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If we understand what liberty is, if we understand the ideas required to support it, and if we can show that these ideas are *true*, then we can defend liberty on solid ground. If not, we can't.

Liberty is the political condition in which individuals are free to act on their own judgment and to keep and use the product of their own effort. It is the condition in which individuals deal with one another by *persuasion* and all interactions with other people are *consensual*. The alternative is people dealing with one another by coercion—by physical force. “Free” means free from physical force or compulsion by other people, groups, and governments.

In a state of liberty, individuals are:

- **free to pursue their own choice of career**, rather than having government decide for them (as happens under communism);
- **free to produce goods or services of their own choosing and to trade them with others by mutual consent to mutual benefit**, rather than government dictating what people may and may not produce or trade (as happens under communism, socialism, fascism, and mixed economies, such as in America today);
- **free to keep, use, and dispose of the products of their efforts**, rather than government forcibly seizing their property for an alleged “greater good” (as happens under all forms and degrees of statism);

- **free to set their own terms regarding contracts, hiring, wages, and pricing**, rather than government dictating what terms are permissible (as happens under all kinds of statism);
- **free to offer, or to refuse, goods or services to whomever they see fit and for whatever reason**, regardless of whether other people or governments like their policies (e.g., in regard to wedding cakes, health care, recreational drugs, internet platforms);
- **free to engage in consensual adult sex with partners of any sex or race**, regardless of what others think or feel about it;
- **free to express their views, whether right or wrong**, regardless of what other people, gods, or governments think or feel about those views.

In a state of liberty, people are free to act on their own judgment, for their own purposes, and for their own benefit. The only thing people are *not* free to do in such a state is to initiate or threaten physical force against other people, because that would interfere with *their* liberty. (One cannot have liberty for oneself and deny it to others.)

Why is liberty *good*? Why *should* people be free to act in accordance with their own judgment, for their own purposes, and for their own benefit?

“Good” and “should” are *moral* concepts. They pertain to human values, to proper and improper choices and actions, to matters of right and wrong. The question “Should people be free?” takes us into the realm of morality. If liberty is *good*, if people *should* be free, then there must be a moral principle supporting this idea.

Either it is true that liberty is good and that people should be free—or it is not true. If it is true, and if we want to defend this truth, we need to understand *why* it is true, and we need to articulate this knowledge in our advocacy and defense of liberty. Otherwise, those who oppose liberty will win—bit by bit, one battle at a time—and liberty, ultimately, will be lost.

The American philosopher Ayn Rand argued that liberty *is* good, that people *should* be free—and she provided a secular, observation-based, rational argument for this principle.

Ayn Rand’s View of Rights

Rand embraced the founding principle of America—the idea that people have rights to live their lives as they see fit (the right to life), to act in accordance with their own judgment (liberty), to keep and use the product of their effort (property), and to pursue the goals and values of their choice (pursuit of happiness). But Rand did not regard rights as self-evident. She saw them as moral principles derived from observation and logic—specifically, from the nature of human beings and the requirements of our life. (Rand’s full argument for her theory of rights can be found in her books, including *Atlas Shrugged*, *The Virtue of Selfishness*, and *Capitalism: The Unknown Ideal*.) The essence of her argument is:

1. As human beings, our basic means of living—our basic means of identifying and pursuing our life-serving values—is our rational judgment.
2. When and to the extent physical force (coercion) is used against a person, it stops him from acting in accordance with his judgment.
3. If people are to act in accordance with their basic means of living, then they must be left free from the initiation of physical force (including fraud and extortion).

Rights, in Rand’s view, are principles in acknowledgment of such facts. As she put it, a right “is a moral principle defining and sanctioning a man’s freedom of action in a social context.” The word *action* is essential to the principle. A right “pertains only to action—specifically, to freedom of action. It means freedom from physical compulsion, coercion or interference by other men.”

Thus, for every individual, a right is the moral sanction of a positive—of his freedom to act on his own judgment, for his own goals, by his own voluntary, uncoerced choice. As to his neighbors, his rights impose no obligations on them except of a negative kind: to abstain from violating his rights.

Rand's view of rights stands in contrast to the traditional theories, and it avoids or solves major problems that are inherent in those theories. Consider, for instance, the theories of God-given rights, government-granted rights, and so-called natural rights.

Rand's Theory vs. God-Given Rights

Whereas many people say that rights come from God, Rand shows that rights are factual requirements of human life. Her theory avoids the problem of having to prove that God exists in order to prove that rights exist. This is significant, as belief in God is based on revelation and faith, not on observation and logic.

Because Rand's theory of rights is based on observation and logic, it enables advocates of liberty to defend a free society on secular, rational, *provable* grounds. This is a big difference. Rights that can be proven (evidence-based rights) provide a stronger foundation for liberty than rights that can only be asserted (faith-based rights).

Rand's Theory vs. Government-Granted Rights

Some assert that rights come from government. The idea here is that people have a right to do only what government permits, and no right to do otherwise. In other words, rights are not moral principles but political laws. Rand rejects that view. She agrees with the American founders, who held that rights exist *prior* to governments and that legitimate governments are instituted to *secure* our rights, not to create or grant them.

On Rand's and the founders' view, whereas laws specify what a person is politically forbidden to do, rights specify what a person *has a moral prerogative to do*—and thus what he *should be free to do*. This vital

distinction—between rights and laws—solves the problem of government claiming a “right” to do whatever its particular laws permit it to do. Understood this way, rights subordinate government to *moral law*: Government may pass and enforce only laws that protect and do not violate rights.

Rand’s Theory vs. “Natural” Rights

Some claim that rights are “natural,” but this idea causes more confusion than clarity.

What does it mean to say that rights are “natural”? Are rights somewhere inside of man, like a heart or a lung? If so, where? Are they “inherent” in man? If so, how? What does “inherent” mean? Do people have rights by virtue of being born? If so, what is the argument for this position? Is there evidence in support of it? Or is it merely an assertion?

Some people (including John Locke and many U.S. founders) answer that natural rights are derived from “natural moral law.” If so, where does *that* come from? If the answer is that it comes from God, then it’s not natural moral law but *supernatural* moral law—in which case, we’re back to God-given rights and all the problems that idea entails.

If rights genuinely derive from nature, then the moral law on which they are based must itself derive from nature—not from super-nature. This is the difference between rights that are provable and those that are not.

On Rand’s view, rights are not natural, as they are not inherent in man; but they do have a *basis* in human nature. Rights are recognitions of a factual requirement of human life in a social context—the requirement of freedom to act in accordance with one’s basic means of living: the judgment of one’s mind.

The Importance of *Provable* Rights

The ability to *prove* that people have rights is vital. If people had been able to prove that they have rights to life, liberty, property, and the pursuit of happiness—if people had genuinely understood these rights as matters of

fact, not as matters of faith or feelings—could the 20th-century horrors of communism, socialism, fascism, and National Socialism have happened? If the proof of individual rights were widely understood throughout the world today, would people continue to accept governments that kill people for being gay, or force women to wear burkas, or forbid doctors to prescribe medications that could save patients' lives?

The problem is that, although many people claim that rights exist, almost no one knows the *proof* of their existence. And because advocates of rights don't know how to prove their existence, opponents are able to mock the idea into oblivion.

For instance, philosopher Jeremy Bentham famously wrote that inalienable rights, "rights anterior to the establishment of government," are "rhetorical nonsense—nonsense upon stilts." Philosopher Alasdair MacIntyre adds color to the ridicule:

[T]hose rights which are alleged to belong to human beings . . . and which are cited as a reason for holding that people ought not to be interfered with in their pursuit of life, liberty and happiness. . . . there are no such rights, and belief in them is one with belief in witches and unicorns.

Why is belief in inalienable rights "one with belief in witches and unicorns?" Because, MacIntyre explains, no one has provided genuine evidence or logical argument in support of such rights; thus, "every attempt to give good reasons for believing that there are such rights has failed."

That claim was true . . . until Ayn Rand showed how rights are derived from observation and logic.

But because Rand's theory of rights is not widely understood, many people default to the government-granted theory of rights. They accept the notion that rights do not precede political laws but rather follow from them: Governments create laws, and the laws, in turn, dictate the rights and non-rights of the people who live under those governments. "Absent a government," writes political commentator E. J. Dionne, "there are no rights." Insofar as rights exist at all, say law professors Stephen Holmes

and Cass Sunstein, they are “granted by the political community,” and they exist only to the extent that the legal system protects them.

If this view of rights were correct, then the only “right” people could have would be the “right” to obey the laws of the land—whether those of semi-free America, or totally enslaved North Korea, or Nazi Germany, or Communist Russia, or theocratic Iran, or socialist Venezuela.

That is not a viable theory for advocates of liberty to embrace.

Ayn Rand’s theory of rights provides perceptual evidence and logical argument in support of inalienable rights. And her theory is grounded in a fact-based, life-based moral code.

Ayn Rand’s Morality of Rational Egoism

Rand’s moral code, called rational egoism, holds that the standard of moral value is the requirements of human life given the kind of animals that human beings are. Rand observed, as Aristotle did, that human beings are *rational* animals. This doesn’t mean that people always act rationally. (Clearly they do not.) Rather, it means that people live and prosper most fundamentally by means of reason: by using their minds to understand reality, to understand human needs, to act accordingly, and to create the values on which human life and prosperity depend—values such as food, clothing, medicine, and automobiles; self-esteem, love, friendship, and art; limited government, the rule of law, and political freedom.

Rand’s morality of rational egoism holds that each individual is an end in himself, not a means to the ends of others; that each individual should use his reasoning mind to pursue his own life-serving values; that each individual is the proper beneficiary of the values he produces; and that he should neither sacrifice himself to others nor others to himself.

Rand’s theory of rights flows directly from this moral foundation.

The Connection between Rational Egoism, Individual Rights, and Liberty

The basic connection between rational egoism, individual rights, and liberty is this: Because man's nature is such that in order to live and prosper he must use his mind and act accordingly to gain, keep, and use his life-serving values (that's the egoism part), it follows that each individual morally must be left *free* to use his mind, to act on his rational judgment, to produce the values he needs, and to keep and use the product of his effort (that's the rights and liberty part). Understood this way, individual rights are essentially the principle of rational egoism applied to politics. And when rights are recognized and protected, liberty ensues: People are free to think, produce, trade, and prosper.

There is a great deal more to Rand's argument for freedom, rights, and their moral foundation. The foregoing is merely a brief sketch of a few key principles. But this integration—the principle that (a) in order to live and prosper, an individual must use his mind and act accordingly to gain and keep his life-serving values, and (b) each individual therefore morally must be left free to do so—is central to her approach.

Like Rand's view of freedom and rights, her view of morality is profoundly different from the conventional views. It, too, is based on observation, logic, and the factual requirements of human life. This is why, whereas conventional moral codes *clash with* and *undermine* individual rights and freedom, Rand's rational egoism *integrates with* and *supports* individual rights and freedom.

To learn more about Rand's support for liberty, her theory of rights, and her morality of rational egoism, read her books—especially *Atlas Shrugged*, *Philosophy: Who Needs It*, *The Virtue of Selfishness*, and *Capitalism: The Unknown Ideal*.

For additional information on Ayn Rand and her ideas, including courses and seminars on her philosophy of Objectivism, visit the Ayn Rand Institute's website (AynRand.org).

For articles, interviews, and commentary from an Objectivist perspective, subscribe to *The Objective Standard* (TheObjectiveStandard.com).