

Rights... and what is right?

<https://ari.aynrand.org/issues/government-and-business/individual-rights>

NOTE: When reading the following one might wish to substitute the word person or people or, more generally, human in place of man or men...

Recalling what Ayn Rand had to say on the topic of rights:

(1) A “right” is a moral principle defining and sanctioning a man’s freedom of action in a social context.

(2) Any alleged “right” of one man, which necessitates the violation of the rights of another, is not and cannot be a right.

[The same rights are held, individually, by all people, at all times. Therefore, according to the law of non-contradiction, the rights of one person cannot violate the rights of another. Nor can some claim to a group’s rights violate the rights of another single person outside said group. The only valid group which can claim a specific right is the human race as a whole, and every individual within it.]

(3) There is only one fundamental right (all the others are its consequences or corollaries): a man’s right to his own life.

(4) The right to life is the source of all rights — and the right to property is their only implementation. Without property rights, no other rights are possible. Since man has to sustain his life by his own effort, the man who has no right to the product of his effort has no means to sustain his life.

(5) The man who produces while others dispose of his product is a slave. If some men are entitled *by right* to the products of the work of others, it means that those others are deprived of rights and condemned to slave labor.

(6) The concept of a “right” pertains only to action — specifically, to freedom of action. It means freedom from physical compulsion, coercion or interference by other men.

(7) A civilized society is one in which physical force is banned from human relationships — in which the government, acting as a policeman, may use force *only* in retaliation and *only* against those who initiate its use.

(8) To violate man’s rights means to compel him to act against his own judgment, or to expropriate his values. Basically, there is only one way to do it: by the use of physical force. **There are two potential violators of man’s rights: the criminals and the government.**

The great achievement of the United States was to draw a distinction between these two — by forbidding to the second the legalized version of the activities of the first.

With Ayn Rand’s points in mind let us now explore some features of the founders’ vision of U.S. government and its Declaration of Independence and Constitution.

The **Declaration of Independence** begins by stating a very simple concept about RIGHTS, and I quote, “We hold these **TRUTHS** to be self-evident, that all men are created equal, that they are endowed by their Creator [however you may wish to view it] with **certain UNALIENABLE Rights**, that **among these are** Life, Liberty and the pursuit of Happiness [but not anything under the sun], that to **SECURE** these rights [even if not always successfully], Governments are instituted among Men, deriving their **just powers** from *the consent of the governed*, that whenever any Form of Government **BECOMES DESTRUCTIVE** [as governments most often do] of these ends, it is the **Right of the People** to alter or to

abolish it, and to institute new Government, laying its foundation on such principles and **organizing its powers** in such form, as to them shall seem most likely **to EFFECT their Safety and Happiness.**”

It does not really matter who crafted these words. What matters are the **IDEAS** conveyed, which is simply that there are RIGHTS which society, **and its individuals**, recognizes as a WHOLE and which GOVERNMENT, or other subsets within a society at large, can NOT ignore or sweep under the rug or what have you (yet many often attempt to do so).

Many seem to think their intellect is superior to that of most of their peers and they alone should derive or dictate what is right and what is wrong, what should be allowed and what should be outlawed, etc. That is NOT the case. When people behave in this manner I find it very frustrating that someone with superior intellect can be so crass and repugnant to others.

As for the RIGHTS topic itself... First off what are **UNALIENABLE Rights**, as stated above (...**certain UNALIENABLE Rights**, that among these are Life, Liberty and the pursuit of Happiness...)?

