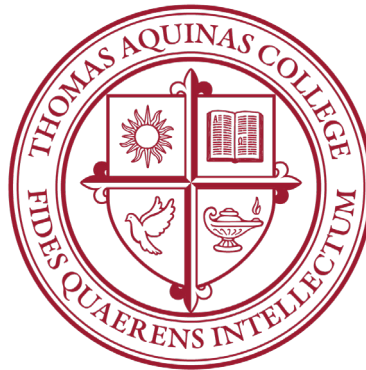


A Thomas Aquinas College Seminar

ORIGIN OF THE RIGHTS
ENUMERATED IN THE
DECLARATION



Napa Institute Summer Conference
Thursday, July 23, 2026
Meritage Resort | Napa, California
Carneros Salon B

Senate Hearing on the Confirmation of Riley Barnes

September 3, 2025

Senator Kaine: Thank you, Mr. Chair.

Mr. Barnes, I was struck by your opening comments, and I asked to get a copy of them so I could read them and make sure I quoted them correctly. You state, and this is a quote from Secretary Rubio: “Our rights come from God, our Creator, not from our laws, not from our governments.”

I find that very, very troubling. I am a devout person. I was a missionary in Honduras. We have got other devout folks in this room — Christian, Jewish, Muslim American. The notion that rights do not come from laws and do not come from the government, but come from the Creator, that is what the Iranian government believes. It is a theocratic regime that bases its rule on Sharia law and targets Sunnis, Baha’is, Jews, Christians, and other religious minorities, and they do it because they believe that they understand that natural rights are from their Creator. So, the statement that our rights do not come from our laws or our governments is extremely troubling.

I think the motto over the Supreme Court is “Equal Justice Under Law.” The oath that you and I take pledge to support and defend the Constitution of the United States, not arbitrarily defined natural rights. I am a strong believer in natural rights, but I have a feeling if we were to have a debate about natural rights in the room and put people around the table with different religious traditions, there would be some significant differences in the definitions of those natural rights.

You go on to say: “I believe our country and our government is the best in the world, and our strength comes from our enduring values.” I believe that, but then you say, and you got to choose what to say in your opening testimony, these values are not an endless list of “rights.” You put the quote around that to kind of demean the notion of rights that people create and change and form to meet their own needs or desires. These values are not identity politics. They are the historic natural rights that we have as individuals pursuing life, liberty, and happiness in the world. Pursuing life, liberty, and happiness. The State Department’s Human

Rights Report has just struck out all references to the rights of LGBTQ people and the way countries treat LGBTQ people. I mean, do they have a right to liberty? Do they have a right to life? Do they have a right to happiness?...

I am not really going to ask you about your testimony because I believe you offered that in a very sincere way, and I do not want to try to change your opinion about something you sincerely believe. But the notion that our rights do not come from our laws or our government should make people very, very nervous because people of any religious tradition, or none, are entitled to the equal protection of the laws under the Fourteenth Amendment. It should not matter what their religious background is, what they think about God or the Creator, what their church affiliation is. You are entitled in this country, every person, to the equal protection of the laws, and so to demean laws and demean governments and suggest that rights do not come from laws and governments — I mean, again, I think there are such things as natural rights, and I try to live in accord with them, but I would never demean the law.

We are a nation of laws, not men; laws, not people. And if we now, after nearly 250 years, suddenly start to demean that or diminish that and suggest, no, it is natural rights as defined by a leader — the leader of Iran or the leader of any nation — that does not create a place of safety or comfort for folks...

Senator Kaine. Thank you very much.

For reference:

14th Amendment to the U.S. Constitution, Section

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

James Wilson, Lectures on Law

Vol. I, Chapter 7

Excerpt on the Meaning of Equality

When we say, that all men are equal; we mean not to apply this equality to their virtues, their talents, their dispositions, or their acquirements. In all these respects, there is, and it is fit for the great purposes of society that there should be, great inequality among men. In the moral and political as well as in the natural world, diversity forms an important part of beauty; and as of beauty, so of utility likewise. That social happiness, which arises from the friendly intercourse of good offices, could not be enjoyed, unless men were so framed and so disposed, as mutually to afford and to stand in need of service and assistance. Hence the necessity not only of great variety, but even of great inequality in the talents of men, bodily as well as mental. Society supposes mutual dependence: mutual dependence supposes mutual wants: all the social exercises and enjoyments may be reduced to two heads — that of giving, and that of receiving: but these imply different aptitudes to give and to receive.

