

Maybe Natural Rights Are Nonsense: the importance of social recognition

According to Bentham, nothing counts as a right except a legal right. Rights must be recognized in society and protected by the threat of a legal sanction. Mill, on the other hand, defends universal human rights. In *Utilitarianism* Mill describes a right as a 'valid claim on society', and he maintains that every person is entitled to this claim whether or not it is protected. So for Bentham, social recognition is both a necessary and sufficient condition for a right, while for Mill, social recognition is a matter of justice. This paper focuses on the different role that social recognition plays in the theories of both Bentham and Mill, and attempts to show that the importance of social recognition in rights theories generally has not been properly appreciated.

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