

Philosopher: Believing in “Rights” is Like Believing in “Witches and Unicorns”

The *Declaration of Independence* boldly claims that all men have “unalienable rights” to “life, liberty, and the pursuit of happiness.” The concept of rights forms not only the basis of democratic law but also much of modern Western morality.

But is there really such a thing as “rights”? Do they actually exist?

In chapter six of *After Virtue*, the renowned philosopher Alasdair MacIntyre says “no.” He describes “rights” as a “fiction,” and writes that “belief in them is one with belief in witches and unicorns.”

Strong words, right? Let’s take a couple of steps back and examine what he means.

Until the Enlightenment, morality in the West was predominately based upon the teleological model [classically expressed by Aristotle](#) and merged with Christian teaching: human beings had a common nature and a common end, and particular actions (morals) either helped them to reach that end, or thwarted their reaching of it.

The rejection of this model, however, left a vacuum that Western society needed to fill with some other concept that could justify morality. Apart from metaphysics, on what basis could men and women rationally claim that certain actions were good or bad?

One attempt at a rational justification for morality was the creation of the concept of “rights” – the idea that human beings are born with certain rights that must be protected and/or guaranteed. These rights “whether negative or positive... are supposed to attach equally to all individuals, whatever their sex, race, religion, talents or deserts, and to provide

a ground for a variety of particular moral stances.”



But, as MacIntyre points out, rights “are in no way universal features of the human condition.” The concept of “rights” didn’t really appear in the world until the end of the Middle Ages, and afterwards it was only invoked in particular times and places, and only able to be realized with a specific set of rules (Edmund Burke argued the same in his classic [*Reflections on the Revolution in France*](#)). Empirically, one can’t really prove that *all* human beings have certain rights.

Thus MacIntyre concludes:

“The best reason for asserting so bluntly that there are no such rights is indeed of precisely the same type as the best reason which we possess for asserting that there are no witches and the best reason which we possess for asserting that there are no unicorns: every attempt to give good reasons for believing that there are such rights has failed. The eighteenth-century philosophical defenders of natural rights sometimes suggest that the assertions which state that men possess them are self-evident truths; but we know that there are no self-evident truths. Twentieth-century moral philosophers have sometimes appealed to their and our intuitions; but one of the things that we ought to have learned from the history of moral philosophy is that the introduction of the word ‘intuition’ by a moral philosopher is always a signal that something has gone badly wrong with an argument.”

According to MacIntyre, if a group asserts that something is a universal human right, the onus is on them to rationally prove it. If they can’t, on what basis should people buy into the concept? Is it then really just a useful fiction?