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To Help Save America, Tea Partiers Must Fully Embrace Individual Rights

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The Tea Party movement is one of the most important developments in modern American political history. Hundreds of thousands of Americans have joined together in a grassroots campaign calling for limited government, reduced spending, lower taxes, and greater liberty. This movement *could* help save America from the grips of tyranny—that is, it could *if* participants understood the fundamental problem we face and the corresponding solution. Unfortunately, few Tea Partiers do.

Many Tea Partiers assume that the rapid erosion of liberty today is primarily a consequence of bad legislation, such as bailouts, entitlement programs, tax increases, and economic controls. But this assumption is false. The rapid erosion of liberty today is primarily a consequence of the failure of advocates of liberty—including many in the Tea Party movement—to sufficiently understand and consistently embrace the basic principle of America: the principle of individual rights. If Tea Partiers want to save America, they must first and foremost remedy this deficiency among their own ranks.

The principle of individual rights is the moral truth that each individual should be free to live his life as he sees fit (the right to life), to act in accordance with his own judgment (liberty), to keep and use the product of his effort (property), and to pursue the values and goals of his choice (the pursuit of happiness). Of course, most Tea Partiers endorse this principle when it is stated in the abstract; the problem is that many Tea Partiers reject the principle when it comes to practice. We can see this rejection most clearly in three areas: entitlement programs, immigration policy, and abortion law. Let us take them in turn.

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Although Tea Partiers often voice opposition to entitlement programs and other forced wealth transfers, when surveyed about particulars, the majority of Tea Partiers say that “the benefits from government programs such as Social Security and Medicare [are] worth the costs of those programs.” They further say that the federal government should force health insurers to accept customers with preexisting conditions—at the expense of the insurance companies and their other customers.¹ In other words, the majority of Tea Partiers hold that the government should force some Americans to financially support other Americans.

To advocate these coercive redistributions of wealth is to deny the property rights of those whose wealth is thereby redistributed. Yes, some Tea Partiers call for spending caps on such programs,² but this is no defense of liberty. To defend liberty one must call not for capping welfare spending, but for phasing it out entirely. To advocate some welfare spending is to contradict the principle of individual rights and thus to deny the propriety of liberty. Even President Obama sees the contradiction in condemning welfare programs while advocating them, too. As he correctly pointed out, “Keep your government hands out of my Medicare” means “Keep government out of my government-run health care plan.”³

By granting the legitimacy of forced wealth transfers, Tea Partiers cede the moral high ground to those who call for more such transfers. If productive Americans should be taxed to fund programs for the elderly, then why should they not also be forced to pay for welfare programs for other segments of society? If Tea Partiers wish to successfully champion liberty, they must recognize that advocating coercive wealth transfers in any form violates the principle of individual rights and thereby undermines liberty.

Either people have the right to keep and use their wealth as they see fit, or they have no such right. Tea Partiers need to decide which position they endorse.

Advocates of forced wealth transfers charge that deciding how to spend one’s own wealth is selfish—and about this they are correct. Individual rights do sanction selfishness; freedom from force enables individuals to take rationally self-interested actions in support of their own lives and in pursuit of their own happiness. And if Tea Partiers want to successfully defend liberty, they must stop running from this fact and start embracing it.

Again, even Obama understands this. Recall that after promising to make sure that “young people can all go to college” and that “everybody’s got decent health care,” Obama blasted critics of the correspondingly coercive programs, saying, “You know I don’t know when . . . they decided they wanted to make a virtue out of selfishness.”⁴

Obama and his leftist comrades know that individual rights sanction selfishness. And they know that in order for citizens to grant them power to enact and enforce rights-violating laws, citizens must regard selfishness as evil. After all, if citizens thought it was morally right for each individual to act on his own judgment and to decide how he will spend his own money, would they elect or support politicians who seek to stop individuals from doing so?