These are rights that can NOT be ignored or taken away by anyone or by society as a whole. Even if you kill someone or put them to death THEY STILL HAVE OR HAD THE RIGHT TO LIFE. Even if you decide to abort a fetus that fetus still HAS OR HAD THE RIGHT TO LIFE. When a judge and/or jury condemn a criminal to death it is usually because that criminal violated some “universally preferable behavior” (UPB) or someone's RIGHT TO LIFE by taking away the **UNALIENABLE Right** of another person. It then becomes a domino effect. Person (A) violates person (B's) **UNALIENABLE Right** to LIFE and then persons (C), (D) and (E) ...the judge and jury... do likewise. They violate/nullify person (A's) **UNALIENABLE Right** to LIFE by executing them also... and by so doing they make sure that person (A) will never attempt to violate/nullify another person's **UNALIENABLE Right** to LIFE again... even though THEY may violate the rights of others themselves in the process, due to the LAW somehow allowing them to ignore or, case by case, override this **UNALIENABLE Right** to LIFE. But, just because the LAW and its conclusions or actions treads on said **UNALIENABLE Right** to LIFE, that does NOT mean said **UNALIENABLE Right** did not or does not exist. Everyone in society has that **UNALIENABLE Right** and nearly everyone is repulsed by someone else attempting to ignore it or to violate it via their own lack of UPB.

Likewise, while some might claim that a fetus has no **UNALIENABLE Right** to LIFE and that the mother (keeping in mind what Rand stated...(2) Any alleged “right” of one man, which necessitates the violation of the rights of another, is not and cannot be a right.) or the state has a “right” to ignore the fetus's **UNALIENABLE Right** to LIFE, which they do millions of times each year on this planet, this does not or did not mean the fetus no longer has or had said **UNALIENABLE Right** to LIFE. What it means is that abortion has somehow been granted as some sort of perverted UPB... although it is difficult to argue that abortion is somehow “preferable” to sustaining life itself. It is not that **UNALIENABLE Rights** do not exist or that they should be ignored, as many might suggest. It simply means that we humans... many of us who are BULLIES and/or immoral or morally corrupted cads... are NOT INTERESTED in recognizing the RIGHTS which all people/beings have, such as the **UNALIENABLE Right** to LIFE, the RIGHT to LIBERTY, and the RIGHT to the PURSUIT of HAPPINESS.

And we, everyone, have other RIGHTS as well... which are expressed in the clause AMONG THESE ARE. The three (3) **UNALIENABLE Rights** directly expressed above are not the only **UNALIENABLE Rights** we all have. There are many more... many of which are expressed in our actual Constitution and our Bill of Rights; such as the RIGHT to create a **JUST form of government** which will provide us with the RIGHT to security from those BULLIES who would project evil and harm upon us; and the RIGHTS to think and to express ourselves or the RIGHT (because we think) to have a belief in a "god", or not, without said government or some other group of people dictating otherwise to us; and the RIGHT to own things or property we earn or deserve; and the RIGHT of the people (each other) to be secure in their persons, houses, papers, and effects (our property which we deserve to have and own/control) without said government or some other group of people dictating otherwise to us.

We have these RIGHTS and these RIGHTS have attributes which are recognizable; no matter what your feelings on the topic might be. RIGHTS, as moral concepts, do exist (as UPBs or otherwise); they are not necessarily limited (to UPBs or otherwise) and they do have definable attributes (they support our life, they give us freedom to thrive, they allow us to grow, share and learn, etc.). And one of those ATTRIBUTES is that TRUE or **UNALIENABLE Rights** do NOT infringe on the RIGHTS of others – my right to LIFE will not undermine your right to LIFE, my right to SEEK fulfillment or happiness will not undermine your right to SEEK fulfillment or happiness, my right to remain free or LIBERATED will not undermine your right to said LIBERTY as well – which is expressed very well, via such ATTRIBUTES as those listed by Ayn Rand on the topic of rights as outlined prior to this essay of mine as well. Thus, any alleged “right” of one man, which necessitates the violation of the rights of another, is not and cannot be an **UNALIENABLE Right**. [The same rights are held, individually, by all people, at all times. Therefore, according to the law of non-contradiction, the rights of one person cannot violate the rights of another.]

So, when someone claims a certain right, such as the right of a single person or group of persons, such as a female or all females, to abort a fetus, put it to the acid test. Are they claiming a false right at the expense of violating a true right of another human being? If so it is just that: a false right.

END OF STORY.