

RIGHTS & DUTIES ESTABLISHED BY SOCIETY NOT BY MORAL ARGUMENT ALONE

The dual concepts of right and duty make no sense in a social vacuum because, as a matter of historical fact, rights and duties are inherent in some social order or other. In some societies all humans have the right to work and the duty to take an interest in the affairs of their community, whereas in other societies only some people have such rights and duties. It follows that the advocates of natural rights, as well as the rationalists (like Kant) and the emotivists (like Moore) have failed to account for the nature and, a fortiori, the historical genesis and evolution of rights and duties.

The social nature of rights and duties, and their time-boundedness, or historical relativity, does not render them fictions on the same footing

as witches and unicorns--pace MacIntyre (1984 pp. 69 ff. The various proclamations of humans rights, from the American Revolution onwards, are not pieces of fantastic literature: they serve the function of programs for social reform. If actions of/type ^{a given} are declared to be "inalienable human rights", it is only ~~xxxxxxx~~ to endorse any fights to have such actions permitted: it is an injunction to allow for such actions.