

Notes on Daniels' "Is there a right to health care and, if so, what does it encompass?"

You have already encountered some of the issues that Daniels discusses in Vaughn's chapter. See the section "A right to health care" (pp. 638 – 640).

Daniels' doesn't fully explain the libertarian position on positive and negative rights on p. 650, but see Vaughn's explanation in the first full paragraph in col. 2 on p. 638.

In the second column on p. 651, Daniels begins discussing the right to equality of opportunity, which is part of a larger theory of justice. You don't need to know anything about this theory of justice to understand Daniels' article, but if you're curious, Vaughn explains it on pp. 47 – 49 ("Rawls' contract theory").

The basic idea for the right to equality of opportunity that everyone is entitled to a fair chance to achieve any of the social and economic positions available in a society. Access to some level of health care, then, would be required so that everyone has this fair chance.

Daniels calls the right to health care that comes out of the right to equality of opportunity "a special case of a right to equality of opportunity" but it might be easier to think of this right to health care as being "derived from" the right to equality of opportunity or as being a pre-requisite right for the right to equality of opportunity.

At the top of col. 2 on p. 654, Daniels says, "In Canada and Norway, for example, no supplementary insurance is permitted." That isn't the case for either of those countries anymore. Private supplementary insurance isn't used very much in Norway and is more common in Canada, although in both countries everyone receives most of their health care through the government run system.

The idea that citizens wouldn't have access to extra health care if they want to and were able to pay for it may seem odd to us—and ultimately, Daniels argues for access to an additional level of health insurance. But only allowing a basic, universal level is how we treat the right to military and (for the most part) police protection. Anyone can have a bodyguard or a private investigator, but no one (with some exceptions) can have their own police force that arrests and

jails people. And likewise, no one can have their own military (inside the United States). A right to health care without being able to have extra access to additional health care services would be the same idea.