

RAND PAUL: PARENTS “OWN” THEIR CHILDREN, WHO HAVE NO RIGHTS

In a recent interview (Feb 2, 2015), Senator Rand Paul (R-KY) unsuccessfully tried to temper some of his bizarre remarks about the “alleged” horrors of vaccination by claiming that he only opposes vaccine mandates because they infringe upon “parents’ freedom”. After mistakenly asserting that vaccinations have resulted in hundreds of cases of child brain damage and mental illness (currently refuted by a dozen scientifically accepted studies over the past ten years), he ran out and got himself a supplementary measles vaccination. When confronted with the question about his discouraging vaccination is a threat to public health, Paul launched into a meandering conversation on public health and liberty, concluding with the assertion that the government cannot force vaccinations on children because, “The state doesn’t own your children; parents own the children.” In fact, under normative American law, parents do not “own” their children, but have a familial relationship with their children, requiring them to fully care for them until they reach adult age. Children are never “owned”, as possessions or property, but are considered minor wards of the parents, without any monetary or property value, as the term “ownership” implies. Children, in fact, have their own rights as a protected class, which in some cases exceed the rights of adults.

Rand Paul’s bizarre rendering of the parent-child relationship as unilateral ownership is yet another unhinged screed libertarians believe about children. In fact, libertarians exhibit a historic inability to adequately explain how parents should relate to their children; why parents are obligated (if at all) to care for their children; and whether or not nations should protect children and require that parents should provide basic care for their children at all.

Lew Rockwell, was former congressional chief of staff for Rand’s father, Ron Paul. Rockwell, who may or may not have had a hand in composing infamously racist and homophobic slew of newsletters sent out to Ron Paul fans between the late '70s to early '90s, is a professed fan of child labor. Complaining of laws that prevent, among other things, second-graders from operating forklifts, Rockwell opines that, “We are still saddled with anti-work laws that stunt young people’s lives.” Like Rand Paul on vaccine mandates, Rockwell sees child labor laws as government overreach and unnecessary regulation. “In a free and decent society, decisions about these matters are for parents, not bureaucrats,” Rockwell writes, referring to whether or not schoolchildren should be workers. The type of society Rockwell envisions here hardly seems “decent,” but it would certainly be “free” in the way Rand Paul imagines: perfectly libertarian.

Rockwell’s mentor, Murray Rothbard, one of the twentieth century’s more infamous libertarians, was similarly fond of kids in the workplace. Rothbard imagined that laws against child labor were passed in order to artificially inflate the wages of adults, who saw children as competition, capable of underbidding them. “Supposedly ‘humanitarian’ child labor laws,” Rothbard remarks in his book *The Ethics of*

Liberty, “have systematically and forcibly prevented children from entering the labor force, thereby privileging their adult competitors.” While the real impetus behind child labor laws was child welfare and safety, it is telling that Rothbard tended to look upon kids with a suspicious eye, and his ethics bear out this cold approach. In *The Ethics of Liberty*, Rothbard, in keeping with the libertarian exaltation of total personal freedom, argues that, “No man can therefore have a ‘right’ to compel someone to do a positive act,” that is, because all people are free, and by his account, your rights cannot impose even positive actions on others. This means that a parent, “...may not murder or mutilate his child, and the law properly outlaws a parent from doing so. But the parent should have the legal right not to feed the child, i.e., to allow it to die. The law, therefore, may not properly compel the parent to feed a child or to keep it alive.” To do so, according to true libertarians, would be government overreach.

Such dark fantasies are not restricted to the weird world of libertarian academia. Williamson “Wild Bill” Evers, formerly a libertarian candidate for Congress and advisor to the McCain 2008 campaign, also argues that there should be no laws preventing a parent from, say, starving an infant to death. In an article published in the *Journal of Libertarian Studies*, Evers concluded, “We have considered the hypothesis that there should be an enforced legal duty of parents to support their minor children. Having found the various reasons advanced in support of this duty inadequate, we can only conclude that no such duty exists ... one has to regard the notion of a legal duty of parents to support their children as without merit.” Evers allows that parents might be morally obligated to do something for their children, but also that morals should not be legally enforced. Therefore, vaccination, labor, and finally whether or not to give one’s children the necessities of life ultimately comes down, for these classic libertarian thinkers, to the “free will” of the parents. The rights of children apparently do not matter in this dystopian viewpoint.

Libertarianism rests on the notion that all people are isolated, entirely free agents with no claims on others except those that they can negotiate through consensual contracts. Yet, the very existence of children flatly disproves this; any moral consideration, and under American law, indicates that children come into the world with distinct claims on their parents, and upon the society in which they live. To avoid a hellish death spiral of preventable infectious disease and a world of endorsed parental and social neglect, we must reject Ron Paul and his fellow libertarian travelers on the subject of child rearing.