

RATIONAL GAUDISM

**The Philosophy of Reason, Liberty
and Rational Maximization of Self-
happiness**

by
Sverre-Henning Brorson

Sverre-Henning Brorson

Rational Gaudism

© 2013

Preface

Rational Gaudism is a complete philosophical system with metaphysics, epistemology, ethics and politics, and may shortly be summarized as follows:

Metaphysics: Metaphysical ideas are cut down to the absolute minimum that is necessary if further epistemological progression is not to be meaningless / indeterminate.

Epistemology: The epistemology is based on strictly logical, rational and scientific principles.

Ethics: All human actions are self-happy-motivated, while the ethical guideline is the consequent use of optimal rational evaluations, i.e. to maximize the probability of generating the largest possible sum of self-happiness during life according to basically the same principles as used by natural science.

Politics: Let us imagine a hypothetical and unlikely (but revealing) situation where the President and a unanimous Congress decide to exterminate all Jews inside the USA (a large majority have in advance changed the Constitution in such a way that the extermination is not unconstitutional), and 95 % of the US population agree. You, who read this, will say that this is an extremely severe crime, and that it is illegitimate in spite of the overwhelming majority. This indicates that it is difficult to claim that true legitimacy of a political act basically relies on the will of the majority. The allegation that such a mass murder is illegitimate whatever size of the supporting majority, may hardly be claimed without referring to the “unpopular” individuals having inherent, nature-given, inviolable rights. Rational Gaudist politics is occupied with proving the existence and content of these nature-given rights of the individual and deducing logical conclusions thereof. Thus, on this philosophical basis all true legitimacy relies (concerning actions, permissions/licenses, decisions, prohibitions, commands etc.). Rational Gaudism constitutes a framework where all politics has to reside in order to be legitimate, and shows that all other fundaments for legitimacy than the Rational Gaudist one necessarily will meet a contradiction. The basic principle is that each individual has the right to do whatever he likes as long as he does not violate the similar right of others, other nature-given rights or their logical consequences.

Rational Gaudist politics means that neither adult men's, nor children's, nor superior animals' nature-given rights may be violated. This implies that neither the government nor any others may initiate force against (adult) people. According to Rational Gaudism the State are primarily to fund administration of justice, Police and defense, but the State may also fund additional domains under the assumption that the funds are not obtained by violating any nature-given rights. Thus, compulsory taxes are excluded, and then State expenses will automatically be limited. Honorable projects may include: supporting children's fundamental needs in low income families, subsidizing social security benefits and health insurance for low income groups, and funding some basic research programs. Rational Gaudist politics may simplified be regarded as a hybrid between Objectivism and social liberalism (about 3:1), where we retain the positive Objectivist idea that no force may be initiated against the individuals, but at the same time (in moderate form) embrace the idea of social liberalism that the State if necessary / desirable may use funds to prevent disadvantaged groups from “falling into the black hole”. In addition, Rational Gaudism shares the social liberalist view that it is a State task to prevent animal cruelty.

*This book was written in the period 26th December 2003 – 2nd April 2020.
(First published version: 2nd September 2013)*

CONTENT

I. Rational Gaudism in abstract

II. Metaphysics, Epistemology and Ethics

1. Metaphysics and Epistemology, Part A

1.1 The axioms of Rational Gaudism

1.2 Senses, concepts and definitions

1.2.1 Creation of concepts

1.2.1.1 Definitions

1.2.1.2 Objective and subjective concepts

1.3 Induction

1.4 Deduction

1.5 Philosophy of Science

1.5.1 The hypothetical-deductive method (HDM)

1.5.2 The factors influencing the well-foundedness of a hypothesis

1.5.2.1 Hypotheses without observable consequences

1.5.3 Dethronement

1.5.4 The total well-foundedness

1.5.5 Limitations of social science

1.5.6 Science and non-science

1.6 The hypothetical-deductive method outside Science

1.6.1 An observation is essentially a hypothesis

1.6.2 Biological and technological evolution

1.6.3 Evolution of ideas

1.6.4 Evolution of happiness in daily life

1.7 Subjective and objective knowledge

- 1.7.1 Objective knowledge*
- 1.7.2 Subjective knowledge*
- 1.7.3 Intersubjective knowledge*
- 1.7.4 Objective and subjective scientific knowledge*
- 1.7.5 The making of objectivity by changing definitions*
- 1.7.6 Summary of objective and subjective knowledge*

1.8 Accurate knowledge

2. Metaphysics and Epistemology, Part B

2.1 The outer reality

2.2 The consciousness of individuals

- 2.2.1 Subjective / objective / intersubjective reality*
- 2.2.2 Happiness*
 - 2.2.2.1 Why does perception of happiness exist?*
 - 2.2.2.2 Experiencing happiness is the only value*

2.3 Supernatural reality

2.4 Identity and nature

- 2.4.1 The fundamental nature of different objects*

2.5 Free will

- 2.5.1 The reality limits the realism of actions but not the free will*
- 2.5.2 Animals and “free will”*
- 2.5.3 Man cannot choose his own values*
- 2.5.4 Predisposing determinism*
 - 2.5.4.1 Time perspective*

3. Ethics

3.1 Praxiological fundament for rational ethics

3.1.1 Rational Gaudist ethics contra philosophically “correct” ethics

3.2 Moral and immoral actions

3.2.1 Deliberately happiness-unprofitable action choices are impossible

3.2.2 Can animals act morally?

3.2.3 Can organizations act morally?

3.3 Concrete ethical guidelines

3.3.1 The hypothetical deductive method as ethical guideline

3.3.1.1 Direct evaluation of probabilities and consequences

3.3.1.2 Association-based action choices

3.3.2 Types of actions that practically always are immoral

3.3.3 Tie-break

3.3.3.1 Life-elongating actions

3.3.3.2 Strong, short-term, direct perception of happiness

3.3.3.3 Choices of action with highest potentially continuous use of HDM

3.3.4 Virtues

3.3.4.1 The virtues make a part of the reality

3.4 Summary of the ethical guidelines of Rational Gaudism

3.5 Subjective, objective and intersubjective moral evaluations

3.6 Self-happy motivation and how to consider other individuals

3.6.1 The role of the State in ethics

3.7 Primary self-happy-motivated actions

3.7.1 Instincts and habits

3.8 Secondary self-happy-motivated actions

3.9 Tertiary self-happy-motivated actions

3.9.1 Senses of duty and rational TEM actions

3.9.1.1 Senses of duty against irrational actions (PMI)

3.9.1.2 Senses of duty for rational actions (PFR)

3.9.1.3 Duties of virtue

3.9.1.4 Summary of duties and rational TEM actions

3.9.2 Implementation of a sense of duty

3.10 Exchange of different types of actions

3.10.1 Definition of erotic love

3.11 What are actually “altruistic” actions?

III. Politics

4. Nature-given rights

4.1 Individual rights of adults

4.1.1 Right violations against adult human beings

4.2 Animals' rights

4.2.1 Why do not animals possess the right to liberty?

4.2.2 The conflict between the rights of animals and humans

4.2.2.1 Concrete examples of non-right-violating treatment of animals

4.2.3 Can an animal violate human rights?

4.2.4 Summary of human and animals' rights

4.2.5 The distinction between rational and non-rational beings

4.2.6 Artificial life and rights

4.3 Children's rights

4.3.1 Right violations against children

4.3.2 The beginning of life and abortion

4.3.3 The biological mother's responsibility for the child

4.3.4 The biological father's responsibility for the child

4.3.5 The State's responsibility for the child

4.3.6 Other persons under guardianship

4.4 The State

4.4.1 The right to rebel

4.4.2 Which actions may be subjected to punishment?

4.5 The World Assembly

5. Specification of nature-given rights

5.1 Property right

5.1.1 Property right is not based on initiation of force

5.1.2 Working up property right in non-owned area

5.1.3 Property that lie fallow

5.1.4 Inheritance

5.1.4.1 Organ donation

5.2 Right to use

5.2.1 The right to use to forest

5.2.2 The right to use to fishing

5.2.3 The right to use to hunting

5.2.4 The right to use to oil

5.2.5 The right to use and property right in the beach area

5.2.6 Diffuse, collective rights to use

5.3 Contractual freedom

5.3.1 Why is contract breach right-violating?

5.3.1.1 Sanctions against contract breakers

5.3.1.2 Private arbitrators and contract fees

5.3.2 When is a contract valid?

5.3.2.1 Rational voluntariness

5.3.2.2 Special contracts and obligation to inform

5.3.2.3 Slave, violence and death contracts

5.3.2.4 Presumptive contracts

5.3.2.5 Standard contracts

5.4 Right to organize

5.4.1 When is an organization legitimate?

5.4.2 Citizenship

5.4.3 Living together with a contract is an organization

5.4.4 Trade unions

5.5 Free enterprise

5.5.1 Companies

5.5.1.1 The interaction between the company and the employees

5.5.2 Monopolies

5.5.3 Price settlement

5.5.4 Consumers' rights

5.5.4.1 Buying and selling of drugs

5.5.5 Monetary politics and banking

5.5.5.1 Bankruptcy

5.5.6 Building permits

5.5.7 Enterprising activity and work for foreigners

5.6 Freedom of speech

5.7 Which nature-given rights are the most important ones?

5.7.1 Nature-given rights on other person's property

6. Fundamental politics on essential areas

6.1 Crimes and punishment

6.1.1 Liberty-restricting punishment

6.1.2 Death penalty

6.1.3 Torture and uncivilized punishments

6.1.4 Evidences in criminal cases

6.1.5 Surveillance, search warrants, interrogation, and Police custody

6.2 Self-defense of nature-given rights

6.3 Military defense

6.3.1 Individual rights during military conflicts

6.3.1.1 Compulsory military draft

6.4 Immigration politics

6.4.1 Passport and border control

6.4.2 Restriction on immigration

6.5 Environment protection

6.6 Roads

6.6.1 How can roads violate rights?

6.6.2 Speed limits

6.6.3 Road rights and pricing

6.6.4 Closed and unusable roads

6.7 Fire brigades and fire safety

7. The function of the State

7.1 The obligatory function of the State

7.1.1 Laws

7.1.1.1 The Superior Constitution

7.1.1.2 The General Constitution

7.1.1.3 The law

7.1.1.4 Supreme court

7.1.2 The State has some obligatory welfare tasks

7.2 The empirical function of the State

7.2.1 How to carry out the empirical function of the State?

7.3 What is the Rational Gaudist sign of good politics?

7.4 Why shall the majority obey the Superior Constitution?

7.4.1 Why become a political Rational Gaudist?

7.5 The sovereignty of the State and the individual rights

7.5.1 Only the individual is sovereign

7.5.2 Payment for the obligatory tasks of the State?

7.5.3 Absurd implications of the State sovereignty

7.6 The State's income

7.6.1 Compulsory taxation

7.6.1.1 "Confiscation via collateral damage"

7.6.2 Mandatory Liability Insurances

7.6.3 Income based on natural monopolies

7.6.3.1 Road fees, electricity fee etc.

7.6.3.2 Transport fees resembling sales tax

7.6.3.3 Restricted printing of money

7.6.4 The State Stock Fund

7.6.5 Taxation of interactions with right-violating states

7.6.6 Environmental fines

7.6.7 Citizenship fee

7.6.8 Other fees

7.6.9 Voluntary Citizen Contributions

7.6.10 Balance

7.6.11 Voluntary welfare system

7.6.11.1 An alternative to "The Voluntary Insurance of Health Care"

7.6.12 "Altruistic" bloodsucking

7.6.13 The transition period towards the Rational Gaudist society

IV. Aesthetics

8. The Rational Gaudist view of art

V. Appendix

9. Appendix – Metaphysics, Epistemology, Ethics

9.1 Level of happiness and perception of happiness

9.2 Religion – before and now

9.2.1 The God hypothesis is de facto scientifically falsified

9.2.1.1 The well-foundedness of other religions, deism and atheism

9.2.1.2 Liberal Christianity

9.2.1.3 Respectable Christianity

9.2.2 Why is agnosticism wrong?

9.3 Can morality be completely objective?

9.4 Examples of TEM actions

9.4.1 Examples of irrational TEM actions

9.4.1.1 The effect of “a mouse piddling in the ocean”

9.4.2 Examples of senses of duty and rational TEM actions

10. Appendix – Politics

10.1 The right to liberty implies the right to life

10.2 The relationship between nature-given rights and ethics

10.2.1 Why should a supporter of Rational Gaudist ethics become a political Rational Gaudist?

10.3 Nature-given rights in emergency situations

10.3.1 Seeking emergency shelter in a mountain cabin

10.3.2 Emergency break in for defense against right violations

10.3.3 Cannibalism after plane crash in the Andes Mountains

10.3.4 Shipwrecked seaman arrives hermit's island

10.3.5 Asylum seeker

10.3.6 Poor man

10.3.7 Lifejacket for a drowning person

10.3.8 Summary on emergency situations

10.4 Violence

10.4.1 Physical and psychical violence

10.4.1.1 Temperament as psychical violence

10.4.2 The borderline between right-violating violence and accepted violence

10.4.3 Child rearing

10.4.4 Prostitution

10.5 New acquisition of right to use to forest

10.6 Feminism

10.6.1 Female representatives in the boards of private companies

10.7 Monetary politics

10.7.1 Banking history

10.7.2 Concrete proposals for new banking and monetary policy

10.7.3 Advantages with the new banking system

10.7.4 Growth in the money supply

10.7.4.1 Growth in the money supply for former monopolistic and compulsory currencies

10.8 Motivation for charity

10.9 Rational egoism, altruism and Objectivism

10.9.1 Altruistic financing of the State

10.10 Why vote?

10.10.1 Why vote for Rational Gaudism?

10.11 The Welfare State

11. Appendix – Philosophy in general

11.1 Philosophical comparisons. Are you a Rational Gaudist?

11.1.1 The differences between Rational Gaudism and Objectivism

11.1.1.1 Objectivism and “the legitimate tasks of the State”

11.2 Why should I care about Philosophy?

12. Appendix – Definitions

I. Rational Gaudism in abstract

The human consciousness is able to perceive and remember sounds, sights, smells, tastes and to sense pressure, coldness and warmness, and will experience these with feelings of different degrees of happiness – positive or negative. The human consciousness also has the ability to speculate over the reasons for this. In order to progress in the epistemological process Rational Gaudism introduces its three axioms:

- 1) The sense perceptions of the consciousness are caused by influence of material surroundings in (at least) three spatial dimensions and one time dimension.
- 2) The human consciousness has the ability to choose between alternatives of action (free will).
- 3) The only way of obtaining knowledge about the reality is through the consciousness' ability to logical thinking on the basis of the sense perceptions.

On the basis of the foregoing, observation, induction, deduction and the hypothetical deductive method are the epistemological tools that the human consciousness has at its disposal to achieve knowledge of the reality. We can only achieve knowledge about the outer reality with degrees of certainty, but the uncertainty is often so infinitesimal that it for all practical purposes may be disregarded. HDM is the central process having progressed biological evolution, science, technological evolution, evolution of happiness for the individual in the daily life and the evolution of improved political solutions. For the concrete description of the existence and functioning of physical, biological and astronomical objects, Rational Gaudism refers to the international frontier of science in the respective spheres.

Experiencing happiness and avoiding unhappiness are the only values. Superior animals are happiness-perceiving beings, but they have a non-rational and mainly instinctive nature, and are predetermined to follow these instincts in the purpose of maximizing their happiness at the present moment. The human being is a rational being with ability to experience happiness and unhappiness, and is predetermined to try to maximize the sum of self-happiness during his life on the basis of the present realities. However, we have free will to choose remedies and strategies for this purpose. The ultimate objective and value for the individual is to maximize his self-happiness during his life – everything else is remedies in the pursuit of thereof. All this is given in the fundamental human nature. Therefore, the moral principles and standards of an individual form a strategy for guiding him towards the maximization of his lifelong self-happiness. Rational Gaudist ethics means to apply a scientific-like method to consequently carry out optimal rational evaluations (directly or indirectly) of the probability of the consequences of the action alternatives to occur and what value these consequences will have for the individual during his life span on the basis of the moral virtues acquired at the time point for the choice of action; in this way a Rational Gaudist pursue the maximization of his self-happiness in the life-long perspective. The concrete content in the strategy is mainly based on the use of HDM on your own and others' life experiences in addition to rational self-happy-motivated senses of duty, but deductions from the fundamental human nature and logical consequences of the nature of HDM are also used. The virtues needed for moral acting are deduced from the elements that participate in the chain of reasoning leading to the definition of the moral action pattern of Rational Gaudism.

Any collection of fermions and bosons being able to experience happiness/unhappiness has the right to pursue happiness and to avoid unhappiness according to its nature. Superior animals have a nature-given (innate) right to pursue happiness by following their instincts. Any adult human has a nature-given (innate) right to pursue happiness by following his rational nature, which implies the *right to liberty, life, property, right to use, free enterprise, organizing, entering contracts and freedom of speech*. Children have a nature-given right *to parents* in the sense that the biological parents (or others who have adopted this function) are obliged to develop the children's rational potential into an adult being able to use its *right to liberty* as a tool for the pursuit of happiness.

The human beings inside a given geographical area have the right to create a State since the *right to organize* and the *right to self-defense* are nature-given rights. The State is a rational institution since it is a prerequisite for realizing the rational nature of the humans. The obligatory tasks of the State are Police, military defense and administration of justice to defend the nature-given rights of its individuals. Additionally, the State may take on further tasks as long as the State can finance the tasks without violating the nature-given rights of the individuals (including the *property right*), and a HDM-like process is the guideline for which non-obligatory tasks the State is to carry out in order to assist individuals in their pursuit of happiness.

There are too many examples through history of seemingly good political hypotheses that mistakenly have claimed to have the ability to “maximize the happiness of the society”; e.g. National Socialism, Fascism, Marxism-Leninism, the ideology of Pol Pot and Maoism. The testing of the hypotheses led to the most terrible crimes: Holocaust, Moscow processes, killing fields and hunger. Almost all people will agree that the means that were used for testing these hypotheses are unacceptable. This shows that unrestricted utilitarianism is a bad idea. Testing of hypotheses by putting different political ideas into practice is very important, but it has to be a boundary for what kind of means that *legitimately* may be used in the “experiments”. Rational Gaudism shows that it is contradictory to label politics as “legitimate” if the nature-given rights are violated (see the introductions to Chapter 4 and 7). Therefore, absence of violation of the nature-given rights constitutes the widest boundary inside which political testing of hypotheses *legitimately* may take place. Political Rational Gaudism is the interior of this boundary.

II. Metaphysics, Epistemology and Ethics

1. Metaphysics and Epistemology, Part A

Epistemology is the study of the methods of acquiring knowledge. Metaphysics is the part of philosophy studying the fundamental nature of the reality that observation or scientific methods cannot detect. Since these two branches of Philosophy are partly interwoven, Metaphysics and Epistemology are explained collectively over two chapters.

What kind of existence can I have absolutely certain knowledge of? In order to answer this question it is important to precisely define the term “I”: “I” is the consciousness; the consciousness is the element making the term “I” meaningful. It is impossible to deny one's own existence. Let me assume the opposite of what I want to prove, namely that I do not exist, i.e. that I deny my own existence. Since I do not exist, I am not able to deny anything, neither my own existence; I cannot even define the concepts “existence” and “I”. But that is exactly what I do. The assumption that I do not exist led to a contradiction; ergo, I exist! When I am able to deny my own existence, it is an irrefutable proof of my existence. This applies only in the specific moment (at present) when I deny my own existence, but it does not prove that I existed before the present, or that I will exist in the future. It does not even prove that *time* has existence in reality.

In the same present the consciousness (“I”) registers **sense perceptions** (sights, sounds, tastes, smells and sensations of pressure, cold, heat, etc.). In the present “I” (the consciousness) also register **feelings** (perceptions of happiness/unhappiness) that accompany the sensory impressions. The consciousness (“I”) also recognizes a touch of other sensations and feelings than those above (which I will later describe as *memory*). What may be the cause of these sensory impressions and feelings (both the clear ones and the more diffuse ones), I basically do not know, but *at present* “I” register that I have the ability to **think** and ponder over this and over what has value (i.e. what the consciousness wants to achieve). I know all this without having adopted any epistemological axioms.

However, I register that I completely obviously and automatically believe that the sensory impressions are caused by the influence of material surroundings in a three-dimensional space. Similarly, I believe that the hints of other sensations and feelings are due to memories of something that has affected my consciousness at an earlier stage, i.e. I believe that I have existed before *the present* so that *time* is a real concept. To get on with the epistemological process I need to introduce three simple axioms:

1.1 The axioms of Rational Gaudism

An axiom is defined as *a basic truth that is absolutely unavoidable if further epistemological progression is not to become meaningless / indeterminate and that all further knowledge acquisition has to build on*. It is logically possible to deny an axiom, but without the axiom further knowledge acquisition becomes meaningless / indeterminate. The following axioms are considered to be the only rational metaphysical fundament:

Axiom 1 (the reason for the sense perceptions): The sense perceptions of the consciousness are caused by influence of material surroundings in (at least) three spatial dimensions and one time dimension. The material surroundings have independent existence from the consciousness; the consciousness does not just produce an illusion of an outer material reality in time and space. These material surroundings, together with those processes making the consciousness, have real existence in *The Reality*.

Axiom 2 (free will): The human consciousness has the ability to choose between alternatives of action (free will).

Axiom 3 (fundamental epistemological axiom): The only way of achieving information about the reality is through the consciousness' ability to logical thinking on basis of the sense perceptions.

On axiom 1: Without the introduction of axiom 1, the content of the consciousness could have been consequences of a kind of virtual reality game with “God” and/or “Satan” as participants, and where “I” is a projection of their immaterial nature into a non-divine dimension. The first axiom of Rational Gaudism excludes this possibility, and without this axiom further epistemological progression on a material reality would have been meaningless.

If I had not introduced axiom 1, only the present might exist without *time* before and after, so that remembrance necessarily has to be a fantasy. Another possibility would be that time exists, but that I can not remember – the perceived remembering back in *time* is just imagination in the present. God, Satan or The Flying Spaghetti Monster may be double-crossing me to believe that I have memory of the past.

On axiom 2: Free will is a consciousness' ability to choose between alternatives of action. To answer the question if *Homo sapiens* has free will, we have to examine our own consciousness.

By extrospection I observe something that I (completely obviously and automatically) believe is caused by material surroundings influencing my senses and consciousness. The existence of material surroundings was stated through axiom 1 as a fundamental and epistemologically unavoidable truth that all further knowledge has to be based on. By introspection I observe something that I (completely obviously and automatically) believe is “free will”. Similarly, Rational Gaudism introduces “free will” through axiom 2 as a fundamental and unavoidable truth that all further knowledge has to be based on since the hypothetical-deductive method (see Section 1.5.1) presupposes that the human consciousness is able to *choose* to carry out experiments, and in the scientific process (and in epistemological processes in general) you have to *choose* the most well-founded one of the competing hypotheses as explanatory model (see also Section 2.5). Therefore, it is also impossible to prove “free will” scientifically since HDM presupposes namely “free will”. Without “free will” ethical evaluations will become meaningless since moral *choices* also presuppose “free will”. If being sufficiently philosophically stubborn, it may be objected that *each choice* is just an illusion – perhaps there is a “God” or a chain of apparently incomprehensible causes that 100 % forces me to make the actual action “choice”, but then all further epistemological progression become meaningless.

The human consciousness has the ability to start its own chain of causes, as a local “prime mover”, even if there usually will be a number of factors influencing my consciousness to choose one alternative over another.

On axiom 3: Through axiom 1 it was established that the sensory perceptions are caused by a material reality, and axiom 3 are introduced in order to obtain knowledge about this material reality. Without the introduction of this axiom we could e.g. imagine that the true knowledge about reality came falling down on silver platters through a divine revelation in a way that we are not able to imagine. There is high probability that we had to wait very long before such a revelation came true – probably we had to wait forever, and besides, there is a risk that an alleged revelation would be pure fraud. If a true divine revelation really was to occur – in spite of all improbability – it will not be damaging to acquire knowledge from our senses and brains in the meantime. Axiom 3 is the basis of the scientific method, included induction, deduction and the hypothetical-deductive method (see paragraphs 1.3 to 1.6), and thus is the basis of all the knowledge we currently have about the external reality. Axiom 2 (free will) is a prerequisite for the use of these epistemological means.

Rational Gaudism is completely based on the introspective knowledge of the consciousness and these three axioms. In the rest of this chapter it is demonstrated how to obtain knowledge by using this framework. Firstly, I induce the very well-founded hypothesis that all other human beings' consciousnesses have the same basic qualities as my own (see also Section 2.2).

1.2 Senses, concepts and definitions

Some knowledge is genetically determined; how to breath and scream, how to get milk from the mamma as a newborn etc. It is also claimed that small babies have a genetic instinct for swimming. Apart from this, all knowledge is supposed to originate from our senses. But does not thinking function independent of the senses? If an individual had not been exposed to a single sense perception, he would not have been able to think.

The humans obtain information about the outer reality through their senses (axiom 1). They are vectors for projecting the outer reality into the consciousness. Technology (e.g. a telescope) is a link between the outer reality and the senses and is able to improve the ability of the consciousness to perceive the reality. Our senses give us observations.

The humans are rational beings and therefore, our consciousness has another tool, namely reason. Our reason can be used for converting the sense perceptions into concepts and thereby be a basis for further knowledge (axiom 3). The basis for the creation of a concept is two or more sense perceptions that are alike in some respects. Our reason extracts these similarities and makes an abstract concept from the similarities; we induce a general concept from several individual observations. The concept is often assigned a definition (explicitly or implicitly).

In order to achieve knowledge from the reality exceeding the pure observations, our reason can use *induction*, *deduction* and *the hypothetical deductive method (HDM)*; see Section 1.3, 1.4 and 1.5.1). Concepts and their definitions are prerequisites for a rational use of these methods for scientific purposes, and at the same time, induction and HDM are tools in the creation of concepts.

1.2.1 Creation of concepts

Each individual, except for sufficient small children, has a pool of concepts in his “memory bank”. Before this pool is established there are no concepts in this “bank”. Pre-concept children receive sense perceptions from the outer reality. Some perceptions are grasped to have significant similarities, while other perceptions are perceived as different. Elements that create sufficiently similar sense perceptions (axiom 1) in a given context are induced into a general concept (categorization). Elements creating perceptions that are perceived as sufficiently different in a given context are induced into different concepts and are placed in different categories. Thus, a pool of concepts arises in the “memory bank” by induction from a waste number of sense perceptions from the reality. The magnitude of this pool expands rapidly in childhood and continues to increase the rest of life but with decreasing slope. Elements that are categorized in the same category in one context may be categorized in different categories in another context. Such categories often have subcategories, which again has its subcategories and so on, until we arrive at a category that only consists of individual elements. The latter are not concepts.

We are able to observe similarities and differences between objects because this has had significance for the survival of our species. Our senses have the ability to perceive the combination of those fermions and bosons making sheep as similar, wolfs as similar and sheep and wolfs as different. An individual lacking this ability would walk to a wolf and hug it. He would be eaten, and his genes would not be preserved in the evolutionary process. Similarly, we have the ability to distinguish colors. Individuals who were not able to distinguish red from green developed reduced survival since finding berries in a jungle of green leaves was more difficult. Thus, concepts like sheep, wolf, green and red arose.

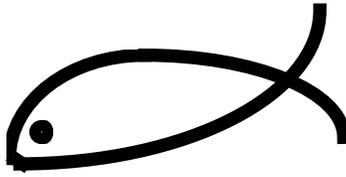


Figure 1: Schematic drawing of a fish

Elements moving in the water and showing sufficient similarities with fig. 1 are named and categorized as “fish” based on induction from some individual observations. This includes a hypothesis that there exists more of its kind. We have the following knowledge: elements showing sufficient similarities with fig. 1 are associated with “movement in water”. We examine 1000 figure-1-like elements moving in the water closer and observe that absolutely everyone have vertebrae. We adopt the hypothesis that all elements corresponding to “fish” (as defined above) have vertebrae. The hypothesis continuously resists attempts of falsification when we in the future examine more elements of the type “fish”. Then we know that it is highly probable that an element of the category “fish” has vertebrae. Our acquired knowledge is that elements moving in the water and resembling fig. 1 have large probability for having vertebrae. After some time we are so convinced that all elements belonging to the concept “fish” (as until now defined) have vertebrae, that we adopt this as a part of the definition of the concept “fish”. We have not acquired any new knowledge by taking “presence of vertebrae” to be a part of the definition of “fish”. We have only become more confident of the association between (1) resemblance with fig. 1, (2) movement in water, and (3) vertebrae, but this is independent of the adoption of vertebrae as a part of the definition of the concept “fish”. Our acquired knowledge is that these three relations are associated. The concept “fish” is something we use as a tool in order to keep track on this association against other associations that do not resemble fish. This makes it easier to acquire new knowledge (i.e. association between different elements and attributes) in the future.

Why is it so important to convert collections of individual observations into concepts? It is because this strategy has resisted intense attempts of rejection. The strategy of using concepts, not at least in social contexts, has had huge importance for the survival of the species *Homo sapiens*. More primitive primates with significantly less capacity for concept production were ousted. The result has been that all humans make use of concepts. The concepts are converted into words and sentences, which in turn are transformed into writing. Printed matter may be conserved through the centuries, and this is very important for building up increased knowledge through the generations and over geographical distances. The faster and more efficient the information can be spread, the larger potential for increased knowledge and technology is present; digitalization and Internet are the newest and best means in this respect. Concepts and their elongations give the basis for increased survival and better opportunities for creating happiness and avoiding unhappiness.

1.2.1.1 Definitions

The creation of a concept results in a definition uniting the similarities. The definition contains other concepts with their own definitions. In this way, a concept may be defined in a long chain of gradually simpler concepts, or the concept may be at risk of being defined into a circle that returns to the original concept. When a concept is to be defined into simplicity, we have to end up with some intuitive concepts – concepts being so self-evident that they do not need to be defined. Without the use of intuitive concepts all creation of concepts, and accordingly all use of human reason, is impossible. Chapter 12 is a list of definitions of several important concepts used in the description of Rational Gaudism.

1.2.1.2 Objective and subjective concepts

The basis for forming a concept is to co-categorize elements that give rise to sufficiently similar perceptions, and induce them into a general concept while other elements are excluded from the same category (see Section 1.2.1). Sometimes, a high degree of intersubjective agreement will exist on what “sufficient similarity” means in practice, while in other cases there will be considerable intersubjective disagreement about this. This gives rise to objective and subjective concepts. An objective concept is a concept whose content does not give room for subjective interpretations. A subjective concept is a concept whose content gives substantial room for subjective interpretations. The concept “justice” is a very subjective term, e.g. a communist will mean something completely different with this concept than a liberalist. The concept “elephant”, however, provides little room for subjective interpretations. If you are asking for an elephant, different people will not serve you different animals. All concepts can be placed on a scale between absolute objectivity and absolute subjectivity.

However, a subjective concept can be objectivized by attaching an unequivocal definition of the concept. Then everyone will clearly understand what is meant by the concept leaving no room for subjective interpretations.

It is possible to commit long-term argument manipulation by redefining concepts. There is something, X (e.g. opposition to the left-winged gender politics) that the manipulator does not like, and he describes it with a familiar concept, B (e.g. male chauvinism), which most people regard as unambiguously negative. However, most people have historically a somewhat different and more positive perception of X in their consciousness. But when people repeatedly observe B defined as X, they will sooner or later perceive X as negative since their minds are stuck in the old, traditional, negative definition of B.

1.3 Induction

Induction is a process where knowledge of individual observations (axiom 1) is converted into an abstract concept of the general case (axiom 3). We observe that many different objects fall towards the earth according to the formula $s = 5t^2$. We induce the general hypothesis that this is valid for all objects. All humans observed consist of cells. Then we induce the hypothesis that all humans consist of cells (“hypothesis” is here used somewhat absurd-philosophically). We may also induce into the definition of the concept “human being” that consisting of cells is a criterion for being a human. If so, a human being is per definition an object consisting of cells and no hypothesis. Thus, both abstract concepts and hypotheses may be produced by the use of induction.

The nature of induction is to generalize from information of individual cases. Presupposing a potential for an unlimited amount of cases, then, independently of the number of individual cases making the basis for the inductive conclusion, there may exist – now or in the future – cases that have not been used for producing the inductive result. There is no guarantee that the inductive result is correct for these new cases. But the more individual cases the inductive result is based on, the better these individual cases are distributed, and the less inaccuracy of each observation, the more correct the inductive result is expected to be. The accuracy of an inductive result based on numeral observations is proportional to the square root of the number of observations and inversely proportional to the standard deviation of the observations.

1.4 Deduction

A deductive process is based on one or more premises from which the conclusion arises logically with absolute certainty. The deduction occurs in our consciousness and therefore, the deduction will be independent of the axioms of Rational Gaudism. In pure mathematics, which is a deductive discipline, we deduce that if $2 + x = 4$ then $x = 2$. This is 100 % accurate knowledge. Mathematics is used for inducing a systematic coherent hypothesis from similar, but not identical, measurable individual observations. The

mathematical correlation may later on be used for testing the validity of the hypothesis. When the hypothesis has resisted a waste number of attempts of rejection, it can be promoted into a theory, and it can be used for predicting events in the future. But the observed values, which are put into the formulas, are associated with a level of uncertainty, and the theories of natural science are theoretically always associated with somewhat uncertainty since they basically are founded on induction.

A deductive process in “real life” is based on the concepts in which the sense perceptions are categorized, and then we deduce logical consequences from this. I see flames on a field. Then I deduce that the temperature has to be high in the area around the flames since flames per definition are warm.

What really happens is the following: I observe something on a field fitting very good to the concept of “flames”. Then I produce a hypothesis stating that there are flames on the field. If this hypothesis is correct, the temperature around the area, which I perceive as flames, will be high. Usually, the sight of flames will be so clear cut and certain that we for all practical purposes can disregard the uncertainty.

Considering the following deduction:

All boys love chocolate. Hans is a boy. Consequently, Hans loves chocolate.

One possibility is that the concept “boy” has its usual definition (and this definition does neither include “loving chocolate” nor exclude it). Then a large, but limited, number (n) of boys have been observed, and all of them love chocolate. The following inductive conclusion are made; “all boys in the world love chocolate”. But this inductive conclusion includes a non-insignificant source of uncertainty since the fact that a number of n boys love chocolate, does not exclude the existence of one or more boys outside the observed group not loving chocolate. The first premise is a hypothesis produced from a limited number of individual observations. If we observe boy NN, we can with a relatively high degree of probability conclude that he loves chocolate. If he really likes chocolate, the hypothesis is strengthened since it has resisted an attempt of falsification.

Another possibility is that the concept “boy” among other criteria is defined to be a creature loving chocolate. If so, the chocolate-loving tendency is implicitly included in the premise “Hans is a boy”. This means that the conclusion is already implicitly incorporated in that premise.

A third possibility is that all boys really are observed to love chocolate, but in that case Hans is also included. Then the conclusion is implicitly included in the premise “all boys love chocolate”.

This kind of Aristotelian logic does not give other knowledge about the reality then what is given by the implicit induction of the premises. This is a method that is correct in the “world of the consciousness”, but like mathematical methods the uncertainty in the induction or the observations is not eliminated. It may also be regarded as a game with concepts where the conclusion is already included in one of the premises, but deduction will often clear up the content in the premises in such a way that their content is made explicit for the human consciousness.

Strictly speaking, deduction only works for considerations in our own consciousness (e.g. mathematical parameters or abstract hypothesis – as the premises in the Aristotelian logic really are). Concepts, definitions and hypothesis are all based on induction. But the induction supporting the premises is often so good that we for all practical purposes can say that the deductive conclusion is accurate. Therefore, we often choose to “forget” the uncertainty introduced by the induction; otherwise we would be completely restrained in both our daily life and science.

Deduction has its best practical function when reversing the Aristotelian logic by assuming (in our consciousness) that the first premise (hypothesis) is true. When the second premise is an unequivocal observation and exemplification of the general component in the first premise, the conclusion will follow logically. But if the conclusion does not appear in real life (results from experiments), the first premise (hypothesis) has to be wrong. This principle is used in the *hypothetical-deductive method*.

1.5 Philosophy of Science

1.5.1 The hypothetical-deductive method (HDM)

The hypothetical-deductive method (HDM) is fundamentally regarded based on a number of individual observations (axiom 1). Then we induce a hypothesis in order to give an explanation of the phenomenon ("Ding an sich") which the observed data are exemplifications of (axiom 3). The next step is to deduce logical consequences from this hypothesis (axiom 3). Then we carry out experiments (axiom 2) to observe if these consequences really occur. If so, the hypothesis is strengthened. Otherwise the hypothesis is falsified.

A theory is a hypothesis that extraordinarily has resisted intense attempts of rejection. The promotion of a hypothesis into a theory is subjected to intersubjective judgments. Usually, a hypothesis is declared as a theory when most of the research community accepts it as a sufficiently probable explanation and useful tool for making predictions. Because of the induction problem (see Section 1.4) theories are still attached with a certain degree of uncertainty (even though sometimes being only "absurd-philosophical"), and are in this respect a special type of hypotheses; thus, there is a gliding transition between theories and non-theory-hypotheses.

A hypothesis may arise by being necessary for a main hypothesis to avoid falsification; it is called an *auxiliary hypothesis* to the main hypothesis. Thereafter, the (auxiliary) hypothesis ought to show its justification (well-foundedness) by strengthening its empirical basis. A hypothesis may also be *deduced* from one or more theories; and then often as peripheral parts of the theories where the theories until now have been exposed to little or no empiricism.

A hypothesis that makes statements about a limited number of cases can be verified. Examples of such hypotheses are: "More than 10 % of all current residents in nursing homes in area Y have the diagnosis Alzheimer's disease". "More than 50% of all rapists convicted in the years 1990-2005 had brown eyes". When such hypotheses are verified, they are not hypotheses anymore, but observations (but strictly speaking, an observation is also a hypothesis – see Section 1.6.1).

A hypothesis that makes statements about an unlimited number of cases can never be verified since a limited number of observations supporting the hypotheses do not exclude a future observation contradicting it. The hypothesis "there is life on Mars" is obviously impossible to falsify, but it may be verified since it makes statements about a limited number of cases as a minimum (one or several cases of life). The hypothesis "there is not life on Mars" can be falsified (if we consider the observations as accurate and impregnable even by extreme ad hoc hypotheses) but cannot be verified since verification requires an unlimited number of negative searches for life.

Usually, a hypothesis can not be directly falsified since auxiliary hypotheses (often more or less *ad hoc*) almost always can be produced for defending the main hypothesis. Therefore, the idea of a hypothesis being scientific only if it is falsifiable and the idea of a hypothesis' quality depending on its ability to resist attempts of falsification are too easy.

HDM is the method of choice for science to asymptotically approach the truth of different processes in nature. Knowledge from many different single processes may be integrated, and a more general view of nature is achieved. HDM will be the safest method for collecting knowledge about nature. We can also achieve knowledge about single processes in nature by guessing on a theory and insist on it as a dogma. But it will only be "good luck" if we approach the truth about a process by using this method. HDM is "the safe way". If we consider the sum of all knowledge about all single processes in nature (almost an infinite amount) corrected for its quality, HDM is the method maximizing this sum. This is a generally accepted principle in natural science.

Let us initially adopt the hypothesis that HDM is a well-suited tool for solving integrals. When this hypothesis is tested in practice, the hypothesis will be rejected. But then we have used HDM for rejecting the use of HDM for this specific purpose. Therefore, we can say that HDM stands by its own strength (opposed to something falling by its own weight). The use of HDM is safely based since its fundamental principle is self-correcting.

1.5.2 The factors influencing the well-foundedness of a hypothesis

Continuously expansion of the induction basis: A hypothesis is characterized as *well-founded* when it estimates “Ding an sich” of the outer reality well; an absolutely true hypothesis has a well-foundedness equalizing 1, while an absolutely false hypothesis has a well-foundedness equalizing 0. A hypothesis is (usually) initiated by induction on the basis of observations – observations that would have been logical consequences of the hypothesis if the hypothesis was already produced. After the hypothesis is initiated, we will seek to expand its induction basis. Then we deduce observable consequences from the hypothesis and examine if such consequences are observed in practice. The hypothesis is gaining well-foundedness in step with an increasing induction basis, i.e. increasing number of observed hypothesis consequences. The increase in well-foundedness is larger the more unique the observed hypothesis consequences are compared to earlier observed consequences, i.e. the more of the hypothesis' “nooks and corners” that are covered by the induction basis the more well-founded the hypothesis will become. *The scope of a hypothesis is the totality of its logical consequences. A nook/corner is a subcategory of the hypothesis' scope where its logical consequences are considered internally similar while consequences in different nooks/corners are considered non-similar.* We let the factor ‘ φ ’ denote how large share of the “nooks and corners” of the hypothesis that are covered by the induction basis, and will e.g. decrease in step with “cherry picking” and lacking systematic in the observation basis. Increased number of observed hypothesis consequences in each “nook and corner” will also strengthen the well-foundedness, but in an asymptotical manner (repeating the same experiment three times with hypothesis-compatible result, will increase the well-foundedness somewhat, but repeating the same experiment one million times beyond this, will not result in a noteworthy further increase).

Accuracy / objectivity: The hypothesis' well-foundedness will increase in step with the accuracy / objectivity (s_i) to each (claimed) observed hypothesis consequences in the induction basis (the use of technological tools and their quality will often influence this accuracy positively). The basis for the existence of inaccuracy is the fact that an observation basically is a hypothesis (see Section 1.6.1), but the inaccuracy / uncertainty may sometimes be present at an absurd-philosophical level.

Auxiliary hypotheses: Often, hypotheses are not building its well-foundedness only on observations of hypothesis consequences, but also on the basis of other hypotheses, called auxiliary hypotheses, which the main hypothesis depends on in order to be able to keep its claim. Sometimes, an auxiliary hypothesis resembles absolute truth because of its high degree of well-foundedness, while other auxiliary hypotheses are extremely far-fetched. The well-foundedness of a hypothesis increases when the product of the well-foundedness of its auxiliary hypotheses (Πv_i) increases (presupposed that the auxiliary hypotheses are mutually independent; if they are not, the product has to be adjusted for the degree of dependency). Avoiding falsification is only a matter of introducing fitting auxiliary hypotheses; in this way, attempts of falsifying a main hypothesis will always fail. However, introduction of auxiliary hypotheses may reduce the well-foundedness of the main hypothesis because of possibly low well-foundedness of the auxiliary hypotheses. Alternative hypotheses may then become more well-founded than this main hypothesis. Therefore, in the continuation we will use the terms “dethronement” (see Section 1.5.3) and “*de-facto*-falsification” (see Section 1.5.6) instead of “falsification”).

The substance of auxiliary hypotheses may be included in the main hypothesis. Then the number of auxiliary hypotheses, which the main hypothesis depends on, is formally reduced. But the more far-fetched this substance is, the more *ad hoc* the main hypothesis will become (i.e. more detached from

already existing theories), and the less well-foundedness will be “inherited” from already existing theories. Thus, the main hypothesis will of course not become more well-founded if the substance of auxiliary hypotheses is included in the main hypothesis.

The larger number of other theories disagreeing with the main hypothesis and the more well-founded they are, the less well-founded the main hypothesis is. In such a case we have to introduce auxiliary hypotheses more or less *ad hoc* stating that the (supposed) well-founded theories are wrong in spite of the previous opposite presumption. Therefore, this means that the product of the well-foundedness of the auxiliary hypotheses decreases, and is therefore included in the preceding paragraphs.

Extrapolation from existing theories: If a hypothesis H arises by extrapolation (deduction) from other, more well-founded hypotheses, theories or theory networks (let us call the gathering of them ‘G’), hypothesis H will inherit some well-foundedness from G (since H in one way is a “nook” in G) even if H is untested or inferiorly tested. We may say that the observed hypothesis consequences that are the basis of G's well-foundedness, will “shine through” to H's scope and give rise to a certain well-foundedness also for H. The more well-founded G is, the larger H's inheritance becomes. If H had stood alone without being matted by G, H would have been more *ad hoc* and without inherited well-foundedness; more empirical observations would have been required in order to gain the same degree of well-foundedness (“extraordinary claims need extraordinary proofs”). With similar argumentation a hypothesis explaining a given issue P, but additionally also explaining the issues Q and R (larger prediction potential), will be a more well-founded explanation model for P than an alternative, competing hypothesis explaining only P (given that the hypotheses otherwise are equally well-founded).

1.5.2.1 Hypotheses without observable consequences

A hypothesis H, which by its nature has no observable logical consequences, and which is neither supported by extrapolating existing, well-established theories, obviously has no empirical induction basis as mentioned in the beginning of Section 1.5.2. Consequently, the hypothesis will achieve zero well-foundedness through empirical induction; it has only an irrational probability (à la 10^{-10}) of being true. It is not the case that the hypothesis is considered well-founded because we have failed in intense attempts of finding observable logical consequences that might falsify it or its auxiliary hypotheses. Resisting attempts of falsification is, in a sense, only a method of expanding the induction basis.

However, a hypothesis H2 may “inherit” (g) some well-foundedness as mentioned in Section 1.5.2 through extrapolation of already established, more well-founded theories. But since these theories (obviously) do not have any of their induction basis in the scope of hypothesis H2, the well-foundedness will often become rather thin. Example: A hypothesis states that there are fish-like creatures on many planets in solar systems far away. It is difficult to see how we (in foreseeable time) are able to observe consequences of this hypothesis. But we have well-established and well-founded theories for how life has evolved on Earth, we know that there are both water and “atoms of life” on other planets in our own solar system, and we know that planets exist in inhabitable zones around other stars. The extrapolation of these theories gives certain well-foundedness to the hypothesis.

1.5.3 Dethronement

Scientifically, a hypothesis, which at a given time point is the most well-founded one, cannot be adopted as the favorite hypothesis for all future. One has to constantly search for observations (experiments) that potentially can make it less well-founded than its competitors; i.e. that we have to try to expand the induction basis to ever larger parts of its scope's “nooks and corners”. The wish is to make the favorite hypothesis even more well-founded both absolutely and relatively to its competitors, or that its favorite status is taken over by an even more well-founded (or more simplistic) competing hypothesis.

We have a hypothesis about a phenomenon. A logical consequence of the hypothesis is deduced, i.e. an element in the scope of the hypothesis. If the logical consequence is observed in practice, the

hypothesis has gained well-foundedness through an increased induction basis. Otherwise, we have to introduce *auxiliary hypotheses* in order to explain the discrepancy.

If observable logical consequences of the hypothesis are not observed in practice, it does not necessarily imply falsification since we (probably always) are able to introduce one or more auxiliary hypotheses (often more or less *ad hoc*) in order to rescue the main hypothesis so that it is not in conflict with any of the observations (as mentioned in Section 1.5.2). But after such a process it may happen that the combination of auxiliary hypotheses supporting the favorite hypothesis has so low degree of well-foundedness that the hypothesis originally being the favorite is no longer the most well-founded one (according to the principles of Section 1.5.2) to explain the phenomenon. The original favorite hypothesis has been weakened, and one of the other hypotheses has been (relatively regarded) strengthened, and this one will now be the new favorite hypothesis (it may also be “shared throne” between several favorite hypotheses where no significant differences with respect to well-foundedness exist between them). The original favorite hypothesis is said to be *dethroned*. It may also happen that a completely new hypothesis is shown more well-founded than all the original competing hypotheses after considering the new observations. Such a new hypothesis may e.g. be the same as the original favorite hypothesis but with an inherent restriction of the original scope in such a way that the observable consequences of the hypothesis, which were not observed, are excluded from the original scope.

However, the old favorite hypothesis may have a comeback if one or more of its auxiliary hypotheses in the future may be shown to be more well-founded than previously thought, if it gains increased well-foundedness through further increasing of the induction basis in the absence of ill-founded auxiliary hypotheses, or if the new favorite hypothesis in the future is sufficiently weakened through the same test procedure that dethroned the old favorite hypothesis. The amount of inherited well-foundedness (g) will also be able to influence which hypothesis to obtain the favorite status.

If the original favorite hypothesis is strengthened by the test procedure mentioned above, it has resisted an *attempt of dethronement*. The larger number and the more intense, serious attempts of dethronement a favorite hypothesis is able to resist, the more well-founded (strong) the hypothesis is – absolutely regarded. Preferably, we want one favorite hypothesis to become so well-founded that it resembles a fact and at the same time the competing hypotheses to be so poorly-founded that they *de facto* are considered falsified. If there is no significant difference in well-foundedness between two or more competing hypotheses, the favorite hypothesis is to be chosen by largest possible simplicity. Resisting such attempts of dethronement is also an important tool for ranking different favorite hypotheses, which seek to explain completely different phenomena, with respect to well-foundedness (see Section 1.5.2 and 1.5.4).

1.5.4 The total well-foundedness

The definition of “the most well-founded hypothesis” includes the term to be defined, namely the *well-foundedness of the auxiliary hypotheses* (see Section 1.5.2). Thus, we end up in a system of “Russian nested dolls” (matryoshka doll) defining into a spiral where the definition of a hypothesis' well-foundedness always contains the term to be defined, namely the well-foundedness of the auxiliary hypotheses.

If you break up all the “Russian dolls” and release the contents, the well-foundedness of a hypothesis will be basically and implicitly a function of the *number of observations that the main hypothesis, its auxiliary hypotheses and their possible “testators” are induced from or tried dethroned by, the extent to which these observations are representative for their hypotheses's “nooks and corners”, the accuracy of each observation, and the ability of the consciousness to systematically make and compare continuously improved abstractions of the similarities in these observations.* Since an observation, strictly speaking, also is a hypothesis induced from quantified sense perceptions (see Section 1.6.1), the quality of a hypothesis is fundamentally resting in the ability of the sense perceptions to represent the outer

reality (axiom 1), and the human consciousness' ability to systematically make and compare continuously improved abstractions of the similarities in these sense perceptions.

From the above statements and the parameters of Section 1.5.2 the absolute well-foundedness of a hypothesis may be expressed in the following way:

$$V_h = f(n, \varphi, g, s_1, s_2, \dots, s_n) \cdot \prod_{i=1}^m v_i$$

The function f increases in step with increasing n , with increasing s_j ($j = 1, 2, \dots, n$) and with increasing φ and g ; the function f also includes statistical tools. The function f and v_i ($i = 1, 2, \dots, m$) have their range of values between 0 and 1 (n is the number of observations that actually have been completed inside the scope of the hypothesis; s_j expresses the accuracy / objectivity of the j -th observation for $j = 1, 2, \dots, n$; v_i expresses the well-foundedness of the i -th auxiliary hypothesis for $i = 1, 2, \dots, m$, where m is the number of auxiliary hypotheses which the main hypothesis depends on; g ' is possible "inheritance" of well-foundedness from other, more established and well-founded hypotheses, theories or theory networks which the hypothesis is extrapolated from; for more info about 'g' and 'φ' see Section 1.5.2). The formula presupposes that the auxiliary hypotheses are mutually independent; if they are not, the product of v_i ($i = 1, 2, \dots, m$) has to be adjusted for the degree of dependence. The formula is not useful in practice but illustrates the theory.

As illustrated by the formula above the well-foundedness of a hypothesis never become larger than the product of the well-foundedness of its auxiliary hypotheses (*absolute truth* = 1 and *absolute untruth* = 0). If this product falls under the threshold for *de-facto-falsification* (see Section 1.5.6), the main hypothesis will never be able to crawl over the threshold again by resisting new attempts of dethronement – recrossing the threshold can only be achieved by improving the well-foundedness of its auxiliary hypotheses.

1.5.5 Limitations of social science

If we carry out the same experiment of physics in 2013 or in 1890, or if it is carried out in USA or Uganda, we may expect the same result. Testing a hypothesis of social science in 2013 gives completely different test conditions than in 1890, and we cannot necessarily expect the same results; similarly if it is tested in Uganda instead of in USA. We may say that hypotheses of social science have an extra dimension of "nooks and corners" in the form of time and location (includes culture). Thus, the hypothesis will often have to contain very many "nooks and corners" if it claims to be very general. Because of the location- and time aspect it will also be very difficult to know which "nooks and corners" the hypotheses should contain when the hypotheses are produced. When we carry out experiments, it will be difficult to cover the large number and the uncertain identity of "nooks and corners" with observations. Therefore, the factor φ easily become small, and i.a. for that reason hypotheses of social science often have less degree of well-foundedness than hypotheses of natural science. The security of their predictions is accordingly, and the generalization of theories of social science will be more intricate. Another reason for this is the fact that the observations in social science often are not so easy to measure objectively and are consequently more likely to be influenced by the subjective political preferences of the researchers, and thus, the degree of objectivity (s_j) in the observations becomes small (sometimes social research may be difficult to distinguish from political propaganda). A more sneaky way of avoiding falsification is to redefine sub-objective concepts that are incorporated in the hypothesis.

Because of the time dimension, it is also difficult to know for how long time we are to test e.g. political and economic "hypotheses" before we dethrone them. Some difficult short-term impact does not necessarily imply dethronement, but rather that the hypothesis has not been in operation long enough before the real positive, long-term consequences show up. Some simple theories in such fields may basically be regarded as accurate and time-independent (e.g. about the fundamental nature of the human being), and it may sometimes be better to draw logical consequences of such theories than testing elaborate social hypotheses.

1.5.6 Science and non-science

According to standard theory of science, a hypothesis is unscientific if it is not falsifiable. The problem is that a hypothesis which apparently is falsified can be rescued by introducing one or more auxiliary hypotheses (often more or less *ad hoc*) that support the main hypothesis in such a way that it become consistent with all the observations from the test panel. Thus, hardly any hypothesis is falsifiable. A crack-pot's epistemological processing ultimately ends up in a rotten claim that is supported by auxiliary hypotheses which either themselves lack the potential for empirical testing or which depend on being supported by such to avoid falsification. As the ultimate *ad hoc* hypothesis, one may state that an unknown physical force interferes with the experiments making the results appear differently than they should have done. It is more correct to speak of a gradual transition from very poorly-founded hypotheses to very well-founded hypotheses. If we are to use the term 'falsification', we have to set a cut-off for how low degree of well-foundedness a hypothesis can have and still be worthy of participation in the scientific process; if the well-foundedness of the hypothesis is less than this cut-off, it could in practice be considered falsified. But not even this will absolutely exclude the possibility that the future will reveal observations making the hypothesis more well-founded so that it exceeds this cut-off (e.g. because some auxiliary hypotheses, which it relies on, are found more well-founded); therefore, it also has to be very unlikely that the hypothesis in the future may become so much more well-founded that it crawls above this cut-off before we in practice can regard it as falsified. We call this *de-facto falsification*.

According to Rational Gaudism, Science is "*the process pursuing to estimate 'Ding an sich' of the reality with maximum accuracy, i.e. pursuing to identify the most well-founded hypotheses ('Ding für mich') to give answers on 'Ding an sich'-questions with fundament in observations in a process where such hypotheses are exposed to constant and maximum intense and sincere attempts of dethronement*". Another way of stating this is that we pursue the most well-founded hypotheses in a process where we constantly try to obtain observed hypothesis consequences covering more and more "nooks and corners" of the scope of such hypotheses. Thus, a scientific hypothesis is a hypothesis that makes statements over "Ding an sich" of the outer reality with the purpose of estimating them as accurate as possible. A hypothesis does not need to be (directly) falsifiable in order to be scientific. A scientific hypothesis is not to be adopted because it necessarily represents the Truth, but because it is the best one of the available hypotheses to explain the observed data, and the adoption must take place in a process with constant and intense attempts of dethronement. Non-science is defined as "*the choosing of an explanatory model of a 'Ding an sich' issue when there are alternative hypotheses being significantly more well-founded in this respect (by the considerations in Sections 1.5.3 and 1.5.4) or reluctance against serious attempts to dethrone the most well-founded hypotheses*" (the latter equalizes "reluctance against attempts of observing hypothesis consequences in all 'nooks and corners' of such hypotheses"). Therefore, whether a hypothesis is scientific or not has to be considered in relation to the process that it is intended to participate in. A non-scientific hypothesis is a hypothesis that is intended to take part in a process where the objective is not to choose the most well-founded of the competing hypotheses in a dethroning-oriented atmosphere as the general explanation of the issue. From this perspective, we may say that no hypothesis in itself is scientific or unscientific, but science or lack thereof is defined by the process that the hypothesis takes part in.

1.6 The hypothetical-deductive method outside Science

1.6.1 An observation is essentially a hypothesis

When is a statement about an object an observation, and when is it a hypothesis? When are we able to say that an object is a stone, a lion or a magpie? When all criteria of the (more or less explicit) definition of the concept x are securely satisfied, we have a secure observation of the object X being an x, and no hypothesis. We see a black and white object of magnitude 40-50 cm with wings. We believe that it is a magpie since the elements of the observation (black/white, magnitude, and wings) satisfy the definition

of a magpie. We *believe* that we have observed wings, black-white color and approximately the right size, but how can we be really sure? Then we have to consider the definition of e.g. a wing, and examine if the criteria of “a wing” is satisfied. Theoretically, we can continue in this way until the definitions bite themselves in the tail into a ring or until we find something that is self-evident without definition. But how are we going to deal with the uncertainty in the observations?

0.03 seconds is the shortest time lag that is needed for a human being to observe a perception of sight (Goos, 1999). In this way, a visual observation can be regarded to be quantified. An observation lasting for 3 seconds consists of 100 different continuous perceptions of sight, each with duration of 0.03 seconds. A person A sees an object X. The perception of sight number 1 from X (with duration 0.03 sec) enters A's consciousness. A has a pool of concepts in his brain's memory bank. He produces (very rapidly) the hypothesis that X fits concept z. The perception of sight number 2 arrives from X, but hypothesis no. 1 is rejected. Then he produces the hypothesis that X fits concept y. The perception of sight number 3 arrives from X, but hypothesis no 2 is also rejected. ... This process progresses until he arrives at perception of sight no N where he produces the hypothesis that X fits the concept x. For each new perception of sight from N+1 this hypothesis resists all attempts of dethronement. At last, the uncertainty connected to the hypothesis is infinitesimal, and A can for all practical purposes say that he is sure that the object X is an x. Then we have obtained an observation (even though it is theoretically a hypothesis with an uncertainty attached).

Therefore, an observation is a hypothesis that is induced very quickly from many individual sense perceptions and tested very quickly against a pool of concepts in the brain's memory bank, and this hypothesis has resisted intense attempts of dethronement.

Goos L. An evolutionary based investigation of facial expression perception. Annual meeting, Human Behavior and Evolutionary Society, Utha (1999).

1.6.2 Biological and technological evolution

Newer and improved species have developed during the evolution, and the principle of “survival of the fittest” is very similar to HDM, even if it is meaningless to assign nature epistemological attributes: The establishment of the hypothesis occurs through coincidences; the hypothesis is that the new mutation will breed a new or improved species being better fitted for survival in the present environment; the deduction is included in the hypothesis, and the testing occurs by “examining” to what extent the new or improved species manages in its environment. The motive power in the biological evolution has been the pursuit of maximizing the total mass of DNA in the world. This process has been slow, and has been going on for hundreds of millions of years and in the last 50-100 thousand years the process has culminated in the modern human being. *Homo sapiens* is the ultimate result of nature's HDM. When considered in a human time perspective, this evolutionary process progresses extremely slowly.

The humans have started their own process of evolution. In this process improved technology is evolved in stead of improved organs, senses and limbs. These technological improvements are the fundament for better goods and services giving the humans increased feeling of happiness. In the same way as the motive power in the biological evolutionary process is the pursuit of maximizing of the total mass of DNA in the world, an important incitement in the technological evolution is the human pursuit of maximizing the economical profit (which in turn is a tool for achieving happiness). In this way, money and DNA have the same role in their respective processes of evolution. Therefore, technological progresses (= materialized knowledge) is nothing but a continuation of the biological evolutionary process fitted to the human time perspective.

The hypothesis is that a new product (or technology) will be a success in the market. The hypothesis has been induced on the basis of knowledge of already existing products (technologies). We can deduce that if the hypothesis is correct, the introduction of the product (technology) in the market will generate significant profit. Then we test the hypothesis by producing and marketing the product (technology). If the product (technology) gives significant profit, the hypothesis is strengthened; oppositely it is dethroned (or at least weakened).

1.6.3 Evolution of ideas

Evolution of ideas includes the development of the knowledge that has driven the technological progresses described in the previous section, development of knowledge of the existence and behavior of different objects and not at least development of which political ideas being best suited for governing a society (see Section 7.2). These ideas have to a large extent progressed by HDM. We have an idea (hypothesis) obtained from individual observations and foregoing ideas. The quality of this idea is determined through the ability of the materialized idea to influence the reality in positive direction or if the consequences of the idea are in accordance with test results from the reality.

1.6.4 Evolution of happiness in daily life

The sense perceptions may affect my feelings in such a way that I obtain a more or less constant state of unhappiness, and by logical thinking my consciousness ought to achieve the knowledge that my action pattern is wrong, and that it ought to be changed so I can obtain more happiness in the future.

Since nature has optimized its work by creating the *Homo sapiens* by HDM, it is rational to assume that the human beings can maximize their self-happiness by the use of HDM. We often use a HDM-like process in our daily life without being aware of it. Paul produces a hypothesis from his own observations at school and from the experiences of others that being a teacher is a good profession. The hypothesis is as follows: If Paul becomes a teacher, he will produce significantly more self-happiness during his life span compared to the amount of happiness obtained by choosing another profession. He tests the hypothesis by taking teacher education and becoming a teacher. The consequences of the hypothesis testing are detected by observing how happy he becomes as a teacher. If he obtains sufficient amount of happiness by being a teacher he will remain in this profession. If Paul produces a too small amount of happiness or too large amount of unhappiness as a teacher, he may reject the hypothesis and start as a joiner in stead (adopt the joiner hypothesis), and then he will observe to what extent he becomes happy by carrying on that profession.

1.7 Subjective and objective knowledge

1.7.1 Objective knowledge

If we present an elephant to 100 people and ask them what it is, everyone will say that it is an elephant. This knowledge is independent of the subject who observes – the knowledge does not depend on “the eye that sees”. We say that this knowledge is objective, which equivalently is knowledge that is consistent with “Ding an sich” of the reality.

Lions eating Zebras and the existence of the sun are realities not depending on the subjective senses of humans. A person's weight of 120 kilograms (with a little level of uncertainty in the measurement) is an objective fact since his weight is independent of the observing subjects. Those are objective facts (axiom 1). The basis for claiming this to be objective knowledge is that the concepts “elephant”, “lion”, “zebra”, “eat”, “sun” and “kilogram” are so precisely defined that there is in practice no basis for subjective interpretations. In addition, there are many and very truthful observations of zebra-eating lions (see Section 1.6.1).

If you prefer the philosophical considerations of absurdity, you can also say that the observations of an elephant are dependent on human consciousness. Perhaps there is a person who seriously believes that it is a car and not an elephant – how can we be sure that it really is an elephant? If DNA measurements can determine that it is an elephant, the wrangler can still argue that the result depends on people reading the results correctly. Such theoretical philosophical subjectivity will always be present, but for all practical purposes we can say that absolutely objective knowledge of an elephant is present. Whether it is an elephant, a car or anything else, the existent is what it is independent of what the human consciousness believes (axiom 1).

1.7.2 Subjective knowledge

If we ask 100 people about what they like best of sausages or hamburgers, we get very different answers. In a similar way we will obtain very different answers if we ask the same people who are the most handsome of Barack Obama and Bill Clinton. Assertions of the type “sausage is better than hamburger” or “Clinton is more handsome than Obama” is basically subjective knowledge because it does not exist any “Ding an sich”, but basically only a “Ding für mich”. This kind of knowledge depends very much on human beings' subjective consciousnesses. The basis for stating this knowledge to be subjective is that the concepts “good food” and “pretty” is not precisely defined, which gives wide spaces for subjective interpretations.

In a large test panel a narrow majority will perhaps prefer hamburgers in favor of sausages. Thus, there is a certain amount of objectivity in the sense that the flavor molecules in the hamburger have a slightly greater ability to affect the taste cells positively than the flavor molecules in the sausages. But this degree of objectivity is so small that the knowledge for all practical purposes is subjective. If we hold the absurdities outside, hamburger is objectively better than cyanide (unless the purpose is to commit suicide). It is an objective fact that the body can make use of the meat, but not the cyanide – the human body is just built this way regardless of what the human mind thinks.

A person's dreams at night are perhaps the most subjective existing “knowledge”, but even these have a weak reference to events from the reality, and therefore contain a theoretical touch of objectivity.

1.7.3 Intersubjective knowledge

If 100 persons are to evaluate the attractiveness of Miss Universe, someone will claim that she is 90% pretty, others will claim her to be 100% pretty and the average will perhaps be 95% pretty with a standard deviation of 4%. We say that Miss Universe is *intersubjectively* 95% pretty, and the intersubjective consensus of the measurement is inversely proportional to the standard deviation. The attributes of an old woman in a nursing home do not have the same temptation on the same people (she is perhaps 5 % pretty with a standard deviation of 4%). We may intersubjectively say that Miss Universe is significantly prettier than the old lady with a statistical p-value < 0.0001.

According to axiom 1, the attributes of Miss Universe and the old female have objective existence in the reality (independent of individual consciousnesses), and their ability to influence the happiness of others does exist because of evolutionary selection mechanisms, which also have objective existence independent of human consciousness. *Those* are the objective components in the individual judgments and are the basis for the intersubjective consensus; claiming that only subjective criteria exist for deciding the attractiveness of people is wrong. It is impossible to determine how pretty Miss Universe is compared to others without the judgments from human consciousness; that is the subjective component in such knowledge. Often, the degree of consensus in the intersubjective judgments reflects the degree of objectivity provided that the observers relate honestly and rationally to the reality.

Another example of intersubjectivity is a person weighting 120 kilograms and measuring 175 cm in height; he can intersubjectively be regarded as fat with high degree of objectivity. The thick fat layer has objective existence in the reality and should evolutionarily be a buffer in times of scantiness of food and represents therefore the objective component, while the subjective component is due to the fact that the concept “fat” is not precisely defined.

1.7.4 Objective and subjective scientific knowledge

If only a few observations of a nature phenomenon exist, this will lay the ground for subjective descriptions of the general nature phenomenon and thus, many hypotheses will be “on the market” for giving a general explanation of the phenomenon (the reasonable creativity of the individual consciousness, i.e. the subject, have relatively large space). The more and trustier observations and the larger range of the observations, the smaller basis exists for subjective adjustments of the general description of the nature phenomenon (the increase in test results / observations will tighten the limits for individual reasonable creativity). The objectivity increases and the subjectivity decreases in step with the progressing of the scientific process.

1.7.5 The making of objectivity by changing definitions

The absence of objective knowledge and presence of subjective or intersubjective knowledge may often be regarded as a problem of defining concepts (see also Section 1.7.2).

- Let us define *pretty woman* as follows: “a woman with *that* numerical mamma size and *that* numerical curving of the hips.” Then we may carry out instrumental measurements and objectively say that Miss Universe is pretty.
- Let us define *fat man* as follows: “a man with a BMI higher than 25”. A man with weight 120 kilograms and height 175 cm is objectively fat according to this definition.
- If we make the definition that all criminal actions always are immoral, each criminal action will automatically be objectively immoral.
- Let us make the definition of good politics as follows: “the present politics of the Democratic Party”. According to this definition, the citizens of the USA are objectively always under the influence of good politics when a Democratic president rules the USA.

In this way we can create objectivity, but what really happens is that we falsely give knowledge more authority than it deserves. Which objective criteria to enter the definitions, depend on the subjective consciousness making the definitions. Besides, such defining is often an insincere way of doing argument manipulation (see Section 1.2.1.2).

1.7.6 Summary of objective and subjective knowledge

All knowledge of the reality contains certain components of objectivity and certain components of subjectivity. However, one of the components may sometimes be present in such a tiny amount that it is only of absurd-philosophical interest. Thus, there is a gradual transition from absolute objective knowledge to absolute subjective knowledge, and between the two theoretical extremes all mixing ratios of the two components are possible. The degree of intersubjective consensus (in the most relevant academic communities and that shows the strongest integrity towards rational epistemological principles) will often be able to estimate the degree of objectivity in the knowledge.

1.8 Accurate knowledge

What is accurate knowledge about the reality? Can we claim accurate knowledge about an element if many observations give the same result and no contradictive observations exist? That could have been the case if the knowledge was based on an infinite number of observations (and if we disregard the uncertainty, which according to Section 1.6.1 is present in the observation itself). But the number “ ∞ ” does not exist in the world of reality. Since a limited number of observations are to be considered, knowledge of an element Q is only accurate with an uncertainty q (even if the results

from all observations are cohering, it does not exclude the arising of diverging results in the future). Having measured the distance from Sun to Earth and the distance from Moon to Earth and their corresponding standard deviations, the result is that “the Earth is farther from the Sun than from the Moon” with statistical p-value $< 10^{-100}$ or something like that. Theoretically, we do not have absolute accurate knowledge, but for all practical purposes we have accurate knowledge (i.e. the knowledge can be trustworthily used for predictions). The certainty increases proportionally with the square root of the number of observations and inversely proportionally with the standard deviation. This is objective knowledge – the fact that the distance from Earth to Sun is larger than the distance between Earth and Moon does not depend on the observing subject.