Many are the degrees, many are the varieties of human genius, human dispositions, and human characters. One man has a turn for mechanics; another, for architecture; one paints; a second makes poems: this excels in the arts of a military; the other, in those of civil life. To account for these varieties of taste and character, is not easy; is, perhaps, impossible. But though their efficient cause it may be difficult to explain; their final cause, that is, the intention of Providence in appointing them, we can see and admire. These varieties of taste and character induce different persons to choose different professions and employments in life: these varieties render mankind mutually beneficial to each other, and prevent too violent oppositions of interest in the same pursuit. Hence we enjoy a variety of conveniences; hence the numerous arts and sciences have been invented and improved; hence the sources of commerce and friendly intercourse between different nations have been opened; hence the circulation of truth has been quickened and promoted; hence the operations of social virtue have been multiplied and enlarged.

How insipidly uniform would human life and manners be, without the beautiful variety of colours, reflected upon them by different tastes, different tempers, and different characters!

But however great the variety and inequality of men may be with regard to virtue, talents, taste, and acquirements; there is still one aspect, in which all men in society, previous to civil government, are equal. With regard to all, there is an equality in rights and in obligations; there is that “*jus aequum*,” that equal law, in which the Romans placed true freedom. The natural rights and duties of man belong equally to all. Each forms a part of that great system, whose greatest interest and happiness are intended by all the laws of God and nature. These laws prohibit the wisest and the most powerful from inflicting misery on the meanest and

most ignorant; and from depriving them of their rights or just acquisitions. By these laws, rights, natural or acquired, are confirmed, in the same manner, to all; to the weak and artless, their small acquisitions, as well as to the strong and artful, their large ones. If much labour employed entitles the active to great possessions, the indolent have a right, equally sacred, to the little possessions, which they occupy and improve.

As in civil society, previous to civil government, all men are equal; so, in the same state, all men are free. In such a state, no one can claim, in preference to another, superiour right: in the same state, no one can claim over another superiour authority.

Nature has implanted in man the desire of his own happiness; she has inspired him with many tender affections towards others, especially in the near relations of life; she has endowed him with intellectual and with active powers; she has furnished him with a natural impulse to exercise his powers for his own happiness, and the happiness of those, for whom he entertains such tender affections. If all this be true, the undeniable consequence is, that he has a right to exert those powers for the accomplishment of those purposes, in such a manner, and upon such objects, as his inclination and judgment shall direct; provided he does no injury to others; and provided some public interests do not demand his labours. This right is natural liberty. Every man has a sense of this right. Every man has a sense of the impropriety of restraining or interrupting it. Those who judge wisely, will use this liberty virtuously and honourably: those, who are less wise, will employ it in meaner pursuits: others, again, may, perhaps, indulge it in what may be justly censured as vicious and dishonourable. Yet, with regard even to these last, while they are not injurious to others; and while no human institution has placed them under the control of magistrates or laws, the sense of liberty on account of their imprudence, than could be reasonably apprehended from the imprudent use of their liberty.

The right of natural liberty is suggested to us not only by the selfish parts of our constitution, but by our generous affections; and especially by our moral sense, which intimates to us, that in our voluntary actions consist our dignity and perfection.

The laws of nature are the measure and the rule; they ascertain the limits and the extent of natural liberty.

Thomas Aquinas College was founded in 1971 in California to reestablish genuine Catholic liberal education. In the years since, it has developed a solid reputation for academic excellence. With a growing demand for its unique program, the College opened a second campus in New England in the fall of 2019. On both campuses, students pursue the same, fully integrated curriculum. Instead of reading

textbooks, they engage firsthand with the greatest minds in Western civilization – the authors of the Great Books. And rather than listening passively to lectures, they engage in rigorous classroom discussions with their peers in all the major disciplines: mathematics, natural science, literature, philosophy, and theology. The academic life of the college is conducted under the light of the Catholic faith and flourishes within a close-knit community, supported by a vibrant spiritual life.



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