

**Debate: Is Health Care a Right?**  
**Baylor College of Medicine, May 14, 2010**

**Opening Statement**

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I'm very pleased to be invited here to debate the question - Is health care a right. We don't debate the moral imperative to declare health care as a right often enough. To quote T.R. Reid, author of *The Healing of America*,

“In the world's richest nation, we tolerate a health care system that leads to large numbers of avoidable deaths and bankruptcies among our fellow citizens. Efforts to change the system tend to be derailed by arguments about “big government” or “free enterprise” or “socialism” and the essential moral question gets lost...”

In keeping with the moral theme of this debate, I'm going to start with a moral dilemma. In studies looking at how people resolve moral conflicts researchers present this classic scenario to subjects. It goes something like this:

Heinz has a wife who is deathly ill. The medicine that would save her life is the property of a druggist who will only sell it to Heinz at a price Heinz cannot afford. After trying everything else he can to no avail, Heinz breaks into the drug store one night and steals the drug. He gives it to his wife and her life is saved.

Then the researcher asks, “Should Heinz have broken into the store to steal the drug for his wife?” Here's what 11 year old Jake had to say, “Yes, because life is worth more than money. The druggist can get more money but you couldn't get another Heinz's wife ever again”. Jake acknowledges stealing is wrong but goes on to say that laws are made by people and laws can have mistakes.

Since ancient times great philosophy and religious scholars have studied the inherent complexities of moral decision making. Recognizing our shared vulnerability to human suffering, philosophers and religious leaders such as Plato, Hillel, Jesus and Mohamed have all supported, in one form or another, the principle of moral universalism. The belief that what is right for me is right for you and what is wrong for you is wrong for me.

There's agreement that we all have inalienable rights that are universal and cannot be taken away and that we also have civil or political rights from human law. Moral conflict can arise when these rights, all of which are valid, come into competition.

Debates tend to center on to what degree an individual must give up some rights in order to live in a civil society because, as Thomas Hobbes pointed out, in civil society there would be chaos or a "war of all against all" if the world consisted entirely of unlimited inalienable rights without human laws.

Although there is a long history of defining and debating human rights, the concept of health care as a human right is recent. Because of the experiences in WWII and because the Nuremberg trials exposed the depth of the atrocities committed by the Nazis, the world community agreed on the need for an international bill of human rights affirming and defining them.

Two of the documents that came out of that consensus are The United Nations Declaration of Human Rights in 1948 and later, in 1966, the International Covenant on Economic, Social and Cultural Rights. These documents explicitly recognize health care as a human right. Except for the United States, all free market democracies have agreed that access to healthcare is a right and have developed national health care systems to ensure healthcare access for all their citizens.

Like Jake, most people decide Heinz made the better moral decision by deciding that his wife's right to life trumped the druggist's right to property. But, of course, applying this fundamental moral principle to whole societies is much more complex. Deciding how to distribute health care for all in a way that intrudes the least on the rights of individuals is a debate worth having, but it is a debate that should start with a discussion of our moral values as a nation and how our health care system can and should embody those values.