

## CURBING RIGHTS INFLATION:

### THE TRUE MEANING OF FUNDAMENTAL HUMAN RIGHTS

- I. What is a fundamental, human right?
  - A. Is there a fundamental human right to:
    - life?
    - liberty?
    - health insurance?
    - education?
    - Internet access?
    - prostitution?
  - B. Rights inflation: When everything is a right, nothing is.
- II. Curbing rights inflation, restoring the value of human rights
  - A. A right is not:
    - an entitlement.
    - what someone happens to want.
  - B. A right is what is right **to do or refrain from doing** with respect to another person or class of persons or all persons. Its meaning is in identifying what **duty** I owe the person who is to be affected by my action or failure to act.
    1. Particular rights—duties of action owed to others because of a promise (e.g. a contract) or a special relationship (e.g. parent-child) → claims and powers.
    2. General rights—duties of abstention owed to all persons (e.g. duties not to kill, maim, defame, and enslave... everyone) → liberties and immunities.
  - C. Rights are not mere privileges conferred by the sovereign. People understand that they owe other people duties, and that those people therefore have fundamental rights.
    1. E.g., the duty to exclude myself from things I do not own correlates with the right of private property.
    2. We can know what fundamental rights people have because we can know what fundamental duties we owe to each other as human beings.