

READ US OUR RIGHTS

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One of the most important and fundamental principles of government involves a question of origins—not the origin of the species, but the origin of rights. It is difficult to discuss any aspect of government without addressing some question about rights. The Stanford Encyclopedia of Philosophy insightfully explains the importance and centrality of our understanding of rights:

“Rights dominate most modern understandings of what actions are proper and which institutions are just. Rights structure the forms of our governments, the contents of our laws, and the shape of morality as we perceive it. To accept a set of rights is to approve a distribution of freedom and authority, and so to endorse a certain view of what may, must, and must not be done.”¹

I would be hard-pressed to think of a single political or economic controversy that does not have a dispute about the origin and definition of rights at its core. Banking crises, health care reform, trials for terrorists, abortion, unemployment, and overseas military policies are all questions about the source and definition of rights. A proper understanding of rights is the principle that underlies each of these issues.

The eighteenth-century American understanding of rights was a powerful limitation on the size and scope of civil government. Those who have wanted to expand the role of government have found that they must alter the historic American understanding of rights—and they have now been doing this gradually, but successfully, for most of two centuries. This alteration of America’s founding view of rights can come in two forms: one by changing the understanding of the source of the rights, and the other by changing the definition of rights.

The source of rights

First, let’s look at the debate over the source of rights. Those who desire the expansion of government authority must necessarily reduce individual authority. The spheres of government authority and individual authority are proportional inverses—as one increases, the other must decrease. We might say that the rights of an individual define the boundaries of individual authority: whatever I have the right to do, I also have the authority to do. If, therefore, an individual has the authority to take (or not take) some action, legitimate government is restrained from interfering with this individual authority. Government authority is limited by this individual authority.

Those who want to reduce the size and scope of individual rights may attempt to alter the nature of rights by changing them from absolute, inalienable things to relative, negotiable things. This is where the question of origins becomes relevant. If man is the source of rights, then rights are relative and negotiable, but if they have a divine origin, then they are fixed and non-negotiable.

The Declaration of Independence clearly states the “self-evident” assumption of our nation’s leaders that rights come from the Creator God:

“We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness.”²

Here is where the creation/evolution debate begins to impact the foundation for all thought regarding government.

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If evolution is true and there is no creator and no God, then man is nothing more than one of the more highly-evolved animals. According to evolutionary theory, the process that produced all of our current species is the process of natural selection, aided by the concept of survival of the fittest. The evolutionary process knows nothing of rights or authority. If evolution is true, there can be no absolute right or wrong—only arbitrary standards thought up by some evolved creatures.

In the evolutionary view of nature it is acceptable, even desirable, for one creature to devour another, since there are no intrinsic rights. In the evolutionary worldview, rights can be no more than an idea thought up by one or more members of a constantly evolving species. The rights themselves would likely change over time as well.

In the evolutionary worldview, there seem to be only two options for the application of, or the granting of, rights. The first possibility is that rights inure to all creatures. Many of the animal rights activists are actually acting logically on their evolutionary worldview when they try to apply human rights to animals. The second possibility is that rights only apply to some subset of creatures. If we apply rights only to a subset of creatures, we must decide (and it is just a decision of a few members of one species) which creatures should receive these rights. Do we include apes? Do we base it on intelligence? Do we do as Hitler did and provide rights only to the most highly-evolved humans?

For the evolutionist, rights can never be more than a practical tool designed to improve his quality of life. I will grant that the concept of rights can indeed improve the quality of life, but this view of rights will never maximize that quality of life or safeguard man's liberty. Since these rights are a pragmatic creation of man (and not even of all men), there will be no clear definition of what they are or how they should be applied.³

The result is that evolutionary rights can be legitimately altered, limited, suspended, or abolished at any time. The key word here is "legitimately," because political leaders can deny rights in either worldview. The difference is that God-given rights can be denied or ignored by a government, but they cannot be taken away. But since man is the source of rights in the evolutionary worldview, man can legitimately take away the rights that man has given.

If rights come from government, then government can take them away. If rights come from the Constitution, then the Constitution can be amended to take those rights away. If rights come from the majority, then the majority can take them away. If rights come from the intelligentsia, then the intelligentsia can take them away. But if rights come from God, then only God can legitimately alter them or take them away. This is the only philosophical construct that allows rights to be absolute—or as Thomas Jefferson said, "inalienable."

The definition of rights

Now let's look at the definition of rights. Since the rights of an individual are just another way of expressing the individual's authority to act, we can determine that an individual has (or should have) the freedom or authority to act in any ethical way. Here is another area that presents a problem for the evolutionary worldview. If ethics determine the scope of individual rights, how do we know what actions are ethical? The biblical worldview derives its ethics from the inspired word of God, but where does the evolutionist find ethics? They must come from the survival of the fittest.