Socrates said to his critics: “You claim to know nothing with certainty. How can you then be certain that you do not know anything with certainty?” The answer of Rational Gaudism is as follows:

Induction is an abstract concept in our consciousness that we have absolutely certain knowledge about; in the same way as we have accurate knowledge of mathematical concepts like derivation, multiplication and the area of a circle. Therefore, deductive conclusions made on the basis of the principles of induction have to give absolute certainty. Assuming that induction has given the 100 % accurate knowledge that element X behaves in way x. Then element X has to behave in the x-manner tomorrow, but we cannot be sure of that since nobody has observed tomorrow. We have obtained a contradiction. Therefore, we do not have 100 % accurate knowledge that element X behaves in way x. The basis for stating that induction cannot give 100 % accurate knowledge is that ∞ is not a natural number.

Absolutely accurate knowledge about phenomena in the outer reality with *infinite* observation potential can only be achieved by A) obtaining the ability to observe infinitely into time and space, B) other fundamental methods than induction that have not yet been discovered by any human being (e.g. true divine revelations). Therefore, in the future it may theoretically happen that we will obtain absolutely accurate knowledge about some elements in the outer reality, but then either A or B has to be fulfilled. Thus, we cannot for sure know that we never can know anything for sure, but it is extremely unlikely. On the other hand, most of the commonly accepted theories in nature science are accompanied with very small uncertainties. Today, I know with absolute certainty that I do not have any absolutely certain knowledge of the outer reality since neither A nor B is fulfilled. However, I know something for sure about my own consciousness, namely what is mentioned in the beginning of chapter 1.

We can have absolutely accurate knowledge about phenomena in the outer reality that refers to a *finite* observation potential if each observation is considered absolutely accurate (see Section 1.5.1). But an observation is, strictly speaking, a hypothesis attached with uncertainty (see Section 1.6.1), and strictly speaking we do not have absolutely accurate knowledge in such cases either.

In medical research, a statistical p-value < 0.05 is usually thought to be an adequate certainty for publishing a scientific result. In a worst case scenario this means that for each twentieth published research paper we may expect to have one case with faulty knowledge. It is very dangerous for the philosophy to say that since all knowledge fundamentally is based on observations and induction with uncertainty attached, we really cannot know anything – therefore we may jump into wild religious and metaphysical speculations. Rational philosophy of science ought to be the less gambling-directed method of gathering knowledge of the reality. When this book mentions knowledge of the reality as “certain”, “accurate”, “facts” etc., the very small uncertainty being induction-theoretically present is disregarded for simplicity.

2. Metaphysics and Epistemology, Part B

Metaphysics is the part of philosophy studying the fundamental nature of the reality that observation or scientific methods cannot detect. Fundamentally, Rational Gaudism accepts only the minimum of metaphysics presented in the principles which are absolutely unavoidable if further epistemological progression is not to become meaningless / indeterminate and that all further acquiring of knowledge has to build on; i.e. what is described in Chapter 1 before Section 1.2. Additional metaphysical speculations are subjective fantasy and will reduce the probability of approaching the reality's “Ding-an-sich” to the absurd-philosophical level. Everything mentioned in this chapter is recognized through the epistemological principles described in chapter 1.

The reality is separated in two parts: 1) the outer reality, and 2) the consciousness of individuals.

2.1 The outer reality

The outer reality is matter (moons, stars, planets, cars, trees, humans, animals) and physical forces like electromagnetism, gravitation, electricity etc. Knowledge of these objects is obtained by HDM. In physical terms the outer reality consists of all collections of fermions and bosons of the Universe, and this outer reality exists independently of our senses and consciousness. This is the essence of axiom 1.

In the year 1000 AC no human being was aware of the existence of the dwarf planet Pluto. The perception of this astronomical object was not inside the consciousness of any man at that time. But of course, Pluto existed all the same because scientists can prove its existence at that time by the use of adequate technology. The human genome (genetic code) existed as an object in the outer reality both before and after 1953, though it was in this year that scientists decoded the genetic code.

The outer reality exists the way it exists (Ding an sich), 100% objective; independent of the observing subject (axiom 1); we disregard “bizarre” quantum effects at the particle level. We can asymptotically approach knowledge of this reality with gradually decreasing degree of uncertainty (see Section 1.5.1).

For the description of the existence and function of physical, biological and astronomical objects, Rational Gaudism refers to the frontier of science on the actual topic – especially the most acknowledged journals in their respective areas (Science, Nature, The New England Journal of Medicine, The Lancet etc.). If anything in this book should be proven not to be in accordance with generally acknowledged science, Rational Gaudism accepts the new, scientific knowledge if this clearly is the most well-founded one (see Section 1.5.3 and 1.5.4).

2.2 The consciousness of individuals

The consciousness is the sum of all biological functions in the nerve system that makes an organism perceive happiness/unhappiness. Such functions may be sense perceptions, remembering, choice of action and thinking. What functions to use depends on the degree of evolution of the consciousness. The input of the consciousness always starts directly or indirectly with sense perceptions. An organism that is able to receive perceptions from the surroundings, but does not possess the ability to perceive happiness/unhappiness, does not have a consciousness. The human consciousness also includes being self-aware.

According to the introduction of chapter 1, the content of my consciousness is my only source of absolutely accurate knowledge. I observe a body always following “me”, and I call this “my body”. I also observe other collections of fermions and bosons that are very similar to me and my body, and I induce these into a concept: “human beings”. Furthermore, I induce the well-founded hypothesis that their consciousnesses have the same basic nature as my own consciousness.

The outer reality is transferred into the consciousness of the individuals with the senses as vectors (axiom 1). Additionally, the humans have developed a lot of technology as links between the outer reality and the human senses (see Section 1.6.2). The human consciousness arises as a consequence of a nerve system carrying out biological processes (*Koch & Greenfield, 2007*). The consciousness has to be an element in the definition of the concept of a human being.

An individual can create a correct picture of the reality in his consciousness, and he can perform an action as a consequence of thinking from that picture. This action may change the outer reality (e.g. hewing a tree). In this way, the consciousness will indirectly influence the outer reality.

The consciousness of an individual may produce a wrong picture of the reality, e.g. by gathering deficient information about an object. But this incorrect picture exists – even if we do not like it. All humans dealing with this person (the person himself included) have to deal with the part of the reality represented by the mispicture and its influence on the rest of the reality. On the other hand, the part of the reality represented by the mispicture may be changed and brought into accordance with the outer reality.

In our consciousness we can have our own “fantasy world” of thoughts, dreams, and views, and by thinking or dreaming we can have experiences in this world of fantasy (axiom-independent knowledge) that undoubtedly may influence our happiness in positive or negative direction even if the corresponding objects do not exist in the outer reality. We can also perform actions as a consequence of the “fantasy world”, and this may obviously influence the outer reality.

Considering the functioning of the consciousness, Rational Gaudism refers to the frontier of sciences in neurophysiology, neuropsychology etc. – especially the most acknowledged journals in their respective areas. The present description of Rational Gaudism does not differentiate between consciousness and subconsciousness – both are described by the same concept “consciousness” without considering the differences between these.

Koch C, Greenfield S. How does consciousness happen? Sci Am. (2007) 297, 76-83.

2.2.1 Subjective / objective / intersubjective reality

The outer reality is objective (independent of the observing subject). How a consciousness perceives the outer reality, depends on the individual consciousness observing, i.e. subjective perception of the reality. Observing a salt herring will give my consciousness negative associations; observing the same fish will give my mother positive associations. Observing a red flag will give a former prisoner of GULAG negative associations; observing the same flag will give Fidel Castro positive associations.

Nevertheless, the judgments of individual consciousnesses have an inherent component of objectivity since the outer reality is the same independent of the observing subject and since there is a common objective evolutionary mechanism that has selected all the senses and consciousnesses of all human beings. Therefore, a large degree of consensus often (but not always) exists when different individuals transfer an object in the outer reality into their consciousnesses by use of their senses. The subjective perceptions of different consciousnesses may differ somewhat and this is caused by different bases of experiences and different genes.

2.2.2 Happiness

Happiness is defined as profit from the feelings. Each human feeling has a degree of value of happiness; positive or negative. Negative happiness is also named unhappiness. One feeling can never have neutral value of happiness, but two or more feelings may in summation have neutral value of happiness. Sometimes a collection of feelings may seem as one single feeling. Therefore, such a multiple feeling may have neutral value of happiness. The death has neutral value of happiness. The value of happiness is the valuation of human feelings in the similar way as dollars are the valuation of accumulated work. Positive expectations mean to borrow happiness that later on has to be paid back in terms of disappointments or reduced happiness. Happiness is produced in the consciousness of individuals (see also Section 9.1). Rational Gaudism adopts the sensible hypothesis that superior animals also have the ability to experience happiness and unhappiness (see Section 2.4.1 and 2.5.2).

2.2.2.1 Why does perception of happiness exist?

The fundamental reason for the existence of perception of happiness is that certain types of actions have caused consequences statistically being evolutionary profitable with respect to the maximization of the total mass of DNA (the survival of the species) in the world. The individuals who experienced happiness by the consequences of such actions were more eager to perform similar actions in the future than individuals without the ability to perceive happiness in such situations. Thus, the former individuals were selected in the evolution. In a similar way, certain types of actions have caused consequences statistically being evolutionary unfavorable. Individuals who perceived unhappiness for such consequences were not keen to carry out similar actions in the future. These individuals were also selected during the evolution. Therefore, humans (and superior animals) have the ability to experience happiness and unhappiness for different consequences of actions. Perception of happiness is a “carrot” used by the DNA-molecule in order to double-cross the individual to act in the direction of the DNA-molecule's quantitative maximization. A sea lion is not interested in making tricks for the sake of the spectators but in getting fish as reward. If the sea lion had got the fish without doing the tricks, it would not have carried them out.

Perception of happiness is a prerequisite for human life. If the ancestors of the *Homo sapiens* had not felt happiness by having sex, the sexual act would have been skipped, and consequently the human beings would not have existed today. Therefore, happiness implies human life. The human life is founded on perceiving happiness, and without the existence of happiness the evolution of *Homo sapiens* had been impossible.

2.2.2.2 Experiencing happiness is the only value

What is valuable for me; i.e. what do I want to achieve? To answer this question it is important to be aware of the meaning of “I”. “I” is the consciousness. The consciousness has five tasks: perception of senses, memory, thinking, making choices of action and experience of happiness and unhappiness; additionally it coordinates these five tasks. Let us assume the opposite of what is to be proven, namely that there are other aspects than perception of happiness and avoiding unhappiness that are valuable for the consciousness. Consequently, either perception of senses, remembering, thinking, or making choices of action or a combination of these is valuable in themselves for the consciousness.

Sense perceptions and memory are remedies for performing actions fitted to the reality and whose consequences are expected to give the consciousness perceptions of happiness or avoidance of unhappiness. Sense perceptions and memory can also be obtained without being accompanied by action; e.g. by watching a good movie or remember good memories. But perceptions of continuous pictures or memories are not primary values of the consciousness. Perception of happiness as a consequence of the continuous pictures is its value.

Similarly, *thinking* is a tool for fitting the *choices of action* to the reality so the consciousness can perceive happiness from their consequences. *Thinking* can also be used for solving completely theoretical problems in our consciousness, which results in a perception of happiness by having achieved something (see also Section 3.3.3.1). But neither *thinking* nor making *choices of action* are objectives in themselves for the consciousness; only tools for achieving happiness or avoiding unhappiness.

It is also important for the consciousness to make choices of action in order to ensure its own existence, but its existence has no value in itself; it is only a tool for perceiving happiness (there is no potential for perception of happiness without existence). Perception of happiness and avoidance of unhappiness are correctives for the consciousness in order to make the best possible *choices of action* in the future, and in that respect they are also tools for secondarily achieving more happiness and to avoid further unhappiness.

Perception of senses, memory, thinking, and making choices of action are not valuable in themselves for the consciousness. Since these are the only activities performed by the consciousness in addition to the perception of happiness and unhappiness (even if absurd-philosophical considerations may not exclude that the consciousness may get other tasks in the future), we have shown that perception of happiness and avoidance of unhappiness are the only valuable aspects of the consciousness (= I = the individual). Disproving this requires at minimum the detection of one single case of something else than happiness that the consciousness wishes to achieve and which is not simultaneously a means in the pursuit of creating self-happiness or avoiding self-unhappiness. As long as this has not been detected, self-happiness is considered factually as the only value.

Since perception of happiness has value, more happiness has even greater value, and the ultimate value of the consciousness is the maximization of the sum of the perceptions of happiness during the life span; or more precisely to maximize the *surplus* of happiness (eventually to minimize the deficit) where the surplus of happiness = $\Sigma(\text{happiness}) - \Sigma(\text{unhappiness})$. When this book speaks of “*maximization of happiness*” or “*the sum of happiness*” etc., it always refers to $\Sigma(\text{happiness}) - \Sigma(\text{unhappiness})$. Some religious persons may include “eternal life” in the concept “life span”, but Rational Gaudism does not consider life after death a part of the reality.

The reality (all human consciousnesses included) is a tool for a given individual to achieve happiness. The reality itself is irrelevant; it is the reality's ability to influence my sensation of happiness that is relevant for me. But objects in the reality (and the consciousness itself) are important tools for producing happiness for the individual consciousness. The reality is a “necessary evil” for a consciousness to realize happiness. Each fermion and boson or whatever collection of these are considered to be tools for maximizing my self-happiness. I respect that all other individuals regard the same fermions and bosons in the same way.

Imagine that humans were able to produce happiness without a life. Then life would be unnecessary. Muslims believe that a man produces happiness in Heaven after death if he sacrifices his life in “Holy war”. Buddhists wish to avoid unhappiness by annihilating in Nirvana. In the world of reality neither Heaven nor Nirvana exist, but atheistic death does exist.

If (maintenance of) *life* had been more important than *happiness*, it would have been rational to maintain life in a situation where the rest of the life is expected to give larger deficit of happiness (= surplus of unhappiness) than death. Based on the thought that one's own experiences of happiness are the only valuable aspects in the Universe, maintenance of life can never be more important than generating happiness / avoiding unhappiness during the life span. But producing relative happiness (avoiding unhappiness) may be more important than maintaining life if one realistically may expect to generate major deficit of happiness in the remaining lifetime. An example is a 12 weeks old embryo having defects that will imply a hell of pain after birth; then abortion (total life happiness = 0) is a better alternative than to be born (total life happiness strongly negative).

2.3 Supernatural reality

Does anything exist in addition to the outer reality and the consciousness of individuals? Superior animals have consciousness, but this is already included under “individual consciousnesses”. There are probably a lot of objects in the outer reality that have not yet been transferred to any individual consciousness (e.g. many planets probably exist in orbits around distant stars without having been discovered yet), but these are included in the concept “outer reality”. What about God, Satan, goblins, fairies, effect of homeopathy beyond the placebo effect, the fourth space dimension, the existence of the consciousness independent of the body etc.? As long as there are no scientific evidences for such supernatural elements they are supposed to not be existent (see Section 9.2). Rational Gaudism will accept the existence of such elements if the hypothesis of their existence can get “on the throne” and further on resist sufficiently intense attempts of scientific dethronement (see Section 1.5.3). According to prominent physicists, experiments will be carried out in order to test the hypothesis of the existence of a fourth space dimension (*MacRobert, 2003; Steinhardt & Turok, 2002*). If the hypothesis of the existence of this new dimension can get “on the throne” and further on resist sufficiently intense attempts of dethronement, Rational Gaudism will accept the fourth space dimension as a part of the reality.

When facing observations, a waste number of hypotheses will be able to explain the observed data. A scientific approach means to adopt the explanatory model that explains the observations by the least help of far-fetched auxiliary hypotheses (see Section 1.5.2 , 1.5.3 and 1.5.4). If I observe something that clearly looks like a car, this observation *can* be explained by the object being an elephant, but my senses are for some reason distorted in such a way that it appears falsely as a car. The alternative hypothesis is that the object is a car. The scientific approach is to adopt the hypothesis that the object *is* a car. Rationally, it is difficult to assign any respect to the elephant hypothesis. Similarly, the reality presents a large number of observations that nowadays very well can be scientifically explained (the age of Earth, evolution, laws and rules in society etc.). Explaining this with the existence of (the Abrahamitic) God is as epistemologically dubious as explaining a clear cut observation of a car by being an elephant. Epistemologically regarded neither the elephant hypothesis nor the religion hypothesis deserves serious consideration.

Religion and science are basically preoccupied with the same interest: presenting models for explaining phenomena of the reality. Religion contra atheism is basically a question whether we are to keep tight to a beloved hypothesis which is strongly depending on many far-fetched *ad hoc* hypotheses, or if we are to adopt hypotheses which do not need far-fetched auxiliary hypotheses as crutches for avoiding falsification (see also Section 9.2.1). By using an epistemological process that accepts far-fetched *ad hoc* hypotheses you will achieve the results of your whims and hopes. It will tell something about the content of your consciousness, but hardly anything about the reality outside your own skull, i.e. pure subjectivism.

Let us consider the hypothesis 1: “God exists”. In order to avoid direct falsification this hypothesis has to be supported by very active use of far-fetched *ad hoc* hypotheses (see Section 9.2.1). Consider a “hypothesis 2” in the regular scientific area, and let us imagine that this hypothesis has to be supported as intensely by *ad hoc* hypotheses as hypothesis 1. Then the product of the well-foundedness of the auxiliary hypotheses is extremely small. If it shall be meaningful to talk about “falsification” (for hypotheses with an infinite observation basis), we have to set a lower limit for this product where the hypothesis in practice is considered falsified if the product falls behind this limit (see Section 1.5.6). Hypothesis 2 would in practice undoubtedly have been described as falsified – especially if there are more well-founded alternative hypotheses. Thus, hypothesis 1 will also necessarily be considered falsified, i.e. the hypothesis of the existence of God has been scientifically falsified *de facto*.

If a scientist is religious, that is *one* contra-argument against his professional quality (but other arguments may exist pointing in his favor). He keeps on to a beloved hypothesis (God's existence) that depends on many and far-fetched *ad hoc* hypotheses for avoiding falsification in spite of the fact that the observations of the reality very well can be explained by hypotheses that do not need far-fetched auxiliary hypotheses as crutches. When a scientist uses such dubious hypothesis adoption on one area, it is possible that it originates from a bad scientific attitude that also can infect his scientific work. The validity of this argument is stronger the more fundamentalist he is, and may vary with his area of science.

MacRobert AM. *A Cyclic Universe? Sky & Telescope*. July 23, 2003

Steinhardt PJ, Turok N. *A Cyclic Model of the Universe. Science* (2002) 296, 1436-1439

2.4 Identity and nature

A specific stone (a collection of fermions and bosons that e.g. is hard) is a stone (fits the concept "stone") because it has the attributes satisfying the implicit definition of the concept "stone". We observe a stone falling towards Earth. This is an observation and according to axiom 1, this event has existence in the outer reality. Why does the stone fall towards Earth? It is explained by the well-justified hypothesis that the large mass of Earth attracts the stone with a gravitational force with acceleration = $9,81 \text{ m/s}^2$. The specific stone is a collection of fermions and bosons that had those attributes needed for falling towards Earth (at least at that particular moment when it actually fell); that is a fact from axiom 1. All other collections of fermions and bosons belonging to the concept "stone" have observationally been shown to fall towards Earth (as far as I am concerned). Theoretically, the principle of induction does not give a 100% guarantee that all collections of fermions and bosons belonging to the concept "stone" will fall towards Earth (unless "falling towards Earth" is taken to be one of the elements in the definition of the concept "stone").

A fundamental philosophical question: Does a stone have a nature, an identity? We cannot be 100% sure of that unless "the nature" of the stone is included in the definition of the concept "stone":

- 1) Considering a stone, we can predict (with high degree of statistical certainty) that the stone will behave in a particular way (i.e. fall towards Earth) because on beforehand a hypothesis has been induced (from knowledge from the behavior of other stones) stating that all stones behave this way, and this hypothesis has to an extreme extent resisted intense attempts of dethronement). The hypothesis may be formed as follows: "it is the nature of stones to fall towards Earth".
- 2) A stone is dropped from a height of one meter and we observe that the stone falls towards Earth. We repeat the experiment 10000 times with the same stone and the result is always the same. Then we can induce the hypothesis that it is the nature of this stone to fall towards Earth. Since the hypothesis is produced by induction, we can theoretically not exclude that the stone will rise into the sky at the next experiment, but the probability is extremely small (perhaps something like 10^{-300}). Still, it is very rational to adopt the hypothesis that the nature of this stone is to fall towards Earth.
- 3) Considering a particular stone. We can predict the behavior of the stone (or its particular qualities) because the actual behavior is included in the definition of the concept "stone". If "falling towards Earth" is included in the definition of the concept "stone", the particular stone is guaranteed to fall towards Earth. If the object was not to fall towards Earth, it was no stone after all.

Rational Gaudism does not consider “A=A” as an axiom but as a hypothesis with more or less uncertainty attached depending on the object under examination. Generally, an object in the outer reality may be estimated to have an identity (a nature) at a particular level of certainty if we have performed a corresponding lot of adequate observations (see Section 1.5.2). Rational Gaudism states that most objects have an identity (nature) since the uncertainty often can be disregarded for all practical purposes. We may also choose to give a concept an identity/nature by including the actual qualities into the definition of the concept, but such *ad hoc* definitions will often be somewhat dubious epistemology.

Considering the question whether all events have a cause, the answer is a consequence of the text above: when observing an event H, we may say that H is caused by X with probability S. A stone's fall towards Earth is with extremely large probability caused by the gravitational force of the Earth's mass pulling the stone towards Earth.

2.4.1 The fundamental nature of different objects

A stone's nature is to be influenced by chaos and physical laws (e.g. the gravitational force) or by a man or an animal moving it. Other non-living inorganic and organic objects have the similar nature.

The evolution of life began with an aqueous soup of organic molecules that gradually started to replicate. After millions of years the environment made it favorable to form a cell membrane to protect the replicating molecules. In this way, the first cells originated and through “survival of the fittest” gradually more complex life forms were developed. The maximum of the evolution is *Homo sapiens* – the modern human being.

Lower life forms: Plants' nature is to use biochemical processes for growth and multiplying. The plant is a medium used by the DNA molecule in the pursuit of maximization of the total mass of DNA in the world. Bacteria, virus, fungi and lower multicell animals like jelly-fishes, starfish and sea urchins have a similar nature. The perception of happiness and unhappiness is not the nature of these lower organisms' nature.

Mean advanced animals: These animals (fish, amphibians) are driven by instincts, have no or negligible ability to perceive happiness/unhappiness, and have no consciousness (*Cabanac, 1999; Rose et al., 2014*). It is believed that the first amniotes (tetrapod vertebrates that have terrestrially adapted eggs) were the first animals to have the ability to experience happiness/unhappiness; i.e. they had consciousness (*Cabanac et al., 2009*). The first amniotes arose in the evolution 325 million years ago. Thus, it is assumed that the evolutionary distinction between happiness-perceiving and non-happiness-perceiving animals goes between amphibians and reptiles. This means that animals that are amphibians or evolutionary more primitive than these are non-happiness-perceiving, while animals that are evolutionary more advanced than the amphibians, are happiness-perceiving. An exception from this is probably octopus, which seems to have signs of consciousness (*Mather, 2008*).

Superior animals (mammals, birds and reptiles) have consciousnesses with different degrees of complexity. These animals have individual pursuit of happiness and avoidance of unhappiness in the instant moment as their objectives. It is believed that reptiles have weaker and more primitive ability to this than mammals and birds. It is the genetic instincts and the taught habits that tell the animal how to obtain feelings of happiness and how to avoid unhappiness. When the animal uses its instincts and taught habits, the result will point towards the long-term survival of the species within the present external environment and towards the maximization of the total mass of DNA in the world. Happiness is mainly represented by sexual pleasure while unhappiness most often is represented by hunger, fear (e.g. for being attacked by other animals) or physical pain. Pursuit of happiness and avoidance of unhappiness in the instant moment through their genetic instincts is the fundamental nature of superior animals.

The human beings have the most advanced consciousness. The only objective of the individual is to maximize his self-happiness during his life span. The human way of doing this is to think and then choose to perform those actions that are expected to maximize their self-happiness during their life spans, i.e. through a rational process (see also Section 4.1). The use of this rational process will not necessarily maximize the number of individuals – even if it historically has done so. Pursuit of happiness and avoidance of unhappiness by the use of rationality in the life-long perspective is the human nature.

	Non-life	Lower life forms	Mean advanced animals	Superior animals	Human beings
Chaos and physical laws	Yes	Yes	Yes	Yes	Yes
Biochemical processes	No	Yes	Yes	Yes	Yes
Happiness	No	No	Insignificant	Yes	Yes
Free will	No	No	No	Insignificant	Yes
Rationality	No	No	No	No	Yes

Cabanac M, Cabanac AJ, Parent A. The emergence of consciousness in phylogeny. Behav Brain Res (2009) 198: 267-272

Cabanac M. Emotion and phylogeny. Jpn J Physiol (1999) 49: 1-10

Rose JD, Arlinghaus R, Cooke SJ, Diggle BK, Samynok W, Stevens ED, Wynne CDL. Can fish really feel pain? Fish and Fisheries (2014) 15, 97-133

Mather JA. Cephalopod consciousness: behavioural evidence. Conscious Cogn. (2008) 17(1):37-48

2.5 Free will

Free will is the ability of a consciousness to choose between different alternatives of action, and according to axiom 2 the human consciousness has this ability.

If assertions about the outer reality (knowledge) arrive as a consequence of bosons and fermions interacting passively with my consciousness without “I” considering and choosing to reject the bad ideas in favor of the good ones, all alternative hypotheses (assertions) about a phenomenon will basically have the same credibility. Explanation models that have existed through human beings' evolutionary period, will mainly converge towards being good means in our species' pursuit of survival, but will not necessarily estimate “the truth” (i.e. “Ding an sich”). But since we have lived and functioned evolutionarily *in the world of reality*, is it possible that a few simple evolutionarily tested explanation models may estimate “the truth” anyway even without the presumption of “free will”. Explanation models not having lived through significant parts of human beings' evolutionary history or not having relevance for our survival, will be completely meaningless.

The probability of obtaining success with our actions is limited by the conditions of reality. Some actions are less probable to be successful than others. This fact will influence the actual choice of action, but it does not prevent the consciousness from choosing to *try* to perform an apparently impossible action. This refers to a real, genuine attempt where the performer of action actually believes that he can succeed (and not a false attempt).

Natural compulsion is conditions in the reality that make certain consequences and corresponding probabilities strongly advantageous for choosing a specific alternative of action (i.e. that humans have to work for their survival). Of course, the natural compulsion will influence the consciousness when making choices of action, but the natural compulsion does not change the fundamental qualities of the consciousness, and free will is such a quality. If you are to remove the free will, you have to hit a person's head so hard that he obtains a severe brain damage destroying completely/partly the consciousness. The fact that we “have to” work (in order to survive) is completely natural and does no way mean that the consciousness is so destroyed that it is not capable of carrying out choices between alternatives of actions and thus, the free will is not reduced.

2.5.1 The reality limits the realism of actions but not the free will

I want to fly, but no other human being has ever performed a flight with his own limbs. But I have free will in the sense that I can *try* to perform those actions needed for flying (gene manipulation perhaps?). I want to run 100 meter at 9 seconds, but no man has ever run so fast. But I have free will to *try* to run that fast. A son of a violent homeless father has free will to *try* to become a respectable citizen, and that is realistically not impossible. But the probability of being a homeless person himself is larger than the probability for the son of a doctor to be the same.

A person with a desire of traveling to a distant star can theoretically try to perform this alternative of action tomorrow. But because of technological limitations in the present reality, we can (for all practical purposes) with certainty say that he will not succeed. This knowledge makes it extremely unlikely that he will try. Theoretically, this person may try to change the future reality by inventing technology that increases the probability of a successful star journey.

A woman is being raped by a huge, strong man. The woman understands with her rational mind that if she could hit him into fainting, she would avoid the very unpleasant experience of a rape. She can use her consciousness to choose to *try* to hit him into fainting, but for all practical purposes we can for certain say that she will not succeed because of her physical weakness. The present reality limits her realistic chance to succeed. This knowledge makes it unlikely that she will try. In the future she may try to change the reality by exercising karate and thereby having realistic expectations to knock out a future rapist.

A third person wants to buy a new Ferrari, but he does not have enough money, and the bank is not willing to give him a loan. But he can *try* to haggle about the price to \$20 and thereby buy the car. But the present reality limits his realistic chance to succeed with the car purchase. This knowledge makes it extremely unlikely that he will try. But in the future he may work harder or save more money and thereby change the reality making a Ferrari purchase more realistic.

Some parts of the reality can easily be changed by a person, but other parts of the reality can not realistically be changed by the individual. The present reality experienced by an individual is a result of external circumstances and earlier choices made by the individual.

The individual human being has unlimited free will in the sense that he always can choose to *try* to perform whatever alternative of action that he is able to think up, but the present reality will set limitations for what kind of action alternatives he realistically can succeed with, and this will influence the choice of action. In this way, a predisposing determinism exists accompanying our free will (see Section 2.5.4).

Strictly speaking, it is impossible “to choose to perform an action”. The choice of action is made in the consciousness, and the consciousness can “choose to *try* to perform an action”. Just after the choice of action (we can change our mind until a few nanoseconds before performing the action) follows “the attempt of performing the action”. The attempt is carried out by the nerve system and the muscles, and by the time it will be apparent if the attempt was successful.

2.5.2 Animals and “free will”

When the lion “Simba” observes a zebra, an instinct tells him that it is food. Simba has observed that his parents have relatively short distance to the zebra when attacking. Repeated observations of this kind in combination with own experiences have taught Simba that he needs to have short distance to the zebra before attacking. This wisdom refines Simba's hunting qualities, originating from the genetic instinct, and he becomes a better hunter compared to an untrained lion. Simba has to evaluate

if he is to attack when he is 10, 15 or 20 meters away from the zebra. There is no genetic automatic telling him to start the attack at a distance of 12.37 meters.

In this respect the lion has a certain choice. Thus, the lion's consciousness has a little ability to choose between alternatives of action; a little degree of free will. But the choices are strongly limited by the fact that the lion has an approximately zero-dimensional time perspective for its choices of action; i.e. the lion can only choose between alternatives of action in the pursuit of maximization of happiness and avoidance of unhappiness *in the present*; long-term evaluation in the lifelong perspective is not a part of the lion's nature. Thus, it is impossible for the lion to initiate a technological evolution since it requires advanced thinking beyond the instant moment (plus handiness and language). The lion cannot disobey its instincts, only evaluate which instinct it is to follow and against what in the pursuit of maximization of happiness or minimization of unhappiness *in the instant moment*. The lion does not have the ability to evaluate if it will produce more happiness in the lifelong time perspective by omitting to obey the instincts (e.g. by starting to grow corn in stead of hunting zebras). The lion can never make the choice of “trying to travel to the Moon” because its genome implies so low brain capacity that the lion never will be able to understand neither moon, nor rocket engine nor landing vehicle since this requires long-term intelligent thinking both in the future and the presence. Besides, handiness and language must probably be present in front of an intelligent mutation in order for the mutation to be promoted in the evolution – an intelligent brain is useless if you do not have practical skills to carry out the technological progresses thought out by the brain. Theoretically, man has the ability (freedom) to choose to try to perform any alternative of action that the human consciousness can imagine, and which the consciousness genuinely believes that the individual can succeed with (even if the probability of success sometimes may be infinitesimal). Considering a hypothetical alternative of action that the human consciousness is not able to imagine (but we do not know if such actions exist) the human does not have free will to choose this alternative. The corresponding reasoning applies to a lion, but we (humans) know that there are a lot of alternatives of action that a lion cannot imagine – those alternatives of actions which require advanced evaluations beyond the instant moment and which thus are not implied by its instincts.

Rational Gaudism assumes that many animals with nerve system exceeding a certain limit have a certain, but very little ability to choose between alternatives of action, and this ability decreases proportionally with the inferiority of the consciousness. It is assumed to be a very moderate increase in “free will” from birds to chimpanzees, but an extreme increase in “free will” from chimpanzees to human beings. Animals do not have significant degree of “free will” since their consciousnesses are so limited that they are predetermined to be slaves of their instincts; they have only insignificant degree of “free will” in the sense that they can choose which instinct they are to follow and what to direct their instinct against in the present (will a hungry and potent male lion choose to have sex with a female lion or will it hunt down the zebra when the two animals appear simultaneously for the male lion). Animals' learning rule is quite automatic. There is no intelligence built in, and no significant degree of “free will” that guides learning. The rule just says that if activity in one neuron is soon followed by activity in a second neuron, then the connection from the first to the second should be strengthened (*Biegler, 2004*). A being has significant degree of “free will” if it is capable of carrying on a technological evolution and thereby liberate itself from its natural instincts. Chimps have been shown to make primitive spears for killing their preys, and thus, these primates have almost a tiny “significant degree of free will” (*Pruetz & Bertolani, 2007*). Beings living exclusively at the automatic instinctive level without perceiving happiness/unhappiness (amphibians and lower) are not supposed to have any “free will” at all.

Biegler R. Network models of memory. NTNU Lecture. (2004) Spring, pp 2

Pruetz JD, Bertolani P. Savanna Chimpanzees, Pan troglodytes verus, Hunt with Tools. Current Biology (2007) 17, 412–417

2.5.3 Man cannot choose his own values

Value is what a consciousness wants to achieve. Experiencing happiness is the only value. Considering a consciousness with the ability to make choices of action, value is what the organism wants to achieve with its actions. Accordingly, perception of happiness is the only motive power for human actions. We are talking about perception of happiness for the individual who performs the action because it is the individual who is the only human element capable of perceiving happiness; the nation, the race, the family or the social class does not have the ability to perceive happiness or unhappiness. If e.g. the nation had been an element capable of perceiving happiness, producing happiness for the nation would have been a motive power for action in itself. In the same way as a muscle cell is a slave for the human consciousness for contributing to the consciousness' happiness, the individual man would be a slave in the nation with the job of serving the nation with happiness.

Having made a choice of action confirms that in the very moment before carrying out the action, the performer believed that no other alternative of action was better fitted in the strategy for achieving the ultimate value (= maximizing of the perceptions of happiness during the life span). The individual human being is predetermined to try to maximize the sum of his own perceptions of happiness during his life span. We may say that "pursuit of happiness in the life-long perspective" is the fundamental human "instinct". The individual cannot act in another way than what he believes will obtain the ultimate value, but both subjectively (in the future) and intersubjectively (both in the moment of action choice and in the future) the action may be considered to be inferiorly adequate (see chapter 3). Thus, the individual human cannot choose his own values, but he has "free will" to evaluate what tools/means will be best suited in the strategy towards the ultimate value.

The individual man can only perform self-happy-motivated actions. Self-happy motivation is an attribute of the fundamental human nature and not an ethical dimension. There are 3 types of actions: primary, secondary and tertiary self-motivated actions. All these types of actions can be rational or irrational to different degrees. Since the description of the self-happy motivation interacts significantly with the ethics, self-happy motivation is considered closely under "Ethics" in chapter 3.

2.5.4 Predisposing determinism

A person A is put into prison by a totalitarian regime and cannot be blamed for his stay in prison. His consciousness has the same qualities as before he was imprisoned; the ability to choose between alternatives of action (free will) included. Thus, he has the ability to make the following choice of action: "I will try to perform those actions needed for escaping from jail." The probability of success is perhaps small but not zero since there are several examples of escaped prisoners. Given this situation, is it appropriate to say the following? "Shut up and do not complain! You have free will to choose to escape. It is your own fault that you are still in prison."

Another person B has been born into extreme poverty in the ghetto with bad parents and bad friends. During his youth, formally until he comes of age, person B is not responsible for living in these surroundings. His consciousness has the same qualities as if he had lived in a royal castle; the ability to choose between alternatives of action (free will) included. Thus, he has the ability to make the following choice of action: "I will try to perform those actions needed for escaping from the ghetto and become a successful businessman." The probability of success is perhaps small, but not zero, since there are several examples of businessmen originating from the ghetto. Given this situation, is it appropriate to say the following? "Shut up and do not complain! You have free will to choose to work yourself out of the ghetto. It is your own fault that you are still living in the ghetto."

As these two examples show, it is not sufficient to refer to the free will of the humans when evaluating if a person is to be blamed (or praised) for his own life situation or not. But oppositely, if the humans did not have free will at all, no individuals would ever be to blame (or praised) for anything.

To evaluate if an individual is to be blamed or not for his life situation, Rational Gaudism introduces the concept “*predisposing determinism*”. This concept is defined as “the influence that (elements in) the reality performs on the choice of action of a consciousness”. Thus, a predisposing determinant is an element of reality influencing the choice of action of a consciousness.

An individual is predetermined to try to perform alternatives of action (H) in the pursuit of maximization of his sum of self-happiness during his life span from (1) the probabilities (S) for being hit by the consequences of elements in the reality and (2) the value (V) that these consequences are expected to have for him during his life span (value = the ability of the consequences to influence his long-term sum of happiness); for more on S- and V-values see Section 3.1.

An individual, P, faces a choice of action. For each alternative of action, H_i ($i = 1, 2, \dots, \infty$), the possible consequences are K_j ($j = 1, 2, \dots, \infty$), and for each K_j the corresponding S_{ij} and V_j exist. For each alternative of action the same series of theoretically possible consequences with the same values exists, but the probability for the consequences to take place depends on the choice of action. S_{ij} and V_j are metaphysical parameters with existence in the reality, but their exact values are hidden for us. The reality directs its predisposing determinism through these parameters. The

$$D_n = \sum_{j=1}^{\infty} (S_{nj} \cdot V_j)$$

reality has a determining effect of D_n on the alternative of action H_n . The larger positive value, the larger determining effect the reality has on individual P to carry out H_n . Examples of elements with low determining effects on particular alternatives of action is “stay in prison” and “living in the ghetto” mentioned in the examples above; “winning \$2 million in a lottery” has a high determining effect for buying a new car.

The individual consciousness has the ability (free will) to evaluate the ability (V_j) of the consequences to influence his sum of self-happiness during his life span, and the probability (S_{ij}) for consequence K_j to occur for each alternative of action (H_i). And the individual consciousness is predetermined to try to find the values of S_{ij} and V_j . The estimates actually found by the individual consciousness are named s_{ij} and v_j .

The parameters for S_{ij} and V_j are metaphysically given and not under our control (see Section 3.1). Thus, it is the differences $|S_{ij}V_j - s_{ij}v_j|$ that the individual consciousness is responsible for, and these differences are the fundament settling to what extent we are to be blamed (or praised) for the consequences of our choices of action.. The lower difference, the better job is performed by the consciousness. But when the consciousness faces a choice of action, not only the potentially chosen alternative of action H_n is to be evaluated; all alternatives of action H_i ($i = 1, 2, \dots, \infty$) have to be evaluated. Therefore, the consciousness is assigned the following total blame/credit for a choice of action:

$$G = \sum_{i=1}^{\infty} \sum_{j=1}^{\infty} |S_{ij} \cdot V_j - s_{ij} \cdot v_j|$$

The rest is assigned to other humans and/or coincidences (chaos).

Example: Person A is imprisoned and he is to stay in jail for one more year. The fact that he is imprisoned is a part of the reality influencing the probability of performing alternatives of action and realistically, the imprisonment excludes a successful journey to Mallorca next year. The probability (S_1) for a Mallorca-trip-attempt to fail is very large and the value (V_1) of the consequences of such a failure is expected to be strongly negative. The probability (S_2) for succeeding escaping to Mallorca on vacation is very small and the value (V_2) of the consequences is expected to be moderately

positive. The stay in prison has a very high determining effect ($S_1 \cdot V_1 + S_2 \cdot V_2$) on “not attempting to travel to Mallorca” the next year.

Theoretically, he has free will to choose s_i and v_i in such a way that $\sum(s_i \cdot v_i)$ becomes favorable for the escaping attempt. But if he really makes this choice, it is because he believes that he has found the best values for S_i and V_i , but in that case his consciousness has performed bad thinking.

2.5.4.1 Time perspective

The reality can have so low determining effect on H_n within a time perspective of “a” time units that H_n (realistically) is excluded. But within a time perspective of “b” ($b > a$) time units, the reality can have so much larger predisposing effect that H_n becomes a realistic alternative of action. If we consider a time perspective of 0 time units ($t = 0$), the reality excludes all alternatives of action with 100 % certainty. When $t = 0.0000001$ seconds, for all practical purposes the reality will exclude all alternatives of action. When $t = 1$ week, the reality excludes a series of alternatives of action, whilst others may be realistic to perform.

3. Ethics

Morality is a set of norms and principles for the guiding of human actions. Ethics is the branch of philosophy that is occupied with discovering and defining such sets of norms and principles. To make morality meaningful for this definition, the following fundamental question is crucial: What is the purpose of the actions of the individual? Having defined this purpose, it is meaningful for ethics to ask which norms and principles (morality) humans are to base their actions on in order to achieve this purpose in the best possible way.

3.1 Praxiological fundament for rational ethics

If considerations of morality contra immorality are to be meaningful, the consciousness needs to have the ability to choose between alternatives of action (free will). The free will of humans is stated in axiom 2. The only valuable aspect in the Universe is happiness (see Section 2.2.2.2). The individual is the only human element with happiness-perceiving consciousness with ability to make choices of action; the nation, the race or the social class does not have such consciousness. The purpose of an individual human being is to maximize his self-happiness during his life span. The moral principles/norms are to guide an individual to maximize his sum of self-happiness during his life span. The individual is predetermined to try to achieve this ultimate value, but the norms and principles to use in this pursuit, are not predetermined (see Section 2.5.3).

When an individual is to make a choice of action Q_u , the individual has to evaluate what kinds of effects the actual alternatives of action H_i ($i = 1, 2, \dots, \infty$) may have on the sum of self-happiness during his life span. He has to ask the following question: “what *consequences* may be expected as a result of the alternative of action, H_i ?” and “which *value* (= degree of happiness) may these consequences be expected to have for me in the life-long perspective?” and “what is the *probability* for the consequences to occur?” We sum up these factors in one word: the *motive power* for choosing that particular alternative of action.

For each alternative of action H_i ($i = 1, 2, \dots, \infty$) the same possible consequences K_j exists ($j = 1, 2, \dots, \infty$), and for each K_j the corresponding S_{ij} (the real probability, “Ding an sich”, for the consequence K_j to occur by carrying out the alternative of action H_i – i.e. the probability that the performer of action realistically ought to predict at the time point for the choice of action) and V_j (the value of consequence K_j for the action performer that he optimally ought to foresee at the time point of the action choice – not what he *believes* about the value on beforehand). Even if we had known all factors influencing an action choice, we had at the time point for the choice of action not been able to calculate the consequences with absolute certainty because of quantum mechanical uncertainty effects. At that time point the consequences are not present as “Ding an sich”. Additionally, the performer of action can, realistically considered, never gain knowledge of all factors influencing during an action choice. Therefore, we have to consider the probabilities S_{ij} .

From the statements above the *expected happiness effect* (R_{ui}) of choosing to perform the alternative H_i in connection with the choice Q_u is defined by:

$$R_{ui} = \sum_{j=1}^{\infty} (S_{ij} \cdot V_j)$$

when we assume that the alternative of action has an infinite amount of theoretically possible consequences (for very many of these consequences the probability of occurrence will for practical purposes be zero, and therefore, in practice the alternative H_i has a finite number of realistic, possible consequences).

The performer of action will always choose the alternative of action that he *believes* to have the highest value of R. An alternative of action H_x exists ("Ding an sich") whose expected happiness effect, R_{ux} , is larger than or equal to R_{ui} for all $i = 1, 2, \dots, \infty$. The performer of action wants to find this alternative of action H_x . He does not know V_j and S_{ij} and therefore, he has to estimate these values as close as possible to the real ones with basis in the existing reality at the time point for the choice of action Q_u with the objective of finding H_x . The values that he finally reaches are denoted v_j and s_{ij} (ding für mich). Therefore, the motive power for choosing an alternative of action H_i for $i = 1, 2, \dots, \infty$ is:

$$M_{ui} = \sum_{j=1}^{\infty} (s_{ij} \cdot v_j)$$

He will choose the alternative of action H_y that gives the largest M-value (motive power), and at the time point of the choice of action the performer believes that $H_y = H_x$. He will choose the alternative of action H_y that gives the largest M-value (M_{uy}) (motive power), and at the time point of the choice of action the performer believes that $H_y = H_x$. If there exist other action alternatives that also come out with an M-value of M_{uy} , the consciousness draws lots among these.

The quality of the performer's thinking in the evaluation of the alternative of action H_i in connection with the choice of action Q_u is given by:

$$G_{ui} = \sum_{j=1}^{\infty} |S_{ij} \cdot V_j - s_{ij} \cdot v_j|_u$$

and the less this difference is, the better thinking has been carried out. But since S_{ij} and V_j are "Ding an sich"-values, we may very seldom with absolute certainty calculate this difference (except in simple game theory).

But the performer is not only to evaluate one alternative of action, but all H_i for $i = 1, 2, \dots, \infty$. Therefore, the quality of the performer's thinking in connection with the whole choice of action Q_u is given by:

$$G_u = \sum_{i=1}^{\infty} G_{ui} = \sum_{i=1}^{\infty} \sum_{j=1}^{\infty} |S_{ij} \cdot V_j - s_{ij} \cdot v_j|_u$$

The less G_u , the better quality of thinking has been carried out in connection with the choice of action Q_u .

When we are to evaluate to what extent a person has made a rational choice of action, we have to base the evaluation on consequences that the performer of action realistically ought to predict at the time point for the choice of action and not the consequences that the action really implied. If a person has performed an optimal evaluation in order to find the alternative of action H_x with the highest value of R, he has per definition made an optimally rational choice of action.

The individual will make very many choices of action through his life (the number is denoted "n"). When he consequently through his life makes optimal evaluations for finding the alternatives of action with largest R-value for each choice of action, he has an optimally rational action pattern (see Section 3.3 and 3.4). G_{life} is defined as the sum of all misjudgments connected to all action choices during his whole life. The less G_{life} , the better quality of total thinking has been carried out through his life:

$$G_{life} = \sum_{u=1}^n G_u = \sum_{u=1}^n \sum_{i=1}^{\infty} G_{ui} = \sum_{u=1}^n \sum_{i=1}^{\infty} \sum_{j=1}^{\infty} |S_{ij} \cdot V_j - s_{ij} \cdot v_j|_u$$

All humans are predetermined to try to choose alternatives of action in such a way that G_{life} becomes as small as possible (see Section 2.5.3).

3.1.1 Rational Gaudist ethics contra philosophically “correct” ethics

The ethical principle of Rational Gaudism is to maximize the sum of self-happiness of the individual during his life span by minimizing the value of G_{life} according to the principles described in Section 3.3 and summed up in Section 3.4, which fundamentally have the same content as the principles that natural science is built on (see Section 1.5). Actions performed on the basis of these norms and principles are moral according to Rational Gaudist ethics. You may be lucky and make more total happiness in life by using the principles of other philosophies, but the ethical guidelines of Rational Gaudism will maximize the *probability* of minimizing G_{life} and thereby maximizing the *probability* of creating as much self-happiness as possible during life.

This may be compared with a ski jumping competition in Planica. All the jumpers want to jump 250 meters, but they may have different strategies for reaching this objective. A good coach, good training based of their own and others' experiences with ski jumping, and implications of scientific theories for aerodynamics will be important elements in a rational strategy for maximizing the probability for jumping 250 meters. Other strategies may involve trusting in Mrs Fortuna and advantageous wind conditions, prayers to God or getting drunk for feeling as a World Champion before jumping. A participant may win the competition by using such strategies, but the probability of success is significantly higher by using the rational strategy.

In this book the concept “rational action” is used for describing an action that is based on *good* thinking. An optimally rational choice of action occurs when a person has performed an optimal evaluation in order to find the alternative of action with the highest expected happiness effect (R value). Thus, actions may have different degrees of rationality. The term “irrational action” is used for describing an action that is based on *inferior* thinking. A maximum irrational choice of action occurs when a person do not think at all when making a choice of action, e.g. acts wildly after having used narcotics. Thus, actions may have different degrees of irrationality.

“Correct” philosophers claim a rational action pattern to be the following:

- (1) Examine if there exists an ethically mandatory action alternative associated with the present situation of action choice; if so, this has to be promptly chosen without further evaluation, and (2) and (3) do not come into effect.
- (2) Ask if the alternative of action is ethically forbidden – usually from an altruistic moral code. If so, you are not to proceed to (3), but this alternative of action is to be discarded. If being ethically permitted, you are to proceed to (3).
- (3) Examine if it is value-profitable compared to other alternatives of action from a probability-consequence-value evaluation (see Section 3.1). If so, this alternative of action is to be chosen.

But the question is as follows: Why are you to accept the ethical command if rejecting it is significantly more value-profitable. What is the motive power to accept the ethical command? Is it the fear for punishment (from God, authorities, relatives, friends) if you do not accept it? If so, this is included in (3) and does not concern the non-value-profitable ethical evaluation in (1) and (2); thus, this explanation is not good enough.

Then it seems obvious to follow Kant: you are to accept ethical commands through an inner duty. But at one or another time point you have to have implemented this duty in your consciousness – eventually under (often strong) influence of parents, authorities, priests etc.

Next question follows: Why are you to accept the implementation of this duty in your consciousness (you have “free will” to choose to not implement it or to throw it out – even if the latter may be somewhat difficult)? What is the motive power? Actually, the last question has only been delayed in time. The only rational answer is that the motive power to accept this is that you expect to produce significantly more values during your life by implementing the duties than by not implementing them. Then a lot of duties ought not to be implemented, namely the irrational duties of Section 3.9.1.

Thus, you ought to implement those – and only those – senses of duty that maximize the probability of creating as much value as possible in the long-term perspective. But then we return to the result that the motive power is included in (3), and consequently only (3) is really relevant.

The only logical approach is to fuse (1), (2) and (3), and stating that the ethical norm for a human being is to be guided towards the maximization of his life-total value profit (and experiencing happiness is the only real value). You may choose between several moral codices. The rational choice has to be to choose the codex giving the highest probability for maximizing the lifelong sum of happiness; i.e. Rational Gaudist moral code.

3.2 Moral and immoral actions

If an individual performs an action without making a good evaluation (see Section 3.1.1), he has performed an inferiorly rational action. Such an action may of course imply positive consequences for the person in the future. But the probability for such an action pattern to maximize the sum of happiness of the person during his life span is very small. Such an action pattern is per definition immoral. If an individual carries out an action choice without thinking, he has performed some thinking at one or another time point before the action choice anyway (except for genuine instinctive or reflexive actions); he has thought out the conclusion that he will not think in that situation of action choice (e.g. thinking may seem too laborious). Thus, even a seemingly thoughtless action is to a certain extent based on evaluations by thinking. Nevertheless, we choose to define an irrational action to be an action that is based on inferior thinking. Absence of thinking may often be a bad choice, but if you suddenly have a lion in front of you, please do not sit down and think, but follow your escape instinct!

There is a difference of degree in bad evaluation, and the poorer evaluation, the larger potential for unhappiness. Thus, if it may be recognized that a person made a somewhat poor evaluation (regarded from the reality existing in connection to the choice of action) he has performed a somewhat immoral action (from 0 % immoral to 100% immoral). See also Section 3.5 and 9.3.

At the first glance, one could perhaps believe that the previous text in this chapter implies the immorality of performing an action with lower long-term expected happiness than the alternative actions (i.e. that obtains a lower M-value than the alternatives). But if the performer of action carries out an evaluation and chooses one alternative of action in preference to others, it proves that he *believes*, consciously or not, (at least at the very time point of the action choice) that the chosen action alternative is the one contributing optimally in the pursuit of maximizing the sum of self-happiness during his life span (see Section 2.5.3).

Given the existing reality, it is impossible to choose an action alternative that the performer of action (at the time point for the choice of action) *believes* give lower happiness during his life span than an alternative action (see Section 2.5.4 and 3.2.1). But it may have been a severe (or less severe) miscalculation during the choice of action (e.g. perhaps the person overestimated the value of a consequence). It is miscalculations of the expected happiness effects (R-values) considered in the light of the existing reality that makes an action immoral. Lessons in the form of consequences from miscalculations are to be used as a base of experience when one later on is to make new choices of action (see Section 3.3.1). Moral or immoral action depends on the quality of the job done by the action performer's consciousness in connection with the action choice – given the existing reality of that time – in estimating the action's expected happiness effect (R) on *him* during his life span.

3.2.1 Deliberately happiness-unprofitable action choices are impossible

Shortly after a choice of action a person says that he believes he would have generated greater sum of life-long happiness by performing action alternative H_1 than H_2 , but he performed H_2 anyway. Why did he choose this option? Soon after (perhaps even before, and long after) the action choice, he thought that performing H_1 would be more happiness-profitable, but at the very time point of the action choice he believed that H_2 was a more suitable element in his strategy to maximize his lifetime sum of happiness. The

reason for this is that chronological immediate consequences tend to be assigned larger absolute values by the consciousness than what the reality may account for. To avoid such miscalculations, it is important to strengthen a number of virtues; especially *self-discipline*, *patience*, *self-confidence* and *courage* (see Section 3.3.4).

Another person realizes over a long period of time that he may expect to significantly increase his lifetime sum of happiness if he carries out action alternative H, but he chooses to avoid performing H during this period. The reason for this may be as follows: at each possible time point for choosing H he believes that he will generate a little more lifetime sum of happiness if he delays the choice of action somewhat. Finally, the reality may have changed in such a way that he can no longer use H as a rational means to increase the life-long sum of happiness. In this example the person should seek to strengthen the virtue of *determination* (see Section 3.3.4).

3.2.2 Can animals act morally?

From the introduction of this chapter and Section 3.1 a moral code is a set of norms and principles for guiding a being's actions. To make morality meaningful for this definition, the following fundamental question is crucial: Based on its fundamental nature, what is the individual animal's purpose with its actions? Having defined this purpose, it is meaningful for the philosophy branch "ethics" to try to answer the question: "Which norms and principles (morality) are animals to base their actions on in order to achieve this purpose in the best possible way?"

The only valuable aspect for any being is happiness. The purpose of an individual happiness-perceiving animal is to maximize its immediate self-happiness (or minimize its unhappiness) on basis of its instincts. When the philosophy branch *ethics* is to answer the question above, the answer is directly given by the animal's fundamental nature: The animal can only use its *instincts* for guiding its performance of actions – other alternatives do not exist. Accordingly, the instincts of the animal are the animal's moral guideline. Since the animal is predetermined to follow its instincts, a happiness-perceiving animal only carries out moral actions. An animal cannot perform immoral actions. An animal without the ability to perceive happiness and unhappiness has no values or objective, and the concept "morality" becomes meaningless in the same way as for a stone falling to earth.

Superior animals have a certain, but very little, ability to choose between alternatives of action, but we denote this ability as insignificant since it is bound by the animals' instincts (see Section 2.5.2). Theoretically, we could say that such animals have a certain ability to distinguish between moral and immoral action, but for all practical purposes this ability may be denoted as insignificant.

3.2.3 Can organizations act morally?

Organizations (in this context companies are also included) do not have consciousness with the ability to generate self-happiness, and thus have no *direct* ability to act morally, but there is an *indirect* approach. Organizations have certain *objectives*, which directly or indirectly are expressed through their constitution (statutes) (see Section 5.4). These objectives express what its members, owners or founders want to achieve through the organization, which in turn are tools in the pursuit of maximization of their total sum of happiness during their lives. Thus, having ethical guidelines directly or indirectly included in the organization's constitution will be rational, and the path of thinking is that if the guidelines are followed by the employees, owners, leaders, members etc., it will optimally contribute to promote the objective. The individual participant may choose to include the ethical guidelines into his moral code, and usually he ought to do so; if he acts against them, he has committed contract breach (see Section 5.3.1). The consequences of acting against the guidelines ought to deter the individual participant from doing so; this may be direct consequences of contract breach (see Section 5.3.1.1) or different social discomfort. The individual participant may find it rational to establish a sense of duty against violating the ethical guidelines (PMI – see Section 3.9.1.1), giving him bad consciousness if he considers breaking the rules.

3.3 Concrete ethical guidelines

In Section 3.3 and 3.4 we will consider how to minimize the value of G_{life} (see Section 3.1) through a rational assessment of action alternatives and choices of action; to be precise, we will consider the way to act for an individual in order to maximize the probability for obtaining the largest possible sum of self-happiness during his life span (it is considered impossible to generate self-happiness after death).

3.3.1 The hypothetical deductive method as ethical guideline

3.3.1.1 Direct evaluation of probabilities and consequences

When a person faces a situation where a choice of action is required, he has to use both his own and other's earlier experiences as fundament for estimating the expected happiness effect (R-value) of the present alternatives of action. Based on the positivity or negativity of the values of the consequences of historically chosen alternatives of action and how often these consequences actually occurred, the performer of action can estimate the S and V values of the different consequences of the different action alternatives in the new situation of action choice. After having estimated these S and V values, he can estimate the R-values of the different alternatives of action, and then he will choose to carry out the alternative of action (H_y) with the largest estimated R-value. Thus, the hypotheses is that $S_{y_j} = s_{y_j}$ and $V_j = v_j$ for all $j = 1, 2, \dots, \infty$, implying that $R_x = M_y$ making H_y the best alternative of action (see Section 3.1). This also implicitly induces the hypothesis that the alternative of action H_y will be the best choice in situations very similar to the present one (see also Section 3.3.1.2). The effectuation of action H_y (experiment) may be partly regarded as a testing of these hypotheses. The consequences caused by the action may partly be regarded as results that may dethrone, weaken or strengthen the hypothesis, and will also contribute to the fundament of experiences when he (and others) is to make choices of action later on. If we consider the consequences (K_j for the actual values of j) of the chosen action alternative that implied more positive effect than expected, the hypotheses will next time be that $S_{y_j} = s_{y_j} + \Delta s_{y_j}$, and/or that $V_j = v_j + \Delta v_j$. If we consider the consequences (K_j for other values of j) of the chosen action alternative that implied more negative effect than expected, the hypotheses will next time be that $S_{y_j} = s_{y_j} - \Delta s_{y_j}$, and/or that $V_j = v_j - \Delta v_j$.

3.3.1.2 Association-based action choices

When a person repetitively carries out the same type of successful action alternative as the answer on the same type of situation of action choice, the brain will later on associate this type of situation of action choice with this particular alternative of action. The more frequently the performer of action successfully carries out the same type of action alternative when facing similar situations of action choice (or observes that others do), the stronger the brain's positive association becomes between this type of situation of action choice and the actual type of action alternative. This type of action alternative, as an answer on the actual situation of action choice, has resisted significant attempts of dethronement. If the performer of action has repeated experiences with his own or other's *unsuccessful* actions as answers on a certain type of situation requiring choice of action, an association will occur in the brain between this type of situation of action choice and the *avoidance* of carrying out the actual type of action. Along with the ageing of the individual an increasing pool of such associations will be created in the brain.

The use of such associations will give an implicit but faster evaluation of probabilities, values and consequences than if you were to estimate these directly for each possible action alternative and thus, the choices of action may (often?) be better and more rapid. The alternative of action that is estimated to have the highest R-value is stored in the brain, ready to use when its associated situation of action choice occurs and therefore, the performer of action does not need to perform significant thinking when the choice of action is to be taken. If the strength of the association multiplied by the degree of similarity with the imminent situation of action choice exceeds a given threshold, the associated action alternative is

automatically performed (if the threshold is not exceeded, the method from Section 3.3.1.1 has to be applied). The task of the consciousness' free will is to estimate (based on the principles Section 3.3.1.1) where this threshold should be, and this is done prior to the imminent action choice. The better the consciousness is able to estimate this threshold value, the more moral / rational the evaluation is, and the more moral / rational is the association-based action choices that follow thereof.

Thus, the use of association-based action choices is a rational tool in order to minimize the misjudgments, G_u , connected to the random action choice Q_u (see Section 3.1), and thus, a rational means in the pursuit of minimizing G_{life} , which is the sum of all misjudgments connected to all action choices during the whole life. The association-based action choices may sometimes occur so extremely fast that it presents itself as intuition. If the association between the situation of action choice and the actual type of action alternative becomes extremely strong and the choice situation occurs frequently, habitual actions originate (see Section 3.7.1).

Sometimes we may face a situation of action choice only briefly resembling situations that we earlier have attended ourselves or observed other to be in, but at the same time it is very difficult to directly estimate the values and probabilities of the consequences of the action alternatives. Then it may sometimes be better to retrieve an association from an experienced situation of action choice that is least different from the present one in stead of evaluating probabilities and consequences until you drop (if so, the threshold has to be set low). The similar approach will be even more important if we are in situations where we do not have enough time to relatively time-consuming evaluations of values and probabilities of the possible consequences of the action alternatives.

Actions may also be carried out as a combination of association-based actions and “evaluative actions” where a certain type of situation of action choice is associated with a little group of action alternatives. Facing a concrete situation of action choice, values and probabilities are evaluated only for the possible consequences of *these* action alternatives, and one alternative is chosen from this relatively small group on the basis of the principles of Section 3.1.

In the ways mentioned in Section 3.3.1.1 and 3.3.1.2 humans use the hypothetical deductive method in order to maximize the sum of happiness during their life spans. Some individuals may be lucky and produce significant amount of happiness by coincidence (e.g. find \$3 million in a suitcase in the forest). But HDM is “the safe way” for each individual to maximize the happiness during their lives. In total for all humans in the long-term perspective HDM will be the best method in the pursuit of maximization of happiness.

3.3.2 Types of actions that practically always are immoral

Associations can be created between an action alternative with a high degree of irrationality and a type of situation of action choice. If you begin to steal in situations where it is unlikely to be discovered, you can easily develop an association between theft and situations where stealing is possible. You then obtain an action pattern of thieving. Statistically, you will be captured some time, and besides such an action pattern increases the probability of inflicting negative social sanctions. Therefore, when considering what action alternative to perform in a given situation, you must also consider the action patterns (associations) you may expect to develop – for better or worse.

To what extent can Rational Gaudism predict if certain types of actions are to be consequently avoided?

Let us consider theft as an example. Each theft is performed in different situations, by different humans, with different outcome etc. But considering theft as a concept, it may be said to be immoral with high degree of objectivity (see Section 3.5). The reason for stating this is empirical testing (HDM): Considering the average change in the life-long sum of happiness that all committed burglaries have caused for the thieves themselves, we can with high degree of certainty say that this change is negative. Therefore, based on empirical testing we may say that theft has high degree of immorality at a safe level of significance. Another way of putting it is to say that the hypothesis of immorality of theft has resisted intense attempts of

dethronement to such a degree that the hypothesis is promoted to a *theory* and therefore not subjected to further empirical testing. Similarly, murder, rape, violence, swindle and other strongly right-violating actions are immoral – in practice irrespective of the situation of action choice. They would be even more immoral if the punishment for such crimes was increased and the clear-up mechanisms were improved (see Section 3.6.1 and 6.1.4). In a similar way, e.g. drug and alcohol abuse are considered to be immoral types of actions even if they are not right-violating. One mechanism for avoiding such actions is mentioned in Section 3.9.1.1 and is called PMI (“sense of duty against irrational actions”). PMI may function as an inhibitor against negatively habitual association-based action choices, which means establishing a sense of duty against performing actions that contribute to establish action patterns or habits which obviously are negative with respect to one's long-term maximization of self-happiness. Similarly, we may consider a sense of duty *in favor of* actions that contributes to establish obviously positive patterns / habits (PFR, see Section 3.9.1.2).

When you face a choice of action and are to evaluate (“scan”) the different possible action alternatives, the following question therefore ought to be asked: Is the considered type of action consequently immoral according to the guidelines in this section? If the answer is “consequently immoral”, do not carry out the action; the situations where such actions ought to be performed are so infrequent that we ought to forget it under normal circumstances (see also Section 3.6.1). If the considered action alternative is not consequently immoral, you have to perform a through-thinking according to the principles of Section 3.3.1.

3.3.3 Tie-break

When a potential action performer faces a choice of action, we have pointed out that he has to consider what kinds of action alternatives that historically have given him happy consequences. He also has to consider what kinds of action alternatives that have given other people happy consequences when they have carried out similar actions, and often he has to weigh this consideration in the direction of personality resemblance with himself. In this section we will derive principles for action choices if such information is inconclusive or more or less is absent.

3.3.3.1 Life-elongating actions

The individual's own survival is a prerequisite for obtaining positive self-happiness, and the factors that increase the ability of survival may also be expected to influence positively on the life quality. Besides, you will obtain a longer life span for summing up happiness. Therefore, we deduce that life-elongating actions statistically will promote the life-long happiness, and “life-elongating” is more objective than “happiness-promoting”. The following should be done when facing a choice of action: *If none or little historical information is present regarding the consequences of the realistic alternatives of action, or if such information is ambiguous, one ought to choose the alternative of action that is expected to have the largest life-elongating effect.* This means that each individual ought to establish a positive association in the brain between “situations of action choice with scarce or ambiguous historical information about consequences” and the action alternative “life-elongating action” (see Section 3.3.1.2).

Life-elongating actions are not to be sorted out for slavishly performance, but as a rational procedure for a quick search for well-suited hypotheses of action. By following the procedure of performing life-elongating actions consequently, suicide will never be rational, but it is rather obvious that suicide sometimes in very special situations may be relatively happiness-profitable. If a life-elongating action implies highly negative consequences after its performance, this type of action ought to be considered rejected at future choices of action. Eating orange is a life-elongating action, but you are not to continue eating orange if you experience allergic reactions against this fruit.

Examples of life-elongating actions are: healthy living, eating fruit and vegetables, physical exercise, no smoking. Another example follows here:

Man as a successful, productive being: *Homo habilis* differed from earlier hominoides by its use of technological tools. The reason for this was the increased capacity of rational thinking that led to the production of tools. The genes being prerequisites for producing tools had been evolutionary promoted because weapons were advantageous for the survival in the competition against other primates and for the efficiency in the hunting process. Thus, producing is the fundament for human existence. The genetic

changes that made the early man able to produce weapons and other implements, and which really had positive impact on the survival of the species, also had evolutionary unintended side effects: It is reasonable to assume that a prehistoric human being felt happiness when he watched his self-produced weapon. If he had felt neutrality or unhappiness, the motive power for weapon production would have been reduced, and that would have been evolutionary disadvantageous. When the competitors were (temporarily) conquered and sufficient amount of food was ensured, the prehistoric humans remembered the happiness of watching their newly produced weapons, and the early human entities wanted this perception of happiness to continue and to be enhanced. Therefore, they produced cave paintings, jewelries music etc, and obtained happiness by having the power to produce things originally thought out in their brains (self-realization). The perception of happiness is expected to be even stronger if other people admire the product. In the process toward the final product there is a continuously increasing level of happiness implying positive perception of happiness during this time (see Section 9.1).

Therefore, evolutionarily considered it is reasonable to believe that self-realization implies perception of happiness. Such happiness comes in addition to the happiness that potentially follows the product's practical use value or profit. Creative/productive activity may be to succeed at work, to develop a new product, to make a research discovery, to create a good home or social relations.

The evolutionary cause for human perception of happiness by performing successful production is now explained. But are such actions well-suited tools in the pursuit of maximization of the probability of gaining the largest sum of self-happiness during life? Statistically, individuals with the highest incomes (the most productive ones) have significantly higher life expectancy than low income persons. Thus, high productivity implies an increase in life expectancy. Therefore, productivity is a type of *life-elongating* actions. Productivity is also a virtue (see Section 3.3.4). Gallup polls show that individuals create long-term self-happiness when they succeed with their achievements. Thus, HDM and deduction from fundamental human nature lead to the same conclusion, which strengthens the statement that it is morally correct to be a productive human being and immoral to choose to be a non-producing human being.

3.3.3.2 Strong, short-term, direct perception of happiness

Superior animals have the ability to perceive happiness and unhappiness because it has been evolutionary favorable (see Section 2.2.2.1), and the objective for the individual animal is to maximize its immediate self-happiness. The animals are “machines” used by the DNA molecule in order to maximize the total mass of DNA in the world. When an animal performs an action that is advantageous with respect to the maximization of the total mass of DNA in the world, the animal obtains an immediate perception of happiness (pleasure). In the opposite case the animal obtains an immediate feeling of unhappiness (pain). Since animals are not rational beings, they will almost “automatically” perform those actions which are advantageous with respect to the maximization of the total mass of DNA in the world within the limitations of the present environment. A human being is also the result of evolution, but he is a rational, happiness-perceiving being, and his objective is to maximize his self-happiness by his thinking – not to be a slave for the DNA-molecule. Strong short-term perceptions of happiness are used by the DNA-molecule to cheat us into performing actions leading to the maximization of its total mass in the world. The individual should use his rationality to avoid being cheated by the tyranny of the DNA molecule, and in stead perform those actions, which within the present realities, will maximize the probability for obtaining the largest possible sum of self-happiness during the life span.

