

## Specific Rights Don't Exist in Isolation

Cecil Bohanon's latest salvo against universal health care insurance predictably dissolves into incoherence. He begins with two hypothetical situations in which he is diagnosed with lung cancer. One seems plausible; the other, highly improbable, outrageously expensive, and apparently intended to arouse our ire at the thought that taxpayers might have to foot the bill.

What about the more plausible scenario? Bohanon presents it as one for which he "should get the treatment." Of course!

But what if he cannot afford it? Bohanon hardly allows for that possibility, a possibility more-than-likely for millions of Americans. Why shouldn't we taxpayers help foot the bill in such cases?

Bohanon proceeds to compare what he regards as dubious "positive rights" with what he calls natural, inalienable, or genuine rights. Here things get altogether murky. He claims that the only true rights are those that do not pose any limitations on the rights of others or place any burdens on others' property. All other so-called rights are mere entitlements, not rights at all.

Bohanon celebrates property rights, insisting that they are not entitlements, but natural rights. More natural than water rights? What about rights to clean air? Or rights to safety from harmful personages or harmful substances? Or rights to food and shelter? A notion of natural property rights is surely deficient if it only allows everyone to eat out of dumpsters, or sleep under public bridges.

There are certainly different categories of rights. But they never exist in absolute isolation, always in relation to the human condition, as essential to human flourishing. So even the most widely accepted of these rights are hardly treated as absolute in practice. My free speech does not allow me to shout "Fire!" in a crowded theater. My free practice of religion may not entitle me to deny life-saving medical treatment for my child. My property rights hardly authorize me to manufacture and store chemical weapons, create ear-piercing noises, dispose of toxic waste, or do anything I darn well please on my land.

Thomas Jefferson summarized the various categories of rights as three "unalienable" rights. Unalienable rights are irrevocable because they are natural or God-given, rather than conferred by human institutions. However, they are not absolute.

Jefferson's rights to "liberty and the pursuit of happiness" may be conceived primarily in terms of civil or political rights, on the one hand, and property rights, on the other. Together they are seen to be essential to various freedoms of association and expression without which democratic self-rule, not to mention human society, creativity, and advance, would be impossible.

But the first of Jefferson's unalienable rights is the right to life itself. The logic of Jefferson's claim may reach beyond his conscious thought. Nonetheless, if we all have a right to life, we must also have a right to food, water, clothing, shelter, and health care, among other things. Otherwise human life simply cannot be sustained.

I hope Mr. Bohanon will some day find his way back to the real world.