Some will ask if there are limits to rights. The answer is that there are limits to acceptable (ethical) human action, but there are no limits to rights. If a human action is not ethically acceptable, then we cannot say that there is a right to that action. Rights are, by definition, the acceptable actions of an individual that do not infringe upon the equal rights of others. In other words, there can be no right to something that would require the violation of another's rights.

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Those who wish to reduce the quantity or quality of rights may actually attempt to redefine and expand the definition of rights to include things that are not rights at all. At first it may seem like a strange irony, but defining rights too broadly can have the same effect as defining them too narrowly. If we expand the definition of rights to include things like food, housing, education, and health care, we negate any useful conception of rights because the granting of these rights to some would require the violation of the rights of others. For example, if health care is a right that should be guaranteed by government, we must grant to government the power to accomplish this task. The only way to guarantee the provision of health care is to force health professionals to provide these services for free or to force others to pay for the cost of these services. So while we are expanding the “rights” of those receiving health care, we are simultaneously reducing the rights of those who provide or pay for the health care.

There is a perverse brilliance in this approach of expanding the definition of rights so that individual rights might be reduced. In the absence of a national crisis, it would be difficult to sell the citizens on the idea of reducing their rights, but it is far easier to convince the public to accept an expanded definition of rights. Unless the public is highly discerning and has a clear understanding of what rights really are, they can easily fall into this trap.

A Pursuit versus a guarantee

In one sense, there is a “right” to health care, if this means that no one should be forcibly prevented from seeking this care. But there can be no right to health care if this requires the violation of the property rights of others.

I have the right to an \$800,000.00 Italian sports car. This means that I can have one if I can acquire it through voluntary action. If I earn enough money to voluntarily entice the car’s maker to trade my money for its car, I can have it. Alternatively, I can also acquire the car if I can persuade the car’s maker to give me one based on my good looks—or my excellent understanding of human rights. As long as the company does so voluntarily, no rights have been violated.

To whom are rights granted?

Thomas Jefferson and the other senior statesmen of the day who endorsed the Declaration of Independence believed that rights were bestowed upon “all men.” Not just Virginians, not just Americans, not just white men, but “all men.” An evolutionary view of rights can tolerate a less than universal application of rights, but in a creationist, biblical worldview, it is fundamental that the Creator bestows rights universally.

Many “conservatives” will fiercely advocate for the protection of rights for American citizens while denying some of these rights to non-citizens. To hold this view is to accept some version of the evolutionist view of rights—that rights are not absolute and universal; that they are granted by men and can be altered or removed by man; and that some men are more deserving of these rights than others.

The creationist view of our founding fathers doesn’t mean that America must protect the rights of every person in the world, but it does mean that we ought to recognize and protect God-given rights wherever we have jurisdiction.

There is plenty of legal debate as to how to apply the Constitution to non-citizens. Regardless of one’s opinion on the specific constitutional protections that may or may not be granted to non-citizens, the concept of inalienable rights—given by God, to all men—is the cornerstone upon which the Constitution was erected. If we wish to preserve the Constitution, we must preserve its philosophical foundation. Remember that the Constitution is not the source of our rights; it is merely man’s attempt to limit government and to keep that government from violating rights. Nothing in the document prohibits our government (or our citizens) from extending this protection to all humans who fall within our government’s jurisdiction.

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Do to others what you would have them do to you.

As Christians, we should take seriously the admonition in Matthew 7:12.⁴ We should provide others with the same level and type of justice that we desire for ourselves. God is not mocked, and it would not be surprising to see Him place His people under the same kind of justice that they advocate for others.

It may be possible to hold a view that, as Americans, we are somehow entitled to privileges and protections that do not apply to the rest of the world. This belief, however, would be our undoing, since it turns our protections from God-given human rights into a lesser class called privileges. Those who wish to expand the scope of government and reduce the scope of individual rights would love nothing better than to turn rights into privileges.

Some may ask, “What about free education in our public schools and state universities? What about welfare?” “We shouldn’t allow illegal aliens or foreign citizens to participate in these ‘benefits’ of citizenship.” Herein lies a false parallel. These specific “rights” are actually benefits—not rights. At best they are privileges; at worst they are violations of rights because these “benefits” necessitate the violation of the rights of others. We know that these things are not actually rights because to provide them to one person requires the involuntary taking of resources away from someone else—therefore violating their rights.

If we think that certain rights are important for us, then we should desire these rights for others as well. If we think that rights are good things, and if these rights are desirable to others, we ought to freely acknowledge them when it is in our power to do so. Then we can introduce others to the Source of those rights.

1 <http://plato.stanford.edu/entries/rights/>
(Accessed: 12-7-09)

2 *The Declaration of Independence*

3 *If one believes or assumes the creation worldview, there are some useful principles from the Bible that define exactly what rights are and how they are to be applied. A detailed exposition of these scriptural concepts is beyond the scope of this article, but we hope to expand on this in future publications.*

4 *Matthew 7:12. “So in everything, do to others what you would have them do to you, for this sums up the law and the prophets.”*

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