Since strong short-term profit of happiness is used by the DNA-molecule to cheat us to be its slaves, we ought to be especially skeptical against performing actions that are expected to have strong short-term value profit. Such actions ought to be considered only if they obviously are not long-term unprofitable with respect to happiness. If you have the choice between two alternatives of action apparently being approximately equal in rationality (see Section 3.1), you ought to choose the alternative that is expected to give the least short-term perception of happiness. We may fail to perform the best suited actions (in the pursuit of the maximization of the ultimate value) by having such an approach on short-term strongly value-profitable actions, but the probability of failure is assumed to be significantly larger if we consider otherwise.

3.3.3.3 Choices of action with highest potentially continuous use of HDM

The fundamental nature of HDM is testing and failure. We define the concept “fatal consequence”: A possible consequence from a hypothesis of action that will exclude testing of alternative hypotheses in the future if the consequence really occurs.

A person makes a choice of action and chooses the alternative of action (hypothesis) H. A non-improbable negative consequence of the action is the negative consequence X. This consequence has a serious character, and he will be attached to it the rest of his life. If X occurs, H is in practice falsified, and he will want to test another hypothesis. Based on his misjudgment he will theoretically be able to produce a new hypothesis of action in his consciousness. But he is unable to test the hypothesis in practice since X directly prevents him from doing that, and he is stuck with the falsified hypothesis. We call H a “dead-end” hypothesis. A banal example of this is a person who believes he will produce more life-long happiness by cutting off his legs than by keeping them. More realistic examples are getting married without option for divorce or electing a president for life time dictator.

We ought to avoid such “dead-end” hypothesis unless the probability of occurrence of their fatal consequences is very small. The logical continuation of this is the following ethical guideline: Perform the alternative of action that is expected to have consequences allowing the longest potential ramification of practical possible testable alternative hypotheses. This philosophical statement is considered to be logically deduced from the fundamental nature of HDM.

3.3.4 Virtues

Virtues are the human qualities needed by the individual for the maximization of his sum of self-happiness during his life span, i.e. for living a moral (rational) life. Thus, *rationality* becomes the arch virtue, and the *virtues* are those human qualities that in sum constitute *rationality*. When deducing the real human virtues it is necessary to consider each and one of the elements in the sections 3.1–3.3 influencing the rational choice of action, and then deducing implications from these elements. These elements are numbered 1-10 below:

- 1) The length of the time horizon for maximization of the happiness. A rational action pattern requires that we rationally consider the entire life (and this does not include religious eternal life) as the time horizon when we are to choose alternatives of action in the pursuit of happiness. The objective is not to maximize the happiness next week and then underestimate the effects of the consequences on the rest of the life. It is neither rational to consider generation of happiness after death (eternal life). **Self-discipline** and **patience** are virtues needed for this purpose.
- 2) The probability of positive consequences to occur. Here, the virtue **self-confidence** is to be considered. Exaggerated self-confidence may lead to an overestimating of the probability of positive consequences of an alternative of action to occur. If an individual has exaggerated self-confidence, he will probably attain a lot of negative consequences during life that he ought to have avoided. Too little self-confidence will lead to an underestimation of the probability of positive consequences of an alternative of action to occur. Many positive consequences will be avoided that ought to have occurred. Therefore, it is important to achieve a golden mean between too much and too little self-confidence.
- 3) The probability of negative consequences to occur. If you are foolhardy, you will underestimate the probability of negative consequences to occur, and in practice you will obtain a lot of negative consequences that ought to have been avoided. If you are cowardly, you will overestimate the probability of occurrence of negative consequences. In practice you will lose a lot of positive consequences that ought to have occurred. The virtue to pursue is **courage**, the golden mean between foolhardiness and cowardice. Thus, *courage* and *self-confidence* are of a piece.

- 4) Assign correct value to the possible consequences of an alternative of action. When facing a choice of action where different alternatives (hypotheses) may be chosen, you have to make a realistic evaluation of how the consequences will influence your sum of happiness during your life span. It is important to know what makes you happy but also what historically has made other people happy (and especially persons resembling yourself). Therefore, **analytic ability** and **psychological insight** are important virtues. If you more or less consequently underestimate the absolute value of the consequences throughout your life, the result is that too few actions are carried out – doing nothing is much too often the preferred hypothesis. Unawareness, indifference and laziness become the result. Therefore, the golden mean of **willingness to make efforts, activity, passion** and **awareness** are also important virtues.
- 5) For how long are we to keep on to a hypothesis of action before adopting a new one? Having chosen a hypothesis of action, unpredicted negative consequences may arise during the “practical testing”, or predicted negative consequences may be larger than anticipated. Given such a situation, a turn-around to an alternative hypothesis of action may be carried out, or it may be rational to keep on to the original hypothesis. Thus, **flexibility** and **integrity** are important virtues. They are the golden means between stubbornness and fickleness. Integrity is an important virtue for maintaining rational senses of duty (see Section 3.9.1).
- 6) How quickly is the choice of action to be made? Some choices of action ought to be taken very rapidly, whilst others ought to be taken after long consideration. If all realistically achievable relevant information already is present in the brain, the brain may have solved the problem on beforehand at earlier, similar situations. The answer lies latently in the brain and pops up as an immediate solution to the present problem – further thinking will only delay the process without giving any better choice of action alternative (see Section 3.3.1.2). Therefore, **determination** is an important virtue, while its extremities are supereagerness and action paralysis.
- 7) The amount of alternatives of action present. When facing a situation where an action is required, it may be important to have relevant alternatives of action to choose between. Therefore, it is important to have the ability to discover different alternatives of action. Thus, **ingenuity** is a virtue.
- 8) Collecting information about the consequences of the actions of other people. When evaluating the probability of different consequences to follow from different alternatives of action, it is important to be aware of what kind of consequences similar alternatives of action historically have given other action performers (and especially persons resembling yourself). Thus, **social intercourse** (also via Internet) becomes an important virtue.
- 9) Remembering consequences of my own actions. Similarly as in item 8; when you are to evaluate the probability of different consequences to follow from different alternatives of action, it is important to remember what kind of consequences similar alternatives of actions historically have given you. Therefore, **good memory** is a virtue.
- 10) Keep on to the reality. The evaluation of the probability for consequences to occur has to be considered according to the existing reality, and not according to your own dreams. It is neither rational to consider generation of happiness after death (eternal life). Therefore, **honesty** and **ability to grasp the reality** are virtues. If you are stuck in drug or alcohol inebriation, you will have significantly reduced ability to grasp the reality, and the probability of performing rational actions is reduced. The use of drugs and alcohol at a level where the reality disappears more or less constantly is very immoral on a deductive basis. This is also in accordance with the observation that many drug addicts and alcoholics are unhappy.

Summing up into three groups we have the following personal qualities that will help the individual in the pursuit of maximizing the sum of happiness during his life:

Character strength: *self-discipline, patience, self-confidence, courage, determination, flexibility, integrity, honesty, awareness*

Acquisition of knowledge: *analytic ability, psychological insight, good memory, ingenuity, ability to grasp the reality, social intercourse*

Productivity: *willingness to make efforts, activity, passion*

3.3.4.1 The virtues make a part of the reality

If an individual has too little of one of these virtues, the shortage has to be regarded as a negative predisposing determinant; e.g. a part of the reality influencing negatively on a consciousness' choices of action. A missing virtue is a part of the personality and cannot be immediately chosen by the individual. The personality is created through influence of heritage, environment (parents included), coincidences and not at least your own choices. However, the personality can only be changed through laborious self-efforts during a long period of time. Having changed one's personality in the direction of increased amount of the virtue, the reality (which limited his realistic possibilities of success with an alternative of action) is changed (see Section 2.5, 2.5.4 and 3.2.1). He will have a better potential for creating happiness in the future. A person having too little courage does not act immorally if he avoids performing an action that requires a lot of courage, but it has been immoral to reject the performance of those actions which earlier in his life would have given him a more courageous personality. It is important to establish good virtues at young age when the time perspective, which the happiness is to be maximized over, is at its largest. Similarly, the importance of establishing or reinforcing virtues will decrease in line with increasing age.

If a person has one or more virtues being too weak, he ought to make self-efforts to gradually strengthen the virtue(s) and/or seek a psychologist to get help. But be aware of the fact that changing the personality (strengthen the virtues) is a process that may be very laborious, and the individual should have the realistic view that the process of changing *may* have a cost-benefit ratio > 1 .

3.4 Summary of the ethical guidelines of Rational Gaudism

This section is a short, summarized overview of the Rational Gaudist principles for moral choice of action. Based on the self-happy-motivated nature of the human being the individual is predetermined to try to maximize his sum of self-happiness during his life span. The ethical principles of Rational Gaudism are to maximize the probability for best success in this attempt.

Prior to a choice of action you ought to have acquired the virtues (see Section 3.3.4) that per definition are the qualities needed for maximizing the ability to perform the process here described. You also ought to have implemented rational senses of duty prior to the action choice. The choice of action is governed by the principles in Section 3.1. Considering the best and most efficient way of minimizing G_{life} (see Section 3.1), the individual ought to follow these rules with his acquired virtues and rational senses of duty at the time point for the choice of action (see Section 3.3 supplemented by 3.9.1):

- 1) During the choice of action you first ought to listen to eventual strong, rational associations between the present situation of action choice and a certain alternative of action or a rational sense of duty. If the strength of this association exceeds an earlier chosen threshold, the action alternative is to be performed without considering other alternatives (see Section 3.3.1.2). If the association implies a PFR or a duty of virtue, the alternative of action is also to be carried out immediately without further considerations (see Section 3.9.1.2 and 3.9.1.3). Performing an association-based action can strengthen or weaken the association depending on the magnitude of the experienced happiness effect of the consequences of the action.

- 2) If no sufficiently strong rational association is found between the actual situation of action choice and a certain alternative of action, a sense of duty or a PFR, you have to evaluate (scan) each of the other possible alternatives of action. If an alternative of action is an implemented PMI, the action alternative has to be automatically discarded without further considerations. If no PMI is involved, each of the possible alternatives of action has to be *directly* evaluated with respect to expected happiness effect, R (see Section 3.1) according to the following principles:
 - a) Which values (v) have the possible consequences of the action alternative given the performer, and with what frequencies (s) have these consequences occurred when *the present performer of action* historically has chosen similar action alternatives? Performing the action is partly regarded as a testing of the hypothesis that the estimation of S and V represents (HDM).
 - b) Which values (v) have the possible consequences of the action alternative given the performers, and with what frequencies (s) have these consequences occurred when *other people* historically have chosen similar action alternatives, and which the present performer of action is aware of? The performer of action will often have to assign more weight to persons resembling him and less weight to persons differing strongly from him. Performing the action is partly regarded as a testing of the hypothesis that the estimation of S and V represents (HDM).
- 3) If point 2 is inconclusive or such information is more or less absent, the two following principles may be helpful:
 - i) Deductions from the fundamental human nature (life-elongating actions, anti-short-term happiness).
 - ii) The consequences of the action alternative are to avoid preventing HDM as much as possible in the future.

The consequences actually realized after carrying out an action will for the future enter the pool of experiences, primarily for the performer himself, but also for other people obtaining knowledge of these consequences.

3.5 Subjective, objective and intersubjective moral evaluations

The fundament of Rational Gaudist ethics is that experiencing happiness is the only valuable aspect of the reality. Therefore, it is objectively morally correct to perform those actions that are rationally expected to maximize one's self-happiness during the life span. In order to create surplus of happiness in the future, you have to perform those fundamental actions needed for sustaining your life. But even the question of the moral correctness of sustaining your life is to a certain degree (usually so very low degree that it resembles absurdity) subjected to subjective evaluations since the judgment that future positive creation of self-happiness is impossible / improbable cannot theoretically be excluded whatever situation being considered. Strictly speaking, the question of the morality of sustaining life is subjected to an intersubjective evaluation, but usually the answer is "yes" with that high degree of intersubjective consensus that it resembles objectivity. When considering *how* to sustain life and especially *how* to maximize the sum of self-happiness during life, the degree of subjectivity in the intersubjective evaluations increases. Of course, the degree of subjectivity depends on the type of action to be considered. The only absolute objective is that it is morally correct to perform those actions which rationally are expected to maximize the sum of self-happiness during the life span.

Regarded from a Rational Gaudist perspective, the moral quality of an alternative of action is basically estimated from the frequencies (s) that the possible consequences historically have occurred with from the actual alternative of action and which values (v) these consequences historically have given action performers during their life spans. These frequencies, consequences and values are (have

been) a part of the reality – they are not subjective wishes, whims and dreams of the present action performer – and therefore they make an objective dimension. Thus, the reality's corresponding probabilities (S) and values (V) are not absolutely known for the action performer and have to be estimated by his consciousness, and this is the subjective dimension of the Rational Gaudist ethics. The latter gives the basis for a rational variation in the moral judgements from Rational Gaudist ethics among persons evaluating the same alternative of action in the same situation of action choice.

On the basis of the text above, we can never completely objectively (independent of the observing subjects) establish if a choice of action was immoral (irrational) or exactly how immoral/irrational it was. The best evaluation we are able to make is an intersubjective judgment by an “expert panel” whose degree of consensus estimates the degree of objectivity, presupposed that the evaluations are carried out on the basis of the philosophical considerations of Section 3.4 (see also Section 9.3 for extensive text). The larger standard deviation in the “experts” judgments, the more subjective the morality/rationality of the action choice usually is. The smaller standard deviation, the more objective the morality (rationality) of the action choice usually is.

3.6 Self-happy motivation and how to consider other individuals

Self-happy motivation. The individual performs an action where the final purpose is to create happiness for himself.

Altruism. The individual performs an action where the final purpose is to create happiness for others without considering his self-happiness.

Each human action is self-happy-motivated because the individual is the only human unit having the ability to perceive happiness; the nation, family, social class or race are not elements with the ability to perceive happiness (see Section 2.2.2.2 and 2.5). Therefore, “altruistic” actions do not exist in spite of the fact that some actions may seem altruistic. Altruism only exists as an ethical ideal in many people. But essentially, “altruism”, as defined above, is hypocrisy or ignorance. Altruism is “the emperor without any clothes”.

Considering the concept “*egoism*”, Rational Gaudism uses the definition that corresponds to the general understanding among people: An *egoistic action* is an action where the purpose obviously is to create happiness for the performer, but at the same time there is large probability for significant negative consequences for other people or happiness-perceiving animals. *Egoism* is an action pattern including a lot of egoistic actions.

All individuals are always self-happy-motivated when performing their actions; sometimes they are aware of it (conscious self-happy motivation), while other times they are not (unconscious self-happy motivation). A Rational Gaudist is always conscious that his and others' actions are self-happy-motivated, and his ethical ideal is to always be rational (from the description in the sections 3.1 – 3.4) in his conscious self-happy motivation (rational conscious self-happy motivation).

When an individual performs an action, the final purpose behind the action is always to create self-happiness. Miscalculations may be performed in connection with a choice of action (wrong thinking, too little thinking, gather too little information about the reality etc.), which may contribute to making the consequences different from the purpose at the time point of the action choice. But the motive power (the expected happiness effect that the performer subjectively believes in at the time point of action choice; i.e. the M-value) is all the same self-happy motivation. All human actions can be distributed into three groups: primary, secondary and tertiary self-happy-motivated actions (see Section 3.7, 3.8 and 3.9). Self-happy motivation is an attribute of the fundamental human nature and not an ethical guideline; the ethical guideline of Rational Gaudism is *rationality* as described in the sections 3.1 – 3.4 and 3.9.1.4. Since the description of moral and immoral actions interact significantly with the different types self-happy-motivated actions, it is most appropriate to address self-happy motivation in the chapter of ethics.

A natural question arises: “Are we to consider what kind of negative or positive consequences our actions cause for our fellow men?”

The answer is as follows: A human being ought to consider his action's consequences for other people (and the probabilities at which these are expected to occur) to the extent the consequences of the action secondary or tertiary return him positive or negative feed-backs. Additionally, if a human being makes interhuman considerations, it is done because the performer of action (at the time point of the choice of action and given the present reality) believes in significantly more self-happiness during his life span compared to what he would have produced if he had not been considerate towards his fellow men. This is a consequence of the fact that individuals are predetermined to perform only self-happy-motivated actions.

If a person makes an optimal rational evaluation from the existing reality and concludes that he will create more happiness during his life span by killing a human than by avoiding the murder, it is not immoral to kill that human. But usually, the existence of a State that punishes murderers is a part of the reality. If the killing of a human being is to be morally acceptable, the killer has to consider the probability for the killing to be cleared up by the Police and the strong potential negative value of the punishment. Revenge from the friends and family of the victim has to be considered together with the interior fear of being punished. Additionally, we have some basic “instincts” giving us an immediate feeling of unhappiness when we consider committing a murder (see Section 3.7.1). Under normal circumstances it is very unlikely that killing a human being is morally (rationally) acceptable and therefore, such an alternative of action ought to be consequently avoided (see Section 3.9.1.1). Exceptions are in self-defense, war and anarchy. There are probably some murderers who have produced significantly more self-happiness during their life spans by committing a murder than by avoiding it. But usually, this “happiness” has not arisen as a consequence of a rational evaluation, but by “being in good luck” after a very bad evaluation (see the example with red and green balls in Section 3.9.1.1). Such production of self-happiness “by luck” is not in accordance with a moral action pattern.

The considerations may be different in anarchy or war. In anarchy there is no State punishing killers (but gangs being friendly to the victim may take revenge); you may have to kill in order to survive. In a war you will not be punished for killing the enemy (maybe you will be punished if you refuse to kill the enemies), and then killing is not necessarily immoral. Intuitively, most people will agree to the non-immorality of killing in war or anarchy. Thus, the ethics of Rational Gaudism implies this intuition without creating special moral rules in war for making killing morally acceptable.

3.6.1 The role of the State in ethics

The State has an important ethical role in influencing the reality. On the basis of its rational nature, each human being has certain nature-given (innate) rights (see chapter 4 and 5). The State is obliged to ensure that these rights are not violated; nature does not automatically prevent right violations since other individuals are predetermined to try to make choices of action in the pursuit of maximizing their self-happiness during their life spans. The State, contrarily, has to ensure that other individuals do not invalidate these nature-given rights (life, liberty, happiness and all logical consequences thereof) (see Section 4.4). Therefore, the State has an obligation to make the mechanisms of crime resolving and punishment so firm that a person will commit an immoral act (see definition in Section 3.1 – 3.4) if he violates the nature-given rights of another individual. Thus, the mechanisms of punishment from the State will force a moral/rational action to correspond with the nature-given rights of the individual.

The Rational Gaudist society will include such mechanisms for crime resolving and punishment that the probability for right-violating actions to succeed becomes close to zero (see Section 6.1). The probability for right-violating actions to maximize the self-happiness for a potential criminal during his life span will be so tiny that it will not be rational to consider right-violating actions (see also Section 3.9.1.1 on green and red balls). If the mechanisms for crime resolving and punishment are significantly more inferior than here described (e.g. a left-winged society being kind to a fault), it may be rational for potential criminals to consider the performance of right-violating actions, and the rationality in the performance of such actions will increase proportionally with the degree of anarchy in the society (but in sum the citizens will of course lose in such a semi-anarchistic system). On the other hand, it is somewhat weird to discuss rational actions in an irrational society.

The presence of irrational senses of duty and metaphysical ideas may have certain positive effects for the society (e.g. Christians who believe they will arrive Heaven if behaving nicely in their life on Earth), but this presupposes a widespread presence of an irrational philosophical basis in the society. However, this philosophical irrationality is expected to have other, very negative effects overshadowing its moderate positive effects. For instance, an irrational expectation may easily arise among people that irrational senses of duty will be sufficient for solving social problems in situations where clear rational incitements are required. Therefore, the State ought not to stimulate such irrational ideas even if they may have certain short-term positive effects; contrarily, the State ought to refrain from this.

3.7 Primary self-happy-motivated actions

These actions give the performer directly happiness as a consequence of the action. When you breathe, eat, or take a walk in the forest, you perform primary self-happy-motivated actions (PEM actions), and these concrete examples are *rational* PEM actions. If you steal a wallet and use the money to buy something that gives you happiness you also perform a PEM action, but the rationality is dubious.

PEM actions may often overemphasize the short-term positive effect of an action and give too little consideration for the secondary negative effects. The problem with some PEM actions is the following: A person performs a PEM action that he expects to obtain positive effects from. These effects may completely or partly be absent. But the action may also have negative effect for other persons, and they may secondarily cause him consequences of larger negative value than the value of the original positive consequences. Thus, such actions may be immoral to different degrees if the performer of action has made miscalculations considered in the light of the present reality. Egoistic actions are often, but not always, irrational (immoral) PEM actions. Life-elongating actions are rational and primary self-happy-motivated in tie-break (see Section 3.3.3.1).

3.7.1 Instincts and habits

Homo sapiens has some instincts (e.g. maternal instinct, the instinct of the child to take milk from the breast, sex, the female tendency to prefer strong men, and effects from mirror neurons). These instincts have been acquired by the humans because they were important for the survival of our species; if the human race had not possessed these instincts, extinction would have been the result. If we act against our instincts, we obtain an immediate feeling of unhappiness. If we act in accordance with our instincts, we obtain an immediate feeling of happiness. The basic human instincts may be regarded as predisposing determinants influencing the free will. A mother being instinctively caring towards her child obtains a good inner feeling. If the mother avoids following this instinct, she will obtain a bad inner feeling. Sex in its explicit form is a PEM action, and children follow as a side effect from that PEM action (of course, the child may have been planned from a rational evaluation, and then it is secondary self-happy motivation).

Instinctive actions are PEM actions where the positive effect for the *species* occurs as a side effect of the PEM action. It will often be value-profitable to make a hard rational evaluation and act against the instincts because the instincts are aimed towards the quantitative maximization of the DNA-molecule in the world given the environment that existed on Africa's savannas for many ten thousands years ago, and not towards the maximization of life-long self-happiness for the individual who performs the action. Sensation of empathy is not to be obeyed blindly, but ought to be an incitement to undertake a rational evaluation of the situation. If the sensation of empathy and the sensation of rationality correspond, follow the empathy. If there is discrepancy, rationality ought to rule over empathy.

Superior animals are supposed to perform only PEM actions since such animals mostly are instinctive beings (see also Section 2.5.2); with the possible exception of the most advanced apes, which perhaps additionally perform some SEM actions (see Section 3.8). Immediate individual perception of happiness is the motive power that makes the animal act in accordance with the long-term survival of the species and thereby contributing to the maximization of the total mass of the DNA-molecules in the world. The consciousness of the animal wants to achieve a sensation of happiness (pleasure); the individual animal is indifferent with respect to the long-term survival of the species. Beings that do not possess the ability to perceive happiness and unhappiness do not have any self-happy motivation, and accordingly they do not perform PEM actions but automatic actions.

Humans (and animals) can learn to perform actions in such a way that habits are developed (see also Section 3.3.1.2). The mechanism is that you perceive a psychological feeling of unhappiness by omitting the performance of a habitual action where the learning dictates you otherwise. Therefore, the mechanism for habitual action is primary self-happy motivation after the same pattern as for instinctive actions. Habits may be regarded as “acquired instincts”. Habitual actions are very strong association-based actions (see Section 3.3.1.2) whose correlated situations of action choice occur frequently. Other association-based actions (not PFR actions) contain progressively stronger primary self-happy motivation in line with stronger association between the situation of action choice and the action alternative.

3.8 Secondary self-happy-motivated actions

These are actions which create happiness in another human being than the performer (or alternatively, in an animal). But the motive power is not to make that person happy. The motive power behind the action is to obtain positive feed-backs from the other person (or from other people observing the action). These positive feed-backs are expected to have larger positive value for the performer of action than the loss of freedom (= potential loss of happiness) by performing the secondary self-happy-motivated action (SEM action) have in negative value (eventually, the motive power may be to avoid negative feed-backs). There is an adage saying that “the greatest obtainable pleasure is to make others happy”. This emphasizes the essence of secondary self-happy motivation.

A person P considers performing a primary self-happy-motivated action H_1 that he expects to gain some positive consequences from. But the action may have negative consequences for other people, and they (or observers of the action) may secondarily provide him with consequences of larger negative value than the original consequences of action H_1 offered him in positive value. The awareness of this may convince person P to avoid the performance of action H_1 . Another possibility is that H_1 does not affect any other individual at all, but person P is observed by a person Q. From empirical information person Q knows that actions of type H_1 statistically are associated with actions of type H_2 which are generally disreputable for having negative consequences for other human beings. Therefore, it is rational for person Q to be skeptical towards person P out of fear for the consequences from the potential actions of type H_2 . The awareness of this makes up a rational motive power for person P to avoid the performance of actions of type H_1 . The avoidance of performing action H_1 is in both cases secondary self-happy-motivated.

If you perform an action that clearly has destructive effect on other people in about 500 years, but which you profit from right now, you will obviously not feel the consequences of the future humans' negative feed-backs. What is the rational motive power to stay away from carrying out such an action? When you perform an action that harms future people, contemporary observers of your action may think that there are underlying qualities in you that is the reason for the action, and the implication of these qualities is that you are more likely to perform negative actions also against today's people. Your current fellows may become skeptical about you as a person and may give you negative feed-backs, which may have negative consequences for your life-long sum of self-happiness. But we should be aware that the effect mentioned in the preceding sentence is limited.

A capitalist produces products of good quality for the market, but the motive power or final purpose is not to please the market, but making good products is a necessity for obtaining positive feed-backs from the market in terms of economical profit. We often hear capitalists say that the prices are reduced in order to please the customers. This is hypocrisy. It is a tool for generating more economical profit in the long-term perspective than what would be achieved without reducing the prices.

3.9 Tertiary self-happy-motivated actions

These actions do not create positive, primary perception of happiness in the performer (but can often imply primary perception of happiness in another human or animal), but the motive power is the expectation of positive feed-backs from his inner consciousness. Tertiary self-happy-motivated actions (TEM actions) may often seem not to be self-happy-motivated, and may therefore be wrongly regarded as altruistic (but some SEM and PEM actions may also seem altruistic).

The mechanism when performing a TEM action is as follows: A person considers performing an action in the outer reality. This action is projected into his consciousness, and he put the projected action into his own inner reality where he has certain thoughts about how he wants to regard himself – this is called his *self-picture*. If the projected picture of the action is strongly in conflict with his self-picture, the positive self-picture is completely or partly destroyed, and his self-esteem is reduced. A consequence of this is a negative feed-back from the self-picture in his consciousness, and this gives a perception of unhappiness. To avoid this perception of unhappiness the person must omit the performance of the actual action in the outer reality. Oppositely, if he carries out an action strengthening his self-picture, his consciousness will give him a certain feeling of happiness or at least absence of unhappiness. TEM actions are motivated by an inner sense of duty attempting to maintain the positive self-picture. Examples of TEM actions are given in Section 9.4.

3.9.1 Senses of duty and rational TEM actions

When a person performs a TEM action, the purpose is to contribute in the best possible manner to maximize the happiness during his life span. But a person can be indoctrinated or indoctrinate himself to have whatever self-picture, and such self-pictures may even be seriously perverted (e.g. Germans who killed Jews as a duty towards “Der Führer” even if they felt disgust by doing so, Pol Pot's soldiers who felt killing as a holy duty, persons who donate all their assets as part of a religious duty). Irrational TEM-actions often underestimate the long-term negative consequences of the alternative of action and overestimate the long-term positive consequences by sustaining the self-picture (see Section 9.4.1). Considering all TEM actions that are being performed in today's society, they will probably more often be based on miscalculations than the other types of actions. Thus, they are rather often immoral. The question needed to be answered is the following: “Which criteria are to be followed in order to perform rational TEM actions?” Firstly, we have to figure out which senses of duty being rational. The starting point for all rational patterns of action is that the only objective of the individual is to maximize the sum of self-happiness during his life span. Rational duties have to be elements included in the strategy of achieving this objective (see also Section 3.1.1) and are described in Section 3.9.1.1 – 3.9.1.3.

3.9.1.1 Senses of duty against irrational actions (PMI)

We ought to build up senses of duty against actions that on rational basis and beyond reasonable doubt are proven to be non-profitable with respect to happiness in the long-term perspective (PMI). This includes PMI against narcotic substances, abuse of alcohol, and smoking. These are *global* PMIs since these types of action are uniformly happiness-unprofitable for all individuals. An individual may also have *local* PMIs; senses of duty against types of action that repeatedly have been shown to be happiness-unprofitable in the life of *this* individual. The motive power to omit the performance of an irrational action through PMI, even if you have a desire to carry it out, is the self-picture giving you the feeling of being a mega-asshole when you consider its performance. This will be a significant incitement to avoid highly irrational actions. PMI may function as an inhibitor against negatively habitual association-based action choices (see Section 3.3.1.2): PMI may stimulate a habit with avoiding a certain irrational action alternative by gradually skipping the sense of duty giving rise to a strong, direct association between *all* situations of action choice and the avoidance of this special irrational action alternative (see also 3.9.1.2).

The probability for a right-violating action pattern to be happiness-profitable in the long-term perspective is very small (except in anarchy-like situations and in situations where right-obedience implies fatal consequences for one self). This knowledge is established through empirical testing (HDM) by regarding a waste of humans having had such an action pattern. This will especially be the case in a Rational Gaudist society since it contains adequate punishments and crime clear-up mechanisms. *Therefore, each human being – from childhood and ahead – ought to build up and sustain a picture of right-violating actions as consequently irrational* (see also Section 3.3.2).

The rationality in establishing and sustaining PMI may be illustrated by game theory. Having a box with 98 red balls and 2 green balls we ought to go for “red” if we are offered \$1500 for guessing the color of a randomly drawn ball. We ought to repeat this choice consequently each time we are presented for this offer (drawing with subsequent hand back) since the probability for a green ball to be drawn is so small. Correspondingly, a rational human being does not waste time on the evaluation of performing irrational actions, right-violating actions included.

3.9.1.2 Senses of duty for rational actions (PFR)

We ought to build up senses of duty (PFR) for types of actions that beyond reasonable doubt have been proven to be very rational in the long-term perspective, i.e. that have resisted intense attempts of dethronement. PFR makes you immediately feel as a good human being when you act in accordance with it. PFR may be e.g. physical exercising, eating fruit and vegetables and being clever at school when you strongly dislike doing it at the present time point. If there exist an association between a situation of action choice and a PFR, carry out the corresponding action immediately without considering other alternatives of action. We may have both global and local PFRs in the same way as for PMI as explained in Section 3.9.1.1. Implementation of too many PFRs may remove the attention away from the real important duties.

PFR actions are always linked to *relevant* situations of action choice, and this *may* also be the case for PMI actions, but often PMI actions are to be consequently avoided irrespective of the situation of action choice. The difference between association-based actions (see Section 3.3.1.2) and PFR actions is that the former action choices involve an association (which may be very strong or less strong) between *situations of action choice* resembling the present one and a certain *alternative of action*. Contrarily, a PFR action involves an association between *situations of action choice* resembling the present one and a certain *sense of duty*, and further there is an association between this *sense of duty* and an *action alternative* where the sense of duty claims you to be an asshole if you do not carry out that particular action alternative. A PFR action is no habitual action by itself (see Section 3.7.1), but PFR may function as a stimulator for positive habitual action choices by gradually skipping the sense of duty so that action choices originally based on PFR are transferred into habitual actions with a direct association between the actual type of *situation of action choice* and the rational *action alternative*.

3.9.1.3 Duties of virtue

All individuals ought to build up the virtues in Section 3.3.4 to senses of duty since the virtues per definition are the qualities enabling the individual to perform the process in connection to a choice of action in an optimally rational manner. Each individual ought to have the self-picture of a courageous person, and then he will obtain a kick of happiness in terms of increased self-esteem when performing a brave action even if he do not gain primarily or secondarily from that action. He will exercise his personality until the day when he really needs courage to gain primary or secondary self-happiness. Correspondingly, we ought to have senses of duty for self-confidence, self-discipline honesty, determination, integrity, acquisition of knowledge, willingness to make efforts etc. During the build up of a rational duty of virtue we ought to be aware so it is not reduced by an enclosed irrational duty. When building up a virtue of duty, we have to remember that a virtue often consist of a golden mean; during the build up of the virtue “courage” it is recommended not to be so supercourageous that the result becomes foolhardiness.

3.9.1.4 Summary of duties and rational TEM actions

In summary, the following types of rational senses of duty exist:

- 1) Senses of duty against actions that beyond reasonable doubt have been proven to be irrational, included right-violating (PMI).
- 2) Senses of duty for actions that beyond reasonable doubt have been proven to be rational (PFR).
- 3) Senses of duty for the different virtues in Section 3.3.4 (duties of virtue).

A TEM action is rational only if it is driven by a rational sense of duty. *We ought to only have those senses of duty mentioned above (1, 2 and 3) since the consciousness is supposed to be able to contain only a limited number of senses of duty; there are limits for how many “pixels” our self-picture can contain. Therefore, we have to choose only those senses of duty that potentially give rise to maximum happiness.* The above mentioned rational senses of duty give: (i) negative primary effects + (ii) positive feed-back effect from the self-picture + (iii) potential positive effects in the future (e.g. the consequences of stronger virtues). Other senses of duty also give (i) and (ii) but *de facto* nothing more. It is believed to be a waste of time to perform the latter type of duty-based actions since it will be more profitable to use the time to carry out rational PEM or SEM actions. Besides, irrational senses of duty can remove focus from the rational ones. Thus, you ought to implement a sense of duty against irrational senses of duty. Examples of different rational senses of duty are described in Section 9.4.2.

3.9.2 Implementation of a sense of duty

A sense of duty is not prearranged in the human nature. Thus, at one or another time point the sense of duty has to be implemented into the consciousness. A sense of duty is not prearranged by nature. Parents, priests, politicians, family and friends will often try to influence us to implement self-pictures with corresponding senses of duty. But we have the final choice whether the self-picture and the sense of duty are to be implemented in our consciousness; eventually if we are to choose to discard it (if e.g. our parents already have implemented it). The decision of implementing a rational sense of duty into the consciousness is to follow from a rational understanding that its expected happiness effect (R) makes implementation happiness-profitable during the life span. Therefore, the decision of implementing a rational sense of duty is a rational PEM or SEM action. But when we obey the implemented rational sense of duty in the daily life, we perform rational TEM actions. An implemented sense of duty may be regarded as a predisposing determinant that cannot be changed immediately, but it can be altered over time.

3.10 Exchange of different types of actions

A throughout fear existed in Stalin's Soviet. If a person was dictated to give his farm to the State, he answered "yes". This is secondary self-happy motivation. He gives something to the State in order to avoid a negative feed-back (to be killed). When we obey the government forcing us to sacrifice values for the common good, we perform SEM actions in response to the PEM actions of the government.

A henpecked husband performs actions to please his wife, and the objective is to get positive reactions in response, i.e. secondary self-happy motivation. But the wife responds by yelling and shouting because he does not obey her enough, i.e. primary self-happy motivation. The henpecked husband continues to be kind to a fault to avoid further negative feed-backs.

When two persons fight physically, they perform PEM actions against each other, and it is usually difficult to see positive side effects for other people. Similarly, if two countries are at war, they perform PEM actions against each other, and positive side effects may come by the war stimulating new inventions having beneficial value for civilian purposes.

When two capitalists compete over the favor of the market, they carry out SEM actions benefitting the market participants by reducing their prices because they expect positive feed-backs from the market in terms of more profits compared to if the prices had not been reduced. In a love relation we observe mutual exchange of SEM actions (see Section 3.10.1).

Some usual combinations of types of action between initiator and respondent are listed below.

	Self-happy motivation of the initiator	Self-happy motivation of the respondent
Tyranny	primary	secondary
Henpecked husband, "altruism 2"	secondary	primary
War, boxing match	primary	primary
Love, price reductions	secondary	secondary
"Altruism 1"	tertiary	-----

3.10.1 Definition of erotic love

Appreciating another human being is a feeling that appears as a consequence of creating distinguishably more self-happiness in his/her presence (physically or mentally) than in his/her absence.

To be *in love* with another person is a feeling that appears as a consequence of currently creating significantly more surplus of self-happiness in his/her presence (physically or mentally) than what you normally generate in presence of other persons you appreciate, and you have an untested (or inferiorly tested) hypothesis that this feeling may be transformed into real love as defined in the next sentence.

To really love another person deeply is a feeling that appears as a consequence of creating significantly more self-happiness in his/her presence than in his/her absence as described in the points 1 and 2 below, and the hypothesis that this situation is to sustain in the long-term/middle-term perspective has resisted significant attempts of dethronement. Real love can also exist in a situation where you temporarily create significantly less self-happiness in his/her presence than in his/her absence, but you have a well-founded hypothesis that this deficit of happiness will turn into a surplus of happiness according to point 1 and 2 below.

A has an affiliation of (erotic) love with B if point 1 and 2 are fulfilled. If these two points are fulfilled also from B's point of view, they have a mutual (erotic) love affair.

- 1) When A exposes her attitudes, actions and strategy for maximization of self-happiness towards B, B returns positive feed-backs, and A becomes happy as a consequence of B's feed-backs. Such feed-backs penetrate the relationship between A and B (SEM). On this basis A creates significantly more self-happiness in B's presence than in his absence.
- 2) A perceives a sexual attraction from B *as a consequence of the excess of happiness mentioned in point 1*, and sexual actions are performed by A because of this. It is not sufficient to feel an attraction from a sexy body.
- 3) A has a love relation of optimal quality with B if point 1 and 2 are fulfilled and it additionally does not exist a partner C with the following qualities: *A can realistically capture C into a love affair, and A may expect to create significantly more self-happiness together with C than with B.*

As a single, each individual has a strategy for maximizing his self-happiness during his life span. This strategy will vary somewhat from person to person depending on adolescence, genes and previous personal choices. This strategy contains a lot of elements (personal interests) which are expected to influence the total life-long sum of happiness in positive direction.

When a single considers entering a marriage or cohabitation, the purpose is to create significantly more self-happiness as wife/husband than as a single, and there are two ways of increasing the sum of self-happiness during the life span: 1) adopting new personal interests – i.e. adding more elements to the strategy, 2) reinforcing the personal interests that he/she had as a single – i.e. increasing the degree of happiness of each of the already existing elements of the strategy.

The number of interests attainable for an individual is limited (it is only room for a limited number of elements in the strategy of maximization of self-happiness). If the hypotheses (i.e. the interests of a person as a single) have resisted intense attempts of dethronement, it is inferiorly rational to throw these away. Oppositely, a cohabitation or marriage may be difficult if both partners mostly are occupied with different interests. Therefore, it is rational to pursue a partner having approximately the same interests as oneself, and possibly supplement the strategy with some new interests. Primarily, a good marriage/ cohabitation ought to increase the happiness effect of each element in your happiness strategy – supplementing the strategy with more elements is secondarily; the importance of this increases with increasing age.

3.11 What are actually “altruistic” actions?

“Altruistic” actions, negatively regarded by e.g. Objectivists, is according to Rational Gaudism the following: Irrational TEM, SEM or PEM actions (frequency in that order) where the performer of action strongly underestimates the negative value of the primary consequences and strongly overestimates the positive consequences (feed-backs) from his own consciousness or from other persons.

“Altruistic” actions can also be observed in animals in their natural environment. Therefore, it is reasonable to believe that “altruism” to a certain extent may be a kind of instinct in humans. The mechanism for performing “altruistic” actions instinctively is as follows: The performance of the

“altruistic” action gives us a pleasant, instinctive feeling. The avoidance of performing the action gives us an unpleasant, instinctive feeling. We perform the “altruistic” action to achieve the good feeling and to avoid the unpleasant one; this is a PEM action. The evolution has promoted this “instinct” because “unselfish” helpfulness has ensured the long-term survival of our species and the maximization of the total mass of DNA in the world, especially with respect to care for the children (see also Section 3.7.1).

“Altruistic” actions can have elements of tertiary, secondary and primary self-happy motivation. The tertiary self-happy motivation is assumed to be the strongest one, and originates from irrational philosophical influence. The reasoning of Immanuel Kant is that an action is moral only if it has been performed through a sense of duty. In a Rational Gaudist translation Kant would have said that an action is moral only if it is tertiary self-happy-motivated.

If persons performing “altruistic” actions are to be converted to a rational action pattern, they ought to pursue better analytical ability and psychological insight (self-insight included) and eliminate negative senses of duty as mentioned in Section 3.9.1.4 and 9.4.1. Powerful people often held up altruism as a moral ideal to try to cheat human beings to perform “altruistic” action, but they are forgers setting false values on expected consequences. Forgery, swindle and lies do not pay off in the long-term perspective since it means avoiding the reality. See also Section 10.9.

Objectivism. Having accepted altruism you will obtain good consciousness by donating to everyone who do not deserve the gifts. *The answer of Rational Gaudism.* Yes, but in that case the objective of the “altruist” is to achieve good consciousness, not to help other humans. He obtains good consciousness in exchange for giving away money. The “altruist” has performed a self-happy-motivated action that he, around the time point for the choice of action, believed to be the best possible element in the pursuit of maximization of self-happiness during his life span. But this does not make the action rational since a miscalculation led to its effectuation. Thus, Rational Gaudism and Objectivism disagree on the nature of altruism:

Objectivism. Altruistic actions exist according to its definition, and they are performed with the purpose of serving other humans without considering one's self-happiness. *Rational Gaudism.* “Altruistic” actions do not exist in the outer reality, only as fiction in the consciousness of some humans. What are called “altruistic” actions are irrational, unsuccessful attempts of maximization of self-happiness through feed-backs from the performer's consciousness, from other human beings or through primitive obedience of evolutionarily based “instincts”. Still, these two philosophies have a correspondingly negative view on altruism as moral code.

Supporters of altruism as a moral code demand that the individual is obliged to serve his fellow men. Many human beings will refuse to be such servants since these individuals understand that they create significantly more self-happiness by adopting another action pattern. Then the guardians of the high altruistic morality will change this, and they have to make the “altruistic” actions relatively less unprofitable by introducing sanctions and punishment against “non-altruistic” actions. But the ones, who now start acting “altruistically”, do so in order to avoid the sanctions and punishment. Then we leave “altruism” even in Rational Gaudist translation and arrive into rational secondary self-happy motivation inside the new reality created by the sanctions and punishment (But it is really difficult to talk about rational actions when the State has introduced right-violating punishment and sanctions). Thus, the motive power to follow the altruistic moral code is too weak since it does not comply with the fundamental nature of the individual human being. It will be far better to adopt a self-happy-motivated moral code in the pursuit of making progress in society instead of wasting time and resources on testing altruism.

An altruistic moral code may therefore put the concept of ethics / morality in danger of being undermined in favor of a pattern of behavior with no clear guideline for human action where short-term pleasure and avoidance of short-term discomfort reign. Altruism prescribes that the duty of the individual human being is to serve some higher purpose than self-happiness, and this gives a basis for people in power to commit cruel violations against the individuals in the pursuit of making them act in accordance with this “higher purpose”, which in practice often means to serve the interests of an oppressor.

III. Politics

4. Nature-given rights

Jurisprudence is essentially occupied with detecting *the philosophical basis for claiming that certain permissions, prohibitions, decisions and actions are not to be rejected/hindered in their pursuit of values*. When a permission, prohibition, decision or action is in accordance with this philosophical basis, it is defined as legitimate (in the jurisprudential sense). Each permission/prohibition/action is either legitimate or illegitimate, and we assume that the philosophical basis of legitimacy is given. A permission/prohibition/decision/action is then legitimate if it is given / carried out without violating already legitimately assigned permissions/prohibitions/decisions, and is not legitimate (illegitimate) if it violates already legitimately assigned permissions/prohibitions/decisions. This implies that nobody may legitimately hinder/reject a legitimate action/permission, and on this unavoidable principle all Rational Gaudist politics is built. But the recipient may (though not always) renounce it, and the donor may have a clause included in the permission that the permission may be withdrawn at a later stage. Elements without free will cannot be accused of illegitimacy since they cannot act otherwise than told by their instincts.

Rights: A right is a permission to which an object is legitimately assigned in order to pursue its values, and the right is assigned by providing powers (tools) or liberties for realizing the values. According to the previous paragraph, nobody may legitimately remove the right – unless the paragraph's specific prerequisites are fulfilled. (Example: A man gives three boys permission to play football in a garden. If the man has legitimate ownership [or other legitimate right] of the garden, a real right of the boys is present. The boys have a right to play in the garden, and no other than the man himself may legitimately deprive the boys this right. The tools granted by the man to enable football playing are the lawn and two soccer goals.)

Nature-given rights: A nature-given right of an object is a permission to which the object is legitimately assigned by nature in the pursuit of its values; corollaries to such directly nature-given rights are also referred to as *nature-given rights* (in the meaning *nature-implied*). No other than nature or the object itself may eventually deprive the object of its nature-given rights without being accused of illegitimacy. According to Rational Gaudism, “perceiving happiness” is the only value (see Section 2.2.2.2). Therefore, an object that does not possess the ability to perceive happiness or unhappiness has no nature-given rights whatsoever.

A nature-given right of a *human being* is what nature allows the human being to perceive of happiness through the powers (tools) that nature legitimately has given the human being for perceiving this. A nature-given right of an *animal* is what nature allows the animal to perceive of happiness through the powers (tools) that nature legitimately has given the animal for perceiving this. An animal that does not have the ability to perceive happiness or unhappiness has no rights.

Nature's permissions are legitimate: The only tools and powers given to humans and animals by nature (through millions of years of evolution) are **non-processed natural resources** and their **genes** (in addition you have other humans to interact with); the fundamental nature of a human being or an animal is implied by its genes. It is impossible to claim that the natural resources or the genes of humans and animals are not *legitimately* assigned by nature by the following chain of reasoning: A legitimately assigned permission is a power/liberty that has been assigned without violating other legitimately assigned permissions (to pursue value) during the assignment. Nature cannot have violated other legitimately assigned permissions since the evolution until the occurrence of the human genes took place in a time period when nobody but nature was capable of assigning permissions; besides, by definition the elements of nature do not have free will and therefore, accusing nature of behaving illegitimately would be nonsense.

We have shown that permissions (to pursue value) given by nature obviously are legitimate, ergo these are nature-given rights. Therefore, no other permissions, prohibitions or actions may be legitimate if they violate nature-given rights. Thus, human beings and animals may have nature-given rights to use their genes and natural resources for pursuing values. In the following sections we will detect *which* nature-given rights human beings and some animals possess.

4.1 Individual rights of adults

Definition of rationality: *The ability to understand, draw conclusions and think.*

Definition of a rational being: *A being that has the ability to process the sense perceptions by logical thinking in order to choose to perform actions so the being can influence its own destiny through technological evolution and thereby liberate itself from its natural instincts* (see Section 2.4.1). The human being is the only known rational being. This recognition has been acquired by induction from observations of many individuals and also through introspection of one's own consciousness.

- 1) The human being has the ability to perceive happiness and unhappiness, i.e. nature has assigned to us those genes needed for perception of happiness/unhappiness, especially genes which are expressed in those parts of the brain being occupied with perceiving happiness/unhappiness. This only applies to the *individual*; the nation, race, family, social class etc. does not have the ability to perceive happiness. Thus, nature has assigned us, as individuals, with the permission to perceive happiness – yes, more to it; we are predetermined to pursue happiness and to avoid unhappiness. From the definition of the concept “right” we have a nature-given right to pursue happiness.
- 2) Question: Which tools (powers) has nature given us in order to pursue happiness and to avoid unhappiness?
- 3) Answer: *Our rational nature.* Nature provides its raw natural resources to disposal for the fundamental genetic nature of *Homo sapiens*. The individual man has **(a)** those genes which are necessary for performing choices of action by rational evaluations and **(b)** those genes which are necessary for using his muscles – i.e. to act (muscles controlling language and handiness included). Thus, the individual man is by nature assigned with the permission to perform **actions** based on his **rational evaluations**. This means that the individual has the following nature-given right: *“Liberty to think up and to choose to perform those actions which are necessary in the pursuit of maximization of self-happiness during the life span”*. Nobody (except for nature itself) is to refuse any human being this right. The *right to liberty* has been established, and this right is the human tool in the pursuit of happiness. This is the only *directly* nature-given right of the individual; other rights being referred to as “nature-given” in the continuation are simply logical consequences (corollaries) of this one. It also has to be mentioned that humans have some basic “instincts”, which are motive powers for action, but the individual has the power of rationality to evaluate if it is profitable with respect to long-term happiness to follow the “instincts” or not.
- 4) Question: Do the humans possess the *right to life*? (*Right to life* = “right to perform those actions which are needed to survive”).
- 5) Answer: Since the human being has the *right to liberty* to act in the pursuit of maximization of self-happiness during the life span, the humans also possess the right to perform those actions needed for survival since survival is a precondition for creating positive happiness (the *right to life* is thus a subgroup of the *right to liberty*). Killing another human will exterminate all his options to use his liberty for performing those actions needed for the pursuit of happiness.

According to the statements above, the individual human being has *nature-given rights* in a double sense of the concept “nature”. Firstly, the individual human being has nature-given rights in the sense that *nature* has assigned the genes to the human being through evolution. Secondly, the individual human being has nature-given rights in the sense that the tools that the rights are based on (our genes for perceiving happiness, rationality and use of muscles and the consequences thereof) are inherent in the fundamental human *nature*, and thus, the rights are implied (given) by our fundamental *nature*. If nature had been an element with free will, it would have committed a right violation by withdrawing a nature-given right since it is implicitly inherent in our fundamental nature, unless nature simultaneously altered our fundamental nature in the direction of being compatible with the withdrawal of the right. If so, a rockslide would have committed a right violation by breaking the leg of a human being. But “nature” is by definition the collection of all elements in the Universe lacking free will (and not being created by elements with free will) and accordingly, accusing nature of behaving illegitimately by withdrawing nature-given rights, which are implicitly incorporated in the human nature, would be nonsense.

A particular individual has life. To perceive happiness (and to avoid unhappiness) is the only valuable aspect of the reality, and everything else is means in the pursuit of that objective (see Section 2.2.2.2). If the individual, according to a rational evaluation and given the present preconditions of the reality, realizes that he cannot use his liberty for creating positive surplus of self-happiness the rest of his life, there is no reason for sustaining life. Then it is rational to use his liberty to commit suicide.

If he realizes that there is a rational possibility for generating positive surplus of happiness during the rest of his natural life length, he has to use his liberty primarily to perform those actions being necessary for sustaining his life. Furthermore, the individual has to use his liberty to perform those actions which rationally are expected to maximize the surplus of happiness during his life span.

Women have of course the same nature-given rights as men – the *right to life, liberty, and pursuit of happiness* and all logical consequences thereof. Exceptions from this are special rights that are directly attached to the female genetic nature as child bearing beings (e.g. self-determined abortion – see Section 4.3.2). *All* kinds of State inflicted “feminism” exceeding equal nature-given rights for men and women are rejected (see also Section 10.6).

4.1.1 Right violations against adult human beings

Since all (adult) humans have the same *right to liberty*, it follows as a logical consequence that this right in a social context is expressed in the following way: “*the right to think up and to choose to perform those actions which are necessary in the pursuit of maximization of self-happiness during the life span as long as one does not violate the similar right of others or other nature-given rights or their logical consequences*”. Formulated in this way, the *right to liberty* is an absolute right without limitations. But one question arises: How can an individual violate the *right to liberty* of other people or other nature-given rights?

Considering how the *right to liberty* can be violated, each element in its definition has to be considered: (1) carry out actions, (2) choices of action (“think up to choose”).

- 1) The performance of the action can be violated by initiation of physical force including murder, violence, assaults, rape, unauthorized imprisonment, vandalism, theft, occupation against owner's wish, hindrance of established use of natural resources.
- 2) Choices of action can, in addition to physical force, be violated by the initiation of psychical force defined as the use of non-physical activity for preventing a person from using his rational abilities during a choice of action. This includes (i) all forms of non-physical activity *directly* addressed against another individual that this individual clearly has marked that he does not accept or which the performer ought to know that he would not accept, and which this individual has to do something actively to avoid (threats of physical violence, screaming, scolding, roaring, exaggerated sharp tone, defamation etc.), (ii) contract breach and swindle, (iii) significantly perilous activities which, alone or as a participant in a sum, inflict other human beings well-founded fear by having significant danger of manifesting into physical right violations even if such violations do not appear in practice; see also Section 6.1.1 (you are forced to take unwanted precautions); also including sincere planning for physical right violations even if no violation is realized.

When physical force is initiated against the individual, it is obviously *not* the individual who uses his free will to hurt himself or his property. When a human is exposed to frightening activity as mentioned in point 2i, the individual does not use his free will to choose to be frightened. It is a reflex from the spinal cord originating from the time when the humans were located on the savanna being exposed to lion attacks. Those who were *not* frightened by lion roars were easier eaten by the lions than those who were frightened. Thus, the genes encoding this reflex from the spinal cord were promoted in the evolution.

Psychical force often means initiation of non-rational activity (screaming, scolding, roaring, exaggerated sharp tone etc.) in order to impose psychical pain on another person in the pursuit of achieving a value tool from this person, not by exchanging value tool against value tool, but by getting the other person to “give away a value tool” in order to avoid the psychical pain. You receive a negative value (psychical pain) that you have not chosen to receive. Then you have to give away a positive value tool for getting rid of the negative value, i.e. you make a forced choice of action in order to re-establish the normal situation. In this way psychical force violates the choice of action and thereby violates the *right to liberty*.

Common for both physical and psychical force is that the aim is to frighten the opponent from using his liberty to think rationally during a choice of action. The use of physical and psychical force may be free of punishment in self-defense, but will be right-violating if significantly more force than necessary is used for the self-defense. In certain cases the use of physical force may be free of punishment in self-defense against psychical force. Criminalization of psychical force is assumed to have a civilizing effect upon the society (see also Section 10.4.1).

An action may be right-violating by participating as a part of a sum in a right violation even if the part does not trigger the violation by itself. In order to be regarded as a *participant* it has to be proven beyond rational doubt that the action contributes logically to the right violation beyond a right-violator letting himself influence by it as a passive action. Providing – deliberately or through gross negligence – objects that are subsequently used for a right-violating action is regarded as participation in the right violation if and only if you knew or ought to have known that the objects would be used in a right-violating manner or that the danger thereof was threshold-exceeding. Soliciting a right-violating action in a situation where the solicitation may be expected to be realized is regarded as participation in a right violation. Alterations in prices, profits etc. due to the sum of voluntary market interactions are not right violations and thus, not a valid reason for regulating the market participants.

Remaining passively to other humans or animals that want your services will never be right-violating unless you on beforehand voluntarily have committed to something else, yourself or your property poses a danger to them, or your efforts are demanded to compensate for a right-violating act that you have performed against them.

We have now established how the individual *right to liberty* of an adult can be violated. Considering violation of *other nature-given rights*, it is the rights of animals, children, mentally disabled and persons under guardianship that is to be regarded. How these rights can be violated is mentioned in Section 4.2.2 and 4.3.1.

4.2 Animals' rights

The human being is a rational species, which means that humans have the ability of rationality in their genes. As mentioned above, this implies that the individual human being has the *right to life, liberty, and pursuit of happiness*. The individual human being has a nature-given right to live according to its genetic nature. We have already stated in the beginning of chapter 4 that a being which does not have the ability to perceive happiness/unhappiness does not have nature-given rights whatsoever. What kind of nature-given rights does a happiness/unhappiness-perceiving animal possess? Animals are mostly instinctive, non-rational beings, i.e. happiness and unhappiness arrives as a consequence of instincts (see Section 2.4.1 and 2.5.2). The animals' happiness is often sexual pleasure, and their unhappiness is pain, fear or hunger.

- 1) The animal has the ability to perceive happiness and unhappiness, i.e. nature has assigned the animal with those genes needed for perceiving happiness/unhappiness, especially genes which are expressed in those parts of the brain being occupied with perceiving happiness/unhappiness. Thus, nature has assigned the animal with the permission to perceive happiness. From the definition of the concept “right” the animal has a nature-given right to pursue happiness (This is valid only for superior animals with the ability to perceive happiness/unhappiness).
- 2) Question: Which tools (powers) has nature given the animal in order to pursue happiness and to avoid unhappiness?

- 3) Answer: *The animal's instinctive nature.* Nature provides its raw natural resources to disposal for the fundamental genetic nature of the animal. The individual animal has those genes which its instincts are based on and those genes which are necessary for using its muscles. Thus, the animal is by nature assigned with the permission to perform actions based on its instincts. This means that a happiness-perceiving animal has the following nature-given right: *"The right to act in accordance with its fundamental instincts"*. Nobody (except for nature itself) is to refuse any happiness-perceiving animal this right. The animals' *"right to act in accordance with its fundamental instincts"* has been established, and this right is the animal's tool in the pursuit of happiness. Thus, to act in accordance with its fundamental instincts is an equally fundamental nature-given right for the animals as the *right to liberty* is for the human beings. The animals do not have the genetic structure that is necessary for carrying out a rational process; therefore, the *right to liberty* is NOT a nature-given right for the animals. The instincts are the animals' slave driver.
- 4) Question: Do animals possess the *right to life*?
- 5) Answer: Let us assume the opposite of what is to be proven, namely that animals do possess the *right to life*. Then, the State has to prevent the lion from eating the zebra, the cat from eating the mouse, the lynx from eating the deer etc. That will imply the death for the lion, the wild cat and the lynx. Accordingly, the *right to life* for the preys implies violation of the *right to life* for the predators. We have reached a contradiction; ergo at least the victims of predators do not possess the *right to life*. A lion killing a zebra cannot be regarded as a violation of the fundamental instincts of the zebra since "survival of the fittest" is the fundamental principle of nature (a zebra may also partly thank the lions for its existence since the lions kill other species that compete with the zebras over scarce nutrition). Thus, it is in accordance with the instincts of the zebra to be eaten by the lion. And it would be a violation of the lion's *right to act in accordance with its fundamental instincts* if the lion was denied killing zebras. Regarded from the preys' point of view it does not matter whether they are killed by a predator or a human being as long as we do not expose the animals to more painful treatment than what is normal in the evolutionary process.

But what about the lion and other predators being at the top of the hill – do they possess the *right to life*? It is completely in accordance with the principles of the evolution, and thereby with the nature of predators, that predators are being exposed to deadly competition from other predators (e.g. lion and hyena). Many examples show that at one stage in the evolution predators may be at the top of the hill, but at a later stage another predator may arise eating the first predator (e.g. raptors and predatory fishes). Therefore, being exposed to deadly competition or being regarded as a prey by the human being is not in conflict with the fundamental nature of predators. But the human is a rational being and is elevated over the natural Darwinism as pointed out above (see Section 1.6.2), and one cannot use this argumentation to deny the humans *right to life*.

The conclusion is that animals do not possess the *right to life*.

The right to act in accordance with its fundamental instincts is valid only for somewhat superior animals, which possess the ability to perceive happiness/unhappiness. Plants, inferior animals and mean advanced animals do not perceive happiness/unhappiness, and accordingly they do not possess any nature-given rights whatsoever. These life forms may be treated in the same way as non-living resources as iron ore, oil and water. All animals that are amphibians or evolutionary more primitive than these, are assumed to be non-happiness-perceiving, while all animals that are evolutionary more advanced than the amphibians, are assumed to be happiness-perceiving (see Section 2.4.1).

4.2.1 Why do not animals possess the right to liberty?

The animals are tied up by their genetically settled instincts, which are developed and are developing through biological evolution (even if some skills are taught from the parents to the children for superior animals – Section 2.5.2). A moose running in the forest is not free but is enslaved by its instincts. Positive alterations in the animals' ability to improve their life happens practically only through biological evolution. The human genetics imply the ability to rational thinking (and additionally language and

handiness), and this gives the humans liberty to commit their own evolution of technology and ideas in order to improve their lives. Therefore, the human beings are free (from the tyranny of evolution) because of their genetically encoded ability for rationality. Consequently, the evolution of the human beings has gradually left the biological evolution, and improvements of human life occur today through technological evolution and not through biological evolution. The contribution of the latter is in practice zero compared with the contribution from the technological evolution even if the biological evolution perhaps progresses at least as rapidly as earlier. If the individuals of a species are to possess the *right to liberty* and the *right to life*, they have to possess intelligence and rational abilities at such a level that they can break out of the slavery of the biological evolution and start their own technological evolution that significantly exceeds the effect of biological evolution on the beings' progression and future prospects. Even if chimpanzees are intelligent in comparison with other animals, and even if they have 98% of the genes in common with *Homo sapiens*, they do not have a brain potential at such a level that they can start their own technological evolution. Therefore, *Homo sapiens* is the only species having the *right to liberty* and the *right to life*.

4.2.2 The conflict between the rights of animals and humans

Since animals do not possess the *right to life* and *liberty*, it is acceptable to keep animals in custody and to kill them (e.g. for eating them or taking their fur). But the humans do not have the *right to use* their liberty to keep the animals in custody in such a way that their fundamental instincts are violated since the “*right to act in accordance with their instincts*” for animals and the *right to liberty* for humans are defined at the same level (compare point 3 in Section 4.1 and 4.2). Human sadism against animals is not in accordance with the nature of the animals since sadism does not occur in nature; it is not evolutionary profitable. The lion does not torture the zebra for fun but kills it as fast as possible in order to eat it. But the animals' instincts are not to be respected in such a way that the animals obtain the right to live “freely” untouched by humans because that would be a violation of the *right to liberty* (to improve their lives/happiness) of the humans. Which fundamental instincts each animal possess will to a certain extent be a subject for doubt and has to be decided by some section of the State in cooperation with experts.

Let us illustrate the above statements with an example: The human being “A” has basically unlimited freedom when living in his own apartment – e.g. to play music. The human being “B”, living in the neighboring apartment, has exactly the same *right to liberty* – e.g. to sleep at the middle of the day. But when both A and B are living there simultaneously, the situation becomes different. B may not demand complete silence the whole day, and A may not invade B's apartment with sound waves whenever he likes. Ultimately, the relationship between A and B has to be regulated by the juridical system even though such cases seldom reach the courts. A best possible objective judicial evaluation has to be the basis for the estimation of the border line for *violation of the other's rights* in this case (see Section 5.7).

In the similar way: An animal has the right to act in accordance with its fundamental instincts but does not possess the *right to liberty*. The animal has the right to expose its instincts in the “free nature of God”. If a human being enters this area, he has the *right to liberty* and has the right to do exactly as he likes. But when animals and humans stay in the same area, the situation becomes different. The human may use the animal (e.g. keep it in custody) but in such a way that the fundamental natural instincts of the animal are not violated. To unite this potential clash of interests the relationship between the animal and the human being has to be regulated by the law in such a way that the estimation of the border line for *violation of the other's rights* is based on a best possible objective judicial evaluation. The fundamental instinctive nature of the animal is not the same as completely “free” life untouched by humans.

It may be objected that the animals cannot possess rights since the animals do not have the ability to create a State that is able to defend their rights. Firstly, nature-given rights are given by the fundamental nature of the being (which is provided by nature through evolution), and consequently their existence is not depending on the presence of a State, but the State is a necessity for defending nature-given rights against beings with free will (i.e. humans). Secondly, a predator does not violate the nature-given rights

of its hunting object when eating it since this is in accordance with the nature of both of them. If we imagine that a lion had imprisoned a zebra and was torturing it cruelly for fun, it would have been a violation of the rights of the zebra. But this does not happen in real life because the lion does not have the genetic structure (free will) that is needed for violating the zebra's rights in this way – and no other animals do either. Therefore, animals' rights can be violated only in coexistence with humans, and the animals do not need an Animal State in order to defend their rights when living in the “free” nature far away from the humans. Only humans can use their liberty to torment animals if we believe that we create more self-happiness by tormenting them than by not tormenting them. Therefore, the State of rational humans is obliged to defend the nature-given rights of the animals. The basic principle is that all beings, humans and animals, possess the right to pursue happiness in accordance with their nature. The human *right to liberty* is defined at the same level as the animals' *right to live in accordance with their instincts*.

Why are the self-happy-motivated humans to avoid violating the fundamental instincts of the animals if the humans create significantly more happiness by violating them? The humans need their nature-given rights and a State to defend them. But the fundamental philosophical principles implying the nature-given human rights also imply certain nature-given rights for the animals. The rights of the animals arrive as logical side-effect of that chain of argumentation which leads to the discovery of the nature-given human rights. Thus, the self-happy-motivated humans have to avoid violating the fundamental instincts of the animals otherwise we will undermine those rights which we ourselves are depending on. If the State does not defend this principle for the animals, the principle will weaken, and it will only be a matter of time before the principle is weakening for humans.

4.2.2.1 Concrete examples of non-right-violating treatment of animals

It is not in accordance with a chicken's nature to fly. Accordingly, it is OK to keep it inside a cage. But it is not in accordance with the chicken's nature to be kept in a small cage of 10x10 cm. The chicken has to be kept in custody in such a way that it is able to move around. Flying is one of the most fundamental instincts of the canaries. Therefore, it ought to be illegal to keep such birds in cages.

Cows, sheep, pigs, dogs etc. have been bred during centuries to be domestic animals in custody. Therefore, it is completely in accordance with their nature to be held by humans. If the sheep was to live “freely” in nature, its wool would grow and become so long that the sheep would stumble in it. Therefore, it would be cruelty against sheep to have them living “freely” in nature. Cows should not be standing in a narrow cow pen all the time. The cowshed should be built in such a way that the cows can move freely.

If an animal cannot be in custody without violating its fundamental instincts, it should be illegal to keep such an animal in custody (e.g. birds in cages).

Regarding animal experiments, laws have to ensure that the sufferings of the animals are minimized. The more advanced consciousness the animal has for perceiving happiness/unhappiness, the higher threshold for the researchers' freedom of action. Animals without ability to perceive happiness/unhappiness ought to be used as far as possible. *Drosophila*, angleworms, nematode worms etc. may be treated completely freely by the researchers since these animals are not supposed to have any ability to perceive happiness/unhappiness. Mice and rats may be used for medical research but only if their fundamental instincts are not violated during the experiments. The great apes are almost semi-rational beings, and they may only be used for medical experiments in rare, exceptional cases, and they have to be handled with special respect.

It is impossible to reflect on all animals and situations in these examples, but the point is that it is a legitimate task for the State to estimate what is in accordance with the animals' instincts. Laws have to ensure the nature-given rights of animals in human custody. Considering uncertainty about a species' ability to experience happiness and unhappiness, the applicable principle is innocence until the contrary is proven. This means that man is innocent in maltreatment of animals unless it has been proven as (at least) predominantly probable that the species has the ability to experience happiness and unhappiness.

4.2.3 Can an animal violate human rights?

Question: A lion has the *right to act in accordance with its instincts*, and if the lion's instincts tell it to eat a human being, the lion should have the right to do that. This ought to imply that we cannot legitimately stop a lion's killing of a human being. On the other hand, human beings have the *right to life*. Therefore, the lion should not have the right to kill and eat a human being, and we should have the right to stop the killing. How can these contradictions be united?

Answer: A lion trying to kill a human being only follows its fundamental instincts and thus, it does not act illegitimately (neither does a bacterium or virus). Therefore, the victim may not legitimately retaliate by limiting the lion's fundamental instincts (as we do when a murderer is imprisoned). He may e.g. not put the lion into a small cage and expose it to torture. But it is not against the lion's nature to be killed (it does not have the *right to life*), nor that the preys hits back (e.g. gnus sticking their horns into the lion). Thus, the attacked person or other bystanders may legitimately kill the lion, whip it in order to make it flee or catch it and send the lion to a quality zoo where its fundamental instincts are not violated.

Question: What should the State do with a lion that has eaten a human being?

Answer: Theoretically, the State is not obliged to “execute” or “imprison” the lion in a zoo since it has not acted illegitimately, but the State may do so as a part of its non-mandatory tasks. If a lion kills a human being, this does not mean absence of illegitimacy in the sense that the State defends the lion against revengeful humans who want to “lynch” the lion. Whoever may legitimately kill a human-eating lion (lions do not have the *right to life*). A murderer is privileged in comparison; only the judicial system is allowed to punish him.

Question: What happens if somebody owns the lion?

Answer: Then the owner has committed homicide with gross negligence with especially dangerous weapon. In this case anyone may not execute the lion (except from in direct self-defense). The owner has to be punished by the judicial system, and the Police have to neutralize the “weapon”.

4.2.4 Summary of human and animals' rights

All beings have the right to pursue happiness (and to avoid unhappiness) according to their fundamental genetic nature; humans according to their rational nature, animals according to their instinctive nature. Beings without the ability to perceive happiness/unhappiness do not have any rights at all.

Establishing the rights of the animals as described above will also strengthen the respect for the individual human rights. If we claim that animals do not have nature-given rights according to their nature (non-rational, instinctive), we cannot expect to be taken seriously when claiming that the human being has rights according to his nature (rational).

