

On What We Call *Rights*

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2015 1216

Consider immigrants, refugees, LGBT, and terrorists; the list is longer, but all of these groups have one thing in common; somewhere, someone is screaming about their rights. What I've learned from watching the news is that not very many people have any idea what the term *rights* means. Many will apply the adjective *Constitutional* to it, and others use adjectives such as *human* and *civil*, but doing so tends to further reduce overall comprehension. As an example, the negative reaction by some, when they have to deal with such concepts as the idea of a prisoner at Gitmo having Constitutional, rights is often supplemented with a good deal of frothy drool. In others, the reaction is equally frothy but supportive of such rights.

Let's clarify.

The most basic and incontrovertible of our rights are *natural* rights. Some will claim that these are *God given* but it doesn't matter in the context of this essay. These rights are the rights that we have by virtue of being naturally occurring biological organisms, no matter where we came from and no matter if we were created or are here by accident. These are the rights to defend ourselves, hunt for (seek) food, protect our spouse and offspring, howl at the moon (speak our mind), and find a place to sleep at night (property). Without these naturally occurring rights, we would naturally be already extinct.

Constitutional rights are different. They are not inherent; they are conferred. For example the right to vote is a Constitutional right. There is nowhere in nature where, for example, the right to vote for which male lion will take over the pride can be found. The right to travel from state to state is a Constitutional right. Sure, in nature, we would have the right to go elsewhere, but we might have to fight our way through. The Constitution says that we can move from one place to another within our nation without interference. The right to a fair and speedy trial is a Constitutional right. No silverback in the gorilla troop ever considered how long it might take to eject an unruly member.

"So what?" you say. Here's so what. A captured terrorist has natural rights. He does not have constitutional rights because he's not a citizen. Only American citizens get to have those. It's really that simple. By the same token, an illegal immigrant has natural rights, but not the rights accrued by virtue of citizenship. Hence, the right to vote is clearly reserved for the members of the club known as American citizens.

Lately, there's been a third category arise. This is something called human rights. On the surface of it, it sounds like it ought to be the same as a natural right, right? Wrong!

Human rights are something entirely different. While there is merit in addressing these kinds of rights (if they exist as *rights* all) it is unconscionable to accept the package or the label as presented without question. Under human rights we find a claim to the right not to be offended. Within the grandeur of civil rights, we find the right to be respected for our race and creed and color. We find a claim to the right to a free education, fair housing, food, and medicine.

These are the rights constructed by either compassion or law. In other words, they have no substantial natural or Constitutional basis. Let's be very careful here – the Constitution declares that we are all equal, but it does not declare that all equal men and women are to be respected equally and by all other men and women. Respect is earned, not awarded. There is no natural or Constitutional right to be free from ever being offended by the actions of others.

A right conferred by law is actually an entitlement. Without a law granting a right such as one of these, there is no right. Some, like the right to a free education, is a hoped for right that doesn't yet exist. Taking the logic train on a big circle, however, we find that the right to pursue an education, food, and good housing is a natural right. After all, lion cubs do not hunt instinctively – they are taught.