparting of wisdom**

I would like to take this opportunity to impart some wisdom to the reader: Never pledge your allegiance to one united central nation. It may promise liberty and justice for now, but it will not give up its power after it has redefined those terms to suit its objectives. It is better to be oppressed by a local tyrant who may eventually be overthrown than to be served by a supreme dictator whose successor may be only slightly less benevolent. Thus, I propose the following re-write of the Pledge of Allegiance:

I pledge before God and my conscience to defend liberty, and to fight against those who would centralize power in one governing authority.

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## **4 An invitation to the reader**

You are invited to anonymously update this document before you pass it on. This should truly be a document by

the people. It should be obvious that well thought-out intellectual contributions will be more influential than soap-box rants on partisan topics. For example, if you feel inclined to add a statement that all people have a right to marry, regardless of gender, you will also need to explain why it is the natural business of governments to endorse unions between couples. Are you assuming that because governments have historically done this that it is the proper role for them to do so? Should a man who loves his computer be excluded? Why discriminate against people who prefer to remain single? If you feel inclined to add a statement that the natural definition of life begins at conception, then you will also need to be sure to explain why both scientists and religious leaders will agree with your definition of life. Further, you will probably need to explain your implied assertion that governments must protect the rights of non-citizens, or else explain the natural methodology for governments to use for determining citizenship that includes unborn children. And if, for example, you make exceptions to this implied obligation in the cases of rape or incest, you will need to explain where governments derive authority to make exceptions to natural laws. If you feel inclined to state the governments inherently must provide education, or even the basic necessities of life, please be sure to declare why this is the natural role of governments, and not of charities or religions. In short, obvious assertions of partisan bias are not positive contributions. Do you really think you can settle years of debate with a few brilliant statements? If so, please make sure they really are brilliant, and then we'd all love to hear from you. Now, if you can refrain from being shallow, please update this document before you pass it on to assert your influence in the world.

### **4.1 A final request**

This document was originally produced in a format that can be edited using free word processors. If you are still using MS Word, please consider that every document you distribute requires the recipient to purchase (or have purchased) a non-free word processor. Thus, I ask that you please not be "helpful" by converting to this document to that out-dated, proprietary, and obnoxious format. If you are unfamiliar with modern word processors, I recommend that you download LibreOffice. It is easy to use, does not limit the user to a proprietary operating system, and it is guaranteed to be free in perpetuity. If liberty is important to you, then take off the shackle that is MS Word.