4.2.5 The distinction between rational and non-rational beings

When we are to evaluate whether a being has *the right to life, liberty, and pursuit of happiness*, we have to examine if the being has the ability to process natural resources from their natural condition in such a way that we can observe the tendencies to a technological evolution. The making of “technological products” indicates that the being has the ability to liberate itself from its natural instincts, i.e. it has *rationality*. It is assumed that a species' use of abstract concepts is a prerequisite for being able to produce and to use technological tools in such a way that the being can liberate itself from its natural instincts. Additionally, in order to have the *right to liberty* the being has to possess a level of intelligence making it rationally capable not to violate the rights of others since “not violating the rights of others” is an ingredient in the definition of the *right to liberty*. Thus, a being's ability to create “technological products” (e.g. arrow tips or axes of stone) and $IQ > 55$ (Syse, 2006) are necessary and sufficient preconditions for deciding that the being has the *right to liberty* and the logical consequences thereof.

Syse A. *Strafferettslig utilregnelighet – juridiske, moralske og faglige dilemmaer. Tidsskrift for strafferett* (2006) 6(3), 141-175.

4.2.6 Artificial life and rights

Imagine that we could construct a robot that had the ability to think up and choose alternatives of action (included those actions needed for sustaining its own existence), and the ability to produce new robots of the same kind. Would this robot have the *right to liberty and life* as nature-given rights? No, the robot has to possess the ability to perceive happiness/unhappiness in order to have rights. A machine can never feel happiness or unhappiness and therefore, it does not have any rights at all. If such a “robot” was to perceive happiness/unhappiness, it had to be a biological being, and in that case it would theoretically possess the *right to life, liberty and pursuit of happiness* since the genes for rationality, use of muscles and perception of happiness are inherent in the nature of the being. The being is created by humans, and one could imagine that the rights were “given by humans” and not by nature, but such rights are deduced from the being's *fundamental nature*, i.e. the fundamental qualities used by the being's *consciousness* in the pursuit of its *values* (happiness). If the humans legitimately are to deprive the beings of its rights, its fundamental nature has to be altered by gene manipulation in such a way that absence of the right does not violate its nature.

4.3 Children's rights

A child has the ability to perceive happiness/unhappiness (the only valuable aspect of the reality). Therefore, it is meaningful to ask the following question: “Do children possess rights and if so, what kind of rights?” A nature-given right for a child is what nature allows the child to experience of happiness. Which tools does nature give the child in order to experience happiness? The tools are the human genes of the child and natural resources in the outer reality. Additionally, nature provides the child with another tool, namely parents. All children are from nature equipped with a biological mother at birth (the father might have died between the conception and the birth).

- 1) The child is a being that possesses the ability to perceive happiness and unhappiness. That is, nature has assigned the child with those genes needed for perceiving happiness/unhappiness, especially genes which are expressed in those parts of the brain being occupied with perceiving happiness/unhappiness. Thus, nature has assigned the child with the permission to perceive happiness. From the definition of the concept “right” the child has a nature-given right to pursue happiness.
- 2) Question: Which tools has nature given the child in order to pursue happiness and to avoid unhappiness?
- 3) Answer: *Follow its nature*. Basically, nature provides its raw natural resources to disposal for the fundamental genetic nature of the child. The nature of the child is a potential rational being, but it does not have the capacity to use the gene products for processing the natural resources. But additionally, nature assigns the child with another tool in the pursuit of happiness, namely parents. The parents are to be a link between the natural resources and the genetic equipment of the child. The following nature-given right for children is established: “*right to parents*” in the sense that the biological parents (or others who have adopted this function) are obliged to be leaders for the child in order to develop its inborn rational genetic potential into an adult human being who is able to use the *right to liberty* for maximizing its self-happiness during its life span.
- 4) Question: How can the parents develop the innate human genetic potential?
- 5) Answer: Through natural biological development, upbringing and fundamental education. These factors are achieved by maintenance and care. The parents are obliged to provide the child with maintenance, care, natural biological development (health), upbringing and fundamental education. The child has a right to get these goods from its parents.
- 6) Question: Does the child possess the *right to life*?

- 7) Answer: Yes, the *right to life* for a child means the *right to survival by the maintenance and care of the parents within the scope of reasonable technology*. To kill a child means an illegitimate withdrawal of nature's entitlement to develop its potential rationality into a rational being.
- 8) Question: Does the child possess the *right to liberty*?
- 9) Answer: No, only individuals with developed rationality possess the *right to liberty* (to think up and to choose to perform those actions being necessary in the pursuit of maximization of self-happiness during their life spans). Children do not possess the *right to liberty*. Therefore, the parents may initiate force against their children, but only for developing its rational potential so it becomes able to use its *right to liberty* as an adult for generating self-happiness. In the process of raising the child it ought to be gradually accustomed to more freedom.

In summary, children have the following nature-given rights: *right to pursue happiness*, *potential right to liberty*, and *right to parents* (the latter implies further *right to life, maintenance, care, natural biological development [health], upbringing, and fundamental education*; thus, these rights are rights that children have through their parents' duties).

The State is obliged to defend the nature-given rights of all individuals, and the children's rights are no exception. The State is obliged to ensure that the child's parents act in accordance with the definition of parents, i.e. comply with the duty to give the child *maintenance, care, natural biological development (health), upbringing, and fundamental education*. How the State ought to defend these rights in practice is stated in Section 4.3.5. The precise minimum limit for maintenance, care, natural biological development (health), upbringing, and fundamental education has to be estimated in the best possible manner by the State in cooperation with experts (see Section 5.7). *Fundamental education* ought to include teaching in the scientific method (and other rational epistemological principles) and rational course of action and excludes indoctrination with anti-knowledge as e.g. resides in irrational religious metaphysics. The State also ought to spread adult enlightenment against religious crackpot and its alike (astrology, homeopathy, fortunetellers etc.) since this has a blurry interface with swindle.

4.3.1 Right violations against children

Children have the “*right to pursue happiness*”, “*potential right to liberty*” and “*right to parents*” (“*right to life*” included) as their nature-given rights. A parent is defined as *an adult who has taken on the responsibility to be a leader for the child in order to develop its inborn rational genetic potential into an adult human being who is able to use the right to liberty for maximizing self-happiness*. The parent does this by *maintenance, care, natural biological development (health), upbringing, and fundamental education*.

- 1) A parent violates the nature-given rights of a child by not acting in accordance with the definition of a parent. The parents (and other persons) violate the child's rights by carrying out force (physically or psychically) against the child that do not contribute to fulfill the criteria of the definition of a parent unless in self-defense (see also Section 10.4.3.).
- 2) Other persons violate the child's rights and parental right of the parents by carrying out force against the child even if the purpose is to comply with the criteria of the definition of a parent. Exceptions are self-defense, emergency situations for preventing the child from hurting itself when the parents are not present, or if the parents have approved the use of force.

The parents have the official responsibility for effectuating those actions needed to ensure the nature-given rights of the child in the daily life. The parents of the child may be assisted by others to effectuate these rights (relatives, friends, cohabitant, or other volunteers). The parents of the child should be registered in The National Register. The State is obliged to defend the nature-given rights of the child. If the parents violate the nature-given rights of the child, the State has to

intervene; in a worst case scenario the State has to find somebody else who can fulfill the parental duties until the child reaches the age of majority (foster parents, adoptive parents or orphanage).

Since the parents only may initiate force against their children in the pursuit of developing their inherent rational potential, child labor for upholding itself and the family is basically right-violating, but it is legitimate and beneficial to let the child work for learning responsibility and willingness to make efforts. Nevertheless, in extreme cases it may be legitimate for the parents to force the child to contribute to uphold itself and/or the family if the parents are so poor that absence of the child's labor will imply death, essential health problems or significant damage for the ability to have its rational potential developed as an adult.

4.3.2 The beginning of life and abortion

Considering the legitimacy of abortion, the central question is as follows: When does life start? If a new human life is defined to start when the egg cell and sperm cell fuse, abortion will always be right-violating against the embryo unless the life of the mother is at stake. If we were to accept this definition, it would mean that we ought to rescue one hundred fertilized egg cells from a building on fire in stead of saving one adult individual. You also ought to be punished as a mass murderer if you put a reagent vial with 100 zygotes into the trash.

Each collection of matter that does not possess the ability to perceive happiness and unhappiness does not have (independent) nature-given rights at all (see Section 4.1 and 4.2.4). A fertilized egg does not possess the ability to perceive happiness/unhappiness (e.g. pain), and does not have any independent rights. This situation continues until the time point when the neuronal system has developed in such a way that the embryo has obtained the ability to perceive conscious feelings, i.e. perception of happiness/unhappiness. It is assumed that pain is the embryo's first primitive conscious feeling. The mother and father "own" the non-happiness-perceiving embryo, but an owner (here: the mother/father "co-ownership") does not have the right to keep his belongings on another person's territory. Until the day for the beginning of the embryo's ability to perceive pain the woman has unlimited right to do as she likes with the embryo, and self-determined abortion is a matter of course.

After the embryo has obtained the ability to perceive happiness/unhappiness (starts with absence of pain contra pain) the embryo has rights, and self-determined abortion is no matter of course. What kind of rights does it possess? Does it possess the *right to liberty*? No, but neither born children have that right. Is the embryo alive at this stage? Yes, otherwise it could not be happiness-perceiving. A living, happiness-perceiving baby has the *right to life* as a potential rational human being. A being's nature-given rights arise from the fundamental nature of the being's consciousness. Considering the period from the on-switch of the consciousness and until immediately after birth, no alterations in the consciousness' fundamental nature occur that possibly can result in the embryo being anything else than a potential rational human. Accordingly, a happiness-perceiving (pain-perceiving) embryo has the *right to life*. The woman has to give such an embryo sufficient time to leave her body (i.e. until the time point of natural birth or caesarean section), and this initiated, happiness-perceiving life may not be terminated at will.

Pain perception requires conscious recognition or awareness of a noxious stimulus. Neither withdrawal reflexes nor hormonal stress responses to invasive procedures prove the existence of fetal pain, because they can be elicited by non-painful stimuli and occur without conscious cortical processing. Fetal awareness of noxious stimuli requires functional thalamocortical connections. Thalamocortical fibers begin appearing between 23 to 30 weeks' gestational age, while electroencephalography suggests the capacity for functional pain perception in preterm neonates probably does not exist before 29 or 30 weeks (*Lee et al., 2005*).

If a woman is to be guilty of murdering her embryo, it has to be proven beyond rational doubt that she has killed a happiness-perceiving human individual. If so, it has to be at least predominantly probable that the embryo has signs of consciousness at the time of abortion. According to *Lee et al. (2005)* it is less than predominantly probable that the fetus has consciousness before the 29th week of gestation. Thus, a woman who chooses provoked abortion in the 28 first weeks of gestation has not committed a right-violating action. Therefore, the time limit for self-determined abortion ought to be set until the end of the 28th week of gestation. After this time point abortion is only legitimate if the mother's life or health is in danger, or if the child's outlook obviously is a non-viable pain hell.

Someone argue that the fetus is without any rights until birth, but immediately after it has left the womb, it has the same rights as a child. The reasoning is that the child is able to exist independently of the mother after having the cutting the umbilical cord cut, and that it can breathe by itself and take food *per os*. The reason for this argument not to be valid is that no change has occurred in the fundamental nature of its consciousness. Besides, the child is still totally dependent on its parents for survival – not least by getting breast milk. The child does not become independent by getting food through the breast rather than through the umbilical cord.

Fetal Pain: A Systematic Multidisciplinary Review of the Evidence. Lee SJ, Ralston HJP, Drey EA, Partridge JC, Rosen MA. JAMA. 2005;294(8):947-954.

4.3.3 The biological mother's responsibility for the child

After the starting point for perceiving happiness/unhappiness, the embryo has independent rights as a child (see Section 4.3), and the biological mother may not do as she pleases with it. Children have the *potential right to liberty* and *to pursue happiness* but are not able to care for themselves. As explained above, the child has a nature-given right to at least one parent. Since the child naturally is in its mother's custody already from the start of life (when the embryo develops the ability to perceive happiness/unhappiness), the State may not withdraw her parental custody unless she violates the nature-given rights of the child since that would be initiation of force. If the mother just leaves the child, it means that she violates its *right to parents* since the child is not able to obtain new parents by itself, and considered this way the mother is obliged to maintain the parental custody until other volunteers take on the responsibility (and the State always ought to be such a volunteer of last resort – see Section 4.3.5). But the mother may have an agreement with (normally) the biological father over sharing the parental responsibility.

4.3.4 The biological father's responsibility for the child

When a man and a woman meet at a discotheque and have casual sex without contraception afterwards, the intention is obviously not to have children, but to feel good for a short time. The presumptive agreement (see Section 5.3.2.4) in a case like this can not be “acceptance of maintaining and caring for a child until it is of age”, but on the contrary, that the woman shall have an abortion if pregnancy becomes the result or that she takes emergency contraceptive pills after the coitus. Violations of this presumptive contract – i.e. bringing the pregnancy into a child birth – implies that she has to maintain and care for the child by herself (or together with other volunteers) until the child is of age. In such a case the woman unilaterally – and through a contract breach – decides to bring birth to a child; it is *not* the man and woman who bilaterally choose to have children when they have casual sex without using contraception. Since the male does not make the choice to have children (on the contrary, he has been the victim of a contract breach), he may not be forced to take on parental responsibility unless he voluntarily signs a contract stating his liability. If the man could have taken regret pill or abortion in the same way as the woman, the case would have been different, but this is biologically impossible. The case would also have been different if regret pills and abortion did not exist. In the case of an abortion the man, having made the woman pregnant, has to pay the complete costs of the abortion since he is guilty in the existence of the embryo and additionally, he has to pay a lump sum to the woman for tort and pain in connection with the abortion.

The National Register administers a document called “The Child Treaty”, which the biological mother and father voluntarily may sign. This treaty includes that the mother and father are to be equally important parents and that they are obliged to fulfill the fundamental rights of the child as described in the Child Law. The Child Treaty ought to state that if the parents stop living together, shared custody arises unless the parents agree on something else or if one of the parents is declared incompetent by the court. If only one of the parents gets the custody after a split up including a Child Treaty, the other one has to pay maintenance.

If man and woman lives together, it is not unnatural to have a contract of marriage or cohabitation that automatizes the Child Treaty. Alternatively, the pregnant woman tells the potential father that she is pregnant, and proposes at the same time that they are to sign the Child Treaty. The potential father may decide not to be the father for the child by refusing to sign the Child treaty. The content of the Child Treaty will be effectuated if the woman gives birth to a common child during the present pregnancy. A corresponding treaty may be signed after the baby is born if this has not been done before. But regarded from the female point of view the Child Treaty ought to be signed before the deadline for abortion runs out. If man and woman have not signed the Child Treaty together, the child will be registered with only one parent in the National Register. This single parent may of course find an adoptive parent of the opposite sex to sign the Child Treaty later on.

Thus, different scenarios may arise:

- 1) The man does *not* sign the Child Treaty before the abortion deadline expires, and the woman chooses to give birth to the baby: The biological father does not have any economical or other responsibilities for the child, and he does not have any rights connected to the child. The biological father may change his mind and sign the Child Treaty later on (if the mother accepts it).
- 2) The man does *not* sign the Child Treaty before the abortion deadline expires, and the woman chooses to take abortion: The man has to pay for the abortion and additionally pay a lump sum for tort and pain.
- 3) The man signs the Child Treaty before the abortion deadline expires, and the woman chooses to give birth to the child: The man and the woman are 100 % equally responsible parents.
- 4) The man signs the Child Treaty before the abortion deadline expires, but the woman chooses to take abortion anyway. No punishment will be directed against the woman, but the man does not need to pay for the abortion.
- 5) The man wants to sign the Child Treaty, but the woman refuses. The man will then have no formal parental function, and point 1 or 2 is applicable.

Ideally, the child ought to have one “boss” in the same way as a company has one CEO, but biologically, two persons of opposite sexes are necessary for making a child. Since having parents of both sexes is positive for the child's development and maturing, the State has to give opportunities for having two parents (leaders) with equal responsibility: mother and father. Thus, having a system that refuses two females or two males to be officially registered as the child's parents is not right-violating, but the opposite is not illegitimate either. The father may be registered as the only parent if the mother and father agree, or if a court order states this.

4.3.5 The State's responsibility for the child

The State is obliged to ensure that the child's parents fulfill the parental obligations. How to do this in practice has to be decided by empirical testing (HDM).

From a strict nature-given right reasoning the State could say as follows: The parents made the decision of giving birth to a baby, and then they have to face the consequences themselves or eventually with other volunteers. If they physically refuse to be parents or are incompetent, the State has to provide the child with adoptive parents or orphanage and finance this process at their expense.

This is not considered to be a good way of defending the child's nature-given rights. The State ought to give child benefit in order to contribute to help the parents with their heavy parental responsibility. If the mother and father have signed the Child Treaty, half of the benefit ought to be paid to each of the parents. The child benefits should be inversely proportional with the income of the parents; parents with economy exceeding a specified limit will receive zero State support. The State ought to assist and support persons who want to adopt away their children regardless of the children's age. The State is not obliged to implement these to benefits, but this ought to be done as long as the benefits may be financed without violating the nature-given rights of the individuals. If the parent(s) of the child do not fulfill its fundamental rights adequately, failure of care arises. The State has to intervene to find new parent(s) for the child or use the Child Care Authority in another way. The original parent(s) may be held economically responsible for a period of time.

It is assumed that a birth rate at a suitable level will contribute to maximize the long-term happiness for most individuals weighted against how strong non-right-violating influence they are able to perform on the State executives (see Section 7.2). Therefore, the tendencies of alteration in the annual birth rate ought to be one indicator settling the magnitude of the child benefits. High birth rates imply low child benefit. Low birth rates imply high child benefit.

The parents – eventually with help from other volunteers – are responsible for using their own money plus child benefit for the maintenance, education and upbringing of the child. Since the child has the *right to life* (survival) and health on the parents' expenses, a part of the child benefit ought to be used for a health and disabling insurance and insurance against disappearance of the parents or their duties. Sufficiently well-situated parents may be imposed to pay such insurances completely with their own funds. If the child becomes medically disabled before he comes of age, he shall be able to survive from this insurance the rest of his life with normal length. If the parent(s) want, they may of course insure the child additionally.

4.3.6 Other persons under guardianship

What kind of rights is provided for mentally disabled and others who cannot live without guardianship after reaching age of majority? These people will continue to have rights as children: "*right to parents*" who are obligatory to provide them with *maintenance, survival (life), health, care*. They will possess these rights until they are mature enough to achieve complete liberty, eventually the rest of their lives. The parent(s) of a disabled child may choose to continue their function and receiving child benefit. Alternatively, she/he/they may renounce the responsibility, and the State has to find another guardian, eventually put the non-mature individual in an institution on the State's expense.

Medical research provides better opportunities for detecting mental disabilities in the early embryo. Therefore, in the future fewer mentally disabled are expected to be born since the mother often will abort a genetically damaged embryo.

Adults, who become psychically ill or mentally retarded over a certain limit, will be denoted as potential rational. They will temporarily lose the *right to liberty*, and will obtain rights as children. They will be put under guardianship.

Imagine a person who is not conscious, and who is in a condition where it is beyond all reasonable doubt that he never can become conscious ever again. Thus, absence of conscious is his nature. According to his nature he does not have the ability to perceive happiness and unhappiness, and therefore, he does not have the *right to life*.

4.4 The State

When a human being walked alone on Africa's savannas in ancient times, he could use his freedom to pursue happiness without any fear of violations of this right. When more people arrived (and became aware of each other's existence), the situation became different. The permissions assigned by nature to the humans (the nature-given rights) can unfortunately not be defended by nature against right-violators. Therefore, the *need* for a State in its most primitive form arises. Individuals living inside a certain geographical area have a nature-given right *to organize* (see Section 5.4) and a nature-given right to defense of their nature-given rights (see Section 6.2). The combination of these two nature-given rights implies the legitimacy of the State as an organization that is to defend the nature-given rights of the individuals. A group of persons having interests inside a geographical area without governmental authority, including nature-given rights that can be violated, have a nature-given right to establish a State in this area.

Firstly, let us establish the legitimacy of the monopoly of the State on system of justice, Police and military defense inside its territory: Competing systems of justice will give rise to huge problems when the defendant/suspect and the plaintiff/victim are members of different judicial systems, and establishing prosecuting authority will be chaotic. Chaotic conditions will also arise with competing systems of Police and/or military forces with large probability for “tribal wars”. The systems of justice and public order will go into an anarchic chaos, and the nature-given rights cannot be defended. Thus, presence of competing systems of justice, Police and armed forces inside the same geographical area violates the nature-given right of organized defense of the individual rights; one does not have the *right to organize* in such a way that the nature-given rights of others are violated. Accordingly, we cannot have competition on the obligatory tasks of the State; by its nature the State must have monopoly inside its geographical area. Since one State already exists defending the rights of *all* individuals inside the actual geographical area, the individuals' nature-given right *to organized defense* of their rights is not violated even if they are forbidden to start alternative systems of justice, Police and armed forces. Establishing a competing system of administration of justice, Police or military defense in a Rational Gaudist society is right-violating because this will obviously afflict the population with well-founded fear for anarchy-like conditions (i.e. initiation of psychical violence) – and thus, well-founded fear for violation of the right to organized self-defense of the natural rights.

The first “protection organization” to offer protection of the nature-given rights (without violating of the same rights) inside a given geographical area has the “right” of being the State (first come, first served). This is parallel to a situation where a farmer has established *property right* on a piece of land – then no other farmers may compete over sowing corn on the same patch of field (only on the neighboring fields). This State monopoly does not exclude the existence of private security firms as long as their activities are strictly regulated by the State. Private arbitrators may also function as voluntary settlers in civil disputes as explained in Section 5.3.1.2.

Since the State has to have monopoly on those institutions being necessary for defending the nature-given rights of the individuals (system of justice, Police, military defense), the group establishing the State is obliged to defend the nature-given rights of *all* persons inside the territory of the State. This is because the *right to self-defense* and *the right to organize* are nature-given rights, and the others without such defense would otherwise have the right to establish their own State, which is a contradiction to the fact that the State from its nature has to be a monopoly.

The State is a necessary precondition for us to use the powers and tools that nature has assigned to us. The State is to ensure that the permissions (rights) legitimately assigned to us by nature are not illegitimately withdrawn – i.e. by others than nature itself. These rights are based on a genetically determined rationality, and a little jocularly we may say that a germ to the existence of the State is resting inside the human genome. We also observe from the ancestors of the humans and the first primitive humans that it is the human nature to live in groups (“states”) in order to obtain internal and external protection.

At first in the history of mankind, the State was not so clever in defending the nature-given rights of the individuals, and the State performed many right violations itself. But gradually, the humans started to learn how to use the genetic germ for rationality, and they became aware of how the State should work in order to realize the rational human nature. In 1776 the American founding fathers acknowledged the fundamental function of the State by the use of their rational abilities and experiences. Similarly, DNA has always been in our cells, but first in 1953 the humankind became aware of its fundamental function. See also Section 4.5 and chapter 7.

4.4.1 The right to rebel

Individuals have a nature-given right to self-defense and to organize. This is also valid if the existing State violates the individual rights or largely ignores or fails to defend them. If a group of individuals are to defend themselves against the right violations from their own State (after having failed in trying the judicial system), civil disobedience, armed rebellion or the establishment of a new State on parts (or the whole) of the country's territory may be acceptable options. In order to be legitimate such a rebellion has to lead to less violation of nature-given rights (collateral damage) in the long-term perspective than those violations which the rebellion is trying to defend the individuals against. You also have to take into account the likelihood of the insurgency to fail – if the battle is lost, you may be unfortunate enough to get lots of collateral damage in addition to the old regime continuing or increasing their infringements. In order to start an armed rebellion, you should be very sure of a relatively quick success on beforehand – sacrificing you own life is not rational; unnecessary sacrificing of third parties' lives is right-violating. If the old regime use right violations of moderate degree (e.g. compulsory taxation), it will be cruelly right-violating if rebels carry out fatal or crippling attacks even against the supreme leaders. A prime minister in a Western democracy of today does not deserve the “death penalty” (see section 6.1.2) because he fronts a regime engaging in compulsory taxation (which after all, to a significant extent, is used for compulsory insurances and useful infrastructure). Armed rebellion in today's Western democracies is completely illegitimate; besides, a hypothetical group being able to organize a successful, armed rebellion in a Western democracy, is necessarily so strong that it will be significantly easier for the group to gain governmental power through democratic elections (by similar argumentation tax evasion etc. is not an acceptable way of fighting right-violating taxation in Western democracies; the correct way is to vote for parties whose politics is located inside the borders of Rational Gaudism). However, it can not be 100 % ruled out that a majority regime performs so grave right violations that it justifies armed rebellion (an extreme example of this is Nazi Germany in the 1930s where Hitler came to power through democratic elections and in accordance with the Constitution). It is under no circumstances legitimate to rebel or make civilian disobedience against a State that does not violate the nature-given rights of the individuals. A legitimate State has the right to exercise self-defense against rebels, but the right violations that may be expected following the defense, have to be significant less in the long-term perspective than those right violations expected to be imposed on the citizens by the rebels; thus, capitulation may not be absolutely disregarded as an option.

4.4.2 Which actions may be subjected to punishment?

An action is punishable only if it is right-violating (see also Section 6.1). If an individual performs an action that violates the rights of another individual, organization of individuals, child or animal, the Police and judicial system is obliged to stop and/or punish him in order to prevent him from carrying out or repeating such actions. If a person, according to a rational evaluation and given the present reality, may expect to create significantly more self-happiness in the long-term perspective by violating the nature-given rights of others, it is not necessarily *directly* immoral to do so (see Section 3.6 and 9.4.2). In this case the State has committed a neglect of duty by *not* implementing punishments and crime clear-up rates/mechanisms of such a character that crimes do not pay off (see Section 3.6). The latter is to ensure that crimes become immoral based on the principles in Section 3.1-3.3. Thus, in a rational and legitimate State roughly all criminal actions will be immoral, and each individual ought to establish a sense of duty against right-violating actions (see Section 3.9.1.1). But in the light of the reality we have to realize that a very few persons may become happy as a consequence of performing criminal actions, even though it is not morally acceptable: The criminal may be lucky and avoid being caught, and at the same time be so cold or stupid that the fear of being seized is small.

4.5 The World Assembly

When several human beings are living together on a limited area, the State is obliged to defend their nature-given rights (in this context an extended family, tribe etc. may also be a kind of State in a primitive society). This is important since we are rational beings, and governmental authority is a prerequisite for the defense of those rights which are necessary for the humans to fully practice their rational nature.

But what about the relationship to the neighboring state? How small or large ought a state to be? Imagine that each “state” consisted of ten people, making the total number of states in the world 600 millions. That would be a very ineffective system with many neighbor quarrels. The individual rights would be ensured inside the “state”, but the potential for violations of liberty and life by wars and conflicts would be large.

A *nation* or *people* do not have any innate importance. The important consideration is that the State defends the nature-given rights of all individuals in an adequate manner inside its geographical area (where within it obviously must have physical control), that it does not violate any of these rights, and that it does not attack likeminded states. Such a state is called *a legitimate State*. Nobody has the right to force a legitimate State to fuse or enter into a union. Since a legitimate state by definition does not violate any rights by defending the nature-given rights, this State's “*right to use to defending nature-given rights*” arises. Consequently, no subdivision within the geographical area of a legitimate State has the right to break away creating a new State and thereby preventing the existing State from continuing its function. On the other hand, a geographical area inside an illegitimate state has the right to break away if the purpose is to establish a new, legitimate State.

A legitimate state may legitimately invade a right-violating (illegitimate) state in the one and only purpose of establishing a regime with significantly increased respect for the nature-given rights of the individual (see Section 4.4.1), but the legitimate state is not obliged to do so. In order to be legitimate such an invasion has to cause fewer and less severe violations (summed both under the invasion and in the long-term perspective afterwards) than those right violations which the invasion is trying to free the individuals from; thus, one ought to be very cautious with invading other countries. Rationally regarded, the legitimate state should only undertake an intervention if it is in accordance with the self-interests of its own citizens in the long-term perspective.

We are living in a semi-anarchistic global system where different states keep safety and ensure rights inside their own borders. The thought is that these states are to cooperate harmonically together. This works to a certain extent, but there is a lot of chaos. There are also many states cruelly violating the nature-given individual rights, and these have to be regarded as bunches of criminals and not as legitimate states. Since gradually more of human action occurs globally, it would be rational if the legitimate states in the world created “The World Assembly” which is to ensure that:

(a) legitimate states are not violated, (b) the states are not violating the nature-given rights of their inhabitants, (c) states keep their contracts with other states, foreign individuals and their organizations, (d) international crimes are stopped (environmental crimes included), (e) property rights and other rights on international territory are respected (international waters, The Antarctic etc.).

The World Assembly's military machinery may not be used without the approval of the General Assembly of the World Assembly, which is pointed out by the member states. The task of this military force is to stop and punish criminal states which attack other, respectable states, or which commit violations against the nature-given rights of their own inhabitants (when exceeding a certain limit) and to eliminate their governments.

The long-term objective is to get as many countries as possible to voluntarily join the World Assembly. These states will be sovereign members of the World Assembly, a sovereignty which is only limited by the points (a-e) above. No legitimate states are to be forced into the World Assembly, and legitimate states may withdraw from the World Assembly. Right-violating states are “*non grata*”.

5. Specification of nature-given rights

In this chapter we are to explore more rights being subgroups or direct logical consequences (corollaries) of the *right to liberty*. These “new” rights also fit into the concept of nature-given rights (see also Section 5.7) since they are *logical consequences of rights given by nature*; they are not social “rights” upheld by violating some of the nature-given ones:

5.1 Property right

When the human being uses his *right to liberty* to perform actions in the pursuit of creating self-happiness, physical manifestation in the form of property arises since he has processed non-owned and unused natural resources away from the natural state into a state of increased usability; the human being has by its nature the genes that are needed for creating property (genes for the use of muscles, rationality, free will, language and handiness). Since the natural resources used for creating the product are non-owned and unused, he does not violate anyone's rights by *creating* the product. From the definition of legitimacy (see chapter 4) the producer's *use/disposition* of the product is also legitimate since nobody's rights are violated by using or disposing the product. Consequently, he has the right to use and to dispose his property (included to let it be untouched), and the *property right* is established as logical consequence of the nature-given right *to liberty*.

If other persons use/take/dispose the product without the consent of the owner, they violate the *property right*. By depriving or impairing a person's property, he is forced to work a period of time for replacing the property to reconstruct the situation before the violation. Thus, he has his *right to liberty* violated in this period of time as a consequence of the property violation. If the product is permanently abandoned and without a known owner, new *property right* may be established according to the principle of “first come, first served”.

Basically, the *property right* is based on processing non-owned and unused natural resources away from the natural state into a state of increased usability, but the creator may transfer the *property right* to others as a consequence of the *contractual freedom* being a nature-given right (see Section 5.3).

The basis of the *property right* is the difference between the processed state (state of increased usability) and the natural state, and the economic value is defined by the market's willingness to pay for this difference. A vein of gold lying in the underground has no value in its natural state; the value arrives when somebody digs out the gold and produces gold jewelers, tooth fillings or gold coins. A natural resource being in its natural state may not be claimed to be anybody's property. Fencing in a non-owned field of land without processing it duly is a violation of the *right to liberty* of other individuals. In order to establish *property right*, the natural state has not only to be altered, but it has to be altered *into a state of increased usability*. You may not carpet-bomb or asphalt a huge non-owned and unused area for obtaining *property right* by claiming that the bombing or asphaltting is not the work of nature. These are attempt of preventing other person's right to travel, to use or to establish *property rights* on non-owned and unused areas (see also Section 5.1.3).

It is not correct to say that we have *property right* to our own body because *property right* requires that we have processed something away from the natural state, and that is not the case for the human body. But the *right to liberty* directly gives us the right to dispose our own body (the genes for rationality and use of muscles are legitimately assigned to us by nature).

It is also possible to achieve *property rights* to intellectual property as outlines of non-trivial product ideas, music, film etc. since the producer has created it with his own brain and experiences legitimately acquired from others. In that way the producer has created intellectual products, which did not exist in natural state. No other than the producer has the right to these products, but others may take part in such products on the premises set by the producer. Therefore, patents, registered trademarks, design protection and copyrights are legitimate instruments for defending the *property right*. When a product idea has appeared in materialized form in the market for a long time, the product idea is gradually transformed into triviality, and consequently the patent rights logically disappear over time. Therefore, it is legitimate to limit a patent's validity to a certain number of years.

If a human being hunts down a wild moose on non-owned property, he has worked up *property right* for the moose meat. A lion may kill a zebra, and one should perhaps believe that the lion obtains *property right* to the zebra meat. But the lion does not possess the *right to liberty* since it is not a rational being (the concrete proof for that is the fact that no lion has ever showed any sign of creating “technological products”), and it is the *right to liberty* that implies the *property right*.

The *property right* can be violated by vandalism, theft and by staying on another person's property against his will. Vandalism and theft mean that the thug physically has destroyed/removed property in such a way that the owner **cannot carry out his actions of choice** with his property. Staying on an owner's property against his wish means that the intruder **prevents the owner from effectuating the choice** of letting the property stay untouched. The *property right* can also be violated by contract breach (see Section 5.3.1). All kinds of confiscation or expropriation of private property is in practice absolutely forbidden whatsoever; it is only nature (elements without free will) that may withdraw this nature-given right without being accused of illegitimacy; however, extreme exceptions are mentioned in Section 7.6.1.1.

Since all humans have the same *property right* and the same *right to liberty* in other respects, the *property right* is expressed as follows: “*The right to acquire property and to dispose this property as long as the owner does not prevent the similar right of others or violates other nature-given rights or their logical consequences.*” Expressed this way the *property right* is a non-violable right without any limitations (see also Section 5.1.2 for working up *property right*). But one question arises: How can a property or its use violate other people's *property right* or other nature-given rights?

Considering “the use of property in such a way that other person's use of their property is prevented”, the first person having initiated his use has the right on his side (see Section 5.7). You may not shoot out of your own window with your own shotgun risking harming persons on the street. You may not play rock music at maximum sound level in such a way that you invade the neighboring apartment with sound waves making it impossible for the neighbor to sleep. You may not drive your car in 200 kilometers per hour in a crowded city in such a way that people can be killed or property is at stake of being destroyed. A factory owner may not emit poison gases in such a way that the life and health of its neighbors are violated.

If reduction in the value of an already established usage of a property arises through objectively measurable physical burdens or obstructions from neighboring activity or new constructions, those who caused this have to pay at least full compensation for the loss of estimated market value. If an already established usage of the property *de facto* becomes impossible, the burdens / obstructions have to be prohibited or reversed. However, this does not mean that you may demand compensation for disliking the color of the house or skin of your neighbor; neither that a new competitor has to pay compensation for reducing the value of already established companies.

5.1.1 Property right is not based on initiation of force

Doubt over a person's *property rights* may sometimes arise. Has person A processed a certain land area away from the natural state in such a way that *property right* is present, or has he fenced in the area in such a way that the public's *right to liberty* on non-owned area is violated? If the judicial system concludes in favor of A, the authorities have to use force against those (B) who do not respect the decision. Is this *initiation* of force or self-defense?

When the judicial system has stated that A has *property right*, B *initiates* force if he violates A's property (similarly for other nature-given rights). The existing legitimate State has monopoly on Police and judicial system, settling disputes included; anything else would be a contradiction to the individuals' right to organize self-defense (see Section 4.4). Thus, eventual use of force by B will mean that he participates as a part of a sum to violate the individuals' right to organized self-defense of their nature-given rights. The decision of the judicial system has to be respected if it is in accordance with the

nature-given rights of the individual. However, B has the *right to use* civil disobedience or rebellion if the nature-given rights of the individual obviously is violated, but only if the severity of the realistically expected third-party damages of the rebellion is less than the severity of the right violations in the long-term perspective (see Section 4.4.1). Organizing a rebellion with this argumentation on the basis of a peripheral disagreement on the interpretation of the criteria for *property right* is practically impossible.

5.1.2 Working up property right in non-owned area

There are not so much non-owned areas today as it was in the USA several hundreds of years ago, but it is still interesting to consider the principles for civilized establishing of *property rights* on non-owned land areas.

Non-owned areas are not the property of the State, and the State may not sell something that it does not own. All human beings have the *right to liberty*, and the State is obliged to defend this right. All humans in the world have the same inherent genetic nature and thus, they have the right to try to work up *property right* on non-owned area (but foreign citizens may be refused to stay on State property, included car driving on roads in exceptional cases – see Section 5.5.7). A person who wants to work up *property right* for an area ought to start processing the area first. Then, as soon as possible, he ought to send a claim to the State on the *right to use* (see Section 5.2) for processing this area away from the natural state in such a way that *property right* arises. If two or more persons make claim on the same area simultaneously, a lot drawing ought to be carried out between the claimants. The State is to accept the claim unless it is predominantly probable that the planned activity will violate the rights of others. The claimant has a protected right for e.g. 5 years to process the area in such a way that *property right* arises, and no others may perform activities preventing this processing. During these 5 years he has to process this area away from the natural state into a state of increased usability in such a way that the *property right* to the area (or parts of it) arises. If he does not, the field will stay non-owned area, and others may claim the right to work up *property right* for it.

Some limits ought to exist for how large area you may claim for the *right to use* of establishment of *property right* for a given purpose; if it is predominantly probable that the claimant is not able to establish *property right* over the whole area within the specified period of time, he will violate the right of others to try to establish *property right* on parts of the same non-owned area. The claimant ought to pay a fine for the part of the area that he is not able to work up the *property right* for.

5.1.3 Property that lie fallow

A property can go back to the non-owned state if nature re-establishes a state similar to the natural state. Imagine a man A entering a non-owned land area. A clears the field and cultivates corn for two years. He has now worked up *property right* (and not only *right to use*) for this field. Then he moves from his field. Twenty years later A returns, but one year ago another man B had arrived and re-cleared and re-cultivated the area. Just before B's work the field was approximately as wild and untidy as when A originally cleared it 21 years ago. In this situation it is reasonable to say that A legitimately has lost the *property right* to that land, and that B has carried out a legitimate acquisition of property. The principle may be that if more that 15 years have passed since the field was cultivated (corn, potatoes, hay etc.), the field returns to non-owned area.

In a similar way a large garden around a building (or without building) that has been turned into a tangle during e.g. 15 years will no longer be regarded as the property of the original owner but as a non-owned area. The same principle will apply if the garden is not a tangle, but where the tangle effect, which develops by long-term unused state, has been hidden by asphaltting, artificial turf, lawn mowing etc. The owner still has *property right* over the building (unless it has been left vacant for a similar period of time and is tangle-like). Then, another person may apply for working up *property right* around the house (perhaps except 4-5 meters from the building).

Let us consider a building that has been left vacant for more than e.g. 15 years and resembles an uninhabitable ruin. The building represents something that is processed away from the natural state, but not into a state of increased usability, and the *property right* to the building will also disappear and turn into a non-owned state. The similar principle may apply for factory halls, airfields, overgrown roads, commercial building, blocks of flats etc. It is nature by the ravages of time that withdraws the *property right* in these cases. Section 10.5 describes a principle for transition between the states “in use” and “unused” for forest.

If a person discovers a land area or building which he means has laid fallow for a sufficient long time (e.g. 15 years for former cultivated fields, left building, empty house, garden around a house etc.; for forest see Section 10.5), this person may go to an court-like office (*property right* office) for demanding the right to work up *property right* according to the principles of Section 5.1.2. Then this office has to consider if the criteria for fallow is present. The judicial office has to prove as predominant probable that the original owner has neglected the property. If so, the former property is declared as non-owned, and the new person may work up *property right*. This will prevent “feudal” conditions. It also emphasizes that the area itself is nobody's property, but difference between the processed state and the natural state is. Prices on building sites and land areas are expected to be reduced as a consequence of these principles.

5.1.4 Inheritance

Considering the distribution of an estate of a deceased person, the principle has to be that the one having processed the natural resources away from the natural state (directly or indirectly) into the actual property is the one to decide the distribution of the inheritance. It is the testator who has performed this effort, and accordingly his testamentary decision is the law for the distribution of his property left. Each individual, who is not under guardianship, has the right to transfer his property to anyone he may prefer, and he also has the right to decide *when* this transfer is to occur; something else would be a violation of his *property right*. By a testamentary decision he may decide that the transfer of the *property right* to his belongings is to occur at his death and who to be the beneficiaries. Philosophically, “at his death” will mean “infinitesimally before the time point of his death” since a deceased person does not have any rights.

When a person dies without leaving a formal testament, one has to consider a presumptive testament (see Section 5.3.2.4); i.e. the testament that the deceased most probably would have composed if he should have expressed his last will at the very moment before his death. In order to bring such presumptions into civilized forms the Law prescribes that the children/parents are the primary heirs; secondarily the children/parents of the primary heirs. A presumptive testament will naturally have the content that an eventual spouse / cohabitant will inherit in a way that depends on how long time they have lived together. Cohabitants / spouses may also have a binding inheritance clause in their living-together contract. If other persons mean that they were equally close or closer to the deceased than those mentioned above, they have to make this claim for a court within a specified time after the death, and the burden of evidence is resting upon them. It may also happen that e.g. one of the children claims to be significantly closer to the deceased than other children, and if this is proven as predominant probable in the court, he may get more of the inheritance than the other children. When a person dies and does not leave any children, parents, siblings, testament or contract of marriage/cohabitation with inheritance clause, the property is considered as non-owned property. All non-owned properties of this kind are distributed among random nationals of the State by drawing lots each year. Archaeological discoveries are – as the main rule – entirely the property of the finder (see also Section 5.1). Exceptions from this are present when the owner is known and still exists (e.g. a state or a very long-lived company), then the law may specify a reward for the finder while the owner gets the rest.

When the testator obtains unlimited right to decide over his left property, it may be used as an age insurance. The future testator may enter a contract with one or more persons (or a company) on getting nurse and care – with parts of or the whole inheritance as service in return.

5.1.4.1 Organ donation

According to Rational Gaudism, an individual obviously decides over his organs and body as long as he is alive. He cannot transfer his organs or body to others “infinitesimally before the time point of his death” in the same way as mentioned for inheritance of assets. As a dead person, he cannot transfer anything since zero rights apply to elements that do not have the ability to perceive happiness. His dead body is taken over by those who are believed to be most interested in it, which will be his heirs (funeral) unless otherwise is obviously rational. The latter will be relevant for medically well-founded or forensic autopsy, and his heirs cannot refuse. Obviously, people who need transplants have more interest in kidney, lung or heart than the heirs. Therefore, medical staff may take donor organs from e.g. traffic victims in order to save the lives of others without the formal permission of the deceased or his heirs.

5.2 Right to use

Each individual has the *right to use* an untouched and unused natural resource since such use does not violate the rights of other individuals; this is one of the tools which nature includes in the *right to liberty*. A resource that has been processed away from the natural state into a state of increased usability is owned by the owner, and no other person may touch this property without consent of the owner. But who has the rights to a resource that is already being used, but is not processed away from the natural state? Since the resource has not been processed away from the natural state, the user does not possess *property right* to the resource. A human being who initiates the use of a natural resource does not commit any right violation by doing so. Accordingly, he has the right to continue this use; i.e. others may not violate his use. If somebody uses the same natural resource in such a way that the initiator's use is prevented, it is right-violating. If somebody uses the same natural resource in such a way that the initiator's use is not prevented, it is not right-violating. In practice, determining “preventing” may sometimes be somewhat difficult, and therefore, a best possible objective judicial evaluation has to be the base for the estimation of the limits in this respect. This may be specified in the Law and settled by the courts according to earlier court practice. If the legitimate user of the natural resource ends his use, another person may legitimately and free of cost restart the use since he does not prevent anyone's use, and new *right to use* is established. Of course, one person may sell his *right to use* to others.

A banal example follows: If you sit on a bough in an non-owned tree, nobody has the right to force you down, but when you have left the bough, you may not refuse others to sit down since your use of the bough has not made it more useable for sitting (your sitting has not processed the bough away from the natural state into a state of increased usability). In Section 5.2.1, 5.2.2 and 5.2.3 these principles for *right to use* are applied on forestry, fishing and hunting.

It is not possible to achieve rights on another person's property by prescription through continuing use. *Right to use* other person's property may only be achieved by an accepting agreement with the owner.

5.2.1 The right to use to forest

Right to use to forest arises when a lumberman enters a non-owned and non-used forest area and hews a tree. Then he works up the right to forestry inside a circle with the tree stump as centre and radius similar to the length of the hewed tree. A forester has the *right to use* to a forest area since he (or those he has bought or inherited the area from) historically has performed forestry in the area. But he does not possess *property right* to the forest area since the area is not processed away from the natural state into a state of increased usability. In fact, the usability of the area for forestry has decreased since several trees have disappeared following the hewing. The forester achieves *property right* to those logs which actually have been hewed.

Since the forester does not have the *property right* to the area, he may not rebuff activity in the forest that does not go against his forestry. When a person makes a walk in the forest, he does not violate the *right to use* of the forester since walking does not interfere negatively with forestry. Therefore, the forester may not refuse a tourist to walk between the trees, and he may not refuse a hunter to go hunting there (see also Section 5.2.3). One may raise tents between the trees as long as the forester's *right to use* is not violated (not in a planting area – the small trees will be violated). Cultivated fields appear differently because it is impossible to walk without violating the corn straws, which is the farmer's property. A random person may not hew trees in the forest to build a house because the forester's *right to use* to forestry is violated. However, the forester may build e.g. a house in the forest (outside hiking areas) and work up *property right* to a garden around it since he does not violate anybody's rights by doing so. If a forester has built a road in the forest, he has the complete *property right* over it because he has processed the area away from the natural state and into a road.

Local people will often have worked up *right to use* to walking and recreation in the forest (today's *public right*). Therefore, the forester may not exterminate forest to such an extent (e.g. by transformation into a residential or commercial area) that the *right to use* to walking and recreation is violated. Similarly, a large forester may not exterminate forest *en mass* in such a way that the stock of moose disappears or becomes strongly reduced from the area. That would violate the hunters' right to a worked up hunting quota which is expressed in a share of the yearly increase of moose (see Section 5.2.3).

If the extermination of the world's forests should occur in such a tempo that it is predominant probable to threaten the level of oxygen in the atmosphere, a supranational court of the World Assembly (see Section 4.5) may impose hewing restrictions or timber taxes upon all foresters of the world with the argument that each forester participates as a part of a sum to threaten the *right to life* (see Section 6.5).

A forester has the *right to use* to a forest area because he (or those he has bought or inherited the forest from) historically has performed forestry in that area. If the forester is lazy and does not keep up the forestry, his *right to use* will logically withdraw, and the area will again become unused and non-owned. Then, other persons may pursue the establishing of *right to use* to the field according to the principles of Section 10.5.

5.2.2 The right to use to fishing

Imagine a stock of fish consisting of 1 million fish, which is not necessarily located inside a sharply limited area since the fishes are swimming over large distances. The annual increase is 200,000 fish. Person A (or a fishing company) has historically caught 20,000 fish each year. Thus, he uses 10 % of the stock (100,000 fish) for cultivating those 20,000 fish that he actually catches each year. Nobody has the right to force him away from using these 100,000 breeding fish for breeding new fishes as long as he actually keeps up the use (the fishing activity). This means that each year he has the right to fish a quota of 10 % of the annual fish increase, i.e. the surplus of fish that his breeding stock annually gives. Similarly, we imagine Person B having a quota of 60% (uses 600,000 fish for breeding those 120,000 fish which he catches annually), while C's quota is 30 % (uses 300,000 fish for breeding those 60,000 fish which he catches annually). If other fishermen catches fish from the "breeding stocks", they violate A,B,C's *right to use*. The State is obliged to defend this *right to use* in such a way that one fisherman does not "steal" from another one by overfishing. Fishing boats may work up *right to use* to fish resources still being unused. This may occur by discovering a fish resource which has not been historically exploited, or if the annual increase of a known fish resource is not fully exploited by existing users.

If A catches 40,000 fish one year, it means that he either steals from the annual quotas of B and C, or that he catches 20,000 fish from the total breeding stock. The latter means that he catches 2000 of his own breeding stock (and that is not right-violating), but he also catches 12,000 from B's breeding stock and 6000 from C's breeding stock, and *that* is a violation of their *right to use*. If A had been the only

fisherman, he had been able to legally overfish as much as he had liked without violating anybody's rights, but it would have been stupid in the mean and long term perspective since he would have sawn off the bough that he is sitting on.

The 100,000 breeding fish that A uses are not his property since they have not been processed away from the natural state into a state of increased usability. The breeding stock is a non-owned resource that A has the *right to use* because he has historically used this non-owned resource, and because he still keeps up the use. However, he has *property right* to those fishes which he actually catches and later on processes further since these are processed away from the natural state into a state of increased usability.

An office in the Ministry of Justice will each year perform a scientific evaluation of the size of the total fish stock and its annual increase, and on this basis they will calculate how many fish (fish quota) each fisherman, fishing boat or fishing company has the right to catch. The task of this State office is not "to administer the joint fish resources of the society" but to ensure and enforce the *right to use* of the owners of the fishing boats. The fish quotas may be freely purchased and sold. In this way we obtain an ideologically correct definition of "the right to fishing" based on the fishermen's initiation and maintenance of the use of the fish stock, and not the socialist idea that the fish in the sea is "the joint property of the citizens". If there is a large excess of fish compared to the total fishing activity, everyone may catch as many fish as they like without any quota regulations since no rights will be violated as a consequence thereof.

A similar principle can be used for whales and other animal resources in the sea. Since the fishes swim between different nations' waters, nations ought to cooperate over establishing fish quotas. Enforcement of the *right to use* to fishing in international waters may be a task for the World Assembly (see Section 4.5).

Thus, fishermen can have *right to use* to a fish resource in a sea area. But the fishermen do not have *property right* to the sea floor or the water itself. If an oil company arrives pumping up oil in the area, it does not violate the fishermen's *right to use* to the fish resources (unless the oil company pollute in such a way that the stock of fish is eradicated or significantly reduced).

5.2.3 The right to use to hunting

Wild animals in the forest are not the property of the forester since he has not bred the animals away from the natural state (the animals are regarded as non-owned). The forester may not refuse hunters to walk in the forest between the trees since this is not a violation of the *right to use* to his forestry (see Section 5.2.1). Thus, he may not refuse them to hunt down the animals. Theoretically, he may refuse them to drive on his forest roads unless an explicit or presumptive contract stating otherwise.

The hunters work up *right to use* by the fact that the individual hunter historically has shot a certain numbers of animals each year. Thereby, he has used a part of the total animal stock as breeding animals for producing the part of the annual increase that he has hunted down. Thus, he has worked up the *right to use* the same part of the animal stock as breeding animals also in the future as long as the use actually is sustained. The hunter obtains full *property right* to the meat, fur, horn etc. of the animals that he actually has killed. This is completely parallel to "*right to use* to fishing" in Section 5.2.2.

The *right to use* ought to be defined in the same way as for fishing: Hunters who traditionally have hunted in the forest (often the forester included) have the right to a quota of the annual increase of the stock of the actual hunting object that is proportional to the size of each hunter's historical use. A State office calculates the annual increase of the stock, and the hunters' numerical quotas are calculated thereof. This office is also to ensure that the animals are not exposed to maltreatment during the hunting. If there is a large excess of wild animals compared to the total hunting activity, everyone may hunt down as many animals as they like without any quota regulations since no rights will be violated as a consequence thereof.

The forester may not charge the hunters because he cannot sell something in which he does not have any rights, but he may of course sell his own hunting quota in the same way as the other hunters. He may also demand payment for the hunters' use of his forest roads.

If the forester severely exterminates forest to which he has *right to use*, moose, deer etc. will disappear and thus, extensive destroying of forest will be a violation of the established *right to use* of the hunters. The forester may not manage his forestry in such a way that the *rights to use* of others are violated. Thus, *right to use* to hunting will contribute to a natural preservation of the forests with positive consequences for environment, oxygen production and general well-being.

An indigenous tribe (may function as a kind of organization) or indigenous individuals may have the *right to use* to i.e. hunting and gathering in areas of forest, jungle etc. based on their prolonging use. This grants protection against companies or individuals that want to start other enterprises in these areas, but the *right to use* may of course be sold voluntarily. This does not apply for nomads moving from one place to another over long distances; when they have moved far away from an area and do not return for years, the *right to use* ceases logically, and others may establish *right to use* and/or *property right* there. It is important to emphasize that the *right to use* is not achieved on the basis of ethnicity; white people will of course have the same *right to use* if they have had the same prolonging use.

5.2.4 The right to use to oil

The State is obliged to defend the right to *free enterprise* (see Section 5.5). This means that any oil company, regardless of nationality, safely may search for oil on non-owned territory (as long as the company does not violate the nature-given rights of others). Before test-drilling, the company ought to carry out a process similar to the one mentioned in Section 5.5.6. If two or more companies demand to start test-drilling in the same area simultaneously, a lot drawing ought to be carried out between the claimants. When the company discovers oil (this may require a lot of searching, geological examinations and test drilling) and starts pumping it up, the company's *right to use* to oil activity in the field arises. Other oil companies are not allowed to pump oil from this field as long as the first company actually performs oil production there. The company has *property right* to the oil that actually is pumped up since it is processed away from the natural state into a state of increased usability. The company is not to pay compulsory taxes to the State (see Section 7.6.1). Thus, it is important that the State through the State Stock Fund (see Section 7.6.4) has significant shares of ownership in oil companies extracting oil from national and international territories. The State may also demand environmental taxes from oil activity if a court is able to prove that it is predominant probable that the consequences of the oil activity in sum will violate the nature-given rights of the individuals inside a geographical area equal to the jurisdiction of that court (see Section 6.5).

5.2.5 The right to use and property right in the beach area

If the local people traditionally have used a beach for sunbathing and swimming, they have established “*right to use* to sunbathing and swimming” on the beach. A beach existing in the natural state, cannot be regarded as property but as a non-owned area where it is possible to establish *right to use* to e.g. sunbathing and swimming. Nobody may legitimately violate an already established *right to use* by carrying out construction activity on the beach. On an unused beach where *right to use* has not been established, anybody may build anything as long as it does not violate the rights of others, and *property right* to the beach zone arises. When the beach has been processed away from the natural state by construction, nobody else may establish *right to use* to sunbathing and swimming.

5.2.6 Diffuse, collective rights to use

As mentioned in Section 5.2.1 and 5.2.5 the locals have the *right to use* to walking in the forest and the *right to use* in the beach area, and other similar *rights to use* may probably exist. Persons outside the local area may also wander there since they do not violate anyone's rights by doing so, but it is mainly the local citizens who have established these *rights to use* on a diffuse, collective basis through enduring use. It is impossible to individualize these rights and therefore, the individuals of the local society do not have any such *individual* rights to sell. Thus, these rights have to be managed collectively at the local level by a municipality-based foundation (or similar) whose representatives are chosen by the locals.

Imagine a relatively large forest area that in a significant manner are being used for walking, berry picking and other kinds of recreation. The forester with *right to forestry* in this area wants to transform the forest area into an residential area or an area of commercial properties. He cannot do this by his own discretion since he then violates the locals' collective *right to use*. The forester has to enter into negotiations with the foundation, and he may only transform the forest area if they make a contractual agreement. The agreement may e.g. include that half of the income from the land sale (or other kinds of profits from the area) are going collectively to the locals. Oppositely, the local society has the option to prevent the razing of the recreation area. The money may e.g. be used for disadvantaged individuals.

If the forester wants to transform a forest area which has *not* been used significantly for walking, recreation etc., he may do so without entering into the negotiations mentioned above.

5.3 Contractual freedom

Contractual freedom is freedom to renounce freedom if the individual believe that the contract, according to a total evaluation, gives more self-happiness during his life span than complete nature-given freedom. Thus, *contractual freedom* is obvious a subgroup of the general *right to liberty* as described in Section 4.1.1, and since the *right to liberty* is a nature-given right, the *contractual freedom* also has to be so. The *contractual freedom* naturally fits into the Superior Constitution (see Section 7.1.1.1), and no other law may infringe this fundamental right. Compulsory solidarity arrangements are right-violating and therefore, voluntary contracts between individuals and insurance company will take over much of the collective solidarity in the Rational Gaudist society (see e.g. Section 7.6.11).

5.3.1 Why is contract breach right-violating?

When two parties enter a contract, the parties agree upon how much value (materialized liberty) they are willing to transfer to the other party in order to obtain specified values from this party (the concept *value* is being used here and in the rest of Section 5.3 a little imprecisely in the meaning *value tool – happiness* is the only true form of value). If one party does not transfer the specified values in accordance with the contract, contract breach is present. If the other party has lost objective measurable values through the contract breach compared to if the contract had not been entered, he has been deprived of values against his will, and thus, a right violation is basically present. However, the contract breaker may avoid being identified as a *right-violator* by providing compensation by conciliation or by complying with a judicial decision on compensation. If committed by intent in the pursuit of profits, the contract breach may be theft by the use of the intellect instead of the hand (swindle, cheating).

In addition to depriving the other party of positive value, the contract breaker may also cause the other person negative value; the other party may behave differently in the period from the contract entering until the contract should have been implemented compared to if the contract had not been signed. A failure to accomplish a one-sided contract stating that Peter will transfer \$15,000 without any payback to Bill in three months, does not make Peter liable because Peter deprives Bill of values, but because Peter's contract signature causes Bill negative value. Bill may order a new car and start working

on the house as a consequence of the contract entering. When Peter's capital transfer does not arrive, Bill will get into economic trouble; he receives a negative value. Thus, contract breach often implies liability through a sum of depriving of positive values plus transfer of negative values.

If the party, who complains about the implementation of the contract, either has been deprived of any objectively measurable positive value or has been inflicted any objectively measurable negative value, no liable contract breach is present, but only a subjective breach of confidence from the claimant's point of view.

5.3.1.1 Sanctions against contract breakers

If one party breaks a contract, the other party may not legitimately force him physically to fulfill the contract, but the judicial system may order him to compensate the other party's loss. Additionally, he may in certain cases be imposed "punishment" deterring him from committing contract breaches in the future.

In the example in Section 5.3.1 Peter is judicially obliged to compensate for the negative value he has caused Bill; he has not been deprived of any positive value, so in that respect there is nothing to replace. This compensation will also have the function of deterring Peter from similar contract breaches in the future.

George signs a contract to receive 10 cents today, and as a payback he is to transfer a Rolls Royce to Charles in three months time. George fails to deliver the car. Thus, he has unjustly received 10 cents and has to compensate for this. In addition, he is liable for the negative values which the contract violation has caused Charles, but George is not liable for the market value of the car.

The party having been exposed to the contract breach may legitimately reject fulfilling some remaining parts of the contract, and this may have negative consequences for the contract breaker. Additionally, the contract breaker may have the following sanctions imposed by the courts: 1) compensation for the positive values that he has unjustly obtained from the other party, 2) compensation for the negative values that he has caused the other party, 3) sanctions to deter similar contract breaches in the future (if the deterrent effects of points 1 and 2 are insufficient) but only if it is a premeditated or grossly negligent breach of contract for profit purposes. In cases with only honest disagreement about a contract there shall never be any extra sanctions, but just compensation.

5.3.1.2 Private arbitrators and contract fees

When two (or more) parties enter into a contract, the parties may, as an element of the contract, agree on which arbitrator to judge over eventual future disagreements about the contract. Therefore, several private arbitrators can be present competing with public courts over this task. Since such arbitration does not become a State monopoly task, both the State and the private arbitrator companies may demand a fee when the contracts are entered, and these fees will partly finance the State judicial system and completely finance the private arbitrator companies (see Section 7.5.2). The fees may be regarded as insurance premiums making it economical possible for the arbitrator to settle eventual future contract disputes. Alternatively, the arbitrator companies and the State may demand a relatively high fee when a dispute over the contract eventually arises. The fees ought to be larger the more expensive the settling of potential contract disputes is supposed to be. The State may decide that certain contract types will be free from such fees at State courts. If a contract is signed without a specified arbitrator, the State automatically becomes arbitrator unless the parties agree on something else when a contract dispute arises; the plaintiff has to pay a relatively high fee for getting the State court to handle the case, and if he wins, the loser has to refund the fee. If a private arbitrator has made a decision over a contract dispute and the loser refuses to accept the decision, the State judicial system and Police will ensure that the decision is enforced upon the loser; exceptions apply if the settlement is in discordance with the principles of the Superior Constitution (see Section 7.1.1.1).

Considering criminal cases, the State courts must have a monopoly on such lawsuits since it is the society *per se* that is to be protected against future crimes from the suspect; it is not only an internal affair between the suspect and the victim. Besides, a criminal has no nature-given right to indirectly choose his punishment by participating in electing court for his trial.

5.3.2 When is a contract valid?

Since all individuals have the same *contractual freedom* and liberty in other respects, the *contractual freedom* is formulated as follows: “*The right to enter contracts as long as the one does not violate the similar right of others, other nature-given rights or their logical consequences.*” Expressed this way the *contractual freedom* is a non-violable right completely without limitations. But one question arises: How can *contractual freedom* violate the *contractual freedom* of other people or other nature-given rights? This is described in the sections 5.3.2.1-5.

5.3.2.1 Rational voluntariness

The *contractual freedom* does not have any limitations, but a contract is not valid if it is written in such a way or entered into under such circumstances that one party is deluded into entering the contract abeam of his rational voluntariness (natural compulsion is not involuntariness). For instance, this may happen when one of the parties is not with all senses alert, has not reached the age majority, or when the producer of the contract has written important elements with very small font in the purpose of cheating the other party. If George signs a contract with Charles on selling a Rolls Royce for 10 cents, and George refuses to fulfill the contract, he has basically committed a contract breach. But it is good reason for asking if George was with all senses alert at the time when the contract was signed, or if there was any kind of cheating from Charles.

The more biased a contract seems from an intersubjective perspective and the more serious restrictions in the nature-given rights it involves, the milder proofs are required from the regretting party if he wants to abolish the contract claiming absence of rational voluntariness (absence of rationality or claims on fraud) and the stronger the case of the regretting party stands. In simple cases this may be specified in the Law so the contract parties know under what circumstances the contract has to be agreed on in order to be considered juridical voluntary. The evaluations of the court with basis in practice of justice will be decisive in other cases. But intersubjective bias is not reason by itself for rejecting a contract; the absence of rational voluntariness has to be proven.

5.3.2.2 Special contracts and obligation to inform

If a contract text contains elements that seemingly are very unfair, unusual, dangerous or liberty-limiting, proportionally tough requirements on information to all contract parties are necessary if the contract is to be regarded voluntarily entered and thus judicially valid. If you download a program from the Internet, you often have to click on a button in order to accept certain terms. The software producer may not write buried in the contract text that the downloader is to pay \$10,000 each month to his bank account the rest of his life. The producer may legitimately demand an extreme price, but the potential buyer has to be extremely well informed on this special price if the contract is to be judicially valid. But even if the customer is sufficiently informed about the extreme price, the customer will be imposed a relatively cheap compensation for the contract breach since the objectively measurable value that the software producer has been deprived of is small. This is due to the low probability for him to get the product sold to another customer at the similar price. But the customer must, of course, return and uninstall the software. See also Section 10.3.7.

The general principle is as follows: When two (or more) parties enter into a contract, the entrance has to be voluntarily made by all parties in order to be valid. If there is a significant information asymmetry between the parties when a contract is signed, the “strong party” has an obligation to inform on important, but unusual issues that the “weak party” realistically can not be expected to know. Lawmakers or the judicial system have to estimate which information (and in which way) the “strong party” must have submitted to the other party prior to the signing in order to be a voluntary contract entering. Examples of this may be: (a) To write the peculiarities with large and bold letters in a central place in the contract, (b) to place the peculiarities in a public register so potential contract parties may learn about them on beforehand in order to avoid accepting the peculiarities

unwittingly, (c) to go through education with corresponding exam in order to ensure that the contract party really has understood the peculiarities, (d) requirements for witnesses, (e) Approval from psychiatrists that the contract party is by all senses alert. The State may not include whatever of “desired” contract restrictions (as opposed to the illegitimate “automatic standard contracts” of Section 5.3.2.5), but only make a realistic assessment of which relevant information that could have prevented the “weak party” from entering of the contract.

We can imagine contract-like interactions where the content, circumstances and information asymmetry make the information obligation of one party's become so extreme that voluntariness in the interaction becomes virtually impossible. This will in practice resemble a legal ban and can be called a *de-facto-prohibition* (see e.g. Section 6.6.2). An extreme and weird example illustrating the principle follows: A grocery store wants to sell a cheese having 90 % probability of causing cancer death within 3 years if you consume more than 200 grams. Theoretically, the shopkeeper has the right to sell this cheese to consumers who voluntarily want to eat it, but he has to state the dangers very clearly; marking with small print is insufficient. In practice, the requirements ought to be as harsh as for euthanasia. Failure to comply with this information obligation could result in conviction for mass murder, and even if nobody should die or be injured, the seller may be convicted for grossly perilous action under particularly weighty circumstances. *De facto*, it will be illegal to sell the unhealthy cheese. Any degree of information obligation may exist – from *none* to *de facto prohibition*.

When entering contracts, one (or both) party of the contract may want to “squeeze in” very special conditions, and by alleging contract breach these may be very intricate to ‘investigate’. The main way to prevent this from turning into a disproportionate load on the treasury is described in Section 5.3.1.2, and essentially means that the contracting parties voluntarily and freely may choose private arbitrators to be “judge” of their contractual relationship (most likely to be agreed on at the entering of the contract). Firstly, the load on the State judiciary will be reduced. Secondly, the State may charge fees on its own arbitrator services since arbitration will not be a monopoly State task, and the fee should be larger the more costly the treatment of a possible future litigation about the contract is expected to be.

The motive power to include very intricate contract terms will also be reduced by the fact that a contract breach is liable only if one party can prove that the breach of contract implies an objectively measurable loss (which in practice means a significant *economic* loss) compared to if the contract had not been signed (see Section 5.3.1). If there are no objectively measurable losses, only a subjective breach of trust remains, which will not be enforced by the courts.

5.3.2.3 Slave, violence and death contracts

A person who enters a very long-term contract of slave-like character ought to have the opportunity to break the contract without fear for judicial reprisals with the following rationale:

The contract party has not been deprived of any positive values. However, he may have been imposed negative consequences by getting problems with keeping other contracts that were entered on the basis of the “slave contract's” extremely favorable terms. However, the contract party is assumed to be compensated already through the very favorable long-term conditions given to him by the “slave contract”. Besides, the danger of reiteration is assumed to be zero since the slave-like condition by itself is expected to have sufficient deterring effect on the “contract breaker” (see Section 6.1.1). Thus, a relatively long-term slave-like contract between two parties may be broken without danger of juridical reprisals.

An employment contract with normal salary conditions but very long term of notice may be broken by the employee without being economically responsible for the total remaining term of notice. He is only responsible for the negative value that the employer has been imposed (he has not been deprived of any positive values), i.e. for the expected time loss and inconvenience by hiring a new, similar employee.

The judicial system is not to enforce contracts where one of the parties has accepted death, physical or psychological violence as a part of the contract. To the contrary, the one committing violence against the other party against his will often be punished (see also Section 10.4.2). Contracts that are signed under physical force, threats thereof, or strong psychological force are to be declared invalid by the judicial system.

5.3.2.4 Presumptive contracts

When two parties interact voluntarily without the existence of any explicit agreement, disagreements may occur afterwards. When eventual disputes over the interaction are to be settled, one must primarily examine whether other parts of the *right to liberty* than the *contractual freedom* have direct logical implications in the present case; if so, this applies. If not, the applicable principle is that each of the parties are assumed to have interacted out of an unspoken voluntary agreement, each of them believing that they would generate significantly more happiness with this agreement than if there had been no interaction. But maybe one party had another agreement in mind than the other party when the interaction occurred, or perhaps they thought of the same agreement, but that one of the parties tries to withdraw from it in the pursuit of unjust gain. The legal system must, from a best possible objective judicial assessment, estimate which agreement the defendant realistically ought to expect the complainant to accept given the moment and circumstances of their interaction. The State may not include their own preferences in presumptive agreements (as opposed to the illegitimate “automatic standard contracts” of Section 5.3.2.5), but the judicial system (or the legislature if it is usual, recurrent interactions) is to estimate, based on a rational assessment of reality, which agreement the previous sentence means in practice. An explicit contract may be incomplete failing to cover the parties' interaction entirely, and then it may have to be supplied by a presumptive contract.

5.3.2.5 Standard contracts

An “automatic standard contract” is a contract that is specified in a law, and which is considered valid between two or more parties unless the parties explicitly have agreed on something else (also called declarative law). In an automatic standard contract the State can basically include anything at will (as opposed to presumptive contracts of Section 5.3.2.4), and this will automatically apply to all contract conditions that are specified by the standard contract, even if the contract parties have not agreed to this. In order to cancel the contract, all parties of such an automatic contractual relationship voluntarily have to enter into a contra-contract canceling the automatic standard contract, and this contra-contract has to be designed in a manner specified in the automatic standard contract's accompanying text. Automatic standard contracts can easily be created in such a way that their content theoretically may be abolished by contra-contracts while it becomes impossible or very difficult to do so in practice, and thus, the *right to liberty* will easily be undermined. The State does not have the right to impose such automatic standard contracts with the following rationale: By entering a contract one renounces a little *right to liberty* in the pursuit of generating significantly more happiness in the long-term perspective by signing the contract than by relying on pure nature-given liberty. In an automatic standard contract the State forces a contract upon the parties, and they are forced to do something (e.g. signing a contra-contract) in order to obtain the nature-given right that complete liberty is. This is a contradiction to the definition of a natural (innate) right (chapter 4). All principles that shall have automatic validity without an explicit contract have to arrive as a logical consequence of the *right to liberty* or through presumptive contracts (see Section 5.3.2.4).