Tea Partiers must decide whether they stand against selfishness and individual rights and thus against liberty, or for selfishness and individual rights and thus for liberty. There is no middle ground here. It is either/or. (For more on the moral propriety of selfishness, see Ayn Rand's revolutionary book *The Virtue of Selfishness*.)

The second major area in which many Tea Partiers contradict the principle of individual rights is that of immigration. Anti-immigration activists claim (among other things) that immigrants have no right to come here and "take our jobs." But this assertion patently contradicts the rights of American businessmen to contract as they see fit (the right to contract being a corollary of the rights to liberty and property). A businessman has a moral right to hire whoever is willing to work for him at whatever price they agree to do business, and no one—including the government—can morally violate that right. Whether the prospective worker lives down the street, or in another state, or in Mexico or the Congo makes no difference in this regard. Moral rights are not determined by geography; they are determined by the requirements of human life. They are recognitions of the fact that in order to live and prosper, individuals must be free to act on their own judgment for their own sake.

Thus, the claim that foreigners have no right to come here and "take our jobs" also contradicts the rights of foreigners to act on their own judgment, to contract as they see fit, and to pursue their happiness. All individuals—whether they are Americans, Mexicans, Canadians, or Koreans—have the right to seek a better life for themselves and their families. This is a direct implication of the right to liberty: Individuals have a right to travel, reside, and work wherever they see fit—so long as they do not violate the rights of others (by initiating force or committing fraud). And this right holds whether an individual chooses to remain where he was born or to move within the United States or to move to the United States.

Many Tea Partiers argue that immigrants who come here "illegally" should be forcibly expelled in order to uphold the rule of law. But such claims strip the rule of law of its moral purpose. The only proper purpose of law is to protect individual rights, and when a law instead violates rights, the proper response is not to strictly enforce the rights-violating law but to loudly advocate its abolition. When the

Fugitive Slave Act mandated that slaves who “illegally” escaped from the South be returned to their masters, what should advocates of the rule of law have done? Should they have condemned the escaped slaves as “illegals” and returned them to their “legal” owners? Or should they have condemned that rights-violating law (along with those who advocated it) and enabled the escaped men to remain free?

So-called “illegal” immigrants are victims of unjust, rights-violating laws. Advocates of liberty, justice, and individual rights should condemn these laws and recognize the moral right of (rights-respecting) immigrants to break them. In reply to nonarguments such as, “What part of ‘illegal’ do you not understand?” the appropriate answer is, “I don’t understand the part where you think you are logically or morally justified in tearing the concept of ‘law’ from the only context in which it has any morally legitimate meaning.” Advocates of the proper meaning of the rule of law should also remind fellow Tea Partiers who reflexively condemn any and all illegal activity that the original Tea Party was itself illegal. Should its participants have been condemned and sent packing?

Anti-immigration activists commonly argue that some foreigners immigrate to America not to work and live in peace, but to engage in criminal behavior. Some do. But the criminal actions of some do not justify the violation of the rights of millions. Moreover, under a just, rights-respecting immigration policy, border agents could spend their time tracking down actual criminals rather than blocking millions of peaceful people whose only “crime” is that of seeking a life of liberty.

Anti-immigration activists also argue that immigrants consume welfare goods and services. Again, some immigrants do. But two wrongs do not make a right; laws that forcibly transfer wealth do not justify laws that further violate rights. The welfare problem lies not with immigrants who go on the dole but with the presumed moral legitimacy of welfare. The proper, rights-respecting solution to this problem is to phase out welfare programs for immigrants and citizens alike. This is what Tea Partiers should advocate; but, as mentioned earlier, to do so they will have to oppose welfare on principle.

Tea Partiers who advocate violating the rights of certain Americans or would-be immigrants cannot successfully defend rights in other spheres. As thinkers from Martin Luther King Jr. to Ayn Rand have pointed out, injustice anywhere threatens justice everywhere. If Tea Partiers want to recognize and uphold the rights of any people, they must recognize and uphold the rights of all.⁵

The third major area in which many Tea Partiers endorse the violation of individual rights is that of abortion. One-third of Tea Partiers say that abortion “should not be permitted,” and many support candidates (such as Rand Paul) who

advocate a total ban on abortion.⁶ But laws against abortion—laws that force pregnant women to give birth—blatantly violate those women’s rights to life, liberty, and the pursuit of happiness.

Antiabortion activists claim that a fertilized egg or embryo has “rights,” but this claim betrays a gross misunderstanding of the source and nature of rights. Rights arise from an individual’s fundamental need to act on his own judgment in order to further his life and happiness. Consequently, rights pertain only to actual people, not to potential people. As philosopher Leonard Peikoff points out, treating a fertilized egg, a potential person, as if it were an actual person makes no more sense than treating an adult, a potential corpse, as if he were an actual corpse.⁷

Individual rights pertain to individuals—that is, to individuated human beings—not to undifferentiated cells lacking developed human organs, contained wholly within the body of another, and utterly physically dependent on that other body. A woman’s rights sanction her freedom to control her own body, to contract for medical services of her choice, and to decide whether she will bear a child.

Those who advocate antiabortion laws typically do so from the belief that rights come from “God,” that He somehow endows the egg with rights at the time of fertilization, and that a fetus therefore has rights. But rights are not products of divine decree, they do not apply to a fertilized egg, and they do not apply to a fetus. Rights are human recognitions of the natural fact that in order to live as a human being, an individual must be free to act on his basic means of living: the judgment of his own mind.

Because laws against abortion stem from a false theory of rights, they lead to horrific consequences in practice. If a fertilized egg has rights, then, logically, abortion should be banned even in cases of rape, incest, fetal deformity, and risks to a woman’s health; all medical research, fertility treatments, and forms of birth control that may result in the destruction of a fertilized egg, including the pill and IUD, should be banned; and everyone involved in any abortion, whether patient, doctor, nurse, or check-in clerk, should be arrested, prosecuted, and imprisoned (if not executed). And, of course, these are the very kinds of laws and punishments directly advocated by the more consistent antiabortion groups, such as the sponsors of a Colorado ballot measure to grant full legal rights to fertilized eggs.⁸

It all comes down to this: Tea Party activists have a choice. Either they can uphold the individual’s rights to act in accordance with his own judgment, use his property as he sees fit, associate and contract voluntarily with others, and control his or her body and future—or they can deny the individual’s rights by advocating coercive transfers of wealth, restrictions on immigration, and laws against abor-

tion. If Tea Partiers choose the former alternative, their movement can help restore a rights-respecting republic and save America. If they choose the latter, the movement will ultimately aid the left in destroying the republic and pushing America into tyranny.

Which will it be?

Endnotes

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2. For example, see Ari Armstrong, "Tax Day Tea Party: Denver 2010," *Free Colorado*, April 16, 2010, <http://blog.ariarmstrong.com/2010/04/tax-day-tea-party-denver-2010.html>.
3. Barack Obama, "Transcript of Obama's Remarks at U. Mich. Commencement," *Wall Street Journal*, May 1, 2010, <http://blogs.wsj.com/washwire/2010/05/01/transcript-of-obamas-remarks-at-u-mich-commencement/tab/article/>. Obama slightly misquoted the original line, which was "Keep your government hands off my Medicare;" see Philip Rucker, "S.C. Senator Is a Voice of Reform Opposition," *Washington Post*, July 28, 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/07/27/AR2009072703066.html>.
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5. For a more detailed critique of the anti-immigration stance, see Craig Biddle, "Immigration and Individual Rights," *The Objective Standard*, vol. 3, no. 1, Spring 2008, <http://www.theobjectivestandard.com/issues/2008-spring/immigration-individual-rights.asp>.
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8. Ari Armstrong, "What Are the Implications of 'Personhood?'" *Free Colorado*, February 16, 2010, <http://blog.ariarmstrong.com/2010/02/what-are-implications-of-personhood.html>.