

The Right to Property or The Pursuit of Happiness

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Around the time of the American Revolution most colonists considered the essential natural rights to be life, liberty, and property. The purpose of the American Revolution was to protect these rights from the English rulers who were violating them. This is reflected in the Declaration of Independence, but when Thomas Jefferson wrote it he changed the rights to life, liberty, and the pursuit of happiness. What I would like to discuss is whether this was a good idea or if the right to property was actually more important.

Many of the leaders in the American Revolution were strong believers in the natural rights theory. In 1760, James Otis made a speech against the Writs of Assistance where he heavily emphasized natural rights, and John Adams stated that the American Revolution started right then.¹ Later, Patrick Henry gave a speech supporting natural rights and claiming that England was taking them away.² In 1768, Samuel Adams created the Circular letter that restated the natural rights theory, especially the right to property.³ Many of these ideas originated from a British Philosopher named John Locke, who believed that rights were natural or God given.⁴

John Locke wrote a book called *Second Treatise of Government* that influenced the Founding Fathers and Thomas Jefferson when he wrote the Declaration of

¹ Christopher Collier and James Lincoln Collier, *The American Revolution*. New York: Benchmark Books, 1998. 23.

² Collier and Collier 26.

³ Collier and Collier 34-35.

⁴ Collier and Collier 62-64.

Independence.⁵ The natural rights philosophy, as written by John Locke, teaches the idea that human beings are born with certain rights that are given by nature simply for being human. Thomas Jefferson said that they were unalienable, which means that they cannot be given, or taken away by people or government. The Declaration of Independence states,

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”

This means that these rights are given to man either by God or nature, and that no man or government has the power to take them away.⁶

Some people say that there is no right to property, because the government is the only protection for it, and without the government nobody would have it. However, the right to property far predates government. Governments start when people hire other people to defend their property for them, such as police stopping robbers and armies stopping invaders.⁷ The Declaration of Independence states,

“That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed”.

This means that the government is created by the people to protect the rights that they already have, and that its only power comes directly from the people. But, if the right to property is not recognized then theoretically the government could have the power to take

⁵ Allen Jayne, *Jefferson's Declaration*. Kentucky: The University of Kentucky Press, 1998. 41.

⁶ Jayne. 60.

⁷ Jayne. 121.

property away and force the people to be reliant on the government for those things that they need.

I believe that there is a natural right to property and I believe that it is absolutely essential. Humans need property to survive; whether it is the tools of their profession, food, or a home, people can't live without certain property.⁸ People have to be able to own and have control of that property in order to be free. For example, back in the Middle Ages in England, the serfs couldn't own their own land and had to live on the land of lords. They had to work for the lord three days out of the week, and grow the crops that he wanted. It wasn't until the introduction of money and the free market that the serfs were able to sell goods, and then pay the lord a set fee instead of labor. They then were able to do with the land as they saw fit and live almost like free men. The serfs having property rights was a benefit for everybody, the lords got payment as rent for the land and the serfs got control of the property that was essential to their survival.⁹

What is so important about the rights to life, liberty and property is that if somebody doesn't have one then that person can't have the other two. Without life a person obviously can't have property or liberty or anything else for that matter. Without property a person has no liberty, because if the government or somebody else owns all the food that that person needs to eat, then they have complete control over him. He has to do whatever they say otherwise they can just say that he doesn't get any food. In my opinion

⁸ Jayne. 120.

⁹ James Henry Breasted, *History of Europe, ancient and Medieval*. Ginn and Company, 1920. Forgotten Books, 2012. 348-350.

without liberty a person can have no life. If somebody has no freedoms to live their life as they see fit, to do what they see fit, and to be whomever they want to be, then what is the point to life?

The problem I see with including the pursuit of happiness as a natural right is that the right to liberty already covers this idea, and the right to property is far too important to leave out. Another problem with the right to pursuit of happiness is that it's very easy to misinterpret. Some people believe that it means that a person has the right to do whatever makes him or her happy at any point in time. I think that it means people have the right to pursue their own personal happiness in the long run, through choosing their own profession and having a family.¹⁰

While I do understand why Thomas Jefferson did it, I honestly believe that is was wrong to replace the right to property with the right to the pursuit of happiness. I believe that the right to the pursuit of happiness is important in the natural rights of the individual, but I think that the right to liberty already covers this. Without a natural right to property the government has the power to be as tyrannical as it wants. I think that as important as the right to the pursuit of happiness is, the right to property is absolutely essential and has to be listed as a natural born right.

¹⁰ Jayne. 135.

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Stephen Mayfield Biography

Stephen Mayfield is home schooled and in eleventh grade at Mayfield Home Academy. His favorite subjects are math and science and he plans on studying Mechanical Engineering in college. He attended the South West Research Institute Young Engineers and Scientists program in the summer of 2012. He has done over thirty hours of community service with Kinetic Kids and is currently doing volunteer work with 4H. His hobbies are weight lifting and Tae-Kwon Do.