Nevertheless, the State may make standard contracts that become valid if two or more parties sign the contract through an active, voluntary act, and which is not based on the principle of automatic validity unless active reservation is carried out (see also Section 5.5.4). This kind of standard contracts may be contracts of marriage/cohabitation, contracts between employer and employee, sales contracts and other commonly used contracts. The parties have complete freedom to choose other contracts than the standard contracts if they prefer so.

5.4 Right to organize

According to Rational Gaudism, perceiving happiness is the only value, and since an organization does not possess the ability to perceive happiness, it does not have any values or objectives by itself. Accordingly, an organization does not have any nature-given rights of its own (see introduction to chapter 4).

Individuals have the *right to liberty* and thereby the right to gather with others into an organization and to try to use it in the pursuit of maximization of their self-happiness during their life spans. The members have the right to make decisions and effectuate them according to the constitution of the organization (as long as the nature-given rights of others are not violated). The constitution is a contract between the members and has to be accepted also by others who want to interact with the organization; this also applies for the decisions made in accordance with the constitution. The constitution does not need to be based on democratic principles. Decisions made in opposition to its constitution are considered to be contracts breaches (see Section 5.3.1) and will potentially be a case for the judicial system. If a sufficient number of members want to use the organization in the same direction, each and one of these individuals can generate significantly more happiness together than what they would have done outside the organization. If a member means that the organization does not any longer contributes positively in the pursuit of his ultimate value, he must have the opportunity to resign (see also Section 5.4.3). There exists no right to become member of a particular organization unless the existing members have made a decision in accordance with its constitution on something else. The State itself is an organization with certain modifications (see Section 4.4), and its primary task is to defend the nature-given rights of the individuals.

A person of legal age has to actively accept a membership if it is to be legitimate. A person of legal age who has been enrolled in an organization as a child has to get a message (with a reasonable deadline, which is stipulated in the Law) from the organization shortly after reaching the age of majority where eventual obligations of continued membership are enlisted. The person may choose to renounce his membership before this deadline without being inflicted any obligations no matter what his parents have agreed with the organization earlier on.

In the constitution of an organization the following paragraph can (and perhaps sometimes *ought to*) be present: “*This organization, company, block of flats etc. comply with the State standard constitution (or the standard constitution to another certification firm). This paragraph may only be changed if absolutely all members agree.*” It may also be specified that this apply to the standard constitution that the State/firm had valid at a certain time point – even if the State/firm should change these later on (see Section 5.5.1 and 5.5.4).

An “organization” without a constitution is not considered to be an organization, but a loosely collections of individuals. In such a collection all decisions have to be made according to complete consensus since the majority does not possess any right to decide unless a contract (constitution) exists between the members on this. If it is not possible to make consensus decision on a particular case, status quo has to be sustained or the collection has to be dissolved. Nevertheless, a majority or a minority may start a new gathering immediately after the break up.

5.4.1 When is an organization legitimate?

As a consequence of the above statements an organization will function in the same way as if it had possessed those nature-given rights as mentioned in Section 4.1. Since all individuals have the same *right to organize* and the same *right to liberty*, the *right to organize* is formulated as follows: “*The right to join organizations together with others and to manage the organization in such a way that one does not violate the similar right of others, other nature-given rights or their logical consequences.*” Expressed this way the *right to organize* is a non-violable right completely without limitations. But one question arises: How can an organization or its use violate the *right to organize* of other people or other nature-given rights? The functioning and constitution of the organization may not disagree with the following:

An organization may not challenge the State monopoly on Police, military force and the administration of justice (see Section 4.4). An organization is not to be considered legal if its objective is to violate nature-given rights or solicit this in a situation where the solicitation may be expected to be pursued. All political organizations have to be allowed as long as they are not in conflict with the above limitations (see also Section 5.6). It has to be an absolute requirement that each member may resign if he means that the membership no longer promotes his happiness, but a civil dispute may arise over eventual outstanding economical obligations. The resigning is not to be followed by other obligations than those explicitly stated in the organization's constitution (contract) at the time when the member enrolled the last time or what he specifically and explicitly has signed later on. This also applies for the organization that living together represents.

5.4.2 Citizenship

The State has no nature-given duty to give citizenship to any individual, but it is reasonable that the Law offers citizenship to children if at least one parent is a national of that State unless the child already has another citizenship. The State is an organization (see Section 5.4). The constitution of an organization is a contract that a new member accepts when entering. A contract is defined by voluntarily renouncing some liberty in exchange for the contract content, which is expected to give significantly more happiness during the life span than complete nature-given liberty. Therefore, forcing a contract (constitution) upon an individual is a violation of his nature-given rights, and this is valid even if the individual may resign at any time. Accordingly, no organization, the State included, may take in members without their consent. Children may acquire citizenship by birth as an accompanier to the mother's or father's citizenship since initiation of force against children under age is not right-violating if performed in their self-interest. A person of legal age has the right to renounce the citizenship immediately after reaching the age of majority without accruing any costs or obligations. If he renounces the citizenship, he ought to wait a certain time before he may reapply for citizenship.

Any adult individual has the same *right to liberty* independent of geographical or ethnical origin, and the State is obliged to defend this right inside the State's territorial jurisdiction in order to legitimate the State monopoly on the obligatory tasks (see Section 4.4). Therefore, the State may not refuse a Chinese, African, Pakistani or stateless person access to its territory unless he has committed right-violating actions (but he may not intrude into another person's, organization's or company's property without the consent of the owner). An individual with citizenship of the State by birth who does not want to continue the citizenship as an adult may not be expelled from the country's territory or be deprived any nature-given rights against his will.

Theoretically, the State may impose obligations upon a national of the State through the voluntary contract as the citizenship represents, but statistically, he ought to expect receiving goods of similar value as he loses from the obligations, otherwise the incitement to become and stay national of the State will vanish. Therefore, the use of such obligations (e.g. obligatory taxes) will make it difficult for the State to achieve large extra income or services that may be spent on others than those who carried through the obligations (see Section 7.6.7). Stateless individuals, who have possessed citizenship of the State as children, ought to receive documents from the State showing that this country is willing to take delivery of them unconditionally if other States want to expel them for one or another reason. The only advantages attached to the citizenship will be the right to vote, more easy and secure identification documents, help when staying abroad, certain employments in the Police, judicial system, military defense and State administration ought to be reserved for nationals of the State, and you will participate in the lot drawings over non-owned inheritance (see Section 5.1.4). For the single individual the right to vote is of limited importance (mouse-piddling-in-the-ocean effect). By the way, the right to vote is no nature-given right, but a legitimate and rational option in the General Constitution.

Concerning rights on State property, the following paragraph ought to apply in the General Constitution: “Everyone who are or have been nationals of the State shall have the same right to use State property (State roads included) – eventually against objective payment – to the purpose which the actual State property is intended unless the actual State property from its nature only can be used by State employees. None of the individuals mentioned in the first sentence are to be discriminated on basis of their ethnic origin, race, political views, philosophical ideas or appearance. The State may refuse whoever to use State property for right-violating action, use that the actual property is not intended for, or use which may harm the property, adjacent properties, other individuals or the reputation of the property. Usually, peaceful, law-obedient foreigners, who are not right violators or suspected for right-violating actions, will have the same rights as mentioned above, but in extraordinary cases the State may introduce limitations for foreigners' access to State property, but not if the foreigner already has acquired a legitimate right to utilize the actual State property.”

5.4.3 Living together with a contract is an organization

Living together with another person (or several persons) also makes up an organization if they have a contract on their marriage/cohabitation. Private institutions will naturally grow up, and some of them will obtain significant social power through support of large parts of the population. Such private institutions may e.g. be life style or ethical organizations. These will take over a role in connection with contracts on marriage/cohabitation. Pure tailor-made juridical contracts for the actual couple (see Section 5.3) will also be commonly used according to the *contractual freedom*. If these contracts are to be named marriage, cohabitation or something else, will be up to the judgments of these organizations. There will be only in connection with contract breaches, which the private organizations cannot handle themselves, that the State needs to intervene with its monopoly of force to enforce the contract. The State ought not to have any particular matrimonial law, but the State may offer one or several standard contracts that voluntarily may be signed by people who want to live together. The contractual law will regulate such contracts. The term “marriage” will not exist in the official terminology. For or against gay marriage will not be a case for public discussion but eventually an internal discussion inside different organizations.

Contracts of marriage/cohabitation explicitly forbidding divorce will not be enforced for several reasons: The fact that marriage/cohabitation is an organization implies that each party has the right to resign (see Section 5.4.1). If two persons living together break up, it is not a contract breach per se whatever causes or circumstances being present. The rationale is that when a person breaks off with another, the causes are very subjective. One breaks off because one expects to generate significantly more happiness without the partner than with the partner, and who is the “contract breaker”? Is it the initiator of the break up, or is it the one failing to make the partner happy? But the contract of cohabitation/marriage may specify certain things to happen during living together or at a break up, and in this respect there may be a contract breach if the contract is not obeyed.

5.4.4 Trade unions

If employees wants to be members of an “undemocratic” trade union governing everything from the top, that is all right. If this trade union wants to take decisions over strikes through a little border of 5 persons (or only by the leader), it is an internal case for the actual trade union. If the members do not like such centralism, they may resign from the organization or try to make it more democratic. If a trade union becomes too centralistic it is reasonable to believe that the members will dislike it over time. The knowledge of this will reduce the trade union's incitement to be centralistic. If the State was to introduce a law stating that the members of a trade union only are allowed to strike if there has been a general referendum among the members, it would be a violation of the *right to organize*.

Employees, regardless of whether they are trade unionists or not, can legitimately only strike if their employer on beforehand has signed a voluntary agreement with them on striking without being fired. Often, such a clause is embedded in a collective labor agreement. If such an agreement does not exist, and the workers still strike, the employer may fire them and they may additionally be judicially imposed compensation for contract breach. If this type of workforce is hard to acquire, firing may be an unintelligent approach even if it is legitimate. If they are easy to replace, it may be more rational to fire them. On the other hand, the environment in the company may be badly influenced if the employees feel that they can easily be fired, and this knowledge will make the company owner more restrained with respect to the use of such “macho” management.

If the State by law is to prohibit a business owner to fire striking workers, apart from those agreements the owner voluntarily has signed, this will be a violation of the *free enterprise*. Both striking workers and lockout-horny employers have to face the consequences of their stubbornness or indulgence, and the fear of the consequences will hopefully be so large that the number of strikes is held relatively low. It is unacceptable that the trade unionists may strike as much as they desire supported by the authorities refusing business owners to let the trade unionists face the consequences. We emphasize that it is right-violating to make laws that force employers to enter into collective labor agreements with one or more trade unions. Both parties have to voluntarily enter into such agreements without being exposed to initiation of force by law or anything else.

5.5 Free enterprise

The consequences of the nature-given rights of the individual are that individuals or group thereof has the liberty to start and run companies in a free capitalist society; something else would violate the individual *right to liberty*. Companies owned directly or indirectly by individuals have similar rights as a consequence of the owners' nature-given right to manage their property and to enter contracts unless voluntary contracts (constitutions) on something else exist. As stated in Section 5.4, also the State has the right to be involved (directly or indirectly) in industry and trade. Since all humans have the same right to *free enterprise* and general liberty, the *right to free enterprise* is formulated in the following way: “*The right to run one's enterprise as long as one does not violate the similar right of others, other nature-given rights or their logical consequences*”. Expressed this way the *right to free enterprise* is a non-violable right completely without limitations.

The State may impose trade boycott of dictator states as a strategy of “peaceful” warfare; trading with the dictator state will indirectly violate the nature-given rights of the suppressed people in that country (see also Section 7.6.5). Swindle is illegal: A company may not sell a product containing 60% fat if it is written on the packing that the content of fat is only 3 % (initiation of psychical force). Companies are of course not allowed to use physical force or threats thereof in order to prevent their competitors' access to the market; the similar principle applies for strong psychical force. The forming of monopolies (in the meaning “company with very strong market position”) is acceptable when they arise as a consequence of voluntariness in the market (see also Section 5.5.2).

The State may not refuse the production or sale of sex, alcohol, narcotics, medicaments or other products (to persons not being under guardianship and with all senses alert who have been sufficiently informed on possible side effects – see Section 5.5.4.1) having potential negative effect only on the user. Drugs, which from its nature can harm other than the user, may be regulated through the Law (e.g. antibiotics promoting resistant bacteria).

5.5.1 Companies

If two or more people own something together, consensus is required in all decisions concerning the property. The reason for the consensus principle is that nobody has the right to decide over others property unless there is a voluntary contract stating otherwise; this is a logical consequence of the *property right*. If consensus is impossible, the co-ownership has first to be virtually dissolved and the values are distributed individually as ownership shares according to how much each of them has “contributed to

processing the natural resources away from the natural state into a state of increased usability”. This is also a logical consequence of the *property right*. Then the group, which is largest with respect to shares and which simultaneously agree internally, has the right to buy out the others at the estimated market price. If several groups simultaneously are in the first place regarding size, lots will be drawn. If no one is willing to continue the co-ownership according to this principle, all assets have to be sold at market price and the economical outcome will be allocated according to the fraction of ownership. This break-up and distribution are considered to be made from a presumptive agreement (see Section 5.3.2.4). The consensus principle will often be impractical, and it will be suitable to make a constitution (contract) for the co-ownership that states how to make binding decisions for its members/co-owners.

No particular legislation regulating the activity of companies will exist, except that they may not violate the nature-given rights of others. Basically, a company does not have any nature and it does not possess the ability to perceive happiness/unhappiness. Rights are deduced from the fundamental nature of an element. The constitution of the company expresses its nature. Its rights originate in the moment when one or several humans make a constitution for the company. Company establishers have a nature-given right *to liberty*, and nobody may refuse them to make a constitution for the company as long as the constitution does not violate others' nature-given rights or logical consequences thereof, and consequently the company has the right to be run according to its constitution. We simplify by saying that a company has rights, but principally it is correct to say that the company acts as if it has rights since happiness-perceiving establishers/investors have rights through the contract represented by its constitution.

The constitution is a contract between the different investors of the company, between the company and its employees, customers, creditors and others having relationships with the company. The State is obliged to defend its rights (see Section 7.5, 5.3 and 7.2). A company without a constitution is not regarded as a legal subject (unless there is one person running an enterprise in his own name), and each person claiming to represent the company will be held personal responsible in eventual legal disputes.

In practice the constitution of the company ought to be registered at a State office and has to be available for the general public. According to the constitution, the ones contributing with the risk capital do not necessarily need to be the ones making the decisions. A company establisher may create a constitution stating that he is to be life-time dictator, but willing investors may invest in the firm and obtain economical profit according to the paragraphs in the constitution. Thus, it is not obvious that the company has owners at all – it all depends on the constitution of the company.

The State, and probably also private certification firms, will make standard constitutions that ought to be rational for many companies to choose. This is important in order for customers, creditors, owners/investors, and employees etc. to easily have survey.

5.5.1.1 *The interaction between the company and the employees*

The employer and the employee have the complete freedom to agree on the working conditions. But the more dangerous and unusual working conditions, the stricter obligations on the employer to inform about the special conditions, and the heavier burden of evidence on the employer for proving voluntariness by the employee at the time point of entering the contract (see Section 5.3.2.2). If an employee suffers a loss and the employer did not comply with the obligation to inform and/or cannot give sufficient evidence for contractual voluntariness, the employer may be inflicted economical compensation or even criminal accusation. If the obligation to inform is kept and the contractual voluntariness is proven by the employer, he has no responsibility for the employee. Examples of requirements on the employer with respect to information and proofs of voluntariness are given in Section 5.3.2.2 a-e. This will be the worker protection in a society based on the *nature-given rights* of the individual; in addition private and state certification agencies may rate employers with respect to worker protection (see Section 5.5.4).

Peter is employed by an employer without any specific contract. What kind of rights do the employee and the employer have in such a case? Let us say that Peter has worked for one month without any contract. The employer is the buyer of labor, and Peter is the seller of this “product”. If

Peter has never worked for this employer earlier, the average market price is the guideline (see Section 5.5.3) – the price which the buyer (employer) realistically could expect at the time point when the seller (Peter) accepted that the customer (employer) started the consumption of labor. Peter has to be paid an approximate average of what is common in the labor market in the actual geographical and professional area. Peter has no right to continue working in the company if the employer does not want so. Peter can *not* claim that he is about to “consume” employment in the workplace, and that he therefore has to be allowed to keep on doing so until he is finished with the consumption (i.e. until retirement). Firstly, the *employer* is the consumer (buyer) in this case (should the employer claim that Peter should be serf the rest of his working life!?). Secondly, an employee may not demand to use the working place for an indefinite time – in the same way as a friend of Peter, who stays one month at his place, may not demand to live in Peter's apartment the rest of his life. In this case it is other parts of the *right to liberty* than the *contractual freedom* that have direct implications, namely that the employer sovereignly disposes his property (company) and the employee is the sovereign chief of his body. Peter may be immediately fired, and he may quit instantly without compensating for any breach of notice period.

5.5.2 Monopolies

A monopoly is here defined as “a company with very strong market position”. Previously, there were many small grocery shops. It was relatively inefficient for each shop to make purchases from the wholesale dealers. The prices were high. Today, many of these small shops are history, and some large, nationwide supermarket chains have taken over. If the State had upheld the system with many small, independent shops with artificial means (e.g. by holding the big ones down), the price level on groceries would have been higher. If one large grocery chain was to buy up all the other chains, this large company would have to show price moderation all the same; otherwise a new competitor would emerge and threaten its monopoly.

The presence of many competing units *may* be a waste of resources (with administration, offices etc.). In those cases where this is correct, capitalism will contain mechanisms ensuring that these units over time are merged. But the potential negative tendencies in a monopoly structure are balanced by the monopolist's fear of new competitors to arrive the market. Thus, private monopolies are not to be regulated; that would be a violation of the *right to liberty*. Natural monopolies (regardless of type of ownership) are deemed differently since they are characterized by *de-facto*-absence of fear for new competitors to enter the market (see section 5.5.3), and thus, the customers may be “trapped” in/of the monopoly if essential products are involved.

5.5.3 Price settlement

The price of a product or a service is defined by a contract (deal) between the seller and the buyer. A commodity or service does not have any natural, inherent, objective value. If a contract (deal) is not present, the applicable principle is the logical implication from the *right to liberty* that the one having produced the product has the *property right*. Therefore, the producer/seller may refuse to deliver the product or demand to get it back if the buyer does not accept his price. But if the product/service already has been consumed or is under consumption without an agreement on the price on beforehand, a problem may arise; examples are taxi tours and café customers drinking caffè latte without knowing the price on beforehand. Then the price in effect is settled by a presumptive agreement whose content is estimated by what the customer realistically could expect at the time point when the seller accepted the consumption to start (see Section 5.3.2.4). This means that the seller in such cases cannot legitimately claim payment significantly exceeding the accustomed price (old customers) or average market price (new customers); to not significantly exceed average market price means to reside within one standard deviation over average market price. If it's a long time since the old customer had his last purchase, “accustomed price” has to be adjusted for price increase in this specific product range. Similarly, the concepts “accustomed conditions” and “average conditions” will be valid for other important consumer matters

without reference to price. The seller may gladly charge a price that is extreme compared to the average market price or accustomed price, but this has to be made very clear to the customer on beforehand, and the more extreme price, the stronger demands have to be imposed on the seller's information.

Let us consider the situation where a product is under consumption, and where the price is not agreed on in advance for the entire consumption. Then the seller may not charge a significantly higher price than the accustomed price or the average market price even if he gives notice of higher price during consumption. If the seller is to charge a higher price legitimately, this has to be done before the seller accepts that the consumer starts the consumption. Examples of this follows:

If you drink a caffè latte without having agreed on the price in advance, we may imagine that the café host says the following when you have finished half the glass: "This caffè latte costs \$1,500 per glass. You can pay average market price, \$2, for the half glass that you already have drunk. You may choose whether to drink the rest of your caffè latte to the price of \$750, or leave it at the table." In such a case, the café guest may continue to drink the whole glass to average market price. In order to be legitimate, the extreme price must be agreed on *before* the seller accepts that the consumer starts his consumption.

Two months ago a surgeon performed an operation on a patient, and the price he paid was \$1,500. Now, the patient will have the same operation by the same surgeon once again, but they have not specifically settled any new price before the new operation. In the middle of the operation the surgeon says that the price of the operation has been put up to \$1.5 million. Further, he tells his patient that either he pays the price; otherwise the patient has to leave the hospital with open abdomen. Of course, in such a case accustomed price (\$1,500) applies.

A house owner and a tenant enter into a rent contract where the tenant rents a small apartment for 5 years without the possibility of termination, but the price is not specifically stated. One month after moving in (i.e. while the product is under consumption) the house owner says that the tenant is to pay \$150,000 per month in rent. In this case average market rent applies.

A person has saved \$150,000 in the bank on a high interest account during 10 years. In the saving period he is in the process of *using* the product "dollars". Then the FED suddenly prints a lot of dollars so that the \$150,000 in practice only is worth \$1,500. This is a right-violating against the depositor. A currency issuer may legitimately make an intended hyper-inflation only if it is clearly specified in its constitution before the currency is introduced (see also Section 5.5.5).

A taxi driver is to transport a person from Oslo to Bergen a winter evening, but the price is not agreed on in advance. When the taxi is in the middle of Hardangervidda, the taxi driver claims \$150,000 for continuing the trip to Bergen; otherwise the passenger will be thrown out of the taxi. The taxi trip is under consumption. In such a case average market price applies to the whole trip, not only for the distance Oslo - Hardangervidda. Taking such an extreme price is only legitimate if the price for the whole trip is agreed on in advance, and the cab driver has extremely strong demands on information about this extremely unusual price (see also Section 5.3.2.2).

Similar principles will apply to situations where you are "trapped" in/of a natural monopoly: From the time point when the consumer became customer at the monopolist and until the customer quits his relationship with the monopolist (or dies) is regarded as a continuous consume, and therefore, the above mentioned price limitations applies. Thus, all customers who start a consumption and become "trapped" in a natural monopoly are to be regarded as "new customers". *Average market price* will have a different meaning since *market price* is a unreal concept in a natural monopoly. The prices should be regulated according to the principle that the monopolist's relative profits is not to be significantly higher than the average relative profits in the industry being most similar to the monopolist's industry and where "trapping" market relationships are absent. This may e.g. be done by regulating the prices so that the quotient between profits (before repayments and interest) and invested capital, which is needed for creating the monopolized products, does not exceed one standard deviation over the similar average quotient in the comparable, non-monopolized industry. The road net is an example of this, and is described in Section 6.6.3.

5.5.4 Consumers' rights

The consumers will be protected by the fact that swindle is right-violating. If a new product is sold without any particular contract, it has to be expected that the product functions for some years or months depending on the nature of the product via a presumptive contract (see Section 5.3.2.4). If the product is defect or becomes so rather soon, the seller/producer has to repair it or give a new, functioning product. If he refuses, he may be convicted for swindle in a worst case scenario. Generally, the seller's information obligation towards the customer is proportionally with the degree of controversy in the product (see Section 5.3.2.2); if this obligation is not fulfilled, the purchase may be completely or partly cancelled, or the seller has to pay compensation (see Section 5.3.1.1).

If a new product is purchased with a contract explicitly stating that the product is bought without any obligations for the seller, it is the stupidity of the buyer if something goes wrong. The buyer has to take all the consequences himself.

The seller/producer may of course use a contract where they take on more obligations than what would apply without a specified contract.

A system of governmental certification, but without the option to use force, ought to exist in order to help the customers. These certification agencies make rational rules for a group of products, services, companies etc. (e.g. doctors, butchers, groceries, and blocks of flats). These governmental certification agencies have an easily recognizable logo. The producer may choose to produce products/services according to these rules and if so, the producer may put the agency's logo on the product or claim the certification in other ways. Then the producer enters a contract with the customers where he guarantees that the product satisfies the requirements of the rules of the certification agency (see also Section 5.3.2.5). If the producer uses the logo or claims the certification without following the rules, he is a swindler and may be punished by the authorities. If the producer do not want to follow the rules of the State, that is all right, but then he cannot legally use the agency's logo or in other ways claim to be certified by them. Presumably, many customers will be skeptical towards buying products and services without logo. Private certification firms may also make their rules and similarly, producers may put the logo of the private certification firms on their products as a quality proof. Gradually, it is possible that the certification agencies of the State will be competed out by the private certification firms if the latter act sufficient trustworthy over time.

5.5.4.1 Buying and selling of drugs

Buying and selling of drugs are basically allowed, but there are some complicating factors. A person has used narcotic substances for a long time, and has been so addicted and psychically disturbed that his rationality has decayed to a level where he is no longer by all senses alert. Thus, he has logically lost (at least parts of) the *right to liberty*, and he may be (at least partly) put under guardianship. He may legally be refused buying narcotic substances, and sellers will not be allowed to provide him with drugs (in the same way as they are not allowed to sell drugs to children). Such an addict may also be legally imposed forced treatment.

When a drug seller offers his products to his customers, he has a duty to inform them with respect to the drug's side effects (see Section 5.3.2.2). The State may propose as a legally preapproved standard that the buyer receives abundant information by a physician (or similar) on the drug's side effects and this is proven to the seller by a prescription. If the drug user is not "with all senses alert", he will not receive such a prescription. Alternatively, the seller may use his own information, which he believes fulfils the requirements for valid voluntariness, but then he risks problems with the judicial system if his information retrospectively is shown to be substandard

compared to the State preapproved standard. The drug buyer may summon the seller to a court if he claims to have got health problems because of inferior information. If the court supports his claim, the seller may be legally forced to pay for rehabilitating the drug user. Inferior informing means that the buyer takes on significant hazard beyond his informed approval, and this may also put punishment on the seller (grossly perilous action) even if no injury has been detected on the buyer. It may not be excluded that a drug can be so harmful and addictive that the principle of *de-facto-prohibition* arises. Since narcotic substances are very special products, they ought not to be sold at places where the informed approval of the user may be questioned. Thus, the State may specify special outlets that are guaranteed in advance to be safe for the seller with respect to reactions from the judicial system in this respect. A similar principle as here described may apply for non-trivial medicines.

5.5.5 Monetary politics and banking

According to the *right to liberty*, the State may not refuse private companies (banks) to issue their own money. Therefore, anyone may establish banks and issue their own money, and the market will decide to what extent the money will be used as exchange medium. But the State is obliged to prevent fraud. National Central Banks and some large private banks will probably be issuers of their own currencies. At least the latter will probably have to back up their currencies by precious metals (gold, platinum) or already existing national currencies in order to achieve sufficient confidence in the market (at least in a very long transitional period). There has to be a design protection of the design of the different bank notes so competitors cannot parasitize on generally recognized money issuers by plagiarizing their design.

Private banks issuing their own currency ought to enter a contract (through its constitution) in their self-interest with the money users on the principles for the bank's business activity, including the growth in the money supply. This may be done by certification firms making standard contracts which the banks voluntarily may use as constitutions (see Section 5.3.2.5). Banks operating abnormal, but legitimate, business activity must have correspondingly strong demands on how they inform their customers on these peculiarities. If the constitution is broken, it is swindling and harsh punishment may be expected from the judicial system. If the constitution (statutes) does not say anything else, the currency may not be inflated significantly more than what the customers are used to; if the currency is newly-established, the inflation cannot be significantly larger than what is normal for commonly used currencies (see Section 5.5.3). If the currency legitimately is to be consciously and extensively inflated beyond this, the option for this has to be clearly stated in the constitution *before* the currency is introduced in the market for the first time. Currencies that have been compulsory tender or that have been monopolistic by law (or these currencies' successors) may legitimately never have an increase in the money supply beyond the real increase in GDP (see also Section 10.7.4.1).

Banks may receive deposits and lend out money without any State regulations, but have to accept the rules of the money issuer (unless the bank issues its own currency) and that swindling may not occur. Banks that want to engage in deposit and loan activity with the State run currency have to accept the money issuer's (i.e. the State through the National Central Bank) rules that protrude from the explicit or presumptive statutes that underlie the currency. In a system with free currency enterprise, the State will not be able to implement any "dictatorship" in this respect.

The State and the Central Bank should manage the monetary policy targeting stable production-adjusted money supply, and not by the desire to keep the consumer price index at a specified, low level or stable exchange rates. Thus, the State ought to pursue the growth in the money supply to match the annual increase in the real gross domestic product. Then the national currency will be competitive against private currencies backed by gold. Section 10.7 describes in more detail how Rational Gaudist banking and monetary politics may be designed.

5.5.5.1 Bankruptcy

In the event of a bankruptcy, one has taken on obligations that one is unable to meet. According to 5.3.1, the responsible ones are not right violators if the creditors are given the compensation imposed by the judicial system. This compensation is the settlement of the bankruptcy estate and its distribution to the creditors. The debtor has hopefully learnt a lesson, while the claimants will regain at least some of their money and are stimulated for better risk management in the future. On the other hand, it will be a right violation if someone has speculated to go bankrupt or has hidden funds for the bankruptcy estate; in such cases, the State should impose additional penalty on those responsible discouraging the repeating of similar rights violations.

5.5.6 Building permits

The constructor ought to voluntarily send a request, including the signatures of the neighbors, to a court office. In the request, he describes what he plans to build. The constructor hopes that the court office will say that the new construction will not violate the (near and distant) neighbors' lives or properties. If so, he may safely build; in the opposite case he may not build. If the latter becomes the judicial result, the constructor may start negotiations with the potential violated parties and offer them economic compensation stimulating them to renounce their rights; then local people may obtain significant profits since “the sky is the limit” – e.g. when companies are to establish oil fields or mining.

If he carry through with the construction without applying for building permit, it is possible that one or more neighbors mean that the consequences of the new construction violate their lives, liberty or properties. They may take the case to the court, and as a worst case scenario the court may order the new building to be torn down and in addition the court may impose compensation upon the builder. The fear for these unpleasant economical consequences will “stimulate” the builder to go to the court office in advance; then he is guaranteed to avoid tearing down his construction. He should also ensure that the infrastructure (electricity, water, sewage etc.), which the building is dependent upon, can be delivered by the owner of this infrastructure.

5.5.7 Enterprising activity and work for foreigners

Foreign companies and individuals have the same nature-given rights as the nationals of the State, and the State is obliged to defend their rights on all territory belonging to the State's jurisdiction. Nevertheless, the State has basically the right to refuse foreigners the use of State property (see last part of Section 5.4.2 and 6.6.3), which includes car driving on public roads. The foreigners have (probably) acquired the right to use the road system that their real estate in their home country is connected to, but this is *not* owned by the State of the new country. However, by purchasing or renting, fixed or temporarily, a home in another country the right “*attached to the road network*” (see section 6.6.3) automatically follows, since the right was attached to the residence, hotel room or equivalent already before the purchase/renting. The same applies if the foreigner owns or is employed by a domestic company. In this way, foreigners will acquire the right to use the road network. Thus, it will only be only foreigners who do not have such ownership or rent before entry who can (not “*have to*”) be given road refusal. This means that foreigners may normally use the road network in the same way as nationals of the State (i.e. by paying road fee). Access to the realm still requires that the foreign national meets the criteria in Section 6.4.1-2, that he is law-abiding, and that he can support himself or has credible, legally binding support by others (see Section 6.4) for the period during which the stay will last.

Restrictions on foreign companies operating domestically can be imposed if their profits help to finance right violations in their home country or elsewhere (e.g. a North Korean company contributing taxes or profits to the Kim dictatorship, which in turn use the money for building prison camps).

5.6 Freedom of speech

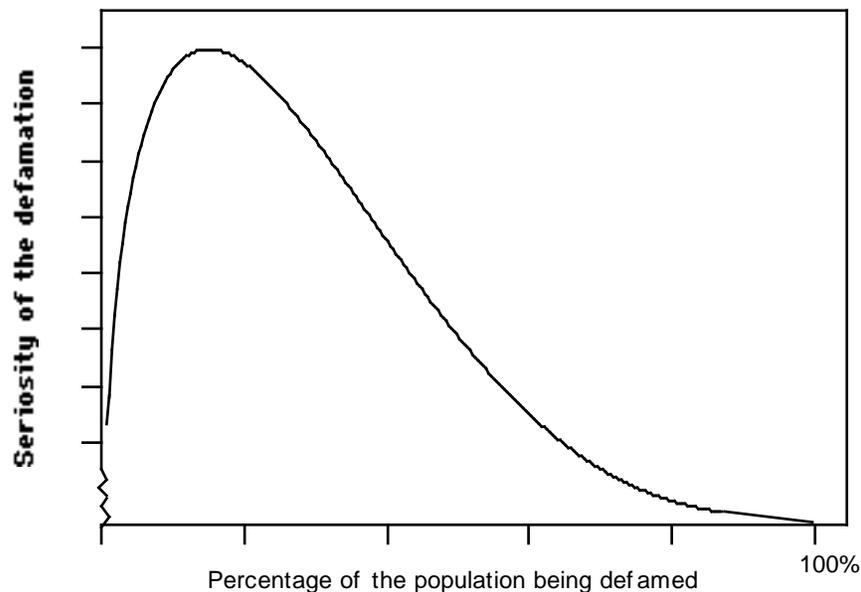
This is an obvious right arriving as a consequence of the *right to liberty*. But *freedom of speech* also follows as a consequence of the fact that the State wants to use HDM in order to create the best possible politics in those areas where the State legitimately may function.

Since all humans have the same *freedom of speech* and the same *right to liberty* in general, this right is expressed in the following way: “*The right to express one’s opinion as long as the one does not violate the similar right of others, other nature-given rights or their logical consequences.*” Expressed in this way the *freedom of speech* is a non-violable right completely without limitations. But one question arises: How can expressing one’s opinion violate the *freedom of speech* of other people or other nature-given rights?

The *freedom of speech* means that one may not express one’s opinion with the use of physical or strong psychical force (including swindle, threats of physical force, soliciting right-violating actions in a situation where the solicitation may be expected to be pursued). Examples of this follows:

Defamation means exposing another person for public contempt that is not based on public concerns, and this is right-violating since it is initiation of psychical force; the defamed person is inflicted damage on his “good name and reputation” (others may make more negative decisions concerning him on a wrong basis), and he is *forced* to make substantial efforts if it is to be restored. The defamator wants to achieve gains by putting down another person – not by exchanging value tools against value tools. Defamation may also mean theft of self-confidence. If the content of the defamation can be proven and also is located outside the boundaries of privacy, it is not right-violating.

Figure 2:



Contempt directed against a group of individuals (e.g. a race, ethnic group, class, sex, sexual orientation) is to be considered as collective defamation, and thus right-violating if the present situation indicates that the contempt may be expected to contribute to incorrectly based negative reactions from parts of the population against this group. Since defaming one person is right-violating, defaming many individuals may be even more right-violating. On the other hand, it cannot be significantly right-violating to collectively slander 5 million human beings in the presence of the same 5 millions, because no person exists from whom the slandered need to redeem their “good

name and reputation”. Contrarily, a subgroup of one hundred thousand slandered individuals within a group of 5 million human beings have potentially 4.9 million humans from whom they need to redeem their “good name and reputation”. Therefore, collective defamations are especially serious if directed against significant minority groups. This is illustrated in the figure 2 above:

However, it is collective defamation of *individuals* that is to be regarded as right-violating; defaming an ideology, philosophy, cultural element, or religion may never be right-violating. Claiming Islam to be shit is *not* right-violating. Claiming all humans from Islam-dominated countries to be shit *is* right-violating.

Racist statements may be right violating, and Nazi groups strongly focusing on racism may be forbidden. If a Nazi claims Jews to be subhuman swine that ought to be collectively gassed to death, it is considered to be a collective defamation and thereby right-violating.

It is a defamation to publicly claim that a person or groups of such are criminals without having a rational basis for this claim. In this way it may be a defamation to publicly support official or private use of force against groups of individuals on the basis of actions that obviously are *not* right-violating. This may apply to conservative / radical Islamists publicly claiming support for death punishment for homosexual practice or defection from Islam or whipping of women who shake hands with men – wherever in the world the support is directed. The former is approximately the same as saying that Jews are so terrible subhumans that they deserve to be killed in a gas chamber. Collective defamations are also committed by religious fanatics who publicly claim that non-believers deserve to be burnt in Hell for all eternity as their skin constantly are being renewed in order to make the pain constant at its maximum. Such Islamists have to reinterpret Islam if they still want to preach their religion outside the prison cell.

If a Nazi party works actively (e.g. in the National Assembly) in the pursuit of getting such politics carried out, it is planning and solicitation of right-violating actions, and that is also illegitimate. If a person knows or ought to know that Holocaust did happen, but denies this in order to achieve gains (political or other kind) at the expense of others, it is to be considered as swindle and is therefore right-violating. If an ignorant “poor soul” really believes that Holocaust did not occur, and expresses this claim, he needs to be enlightened and not punished. Similarly, e.g. preachers who seriously claim traditional existence of God, Paradise or Hell may be accused of swindle if the believers are imposed losses or burdens – or danger thereof – by believing the delusions. Circumcising small and healthy children by reference to “God” is child abuse and is obviously right-violating. Threats of eternal torture in Hell are considered more severe child abuse than non-executed threats to kill disobedient children.

Based on the *property right* or the *freedom to organize* the owners or executive staff of companies, restaurants, organizations, etc. may hire, enroll or accept employees, customers or members as they like, and similarly, they may exclude groups of certain persons (i.e. discrimination in itself is legitimate). But when they (eventually) provide a justification for such inclusions or exclusions, it may not contain individual or collective defamation.

To give away military secrets or other secrets of the State is not in accordance with the *freedom of speech*, and the reason is as follows: Such secrets have necessarily originated from an employee in the Ministry of Defense or in the military. His contract of employment with the State ought to emphasize that he is not to give away secret information. An employee, who mediates such secrets to (for instance) a journalist, gives away or sells information to which he does not possess the *property right*. The journalist receives or buys information that he knows (or ought to know) does not originate from its legitimate owner, and accordingly he commits a receipt of stolen property. The State employee commits a contract breach. Similar considerations are valid for leakage of business secrets from private firms.

Nobody has the *right to use* others' property as a tool or medium for expressing his opinions without the consent of the owner. A person may not command a newspaper or TV station to distribute his opinions if the owner, through his editor-in-chief, does not want to do so.

5.7 Which nature-given rights are the most important ones?

All nature-given rights mentioned in chapter 4 and 5 (and all logical consequences thereof that is not directly mentioned) are absolutely non-violable. A person, company or the State does not possess the right to violate the rights of others (see Section 4.1.1) by referring to his right X being more important than right Y of others. An individual may not be totally or partly deprived of a nature-given right with the justification that many other individuals will profit from violating it. The rights of an individual are not to be weighed up against the rights of another individual. Rights are rigid, objective and absolute, and all legitimacy is based on not violating *already achieved or directly inborn rights* (see the introduction to chapter 4); this applies even if other people believe that the already existing right has little importance. Remaining passively to other humans or other elements will never be right-violating unless you on beforehand voluntarily have committed to something else or if yourself or your property poses a danger to them. When evaluating whether an action is right-violating or not, we have to examine if any rights are attached to the object to which the initial action is directed at the time point when the action is performed (exceptions exist when the performer of action is a non-owned element belonging to the concept “nature”). The claimed needs by performer of action are irrelevant for evaluating if the action is right-violating, unless such needs are included in the attached rights mentioned above. The fact that the rights of others are not to be violated is included in the definition of “the *right to liberty*” and other rights. Therefore, you ought not to say: “the *right to liberty* as long as you do not violate the similar right of others”. The correct expression is simply: “the *right to liberty*”. Sometimes it is crystal clear that an action violates the rights of others. In other cases this may be more difficult to establish, and then the legislature or the judicial system according to the best possible evaluation have to set as objective standards as possible for the limitations of right violations.

The State does not have the right to confiscate a little property (e.g. through compulsory taxation) in order to help a poor person so he can survive with the argument that the poor man's *right to life* is more important than the rich man's *property right*. The *property right* is already established at the time point when the poor person (through the State) makes his claim on the funds, and it is the status of rights (here: the *property right* to the funds) of the object to which the initial action – or claim for action – is directed, which determines if a right violation is present – not the needs and wishes of the one making the claim for action against the object.

A trade union may not violate the *right to free enterprise* / *property right* of the employer by forcing him to hire trade unionists by referring to the *right to organize* being more important than the *right to free enterprise* and the *property right*. The *property right* and *right to free enterprise* to the factory are already established at the time point when the trade union makes its claim that unionists are to be employed, and it is the status of rights (here: the *property right* and *right to free enterprise* to the factory) of the object to which the initial action – or claim for action – is directed, which determines if a right violation is present – not the needs and wishes of the one making the claim for action against the object. If the factory owner prior to this time point voluntarily had entered a contract with the trade union on hiring its members, the company would have been committed to hire its members (the contract is “attached” to the company).

A person may not refer to the *freedom of speech* and thereby force a newspaper to print his opinions; that would be a violation of the *right to free enterprise* / *property right* of the newspaper owner. The *property right* and *right to free enterprise* to the newspaper company are already established at the time point when the person makes his claim on getting his opinions published, and it is the status of rights (here: the *property right* and *right to free enterprise* to the newspaper company) of the object to which the initial action – or claim for action – is directed, which determines if a right violation is present – not the needs and wishes of the one making the claim for action against the object.

A farmer may not hold chickens in a cage of 10 x 10 cm by referring to his *property right* being more important than the chickens' right to follow their fundamental instincts. The chicken's *right to follow its fundamental instincts* is directly inherent in the chicken at the time point when the farmer establishes his *property right* to the chicken (even if he owns both the hen, the cock and the egg prior to the chicken's existence), and it is the status of rights (here: the chicken's *right to follow its fundamental instincts*) of the object to which the initial action – or claim for action – is directed, which determines if the farmer's action is right-violating – not the needs and wishes of the farmer carrying out the action.

A plantation owner may not hold slaves by referring to the *property right* being more important than the individuals' *right to liberty*. The potential slave's *right to liberty* is directly inherent in this individual at the time point when the plantation owner's requests to have the person enslaved, and it is the status of rights (here: the *right to liberty*) of the object (here: the potential slave) to which the initial action – or claim for action – is directed, which determines if a right violation is present – not the needs and wishes of the plantation owner making the claim for action against the object.

The employees in a factory may not hold the employer as an economical “slave” with the argumentation that the right to income for the employees is more important than the employer's *property right* and *right to free enterprise*. The *property right* and *right to free enterprise* to the factory are already established at the time point when the employees make their claim on life-long employment even if the factory owner loses money *en mass* (it is presupposed that the factory owner did not enter a voluntary, binding contract prior to this time point matching the employees' claims). It is the status of rights (here: the *property right* and *right to free enterprise*) of the object to which the initial action – or claim for action – is directed, which determines if a right violation is present – not the needs and wishes of those making the claim for action against the object.

In the examples above it is not the tax payer, factory owner, newspaper owner or potential slave who initially has directed action (or claims for action) against their respective counterparties. Their only claim on their counterparties is to have themselves, their property or *right to use* in peace, which is the only legitimate claim anyone has against other human beings unless they on beforehand voluntarily have accepted otherwise (explicitly or implicitly). The chicken has a legitimate claim against the peasant on having its fundamental instincts in peace.

Right to liberty	}	Right to life	Right to life	Right to life	Right to life	Right to life	Right to life	Right to life
		Con- tractual freedom	Pro- perty right	Right to use	Free enter- prise	Right to organize	Freedom of speech	Other freedom

The *right to liberty* includes or implies *contractual freedom*, *property right*, *right to use*, *right to free enterprise*, *right to organize*, *freedom of speech*, *right to life* and *other freedom*. One part of each of the six first rights is used to sustain life (which secondarily is a prerequisite for generating self-happiness). These rights are partly a fraction of the *right to life*. The rest of each of these six rights is used for generating happiness without directly contributing to sustaining life. The *right to pursuit of happiness* is in practice equivalent with the *right to liberty* since the adult human being's only means for creating happiness is to use his freedom to choose to perform alternatives of action (unless the consciousness is coupled to a computer passively feeding it with input of happiness and simultaneously paralyzing the will).

5.7.1 Nature-given rights on other person's property

On another person's property no other than the owner has rights, unless the owner voluntarily has entered into a contract on something else (see Section 5.3). No other than the owner has the right to stay on or dispose his property, and consequently no others have the right to live, to speak, to organize or to perform actions on the owner's property.

Person B may allow person A to enter his property by signing a contract where the preconditions for the stay are specified (rights, obligations, duration etc.). If person A has received a non-specific permit to enter person B's property, person A may, whenever he likes, leave the property (without risking judicial reprisals) whatever orders person B gives. If they have signed a contract stating that A may not freely leave B's property, B may still not physically prevent A from leaving the property, but A may later on be juridical liable to make compensation for the contract breach. B may, whenever he likes and independent of reason, tell A to get off his property unless A and B has agreed on something else in a contract, but in this process A has to get reasonable time to move off the property.

If A is permitted to stay on B's property, and A carries out an action on B's property that would not have been right-violating if it had been carried out on non-owned area, the action is neither to be regarded as right-violating when it is carried out on B's property unless B has told A that he does not accept that kind of action on his property.

B may not violate A's nature-given rights while A is located on B's property with the argument that "I do as I please on my own property". If B legitimately is to use those means against A which otherwise are used for violating rights, i.e. initiation of physical or psychical force (see Section 4.1.1), this has to be agreed on in a contract before A enters B's property or by A voluntarily signing a similar contract after having entered B's property in a process where A has the opportunity (and sufficient time) to get off B's property before the contract is accepted. The type of physical or psychical force being accepted ought to be specified in the contract, and ought not to be a non-specific acceptance of force since the demands for proof of voluntariness (see Section 5.3.2.1) when accepting a contract will vary with the contract's degree of limitation of the nature-given liberty. If B carries out an action against A that elsewhere would have been right-violating, but which is agreed on in the contract, B may not be punished for this. Besides, A may whenever he likes abolish contracts on accepting *initiation of physical or psychical force* by moving off B's property without any risk of judicial consequences, and in that process he has to get *reasonable amount of time* to leave the property without being exposed to such force counted from the time point when A tells B that he no longer accepts such force (see also Section 10.4.2). If B still uses force against A after this time point, B may be punished. The reason for A's unlimited opportunity to abolish contracts on acceptance of force is that otherwise would mean *acceptance of compulsion*, which is self-contradictory.

Basically, noxious environment at the working place is right-violating, but not if the employee has accepted this in a contract. Basically, initiation of scolding is right-violating, but not if an employee or cohabitant has accepted this in a contract. Basically, being knocked down is right-violating, but not if this is contractually agreed on for a boxing ring. If an owner's dog bites a person in the butt, it is basically a right violation from the owner but not if the owner has told the other person in a sufficient manner that an angry dog stays on his property. Playing very loud music at night so the neighbors cannot sleep is basically right-violating (you have the *right to use* to the night for sleeping) but not if the constitution of the housing co-operative states that such music playing is allowed. We could perhaps say that passive tobacco smoking is right-violating, but not if the owner of the restaurant informs his customers in a sufficient manner that smoking is allowed in the room.

The establishing of what is to be counted as right violations is to a certain extent a matter of discussion (specifies in the Law and practice of justice) because a little bit of an action may not be right-violating while much of the same type of action may be right-violating. Whether it is right-violating by the restaurant owner to allow smoking in a restaurant without having informed the customers about this may be discussed, but letting mustard gas into the restaurant is obviously right-violating.

6. Fundamental politics on essential areas

6.1 Crimes and punishment

6.1.1 Liberty-restricting punishment

The *right to liberty* may be expressed in the following way: “*the right to do as you like as long as you do not violate the similar right of others, other nature-given rights or logical consequences thereof*”. A logical consequence of this is that if a person violates the liberty of others, he has no longer this complete *right to liberty*. Therefore, the State has the right to limit this person's freedom e.g. by putting him in jail or into psychical custody if psychical sickness was a strong predisposing determinant for the criminal action. The point is not that the State is to revenge the crime, but that his absolute *right to liberty* logically ceases. According to Section 3.6.1 and 4.4, it is the task of the State to ensure that his liberty is limited in such a way that the crimes cannot continue.

When a person commits a crime, his full *right to liberty* logically ceases. But to *what extent* does the *right to liberty* cease? The duration of the punishment is not obvious. The principle has to be that the criminal is to be prevented from committing crimes while being in prison or similar, and the punishment should make him think better in order to reduce the probability of reiteration after the release as much as possible. A loss of liberty exceeding this principle is basically right-violating against the criminal. A loss of liberty which is less than this is basically right-violating against the potential victim. When it is generally known that criminals receive punishment, a deterring effect is imposed on potential criminals (general preventive effect). When evaluating the risk of reiteration, one has to consider i.a. if the personal qualities, which underlie the action, imply risk of recurrence. However, if the probability of reiteration of a criminal action is equal to zero, the criminal action is not to be punished since punishment with the *purpose* of achieving general preventive effect is not acceptable. The general preventive effect has to arrive as a side effect of imprisoning the thug for preventing *him* from committing new crimes. The fear of punishment from the authorities against criminal actions will strongly contribute to make such actions immoral and thereby to reduce the probability for their performance. In addition to the punishment the criminal may be forced to pay compensation to his victims.

It is right-violating to perform activity which, alone or as a *participant in a sum* (see Section 4.1.1), inflicts other human beings fear by having significant danger of manifesting into physical right violations even if such violations do not appear in practice, but only if the danger (i.e. the severity of the manifestation multiplied with the probability of occurrence) provably exceeds a judicially estimated threshold (significantly perilous); see also Section 4.1.1, part 2, iii. A person acting threshold-exceeding dangerously in such respects may be accused of right violation. Activity, which is not a call for right-violating action but which others may be affected by to carry out physical right violations, is *not* right-violating. “*Well-founded fear*” means that it has to be a clear logical link between the essence of the activity and the potential manifestation of physical right violations. When a person acts significantly dangerously, but without manifestation, there is high probability of reiteration of actions with the similar degree of danger. One of the next times the hazardousness will be converted to real damage with high probability. Such dangerous actions will create well-founded fear for manifestation of physical right violations, and thereby the daredevil initiates psychical force against (parts of) the population. In order to stop the well-founded fear and to prevent physical damage, the daredevil might be taken care of by the authorities, but not if he is by all senses alert and only exposes himself for danger. The rationale for punishing a criminal who has inflicted real physical damage on life, health or property, is the danger of reiteration as mentioned above. Thus, the danger of reiteration may also justify punishment for a person who “only” acts significantly dangerously; the probability for the latter type of person to cause real physical damage in the future may be as high as the probability for a manifested vandal or violent criminal to reiterate his damaging actions.

Some right-violating actions have by nature so low degree of severity that it would overload the juridical system if they were to be punished as single actions. This applies e.g. to initiation of low degree physical force. In such cases it cannot be excluded that the offended person legitimately may retaliate with means that had been right-violating and punishable if the means had been used for initiation of force. If the initiator escalates the conflict further, the threshold for criminality may be surpassed. If such right-violating actions with low degree of severity are repeatedly reiterated, they may give the basis for juridical punishment on their own.

The reality has a predisposing determining effect on the individual's choices of action (see Section 2.5.4) and therefore, it is not always fair to say that the cause behind a criminal action only rests upon the criminal; sometimes, parts of the cause has to be assigned other human beings and coincidences. At the first glance, it could seem rational to reduce the punishment of the criminal. But the punishment is not to be revenge proportional to the blame of the criminal. A person may have low IQ because of genetic factors and therefore, he may be predisposed for bad thinking and thereby performing criminal actions. But the person's low IQ is not the fault of the potential victims, and the low IQ does not reduce the probability of reiteration; on the contrary. Therefore, the liberty of the criminal has to be restrained, and the punishment is to help him (and others) to think better in the direction of not violating other persons' nature-given rights in the future, and additionally, he will be physically prevented from performing criminal actions while his liberty is restrained.

When a serious crime has been committed, we normally have to assume that there is a risk of reiteration of a crime with similar degree of seriousness. It is even more important to prevent a serious crime than a less serious one and therefore, the punishment's loss of freedom ought to be larger the more serious the crime is. In this respect the punishment ought to be proportional both with the degree of seriousness of the crime and the risk of reiteration, but the punishment is not to be measured out according to the revenge principle "an eye for an eye, a tooth for a tooth". Revenge is an unacceptable reason for measuring out the punishment. Prisoners ought to work under atonement in order to reduce the fiscal burden of running a prison.

It is reasonable that the criminals are given chances to improve their behavior, but it has to be certain limits. When a person obtains his first conviction for having performed a criminal action, he ought to be sentenced to an imprisonment of normal length. But if a person obtains reiterated convictions for criminal actions exceeding a certain degree of seriousness, the State ought to say that enough is enough. He has shown that he does not possess the ability to use his liberty with dignity, and he ought to be sentenced to significantly longer imprisonment. This will keep criminal elements away from the streets in addition to having a general preventive effect.

The principle for punishment ought to be: Use the most civilized method of punishment that achieves the purpose of the punishment (the purpose is to prevent the criminal from committing crimes in the future, but a positive side effect is that potential criminals are deterred from committing crimes).

6.1.2 Death penalty

A person has the *right to liberty* which includes the statement: "as long as he does not violate the nature-given rights of others". If a person murders another human being, the murderer has used his liberty to violate another human life, and it follows logically that he does not any longer have the complete *right to liberty*. But it does not follow logically that the murderer is to lose his life. The murderer uses his liberty to kill, the thief uses his liberty to steal, and the pyromaniac uses his liberty to violate another man's property. In all cases it is right-violating use of liberty and therefore, it is the liberty that has to be limited. Of course you will limit (eliminate) the murderer's freedom by death penalty, but according to the statements in Section 6.1.1, death penalty is right-violating since it limits the liberty of the criminal more than what is necessary for preventing reiteration (preventing his future crimes can always be achieved by less loss of freedom – maximum real life time sentence). The death penalty is not to be a part of the judicial system since we can achieve the purpose (to restrict the liberty of the murderer) in a significantly more civilized way by imprisoning him.

The death penalty is only actual as an extreme exception in a chaotic anarchy or war where the situation in practice makes it impossible to physically hold a dangerous murderer locked up in jail. The risk of escaping from prison because of war, civil war, anarchy etc. will legitimize death penalty or converting already sentenced imprisonment to death penalty. Death punishment may also be an option for dangerous criminals in situations where all other options for liberty-restricting punishment involve unacceptable third-party damages (see Section 7.6.1.1). The death penalty may also be an option if the convicted murderer asks for this punishment in replacement for long imprisonment. But in this case it has to be proven that this really is his rational wish, and that he does not ask for death penalty as a mentally deranged person. But you do not need to have a legislation that gives killers the opportunity to choose the death penalty instead of long prison sentence – a convicted criminal has no nature-given right to decide his own punishment.

6.1.3 Torture and uncivilized punishments

In the section on the animals' rights it was established that torture of animals in human custody is right-violating. Animals do not have *any* “right to liberty”, and therefore, a criminal can not have less *right to liberty* than an animal. Accordingly, torture of human prisoners also has to be right-violating. Besides, it does not serve the purpose since torture may lead to false confessions and information. A suspect shall not be exposed for physical or psychical violence. All interrogations ought to be carried through with rational argumentation only. The use of force is acceptable only if the prisoner himself uses physical or psychical violence (e.g. handcuffing him and guiding him back to his cell).

It is right-violating to amputate the hand of a thief as punishment for burglary because it is possible to achieve the purpose with the punishment in a less freedom-limiting way. It may be achieved significantly more civilized by locking up the burglar in jail for an appropriate period of time.

6.1.4 Evidences in criminal cases

When a person is charged for a criminal action, the principle of today is that his guilt has to be proven “beyond all reasonable doubt”. But what is “reasonable doubt”? According to jurists, the judicial system has to be 98-99 % certain in order to be “beyond all reasonable doubt” (*Dybedahl, 2003*). Regarding “beyond all reasonable doubt” as the principle of choice, we realistically have to expect and accept that approximately each 100th convicted person is innocent according to the charge. But by using the principle “beyond all reasonable doubt” many guilty persons will not be imprisoned. Realistically, we have to expect that several respectable citizens are exposed to crimes as a consequence of this. If we were to operate with absolute 100.000 % (beyond all theoretical doubt), nobody could be convicted, and many right-violating actions would be committed as a consequence thereof. The principle has to be that the accused may be punished if his guilt has been proven with a certainty exceeding a specified limit, and it is not self-evident that this limit is at 98-99 %.

The Rational Gaudist principle is that when a person is accused of a crime, his guilt has to be proven “beyond rational doubt” where this principle of justice is defined in the following way:

A) Consider the degree of seriousness of all criminal actions that are committed as a consequence of guilty persons being released and committing new crimes, and summing up these degrees of seriousness.

B) Consider the degree of seriousness of all right violations arising as a consequence of innocent persons being imprisoned, and summing up these degrees of seriousness.

The principle is that the sum $A + B$ is to be minimized, but the guilt of the accused has at least to be proven beyond predominantly probability ($> 50\%$); otherwise several persons can paradoxically be convicted for a crime that only has been committed by one person. It is not obvious at which certainty percent we achieve the lowest value of $A + B$. This has to be settled by HDM, and may depend on the type of crime; the average will perhaps be in the interval of 93-96 %. If a person has been innocently convicted but is acquitted at a later time point, he ought to get economical compensation from the State.

Let us consider a person who has been charged for three crimes independently of each other. It has been proven as 80 % probable that he is the thug for each of the three cases. Thus, he cannot be sentenced for any of these crimes alone. But it is 99.2 % probable that he has committed at least one of the crimes. Even if 80 % probability is too thin basis for conviction, 99.2 % is enough. Therefore, the person may be given a sentence that is in accordance with the penalty for the least serious crime.

Lie detector test ought to be used as a valid element in a chain of indicia as the basis for a conviction. The background is scientific proofs showing that such tests have an accuracy of 97 %. If the suspect refuses to take the test, it will be an indication of his guilt.

Dybedahl N. Bevískerav i sivile saker. Paragrafen.no. (2003), 7. april, id 148

6.1.5 Surveillance, search warrants, interrogation, and Police custody

If the State is to use force legitimately against an individual in cases covered by the caption of this section, the same criteria as mentioned in Section 6.1.4 have to be satisfied: The sum $A + B$ has to reach its minimum, and at least it has to be predominantly probable that the individual carries out or has carried out a right-violating action. The level of certainty at which the minimal value of $A + B$ is reached will be significantly lower here than in Section 6.1.4 since those right violations which weak erroneous use of force (surveillance, search warrants, interrogation and Police custody) implies, is much softer than those implied by the use of strong erroneous force (sentence to prison). Therefore, it is usually assumed that it is sufficient that the power of evidence exceeds predominant probability when considering surveillance, search warrants, interrogation and Police custody.

According to the *property right*, an owner of a property has the right to survey his property as he likes, but he has to inform the users of his property that surveillance occurs since such surveillance would have been illegal on non-owned area. Thus, also the State may unrestrictedly survey its property (roads, streets, squares).

The State's right to survey private property is more limited. A private owner of a property may not use or allow others to use his property for right-violating actions. If it is predominantly probable that e.g. a street, telephone number, telephone net, emails, email server or chat channel is used for right-violating actions, the Police may obtain a court ruling for surveying these properties without permission from the owner. If the owner was to reject such surveillance, it would mean that he allowed use of his property for right-violating actions, and that is right-violating. If it is not predominantly probable that the private property is used for right-violating activity, the property may *not* be surveyed without the permission of the owner.

If it is predominantly probable that there are stolen goods or other right-violating things on a person's property, the Police may get a search warrant. This is justified because refusing such Police search would mean that the owner uses or accepts the use of his property for right-violating activity. If the Police have significantly more failures than successes with their search warrants, it indicates that the search warrant practice is too liberal.

Imagine a person being suspected for a right-violating action, but he is not suspected so strongly that it is predominantly probable that he has committed the crime. The Police may politely ask him to please meet at the Police station for an interrogation. If the person refuses, this may increase the suspicion against him so much that it becomes predominantly probable that he has committed the right-violating action. If so, the Police may take him in by force for an interrogation.

The authorities may *not* call in witnesses by force for Police interrogation or for testimony in the court. This has to occur voluntarily since they are not suspected for having committed any right-violating actions.

Police custody may only be used if it is predominantly probable (probable cause) that the suspected has committed a right-violating action and the danger of escape, loss of evidence or reiteration is significant. If the prisoner later on is acquitted, he ought to get compensation. If the prisoner later on is acquitted, he ought to get compensation.

Summoning persons by force for serving in a court or a jury is right-violating since they have not initiated force against anyone. Volunteers could be summoned, but questions over guilt and punishment ought to be reserved for professional judges.

6.2 Self-defense of nature-given rights

All individuals possess the right to pursuit of happiness, to liberty and life and all logical consequences thereof. The State is obliged to defend these rights. If a violent criminal breaks into your house and hits you down, there should idealistically have been a policeman near your house to stop him before you were beaten up. But in practice it is difficult to have a so effective Police that all right violations are eliminated.

Basically, a potential brute has the *right to do as he pleases as long as he does not violate the similar right of others, logical consequences thereof or other nature-given rights* (i.e. the *right to liberty*). In the very moment he tries to violate the rights of others, his unlimited *right to liberty* logically vanishes, and to an extent that equalizes what is necessary to prevent his right violations. The individual has the right to perform those actions being necessary for sustaining life (*right to life*). If a criminal tries to kill you, you have a nature-given right to perform those actions being necessary to ensure your own survival, i.e. you have the right to self-defense. But you do not have the right to deliberately violate the *right to liberty* of third-parties since they have not performed any actions implying a fading of their *right to liberty or life*. If an action of self-defense against the criminal is performed optimally for preventing collateral damage, but nevertheless causes injury upon life, health or property of others, the responsibility is resting upon the criminal and not upon the defendant. If the act of self-defense involves exaggerated use of force leading to clearly unnecessary and serious consequences for third parties, the self-defendant and the aggressor have to share the responsibility for the collateral damages. However, force may be legitimately used in self-defense directly against the tools used by a crook (a totalitarian state included), even if the “tools” are human beings of “flesh and blood” and in the same manner as if the force was directed against the crook.

You may also not use unlimited force in self-defense directly against a crook even if high degree of force is the only way of stopping the right violation. If a youth steals some candy from a shop, the shop owner may not shoot the thief running out of the shop even if this is the only way of stopping him. If so, the thief is imposed death punishment or uncivilized punishment in the form of life-lasting handicap. In such a case the shop owner has to let the thief run away and ask the Police to catch him later on. The principle is that self-defense may not be exercised in such a way that the right-violator is inflicted exaggerated disproportional consequences compared to the degree of severity of the right violation; e.g. death, mutilation or infliction of life-lasting handicaps may never be used for self-defense (see Section 6.1.2 and 6.1.3) unless it is necessary to avoid death, mutilation, ruin, enslavement, physical/psychical handicapping etc.

The individual has the right to self-defense, but has not the right to acquire or carry weapons that impose other human beings with real danger of exaggerated third party damages (or exaggerated damages on the criminals) and the well-founded fear following thereof. You do not have the right to reduce your fear of right violations by preparing self-defense in such a way that you impose other people with even larger fear of right violations via danger of exaggerated third party damages and retaliation damages (cf. Section 6.1.1). Keeping nuclear rockets in private gardens will obviously be potentially extremely dangerous for life, health and property; it will function threateningly and will hurt people's psychological health. Additionally, private nuclear arms will undermine the State monopoly on its obligatory tasks (see Section 4.4). Considering the necessity of this monopoly, weapons of war ought to be exclusively kept by the State's military forces. Keeping a bread knife in the kitchen *cannot* be regarded

as a threat of exaggerated third party damages or retaliation damages creating fear and hurting people's psychological health. If weapon freaks were to walk on the street with bazookas on their shoulders, it would obviously impose real danger of exaggerated collateral and retaliation damages creating fear and hurting people's psychological health; similarly with lion kept on a leash, machine guns, hand grenades etc. When considering a little, hidden pistol, the case is not so obvious. Whether general carry permit type is to be ordered for a given weapon will depend on the safety situation, the country's history etc., but regarding firearms the solution will usually be to provide carry permit (after education) only to those who have special self-defense requirements. Hunters and competition shooters may be permitted to keep weapons according to the authorities' safety instructions.

The State has to estimate the limitation of the *right to self-defense* with respect to which tools the individual may use for self-defense according to the following principle: Given (a) the danger of damages carried out by the crooks, (b) the danger of exaggerated third party damages, and (c) the danger of exaggerated retaliation damages, the sum a+b+c in society should be minimized. This may vary somewhat with time and place.

Of course, private armies and similar organizations will be forbidden. When a single individual does not possess the right to carry weapons of war, collections of individuals can neither possess this right. Besides, it would undermine the State monopoly on its obligatory tasks.

6.3 Military defense

“Of all the statist violations of individual rights in a mixed economy, the military draft is the worst. It is an abrogation of rights. It negates man's fundamental right – the *right to life* – and establishes the fundamental principle of collectivism: that a man's life belongs to the State, and the State may claim it by compelling him to sacrifice it in battle. Once that principle is accepted, the rest is only a matter of time” (*Rand, 1967*).

All service in the military has to be voluntary, and the Constitution (see Section 7.1.1.1) has to contain an absolute prohibition against military draft.

Amendment XIII from 1865 in the American constitution is interesting in this connection: “*Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, nor any place subject to their jurisdiction.*”

It is rational to volunteer in a war if at least one of the following five points or a combination of them is fulfilled:

- 1) You obtain so many economical benefits (e.g. good salary, priority with respect to supplies), other gains (e.g. excitement and heroic admiration by your peer citizens), and absence of drawbacks (e.g. absence of social disrepute) by being a soldier and a so miserable life as non-soldier that these factors rationally compensate for the eventually increased probability of dying or being injured as a soldier.
- 2) According to a rational evaluation, you expect to generate significantly “more happiness” as dead than as alive under the totalitarian regime that arrives if the war is lost. At the same time you calculate your own effort in the war to be completely decisive for the outcome of the war. The latter is important because if your own effort in the war only has “mouse-piddling-in-the-ocean”-effect, it is more rational to hide until the war is ended and then commit suicide if the totalitarian regime wins.
- 3) You expect to generate somewhat more happiness under the totalitarian regime than what you would do as dead. You calculate your own effort in the war to be completely decisive for the outcome of the war. You estimate the increased probability of dying or being injured to be so small in comparison with being a non-soldier that you will take the risk of entering the war in order to try to avoid the disadvantages of a totalitarian regime.

- 4) The probability of being injured or killed is larger for the civilians than for the soldiers.
- 5) You want to commit suicide but lack the courage to carry it out, and the probability of dying as a soldier is high.

Voluntary participation in a war may be tertiary self-happy-motivated, but such incitements are mostly dangerous, emotional and irrational.

For more on “military defense” also see Section 4.5 about the “World Assembly”.

Rand A. Capitalism – The Unknown Ideal. ISBN:0451147952. Signet Nonfiction. In: The Wreckage of the Consensus. 1967, pp. 255-256

6.3.1 Individual rights during military conflicts

The military forces of the State do not have the right to violate the nature-given rights of the individuals during military operations. The State is not allowed to introduce military draft or compulsory taxation. But the State may impose significant increase in the citizenship fee (see Section 7.6.7) since citizenship-free people probably will feel great insecurity if the aggressors were to prevail and the incitement to pay the fee is therefore assumed to be very large. In extreme cases “confiscation via collateral damage” may be used for financing the military defense (see Section 7.6.1.1) but never for justifying military draft. The primary goal is to have a defense (possibly included in an alliance) so strong that no potential, realistic enemies consider a military attack to be conceivably happiness-profitable; on the other side the defense ought not to be extravagantly expensive.

According to the *right to life*, the military forces are not allowed to kill other humans than the attacker's military personnel in self-defense. Any attack into the enemy country must have the aim of destroying installations or military personnel that directly or indirectly can be used for attacking the home country. During such attacks maximum efforts has to be made in order to restrict civilian casualties to a minimum, but this has to be weighed against the risk of the defendant's own soldiers and civilians. Besides, indistinct boundaries will exist between civilian and military installations. When attacking legitimate military targets, the responsibility for civilian casualties is then resting completely upon the aggressor.

The use of nuclear arms for eradicating whole cities in order to terrify the aggressor into capitulation is not legitimate if other methods, which cause less collateral damage, can be used for self-defense. An alternative to nuclear deterring is to have an anti-missile defense system that is so advanced and outsized that all nuclear missiles (irrespective of number) can be shot down before making damage. Nevertheless, the use of tactical nuclear arms against military targets, which would be difficult to destroy in another way, may be legitimate. Regarded from a Rational Gaudist point of view, the primary goal has to be a world free of nuclear arms. Alternatively, an anti-missile defense system as mentioned above may be developed, and afterwards one's own nuclear arms may be destroyed. Even if the world was to be free of nuclear arms, a certain anti-missile defense system ought to exist defending the nation against rogue states acquiring nuclear arms.

