

# A CRITIQUE OF ROBERT M. SADE’S ARGUMENTS AGAINST A RIGHT TO HEALTH CARE

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[Robert M. Sade’in Sağlık Hakkına Yönelik Argümanlarının Eleştirel Analizi]

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## ABSTRACT

This paper attempts a critique of Robert M.Sade’s arguments against a right to health care. It argues that Robert M.Sade’s arguments against a right to health care rely on a theory of property which is fraught with so many inconsistencies. It concludes that given these contradictory positions in a theory which is fundamental to the success of his position, Sade’s position cannot be maintained consistently.

**Keywords:** Rights, property, health care, medical care.

## ÖZET

Bu makale, Robert M. Sade’in sağlık hakkına karşı ileri sürdüğü argümanları eleştirel bir perspektifle değerlendirmeyi amaçlamaktadır. Çalışmada, Sade’in sağlık hakkına karşı argümanlarının, birçok tutarsızlık içeren bir mülkiyet teorisine dayandığı vurgulanmaktadır. Bu

eliřkili varsayımların, Sade'in grřnn temelini oluřturan teorideki konumları zayıflattığı ve dolayısıyla bu pozisyonun tutarlı bir řekilde savunulmasının mmkn olmadığı sonucuna ulařılmıştır.

**Anahtar szckler:** Haklar, mlkiyet, saęlık hizmeti, tıbbi bakım.

## Introduction

Robert M. Sade argues in his paper that medical care is not a right. His position seems to rest on issues related to rights, property and the coercive power of the state. This paper attempts to examine some of the arguments advanced by the author leading to his controversial conclusion. The paper argues that contrary to Robert Sade's arguments that medical care is not a right, his arguments rely on a theory of property which not only justify inequalities but also violates one of the laws of thought. The paper concludes that given these obvious shortcomings in Robert Sade's paper, his arguments do not support his conclusion.

## Robert Sade's Arguments against a Right to Health Care

In his desperate move against the right to health care, Robert M. Sade raises some fundamental issues about rights. He argues that there are different types of rights. