

Are Rights Natural?

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Whether rights exist in or by nature or are purely useful human arrangements, or a combination of both, may be revealed to some extent if we take note of the natural human elements in connection with which rights operate and of the individual's relation to society.

In general, a right may be defined as a claim established in tradition or law on behalf of the individual, or society or both, and enforceable by rules of conduct. Moreover, a right may be either absolute and inalienable, or conditional.

An absolute right is a claim, but a one-way claim, that is, with no corresponding obligation to those who exercise the claim. Consequently, such a right is not an absolute right at all but an absolute wrong. It may be a privilege or just a plain fraud. If it is acknowledged and upheld, it is because it masquerades as a two-way claim, thanks to unsocial ignorance and ethical distortions. The history of despotism, aggression and exploitation is a history of the absolute right.

The individual may feel instinctively that certain individual rights are inalienable and paramount to all possible considerations, yet, is there not still a crucial question of their feasibility in association? Such claims of right overlook the fundamental fact that they are made not merely by the individual as such but by a joint unit, or member of society.

Thus, one may claim a right to refuse to take up arms on the ground that it is so natural, inalienable and absolute that all consequences to society are, therefore, irrelevant. Yet, the rights of participants to self-preservation and to full benefits of their sacrifice would be equally natural. Would not their burden increase and benefits decrease as a necessary result of the non-participant's very membership in society in receiving protection and sharing the fruits of victory, so that rights of others are infringed and

nullified. Such personal unilateral rights carried out fully and univernally would ultimately result in mutual nullification of rights whether natural or not.

On the biological side, it is a matter of natural law that factors of self-preservation must correlate with and be subordinate to factors of race preservation if there is to be any preservation at all. With the exception of mating, association can serve no useful purpose unless its benefits outweigh and liquidate its disadvantages.

A conditional right, on the other hand, is a two-way claim. It is a claim which at the same time admits and upholds a similar claim or corresponding counterclaim. The rights to life, liberty and pursuit of happiness are typical conditional rights. Though apparently absolute, they are truly conditional, "Live-if-you-let-live," relations in their nature and function. Moreover, such rights are not single and simple in their nature, but are a combination of various distinct elements. Claim and counter claim are its poise and equipoise in a balance of benefit for benefit and sacrifice for sacrifice. It is clearly the conditional, the reciprocal right which Henry George means by a natural right. It is equally clear from his observations that the natural urge to satisfy desires with least effort is the basis of the balance between claim and equal counter claim. The conditional or social right alone, despite flagrant vagaries, validates claim for claim on a basis tending to equality of mutual benefit in association.

We might well inquire, then, whether man acknowledges counter claim naturally and in response to some irresistible moral law, human or Divine, or whether he does so because he knows his claim will be acknowledged and upheld only if he does likewise.

Henry George's assertion that rights are natural and of Divine

origin is at such odds with his description of their nature and function that one is led to conclude that the assertion is purely an expression of religious faith. A reasonable inference from his observations is that rights are not distinct, independent existences which inhere in nature but that they are relations which arise out of the nature and necessities of association by willful and deliberate agreement or acquiescence. It is the urge to establish some relation which shall enable man to survive with least effort that is primordial and natural and not an urge to establish any one particular type of relation.

The capacity to choose between one-way and two-way claims is as natural as any primary urge. The actual choice depends on variable factors such as advantage, will, wisdom, experience, foresight, etc. The conflict arises from the natural tendency to favor the relation that best suits the chooser. Furthermore, if an equitable right arises only on concurrence of claim and counter claim, the right is subsequent to the mutual acknowledgement, and is clearly not an independent existence or pre-existence or either external or human nature. It would appear, therefore, that a right is, at best, a relation.

It is to be noted that observations which apply to the nature of relations in general apply equally to the nature of human relations. A right is a social relation. However, a relation is not an independent or self-existence. It is a state of mutual connection between actual or presumed things.

Thus, just as time and space are not existences in themselves but concepts of relation between things, so is a true right not an independent existence but a state of mutual connection between two mutually acknowledged claims. That is, no concurrence of claim and counter-claim, no right. Because civilization is a

direct expression of the cooperation, exchange and mutual benefit from this concurrence, wisdom and foresight compel men to formulate rights as relations that ought to be.

It is said that the best philosopher is he who makes two blades of grass grow where only one grew before. We might paraphrase this by saying that Henry George is a philosopher who shows why and how to make two-way rights grow where only one-way rights grew before.

Mutual benefit is the very core of association. George is pre-eminently the philosopher of this mutuality. He reveals why rights serve as social values in exchange and that ethics should be the yardstick of these values in social or mutual benefit. He shows that the one-way right is a social value in one-way exchange and that the two-way right is a so-

cial value in two-way exchange. In a word, that they are devices of social arrangement, responsibility, utility and ethical purpose.

The major conflict of civilization has been the conflict of these two philosophies. Couched in plausible half-truths and appealing sophistries, which have enlisted the active aid of its very victims, the philosophy of the one-way right has been the constant scourge of mankind. But civilization and progress are fruits only of the two-way right.

Yet, strangely enough, these diametrically opposed philosophies appear to spring from the same natural urge of self-survival; from the tendency to satisfy desires with least effort. Nevertheless, the hope of mankind lies in the common man's understanding and realization that

the philosophy of the bi-lateral right is by far the more effective as a means of satisfying desires with least exertion when the results of ensuing cooperation cannot be intercepted by the apostles of unilateral rights.

Henry George's application of the philosophy of two-way rights to political economy is only a single detail of its more comprehensive scope in human relations. Its broader aim is to foster adequate and effective rules of conduct to this larger purpose. With an abiding faith in human nature he reveals both how and why the philosophy of the two-way right can effectively replace the fraudulent philosophy of the one-way right and thereby direct the vast potentialities of association toward the high ethical purpose of equality, progress, peace and Freedom.