Fundamentally, when considering the *property right*, the military does not possess the right to confiscate private property for military use. Basically, military forces are not allowed to enter private property at all, but the military may be forced into private property by the aggressor, and the responsibility for such a violation of private property is resting upon the aggressor (see also Section 7.6.1.1). When the war is won, the State may call the aggressor to account for the destruction of private and public property, but history shows that extensive use of this principle may be unwise (e.g. Germany after World War I). If the legitimate forces enter the hostile country for strategically defensive operations, private property is not to be violated unless the private property is being used for military operations or if the aggressor forces the troops to violate private property. The property of the hostile State may be confiscated as war compensation or be used in military operations.

Practical cooperation with the aggressor or soliciting such cooperation is a direct or indirect violation of the nature-given rights of the individual, and is punishable. Expressing literal or verbal support for the aggressor during a military conflict is *not* allowed if it solicits right-violating actions in a context where the solicitation may be expected to be followed (see Section 5.6).

Violations of the individual nature-given right during military conflicts will be a juridical matter for the World Assembly and its legal system (see Section 4.5).

6.3.1.1 Compulsory military draft

If the current situation has triggered “confiscation via collateral damage”, you may have to give up some financial means since the aggressor in this case “pushes” the State into your property and the State is forced to use the property for defense against the aggressor. If you avoid enrolling into the military, the State may not force you to do so since it is philosophically meaningless “to confiscate people”. Thus, any form of compulsory military service (or compulsory service in general) is illegitimate regardless of the situation because it is *initiation* of force by the State

6.4 Immigration politics

The immigration politics of the State is neither to violate the nature-given rights of its own nationals nor foreigners. Since a foreigner has the same nature-given rights as a national of the State, the State does not have the right to refuse a foreigner to come into the country, but mandatory liability insurance may be required (see Section 6.4.1 and 7.6.2). A Pakistani, a Zulu or a Chinese has the same fundamental genetic equipment as an ethnic Anglo-Saxon, and accordingly they possess exactly the same nature-given rights (see also Section 5.4.2).

If a foreigner commits right-violating actions on territory of the State's jurisdiction, the punishment may be that he is expelled from the country and that he is refused to return.

The State will own roads and some other areas and thus, the State may limit certain foreigners' access to State property, but not if the foreigner already has acquired a legitimate right to utilize the actual State property (see Section 5.5.7 and 5.4.2). In practice, it is impossible to reside in the country without the use of state property (in particular roads), and in practice this means that such foreigners may be rejected at the border (sufficient reason for suspicion of planning of illegal residence on another's property).

Let us consider a foreigner who arrives in another country for a longer stay. He has not been hired by any employer on a survivable salary; has no credible, binding maintenance; and not enough financial means to stay in the country without work or maintenance. Then it could be (at least) predominantly probable that he is planning theft or other right-violating actions in the new country. On this basis, he can legitimately be denied access to the country (see Section 6.1.5).

Let us imagine that there are 2 % foreign cultured people in a district or city. Then the original culture is by far the dominant culture. During the next 10 years the foreign culture increases to 70 % because of massive immigration from “Longawayistan”. The foreign culture has become the prevailing majority culture. Many of the original citizens might feel as if they have been exposed to culturally forced displacement to “Longawayistan”. In a society based on absolute respect for the nature-given right the locals may avoid this in the following way:

If local condominiums or housing cooperatives (or similar) feel discomfort by having a high immigration rate that in foreseeable future may lead to foreign cultural dominance, they may adopt statutes (constitution) limiting foreign cultural inhabitation in their building(s). How to define “foreign

cultural” is entirely up to each condominium / housing cooperative to decide (see Section 5.4), but it ought to be objective. This may mean ethnical discrimination, but this is legitimate since no outsiders have rights on other's property (see Section 5.6). If a sufficient number of original inhabitants in the district/city dislike potential foreign cultural dominance, a significant amount of housing associations will certainly adopt such statutes (constitution). This will ensure that the original population does not need to worry about being exposed to “culturally forced displacement” to a foreign culture.

The authorities ought to try to defend their own nationals against right violations wherever in the world they might occur, but in practice the authorities of one State cannot operate in other countries without permission. Therefore, the State ought to be a watchdog in order to ensure that the authorities in other countries defend its citizens' nature-given rights when staying abroad. State violation against foreign citizens' rights ought to be handled by the World Assembly (see Section 4.5). This supranational union ought to instruct their member States to receive real refugees who flees their home country because of harsh State violations of their nature-given rights.

The immigration politics ought to be performed in such a way that it maximizes the long-term happiness for most citizens weighted against how strong non-right-violating influence they are able to perform on the State executives, but the politics may not violate nature-given rights (see Section 5.4 and 7.2).

6.4.1 Passport and border control

As mentioned in Section 7.6.2 each adult citizen of the state will be charged a premium for mandatory liability insurance in order to be able to pay for the expenses that he may impose on society through his future right-violating actions. A foreigner visiting our country will also imply such a “risk” for society. Thus, also *he* may be charged such a premium for the time he spends in our country – and to an extent matching the risk that he represents with respect to right-violating actions. How large this risk is might depend on which country he comes from – a random Finnish citizen will be regarded as less risky than a random person from Afghanistan. Therefore, it is legitimate for the authorities to impose passport control or even visa requirement in order to enter the country: One has to identify what kind of risk one is dealing with when a foreigner is to enter the country since this person basically is to pay a premium matching the risk for right-violating actions that he represents. If the risk associated with a given foreigner (e.g. a confirmed habitual criminal) surpasses a certain limit, he may be completely prohibited from entering the country. If a foreigner tries to sneak into the country without showing his identity, it means that the risk is completely unknown, meaning that the risk in practice has to be estimated as “very high” – so high that he may be refused entry.

Tourists and other visitors from countries resembling our own with respect to level of prosperity and safety do not need to pay premium for liability insurance to the other State. Roughly speaking as many Frenchmen visit Great Britain as there are Britons visiting France. When visiting France a Briton does not pose any risk in Great Britain – and *vice versa* and thus, the bill between the two nations breaks even. Persons from risk countries have to pay a relatively high premium, and this ought to be done in association with their visa application. Some countries have no or insufficient information available about their citizens and thus, the risk associated with a random citizen from such a country will be unknown. Accordingly, the risk has to be estimated as “very high”, and in a worst case scenario, persons from such countries may be consequently declared *persona non grata*.

Consistent with the *property right*, the owner of an airport has the right to control the travelers the way he pleases according to Section 6.1.5 and 5.7.1. From experience we know that it is predominantly probable that airports are used for right-violating actions and thus, the State may instruct the owner of the airport to carry out control of luggage etc. (see Section 6.1.5). If the owner of the airport refuses such controls, he accepts his property to be used for right-violating activity, and that is right-violating. The similar principle applies for owners of ships, harbors, and roads and railways at national borders etc.

6.4.2 Restriction on immigration

Let us consider a person emigrating from his original home country to another nation. In his original country, the idea of respect for the nature-given individual rights is weak. This single person's immigration to the new country does not pose any risk against the nature-given rights of its existing resident, and does not justify immigration refusal (unless there are special issues attached to him as mentioned in Sections 6.4 and 6.4.1). If many immigrants from such countries come to “the promised land”, and especially if they come over a short period of time, they will in total be able to grow into a mass that can change the basis of ideas in society and thereby encourage and force right-violating politics into action in their new country (even the Superior Constitution may in practice be pushed out of function if the pressure against its ideas becomes sufficiently strong). The legitimacy for political actions is not based on the will of the majority, but on the avoidance to violate the nature-given rights of the individuals and on the defense of these rights.

Thus, the individual immigrant from such countries (as mentioned above) will, as part of a sum, contribute to a risk of encouraging rights-violating political actions, in a context where the encouragement can be expected to be effectuated, if this sum of immigration exceeds a certain limit (see section 4.1.1 , point 2iii). This limit will be lower the weaker the idea of respect for nature-given rights stands in the immigrants' original homeland (e.g. in the Middle East). For countries where the support of this idea is sufficiently large no such limit exists.

Thus, immigration from countries with very low support for the idea of respect for nature-given rights should be limited considerably (but this should not prevent real asylum seekers and refugees from getting protection). Immigration from countries with very high support for this idea should not be limited at all (beyond individual risks attached to the individual immigrant). Thus, the immigration restrictions will increase inversely proportionally with the support for this idea in the immigrants' original homeland. Thus, foreigners have the right to emigrate to another country, but not in such a way that the existing inhabitants are inflicted fear for encouragement of rights-violating political actions in a situation where the encouragement can be expected to be effectuated.

Elements of Rational Gaudist politics having a potential immigration-limiting effect on the individual level are mentioned in Sections 4.3 - 5.5.7 - 5.6 - 6.4 - 6.4.1 - 7.3.5 - 7.6.2 - 7.6.11).

6.5 Environment protection

Pollution of the sea or air can harm other people's life, health, property and *right to use* to non-owned land areas and resources. It can also lead to pain for animals (e.g. birds being polluted with oil). If emission from one particular factory has directly right-violating effect, the case is clear: The factory has to be taken to the court, and if the environmental crime is proven, the factory and its responsible representatives have to be sentenced to harsh punishment.

Imagine a situation with emission of e.g. an ozone degrading gas where emission from the single individual or single factory is non-dangerous (mouse-piddling-in-the-ocean effect), but where the gas emissions in summation from all persons and factories in all countries will break down the ozone layer during the next 50 years and exterminate all life on the planet. In such cases a person, organization, party, nation etc. has to take the polluters collectively to a court under the World Assembly (see Section 4.5). On the basis of scientific evidences it has to be proven as “predominant probable” that the effect of the gas is as ozone-degrading as stated above, and that the emissions in summation will violate the individual nature-given rights of now living persons. A part of each polluter's emission will be right-violating (see Section 4.1.1). Then the court may impose emission restrictions upon all polluters, environmental taxes or an absolute prohibition against use of the gas in such a way that the total pollution stays below the limit of danger. If the

pollution problem has a more local or national character, an appropriate local court ought to decide the question.

If an international court under the World Assembly (see Section 4.5), based on irrefutable proofs, was to arrive at the conclusion that emissions of CO₂ are as dangerous as IPCC claims, this court may impose restrictions or taxes on all polluters in the nations of the World Assembly. These nations may also be instructed to impose economic sanctions on countries outside the World Assembly that refuse to comply. E.g., taxes on fossil fuels will increase its price, and then the private initiative will be stimulated to invent alternative, environmentally friendly fuels.

6.6 Roads

Today, the State or its subunits own most of the roads. As mentioned in Section 7.6.3 the State ought to continue to own the roads since the State can use its strong market power to gain income. Since there will be no law against private competition, the State may demand maximum legitimate market price. For some single-standing stretches private roads may offer competition, but there will not exist any real fear for the existing road net to be ousted by competition, and thus, the road net is regarded as a natural monopoly, and the limitations in Section 5.5.3 will apply (specified in Section 6.6.3). Private road owners cannot link up to the road net of the State without permission from the owner (the State), but private entrepreneurs can freely dig tunnels under or build bridges over existing State roads in order to complete their road.

6.6.1 How can roads violate rights?

Of course, the State has no right to regulate the use of private roads as long as the road owner does not violate the nature-given rights of others. But in extreme cases we may imagine that a road owner, private or public, (or other proprietor) prevents free traffic between other properties than his own. Given two areas/ real estates a and b that are owned by element A and B, respectively, or which are non-owned without being naturally localized inside an owned area. The area between a and b (or parts of it) is processed by element C (e.g. by building a road, wall or buildings). In such a situation all individuals still possess the right to move themselves and their movable property between a and b in similar manners and conditions as they would have been entitled to immediately before the processing except that they may have to accept a reasonable detour. It is not C's construction that has made it possible to move between a and b.

A logical consequence of this is that all individuals (in the whole world) have the right to move freely and free of charge between two areas (a and b) with those transportations that are possible to use in the natural state (i.e. before roads etc. were built). This includes walking, running, horse riding, biking, motorcycling etc. When it is practically impossible (included without unreasonable detour) to move from one place to another without using the road net, the individual has the right to use such transportations on the road free of charge and without conditions (exceptions will e.g. be bridges across lakes since it was not possible cross the lakes by these transportations in the natural state). Further, you will have the right to move from one area (a) on one side of the road over to another area (b) on the opposite side of the road without any unreasonable detour, and since it is almost an infinite number of such areas on each side of the roads, you will *de facto* have the right to use such transportations freely and free of charge on all roads. If natural-state movement has become impossible between a and b because of C's construction, C has to provide an alternative free solution. If a freeway has been built, you cannot walk or bicycle on that road, and the road owner has to build a path for walking and bicycling next to the freeway. But nobody may demand that a road is kept in good shape at C's expense so they comfortably can drive freely with their cars between a and b.

6.6.2 Speed limits

A private road owner may not freely allow unlimited speed on his road since this may violate persons and property located off road. The rational fear of this will also give people psychological health problems. Pedestrians may be run over, and they have a nature-given right *to use* the shoulder of the road in the pursuit of moving from one place to another in the same way as on non-owned area (see Section 6.6.1). Moreover, too high speed on a road may *de facto* make the road unusable for the property owners, whose properties are already connected to the road, since they – with good reason – may not dare use the road, and this would be a breach of the presumptive contract between the road owner and the property owners, which are discussed in Section 6.6.3. If a road owner wants to have abnormally high speed limits on a road where the pedestrians are safely placed on a protected footpath and where there is no other property in the neighborhood that can be hurt, the State has to put strong requirements on information of the high speed so motorists do not get lost into a high-risk road against their will (see Section 5.3.2.2).

Similar principles apply for prohibition against drunk-driving and mandatory liability car insurance.

6.6.3 Road rights and pricing

Today, many real estates are linked to the public road net or private roads / mini road nets. Thus, the owners of the real estates and the persons having their residence there (hereafter called “*the connected ones*”) are in the process of using the service which the road owner's road net represents (see Section 5.5.3). This is a service that is consumed starting when they connected to the road net and until they move or die (the owners have usually built or purchased their property under the precondition of connection to the road net). Thus, the owner of the road net has accepted the connections to the road net; i.e. the road owner has accepted that the consumption of the road net as a service started (see Section 5.5.3). Many of *the connected ones* will be well underway with their consumption of the road net service when Rational Gaudism is introduced. The road owner may not increase the price infinitely since that will be right-violating against *the connected ones* (a logical consequence is that this will also apply for the descending line of offspring of *the connected ones* for all future unless the offspring disconnect permanently from the road net). The road net is a natural monopoly, and the road prices ought be regulated according to the principle that the monopolist's relative profits is not to be significantly higher than the average relative profits in the industry being most similar to the monopolist's industry and where “trapping” market relationships are absent, which probably is rental business the real estate sector (see Section 5.5.3). Let us assume that the acquisition value (now-value) of a given public road net is \$2000 billion. By using the concrete suggestion for price regulation of natural monopolies from Section 5.5.3 and assuming that average profits in the real estate market is 4 % pro anno of the acquisition value, a kilometer price of \$80 billion [plus stdev] plus maintenance expenses divided by the number of driven kilometers per year will set a limitation for how much the Rational Gaudist State legitimately may demand in payment from *the connected ones* for the existing road net. For others than *the connected ones* the price and other preconditions may be different – for the public road net this may in practice apply for foreigners without acquired road rights in the country (see Section 5.5.7), while for minor private roads / mini road nets it may apply for passing traffic.

In order to get the latter consequences of nature-given rights into simple forms, the clause in the General Constitution suggested in Section 5.4.2 will be highly applicable for roads (see also Section 5.5.7).

When a new road is built, the road owner may charge as high price as he wants for the road use, but he has to make it very clear for real estate owners who want to connect to the road that he will take (or may take in the future) very high price for the use of the road. The more extreme price regime he wants, the stronger requirements will be set on his information to the (potential) real estate owners when connecting to the new road. If a person want to buy or build a cabin or house next to a private road, he ought to enter a contract with the road owner so he may use the road as long as he want for a fair price. Then he will not arrive into a situation where the road is blocked or where an extreme increase of the road price in practice blocks the road. State and private certification firms may contribute with well-established standard contracts for this purpose.

6.6.4 Closed and unusable roads

If the road owner suddenly closes a road making it permanently unusable, it is according to Section 6.6.3 right-violating against any real estate owners who are in the process of using the road service (unless there is presence of a contract accepting – or absence of an implicit contract prohibiting – such an extreme “price”). An example of this may be a slippery road owner who closes down the roads leading in to a district or village in such a way that the accessibility for the inhabitants deteriorates extremely. Then the house prices will fall, and the road owner may buy them cheaply, and later on he can open up the road blockages. In addition to the right-violation mentioned in Section 6.6.3, such a blockage will be a physical obstruction that impairs the value of the usages of the houses (even if living there is not impossible). Thus, the road owner becomes liable for this loss of market value, and he will not be able to make any profits from the blockage. Exorbitant road pricing can act as “closing light”.

The *property right* to a road will cease logically if: 1) a stretch of road is closed so that it cannot be used neither by the owner nor others, 2) the road descends to a state where it is useless, or 3) the road is permanently not used because of unavailability. The road areas in these cases are correctly processed away from the natural state, but not into a state of increased usability. Anyone (including the government) may apply to take over the ownership of the road free of charge (see Section 5.1.3).

6.7 Fire brigades and fire safety

If a fire breaks out in a building in a city or densely populated area, the fire can easily spread to neighboring properties, and the fire can spread further to include larger parts of the city. In less densely populated areas, this could be different. Thus, a building in a city or town will involve a significant fire hazard for both close and more distant neighbors if the building has poor fire protection. The owner of such a building will expose his neighbors to significant danger, and the authorities can therefore order him to pay a fee to help finance the fire service and to comply with other fire-technical regulations in their building.

In a house where there are no neighbors within a fire-hazardous distance, the owner can theoretically live as fire-hazardous as he wants, as long as the house is not a place for children to stay and as long as he informs visitors sufficiently about the fire hazard (see Section 5.3.2.2). If he cannot prove that he has complied with this obligation to provide information, he may receive a severe penalty (non-accepted risk). Therefore, a rational home owner must in practice accept a legally pre-approved standard for fire protection.

7. The function of the State

A short summary of the nature-given rights of the individual and the legitimating of the State: Perceiving happiness and avoiding unhappiness are the only valuable aspects in the Universe. The humans are beings capable of perceiving happiness and unhappiness. Considering a permission/licence (to obtain value) that you accept to be legitimate. You cannot violate/prevent this permission and simultaneously claim the violation/prevention to be legitimate. Nature's evolution has given each human being (person A included) his *fundamental nature* – defined as “the fundamental qualities used by the *consciousness* in the pursuit of its *values* (happiness)” – which in turn gives the individual human being permission/licence to NRI. NRI is obviously legitimate since it is meaningless to claim nature to assign a permission/licence *illegitimately* to the individual. Nature has given exactly the same permission/licence to person B. Person A realizes that person B has received a legitimate licence from nature, and thus, he cannot violate/prevent B's licence and simultaneously claim the violation/prevention to be legitimate (and vice versa). In a social context person A (and all other human beings) has a legitimate permission to NRS – i.e. whatever violation/prevention of NRS is illegitimate. NRS is a nature-given right – (a logical consequence of) a legitimate license to obtain values assigned by a being's fundamental nature. (NRI = *to think up and to choose to perform those actions which are necessary in the pursuit of maximization of self-happiness during the life span*. NRS = *to think up and to choose to perform those actions which are necessary in the pursuit of maximization of self-happiness during the life span as long as one does not violate the similar right of others or other nature-given rights or their logical consequences*).

Unfortunately, nature does not automatically defend the individual against right violators. The combination of the *right to self-defense* and the *right to organize* implies the formation of a State that is to defend the nature-given rights of the individuals inside a given geographical area. The State is obliged to defend these rights for all individuals inside the judicial borders of the State in order to legitimate its monopoly position on the system of justice, Police and military defense (see Section 4.4). Since the nature-given rights of the individual are legitimately given /implied by nature, not even the State may legitimately violate these rights. How much of his nature-given liberty the individual is to give up, is an exclusive decision of the individual himself – not a decision of the majority, a dictator, an emperor or a president. If the State still violates the nature-given rights of the individual, we do not deal with a legitimate State but a State with different degree of illegitimacy. The question whether a illegitimate State is to be transformed into a legitimate State if the people believe to generate significantly more happiness in the long-term perspective by illegitimacy is answered in Section 7.4. The *right to liberty* cannot be interpreted to mean that the State has the right to do whatever it pleases as long as dissatisfied individuals may emigrate (see explanation in Section 7.5).

7.1 The obligatory function of the State

The nature-given rights of the individual are deduced from the inductive knowledge that the humans are rational beings with the ability to think in the purpose to choose to act in the pursuit of maximization of self-happiness in the life-long perspective. The rights are deductively defined. They are not defined from the inductive knowledge that a society lacking defense of these rights generates significantly less “society happiness” than societies with a good defense for such rights (even if this is the case). The rights are not defined through empirical testing (HDM).

In order to be legitimate, politics may not violate the nature-given rights, which are deduced from the fundamental nature of the individual human being (and animals). Thus, the parts of politics that are aimed at defending the nature-given rights and avoiding violating them are implied by the fundamental nature of the individual human being and the essence of the concept legitimacy, and not by the Rational Gaudist ethical principles. It is not legitimate for the State to perform empirical

political testing violating these rights (see Section 4.1 and 10.2). The biological evolution occurred with the surrounding environment as limitation. The technological evolution has its limitations in shortage of resources and capital. The evolution of legitimate politics has also its restricting environment, namely the individual nature-given rights. The State does *not* have the right to violate these nature-given rights even if it – against supposition – should generate a larger amount of total happiness when summed over all individuals inside the jurisdiction of the State (see Section 7.5).

The obligatory function of the State is to carry out system of justice (child welfare services included), Police and military defense *in the strict sense* (no kind of social politics are included) with the objective of preventing right violations.

7.1.1 Laws

The system of laws ought to consist of three parts: 1) The Superior Constitution, 2) The General Constitution, and 3) The Law.

Basically, nothing is permitted unless a permission exists stating something else. A stone does not have *any* permission to perform actions. An animal has permission from nature to follow its instincts in the pursuit of its values. A human being has permission from nature to perform actions based on his rational evaluation in the pursuit of his values.

All legitimacy is based on not violating already legitimately assigned permissions. An action is legitimate if it does not violate a legitimate law. A law consists of a permission or a prohibition, and is legitimate if and only if it does not violate those permissions (rights) given in the Constitution. The Constitution is legitimate if and only if it does not violate the permissions (rights) assigned to the individual by nature. The permissions of nature are always legitimate since nobody but nature was capable of assigning permissions before nature gave the human beings their permissions (rights), and accordingly there were no permissions to violate (see chapter 4). Besides, claiming elements without free will (i.e. nature) to violate permissions (rights) is contradictory. The nature-given rights of the individuals (and animals) and their unavoidable consequences are formulated in the Superior Constitution.

7.1.1.1 The Superior Constitution

Many people will agree to limit the power of the majority, and modern democracies claim to do this by implementing Constitutional Laws. But such Constitutional Laws are sustained at the mercy of the majority since the majority may change the Constitution (although the process may be longer than for a usual law alteration). In other words: the horse is guarding the sack of oats. In a Rational Gaudist system the Superior Constitution is deduced from the fundamental human nature, and it ought to be implemented by similar means as used by the existing regime. The Superior Constitution may never be legitimately changed no matter the magnitude of the majority in the people or in the National Assembly since this constitution consists of nature-given rights deduced from the fundamental human genetic nature.

The Superior Constitution will state the individual nature-given rights and the most important consequences thereof as holy and non-violable (*the right to life, liberty, property, use, speech, organizing, entering contracts, and free enterprise*). Similarly, the nature-given rights of children and animals have to be stated. This constitution has to make it crystal clear that the State does not possess the right to introduce laws violating these rights. All actions are to be allowed unless the action violates these rights. This has to be specified so clear cut that no slippery jurist later on can interpret the Superior Constitution away from its original intention. It has to be a very distinct border between the private sphere of interests and the sphere where the State may intervene.

7.1.1.2 The General Constitution

The General Constitution has to be in complete compliance with the Superior Constitution and shall contain specifications of the paragraphs of the Superior Constitution that are too important to only be stated in the Law. These are law paragraphs that are strongly expected to stand “the ravages of time” and therefore, they are elevated over other law paragraphs.

The General Constitution ought to contain the State's fundamental internal rules: that the country is a republic, how the State is to be governed, and fundamental rules for the fundamental management of the State property and citizenship etc. These are not really laws since a *law* is to regulate the relationship between elements in order to prevent violations of nature-given rights.

Changing the paragraphs of the General Constitution is not right-violating, and these paragraphs may be changed by 2/3 majority in two following sessions in the National Assembly. A simple majority of the National Assembly are basically allowed to make whatever law as long as the limitations of the Superior Constitution and the General Constitution are fulfilled.

7.1.1.3 The law

All the paragraphs in the Law shall be direct implications or specifications of the principles in the Superior Constitution or the General Constitution. Some of the paragraphs of the Superior Constitution and the General Constitution may be carried out in different ways, and the legislators have to test this out by HDM. The Superior Constitution and the General Constitution often contain general principles, and it is necessary to perform precise definition of these for adaptation to specific conditions. No “unlaws” shall exist. An “unlaw” is a law that does not arise as an implication of the Superior Constitution and/or which violate the paragraphs of the Superior Constitution.

7.1.1.4 Supreme court

The Supreme Court has to have a clear cut task in defending the Superior Constitution and the General Constitution letter for letter, and to be an angry watchdog against eventual politicians who want to violate the nature-given rights of individuals (and animals). The Supreme Court has to be completely independent of the Government and the National Assembly by judges in the High Courts electing judges to the Supreme Court for a period of e.g. 8 years. The Supreme Court hires the judges of the High Courts, and the High Courts hire judges of the County Courts. It is possible that the Supreme Court ought to have two chambers: the superior chamber takes on constitutional cases only, i.e. its only task is to ensure that the National Assembly and the Government do not make laws, rules etc. that violate the constitutions. The lower chamber takes on usual appeals from the higher courts and special trials going directly to the Supreme Court.

The military defense ought to swear loyalty to the Superior Constitution and the Supreme Court and nothing else.

7.1.2 The State has some obligatory welfare tasks

It is a State task to protect the individuals' nature-given rights. Some psychical unstable persons may be a threat against life, health and property of others. Therefore, it will be an obligatory task for the State to treat them (if necessary by force). This will usually be financed by mandatory liability insurances (see Section 7.6.2) supported by other legitimate State funds, but may be financed as “confiscation via collateral damage” in emergency situations (see Section 7.6.1.1 and 10.3.2). A consequence is that no such psychical unstable persons will ever avoid the health care system in fear of the economical costs. They will be prevented from violating other person's life, health or property by being cured or by being

physically prevented from committing crimes when they are locked in hospital. The similar chain of reasoning is valid for persons with strongly infectious and dangerous diseases (tuberculosis, SARS, AIDS, Ebola etc). Compulsory treatment of an adult person is only acceptable if 1) he has lost his rationality to such a level that he is put under guardianship (see Section 4.3.6), but then as a non-obligatory task, or 2) he has committed criminal actions (included threatening actions and actions which create fear by being dangerous for other humans), and then as an obligatory task.

7.2 The empirical function of the State

The majority does not have any nature-given right to make decisions. Since the State is an organization, each national of the State has a nature-given right to try to use the State in the pursuit of maximization of self-happiness during his life span within the limitation of its constitution – a constitution that is limited by the Superior Constitution so no nature-given rights may be violated (see *right to organize* in Section 5.4). Individuals who are not nationals of the State are also allowed to try to influence the decisions of the State as long as the influence is performed in a non-right-violating way. Since all individuals are self-happy-motivated, the first glance could make us believe that a Person A is rational by trying to use the State for performing actions of the type: “the State is to give 50% of the State income for my personal use”. If such a suggestion had been approved, Person A would have generated a lot of self-happiness, but the probability of getting approval for such a proposal (especially since the nature-given rights cannot be violated) is in practice like zero since no other persons have any interest in the proposal. Therefore, Person A has to ally with other persons for using the State in the pursuit of maximization of his self-happiness, and in order to get them to join him he has to reduce the focus on his egoistic interests and increase the focus on the interests of his potential allied. Therefore, the existence of political organizations is rational (parties, professional and industrial bodies etc.). Since the *right to organize* is a nature-given right, all such organizations have to be legitimate as long as the organization does not solicit, plan or perform right-violating actions.

The next question is how the State is to be organized through the General Constitution (and also the Law) in order to maximize the self-happiness of the persons who actually are governing the State, but without violating the nature-given rights of others. With the existence of a large number of political organizations it is rational for the authorities to cooperate with these, and especially with the largest and most powerful ones – anything else will be very difficult in the long-term perspective. The result is that the State will pursue non-right-violating politics that maximize the long-term happiness for most individuals weighted against how strong non-right-violating influence they are able to perform on the State executives. The latter principle is the Rational Gaudist view on how the State ought to be governed. In the Rational Gaudist spirit the State ought to be as rational as possible in the performance of this process according to similar principles as those mentioned in Section 3.4.

It is not possible to directly deduce from the nature-given rights how the State is to be organized in detail, but a system where the largest and most powerful political organizations elect representatives to a common general assembly seems reasonable. The governing elite (government, president, king) ought not to carry through politics that is opposed by a significant majority in this general assembly; otherwise, governing will be difficult over time. In order to make such a process as orderly and predictable as possible, the General Constitution ought to contain clear cut rules for the organizing of the governing of the State. This system may be based on universal suffrage with a parliamentary system where the government is dependent on the approval of the National Assembly, or it may be an US system with an elected president who cannot be overthrown by the Congress.

7.2.1 How to carry out the empirical function of the State?

How the State is to carry out the judicial system, military (civil) defense, and how the laws are to be formulated inside the limitations of the nature-given rights, is settled by empirical testing (HDM) – or popularly spoken: by trying and making mistakes.

The individual is allowed to perform any action of choice as long as the rights of others are not violated. Similarly, the majority (simple or 2/3) of the National Assembly may do as they please as long as the rights of others are not violated as specified in the Superior Constitution. This is a consequence of the *right to organize* (see Section 5.4). Money, which the State has gathered in non-right-violating ways, is the property of the State, i.e. the collective property of all nationals of the State. It is not their individual money, and the State may also use this money on non-obligatory tasks according to the judgment of the majority of the National Assembly as long as the consequences of the money spending do not violate the nature-given rights of others, and if the obligatory tasks already have been financed. The National Assembly may sponsor e.g. social projects. This cannot be prohibited by the constitution – at least not by the Superior Constitution. National elections are empirical testing (HDM) that gradually are to guide the politicians to adopt the best hypothesis (politics). The parts of politics contained in “the empirical function of the State” are implied by Rational Gaudist ethics since their aim is to maximize happiness within the limitations of legitimacy.

As mentioned in chapter 7.6 the State will acquire some money without using right-violating taxation. Nevertheless, this amount of money will be relatively restricted. Therefore, it is possible that it is rational to restrict the areas where the State may use money through the General Constitution. Economical support contributing to ensure the fundamental needs of the children ought to be number one priority. The Rational Gaudist idea is that voluntary insurance (see e.g. Section 7.6.11) and savings are to take care of people's welfare in connection with diseases, old age, disability, pension etc. and hence, compulsory collectivism is replaced by voluntary collective arrangements. Persons who participate 100% in the *Voluntary Welfare Insurances* (see Section 7.6.11) may receive social welfare benefits while others have to rely on private charity. Thus, the State will not necessarily have additional expenses here, but State subsidizing the *Voluntary Welfare Insurances* ought not to be ruled out. In our globalized world it will be possible for persons with low national insurance income to move to a cheap country (e.g. Thailand), bring along the insurance money and obtain significantly more goods for the money there. Persons with some capital but without work or insurance may buy an apartment in a cheap country and finance the daily expenses by working locally.

Some land areas will be considered to be non-owned (see Section 5.2.1, 5.1.3 and 10.5). On such areas anybody may try to work up *property right* or *right to use*. This is considered to be an initiative of social politics – even if it is a consequence of the way in which the *property right* arises.

7.3 What is the Rational Gaudist sign of good politics?

- 1) The Superior Constitution has to be obeyed for defending the nature-given rights, but without violating them in the pursuit of defending them – otherwise the politics becomes more or less criminal/evil. When the boundaries for right violations are not clear cut, the State must, according to a best possible evaluation, set optimally objective standards for these limits.
- 2) Different strategies may defend the nature-given rights as described in point 1. The strategy of choice is the one maximizing the long-term happiness for most individuals weighted against how strong non-right-violating influence they are able to perform on the State executives (see Section 7.2) according to the principle that the good politics has to resist intense attempts of dethronement (HDM).

- 3) Carrying out non-obligatory State tasks inside the restriction of the Superior Constitution ought to maximize the long-term happiness for most individuals weighted against how strong non-right-violating influence they are able to perform on the State executives (see Section 7.2) according to the principle that good politics has to resist intense attempts of dethronement (HDM).

If points 1, 2 and 3 are fulfilled, we have the optimally good politics regarded from a Rational Gaudist point of view. But this is of course difficult to measure in practice since especially points 2 and 3 contain the subjective term “the happiness of the citizens”. The support for the governing political parties at elections will be a good indication.

7.4 Why shall the majority obey the Superior Constitution?

Since the individual human being is predetermined to try to maximize his self-happiness in the life-long perspective, the following question arises: Why are the people to accept the limitations in the Superior Constitution if a sufficient large majority believes that the State can generate significantly more happiness for the individuals by violating the Superior Constitution?

The majority is not given any power by nature to be in charge, and in practice a traditional democracy is dependent on the non-existence of minority groups that are so strong (where *strength* also includes degree of determination and well-organizing) and have so much to gain from establishing (minority) dictatorship, that they will overthrow the elected government. The reality has to be shaped in such a way that all minority groups with their rationality understand that they do not gain anything from attempts of introducing and sustaining (minority) dictatorship in the long-term or medium-term perspective. This is or has been a problem for many newborn democracies (Argentina, Italy in the 1920ies, Czechoslovakia in 1948 etc.).

If the Superior Constitution is to be introduced and sustained in practice, the reality has to be changed (inclusive a radical enhancement of the support for those philosophical principles bearing Rational Gaudism) in such a way there do not exist any sufficiently large and influential groups that alone or together have the power to violate the Superior Constitution and which believe they have something significantly to profit from such violations in the long-term or medium-term perspective.

If Rational Gaudism, and thereby the Superior Constitution, is to be introduced in practice, a majority of 2/3 of the National Assembly has to approve the replacement of today's Constitution with the Superior Constitution plus the General Constitution. In such a situation strong Rational Gaudist trends have to be present in the population with a significant majority completely or partly supporting Rational Gaudism – approximately in the same way as today's strong European Social Democratic trends (see Section 7.4.1 and 10.10.1). This majority believes that they will create significantly more self-happiness in the long-term perspective by installing the Superior Constitution than by not doing so (even if violating the Superior Constitution may sometimes be happiness-profitable *in the short term perspective*). Regarded from the Rational Gaudists, it will be rational to contribute to form the reality in the long-term perspective by implementing mechanisms and feed-back systems which ensure that State violations of the Superior Constitution is irrational (immoral) and supporting it is rational (moral). Such mechanisms and feed-back systems are listed 1-7 below:

- 1) It is dubious if it is profitable with respect to happiness for a sufficient number of individuals and influential groups to violate the Superior Constitution since it is deduced from the fundamental human nature (see Section 7.4.1). It is important to emphasize that introducing a little violation of the *right to liberty* will gradually wipe away the principle and gradually, the society will be more and more characterized by restraints and force until we end up with something close to socialism.
- 2) In today's society the majority rules because this philosophical principle is well recognized among all sufficient large and powerful groups in the society. In a Rational Gaudist society the philosophy of the Superior Constitution will be generally recognized among most of the sufficient large and powerful groups in the society.

- 3) If a person considers violating other's rights, the fear of punishment shall be an important reason for omitting the crime. Similarly, if the National Assembly or the Government considers effectuating right-violating politics, the fear of veto by the Supreme Court and the consequences thereof shall be so large that it will be rational to omit making such decisions.
- 4) The National Assembly controls the Government, the majority of the voters controls the National Assembly and indirectly also the Government, the Supreme Court controls the will of the majority by administering the Superior Constitution, and the judges of the Supreme Court are elected by the judges of the High Courts.
- 5) The political election programs ought to be evaluated by the Supreme Court, and parties with obvious right-violating politics may be refused to participate in the election.
- 6) Within the scope of the Superior Constitution, non-obligatory politics ought to be evolved in such a way that no sufficient large and powerful groups believe that they have something to gain from violating the Superior Constitution.
- 7) The Superior Constitution has a “holy” character since it may not be changed.

If the Government or the majority of the National Assembly refuses to accept a decision of the Supreme Court, it is in practice coup d'état. In such an extreme and improbable case the Supreme Court may dissolve the National Assembly and/or the Government, if necessary by the use of Police and military forces, but not if the expected amount of right violations thereof against third-parties is significantly larger than the long-term consequences of the illegitimate politics. In practice the Superior Constitution can be abolished by coup d'état, but this can also happen in today's system even though the probability is very small.

Too many examples exist in world history where different groups in the society fight with directly violent means in order to settle how property inside a geographical area is to be taken from someone and be given to others. In such a system there is large probability that precisely *my* group will be a loser; in fact in it is probable that all groups will be losers. In a democracy (almost) all groups enter into a permanent ceasefire, which basically states that the group achieving the largest number of votes by elections seizes and distributes property and makes other limitations in the personal freedom as it pleases inside the actual geographical area. This is a large progress compared to openly violent conflict. Rational Gaudism represents a further progress, namely a society system where (almost) all groups enter into a peace agreement, which basically states that no group takes anything from anyone or makes limitations in the personal freedom of peaceful humans – a society system absolutely free for all “gang rule”. The motive power to enter into such an agreement is that the sum of the present predisposing determinants makes all (important and large) groups realize that in the long run, no group achieves high enough probability to profit from committing even non-bloody “gang rule”.

7.4.1 Why become a political Rational Gaudist?

If a person is to become a political Rational Gaudist, he has to believe that he will generate significantly more happiness during his life span by being a Rational Gaudist than by not being a Rational Gaudist. Why should a person believe that he will generate more happiness during his life span by being a political Rational Gaudist compared to having another political view? Let us assume the opposite, namely that a specified person is not a political Rational-Gaudist. Since Rational Gaudism is a framework for legitimate politics (see Section 7.1.1 and 11.1), there are two possibilities:

- 1) The person realizes that his politics is illegitimate, but he does not care since he believes supporting illegitimate politics will give him more happiness through his life span than supporting consistent legitimate politics.
- 2) The person does not accept that the human individual has nature-given rights, i.e. that nature has not legitimately given the human individual permission (license) to choose to perform actions on the basis of his rational judgments with the natural resources as the basis.

If point 2 is the case, there are several possibilities:

- a) He is a supporter of determinism.
- b) He believes that human beings are not rational beings, but slaves of nature like animals.
- c) He believes that these licenses are granted by God (or something similar) that has authorized “the King”, “Der Führer” or other strong elements with the right to withdraw them.
- d) He believes that a partial evil being with free will has assigned the licenses to us, but that the “partial evil being” has violated some being's rights by assigning them, and that “good humans” have the right to exercise self-defense on the violated being's behalf by preventing other people from carrying out their actions.
- e) He believes that Gaia is an organism with *property right* to “its” resources.

About Point 2: This means is that the person is philosophically irrational, and the number of such persons may be reduced by spreading rational philosophical ideas.

About Point 1: Regarding people who support the ethics of Rational Gaudism, it is explained in Section 10.2.1 why implementation of natural rights in practical politics (i.e. legitimate politics) is an expected consequence of their ethics. The arguments in Section 10.2.1 will to some extent also apply to people who realize that the individual has natural rights, without being supporters of Rational Gaudist ethics. The points in Section 10.2.1 related to *PMI* and *duty of virtue* are expected to be significantly more important for ethical Rational Gaudists than for the second category of persons, while the other points are expected to be equally important for both. Thus there is reasonable to believe that many of those who realize that the individual has natural rights also will take the consequences of this view during voting and practical politics, so that the number of “point-1-persons” may be significantly reduced.

Thus, it is reasonable to believe that a substantial majority of the people can be political Rational Gaudists especially under a regime of highly educated population on the basis of rational philosophical pillars (see also Section 10.10.1). Then the Superior Constitution can be introduced. Most Rational Gaudists will probably realize that they sometimes may profit from illegitimate politics in the short term perspective, but the likelihood that this will pay off through their life spans, will be so small that they realize that it is not worth betting on. Regarded from the Rational Gaudists, it will be rational to contribute to form the reality in the long-term perspective by implementing mechanisms and feed-back systems which ensure that State violations of the Superior Constitution is irrational (immoral) and supporting it is rational (moral). Such mechanisms and feed-back systems are listed in point 1-7 in Section 7.4.

7.5 The sovereignty of the State and the individual rights

Can the *right to liberty* be interpreted in the following way? “The individual has *right to liberty*, but the different States have unlimited right to make laws, regulations and taxations. The freedom of the individual consists of the right to leave the country if not being satisfied.” Why may not the State (as organization) have a constitution stating that some nature-given rights may be broken by the State? Then, people who believe that they will create more self-happiness by living under such a constitution may do so while those who do not accept the right-violating laws, may move to another country with another politics. The only individual right that the State needs to consider is the “right to free emigration”. We can argue against this at different levels:

7.5.1 Only the individual is sovereign

It has been claimed that WE (the majority, the people, or the nation) have the right to choose what kind of politics to be conducted in the country, included confiscation of private property through taxation and initiation of other kinds of compulsions. Nature has *not* given US the right to perform choices of action. Nature has *not* provided the people or the nation with a consciousness with the ability to perform choices of action and to perceive happiness and unhappiness. Nature has only provided the *individual* with such a consciousness. The people or the nation can only perform choices of action through the consciousness of a chief of government and his executive staff. If these choices of action imply restrictions in the nature-given liberty of the individuals, each individual has to voluntarily sign a contract with the State where he accepts these restrictions. Theoretically, the State might say that you have to accept 70 % taxation and several State regulations and compulsions in order to obtain citizenship of that State. If you refuse to pay tax, you have committed a contract breach, and the State may use force against you. But if so, few well-off and productive people would accept to be nationals of the State since absence of the citizenship does not mean loss of the *right to liberty* and defense thereof on the territory of that State (see Section 5.4.2). If you have not entered a contract on paying taxes, you have not committed any right violation by not paying, and therefore, the authorities may not take money from such an anti-taxpayer by force.

Another trick to cheat the public into believing that statism is in accordance with the *right to liberty* might be to regard a nation as a “condominium” where each private real estate makes one unit and where the “condominium” has a Board (Government), General Assembly (Parliament / general referendum) and statutes (Constitution), which may be changed by 2/3 majority in the direction of nearly unlimited authority to make regulations and determine “joint expenses” (taxes); dissatisfied co-owners may sell their unit (property) and move out of the “condominium” (country). The condominium trick is obviously right-violating since it means initiation of force by compulsory joining private properties, without the voluntary contractual consent of each owner, into a large “condominium” where major parts of private property (in the form of compulsory taxes and extensive regulations) are compulsorily converted into common property. The result is that the State *de facto* has committed massive violation of private property (see also Section 7.5.3).

If the State was to charge the use of State roads (or other State property) similarly to today's taxation, it would be right-violating against existing real estate owners who are connected to the existing road net (see Section 6.6.3).

A pro-argument for the State's right to compulsory taxation could be that by staying in the country the inhabitants accept implicitly a contract on paying tax to the State. It is the same as saying that the State has made an automatic standard contract stating that each inhabitant is to pay taxes, but each individual may avoid this contract by emigrating. Rational Gaudism does not accept such automatic standard contracts (see Section 5.3.2.5) since they are considered to undermine the *right to liberty*. Each individual has a nature-given *right to liberty* inside the territory of any State, and you do not need to accept a contract in order to achieve a nature-given right. Thus, it is also meaningless to claim that you accept a voluntary presumptive agreement on taxation by becoming resident in the country.

The State initiates threats of violence in order to achieve tax income and to carry out other compulsions, but the use of violence or threats thereof is only legitimate in self-defense explicitly against those who initiates violence or violent threats. The fact that the victims of the threats have the option of running away, does not give the threats legitimacy (besides, there exist presently no non-right-violating states that you may move to, and you cannot establish your own state as you can with a private company). It is similar to a situation where the mafia demands “protection payments” from its “customers”. You do not need to live where the mafia operates; you may move away and escape the black-mailing.

The conclusion is that the *right to liberty* cannot be interpreted in such a way that the “right to free emigration” is the only real right.

7.5.2 Payment for the obligatory tasks of the State?

May the State demand 80 % tax and 25 % VAT and then refuse carrying out monopoly services on the defense of the nature-given rights of the non-payers? An ordinary organization could say as follows: “Pay 99 % of your income as member fee otherwise you may not use our services.” Why may not the State say the same?

Assuming that the State may demand payment for carrying out monopoly services on the defense of the nature-given rights, and then refuse defending the rights (or some of them) of the non-payers. The non-payers possess the *right to organize* and a nature-given right to defend their nature-given rights. Thus, non-payers without State defense for their nature-given rights will have the right to establish their own State in order to defend these rights. But then there are two States on the same territory, which is a contradiction to the fact that the State has to possess a monopoly on system of justice, Police and military defense in order to defend the nature-given individual rights (see Section 4.4). The assumption that the State may demand payment for its obligatory monopoly services and refuse defending the non-payers implied a contradiction. Ergo, the State may not demand payment for carrying out monopoly services on the defense of the nature-given rights and refuse defending the rights (or parts of them) of the non-payers. However, the State may force a person to pay for monopoly services if his omission to pay means a right-violating action (see Section 7.6.2), but the State may never refuse to defend his nature-given rights. The State may also demand fees for services that are not monopoly-based (see e.g. Section 5.3.1.2).

7.5.3 Absurd implications of the State sovereignty

If the *right to liberty* is defined as “the right to emigrate from your home country if not being satisfied” the State acts as an owner of its entire territory (and on the owner's territory nobody else has any rights unless entitled by the owner). Then the State has in practice committed massive right-violating confiscation of private property and non-owned areas. If so, the *right to liberty* is in practice an international treaty between the different “nation owners” that ensures the citizens freedom of emigration from their home countries, while the citizens become serfs or cottars with the State as the squire (of stolen property). But this is a clear contradiction to the originating of the legitimacy of the State, namely to defend the nature-given rights of the inhabitants inside the borders of the State.

The *right to liberty* in a Rational Gaudist society implies that the State is obliged to defend the individual freedom when someone tries to violate this right. It does not only mean: “The ‘right of the citizens to try to find another State to live in if not being satisfied’, and if somebody tries to prevent them from emigrating, the State will stop the wrongdoer.” Besides, it is somewhat unclear what is meant by “the right to free emigration”. Does it mean to be able to leave your fatherland and bring all your assets along, or does it only mean the right to crawl naked across the border? It does probably not include the duty of other countries to receive you. A large part of the estates is physically impossible to move; it is not so easy to put a house with a garden or a crops field into a rucksack and bring it abroad!

If we stretch the concept of “liberty” even further, the following absurdity arises: “The State grants its inhabitants freedom to emigrate within an interval of one month after their 18th birthday. After this time period the inhabitants do not have the right to emigrate, and before this time period they are not of age and do not have the *right to liberty* anyway. In this way the individuals have ‘freedom to emigrate’, and if an individual avoids using this opportunity, he has accepted being exposed to harsh taxation, confiscations, torture, and violence. Accordingly, he has to blame himself if he is exposed to such treatments.”

The argument: “you can move if not satisfied” can easily defend most dictators' actions. Democrats using this argument ought to be pretty reluctant with criticism against dictator states. If we were to accept the idea that the authorities may do exactly as they like as long as the inhabitants possess the freedom to emigrate, torture, gagging of the *freedom of speech* and violation of the *right to organize* etc. would be acceptable. By accepting small right violations as compulsory taxation a sliding into more totalitarian tendencies might be the result. Imagine a world consisting of 5 States: Stalin's Soviet, East Germany, North Korea, Pol Pot's Kampuchea, and Hoxha's Albania. If a person in Soviet was not satisfied, he could just move to North Korea; ergo liberty!!! And if the whole world fuses to one World State, where are right-violated individuals to move? To Mars?

7.6 The State's income

The proposals in this section on how to finance the State's expenses are the author's thoughts and are of course not mandatory for Rational Gaudism. However, avoidance of violating nature-given rights in the efforts of generating income is absolutely mandatory, and thus, the options are limited.

7.6.1 Compulsory taxation

No taxation of individuals or companies that involves *initiation* of force is acceptable since it is right-violating (see Section 7.5 – 7.5.3). Besides, it is possible to acquire enough money in alternative ways. When we use the concept “compulsory taxation” through this document, we mean “taxation by *initiation* of force” unless something else is directly specified; forced taxation may be legitimate if it involves retaliation against initiated force.

The following incorrect statement may be tried used for justifying compulsory taxation: The individual does not have the *right to liberty* in Rational Gaudist meaning since a presumptive contract (see Section 5.3.2.4) is entered between “the society” and the child at birth (or at conception) on paying back their upbringing expenses and pay for the benefits that the child is born into (goods obtained by “the society” through centuries of technological development). As an adult, the individual must fulfill this contract by paying taxes (and accepting other intrusions). Correcting answer: *Contractual freedom* arises as a consequence of the fact that adult individuals use their *right to liberty* to voluntarily enter into a contract (see Section 5.3); the *contractual freedom* is a subgroup of the *right to liberty* (see Section 5.7). It is totally meaningless to argue that a newborn or unborn child can enter into a contract since it does not have the *right to liberty*. It is impossible to refer to the *contractual freedom* to refute the *right to liberty* since the *contractual freedom* is based on the *right to liberty*.

7.6.1.1 “Confiscation via collateral damage”

Will Rational Gaudism accept compulsory taxation if it is not possible to maintain the judiciary system (child welfare services included), Police and military defense by legitimate methods? The answer to this is no. But in such a situation, criminal persons or foreign governments initiate force against the citizens, and the State may be accidentally “pushed” by the criminals into citizens' property, confiscating some of their property in exercising self-defense on behalf of the citizens (collateral damage). This confiscation is not legitimate, but the initiators of force, and thereby the right-violator, are the criminals and not the State. All blame rests entirely on the criminals, but only if the State has done its utmost to minimize the collateral damage (see also Section 6.3.1), included maximum efforts to obtain legitimate income to fund Police, military defense and the judicial system. The collateral damages must clearly involve less right violations in the long-term perspective than what the crimes are expected to yield. In practice, the confiscation is carried out resembling compulsory taxation but should be called “confiscation via collateral damage” (see Section 10.3.2).

“Confiscation by collateral damage” can by its very nature only be used for retaliation – and its preparation – against rights violations (criminal persons and states) as well as escape from rights violations (asylum seekers and child welfare) since the principle requires the presence of a right violator urgently forcing the State into another person property in its mandatory defense of the nature-given rights. Thus, alleged crime-preparing measures such as social support, leisure clubs, social housing construction and the like cannot be paid with funds that are “confiscated by collateral damage”. Therefore, it is only the State's mandatory tasks that can be financed in this way; i.e. military defense, police and the judiciary (including child welfare).

The State's use of “confiscation via collateral damage” is without right violation only if all possible legitimate collection methods (see Sections 7.6.2 – 7.6.9) unsuccessfully have been used to try to fully fund the obligatory tasks of the State. However, it is impossible for the State to immediately stop the financing of all non-compulsory tasks. All increase in financing of non-compulsory tasks must be stopped while “confiscation via collateral damage” is ongoing. Any increase in legitimate income must be used to reduce the need for “confiscation via collateral damage” for the mandatory tasks, and the State is obliged to seek to reduce the costs of non-mandatory tasks. The rest of section 7.6 shows that financing of the State's compulsory tasks is generally possible without “confiscation via collateral damage”. The latter is only relevant to use in an exceptional situation. The principle can also be used for topsoil protection and expropriating private property (with full compensation from “legitimate” sources) even in a situation with normal financing of State expenses if this is absolutely necessary as the very last resort for carrying out the State's *obligatory* tasks (e.g. a road needed for military transport, but which can also be used for other transport).

Persons who arrive in emergency (danger to life, mutilation or permanent disability) as an obvious consequence of right violations can also use the principle of “confiscation via collateral damage” if the State is in an emergency situation as described in this section. In order to attain civilized forms, the needy ones must use the State as their extended “hand”, which means that the State reinforces the instruments already used under the State's “confiscation via collateral damage”. The increased revenues are used strictly to cover their emergency expenses. In retrospect, the State has to try to force the right violators to cover the citizens' losses caused by the confiscation. If the State is in a normal situation, the State has to help the needy from its usual budget.

In principle, the citizens should be compensated when their funds are being destroyed via collateral damage, but the State has no obligation to provide such compensation since the State has not initiated force. It is only the criminals who have an obligation to pay back and therefore, the State should use fines against right-violators, when possible, to reduce the effects of the collateral damages (see Section 7.6.8).

7.6.2 Mandatory Liability Insurances

Police, judiciary and penal care: Nobody may exclude the possibility of committing right-violating actions in the future. It is considerable costs associated with stopping (Police), prosecuting (administration of justice) and punishing (prisons) a criminal. Basically, a criminal should pay for the costs that he imposes on society – it is not the victims or other citizens who are to be blamed. In order to have guarantees for the existence of funds to pay for the costs that one's right-violating actions inflicts on the society, all inhabitants may be obligated to pay for a mandatory insurance which are to pay for Police, administration of justice and prisons. This is comparable to demanding mandatory liability insurance for car owners in order to be able to pay for those injuries and damages that one's driving may impose on others. A person who refuses paying premium for this insurance exposes other inhabitants for a danger (associated with fear) of not being able to finance those expenses that are necessary to handle his possible future crimes. According to point 2(iii) in Section 4.1.1 this may be regarded as a right-violating action and thus, the State may force the person to pay premium for such insurance. This also legitimizes a public register where each citizen has his unique identification number.

Inhabitants with income exceeding a certain limit have to pay full insurance premium. Persons with lower income have to get the insurance premiums subsidized by legitimately acquired state funds (see Sections 7.6.3 – 7.6.8). The subsidies ought to increase gradually and “smoothly” with decreasing quality on the citizens' economy. Persons having committed crimes or are in risk groups thereof, may be imposed higher premiums (but some of these may be so high compared with the economical ability that they in practice have to be subsidized by the State). The insurance premiums will cover a significant part of the State's expenses to Police, administration of justice and prisons, while the rest of the expenses have to be covered by the subsidies mentioned above.

Infection medicine and psychiatry: With approximately the same argumentation the citizens may also be compelled to pay for a mandatory insurance for financing parts of infection medicine and psychiatric care. The former can be financed by all individuals paying a compulsory insurance premium as a percentage of their personal income (with upper and lower ceilings) with the following justification: A rich person can infect a poor person who in turn can infect a third person. Thus, both the rich and the poor person are theoretically liable for the spread of infection to the third person, but since the poor cannot pay, the rich must take the whole bill.

Child welfare services: Children may find themselves in a situation where their parents are unable to care for them physically or economically. The parents have a duty to comply with the parental duties (see sections 4.3 - 4.3.1), and this also means securing the child in the event that the parents are not able to fulfill the parental duties. Therefore, the State should order the parents to insure the child against parental failure; in other words, the parents must pay a compulsory insurance in addition to the compulsory health insurance. Parents with good economy over a certain limit must pay the entire insurance themselves. Parents with poorer advice must gradually get the insurance subsidized by the State with funds provided by the State without initiation of force. In this way, much of the child welfare service will be financed through parents' insurance premiums.

How will the financing of poor parents' insurance take place in a situation with “confiscation via third-party damage” for financing the compulsory tasks? Such parents commit a right violation by not securing the child by paying the premium for “child welfare insurance”. They philosophically force (“push”) the child into another person's property to confiscate funds to pay for the insurance, and in this way the confiscation is to be regarded as collateral damage. In practice the child cannot carry out this emergency confiscation by itself, so therefore, the State must confiscate on behalf of the child. This can e.g. be done by imposing a small sales tax on certain goods.

7.6.3 Income based on natural monopolies

7.6.3.1 Road fees, electricity fee etc.

Under Rational Gaudism, a private road owner may demand the road fee (toll money) that implies the maximization of the economical profit of the company inside the limitations of Section 5.5.3 and 6.6.3. Regulating the price would be a violation of the *property right* of the company. Similarly, the State may, as the owner of the public road net, demand the toll money that maximizes the economical profit of the State, but this will be limited by the principles of Section 5.5.3 and 6.6.3, increased use of motor bikes (see Section 6.6.1), dissatisfaction of the voters, problems for trade and industry, and some fear for the arising of single-standing competing private roads since such competition cannot be outlawed (while competing national road nets are *de facto* impossible).

Because of the arguments above it will not be rational to sell State owned roads. Especially roads around and inside the cities will be ideological correct milking cows for the State in order to gain money without initiating force against individuals. The State may gain significantly more

money from such toll money than the cost of sustaining them. The State is in a legitimate monopoly-like situation and may, if desired, refuse private roads to attach to already existing roads. Besides, State ownership of most of the roads will be a practical advantage (see Section 6.6).

The roads will be equipped with digital cameras photographing the license plates of the cars, and on this basis, bills will be sent to the car owners according to each car's use of public roads. An alternative system may involve electronic devices in all cars that are recorded by the GPS satellite, and the car owner's bank account is automatically debited.

The electricity net is to be considered as a natural monopoly that the State ought to continue to own for using as a legitimate income source, and the reason for this is the same as for the roads. Similar evaluations may be done for other natural monopolies, e.g. the water and sewer system. The State should continue to possess the rights of the waterfalls that are already in public possession since this can be viewed as a perpetual cash flow. However, the private sector may have an important contributory role.

An alternative to State ownership of roads and other natural monopolies is the following: The State sells the natural monopolies to private companies with significant clauses in the sales contracts (regulations, taxations etc.). The sale profit will depend on the strictness of the clauses, and this money will be invested in the State Stock Fund making it larger with the prosperity of significant more annual income than stipulated in Section 7.6.10.

7.6.3.2 Transport fees resembling sales tax

As mentioned in Section 7.6.1, compulsory taxation is right-violating. Nevertheless, it is legitimate for the State to demand payment for the use of State property according to the principle of market price as long as the State does not have law prohibition against competition. Therefore, the State ought to introduce a transport fee on goods (inclusive persons) on State roads (see also Section 6.6.3 and 7.6.3.1), and may e.g. be collected in the following way:

Merchants paying sales tax today, continue paying a similar tax, but now called "transport fee". This fee ought to be about 4-5 % on average of customer's price. But by proving as predominately probable that the State's roads are not used for transporting the goods, they avoid the fee completely. Digital goods being uploaded or downloaded via Internet are obvious examples of the latter. If transporting the goods takes place with helicopter or drones or only on private roads, the fee is avoided. The transport fee is zero for *services* taking place off-road. It should be different steps in this transport fee depending on the degree of road use for transporting the goods: e.g.; some use of roads: 2 %; normal use of roads: 4 %; a lot use of roads: 7 %.

This will resemble today's sales tax. It is important that the State shows moderation with respect to the size of the fee otherwise some of the following may occur in order to avoid the fee: Stores may be located very near the borders of the country or the sea, floating stores at sea, use of drones, helicopters or private airports to transport the goods. Such transport fees will not be right-violating according to the principles of Section 6.6.3 as long as the sum of the fees in Section 7.6.3.1 and 7.6.3.2 does not significantly exceed legitimate road price (see Section 6.6.3).

7.6.3.3 Restricted printing of money

Using the monetary system described in Section 10.7.4, the State can provide funding for the State budget without creating inflation by printing a quantity of electronic money making the total money supply increase in line with the increase in real GDP. Printing more money than this means taking money from people's pockets and is therefore illegitimate. Printing less money than described is not illegitimate, but generally considered to be unwise since people will generate profits by having money in the mattress.

7.6.4 The State Stock Fund

A paragraph in the General Constitution ought to state that if the State sells public property, the income is not to be used for the running expenses of the State. The income is to be used for investments in new, important property (e.g. Police Station, prisons, administration building) or to join the State Stock Fund. Since the State has the eternity as time perspective, the fund ought to invest in the leading emergency markets of the world. 8-10 % of this Stock fund may be used each year for the financing of the State's running expenses. This will statistically be a sustainable management of the fund. Rent income from the State property, dividends, interest income exceeding the inflation etc. may be used for running the State. If the State is to be owner in companies inside its own jurisdiction, the State's ownership in each company usually ought not to exceed 25% (does not apply for natural monopolies) and usually, the State usually ought to be a passive owner through the State Stock Fund.

7.6.5 Taxation of interactions with right-violating states

It is legitimate to impose restrictions on trade with right-violating states – including total boycott (see Section 5.5). The restrictions should be stricter the more serious right violations carried out by the regime; very brutal totalitarian states should be totally boycotted. Considering regimes that violate nature-given rights more moderately, it may be appropriate to impose tariffs. The tariffs should be roughly proportional to the degree of right violations practiced by the regime, and they must be reduced when the foreign state reduces its violations. Trading with a right-violating country will indirectly mean participation in the violation of nature-given rights and consequently, it is legitimate to impose tariffs on importers and exporters. These customs duties are compulsory, but they do not involve initiation of force, only retaliation against initiated force.

With similar argumentation a lot of other interactions with elements in *right-violating* states may be taxed; some examples follow: plane travels, tourist operators, sale of imported goods, companies' abroad enterprises; dividends, gains and transaction of foreign stocks, and the enterprises of foreign companies. If and to what extent such taxation is rational, has to be evaluated for each single case.

The purpose is to encourage the regime to stop its right violations and to encourage the importers, exporters, companies and individuals to look for commerce partners in freer countries. It will not, under any circumstances, be acceptable to tax interactions with companies or individuals in a completely legitimate, foreign state. The revenues from these taxes should be used to finance the military defense since the existence of right-violating states is the only basis for maintaining such a defense. Funds from such taxes can also be used to subsidize agriculture for food security in the event of future war. In a completely free world getting funds through such taxation will be impossible, but on the other hand, the need for funding military defense will not exist in such a scenario.

7.6.6 Environmental fines

Some environmental fees (or fines) may be legitimate. In order to be justified it has to be proven in a court that the sum of the effects of the fined product influences the environment negatively in such a way that nature-given rights of individual humans or animals are violated (see Section 6.5). There have to be strong scientific evidences for this harmful, right-violating effect. The fines ought to be so high that the total emissions are reduced to a level that is not right-violating. The fines may be significantly higher than what is needed in order to repair the damages; the objective is to prevent damages to occur.

7.6.7 Citizenship fee

The State may take a fee for being a national of the State through the voluntary contract that is accepted when the individual at the age of majority (or later) chooses to become (or stay) a national of the country. The State may not refuse non-nationals to stay in the country since all individuals of the world have a nature-given right *to liberty*, and the State is obliged to defend this right for everyone staying inside the borders of the country. The fee ought to be in line with the advantages obtained by being a national compared to be without citizenship; otherwise very few would accept citizenships. These advantages are listed in Section 5.4.2. A suitable fee may be \$500 a year.

7.6.8 Other fees

The State is not to impose fees and taxes etc. for carrying out monopoly services on defense of nature-given rights and then refusing the implementation of the services for those who do not pay (see Section 7.5.2). The State may take fees for public services that are not monopoly services in defense of individual rights (see e.g. section 5.3.1.2). The State ought to use powerful fines in stead of imprisoning for economical criminals and other well-situated persons when imprisonment is not necessary for preventing new crimes. Persons or companies being forced to pay compensation to another party through a judicial process may have committed right-violating actions, and if so, they may be forced to pay a fee to the State for covering costs of the administration of justice. The fee ought to proportionally linked to the amount of compensation.

If a person with all senses alert buys a product that is dangerous only for him, the State does not need to worry. It is basically his own problem (and people or organizations that voluntarily want to help him) as long as there is no swindle involved from the seller. Thus, State taxation of tobacco, alcohol and drugs is not a legitimate means for financing the users' health costs, but it may happen that health insurances companies (e.g. see Section 7.6.11) in one or another way will increase the premiums for people who smoke or drink alcohol. Alcohol and drugs may influence some users to commit right-violating actions, and this clearly increases with the intake of substances. This increases the financial load on the budget of Police, administration of justice and prison system. Therefore, a part of the mandatory liability insurances in Section 7.6.2 may consist of a percentage fee on tobacco, alcohol and other substances.

7.6.9 Voluntary Citizen Contributions

All citizens and companies may be asked for voluntary contributions to the State for financing important tasks. This contribution is a low percentage (e.g. 5 %) of the income/surplus or of everything you purchase. Basically, the incitement for such donations will be too small for weighing heavily in the State treasury (see Section 10.9.1). In order to increase this incitement without violating any nature-given rights, all contributors have to accept being registered in an Internet register (similar to Tax Lists) – a positive reputation list showing who taking part in the Citizen Contribution System and paying the requested percentage. No register of non-payers will exist since that would be initiation of force, and thus right-violating, but by examining the names of the contributors the elimination method will easily unveil the non-contributors. If a sufficiently large part of the population mean that the tasks, which the citizen contributions are to finance, are important, non-contributing persons and companies may be met with breach of social relations or market boycott (however, harassment / psychical violence is not legitimate). The awareness of this may be rational incitements to participate in the voluntary Citizen Contribution System (see also Section 10.8, paragraph 6-7).

7.6.10 Balance

According to the income suggestions presented above, a state of the size and economical power of the United Kingdom ought to be able to generate an income of about \$320-\$350 billion (2004) according to the following accounting:

State income	\$ Billion
Mandatory liability insurances	20
Transport fees resembling sales tax	35
Surplus/fees from roads	35
Surplus/fees from electricity net leasing, hydropower and other natural monopolies	21
Restricted printing of money	36
Dividend from the State Stock Fund	72
Taxation of interactions with right-violating states	43
Environmental fines	29
Citizenship fee	12
Other fines and fees	12
Voluntary citizen contributions	7-35
Sum	322-350

State expenses	\$ Billion
Military defense	50
Police, System of justice, administration	30
Some psychiatric health care and infection medicine	15
Defense of the nature-given rights of children *	100
Surplus; for social purposes, basic research, State Stock Fund etc.	127-155
Sum	322-350

* Is funded partly by the State (fundamental education included), partly by the parents. The State contributes more the less the parents earn. Parents with the lowest income receive 100% State funding. The richest parents have to pay all child expenses themselves (inclusive fundamental education included).

For a surplus up to \$150 billion it is possible to carry out some social politics, e.g. subsidizing the *Voluntary Welfare Insurances* in an emergency. In addition local income may be acquired by the principles of Section 5.2.6. The rates, which the table is based on, may be adjusted somewhat up, and increased income may be obtained. It is also possible to use the minimum of non-right-violating money collection that is needed for financing the expenses of the obligatory tasks of the State without any additional State expenses (but that is not recommendable). A compromise between these alternatives is also possible. There are many possibilities inside a Rational Gaudist frame.

7.6.11 Voluntary welfare system

There ought to be an arrangement where the inhabitants voluntarily make choices on a “tax form” for national-wide insurance with respect to health, disability, eldercare and pension. Each voluntary member of this arrangement pays some percents of his income in insurance premium:

Voluntary Insurance of Health Care: When you come of age (18 years old), you have to take a very important decision: “Am I going to join the ‘*Voluntary Insurance of Health Care*’ or not?” If you say “yes”, you are obliged to pay X % of your income to the *Voluntary Insurance of Health Care* each year, basically for the rest of your life. The *Voluntary Insurance of Health Care* may automatically be initiated when adult citizenship is acquired (see Section 5.4.2); if so, you have to actively renounce these insurances if you want to avoid paying premium. Probably, it ought to be an upper limit in dollars on how much one person can pay in annual premium; this in order to not frighten away too many wealthy humans.

At the time point when you come of age, it will usually be difficult to predict for the future if you become poor, rich or in the middle, and usually it is difficult to know if you will be much sick or healthy. By participating in the system you will both have health insurance and insurance against low income preventing you from paying a traditional private health insurance. Diseases with onset before you come of age will be covered by the mandatory Child Insurance (see Section 4.3.5). If you choose not to join, you have to use private insurance, your own savings or rudimentary arrangements based on charity.

If you want to join after having been a non-member for a number of N years, you have to pay the insurance premium for these N years minus what you would have been expected to pay for private insurance during the same years, and the insurance will not cover expenses for already onset diseases. If you want to resign from this insurance system after having been a member for a number of M years, a kind of contract breach has occurred, and you have to pay the expected price for private insurance through these M years minus what you actually have paid to the *Voluntary Insurance of Health Care*.

Voluntary Welfare Insurances: A corresponding insurance system may apply for disabilities (minimum insurance), minimum pension and eldercare. With a joint conception it may be called the “*Voluntary Welfare Insurances*”. Unemployment benefit and sickness benefit are proportional to the income, and insurance for this may be carried out through a trade union or a private insurance company where the premium is a tiny share of the income. But having these insurances as voluntary elements in the *Voluntary Welfare Insurances* will of course not be right-violating.

Those who voluntarily join all parts of the *Voluntary Welfare Insurances* may receive social welfare benefits; the expenses for this are small and are included in the premium of the different parts of the system (see the table). But this will potentially weaken the sustainability of the *Voluntary Welfare Insurances*, and it cannot be excluded that the expenses for social welfare benefits ought to be partly supported with funding from the State budget. Persons who skip at least one of the insurances in the *Voluntary Welfare Insurances* have to rely completely on private charity in stead of social welfare benefits.

Rich and poor: Some persons who become rich during life or who strongly expect at the age of 18 to be rich in the future (e.g. children of rich parents), will probably skip the *Voluntary Welfare Insurances*, but they will not debit this system either. The fact that rich people avoid paying large compulsory social expenses will be a strong incitement for staying in the country, and at the same time rich foreigners will be attracted to the country. This will be a large economical advantage for ordinary people, and thereby for the strength of the *Voluntary Welfare Insurances*, because of the positive consequences that will be created by the investments and consumption of the rich. These advantages will probably surpass the “disadvantage” that many rich people will skip the *Voluntary Welfare Insurances*.

If problems should arise with too many poor participants contra “good payers”, the State may subsidize them with surplus from other incomes, or the poorest may be demanded to pay a certain fixed amount of dollars as a minimum premium. This last option will perhaps encourage some of the poorest to skip the *Voluntary Welfare Insurances* and be left to private charity, but this may be an uttermost emergency solution if the sustainability of the *Voluntary Welfare Insurances* should be threatened.

One of the pillars of the *Voluntary Welfare Insurances* is that when you become at age you do not know so much about your future health condition, and neither if you will be rich, poor or in the middle. The latter may be a problem in nations that are more class-divided than e.g. the Scandinavian countries. Increased degree of class division will probably require more State subsidies into the *Voluntary Welfare Insurances*.

Transition and challenges: The compulsory National Insurance of today will gradually be transferred to the *Voluntary Welfare Insurances*. The new system will either be owned by the State, or it may be organized as a cooperative where the insurance members are equal owners. Private insurance companies may probably compete on carrying out the administrative and practical tasks connected to the *Voluntary Welfare Insurances* in order to achieve maximum efficiency. Irrespective of ownership, the State will be a birth helper for transforming the compulsory system into the new voluntary system. A State including such a system may be called a *voluntary welfare state* and may be regarded as a reformation of the existing welfare state. It will probably be easier to introduce the *Voluntary Welfare Insurances* when the starting point is a compulsory system than if it was to be introduced *de novo*.

The inhabitants are used to the compulsory National Insurance system, and the new system will be its “light” version, and it is expected that many (80-90 %) will join such a system. The motivation to pay premium to the “light” system is the fear of the consequences by being sick, unemployed, disabled, poor etc, while for today's compulsory system the motivation is the fear of imprisonment if you do not pay tax. The new voluntary system will be easier to accomplish in a country with relatively high social motility, and it will probably work best if it is more catastrophic oriented than today's compulsory National Insurance system. The following factors will be decisive for the practical success of the *Voluntary Welfare Insurances* system: 1) the degree of catastrophic orientation, 2) the strictness of the criteria, 3) in which way the premiums depends on the income (e.g. an inversely progressive or constant percentage), 4) the mean size of the premiums, 5) subsidies from the State (even if this ought to be utterly avoided). By adjusting these factors by HDM, it is highly probable that the *Voluntary Welfare Insurances* will function well.

Insurance:	% of income
Health care	7.0 %
Eldercare	2.0 %
Disability	2.5 %
Minimum pension	5.0 %
Unemployment benefit	1.5 %
Sickness benefit	2.0 %
Sum insurance	20.0 %

Foreigners: Basically, the *Voluntary Insurance of Health Care* may include both immigrants and persons who have grown up and come of age in the country, but the rules on paying compensation when joining the system N years after the 18th birthday (or when you resign) will apply to everyone. A forty years old immigrant has perhaps paid a significant amount of premium or tax to his original fatherland during the last 22 years, which to a large extent is calculated to pay for problems at his older ages, and that State will now avoid paying for his potential future problems. Therefore, the *Voluntary Insurance of Health Care* may have an agreement with his nation of birth on completely or partly covering the compensation. If there are large differences between the economical levels of his originally home State and the State he moves into (or if the two States do not have such an agreement), he has to pay the part of the compensation that his original fatherland does not pay. Alternatively, he may use completely private insurances.

Health and reduction of expenses: Both the *Voluntary Insurance of Health Care* and private health insurance companies will be interested in having their customers as healthy as possible in their efforts to reduce costs. Therefore, it is in their self-interest that people eat healthy and carry out physical exercises. Thus, the *Voluntary Insurance of Health Care* may introduce a system where e.g. food stores and health studios are offered a scanner to scan the fingerprints (or irises) of willing

customers who are also members of the *Voluntary Insurance of Health Care*. Thereafter, electronic signals are sent to the health insurance office about which healthy foods the person has purchased. The healthier the shopping cart is, the greater basis for reduction of the insurance premium will arise. Families where mainly only one person makes the purchases may get registered in the system that reductions in premiums are to be distributed between the family members. Healthy people will obviously have an incentive to scan their finger at payment, and the stores will have an incentive to accept the scanner in fear of losing many healthy customers. Private insurance companies may also want to use the scanner since they have the same health requirement for their customers. There should be no penalty for the purchase of unhealthy foods since the incentive to scan their finger will not be present in people with unhealthy food intake.

7.6.11.1 *An alternative to “The Voluntary Insurance of Health Care”*

The system described in Section 7.6.11 is not the only way to organize health insurance in a Rational Gaudist society. One alternative may be the following (not least in a more class divided society):

Basically, all adult persons choose whether to take insurance or not, and if so, which private insurance company to select. Those who have income above a certain limit (e.g. 75 % of average income) must pay the entire insurance premium themselves. Those who have income below this limit receive, in whole or in part, subsidized health insurance by the State – of course with funds not being forcibly acquired by the State. The subsidies should increase gradually and “smoothly” with decreasing income; People with a lower level of income (e.g. 30 % of average income) will get the entire insurance premium paid by the State. These limits must be defined so that the system becomes sustainable by using only the State's legitimately acquired funds for subsidies. The State may have to decide which insurance company the subsidized persons are to use to prevent them from choosing extravagant solutions.

7.6.12 *“Altruistic” bloodsucking*

Let us imagine two patients. One of them needs kidney transplantation, while the other needs blood transfusion. If I am antigen compatible, it would be correct from an altruistic way of thinking to take blood and one kidney from me by force, and then transfuse and transplant into my two fellow men. I do not need all my blood, and I can live with one kidney! Most people will not accept such an extreme “altruism”. But in today's society exactly the same is carried out at the economical area. Money is taken from someone with the use of force in order to give it to others with larger needs. The “altruist” will claim that taking money is something else than taking body fluids and inner organs. That is in one way correct, but on the other hand it is not so important to *receive money* as it is to *receive blood transfusion or kidney transplantation* either. As shown in Section 7.6 it is possible to finance a lot of State projects without the initiation of force – in similar way as it is possible to achieve blood and kidney from volunteers and recently deceased persons, respectively.

7.6.13 *The transition period towards the Rational Gaudist society*

Radical changes are needed in order to transform the society into Rational Gaudist principles, and such radical changes can not be carried out overnight. There has to be a long transition period. In order to change the present constitution and to implement the Superior Constitution, parties sympathetic to the Rational Gaudist ideas must at least have a majority of 2/3 in the National Assembly. But a lot of changes may be carried through if the support for Rational Gaudism is between 50 % and 66.7 %. No political alteration during the transition period may point in the direction of increased degree of right violation in the short-term or long-term perspective; e.g. it is not acceptable to increase or introduce new compulsory taxes even if others are removed or reduced as compensation. In the transition period we have to accept compulsory taxes and other right-

violating regulations, but these have to be gradually reduced until the State can make all its income and politics according to Rational Gaudist principles. Persons having paid compulsorily for their own pensions to the National Insurance have to get their future pension payments covered by others paying compulsory taxes until *Voluntary Welfare Insurances* completely take over. Thus, we may anticipate a transition period of approximately 40 years before Rational Gaudism is completely implemented.

The State has from immemorial times obtained nearly all its property by means of right-violating taxes, fees and regulations. When Rational Gaudism is introduced, these properties will not be returned to the original owners. Firstly, it is an impossible task, and secondly, there should be a statute of limitations for State financial crimes carried out before the onset of the Superior Constitution.

IV. Aesthetics

8. The Rational Gaudist view of art

The projection of the outer reality into an individual's consciousness has been described in the chapter 2. The definition of art (artistic expression) is the projection of a part of the consciousness of an individual into the outer reality.

Thus, a painting of a landscape is a reduced mirror image of a part of the reality, and the consciousness of the artist works as the mirror; similarly if he paints a portrait of a person. We may say that the artist works as a function $y = ax$, where “y” is the artwork and “x” is sense perceptions from the outer reality, and “a” is a factor significantly less than 1. Thus, a caricature cartoon is a mirror image of a person with the consciousness of the artist as a mirror with “turn-around” element. Art may be regarded as a function $y = f(x_1, x_2, \dots, x_n)$ where “ x_i ” are sense perceptions from the outer reality, “n” is the number of perceptions needed for creating the impressions in the consciousness that the artwork is a consequence of, “y” is the artwork, and the function “f” is the consciousness and skill of the artist.

As mentioned in Section 2.2, the senses are used as vectors for projecting the outer reality into human beings' consciousnesses. Art may be regarded as vectors for transferring the ideas of the artist (through the senses) to the consciousnesses of other people. Initially, the artist has the ideas inside his head, and then he produces an artwork projecting these ideas into the consciousnesses of the spectators / audience. Political or ethical ideas may be expressed through the artwork. The fundamental purpose of the artist will always be that the artwork (or the production of it) should be a contribution to maximize his life-long sum of self-happiness. He may achieve self-happiness by other people admiring or attaching other kinds of attention to the artwork; an evolutionary mechanism for the artist to generate self-happiness through the production of the artwork is given in Section 3.3.3.1. The artist may of course also obtain happiness through the profits generated by his artwork.

Each collection of fermions and bosons is a tool for the individual in the pursuit of maximization of self-happiness during his life span, and art is no exception. Therefore, each individual ought to consume the kind of art that gives the maximum contribution in the pursuit of happiness during his life span. Regarded from a Rational Gaudist point of view, good art is defined from its ability to influence positively on the long-term happiness of the maximum number of individuals, which means that good art often will impact positively upon the principles of Section 3.4. It is difficult to give a concrete definition of “good Rational Gaudist art”, but loud music destroying the hearing or glorifying right-violating actions may hardly be good art. God kunst bør stimulere hjernen, f.eks. til å styrke sine dyder (se avsnitt 3.3.4), ikke minst dyden *oppfinnsombet* ved å stimulere hjernens kreativitet. Art giving both short-term and long-term positive happiness effects is better than art giving only positive short-term positive effects.

The objective component in the perception of beauty is believed to originate from evolutionary selection mechanisms: e.g. a woman is perceived as beautiful if having relatively wide hips relative to the waist since it indicates that there is plenty room for the baby in the womb. Large breasts are perceived as beautiful since it indicates good ability to give the upcoming baby milk. Symmetrical people (and thereby symmetry also in other contexts) are perceived as beautiful because a symmetrical body signals good health.

Economical support from the State is not regarded as acceptable policy. An artwork may exist only if someone voluntarily wants to pay for it. If an artist creates an artwork without selling it, the artist pays for the artwork with his own labor.

V. Appendix

9. Appendix – Metaphysics, Epistemology, Ethics

9.1 Level of happiness and perception of happiness

The level of happiness is the sum of the predisposing determinants that are present as the basis for perceiving happiness and unhappiness. The individual has different levels of happiness at different time points. Today I may live at a high level of happiness; in a month I may live at a significantly lower level of happiness. Thus, we may express the level of happiness as a function of time:

$$L = f(t)$$

If person A lives in a luxury castle, he lives at a high level of happiness. If person B lives as a hobo, he lives at a low level of happiness. If person A falls from living in his luxury castle at time point t_1 to live in a 20 m² flat at time point t_2 , his life will be dominated by negative perception of happiness in the period from t_1 to t_2 . If person B moves into a 20 m² flat, his life will be dominated by positive perception of happiness in the same period (disregarding all other factors influencing the perception of happiness). Therefore, positive slope of the curve of level of happiness is associated with positive perception of happiness, while negative slope is associated with negative perception of happiness – independent of the present level of happiness. Considering very low levels of happiness, a perception of unhappiness will probably be present even if the level of happiness is not descending.

Thus, it is rational to describe the sum of happiness during the life span by Figure 3:

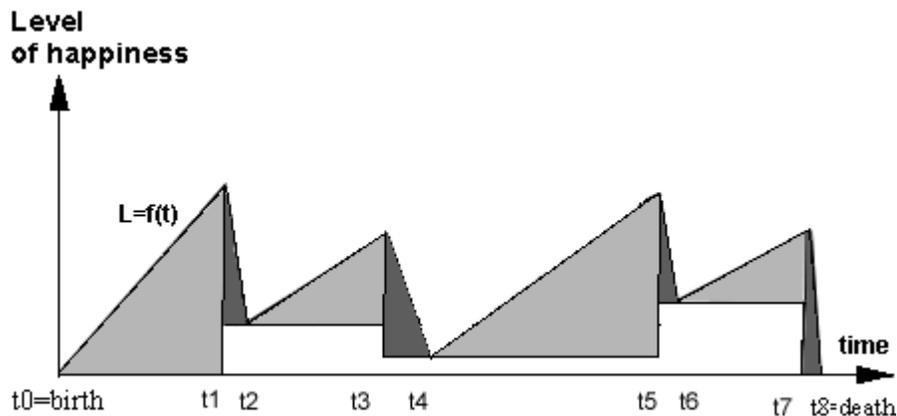


Figure 3: The sum of the perceptions of happiness during the life span is proportional to the sum of the pale grey areas minus the sum of the dark grey areas of Figure 3. t_i expresses a maximum or minimum point for $f(t)$, where $t_0, t_2, t_4, \dots, t_n$ are local minimum points and $t_1, t_3, t_5, \dots, t_{n-1}$ are local maximum points (t_0 is the time of birth, t_n is the time of death and $f(t_0) = f(t_n) = 0$). The number of extreme points on $f(t)$ through life is $n+1$.

The above statements show that it is rational to perform a relatively long-term build up of the level of happiness. Inevitable setbacks ought to be taken as fast as possible, to be followed by a long-term rebuild up of the level of happiness. The key for the maximization of the sum of perceptions of happiness during the life span seems to be to take the downs significantly faster than the ups. When you understand that a given strategy for generation of happiness is close to its local maximum of happiness level, you ought to start a new strategy in order to restrain the loss of perception of happiness that necessarily has to accompany the realization of this maximum. The very best would be to perform a quick build up of the level of happiness and let it continue straight ahead with high slope, but from experiences we know that no tree grows into heaven, and that the setbacks are inevitable.

9.2 Religion – before and now

Religions (especially Christianity and Islam) are founded on the principle that we are to follow “the Holy Writ” because it originates from God and therefore, it is morally correct to comply. God is perfect because the “Holy Book” says so, and the words of the Holy Book are perfect because they are written or inspired by God. In this way, the religions argue into a meaningless ring.

Changes in society have occurred as long as the human beings have existed on earth. These changes occur with increasing speed, and an extrapolation of this development implies that changes also will happen in the future, probably even more speedily. Considering whatever change in the society, it is possible to produce new hypotheses (or modifications of existing hypotheses) on how to organize and govern the society. When new fossils are discovered, modified hypotheses may be proposed on the origin and development of life. It is difficult to see how rigid religious dogmas produced centuries ago can be the optional tool in the pursuit of knowledge and understanding in a world affected by an increasingly dynamic development.

It is interesting to watch liberal Christians. They twist and interpret the Bible in order to fit it into left-winged point of views in such a way that femi-socialist and semi-Marxist principles are superior to the real content of the Bible. In spite of the fact that the Bible talks clearly about homosexuality as sin, the leftist Christians are able to say that homosexuality is OK in the eyes of God.

Of obvious reasons the Bible does not condemn nuclear or gas-based power plants, but all the same the liberal Christians are able to interpret the Bible's words on “human responsibility for God's creation” as the main argument for condemning such power plants. The same persons escape away from the clear cut statements of the Bible on the unacceptability of homosexual practice. It could be oppositely argued that nuclear or gas-based power plants will reduce the need for coal-based power plants and thereby reducing the total amount of CO₂ emissions and this will be a better way of “taking responsibility for God's creation”.

It is all right to be both supporter and opponent of nuclear or gas-based power plants, but do not use the Bible to support the one or another point of view. Moses and Jesus did not know such power plants. Significant parts of the Christianity have become the enlarged limb of the left-wing radicals.

The essence in the above statements is that the Christians of today are not able to resist the hypothetical-deductive method overthrowing the religious dogma. The Christians ought to face the consequences and establish a new forum of ethics eliminating all divine dogmas but keeping parts of Christ's teaching as positive. On this basis the Christians and humanists could fuse into a large ethical organization.

Religion may be regarded as primitive hypothesis to explain the origin of the world, the development of the species and how interhuman relations ought to be organized. At the time point when the religions were founded it was a good scientific approach to adopt these hypotheses as explanatory models since they were the best ones available to explain the observed data. But when these are transferred into dogmas that are to be excluded from empirical testing (HDM), religion and science split apart. Thus, religion is basically primitive science which at one point becomes dogmatic; the supporters of the religion are so in love with their main hypotheses that these are nailed to the wall of dogmatism.

As time goes by, more and more observations will challenge the main hypotheses of religion, and the religions will in an increasingly febrile manner be forced to search for auxiliary hypotheses for rescuing the main hypotheses – without having any independent reason for their existence (*ad hoc*

hypotheses). This strategy works for a while, but finally the main hypotheses diminish completely until nobody really believes in them. At this final point the main hypotheses has been transformed into “cozy” memorials over an extinct faith.

The religion of the liberal Christians and human ethics will fuse into a common system on the premises of human ethics (in the similar way as East and Western Germany fused on the premises of Western Germany). Exactly the same development may be observed in communism, another dogmatic ideology that gradually collapsed until nobody really believed in its dogma – not even the members of the polit bureau of the Communist party.

2.2.1 The God hypothesis is de facto scientifically falsified

Each time stones or other elements have been dropped from above they have fallen to earth (we disregard the air resistance). One hypothesis to explain the phenomenon is what we know as the Law of Gravitation.

An alternative hypothesis states that it is coincidental if the stone falls, ascends or flies out with one or another angle between 0 and 360; the reason why stones until now in history always have fallen straight to earth, is purely coincidental. According to this alternative hypothesis, it is completely uncertain which track a stone will follow next time such an element is dropped (if the stone is to fall straight to earth also next time, it is still a pure coincident). However, from the alternative hypothesis it is very unlikely that the stones always have fallen straight to earth, but statistical-theoretically it is not impossible. Even if you test the hypothesis by dropping stones from above one million times, you cannot from a strictly science-philosophical view say that the hypothesis is directly falsified; this is caused by the fact that you may introduce a very far-fetched auxiliary hypothesis (*ad-hoc* hypothesis) stating that all stones have by pure chance fallen straight to earth until now in history.

But in spite of the fact that we cannot directly falsify the alternative hypothesis strictly science-philosophically, we will not hesitate to say that the hypothesis is *de facto* scientifically falsified since the auxiliary hypothesis is absurdly improbable. In exactly the same way we may falsify the hypothesis of (the Christian) Gods existence:

Let us regard the following hypothesis: “The Christian / Jewish God exists.” This hypothesis means that God is perfect, almighty, good, that he has created the world, and that he has revealed himself through the Bible (i.a. by giving laws, rules and commandments).

This hypothesis is consistent with all relevant observations under presumption of the presence of a number of auxiliary hypotheses. Let us briefly regard the most important auxiliary hypotheses that have to be present in order to support the main hypothesis for avoiding direct falsification and the well-foundedness of each of these auxiliary hypotheses:

1) There are many examples in the Bible that God apparently acts unwisely, inconsistently, illogically and anti-almightily. Some examples follow: Why did the almighty God create a very high number of uninhabited planets and solar systems with the little human-inhabited Earth as a small grain of dust in the Universe (it seems as a meaningless waste)? Why did God create the caretaker of his creation (i.e. Homo sapiens) for only about 200,000 years ago, when the first multicellular life was created somewhat less than 1 billion years ago? How can the human beings be liberated from their sins by the death of God's son, Jesus; does God depend on the sufferings of Jesus in order to be able to forgive our sins (but wait a little, he did not die after all!)? Why does not God cure everyone who prays for it (the frequency of healing by prayers is not higher than what is expected from the placebo effect and “spontaneous healing”)? Since it apparently is important for God to be worshiped and obeyed, why does he not show himself clearly and unmistakably so there

is no doubt about his existence? An *auxiliary hypothesis 1* has to be produced stating that these remarks (and many similar incidents in the Bible and in present times) are completely in accordance with a perfect, wise and almighty God even if it may seem otherwise for us imperfect humans. Absence of auxiliary hypothesis 1 will imply falsification of the main hypothesis.

2) There are many examples in the Bible where God acts in a way that easily is perceived as evil. Some very few, but shocking examples follow here: Large scale ethnical cleansing, directly ordered by God, in connection to the recapturing of the land of Canaan (e.g. Joshua 6:21), execution of a man who collected wood on the Sabbath day (4 Mos. 15:32-36), disobeying sons are to be executed at the city wall, non-believers are to be tortured in Hell for all eternity, the Sin Flood exterminated 99.9 % of the human population on Earth. Laws, rules and punishments for breaking them were not significantly different or more civilized in God's culture than in an average heathen culture in biblical times. An *auxiliary hypothesis 2* has to be produced stating that these remarks (and many similar incidents in the Bible) are completely in accordance with a good God even if it may seem otherwise for us imperfect humans. Absence of auxiliary hypothesis 2 will imply falsification of the main hypothesis.

3) The rise of the Universe and the origin of life as explained in the Bible do not agree with serious scientific research. Besides, Genesis has obviously been influenced by the heathen religion of Babylon when the Jews were captured there. There is no real scientific doubt that life has evolved through evolution. An *auxiliary hypothesis 3* has to be produced stating that the present science in this area is “quack” or that God has been involved in the evolution through more than 3 billion years (why would an almighty God use 13.7 billion years on creating the human beings and other mammals in a process where random chemical reactions are tested against the existing environment??). Absence of auxiliary hypothesis 3 will imply falsification of the main hypothesis.

4) A large number of different religions have existed during the world history – let us estimate the number to be 100. These religions have basically originated in similar ways as Christianity and are concerned about the same phenomena. Each of these religions will usually claim their truth approximately as firmly as Christianity, and this “knowledge” has been established by the same epistemological tools as used by Christianity, namely faith without hard facts (by the way, the same applies to the “knowledge” about the Tooth Fairy, Easter Bunny, goblins and trolls). According to Christianity, only the belief in Jesus Christ as God's son gives salvation, while all other religions (possibly except Judaism) are untruth and superstition. Thus, the Christians admit that the use of their epistemological tools has produced a great lot of “quack”. An *auxiliary hypothesis 4* has to be produced stating that faith nevertheless is a good epistemological tool for achieving truth. Absence of auxiliary hypothesis 4 will imply falsification of the main hypothesis.

Let us set the well-foundedness of the auxiliary hypotheses 1, 2 and 4 to 10^{-3} while for auxiliary hypothesis 3 it is set to 0,01 (Of course, it is impossible to give exact numerical values; all we can say is that they are very low, and thus, numerical values are only introduced for illustrating the epistemological principle behind the argumentation). The product of the well-foundedness of the 4 auxiliary hypotheses is 10^{-11} , but we compensate by a factor of 10 because of some mutual dependence between the auxiliary hypotheses, which means that the well-foundedness of the hypothesis of the existence of the Christian / Jewish God is $\leq 10^{-10}$. In this way the hypothesis of the existence of the Christian / Jewish God is scientifically falsified *de facto* (see Section 1.5.2, 1.5.6 and 2.3) when we simultaneously take into consideration that it is very unlikely that the auxiliary hypotheses in the future may become so much more well-founded that the God hypothesis crawls above the *de-facto*-falsification cut-off (and besides, the next sentences reveal alternatives that are much more well-founded). Only absurd-philosophical considerations may give another answer (see also www.godisimaginary.com).

9.2.1.1 The well-foundedness of other religions, deism and atheism

If we anticipate the other 100 religions that have existed during the world history to have approximately the same well-foundedness as Christianity, the probability for one or another God to have real existence is $\leq 10^{-8}$. Thus, it is ≥ 0.99999999 probable that one of the three following statements are true: 1) *One or more unknown gods exist who want to be known and/or be worshiped by humans*; 2) *deism – an unknown God (or several unknown gods) exists, but he does not want to be known or worshiped; he has kick-started the Universe, the laws of nature and free will and does not intervene against these (at least not yet), but he is in all probability not almighty (see point 1 and 3 above)*; 3) *atheism is true*. It is very unlikely that point 1 is to be true since it requires the far-fetched *ad hoc* hypothesis that it is perfectly OK that the God(s) has not yet revealed himself even if 100 billion humans have existed on earth since immemorial times. Therefore, atheism/deism (point 2+3) is assumed to have 0.99999999 probability of being correct.

Deism implies a different concept of God than what is normally associated with religion (“God” may be regarded as a kind of physical force, energy or particle type), and this is *de facto* a form of semi-atheism that may almost be regarded as an argumentation trick to deceive religious people over to atheism (see Section 1.2.1.2). *Nothing*, i.e. vacuum, has vacuum energy, and may be transformed to mass ($E=mc^2$). Scientific “Genesis” assumes that this vacuum energy initiated the Big Bang, which in turn gave birth to the Universe as we know it today. In this way the energy resting in *nothing* may be regarded as a deistic “Good” being the initiator of our universe. In this way deism and atheism may merge.

The hypothesis of vacuum energy, Big Bang and inflation as the creator of the Universe takes part in a larger theory network (namely modern physics) with large potential of prediction. Thus, this theory network gives a significant “inheritance” of well-foundedness to the main hypothesis (see Section 1.5.2). The hypothesis of an unspecified deistic God (being outside the energies, particles and forces of physics) as the creator of the Universe is very *ad hoc* since it does not take part in a theory with a additional potential of prediction, and therefore, it does not “inherit” any well-foundedness. (Besides, the introduction of a deistic God does not solve the problem of creation since a new being is introduced, namely the deistic God, which also needs a genesis). Thus, the “Genesis proposed by physics” is regarded as a considerably more well-founded hypothesis than the “unspecified deistic Genesis” (but even the “Genesis proposed by physics” is supported by auxiliary hypotheses with suboptimal degree of well-foundedness). Therefore, the deistic hypothesis ought to be considered dethroned (unless we speak of e.g. vacuum energy as the deistic God) but not to such an extent that it can be labelled *de-facto-falsified*. The “Genesis proposed by physics” ought to be adopted as the best available explanatory model for the origin of the Universe.

9.2.1.2 Liberal Christianity

Liberal Christians “put under the carpet” and interpret those parts of the Bible that they do not like (such cherry-picking is typical crackpot epistemology) claiming that God did not carry out or order the bad and unwise stuff stated in points 1-3 in Section 9.2.1. Then the well-foundednesses of the auxiliary hypotheses 1-3 increase significantly. But it is a very large potential for interpreting and “under-the-carpet-putting” (about 4000 episodes through the Bible), and by claiming that the unpleasant parts of the Bible are not God's work, a dark shadow will also fall over the credibility of the divinity of the other verses of the Bible. There are a waste number of combinations of what you can “put under the carpet” and interpret according to your own agenda or political view, which reveals a strong suspicion that such an understanding of “God” is a pure human work without any credible divine touch. If divinity is to have credibility, the biblical texts should form the culture; the culture should not form the meaning of the Bible (i.e. the word of God). To avoid direct falsification of the “God hypothesis” you have to introduce an auxiliary hypothesis 5 stating that

exactly *your* combination of “carpet puttings” and interpretations represents the real wisdom of God among a waste number of alternative combinations (why could not a perfect and almighty God state his wisdom clear cut so nobody needs to live in false wisdom?). The well-foundedness of auxiliary hypothesis 5 is lower the more liberal the interpretations and “carpet puttings” are. A more fundamentalist Bible reading will give higher well-foundedness of auxiliary hypothesis 5, but the well-foundedness of the auxiliary hypotheses 1-3 will be significantly lower than for liberal Christianity. Thus, a liberal Christianity is not necessarily more credible than a more fundamentalist one. But if you wipe out the idea of divinity, Christianity has no problems with the “God hypothesis” (see Section 9.2.1.3).

9.2.1.3 Respectable Christianity

As shown in Section 9.2.1 the hypothesis of the existence of the Christian God is *de facto* scientifically falsified since the product of the well-foundedness of its auxiliary hypotheses, which have to be introduced to avoid direct falsification, is absurdly low. Thus, there is no reason to have respect for the claim that the Christian God exists; delusions are, with all respect, something that do not deserve respect. However, all *human beings* deserve respect (in variable amounts) included those who bear this delusion. It may though be regarded as respectable to force yourself to believe in this delusion during a personal crisis, e.g. in the terminal phase, in order to induce a placebo effect for avoiding psychical injury (similarly, it may be rational to use morphine for reducing extreme pain even if daily use is dissuaded).

One type of Christianity that does deserve respect is a philosophy identifying all references to divinity in the Bible as superstition of ancient times, which are caused by lack of technology and rational epistemological principles. Furthermore, this respectable type of Christianity states that so large parts of Christ's philosophy is very good that its supporters choose to call themselves *Christians*. But they retain the right to dissociate from the parts of Christ's teaching that are outdated and negative, while the whole or most of the Old Testament are “trashed”. Such respectable Christianity is not religion, but Christian human ethics (Christianity and human ethics merges). However, this type of Christianity is not in accordance with Rational Gaudism, but it deserves nevertheless respect since it is not epistemologically absurd.

9.2.2 Why is agnosticism wrong?

An agnostic will claim that it is meaningless to make a statement on whether God exists or not, since we never will be able to know anything certain about it. The problem is an exemplification of the fact that a hypothesis almost always may avoid direct falsification by using sufficiently far-fetched auxiliary hypotheses as crutches. As shown in sections 2.3 and 9.2.1 the hypothesis of the existence of God may absurd-philosophically escape direct falsification by being supported by several very far-fetched *ad hoc* hypotheses, but the product of their well-foundedness is so extremely low that the God hypothesis *de facto* is scientifically falsified. Being an agnostic is in practice as absurd as saying that you will not make any statement whether a given stone will fall to earth when dropping it from 1 meters height next new year evening, since we absurd-philosophically can not exclude that the stone will rise into the sky at this time point; induction from a finite number of known observations can not yield absolute certainty about the general case (see Section 1.8). You can introduce an *ad hoc* hypothesis stating that a shift in the Universe will happen at/before this time point reversing the gravitation, or you may apply the alternative hypothesis of Section 9.2.1! Considering the question whether the Flying Spaghetti Monster exists or not, an agnostic must say that sufficient knowledge will probably never be present to settle the issue, and therefore he will not take a stand on the question.

9.3 Can morality be completely objective?

A given action has been performed by person A. When he made the action choice, he believed that this particular alternative of action was the best tool in the pursuit of the maximization of the sum of happiness during his life span, and that no other alternative of action would work better given the present reality. But to what extent was this “belief” based on an optimal rational evaluation?

We will try to come as close as possible to an objective evaluation of this question; the goal is to decide if the action is completely immoral, completely moral or exactly X % immoral. Then we have to consider to what extent person A followed the principles of Section 3.4. The closest we can get to an objective evaluation of the question whether the action of person A was moral (rational) is the following: A group of persons, which have experiences with similar actions, has to evaluate to what extent person A followed the principles of Section 3.4, which also includes that the group ought to have the best possible knowledge of how A experiences happiness from different consequences (whether this evaluation is performed before or after the consequences actually have occurred does not matter since they are to consider what A could predict or ought to predict at the time point for the choice of action).

The “experts” will probably arrive at somewhat different evaluations since there are so many factors influencing their consciousnesses (see Section 2.2.1) even if “the expert panel” makes the judgements *from the philosophical considerations in Section 3.4*. But often there will be a non-insignificant degree of consensus since the “experts” consider similar actions that in fact have occurred in the world of reality independently of any subjective consciousnesses. On this basis, we can never completely objectively (independent of the observing subjects) say that a choice of action is immoral (irrational) or exactly how immoral (irrational) it is. The best we can obtain is a best possible objective judicial evaluation whose degree of consensus – described by “inverse standard deviation” – usually is proportional to the degree of objectivity in the morality / rationality.

Considering a given murder, the evaluations will perhaps be that the action was 99-100 % immoral/irrational. Intersubjectively, we may say that the action was 99.5 % immoral/irrational with a standard deviation of 0.5 %. Considering a man who took a 10 minutes walk and unfortunately was hit in his head by a meteorite, the evaluation will probably be in the range of 0 and 0.00000001 for immorality/irrationality. Theoretically, also this action is only intersubjectively morally correct, but for all practical purposes we may say that his walk objectively is completely free for immorality.

9.4 Examples of TEM actions

9.4.1 Examples of irrational TEM actions

A beggar sits on a pavement and half-sleeps in front of a mug with some money inside. A pedestrian puts \$5 inside the mug. Why? What is the real motive power?

The most important motive power is a strengthening of his self-image if the self-picture is to be a helpful person, and he makes the evaluation that this strengthening of the self-picture has a value of more than \$5. Or expressed in Rational Gaudist terms: He has previously built up a self-picture in his consciousness of a helpful person, and to sustain this self-picture he has implemented the sense of duty “perform helping actions”, i.e. TEM. The consciousness gives him a short-term perception of happiness when donating \$5. But the presence of tertiary self-happy motivation does not exclude simultaneous presence of the two other types of motivation:

He thinks that he could have been in a similar situation himself, and this thought makes him afraid. The donation of \$5 contributes to a reduction of this fear. This is PEM where the instinct of fear gives a perception of unhappiness, which is suppressed by donating the money. The donor may also achieve a feeling of being strong when another human has to accept support from him. The motive power has to be characterized as primary self-happy motivation. Perhaps the beggar says “thank you” when he drops the coin into the mug, and this gives the donor happiness that is worth more than \$5 for him. The motive power is secondary self-happy motivation.

If he is a Christian, he may donate money to obtain good-will in the eyes of God in order to reduce the probability of entering Hell and to increase the probability of entering Heaven. This is SEM where the motive power is a (irrational) pursuit of reward or fear of punishment.

A person passes the pot of the Salvation Army and donates \$10. Why? Nobody says “thank you”. There is nobody in the neighborhood watching the donation. What is the motive power? The tertiary self-happy motivation is exactly the same as mentioned in the example above. The same applies partly for PEM, while SEM (receiving a “thank you”) is absent.

A lot of private charity, voluntary communal work etc. is based on tertiary self-happy motivation.

A girl goes to church in spite of the fact that this primarily gives her a negative perception of happiness. She goes to church because she has a self-picture telling her that she is a bad human being if she do not, and she has a corresponding sense of duty saying “go to church” to sustain this self-picture (i.e. TEM). She has implemented this sense of duty as a consequence of the exhortations from the Pope. If she skips the church visit, her self-picture will give her a perception of unhappiness, which is even stronger than the primary one.

A typical presentation of “altruism” as an ethical ideal is found in the novel series of Olav Duun “Juvikfolket”. In the last volume, *The Storm*, the evil Lauris and the good Odin have competed in sailing and the overturned boat are able to keep only one of them floating. Odin, who is the strongest one, let Lauris sit on the overturned boat, and Odin chooses the death. Odin sacrifices his life, and he does so because he, according to the writer, is a better human than Lauris. At the first glance, this seems as a pure altruistic action. How is it possible to explain this type of action with self-happy motivation? If Odin does not scarify his life, he will regard himself as a coward the rest of his life (tertiary self-happy motivation), and he is perhaps afraid that other people are to look upon him with similar eyes (secondary self-happy motivation). The reflection on the bad feeling, which this consequence will give him the rest of his life, makes him calculate the death as a less worse alternative. Considered in the light of the reality, it is very probable that Odin makes a miscalculation. For people doubting self-happy motivation in this case, it is referred to aristocrats who in earlier times were willing to risk their life in a duel in order to re-establish their honor for what others would perceive as a microscopic defamation. The thought of living with the defamation the rest of their life was worse than the thought of losing their lives.

2.4.1.1 The effect of “a mouse piddling in the ocean”

The politics carried out by the present government is a part of the reality influencing my choices of actions. In practice, I have very small opportunities for changing this reality. I may vote, and thereby I have 0.00003% influence on this part of the reality, but for practical purposes this is equal to zero. It is equivalent to the mouse piddling in the ocean.

”You have to join politics in order to improve your own future.” This is a hypocritical statement trying to make us believe that political activity is rationally secondary self-happy-motivated, but the improvement of your future arising as a consequence of your own efforts, are for practical purposes equivalent to zero. The real motive power hidden in such a statement is a self-picture in your consciousness telling you to be a beautiful human being if you contribute in politics to the common good, and the corresponding sense of duty sustaining the self-picture is: “participate in politics!”

The similar principle is valid for other “mouse-piddling-in-the-ocean” actions.

“You should not use once-diapers because it violates the environment.” The negative effect of using once-diapers on your own environment is extremely tiny since the effect is spread over millions of other people. The real motive power hidden behind such a statement is a self-picture telling you to be an excellent human being if you contribute to take care of the environment for the common good, and the corresponding sense of duty sustaining the self-picture is: “do not use once-diapers!”

“You have to give money to starving people in Africa because you may be hungry one day and then you may need help from the Africans.” If Africa becomes so rich that the continent are able to assist USA during an eventual future hunger catastrophe, is for all practical purposes realistically regarded independent on your contribution. The real motive power hidden behind such a statement is a self-picture telling you to be an excellent human being if you contribute to help the starving people, and the corresponding sense of duty sustaining the self-picture is: “give money to Africa!”

Thus, there are other factors than the vanishing tiny effects from the consequences of your action that represent the real motive powers in the above cases (see also Section 10.8 and 10.9). When someone tries to make us perform actions according to the “mouse-piddling-in-the-ocean” principle, we are often cheated to perform irrational TEM actions hidden as rational PEM or SEM actions.

As an apropos to political activity: Is it always immoral (irrational) for a person to be active in politics since the probability in practice is zero for an individual to change anything? No, it is not necessarily irrational. The rational motivation is as follows:

- a) He gains a short-term, direct feeling of happiness (PEM) by exposing his passion for ideas that he believes in. This may be rational if he cannot spend his time with other activities that may be expected to give more happiness, and if his political activity nor may be expected to inflict him with significant negative happiness effects in the future.
- b) Pleasant company with other people with similar opinions. When you are to seek friends, it is an advantage to find someone having common interests – more coziness and less quarrelling (rational secondary self-happy motivation).
- c) Perhaps he has a little function of leadership in the organization that makes him feel important; he takes responsibility, and in that way his self-confidence increases (rational primary self-happy motivation).
- d) If he writes contributions in the newspaper and holds speeches, it is intellectual challenges. He obtains a confirmation of his skill; he obtains self-realization, and the self-confidence is positively affected. He attends activities, and perhaps he is able to convert some people into his party. This is productive work making him feel successful, and this gives perception of happiness through primary self-happy motivation (see Section 3.3.3.1).
- e) The skills and contacts acquired in his political work may be useful in his future professional career (rational primary self-happy motivation).

9.4.2 Examples of senses of duty and rational TEM actions

PMI: A boy attends a party and is offered to smoke a pipe of marihuana. He has a self-picture of a civilized human being. When he considers smoking the pot, the corresponding sense of duty strongly contributes to choose the non-smoking alternative even if it gives him a perception of unhappiness to say “no” to the comrades and even if he renounces the delicious feeling. He rejects the offer, and he obtains a perception of happiness from the PMI (“yes, yes, I am no drug swine”). Additionally, he may be directly self-happy-motivated by possible negative consequences of the pot smoking.

A person A has cancer, and he knows that he has only a short time left to live. Thus, long-term creation of happiness is irrational. Person A can kill a relative and steal \$300,000 from him without

being detected. During the short remaining time of his life he can have a lot of fun for this money. Is it morally correct for person A to perform these right-violating actions? It is not *directly* immoral (irrational), but the immorality is located at another level: It is immoral not to establish PMI early in life. PMI is supposed to make it rational to reject these actions, also for person A. If person A really commits the murder and theft, he has performed an immoral action previously by not establishing and sustaining PMI. This has with very high probability resulted in many problems earlier in his life, problems having reduced his life-long sum of happiness significantly more than he can regain by consuming the stolen \$300,000 during two months.

PFM: A student hates making homework, but he makes it all the same because he has a self-picture of a hard-working student in his consciousness. Previously, he has implemented the sense of duty "make homework!" in his consciousness because he has realized by regarding historical students (and perhaps his own previous school experience) that persevering efforts at school pay off in the long-term perspective.

Virtue of duty: A person observes a cat being stuck in the top of a tree. He has a self-picture of a courageous human being. When he considers climbing into the tree and save the cat, the corresponding sense of duty strongly contributes to choose the salvation act. He climbs into the tree, saves the cat and gets a perception of happiness from the self-picture of courage ("yes, yes, I am a brave human being"). If the cat had been sitting one meter in front of a crocodile, a Rational Gaudist would not have saved the cat because that is foolhardiness and not courage.

10. Appendix – Politics

10.1 The right to liberty implies the right to life

Hypothetically, we could imagine that the fundamental principle was *right to life* (the right to perform those actions needed for sustaining life), but this does not imply the right to take your own life if suicide is happiness-profitable. The *right to life* does not automatically imply freedom to perform those actions giving positive surplus of happiness – only to perform life-sustaining actions.

But the *right to liberty* includes all aspects mentioned above: the right to perform the actions for sustaining life, the right to end your own life, and the right to perform all other (non-right-violating) actions in the pursuit of maximization of self-happiness during the life span. It is not the *right to life* that implies the *right to liberty*, but the *right to liberty* that implies the *right to life*.

Human life is more fundamental than happiness and liberty since life is a prerequisite for these. Thus, the following faulty statement may be proposed: “If you do not have life, you cannot use the freedom for the creation of happiness. Therefore, the *right to liberty* is founded on the *right to life*.” By pursuing this argumentation, the following result appears: “The plants are prerequisites for human life. Consequently, the *right to life* for plants is more fundamental than the *right to life* for humans. Consequently, humans may not eat plants (or animals since they fundamentally are depending on plants). Ergo, the human life cannot be sustained!”

Therefore, we cannot say that the *right to life* is more fundamental than the *right to liberty* and the *right to pursuit of happiness* by arguing that human life is a prerequisite for freedom to perform those actions implying happiness. Or to put it in another way: If we can say that the individual has the *right to life* without saying that the plants have the *right to life* in spite of the fact that the plants are prerequisites for human life, it has to be acceptable to say that the individual has the *right to liberty* before saying that the individual has the *right to life* in spite of the human life being a prerequisite for freedom.

We have to distinguish between “*life*” and the “*right to life*” (“the right to perform those actions needed for sustaining life”). The *right to life, liberty or pursuit for happiness* requires that *life* is given. A dead person or a person whose life has not yet been initiated does not have any rights. It is *LIFE* that is a prerequisite (fundament) for the “*right to liberty*” and thereby for the “*right to life*”.

10.2 The relationship between nature-given rights and ethics

Basically, the nature-given rights are indirectly physically given in the individual human being's *fundamental nature*, defined as “the fundamental qualities used by the *consciousness* in the pursuit of its *values* (happiness)”; see Section 4.1. An action is illegitimate if and only if it violates nature-given rights and legitimate if and only if it does not violate such rights (chapter 4). Accordingly, the jurisprudence is basically and implicitly given by nature (by the human individual's fundamental nature), and is made explicit through the Superior Constitution and is exemplified and specified through the General Constitution and the Law (see Section 7.1.1). The State is *not* to choose what is legal and what is illegal in order to create maximum happiness for the community. Therefore, it is not a moral choice for the State to decide which human actions to be allowed and forbidden; it is given by nature. We may in practice have a State making “laws” in disagreement with the nature-given rights, but then this State is an illegitimate one making “unlaws”. The motive power for the self-happy-motivated individuals governing the State to respect the nature-given rights and to implement these in the Rational Gaudist Law system is mentioned in Section 7.4.

Legitimate laws express statements of the type “it is not legitimate to do A” or “it is legitimate to do B”. If you break the law, the State has the *right to use* some force against you. The laws are *not* moral norms that the individual *must* follow, but the individual may choose whether he is to include the

content of the laws as a part of his moral code. Basically, the moral code of *Rational Gaudism* tells us to choose to obey a command if and only if compliance according to a optimal rational evaluation gives larger probability of maximizing the life-long sum of happiness compared to if we do not obey the command (see Section 3.1). Punishment and clear up rates for right-violating actions together with social sanctions are predisposing determinants that are to influence the pattern of action in such a way that it becomes morally correct to avoid violating nature-given rights (see Section 3.6.1 and 4.4.2). But under normal circumstances each individual ought to have a sense of *duty against right-violating actions* (PMI – see Section 3.9.1.1) since such actions beyond reasonable doubt statistically will be non-profitable with regard to the maximization of the probability of gaining the largest possible life-long sum of happiness when social sanctions are combined with Rational Gaudist punishment and clear up methods. Therefore, legitimate laws in practice become imperative Rational Gaudist moral guidelines anyway.

10.2.1 Why should a supporter of Rational Gaudist ethics become a political Rational Gaudist?

A person completely supporting Rational Gaudist epistemology (which is in accordance with main stream epistemological reasoning) will realize that Rational Gaudist politics is the only legitimate basis for all politics (see chapter 4). However, the ethical fundament of Rational Gaudism is to maximize the sum of self-happiness through life by consequent use of optimally rational evaluations. Therefore, critics will claim that Rational Gaudists ought to organize and use HDM unlimited for collective maximization their self-happiness and disregard if nature-given rights are violated since there is no obvious logical consequence between consequent avoidance of violating nature-given rights and maximization of happiness for most people. The following four chains of argumentation repudiate these objections.

1) An ethical Rational Gaudist will implement PMI against right-violating actions (see Section 3.9.1.1) – also in the years prior to introduction of political Rational Gaudism in the country. This is caused by the fact that the pre-Rational-Gaudist state also punishes the individuals for right-violating actions (even if it also punishes non-right-violating actions) and that it is large probability for right-violators to be met with negative social sanctions. It will also be rational for a Rational Gaudist to implement sense of duty for the virtue ‘*honesty*’ (see Section 3.9.1.3) since this is a rational means in his pursuit of maximization of his life-long sum of self-happiness. Therefore, he will not try to cheat by explaining away the fact that that initiation of force by the State against the individuals is as right-violating as those force-initiating actions which the pre-Rational-Gaudist State prohibits the individuals to carry out (and which it is rational to implement PMI against). If he tries to support illegitimate politics (i.e. non-Rational-Gaudist politics), the PMI, in combination with the duty of virtue ‘*honesty*’, will give him a bad feeling in his consciousness. This is an important reason for a Rational Gaudist to believe in greater life-long sum of self-happiness by supporting politics which he recognize as legitimate, than by supporting politics which he recognize as illegitimate. It will also be psychologically and socially difficult to support and promote politics that he realizes is illegitimate, and attempting this will easily give him a negative feeling (unhappiness).

2) We need rational epistemological principles, direct deductions from *de facto* accurate knowledge included, not at least because technological and scientific progresses have shown us the superior potential and importance of rational epistemology compared to crack-pot like religion, superstition and conspiracy theories. If the State fails implementing the logical deductions of the human individual's fundamental nature in the legislation, but cheats by saying it is legitimate to neglect this, it will contribute to the weakening of the respect for rational epistemological principles in general. Then we will undermine the fundamental principles for acquiring knowledge that have given mankind a giant leap in technological progresses and increased standard of living. The two latter are obviously rational means in the pursuit of maximization of self-happiness during life and thus, a logical link arises between the fundamental politics of Rational Gaudism and its ethical guidelines.

3) It has been demonstrated empirically that “happiness for most people” (and economic progress) increase proportionally with the degree of liberty in the governing politics (*Ovaska and Takashima, 2006*).

4) Having the Superior Constitution as a rock solid and unwavering legitimacy basis for all politics (as shown in chapter 4 there is no other true legitimacy basis) functions as an insurance against a smooth and slow transition to a more or less totalitarian regime (including social democracy, which has some hints of semi-totalitarianism). It also acts as an insurance against an insidious collapse of the economy due to an ever-bulging welfare state (see Section 10.11), but disadvantaged groups do not need fear falling into the “black hole” since Rational Gaudism legitimizes certain State assistance for such groups.

The points 1-4 above show that a person who completely supports Rational Gaudist ethics does not contradict his ethics if he also embraces political Rational Gaudism.

Ovaska T and Takashima R. Economic Policy and the Level of Self-Perceived Well-Being: An International Comparison. Journal of Socio-Economics 35 (2006): 314.

10.3 Nature-given rights in emergency situations

10.3.1 Seeking emergency shelter in a mountain cabin

Imagine an emergency situation where a person is lost in the mountain during a snow storm. He arrives at an unoccupied cabin, and the only option for survival is to break in for getting shelter and food. Is this a violation of the cabin owner's *property right*?

Usually, this will not be a violation of his *property right* since the tourist realistically regarded may expect the cabin owner to accept the housebreak if economical compensation is paid afterwards (presumptive acceptance, see Section 5.3.2.4). If the owner has written on the door that he does not accept emergency break-ins, a break-in will ought not to be punishable in a future court trial since the danger of reiteration is equal to zero (see Section 6.1.1) in the sense that the right-violating action in no way emanates from the intruder's principles of action choice; besides, the degree of severity is very low. However, the intruder may be juridically forced to pay for the damages and the food that he has consumed during his stay.

If the cabin owner is present, and the traveller tries to force his way in despite the owner's denial, he violates the cabin owner's property since a snow storm involves natural compulsion and does not involve a criminal who forces the lost person into the cabin. Then the owner may legitimately use force against the “intruder” to prevent the violation – e.g. by keeping the door closed. The judiciary will not punish him for this. The owner has processed nature away from the natural state by building a cabin, but it is not the presence of the cab that prevents the needy from rescuing himself. However, it is immoral to not give the lost tourist shelter and food during the storm. The traveller will act morally correct if he tries to break in and overcome the miser and, among other things, this risk should cause the cabin owner to open both the front door and his heart. Other rational motive powers for helping the lost tourist are empathetic instincts (see Section 3.7.1) and the fact that he will get a bad reputation by behaving so badly.

10.3.2 Emergency break in for defense against right violations

Considering a situation where a criminal tries to kill you. You break into a house for borrowing the phone to call the Police. In this case you are indirectly “pushed” into the house by the criminal, and the break-in is right-violating, but the violator is the criminal and not you. The criminal has to compensate the home owner's loss. If he has no economical capacity, the home owner or his insurance company has to cover the loss; you are innocent. The home owner may not legitimately use force against you because the initiator of force is the criminal.

In another example, a criminal chases you and tries to kill you. Then you pass a garden and observe a sharp loaded weapon lying there. The only way to survive is to cut through the fence, take the gun and shoot the bad guy. In this case the criminal forces you into another person's property. He is to blame for the destruction of the fence, loss of ammunition and tear on the weapon. You are not liable.

This also emphasizes the philosophical basis for the State's "confiscation by collateral damage" to fund the judicial system, Police and military in defense against criminal persons or states in very exceptional cases (see section 7.6.1.1).

10.3.3 Cannibalism after plane crash in the Andes Mountains

In another imaginable situation two persons have survived a plane crash in the Andes Mountains. There is absolutely nothing to eat, and both will die quickly if they do not get anything to eat. Is it right-violating if one person kills the other one in order to eat him?

This would be right-violating since he has not accepted to be killed. The danger of reiteration is extremely small, but on the other hand it is impossible for the "killer" to compensate the victim's loss, namely the life. However, his life has only been shortened by some hours or a very few days. Thus, the "killer" ought to be sentenced to a short stay in prison. If the crashed passengers had accepted to make a draw over who to be killed, cannibalism in such a situation would not be right-violating.

10.3.4 Shipwrecked seaman arrives hermit's island

A shipwrecked seaman swims ashore onto a "private" island in the middle of the Pacific Ocean where a hermit lives in his house. The hermit may not legitimately deny the shipwrecked to go ashore and stay on those parts of the island that have not been processed away from the natural state and into a state of increased usability (i.e. "outlying fields" to which the hermit does not have property right). If the whole island is under the *property right* of the hermit, the shipwrecked seaman may legitimately save himself by climbing on this property since in such a case, it is the hermit's processing of the land away from its natural state which is the reason why the needy is not able to save his life by entering the island in another way (cf. Section 6.6.1). The hermit does not violate the seaman's nature-given rights by not helping him ashore (the passivity principle) since this does not involve any initiation of force. But it represents a shameful attitude unless it is significantly dangerous for the hermit to help rescuing him.

The hermit may not legitimately deny the shipwrecked seaman to subsist by food gathering, hunting and fishing in this area. If the hermit has been so "greedy" that he has put so large parts of the island under his ownership that the shipwrecked seaman does not have enough outlying fields to live from, the hermit will be required to support the needy in full or in part according to the principle of minimum subsistence, but he has to contribute with reasonable labor as a pay-back. The reason is that it is the hermit's "fault" that the shipwrecked cannot live on the island by his own hand. The shipwrecked seaman has to repay any outstanding expenses as soon as possible after he has been rescued back to the civilization. If the hermit is not present, the shipwrecked seaman may expect that the hermit will accept confiscation of food if receiving financial compensation later – such "emergency theft" will not be rights-violating. If there are not sufficient livelihoods for both, it is the hermit who has the right on his side (first come, first served).

Morally speaking, the hermit should, of course, help the shipwrecked seaman with food, lodging and stay in a human way beyond the minimum mentioned above. Otherwise, the shipwrecked seaman will eventually be a danger to him, but by providing help he will be able to get a good friend for the rest of the sailor's stay on the island (and maybe longer too). Although many people will help their peers in emergency situations regardless of economic incentives, the State should consider giving premium to ordinary citizens saving other people (e.g. from drowning) so that the rationality (morality) for carrying out rescue operations increases.

10.3.5 Asylum seeker

If the seaman from Section 10.3.4 is a refugee from e.g. a North Korean ship, he has been “pushed” into the property by the North Korean regime. In this case the Kim-dictatorship forces the refugee to take food and shelter from the hermit. Initiator of force is the North Korean regime, and eventual force may only be directed against them and not against the refugee, unless he later on commits right-violating actions (e.g. takes more than the emergency principle implies). He has “license to take food and shelter”; in practice the hermit has to accept that the refugee takes simple food and lodging (until he may provide for himself). In this way the right to asylum originates as protection against *severe, imminent* right violations (killing, torture etc. or long-term imprisonment for non-right-violating behavior).

An asylum seeker has to provide for himself (will be easier in a society with completely free economy) as fast as possible or be supported by volunteers, but in a minimal transition period it cannot be excluded that he has to receive absolute existence necessities from the State, and in extreme situations this may be funded by the principle of “confiscation via collateral damage” in an acute phase (see Section 7.6.1.1 and 10.3.2). It is his first arrival into a safe country which decides where he is to be regarded as an asylum seeker; if he migrates further on, he will be regarded as jobseeker / migrant with his first safe country as his origin. If the asylum seeker commits right-violating actions during his stay, he may not be returned to North Korea but has to take his punishment in the asylum country.

10.3.6 Poor man

A person is extremely poor and does not have any food. He steals from a well-off man in the pursuit of survival. Has the poor man committed a right-violating action?

Yes, he has. The Police have to arrest him, and he has to be punished since the danger of reiteration is significant. In the prison he will receive food. In a society with complete capitalist freedom the incitement to economical progress will be large, and this will minimize the probability of poverty. Besides, the *Voluntary Welfare Insurances* (see Section 7.6.11) will strongly reduce poverty through solidarity-based insurances, and those who participate completely in this system may receive social welfare benefits (others have to rely totally on private charity).

The probability for the combination of optimal rational economical politics, *The Voluntary Welfare Insurances*, private charity and non-compulsory acquired public funds to succeed in helping the poor in a legitimate state is not assumed to be less than the probability for a Social Democratic society to succeed with the same (e.g. Greece *anno* 2012).

10.3.7 Lifejacket for a drowning person

William falls into the sea while Peter is safely located in his luxury yacht. Then Peter suggests a contract for William: “I will give you a Lifejacket and as a payback you accept to be my slave for the rest of your life. If you do not accept the contract, I will not throw out the Lifejacket, and you will drown.” William accepts the contract and saves his life, but after a short time he breaks the contract. Are William judicially obliged to pay a compensation that matches what Peter has to pay a servant for achieving the similar services as William promised in the contract? No, he is of course not obliged to do that since Peter has not been deprived of any objectively measurable positive value, and he has neither been imposed any objectively measurable negative value and thus, no liability exists. This is due to the fact that the probability for Peter to be able to enter a similar contract with another party in practice is absent. The fact that Peter entered a contract with William has not spoilt another similar contract. Peter could not have printed an advertisement in a newspaper and assumed to enter a similar contract with another person.

10.3.8 Summary on emergency situations

Emergency situations where the cause of the emergency is “natural compulsion”:

1. Seizing property in a situation where it is impossible to ask the owner is not right-violating if you may expect that the owner would have accepted the seizure. However, this presupposes that the owner is completely compensated later on.
2. Beyond what is stated in point 1, the use of force by the distressed against another person or his property is formally regarded right-violating. However, a distressed person may legitimately dispose other people's property if this property causes his inability to rescue himself in another way.
3. A right violation may not be legitimately hindered by *actively* imposing the right-violator exaggerated disproportional consequences compared to the degree of severity of the right violation. Counteracting the violation within this restriction is always legitimate.
4. A right-violator may always later on be forced to compensate for the damage he has caused.
5. If the Police come across a person in an emergency situation who is in the process of carrying out a right-violating action in order to escape from his emergency, the Police shall intervene and prevent the right violation. As a detainee he will get his urgent basic needs covered (simple food, water, lodging etc.).
6. If a right-violating action is carried out in a situation, which from its nature is probable to be reiterated, probability of reiteration is present, and the action is punishable in a court trial. If the probability of reiteration is not present, no punishment is to be imposed by any court.
7. Avoiding to carry out a service for a person who demands so or who strongly may be believed to wish so is never right-violating (the passivity principle), unless one on beforehand voluntarily has committed to something else.

Emergency situations where the cause of the emergency is a crook initiating force against the distressed (criminal persons, totalitarian states etc.):

1. When the distressed exercises force in self-defense with consequences for a third party, this is not necessarily right-violating since it is the crook who is the initiator of force.
2. During the emergency situation the distressed may confiscate what is strictly necessary for exercising self-defense without being a right-violator (“confiscation via collateral damage”).
3. If the use of force is to be legitimate, however, the collateral damages have to imply a significantly less value loss for the third party (subjectively regarded) than the value loss which the defense is aimed against.
4. The distressed may not be arrested by the Police or the violated person (unless he confiscates more than what is strictly necessary for the self-defense), and he may not be punished in a court process.
5. The distressed shall not pay any compensation thereafter (unless he confiscates more than what is strictly necessary for the self-defense), but the crook is obliged to pay compensation.
6. Avoiding to carry out a service for the distressed is not right-violating in such situations (the passivity principle), unless one on beforehand voluntarily has committed to the service.

10.4 Violence

10.4.1 Physical and psychical violence

Ann and Peter are cohabitants. Ann is a real bitch, and yells at Peter even if he is kind as a lamb. She abuses him verbally in a humiliating, disgusting way. She often uses very insulting words and expressions, and she almost always uses a sharp, humiliating intonation. Peter feels deeply violated by this behavior, and the continuous verbal abuse has a similar effect upon Peter's psychical health as if he had received moderate electrical pulses.

One day Peter gets enough of this psychical terror. In a particular moment he becomes so edgy that he gives Ann real spank. At first, she receives a couple of slaps on her ears and then some firm hits on her butt.

The following question arises: Is Peter to be blamed 100 % for this episode of violence? Is he to be regarded as an evil criminal deserving harsh penalty in prison? Perhaps Ann has to take a very large part of the responsibility for Peter's violence? According to both political correctness and old fashion gentlemen's way of thinking, no excuse exists for a man spanking a woman. A spanking man has always 100 % of the guilt on his shoulders. Rationally, it is easy to disagree with this biased opinion.

In the above example Peter made a large mistake when he became cohabitants with Ann. He should have examined her personal qualities better. When she started being bitchy, he ought to have left her as fast as possible. In this concrete situation he ought to have left her or expelled her from his apartment in stead of spanking her. But human beings are not perfect. We imagine that Peter's physical violence already has occurred, and that we are to consider it juridically and morally. Ann has to take at least 90 % of the blame for this act of violence herself. There are so strongly extenuating circumstances that there is no reason to punish Peter, nor is there any reason for moral criticism. Contrarily, there is moral basis for criticism of Ann.

According to Rational Gaudism, psychical violence may be equally serious to physical violence (it depends on the degree of severity). It is generally accepted as legitimate to defend oneself with physical violence against physical violence in self-defense (but often such violence may be a substandard solution). Similarly, in special situations the use of moderate physical violence in self-defense against corresponding degree of psychical violence ought to be decriminalized (but that does not mean that this always is the best solution). The law has to be equal independent of sex, race, sexual propensity etc. In this way, a negatively moral spotlight will be set on the psychical violence and thereby contributing to its reduction.

In a juridical trial some years ago a man was declared "not guilty" for violence against his cohabitant because she had been an extreme bitch. Of course, this provoked strong reactions from the politically correct feminists. They were terrified over the fact that such "reactionary" attitudes still existed among *male* judges in law courts.

In another trial a woman over long time had been physically abused by her husband. One day the woman was sufficiently pissed off and killed him by a shot gun. The woman was declared "not guilty". Thus, it is not unfair that a man slapping a psychical violent bitch also is acquitted both juridically and morally. The physical violence that had been carried out against the acquitted woman was significantly more serious than the psychical violence that the "bitch" is assumed to have committed, but on the other hand there is an even larger difference between killing a human being and slapping a person physically.

There are too many incidences (even one single incidence is too much) where a man systematically suppresses a woman with physical violence with the consequence that the woman is constantly afraid. Such men should of course be imprisoned. But as a corrective to this it need to be mentioned that a part of the physical violence committed against women is caused by men's more or less desperate attempts of self-defense against female bitching and psychical violence. Perhaps such psychically violent women also ought to be imprisoned?

10.4.1.1 Temperament as *psychical violence*

Controlling the temperament is very important, but has not been debated significantly publicly in spite of the fact that violence often starts with bad temper.

When two honest, but disagreeing persons are to achieve a common solution on a common problem, rational arguments ought to be the basis for the solution. When aggressive temper, shouting and yelling are mixed into the discussion, the strategy is to try to scare the opponent to accept your positions. There is no logical correlation between “being right” and “being clever in using verbal aggression”. There is no logical correlation between being good at physical fighting and being right.

In a rational culture only the rationality of the arguments should influence the results of the discussions and not the *psychical violence* which too often accompanies the arguments (see Section 4.1.1). If verbal aggression is the strategy in stead of rationality, a lot of solutions will be wrongly chosen because the rational ideas are not able to overpower the irrational ones because of the fear accompanying the “*psychical violence*”. It is a kind of cheating where you are victorious in the discussion on the wrong premises – approximately as if Maurice Green should use anabolic steroids and run the 100-meter at 9.40 while his opponents use 10 seconds.

The use of verbal aggression against other people is only acceptable as a last strategy in self-defense if you are exposed to similar treatment.

To learn controlling your temperament is an absolutely necessary strategy in the development of a rational culture. Spreading verbal aggression over other people is uncivilized, and the limit for using physical violence is lowered. Additionally, uncontrolled temper has negative influence on other people's *psychical health*.

10.4.2 *The borderline between right-violating violence and accepted violence*

As mentioned in Section 4.1.1, all kinds of physical and *psychical violence* are right-violating. Both types of violence have the purpose of frightening a person from using his rational mind when making a choice of action. Another person does not have the right to harm your body. Similarly, another person does not have the right to harm your nerve system *psychically* with non-rational frights of non-physical character. But if you e.g. voluntarily enter a boxing ring, you accept physical violence. If the competing boxer gives you some hard punches, he does not violate your nature-given rights. Where is the limit for acceptance of physical or *psychical violence*? The principle is that accept of *compulsion* is self-contradictory and therefore impossible, but acceptance of *violence / force* is possible:

A person B owns a property. No other human beings have the right to enter this property without B's permission. Let us imagine B saying the following: “Person A is permitted to enter my property on the specific condition that he accepts to be exposed for physical violence.” Person A accepts this contract and enters B's property.

- 1) Person A may change his mind at any time and regret that he accepted the violence-accepting contract. But if B demands it, he has to leave B's property as fast as practically possible (within reasonable time). From the moment A changes his mind and until he has left B's property nobody has the right to expose him for violence. Person A is not to be pinpointed as contract breaker in this situation.
- 2) If person A is exposed to violence on B's property, person B or another performer of violence may in principle not be convicted for this.
- 3) If A wants to get anyone convicted for violence performed on B's property, person A has to prove that the violence really has occurred and who the criminal is. If A manages this, point 4 is applicable.
- 4) In order to avoid punishment person B has to prove that person A had accepted to be exposed for violence when entering his property. This will often be difficult to prove, and the more

harsh violence, the more difficult to prove. Person B also has to prove that person A was with all senses alert when accepting the violence contract.

The content of point 1-4 is valid both for physical and psychological violence. It is valid for boxing rings, cohabitation/marriages, factories, school etc. It is also applicable for “contracts of violence” with validity outside (independent of) the real estates of the contract partners. (See also Section 5.7.1).

If it can be proven beyond rational doubt that an employee is exposed to psychological abuse, his employer (or other tormentors in the work place) has to prove that the employee has accepted psychological abuse as a part of the employment contract in order to avoid being convicted for psychological violence. In such a case strong requirements have to rest on the contract to be regarded as voluntarily from the employee's side. Even if such a contract exists an employee may quit his job without any term of notice if he can prove with predominant probability that the reason for quitting is psychological abuse; the employer may not demand economical compensation for the breach of contract (see point 1).

When a person is exposed to physical and psychological violence by his mate, she/he ought to leave him/her or expel him/her from the apartment (depending of the property conditions) as fast as possible. Additionally, he/she ought to go to the Police if the violence exceeds a certain limit. If the violence can be proven beyond rational doubt, the sinner is to be punished; it is extremely improbable that the contract of marriage/cohabitation explicitly accepts this kind of violence. If a person breaks out from a violent relationship (physical or psychological), she/he will not need to pay maintenance even if this is specified in the contract of marriage/cohabitation (see point 1).

It has been claimed that a spouse/cohabitant who is being exposed for repeated episodes of violence from her/his partner is guilty for this violence since it is her/his own fault that she/he did not leave the brute after the first episode of violence; by staying in spite of the violence she/he silently signs a contract on violence accept. This is not correct. She/he has (usually) the right to live in the apartment, and does not need to “sign” any contract on violence acceptance for achieving a right that she/he already has. Performing violence or violent threats in such a way that she/he “chooses” to move out from the home, is a violation of this habitation right. This is completely similar to the following situation: A person stays at a public place. Then he is exposed for repeated beating and kicking, but he chooses not to move away. He does not silently accept a contract on being exposed for violence by not moving since he does not need to enter any contract on violence acceptance in order to achieve the right to stay at a public place (If the place had been a boxing arena, the situation would have been different).

If a human being accepts to be killed, the killer is free for punishment if and only if it occurs as active death help. The death helper has to prove the existence of a “contract of death acceptance”, and that the victim was with all senses alert when “signing” the contract. In practice, the victim has to be examined very closely by psychiatrists on beforehand, and a court has to declare the “death help” as legitimate in front of putting him to death.

10.4.3 Child rearing

Physical violence against adults is right-violating because *one prevents their (right to) liberty to think to choose to perform those actions being necessary to try to maximize their self-happiness during the life span*. When using brutal violence against adults, bones may be broken, the brain may be damaged, and it is not difficult to understand that this will violate their *right to liberty*. Additionally, this will give psychological wounds that will limit the freedom of the victim for a long time into the future.

When using weak physical violence, this will not give significant physical wounds but has the effect that the victim is frightened psychologically in such a way that the freedom to think up rational choices of action is reduced. Pure psychological violence works in the same way. It is also right-violating.

The children have nature-given rights because they are potential rational individuals. The parents are supposed to raise the child to learn to use the *right to liberty* later in life, and the child ought to be

gradually accustomed to larger degrees of freedom. Children do not have the *right to liberty*. Therefore, it is not correct to say that initiation of physical force immediately reduces the children's *right to liberty*. But physical violence *may* give long-term psychical and physical wounds preventing the child from developing into a rational human being with the ability to use the *right to liberty* as an adult.

The child has to be taught to act in accordance with its long-term self-interest. Frequently, the child does not have the rational capacity to manage this by itself. Initially, the child ought to be explained what to do or not to do in an empathic manner. If this does not work, the parents may use a sharp tone and verbal reprimands attempting to get the child understand that the parents are the child's leaders and not jesters for a small emperor. Historically, this has also been carried out by “slapping the butt” or similar. If the State is to legitimately ban a given mode of reaction towards children, it must be proved beyond rational doubt that this specific mode of reaction violates the child's conversion of child rights (see Section 4.3) to the *right to liberty* as an adult. The State cannot refer to the child being entitled to “absence of initiation of the use of force” since this does not exist for children (see Section 4.1.1, point 1).

There are many ill-mannered children in today's society who are “the boss” over themselves and the parents. This is very harmful for their ability to become rational, grown-up individuals in the future. It is important that children have clear limits for their behavior and are not given the freedom to do as their instinctive feelings dictate. Both physical means and sufficiently gross and constant yelling (psychological force) can damage the child's development. Ideally, the parenthood ought to be performed in a way that such means are unnecessary.

10.4.4 Prostitution

Prostitution, where a customer pays a prostitute to perform sexual services voluntarily, cannot be right-violating since nobody initiates force against anybody.

But what if it is generally known from media that e.g. 50% of all prostitute immigrants from a given country are directly forced to this profession by violent mafia? In that case potential customers ought to know this. If a customer has had sex with 5 prostitute immigrants from that country, it is 97 % probability that at least one of them has been forced to prostitution.

Imagine that it has been proven that one or more of these prostitutes really were forced to prostitution by threats of physical violence by the mafia. Then the sex customer ought to have known beyond rational doubt that at least one of these prostitutes almost certainly were physically forced to prostitution, and that buying services from them was an act of gross negligence. Therefore, this sex customer can be convicted for rape with gross negligence.

Imagine a revolver with one bullet. I twist the revolver around, aim against a person's head (without his awareness), and pull the trigger. The bullet leaves the gun, and the person is killed. For my defense I say: “The probability for the bullet to be fired was only 16.67 %. You cannot punish me!” This is a murder with extremely gross negligence.

Similarly: Imagine a sex customer buying services from a prostitute. It is generally known that approximately 50% of that kind of prostitutes is forced to their “profession” by violent mafia. In the future it is proven that the actual prostitute really was forced to sex sale. The sex customer says to his defense: “It was only 50 % probability for the prostitute to be exposed to force. You cannot punish me!” This is rape with gross negligence.

10.5 New acquisition of right to use to forest

If the forester does not perform forestry in a forest area, the area will be regarded as unused and non-owned. Then the *right to use* of the forester is logically withdrawn, and other people may free of cost try to re-establish *right to use* to forestry in the area according to the principles in this section:

When a tree in a forest becomes significantly thicker than the state of mature age (N), and there has not been hewed other mature trees in the closest neighboring area the N last years, the tree and the closest neighboring area have been unused for so long time that it is to be regarded as unused and non-owned resource/area even if a forester earlier had the *right to use* to forestry. A rational forester ought to hew e.g. spruce trees before they reach an age of approximately N years in order to preventing others from taking over the forest.

When a man hews a tree, he has established *property right* to that tree. If the tree is significantly older than N years, he has additionally acquired the *right to use* to forestry for all trees in a radius similar to the height (H) of the hewed tree. For practical purposes this H-value should be set as a fixed average for mature trees for each species (spruce, pine, birch, etc.). The newly acquired *right to use* is also valid for all trees that will grow up inside the “circle of right”. But the statements above in this paragraph are valid only if no mature trees have been hewed by other persons inside a radius of 2H the last N years. Only mature trees give basis for “circles of right”, and their area will often be in the order of 2000 square meters. If he hews a mature tree on an area where he has the *right to use*, this will not give the rise to *right to use* over parts of the neighbor's forest even if the radius of H should make circles invading the neighbor's area. Trees located closer to other types of property than forest (road, tilled field, building site etc.) will not give rise to “circles of right”.

In practice a feller, who wants to establish *right to use* over a forest area, has to find an area with mature trees fulfilling the criteria mentioned above. He marks the area using GPS coordinates. Then he attends a “State Office of *Right to use*” and claims the area. During the handling of the case nobody else may hew trees in this area. An expert from the office determines – based on previous records, satellite photos and eventual field observations – if the criteria for the acquisition of *rights of use* are present. If so, the feller obtains temporary *right to use* over this forest area for e.g. 6 month. During this time he has to hew trees in such a way that the acquisition of *right to use* is legitimate; if he fails, he will lose the *right to use* to the forest in this area and additionally, he has to pay a considerable fine for “unreasonable occupation of non-owned and unused land area”. The “State Office of *Right to use*” may check the legitimacy of the *right of use* by satellite photos.

The feller does not establish *property right* to the forest by hewing some trees, and he may not refuse others to walk or stay between the trees (outlying field). He may of course build a house or cabin with garden on the cleared forest area, and thereby obtaining *property right* to the area since it has been processed away from the natural state, but restrictions on this are mentioned in Section 5.2.1 and 5.2.6.

A tree located in a garden or similar places may not be hewed by other than the owner of the garden since the garden is a worked up land area, and nobody is even allowed to walk on the lawn without an explicit permission from the owner. Thus, a tree in a garden can become indefinitely old without becoming a non-own resource.

Foresters (new and old ones) may manage the forest where they have *right to use* the way they want unless they violate the nature-given rights of others and their logical consequences as mentioned in Section 5.2.1.

10.6 Feminism

The basis for the fanatic feminist dogmatism is the “extended proletarian dictatorship” philosophy. When Karl Marx lived, the proletariat (people without private property) was the weakest social class, while the capitalist class was the strongest social class. The proletarians (the weakest) were supposed to suppress the capitalists (the strong ones – the class enemy) by the proletarian dictatorship.

The philosophy that the traditional weak/inferior groups should perform a power take-over and chasten the strong/superior groups, was extended by the leftists of the 1968-generation to have general application. Women should rebel against men, children should rebel against their parents, the employees should revolt against the employers, and people in the third world should rebel against the capitalist world; in short: the traditional weak/inferior groups should rebel against the traditional strong/superior groups.

Left-winged mentality of the 1968 generation is nothing but the “culture revolution light”; the difference is that China has abolished the negative outgrowths of the 1968-mentality.

There are several positive aspects in the 1968-mentality, but its left-winged outgrowths are clearly negative. The 1968-mentality is a mixture of 1/3 communism, 1/3 anarchism and 1/3 pursuit of freedom (liberalism) (besides, anarchism includes some liberalism). When Karl Marx lived, women were a weak social group compared to men; therefore, women should exercise a kind of “proletarian dictatorship” over men according to the leftists from 1968. Shortly, let us regard how the “proletarian dictatorship” worked in the communist states. The proletariat (represented by the Communist Party) exercised a dictatorship that was supposed to suppress the oppressors (the capitalists).

Criticizing such proletarian suppression was regarded as support for the class enemy. After a while all criticism of the politically correct communist positions was made so extremely political incorrect that the opponents became victims of tormenting or in the worst cases imprisoned or executed. The result was that all criticism ceased, which means that the production of hypotheses was eliminated in the HDM-like process. The result of absence of production of new hypotheses is that the main hypotheses are not subjected to empirical testing and therefore, the main hypotheses easily become rotten. The leaders obtained irrational ideas of their own excellence, and they became very edgy about criticism (all criticism was regarded as a scorn against those who communism were supposed to salvage).

In the 1970-ies workers in England demanded higher and higher wages, often with class struggle as an important argument (the capitalists exploit the working class even if the economical surplus is infinitesimal, ergo the workers have to stop the exploitation by “mugging” the capitalists at maximum speed). The result was that the radicals undermined the competitive ability of the industry promoting unemployment and depressions. Thus, socialism became the worst enemy of the working class. At the same time the middle class was fed up with socialism. All this led to a reaction against the traditional ideology of the workers movement (socialism), and Margaret Thatcher came to power and stopped the socialist madhouse.

Similarly, the women (feminists) should suppress men's traditional attitudes. Criticizing such “suppression” was interpreted as support for male chauvinism and suppression of women. After a while all criticism of the politically correct feminist positions was made so extremely political incorrect that the opponents became victims of psychically tormenting. The result was that almost all criticism ceased, which means that the production of hypotheses was eliminated in the HDM-like process. The result of absence of production of new hypotheses is that the main hypotheses are not subjected to empirical testing and therefore, the main hypotheses easily become rotten. The women obtained irrational ideas of their own excellence and of men's mediocrity, and they became very edgy about criticism (all criticism was regarded as a scorn against the females).

The feminists want a system where all families are governed according to semi-totalitarian principles. They want the government to decide that in ALL families both parents are to be working outside the home, the children ought to be forced into the kindergarten, and mother and father are forced to take exactly 50 % of the housework each. The feminists want this even if many women want to live according to non-feminist principles. In this way, feminism becomes the worst enemy of the women in the similar manner as socialism became the worst enemy of “the working class”, and men begin to be fed up with feminism. Who is the leader to end the feminist madhouse?

If a person proclaimed his support for a non-socialist party in a working class area in the 60-ies or 70-ies, he often got the following bullshit back: “I see; you do not respect ordinary workers!!” Of course, most non-socialists respected “ordinary workers” (by the way; what is “non-ordinary workers”?). The respect for a given social group is linked to a specific political ideology in order to psychically intimidate the opponents of that ideology. In a similar way the men of today are met with the following statement if they do not kiss the ass of politically correct feminism: “I see; you do not respect women!!”

The feminists of today try to mark everything they want to change as “discrimination against women”. Thereby they obtain politically perfect arguments for their positions. The feminists wish to govern in

detail all aspects of the society and the families in a semi-totalitarian left-winged manner (totalitarian = the private sphere of interests is converted into a State affair). The equality between the sexes has come much too short. According to the feminists, complete equality is achieved when there are 50 % female jointers and 50 % male jointers, 50 % female nurses and 50 % male nurses, 50 % female midwives and 50 % male midwives, and 50 % female chiefs and 50 % male chiefs. It has never occurred to the feminist that there could be differences regarding choice of profession that are related to biological differences between the sexes.

Governmental overriding of individual choices of profession or study in order to give the feminists ideological satisfaction is a socialist infringement against the individual. If there are 5 % female top leaders in the companies, that is OK if it is a result of individual competence and free choices of profession. If a situation with 50/50 distribution was to occur (or a 95/5 distribution in the favor of women) between men and women concerning top leaders in the companies, that is of course OK if it is a result of individual competence and free choices of profession. But if such a distribution arrives as a consequence of socialist governments overriding individual choices, it is not acceptable.

A lot of persons who officially say that they are feminists or support feminism, probably do not, but they express the opposite of their real opinion in fear of feminist retaliations. In a similar way many Soviet citizens officially expressed more positive attitudes for socialism than they really had inside their minds because of fear of retaliations from the KGB (although another kind of retaliation than the feminist reprisals).

10.6.1 Female representatives in the boards of private companies

The owners of private companies will try to maximize their economical profit. The qualities of the leader and members of the board are expected to significantly influence the profit of the shareholders. Therefore, it is logical to assume that the owners minutely will examine both women and men in order to find those board members who can maximize the profit. If a particular potential female board member is expected to generate significantly more economic profit for the shareholders than the present male candidates, profit-loving shareholders will elect the woman. It is unlikely that the shareholders are significantly more male-chauvinistic than profit-loving. The politically correct feminists will argue that the owners are not clever enough in searching for competent women. If so, it is because it is so low probability for finding the best candidate (and it is the *best* candidate we are talking about) among women that the cost-benefit ratio by performing this searching realistically regarded is too high, and how much searching that is rational to perform is most competently evaluated by the owners. If the owners are whipped by the Department of Sex Equality to find fairly competent female board members, it may happen that the companies can write some female names on a list which otherwise would not have been there. But the probability of finding the *best* candidate on that whipping-list is very low since the companies have a natural economical incitement to search for the best candidate without feminist whipping.

A system where the owners freely elect their board members is the best method for obtaining maximum competence in the board room. The sex distribution of the board room has to arrive naturally as a consequence thereof – no matter if the average female touch is 1 % or 90 %. In such a free system we have to assume that the observed sex distribution at a particular time point is the one maximizing the companies' profit. But the most important argument is that it is the nature-given right of the owners to decide the composition of the board.

Considering representatives of the employees, many employees can contribute to increased profitability by being directly or indirectly in the board rooms, and their contribution will vary from company to company. The owners will certainly be interested in such contributions in cases where they exist. In those cases where board representation for the employees is expected to increase the profit, it will be rational for the owners to voluntarily offer them membership in the board. In those cases where board representation for the employees is expected to decrease the profit, the owners will not offer them board membership.

10.7 Monetary politics

10.7.1 Banking history

Today's banking is a legacy from the past “Fractional Reserve Banking” (FRB) with gold as the basis for the currency. Let us consider a bank in the old days who received 15 grams of gold as a bank deposit. The bank transferred the gold to the National Central Bank and received a receipt – a bank note of \$10, which the holder could exchange into 15 grams of gold in the National Central Bank. The depositor got a bank account amounting to \$10, and the bank was committed to pay this amount immediately on the depositor request in the form of a \$10 bank note. Now, the bank could lend out the \$10 bank note to a borrower, and voila, it was 20 dollars in circulation – \$10 in the form of a bill and \$10 in the form of bank deposits. The basis for being able to do this was that the bank considered it unlikely that all depositors would arrive simultaneously for withdrawing their deposits from the bank, and therefore the bank only needed to keep a small reserve in the form of bank notes (FRB). The depositors thought, often mistakenly but in good faith, that the bank really kept all the money (indirectly, the gold) that was deposited. Therefore, they were shocked when the bank in times of crisis was not able to meet its obligations. A “bank run” had encountered where the product of the average withdrawal amount and number of withdrawers was significantly greater than what was estimated when the bank reserve was established. The bank went bankrupt, and many depositors lost a lot of money.

However, when the dollar was linked to gold, it was a limit to how much the money supply could grow even if FRB led to growth in the money supply. Finally, the dollar was totally released from the gold (1971). The same applied to other countries' currencies, and the national central banks could print money straight from the air, which resulted in a large growth in the general price level in most countries in the 1970s and early 1980s. Today, banks rarely go bankrupt. They are usually rescued by loans from the National Central Bank. Another possibility is that they receive financial assistance from the State. The State may finance this (or other expenses) by borrowing money from the National Central Bank (usually by the National Central Bank buying State bonds in the second-hand market), which prints money electronically from the air. In practice this means that the State prints money and sends them into circulation. This means inflation, which reduces the purchasing power of people who have savings in dollars. Such money printing is *de facto* theft and thus right-violating unless the specific criteria mentioned in section 5.5.5 are fulfilled (see also Section 10.7.4.1).

10.7.2 Concrete proposals for new banking and monetary policy

FRB (especially in combination with a money printing central bank) means that the growth in the money supply is taken out in advance at the same time as the loans are given, and if an adequate GDP growth does not arrive as a consequence of the loans within a reasonable time, inflation will occur in the form of general increase in the price level or bubbles e.g. in the housing market or the stock market. To prevent this, a new monetary policy is needed.

In order to avoid being involved in fraud, the State may and must, through the National Central Bank as the issuer of US dollars, add limitations on the money supply of this currency (see Sections 5.5.5 and 10.7.4.1). US dollars can be said to be a “trademark” for the National Central Bank. However, this applies only to dollars and not to private currencies based on gold, silver or other precious metals. In order to be competitive against gold-based currencies, and to provide high stability in the financial markets, the State should pursue the monetary policy described below. It is emphasized that other monetary regimes also may be legitimate within a Rational Gaudist frame:

On a certain date in history the dollar is defined to be e.g. $1/10^{13}$ of the goods and services that are traded in the market during that year. If the annual growth in the money supply is adjusted to the real increase in the gross domestic product (GDP), one dollar always has a fixed value in accordance with its definition.

The banks will not be permitted to engage in lending according to fractional reserve banking as described above. This means that the National Central Bank in cooperation with the State withdraws

the banks' license to increase the money stock through FRB and establishes monopoly on money supply increase. This is similar to music producers who have copyright on their CDs to prevent unauthorized mass duplication that would undermine the musicians' economic basis. Therefore, when the bank receives \$100 from a depositor, the bank will not be allowed to write \$100 on his deposit account (which the depositor may use for buying goods the next day) at the same time as the \$100 are loaned to a borrower (who also may use the \$100 note the next day). Moreover, no physical dollars will exist, only electronic dollars. Two types of bank accounts will exist within the new system:

- 1) "On Demand" account [OD account]
- 2) Bond account

The OD account is an electronic storage box for money. Money that is deposited on such accounts may not be lent out by the bank. No interest will be paid for money deposited on OD accounts; on the contrary the bank may take a certain fee for managing the account. Since all dollars are electronic, each dollar will be stored on some OD account in some bank at any time point.

A depositor can choose to lend out his money (when they are at the OD account, they are not lent out). If so, he buys a bond from the bank that the bank agrees to pay back over a given number of years with an interest rate, which may be adjusted periodically. The bond is registered on a bond account associated with a National Central Securities Depository (CSD). Among others, banks can be registrars of bond accounts, and several bonds from different banks can be registered on the same bond account. The depositor (bondholder) can not go to his bank to be paid the value of his bond immediately upon request. The repayment is firmly linked to the annual (or semi-annual or fourth annual) repayment periods. If the depositor wants his money back outside the repayment periods, he has to sell the bond. This is done through a Bond Exchange Market via the CSD.

The bank can now lend out the money that the depositor has transferred from his OD account to the bank's own OD account. The bank will store the money as short as possible on its OD account and will subsequently lend them out to a borrower. This loan will be made in a similar way as today, where the borrower in effect is issuing a bond to the bank, and the borrower pays back over a given number of years with an interest rate that usually is adjustable. In this way there will never be more money in circulation than the 10 trillions dollars that the State initially put into circulation (plus a controlled growth in the money supply, which we will discuss later). The money supply will not increase as a result of FRB-like activity since it is outlawed.

The bank must have a fiscal balance in its monetary and temporal obligations. Suppose that the bank lending and borrowing go maximum 20 years ahead, and that we are to write the balance sheet for the first bank year:

For year 2 the bank's total receivables from the borrowers have to be greater than or equal to the total obligations to the bondholders for year 2. If this is not the case, money from the bank's equity is added to the second year's accounting column. If the bank for year 2 has a greater sum of receivables than total amount due obligations, this may be used to balance the forthcoming year's columns. The same is done for all years i ($i = 3, 4, \dots, 20$) when the accounting is done for the first year, the first-year accounting therefore consists of a balanced overview from the 2nd year to the 20th year.

If the bank, after having balanced all the years from $n+1$ to $n+19$ for the n^{th} accounting year, gets the result that the sum of receivables and equity is less than the obligations, the bank has to bring in new Share Capital as quickly as possible. If this is not done, a part of the stockholder's stocks will be zeroed out, and some of the creditors' (i.e. bond holders') bonds will be converted into bank shares. The bank's management may also be investigated for fraud. In practice, the sum of receivables and equity should be significantly larger than the obligations so that the bank has reserve funds to cover the losses that may come when some borrowers are unable to meet their obligations.

All banks that are engaged in borrowing and lending with dollars must be subjected to the monetary system mentioned above. Banks that want to engage in banking with their own currency backed by

gold, silver, platinum or other commodities, have the complete freedom to do so – including using FRB. Such banks will not be subjected to any regulations except that violations of individual nature-given rights – including fraud – of course are not allowed to occur. Such banks will have strong claims to provide the customers with information that explains how the pyramid-like FRB system works, and which explains that there is no help to get from the State in the case of bankruptcy; imposing significant hazard upon the depositors beyond their informed approval is right-violating. Thus, FRB will almost reside on the frontier of being *de-facto-prohibited* (see Section 5.3.2.2). FRB-banks and some companies with significant deposits in such banks will probably obtain poor rating from the certification agencies (see Section 5.5.4) since they are considered financially unstable.

It will also be difficult for a bank to engage in FRB on a large scale in a Rational Gaudist society with full economic freedom because wealthy investors may easily short-sell shares of a FRB bank. This will be easier the less reserve the bank has: A wealthy investor (or a collection of smaller investors) borrows a large number of bank shares, which are sold shortly afterwards. Then the investor(s) makes a deposit in the bank similar to the bank's gold reserve (perhaps 5% of total deposits). Then the investor(s) demands his deposit paid in gold. The bank's value decreases sharply or goes bankrupt. The investor(s) still has his original deposit, but now in gold, plus the sales revenue for the shares (the repurchase of shares will cost about zero). If the bank is a close corporation rather than being a public joint stock company, this will not be possible.

10.7.3 Advantages with the new banking system

With this banking system “bank runs” will never occur since there is always full coverage for the OD accounts (100% reserve banking). Thus, there will not be any need for “inter-bank lending”; the lack of such loans was a problem during the financial crisis in 2008. Bankruptcies in the banking sector are very unlikely since the pyramid-like system in FRB is not in use, but bankruptcies may not be 100% ruled out if a bank is too uncritical in its credit judgments when giving loans. Nevertheless, one can still imagine banks being 100% secure from bankruptcy if the bank only undertakes to repay a percentage (p) of the bond's par value (p = 100% minus the bank's total percentage loss on loans). This means that if the bank has 2% losses on its loans a given year, the bondholders over the next year only get paid 98% of the face value. These two types of banks may exist side by side, but the latter type of banks must have somewhat higher interest rates to compensate the bondholders' higher risk.

The new monetary system will prevent a general increase in the price level and significantly reduce the likelihood of financial bubbles in the housing and stock market. But e.g. when new technologies are introduced, one can not exclude that excessive optimism will lead to *local* bubbles in the price of labor, the technology itself or the stocks of companies that manufacture or make use of the technology.

10.7.4 Growth in the money supply

In the monetary system described above, the money supply is basically fixed at 10 trillion dollars. When the GDP increases, the general price level will continuously decline; rising living standards will mainly result from lower prices, and not from wage increases. In order to prevent any problems with such a general price decline, the State (National Central Bank) ought to print a number of electronic dollars equivalent to an earlier period's percentage increase in real GDP (The National Central Bank will then *de facto* function as a bureau under the Treasury). This controlled growth in the money supply should be specified in the General Constitution. If the money supply in the first place was 10 trillion dollars, the State will print 300 billion electronic dollars as a response on one year's increase in GDP of 3%. (assuming no influence from private currencies and that the turnover is constant over time); see also Section 5.5.5 and 7.6.3.3. This money is supplied to the market directly through the State budget. This is the money issuer's legitimate profit for running the monetary system.

If the increase in real GDP in the previous year is e.g. 5%, the State does not necessarily need to print extra money this year equivalent to 5% of the money supply. The high turnover rate and activity in the economy do not imply such extra stimulation; the State may print e.g. one-fifth of this, and save the remaining four-fifths for skinnier years; for instance for a year when the GDP growth is only 1%. In this way, price fluctuations will be reduced.

10.7.4.1 Growth in the money supply for former monopolistic and compulsory currencies

If the constitution (statutes) does not say anything else, the currency may not be inflated significantly more than what the customers are used to; if the currency is newly-established, the inflation cannot be significantly larger than what is normal for commonly used currencies (see Section 5.5.3). If the currency legitimately is to be consciously and extensively inflated beyond this, the option for this has to be clearly stated in the constitution *before* the currency is introduced in the market for the first time (see also Section 5.5.5). But how does this relate if the currency has been monopolistic or compulsory tender until the introduction of the absolutely legitimate State?

Let us consider a given currency, VAL, which has been monopolistic or legal tender until the introduction of Superior Constitution (called time point S). Let us further assume that, prior to the time point S, was many years of tradition with inflating VAL far beyond the real increase in GDP.

Basically, it is legitimate to continue inflating a voluntary currency (which is not monopolistic or compulsory) when this has been a relatively constant tradition for years, since the inflating then in practice means “accustomed price” for the currency (see Section 5.5.3). The persons and companies who possess VAL at time point S (hereinafter referred to as the SVALers) have been compulsorily inflicted this currency (to a greater or lesser extent), and we can not say that they have voluntarily chosen VAL. Therefore, before time point S the high inflating served as a compulsory taxation, which obviously is right-violating. After time point S, all private currencies will be allowed, and basically you could say that those who are still stuck with VAL do so voluntarily since VAL might be exchanged into private currencies. If so, those who are voluntarily stuck with VAL have chosen to accept the high “cost” of the currency in the form of continued inflating, and then the inflating is not right-violating. The problem is that if all the SVALers were to exchange their money during e.g. one year, there would be an enormous pressure in the currency exchange market. The price of VAL would fall dramatically and the purchasing power of the SVALers would fall drastically. Whether redeeming VAL or continue possessing VAL, the purchase power of the SVALers will be very much reduced. Thus, it is meaningless to argue that the SVALers “have voluntarily chosen to accept the high ‘price’ of the currency in the form of continued inflating”.

If the State should omit inflating VAL for many years after the time point S (pending the ravages of time to make it possible to claim that everyone possessing VAL many years after time point S do so voluntarily), the State can not restart inflating VAL since then there will not have been many years of relatively constant foregoing tradition with it.

Based on the above reasoning currencies that have been compulsory tender or that have been monopolistic by law (or these currencies' successors) may legitimately never have an increase in the money supply beyond the real increase in GDP, unless for compensating for a controlled withdrawal of another currency (e.g. lire to euro).

10.8 Motivation for charity

At the first glance, the individuals could be supposed to never give anything to charity in a culture based on rational ethics since such donations seemingly do not create happiness for the donor. What kinds of mechanisms make individuals donate money to charity?

- 1) Lottery: Most people participate in lotteries because the excitement and the opportunities for profit make them believe that lotteries create more happiness during the life span than they would obtain without participating in lotteries. Usually, they do not participate in lotteries with

the motivation of creating surplus for the charitable purposes of the lotteries. The motive power to create surplus for charity is the excitement and profit opportunities for the participants. But it would be right-violating to deny commercial firms to compete with charitable organizations over money games and lotteries. Participation in lotteries etc. is primary self-happy-motivated with moderate degree of rationality.

- 2) Given a charity donor who donates according to the “mouse-piddling-in-the-ocean”-principle. He has certain ideas on how he wants to regard himself (self-picture). He creates a “movie” in his consciousness where he is a hero being admired by the recipients and others. He obtains a certain heroic perception of happiness in his consciousness for shorter or longer time. This is a motive power, but the rationality is dubious. The risk is that he contributes to build up a self-picture of “being kind to a fault” with a corresponding sense of duty (see Section 3.9.1.3 and 3.9.1.4). This is irrational tertiary self-happy motivation.
- 3) An unsuccessful person may feel strength by making other people dependent on his help, and in this way his feeling of unsuccessfulness is reduced. This is hardly rational in the long-term perspective, but nevertheless a motive power. This is a symptom of too low *self-confidence*. It will be rational to stepwise build up the virtue “self-confidence”. This is irrational primary self-happy motivation.
- 4) When a capitalist is accustomed to high degree of capital accumulation, he will achieve a saturation of perception of happiness (see Section 9.1). If he donates so much (but nevertheless relatively little compared to his total fortune) that he observes results of his donations, he will obtain a perception of success, which is a fundamental human source for creating happiness via primary self-happy motivation (see Section 3.3.3.1). Additionally, the donor contributes to build up a sense of duty for “*willingness to make efforts*”/ *productivity*. An example of this is constructive donations where one or more poor persons directly are assisted to become respectable citizens.
- 5) Private charity may give the donor a feeling of *creating* something, even if “the donor piddles in ocean”; this may also apply to economically weak individuals. This may give him a certain emotion of creative success, which is a basic source of human happiness generated by the primary self-happy motivation (see Section 3.3.3.1). But his sense of happiness is not proportional to the size of the donation. His perception of happiness will almost be independent of the magnitude of the donation. Such a motive power for voluntary donations is therefore considered rational only if the donation is at a very moderate level (\$15 - \$30) that does not make significant negative impact on the total funds of the donor.
- 6) Another motivation for charity donations may be the fear of receiving scolding or other reprisals from friends and family if you are rich and do not donate money. It is doubtful if surrendering for this kind of pressure is rational (you contribute to build up an association for cowardice). Oppositely, the motivation for donations may be a desire to gain admiration from other people. A capitalist will perhaps obtain more good-will in the market if he donates to charity, and secondarily he may generate significantly more economic profit compared to non-investors in private charity. The latter is secondary self-happy motivation, and may to a certain extent be rational.
- 7) Donating money to private charity in such a way that other people observe your donations, signals to your surroundings that you are a helpful person. If we assume that observers are rational self-happy-motivated, they will want to gain friends who they potentially may get help from if such a need should arise in the future, while they will be reluctant to make friends among unhelpful persons. People who observe the donations may therefore be more interested in making friends with such charitable donors than with “Scrooges”. Therefore, donating to charity may be seen as a rational signaling of the quality of your friendship. This secondary self-happy motivation is considered to be rational as long as the donations are not too large, otherwise the observers may get the impression that you are a spendthrift, which does not indicate a good friendship quality. Besides, wastefulness is based on irrational PEM.

- 8) Christians may fear arriving Hell if they do not donate to charity, and they may believe to increase their chances for entering Heaven if donating. This is irrational secondary self-happy motivation.
- 9) The human beings are assumed to have certain elementary “altruistic instincts” (see Section 3.8.5 and 3.7.1), and this is a part of the reality that we have to face. These “instincts” give us perceptions of unhappiness when observing the sufferings of others. The individual ought to make a rational evaluation: “Does the perception of unhappiness, which is expected by the ‘altruistic instinct’, have so large negative influence on the sum of my long-term perception of happiness that I ought to donate 70% of my belongings?” No, of course not. Giving away that lot of money will have much more negative long-term effect on the life-long sum of self-happiness than what is imposed by a (short-term) negative, instinctive feeling. But donating \$10-\$20 may psychologically relieve or eliminate the bad feeling and therefore, it may be rational. This has to be regarded as very weak rational primary self-happy motivation.
- 10) When a person has succeeded significantly and is bursting of self-confidence, it is understandable that he feels a desire for celebrating the success. To celebrate a success by sending up fireworks may seem irrational, but it is probably motivated from rational primary self-happy motivation. Another way of celebrating is to spread money to charitable purposes; he has so much self-confidence that he boils over and these residues go to charity. But it is important to not celebrate out of proportions.

Thus, it may be rational to believe that some money will be poured into charity. But several of these points only include moderate or week degree of rationality. In a rational society the sum of the motive powers to charity will be limited. Therefore, it is important that the State makes efforts to contribute to areas that otherwise would have been left for private charity, but this has to be done without taking people's money by force.

10.9 Rational egoism, altruism and Objectivism

Firstly, it has to be mentioned that the Objectivists use the concept “egoism” in a way that is in opposition to the general understanding in the public. Objectivism uses the term “egoism” approximately synonymously with the term “self-happy motivation” of Rational Gaudism.

Objectivism: I give \$1,500 to the construction of a new hospital (with the total price of \$150,000,000). The reason for doing this is that I may get sick in the future and therefore, the construction of the hospital is in accordance with my long-term self-interests. Therefore, I have performed a rational, egoistic action.

Rational Gaudism: According to Rational Gaudism, it is not a question whether **the construction of a hospital** is in accordance with your long-term interests. The question is whether **your action, donation of \$1,500**, is in accordance with your long-term interests compared to a situation where you do not perform this donation. Your contribution has the same effect as the mouse piddling in the ocean (see Section 9.4.1.1); the hospital is to be constructed anyway since your donation realistically regarded will not influence other people's willingness to donate. If you had not donated \$1,500, you would have received future hospital treatment anyway, and at the same time you would have had \$1,500 to pay for the hospital bill.

In this example we may say that the rational egoism of Objectivism is 0.01 ‰ more rational than “altruism” since the donation for the hospital makes 0.01 ‰ of its total cost.

“Rational egoism” in the Objectivist sense is usually in accordance with “rational ethics” (= rational self-happy motivation) of Rational Gaudism. But considering the example above it is difficult to see that Objectivism and Rational Gaudism is 100% overlapping on this subject. This is also exemplified in the next section:

10.9.1 Altruistic financing of the State

The Objectivists believe that they can finance the State by voluntary contributions. The argument is that in a “rational society” most citizens will realize that it is in their own self-interest to have a State defending the nature-given rights of the individuals. Therefore, a large majority will contribute with approximately 5 % voluntary tax since they are “rational egoists”.

If I pay \$3,000 a year in tax, I will in reality only enjoy \$3000 divided with the number of citizens of my country – perhaps a tenth of a cent. Is it rational primary or secondary self-happy motivation to invest \$3,000 when receiving only a tenth of a cent? No, that can only be explained by what the Objectivists in other connections call “altruism” – or to be completely correct 99.9999 % “altruism”. Rational Gaudism explains the motive power to such a bad investment from irrational tertiary self-happy motivation. Observed from a Rational Gaudist point of view, the question is as follows: Is the donation of \$3,000 compared to non-donation in accordance with my long-term self-interests. If I donate \$3,000, I have 0.10 cent back. If I do not donate, I have \$3,000 left. Whether the State receives my \$3,000 or not has no practical influence on the function of the State. It is the effect of the mouse piddling in the ocean. The only thing obtained by the donor is building up an irrational self-picture for “altruism”/”being kind to a fault” with the corresponding sense of duty.

To further emphasize the double set of morals of Objectivism on this subject, the following critical description of altruism is quoted from the book “*Frihet, likhet, brorskap: kapitalismen i teori og praksis*” (Translated: *Liberty, equality, brotherhood: capitalism in theory and practice*) by the well-known Objectivist Vegard Martinsen: “Imagine a building with 300 flats, which are all owned privately. Each flat may be sold and bought at market price. But the electricity is on joint account. All habitants use so much electricity as they want, and the electricity bill is shared equally on all 300 flats. If you are moderate with your use of electricity, switches off the light when leaving a room, reduces the temperature when not using the room etc., you will economically enjoy 1/300 of your effort. If you save electricity for \$16, then everyone save 5 cents. Oppositely, if you treat your electricity wastefully – the light is lit all the time, all rooms always have maximum temperature, and for instance increases the electricity bill with \$16 – then everyone has to pay 5 cents extra.”

It is possible that the obligatory tasks (in Objectivist translation: legitimate tasks) of the State can be financed completely by voluntary donations (but that is dubious), but this is not rational ethics in the Rational Gaudist sense but pure “altruism”. If it had been rational, voluntary contributions to *reduce* electricity expenses on joint account would also have been rational. When the tertiary self-happy motivation to save electricity is not powerful enough to lower the electricity bill, there is no reason to believe that the tertiary self-happy motivation to pay voluntary tax is strong enough to finance the expenses of the obligatory tasks of the State. If so, rational incitements have to be introduced (see Section 7.6.9).

It is an important principle for Objectivism that the State is not allowed to gain money by the use of force, but this philosophy needs “altruism” (irrational tertiary self-happy motivation) to defend its vision of financing the State by voluntary donations. Objectivism has to make use of the “enemy” (altruism). Objectivism wants to make us believe that the motive power to pay voluntary tax is larger than it really is and therefore, they put the label “rational egoism” on it (see also Section 3.11).

According to Rational Gaudism, it is legitimate to collect money in a non-right-violating way by the use of rational primary or secondary self-happy motivation. Firstly, this has to be done in order to get hold of money to defend the nature-given rights of the individuals (and children's and animal's rights). But if it is possible to collect money in addition to this, the money may be used for social purposes (or whatever) if approved by the majority of the National Assembly.

Martinsen V. Frihet, likhet, brorskap: kapitalismen i teori og praksis. ISBN:9788291106021. Kontekst forlag, 2004, pp. 35

10.10 Why vote?

The rational motive power for the individual to vote for a given party at elections is not the prospect of generating more self-happiness by getting the party program converted to real politics compared to if one does not participate. The individual vote only contributes according to the “mouse-piddling-in-the-ocean”-effect, and the result of the election will realistically regarded be the same whether you vote or not and regardless of which party you vote for. Your vote has real importance for the outcome of the election only in a situation where one single vote may balance the power. The probability for this to occur is so low that we for all practical purposes may disregard it.

Often, the rational motive power for voting is the excitement of following the ballot counting so you may “cheer” your party, and this feels more exciting if you have participated at the election. In order to feel that it is “your” party, you have to *like* the party you vote for. You may like a party because its politics may be expected to increase your life-long sum of happiness, or because the party has an ideology corresponding to your own philosophy independent of its politics ability to increase your life-long sum of happiness. It may also be exciting to enter the polling station experiencing something special since elections only take place each second year. Besides, the annoyance of entering the polling station is very low. This is primary self-happy motivation. Participating from the thought that voting is a “citizen's duty” is not rational, but originates from irrational tertiary self-happy motivation.

Some liberalists have claimed that it is legitimate to sell their vote. That is not right. The right to vote is no nature-given right; it is a right, legitimately given by the State, through a contract from you are 18 years of age until death. This right may contain a clause (and usually it is so) stating that you may not sell your vote. If you sell your vote in spite of this clause, you have committed contract breach. The State may legitimately refuse to fulfil some remaining parts of the deal; i.e. you may lose your voting right in the future and/or be imposed punishment.

10.10.1 Why vote for Rational Gaudism?

It is difficult to obtain a good feeling by being supporter of an ideology/politics that you realize to be illegitimate. Therefore, it is a major probability of not voting for a party whose politics you realize to be illegitimate even if you should believe that its politics would give you larger life-long sum of self-happiness than other parties' legitimate politics. Basically, the motive power to make a choice of political party is not the practical politics' assumed influence on your life-long sum of self-happiness, but whether voting for “your” party will give you a good feeling compared to not-voting or voting otherwise (PEM), and this “good feeling” will contribute (a little) to increase your life-long sum of self-happiness. Whether your party's politics is carried out or not is in practice independent of your voting (the mouse is piddling in the ocean). It is probable that Rational Gaudist politics will influence very many people's life-long sum of self-happiness positively, but people, who believe that their lives will not be positively influenced by Rational Gaudist politics, may nevertheless get a good feeling by voting for an ideology that they realize to be legitimate and not illegitimate.

If a party's politics is both legitimate and is expected to influence one's life-long sum of self-happiness positively, the incitement of voting for this party will be even larger. It is reasonable to assume that it is larger probability for finding the politics creating most happiness for most people inside the framework of legitimate politics than by carrying out illegitimate politics. Besides, it is empirically shown that “happiness for most people” increases proportionally with the degree of liberty in the governing politics (se Section 7.4.1).

10.11 The Welfare State

A major reason why today's welfare states have a significant risk of future collapse is to be found in the principle which they are based on, namely "from each according to his ability, to each according to his needs". Based on the fact that man's basic nature is self-happy motivated, the answer to the following question is self-evident: Why should you bother to make efforts to show your best skills when profiting from convincing the keeper of the "money bag" that your abilities are poor? "Needs" means largely "wishes and desires", and these are basically infinite, but the production capacity required to meet the materialized needs / wishes / desires is not unlimited. When other than those having the needs / wants / desires are to pay for the products, the motive power to produce will easily arrive at a significantly lower level than what is required to meet the needs / wants / desires. This becomes more apparent the more explicit the principle of "from each according to his ability, to each according to his needs" is obeyed. Ever increasing compulsory taxes and other regulations are put on the successful, productive, creative and financially prudent individuals and companies to fund benefits to those who act diametrically opposite from prosperously, productively, industriously and rationally (but some people with "non-negative" behavior also receive some funding). Corporations and capital may be outsourced to countries with lower costs. By imposing high, progressive taxes on the highly paid and wealthy, the authorities will avoid dissatisfying the large majority of voters, but the tax rate easily become so high that the State will obtain more funds by lowering the tax rate, which was not enough in the first place.

The above-mentioned remarks will contribute to undermine the motive power for positive actions and civilized behavior both for "high and low" in the society. Today's compulsory welfare states have basically no limit on the amount of taxes which may be imposed, except that voters may be angry if the tax pressure becomes too high. In order to avoid this, the State takes on big loans avoiding defeat in the next election. Fractional reserve banking in combination with a central bank as "lender of last resort" and "printer of fiat money" makes it dangerously easy to borrow money, and increases the likelihood of bubbles in the economy which in turn can bust and cause long-term economic decline. Thus, the State accumulates a huge debt burden that can only be repaid through higher taxes in the future or if the economic growth increases significantly. However, since the motive power for economic growth is undermined (as mentioned above), sooner or later the tax pressure has to be increased, which further undermines the economical growth. This gives a death spiral that easily may end in a collapse like Greece anno 2010.

Rational Gaudism does not have the principle of "from each according to his ability, to each according to his needs" as its base, but is based on the full respect for property rights. In a Rational Gaudist society successful, productive, industrious and economically rational individuals and companies are *not* imposed any compulsory taxes and consequently, the likelihood for this death spiral to occur will be considerably less in a Rational Gaudist society than in a compulsory welfare state. The probability of collapse is further minimized by the fact that Rational Gaudism almost *de facto* prohibits fractional reserve banking, which removes the basis for a central bank in the traditional sense as "lender of last resort" and "printer of fiat money". The contents of the last two sentences imply that it will be almost impossible to finance the State expenses in a Rational Gaudist society by taking on large debts.

A 100% Objectivist society would prohibit the State from engaging in anything but the judiciary system, Police and military defense, and any State support to disadvantaged people will be impossible. Objectivists assume that private charity will generate sufficient funds to help all disadvantaged people. The impetus to engage in private charity is limited since our fundamental human nature is based on self-happy motivation, and therefore, it is highly probable that a system with only private charity will lead to major poverty problems. Therefore, Rational Gaudism is not an opponent of the welfare state, defined as a system where the State has a significant role for the population's welfare, but this has to be funded without compulsory taxation. The State has in fact some unique methods to obtain money without initiating force against anyone (see Section 7.6). By these methods governmental welfare funds will naturally be limited in a Rational Gaudist society, and thus, we will prevent disadvantaged social groups from falling into the "black hole" without driving the society into risk for falling into the abovementioned death spiral.

11. Appendix – Philosophy in general

11.1 Philosophical comparisons. Are you a Rational Gaudist?

Rational Gaudism has significant philosophical overlaps with the philosophies of Epicurus, Aristotle, John Locke, John Stuart Mill, Jeremy Bentham and Karl Popper, and has similarities with Objectivism.

The only absolute requirement for being a political Rational Gaudist is to be a resistor of everything that is denoted as right-violating in this book (i.e. supports every paragraph in the Superior Constitution). Considering the empirical function of the State, there are no absolute requirements for the political points of view that a political Rational Gaudist has to possess, but the argumentation has to follow the reasoning that the individual is to try to use the State in the pursuit of maximization of self-happiness during his life span, and the argumentation has to follow the epistemological and ethical principles of Rational Gaudism. Since the authorities necessarily have to consider influential groups in the society, the non-right-violating points of view ought to be of such a quality that as many individuals as possible maximize their long-term happiness weighted against how strong non-right-violating influence they are able to perform on the State executives. Thus, there will be basis for many parties within a Rational Gaudist framework. Rational Gaudism is “a house” limiting what kind of politics that is legitimate to accomplish in practice. Similarly, a “democracy” is a house where most political parties operate today, but this framework is too wide because a democracy allows violations of the nature-given individual rights if the majority backs it up.

If you are to be a philosophical Rational Gaudist, you have to additionally accept the fundamental thoughts on metaphysics, epistemology, ethics, and the deduction of the nature-given rights of humans and animals.

11.1.1 The differences between Rational Gaudism and Objectivism

The most important differences between Objectivism and Rational Gaudism are as follows:

- 1) *Objectivism* has an axiom stating that each object in the reality has its own nature, its identity, that $A=A$. A lion is a lion both today and tomorrow. It will not transform into a snake tomorrow. *Rational Gaudism* does not regard “ $A=A$ ” as an axiom, but as a hypothesis with a certain degree of insecurity attached depending on the specific object. Nevertheless, *Rational Gaudism* says that most objects have an identity (nature) since we for all practical purposes often may disregard the uncertainty.
- 2) According to *Objectivism*, a human being's life is his ultimate value, while happiness is his highest objective. According to *Rational Gaudism*, the ultimate value of an individual is to maximize the sum of self-happiness during his life span, and this is also the highest objective. *Rational Gaudism* regards it as self-evident that the highest objective has to be to achieve as much as possible of his values. The value standard of *Rational Gaudism* is HDM in addition to careful deduction from the human nature (i.e. the principles in Section 3.1 - 3.4).
- 3) According to *Objectivism*, the individual chooses his values. According to *Rational Gaudism*, only one value exists, and that is perception of happiness – avoiding unhappiness included; ultimately to maximize the sum of self-happiness during his life span. Consequently, the individual human being is predetermined to try to achieve maximum amount of happiness.

- 4) Epistemologically, *Objectivism* seems to mean that “accurate knowledge” is obtained by induction if *the number of observations is large enough and no observations are in opposition*. Basically, the latter is the same as stating that a hypothesis has resisted intense attempts of falsification, which main-stream theory of science calls “a well-founded hypothesis”. It may seem as if *Objectivism* tries to double-cross us to believe that its philosophy is more “accurate” than it really is. The opinion of *Rational Gaudism* is that we theoretically never can obtain 100 % accurate knowledge by induction (unless the potential for observations is finite), but that we may regard absolute certainty as an asymptotic value which the induction process can come close to. *Rational Gaudism* means it is correct to set a context-dependent cut off, and inside its limits we have “accurate knowledge for all practical purposes”.
- 5) The *Objectivist* standard for moral evaluations is that everything promoting the life of the individual as a human being (pro-life) is good, and everything restraining the human life, is evil. *Rational Gaudism* has rational use of HDM in the pursuit of life-long maximization of self-happiness as the standard for the evaluation of good and evil. It also uses deductions from the nature of HDM and from the human nature (e.g. life-elongating actions); the latter as a tool for producing hypotheses that may have to show their justification by resisting attempts of future dethronement (i.e. the principles in Section 3.1 - 3.4).
- 6) *Objectivism* uses the concept “egoism” where *Rational Gaudism* uses the concept “self-happy motivation”. *Rational Gaudism* considers this to be an inappropriate use of the word “egoism” since it is not in accordance with the general understanding of the concept. *Rational Gaudism* defines the word “egoism” in its usual negative meaning (see Section 3.6 and chapter 12). The *Objectivist* term “egoism” is an ethical concept; the corresponding *Rational Gaudist* term “self-happy motivation” is a concept on the fundamental human nature.
- 7) *Objectivism* differentiates between altruism and egoism, and considers altruism to be negative and “rational egoism” to be positive. Moreover, *Objectivism* counts some altruism (irrational TEM actions) for “rational egoism” with the objective of creating a functioning society without initiating governmental force (see Section 10.9). *Rational Gaudism* considers all human actions to be self-happy-motivated even if the specific action may seem otherwise, and that altruism does not exist in the world of reality, but only as an ideal in some humans' consciousnesses. It regards “altruism” as irrational TEM, SEM (eventually PEM) actions. In contrast to *Objectivism*, *Rational Gaudism* manages to create a society without initiation of governmental force against the individuals and without being dependent on irrational TEM actions.
- 8) According to *Objectivism*, conflicts of interest do not exist between rational egoists. According to *Rational Gaudism*, conflicts of interest may naturally exist between people acting from rational self-happy motivation, and it is the task of the State to create laws and mechanisms for punishment ensuring that a rational action pattern does not imply right-violating actions.
- 9) According to *Objectivism*, right-violating actions will be immoral independent of State punishment against such actions. According to *Rational Gaudism*, a very important reason for the immorality of right-violating actions lays in the punishment from the State.
- 10) The *Objectivist* basis is that the individual human being, according to his nature, has to perform rational actions in order to survive, and thereof follows the *right to life*, and the other nature-given rights are deduced from this. According to *Rational Gaudism* perception of happiness is the only value in the Universe (see Section 2.2.2.2). All collections of atoms having the ability to perceive happiness/unhappiness possess the right to pursue happiness according to their fundamental nature. A collection of atoms lacking the ability to perceive happiness and unhappiness does not have any rights whatsoever. Other nature-given rights for humans and animals are deduced from this.

- 11) Most *Objectivists* seem to have the opinion that the “nature-given rights” are individual rights which the individual may claim from the State; these rights are given by the State and not by nature. If the State does not exist, neither do the nature-given rights. *Rational Gaudism* states that the *right to liberty* fundamentally is a legitimate license given/implicit by nature, which is implicitly innate and inherent in the individual. This right exists independently of the State and is not given by the State. Other rights are only logical consequences of the *right to liberty*, and the State has to respect these if its jurisprudence is to be legitimate (these corollaries are also called *nature-given rights* since they are logical consequences of a directly nature-given right). The State is obliged to defend the nature-given rights, and in a larger social context they have insignificant value without such defense.
- 12) According to *Objectivism*, animals do not have rights irrespective of their superiority. If a man tethers his dog in his garden and tortures it severely, he does not violate any rights. In contrast, it would be a violation of the man's *property right* (over his dog) if the Police or the public were to use force in order to stop the maltreatment. Nevertheless, most Objectivists consider this kind of torture as immoral. *Rational Gaudism* states that the animals have the right to act in accordance with their fundamental nature (instincts) at the same level as humans have the *right to liberty* to use the animals. Humans have the right to keep animals in custody (animals do not have the *right to liberty* and *life*) and kill to them, but the State is obliged to prevent humans from violating the fundamental instincts of the animals.
- 13) According to *Objectivism*, the State is obliged to defend the nature-given individual rights by military defense, Police and administration of justice. These are the only legitimate tasks of the State, and the State is not allowed to take on other tasks whatsoever. *Rational Gaudism* also states that the State is obliged to defend the nature-given rights of the individuals by military defense, Police and administration of justice. Additionally, the State may engage in whatever tasks as long as it does not violate the nature-given rights of the individuals, included that no compulsory taxation is acceptable.
- 14) According to *Objectivism*, the biological parents are obliged to maintain their children through a “contract” that is signed by their voluntary sexual intercourse and the fact that the mother did not take abortion or the regret pill. The nature-given rights of the children are to be fulfilled by the parents without any economic contribution from the State, elementary education included. According to *Rational Gaudism*, a person becomes a parent and acquires duties and rights by carrying through the pregnancy or by signing a contract accepting to be a parent. The State is obliged to defend the children's nature-given rights, i.e. to ensure that the parents fulfill the children's fundamental needs. The State ought to fund many of the children's needs (without performing right-violating taxation).
- 15) Probably, *Objectivism* does not consider all “psychical force” in the *Rational Gaudist* sense to be right-violating (see Section 4.1.1 and 10.4).
- 16) According to *Objectivism*, *property right* to a non-owned and untouched land area arises when somebody initiates the use of the area without regard to if the area is processed away from the natural state or not. Considered *Rational Gaudistly*, *property right* arises when the land area is processed away from the natural state into a state of increased usability. If the use of the land area is initiated without processing it as described, *right to use* is established, but not *property right* (see Section 5.1 and 5.2). A similar principle is valid for natural resources.
- 17) *Objectivism* states that the principle for punishment is proportionality with the damaging power of the crime in order to revenge the crime, and this principle is used because of justice towards the victims. *Objectivism* is principally supporter of death penalty. *Rational Gaudism* means that the State has to prevent the criminals from misusing their freedom in the future. The punishment is to be given proportionally with the seriousness of the crime and the risk of reiteration, but the revenge motif is unacceptable. *Rational Gaudism* is under all normal circumstances opposed to death penalty.

- 18) The principles of *Objectivism* oppose laws against child labor, while *Rational Gaudist* principles do not exclude such laws.
- 19) *Objectivists* believe that a woman should have the unlimited right to abortion until the child has left her body (usually the 40th week of pregnancy). According to *Rational Gaudism* women have the unlimited right to abortion up to the time when the first seeds of consciousness turns on in the child, i.e. until the end of 28th week of pregnancy. After this time point the embryo has the *right to life*.
- 20) *Objectivism* supports completely free immigration (except for immigrants who are criminals or have highly contagious diseases). *Rational Gaudism* is also positive on immigration, but its basic principles imply sensible collective and individual restrictions.

11.1.1.1 Objectivism and "the legitimate tasks of the State"

The Objectivists claim that the only legitimate tasks of the State is administration of justice, Police and military defense. Regarded from the point of view of Rational Gaudism the General Constitution may contain paragraphs stating that the State only is to take on tasks within administration of justice, Police and military defense – and then it will be illegitimate for the State to engage in other tasks (see also point 13 above). But it is not illegitimate to have a Constitution stating that the State may engage in other tasks provided that the State does not violate nature-given rights when carrying out or funding the tasks. Regarded from an Objectivist point of view this ought not be illegitimate since this philosophy also claims an action to be illegitimate if and only if it violates other individuals' nature-given rights. But in spite of this, the Objectivists claim the only legitimate tasks of the State to be administration of justice, Police and military defense. Here is a logical inconsistency in Objectivism. The Objectivists may very well adopt the hypothesis that it is unwise for the State to take on other tasks, but that this is directly illegitimate, is logically inconsistent. According to Objectivism, the State may not engage in other tasks than administration of justice, Police and military defense since the State otherwise would risk arriving in a “horse-guarding-the-oat-sack” situation by being both a judge and a party in a court trial. But it is impossible to have a categorical principle stating that the State never is to be part in a trial since the State has to enter into contracts on employment and contracts on purchase of e.g. police- and military equipment. Rational Gaudism makes maximum efforts to make the judicial power optimally independent of the executive and the legislative power by letting none of the two last mentioned employ judges in the judicial system. If it still is regarded as problematic to have the State as a party to lawsuits, a law may be introduced stating that such proceedings may be settled in a court of another legitimate state, if the counterparty wants so, but with the State's own law as the legal basis (this presupposes an agreement with the other state on the application of this law).

11.2 Why should I care about Philosophy?

When a spacecraft is to be sent on a mission to Mars, accurate calculations are absolutely necessary. The mathematical formulas of Kepler, Newton, and Einstein are prerequisites for reaching the right place to the right time. Without the predictions contained in these formulas we had never managed to send spacecrafts to other planets. Similarly, philosophy is a “formula” in the pursuit of the ultimate value, namely maximization of the sum of self-happiness during the life span. Ethics is supposed to discover guidelines that I may use for choosing actions in the pursuit of the ultimate value given the existing reality at each time point. Therefore, in order to achieve maximum success I have to maximize my knowledge of the reality. Epistemology expresses the basic principles for pursuing knowledge of the reality, and besides, it is a tool for developing the basic principles of ethics and politics. Politics is the branch of philosophy being occupied with how I legitimately may use other humans (and animals) and groups thereof (including the State) in the pursuit of my ultimate value.

12. Appendix – Definitions

Abortion	The termination of a pregnancy after, accompanied by, resulting in, or closely followed by the death of the embryo.
Aesthetics	Part of the philosophy that is occupied with discovering and defining norms and principles for beauty.
Altruism	Action pattern where the purpose is to create happiness for others without considering self-happiness.
Anarchist	A supporter of a utopian society of individuals living in complete freedom without governmental authority.
Anarchy	A state of lawlessness or political disorder because of absence of governmental authority.
Auxiliary hypothesis	A hypothesis that another hypothesis (main hypothesis) depends on in order to provide its statement.
Axiom	Basic truth that is absolutely unavoidable if further epistemological progression is not to become meaningless / indeterminate and that all further knowledge acquisition has to build on.
Boson	Particle (as a photon or meson) whose spin is zero or an integral number. Fundamental physical particle that causes physical forces (electromagnetism, nuclear forces, mass).
Charity	Generosity and kindness towards poor and needy people.
Child Treaty *	A contract between the mother and the father where the father accepts to take on half of the parental responsibility for the child.
Compulsory taxation	Taxation involving <i>initiation</i> of force.
Concept	An abstract idea created by the consciousness from the similarities of two or more sense perceptions.
Consciousness	<i>Generally:</i> The sum of functions in a neural network resulting in independent perception of happiness/unhappiness. <i>For known biological species:</i> The sum of all biological functions in the nerve system that makes an organism perceive happiness/unhappiness. Such functions may be sense perceptions, remembering, choice of action and thinking. What functions to use depends on the degree of evolution of the consciousness. The input of the consciousness always starts directly or indirectly with sense perceptions. An organism that is able to record perceptions from the surroundings, but does not possess the ability to record happiness/unhappiness, does not have a consciousness.

Constitution	A fundamental law describing the principles on how to govern a country and which sets fundamental limitations for the legitimacy of all other laws.
Contract (deal)	A binding agreement between persons, organizations, companies, states etc. where two or more parties renounce some <i>right to liberty</i> in order to create significantly more values than complete freedom would have provided.
Contractual freedom	The right to voluntarily renounce some nature-given liberty in the individual pursuit of gaining more happiness in the life-long perspective than complete nature-given liberty is expected to yield as long as the similar right of others or other nature-given rights are not violated.
<i>De-facto-falsification</i> *	Weakening of a hypothesis through a scientific process making its well-foundedness fall below a low threshold, which is regarded as the limit for deserving serious scientific consideration, and at the same time it is very unlikely that this threshold may be exceeded by further scientific efforts.
Dead-end hypothesis*	A hypothesis of action which has non-improbable fatal consequences.
Deduction	Inference in which the conclusion about particulars follows necessarily from general or universal premises.
Defamation	A statement that without legitimate reason exposes another person for public contempt.
Deism	The belief in a God who created the universe and then abandoned it, assuming no control over life, exerting no influence on natural phenomena, and giving no supernatural revelation.
Democracy	Governmental system where the highest power is based in the people and executed by them directly or indirectly through a system of representatives who are elected periodically in free elections. The majority rules and may basically govern unlimited against the minority unless the power of the majority is limited by a constitution.
Determinism	The idea that the human consciousness does not possess the ability to choose between different alternatives of action.
Egoism	Action pattern that often includes many egoistic actions.
Egoist	A person who often performs egoistic actions.

Egoistic action	Action where the purpose obviously is to create happiness for the performer, but at the same time there is large probability for significant negative consequences for other people or happiness-perceiving animals.
Emigration	Leaving one's place of residence or country to live elsewhere.
Epistemology	The study of how to acquire knowledge.
Ethics	The branch of philosophy that is occupied with discovering and defining moral values.
Evolution	Process of continuous alteration from a lower, simpler or worse to a higher, more complex or better stadium.
Fatal consequence *	A possible consequence from a hypothesis of action that will exclude testing of alternative hypotheses in the future if the consequence really occurs.
Fermion	A particle (as an electron, proton, or neutron) whose spin quantum number is an odd multiple of $\frac{1}{2}$. Building block for all usual matter. There exist 12 elementary fermions, 6 quarks and 6 leptons.
Free enterprise	The right to run one's enterprise as long as one does not violate the similar right of others or other nature-given rights or their logical consequences.
Free will	A consciousness' ability to choose between different alternatives of action.
Freedom of speech	The right to express one's opinion as long as one does not violate the similar right of others or other nature-given rights or any logical consequence thereof.
Fundamental nature of a being	The fundamental qualities used by a being's <i>consciousness</i> in the pursuit of its <i>values</i> (happiness).
General preventive effect	Deterring effect upon potential criminals by their observing harsh punishment for crimes already committed by others.
Happiness	Profit of the feelings. Each feeling is measured by degrees of happiness.
Hypothesis	A statement (often general), which has some uncertainty attached, about a phenomenon or an object, and which is induced from more certain individual observations (or individual sense perceptions), plus possibly auxiliary hypotheses.

Hypothetical-deductive method (HDM)	The hypothetical-deductive method is fundamentally regarded based on a number of individual observations. Then we induce a hypothesis in order to give an explanation of the phenomenon ("Ding an sich") which the observed data are exemplifications of. The next step is to deduce logical consequences from this hypothesis. Then we carry out experiments to observe if these consequences really occur. If so, the hypothesis is strengthened. Otherwise the hypothesis is falsified.
Induction	Process where an abstract conception about the general case is produced from knowledge of a series of single observations.
Instinct	A genetically based signal that works as a motive power to a specific action without the use of rationality or education.
Integrity	Strict devotion to a set of moral rules.
Intersubjective	Observed from the point of view of the average of many individual consciousnesses.
Intersubjective knowledge	Knowledge that originates from the average of many individual consciousnesses.
Irrational action	An action that is based on <i>inferior</i> thinking.
Jurisprudence	Branch of philosophy that is essentially occupied with detecting the philosophical basis for claiming that certain permissions, prohibitions, decisions or actions are not to be rejected/hindered in their pursuit of values.
Legitimacy (in the jurisprudential sense)	The philosophical basis for claiming that certain permissions, prohibitions, decisions or actions are not to be rejected/hindered in their pursuit of values. A permission/prohibition/decision/action is legitimate if it is given / carried out without violating already legitimately assigned permissions/prohibitions/decisions, and is not legitimate (illegitimate) if it violates a legitimate permission/prohibition/decision.
Level of happiness *	The sum of the predisposing determinants that is present as the basis for perceiving happiness and unhappiness.
Liberty	Condition where beings with free will live in absence of initiation of force from other beings with free will.
Life-elongating action *	Action that contributes to sustain and extend the life of the performer of the action.

Metaphysics	The part of philosophy that studies the fundamental nature of reality that cannot be detected by observation or scientific methods.
Monopoly	Company that operates in the market without competition.
Moral	Set of norms and principles for the guiding of human actions.
“Mouse-piddling-in-the ocean”-action *	Action that has positive primary happiness effects for n humans included the performer of the action, but the performer only perceives 1/n of the happiness effect himself.
National	A member of a given State.
Natural compulsion	Conditions in the nature that make certain consequences and corresponding probabilities strongly advantageous for choosing a specific alternative of action.
Natural monopoly	Company without competition in an industry where the quality of the physical conditions <i>de-facto</i> gives absence of fear for new competitors to enter the market.
Nature	The collection of all elements in the Universe without free will that have not been created by elements with free will.
Nature-given right	A permission (power, license) to which an object is legitimately assigned by nature in the pursuit of its values both through the fundamental, inherent nature of the object and through external natural resources; corollaries to such directly nature-given rights are also included in the concept.
Nature-given rights of a child	The right to pursue happiness, potential right to liberty and the right to parents (“the right to life” included).
Nature-given rights of an animal	The right to follow its fundamental instincts.
Nature-given rights of the individual	The right to pursue happiness, right to liberty, right to life and all logical consequences thereof.
Non-Science	The choosing of an explanatory model of a ‘Ding an sich’ issue when there are alternative hypotheses being significantly more well-founded in this respect or reluctance against serious attempts to dethrone the most well-founded hypotheses.

Objective	Observed from the reality (the outer reality) and not from the consciousness of a human being.
Objective concept	Concept whose content does not give room for subjective interpretations.
Objective knowledge	Knowledge of the reality that is independent of the human consciousness.
Objectivism	The philosophical system created by Ayn Rand.
Organization	A collection of humans (or other rational elements) where each single element tries to create significantly more values by attending the unit than what they expect to accomplish by standing alone. The collection is governed by decisions that are made in agreement with its constitution (statutes).
Parent	An adult who has taken on the responsibility to be a leader for the child in order to develop its inborn rational genetic potential into an adult human being who is able to use the right to liberty for maximizing self-happiness.
Parental responsibility	Obligation to develop the inherent rational potential of the child through maintenance, care, natural biological development (health), upbringing, and fundamental education.
PEM action *	Abbreviation for “primary self-happy-motivated action”.
Perception of happiness *	The happiness that is perceived when moving from one level of happiness to another.
PFR *	Sense of duty for actions that historically and beyond reasonable doubt have been proven to be very rational.
Philosophy	Subject studying the fundamental qualities of the reality, the humans and the relations between the humans and the reality. With this as its basis, philosophy advices humans on how to live.
PMI *	Sense of duty for actions that historically and beyond reasonable doubt have been proven to be irrational.
Praxiology	The study of purposeful human action (not reflexive or unintentional behavior).
Predisposing determinant *	An element in the reality that influences the consciousness' choices of action.

Predisposing determinism *	The power of influence that (elements in) the reality possesses on a consciousness' choices of action.
Primary self-happy-motivated action *	Action that gives the performer direct self-happiness as a consequence of the action.
Proletariat	The class of industrial workers who lacks their own tools of production and therefore have to sell their labor force for their living.
Property right	The right to acquire property and to dispose this property as long as the owner does not violate the similar right of others or violates other nature-given rights or any logical consequences thereof.
Prostitution	Performance of sexual services in exchange for money.
Psychical force *	The use of non-physical activity for preventing a human being from using his rational abilities during a choice of action. This includes all forms of non-physical activity <i>directly</i> addressed against another individual which this individual clearly has marked that he does not accept or which the performer ought to know that he would not accept , and which this individual has to do something actively to avoid (e.g. threats of physical violence, screaming, scolding, roaring, sharp tone, defamation). This also includes swindle, contract breach and significantly perilous activities which, alone or as a participant in a sum, inflict other human beings with well-founded fear for manifestation of physical right violations even if such violations do not appear in practice.
Rational action	An action that is based on <i>good</i> thinking.
Rational being	Being which has the ability to process the sense perceptions by logical thinking in order to choose to perform actions so the being can influence its own destiny through technological evolution and thereby liberate itself from its natural instincts.
Rational element *	An element that functions as an independent juridical unit (e.g. a human being, organization, company, State).
Rational ethics *	The process for choices of action described in the sections 3.1 – 3.4.
Rational TEM action *	A TEM action that has a virtue, PMI or PFR as its sense of duty.
Rationality	The ability to process the sense perceptions by logical thinking.

Religion	The faith in a god or another supernatural being, worshipping and serving for this god in addition to explanation of natural phenomena and social relationships from the powers of the god.
Right	Permission to which an object is legitimately assigned in order to pursue its values. Since the permission is legitimately assigned, nobody may legitimately remove the right except possibly the donor (if an appropriate clause is included in the right) or the recipient of the right. The assignment of the right occurs by providing powers (tools) or liberties for realizing the values. The State is obliged to ensure that rights are not violated by other humans or the State itself.
Right to life	The right to perform those actions needed for sustaining life as long as one does not violate the similar right of others or other nature-given rights or their logical consequences.
Right to liberty	The right to think up and to choose to perform those actions which are necessary in the pursuit of maximization of self-happiness during the life span as long as one does not violate the similar right of others or other nature-given rights or their logical consequences.
Right to organize	The right to join organizations together with others and to manage the organization in such a way that one does not violate the similar right of others or other nature-given rights or their logical consequences.
Right to parents	A legitimate claim that children have on their biological parents (or others who have adopted this function) to take care of the child according to the definition of a parent.
Right to use	The right to continue an initiated use as long as one does not violate the similar right of others or other nature-given rights or their logical consequences.
Right violation	Preventing an object from executing or receiving its rights.
Science	The process pursuing to estimate 'Ding an sich' of the reality with maximum accuracy, i.e. pursuing to identify the most well-founded hypotheses ('Ding für mich') to give answers on 'Ding an sich'-questions with fundament in observations in a process where such hypotheses are exposed to constant and maximum intense and sincere attempts of dethronement.
Secondary self-happy-motivated action *	Action that primarily creates perception of happiness for another human being and where the motive power is not to make this person happy, but to receive positive feed-backs from this person or from others observing the action.

Self-happy motivation *	Motivation for action based on creating happiness and avoiding unhappiness for the performer.
Self-happy-motivated action *	Action that is motivated by the desire of creating happiness and/or avoid unhappiness for the performer.
Self-picture	Thoughts in a person's consciousness on how he wants to regard himself and that give him positive feed-backs when he meets these expectations.
SEM action *	Abbreviation for “secondary self-happy-motivated action”.
Subjective	Dependent on the consciousness of the observing subject.
Subjective concept	Concept whose content gives substantial room for subjective interpretations.
Subjective knowledge	Knowledge that depends on the consciousness of the observing subject.
Superior Constitution *	Constitution deduced from the fundamental human (and animal) nature and that may not be legitimately changed by human resolutions.
TEM action *	Abbreviation for “tertiary self-happy-motivated action”.
Tertiary self-happy-motivated action *	Action that is not expected to give perception of happiness for the performer as a direct consequence of the action or by feed-backs from others, but its motive power is the expectation of feed-backs from the self-picture in his own consciousness.
Theory	Hypothesis that extraordinarily has resisted intense attempts of rejection. The promotion of a hypothesis into a theory is subjected to intersubjective judgments. Usually, a hypothesis is declared as a theory when most of the research community accepts it as a sufficiently probable explanation and useful tool for making predictions.
Torture	Physical and psychical violence entailing extreme pain or extreme unhappiness often carried out in order to procure information or confessions.
Totalitarian society	Society where most of the private sphere of interest has been made into a State matter.
Ultimate value	The final objective to which all other objectives are means.

Value	What a consciousness wants to achieve.
Value standard	Guideline that is to guide a person's choices of action in the pursuit of the ultimate value.
Violence	A concept that describes aggressive actions intended to cause harm, pain or humiliation.
Virtue	A fundamental human quality that is necessary in order to reach the ultimate value.

* **Words specifically constructed or defined for Rational Gaudism.**

Rational Gaudism© 2nd April 2020 by Sverre-Henning Brorson

xyzshb@cheerful.com

(First published version: 2nd September 2013)