

Principles of Liberty

SESSION THREE

WHY ARE POSITIVE RIGHTS ACTUALLY UNATTAINABLE, DESPITE THEIR ALLURE?

in Summit Ministries article dated February 15, 2010 and titled “Is Government-Run Health Care a Good Idea?” (available at <https://bit.ly/2X6A0b3>) Chuck Edwards discusses negative and positive rights and offers a great deal of insight on the matter.

Among many other great points, Edwards offers two excellent reasons why government ought not to even try to provide positive rights for its citizens.

First, positive rights involve too many variables. An individual’s positive needs (for food, shelter, etc.) vary from year to year, even day to day. For example, an able bodied 32-year old has different needs than a 31-month old or a feeble 93-year old. A bureaucrat sitting in an office somewhere cannot possibly know the changing needs of every individual citizen or how best to meet them. The most a government agency can do is try to enforce general guidelines, a one-size-fits-all approach, and because it cannot anticipate the variables of day-to-day life, there will inevitably be shortages, inefficiency, and waste of manpower and money.

This principle is clearly seen when government intervenes in economic matters. As Thomas Jefferson wrote, “Were we directed from Washington when to sow, and when to reap, we should soon want bread.” Jefferson understood the limits of what government is capable of doing. It is not designed to orchestrate people’s basic needs, even one as fundamental as food.

Second, the only means government has to accomplish its goals is the use of force. George Washington put it this way, “Government is not reason. Government is not eloquence. It is force. And, like fire, it is a dangerous servant and a fearful master.” Force works well when it comes to protecting negative rights, which is the reason for the military, police, and the courts. But to place the power of government over the day-to-day lives of citizens sets up a tremendous potential for abuse. People begin to demand more services. This is a formula for creating shortages, leading to unmet expectations by citizens, which creates social unrest. This is the opposite of the state’s responsibility for maintaining social cohesion and order.

In another publication available online at <https://bit.ly/3el4lbG>,* Dr. Calvin Beisner pokes additional holes in the case for positive rights.

Drawing from economist Walter Block, Beisner demonstrates that negative rights are applicable in society at large, reasonable, and workable; and that positive rights are unrealistic and unworkable, sometimes even to the point of being absurd. Summarizing Beisner’s discussion of Block, we note the following.

1. Negative rights transcend time. Just as a prehistoric man or woman could enjoy his or her right to be left alone, so can we. The same is not true of positive rights. We never can reasonably say that a person from the 18th century had a right to modern,

21st century medical care or modern means of transportation, can we?

2. Negative rights are readily understandable because they are easily recognized. Moreover, they are realistic. We can respect negative rights of others by resolving not to kill them, steal from them, or lie about them; but we cannot, simply by resolving to do so, give everyone in the world the same standard of living most North Americans enjoy. We actually can't do this by trying to engineer it, either. It simply isn't possible.
3. A negative-rights perspective is realistic about the difference between moral and immoral actions by human beings and acts of nature. Ridiculously, a positive rights perspective implies that a tornado that destroyed a family's home violated that family's rights!
4. Because "positive rights are not merely equal rights but rights to equal things," a positive-rights perspective can make the case that any inequality between individuals or groups is a violation of rights. A negative-rights perspective, however, sees rights in terms of equal opportunities for all, regardless of the other differences that exist.
5. Where is the concept of charity in a positive-rights point of view? Even if you look high and low, you won't find it. If government is charged with securing and maintaining

positive rights, it and it alone is the benefactor. In addition, a positive-rights perspective implies that when an individual gives money to help the poor or otherwise disadvantaged person, any discrepancy in the assets of the recipient and the assets of the giver after the gift represents a violation of the recipient's right to equality!

6. A positive-rights perspective asserts that equal outcomes are desirable, yet some attributes among individuals cannot be equalized. The family into which one is born, age, IQ, height, sex—all of these and more—are differences that cannot be altered or changed (despite everything the transgender movement claims). On the other hand, negative rights are equal at the outset and can be applied to everyone universally. For example, we readily see that each person has an equal right not to be mistreated, molested, or mugged.

Beisner writes a two-sentence summary worth committing to memory. He says, "Properly understood, rights are not guarantees that something will be *provided for us* but guarantees that what is ours will not be unjustly *taken from us*. That is, properly speaking, rights are not *positive* but *negative*."

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—Dr. Calvin Beisner—

*Dr. Calvin Beisner, *Social Justice: How Good Intentions Undermine Justice and Gospel*, (co-published by the Cornwall Alliance for the Stewardship of Creation, Concerned Women for America, and the Family Research Council, 2013). A revised and updated edition of this publication is available from the Cornwall Alliance for the Stewardship of Creation. Visit <https://bit.ly/2zCp4ZF>.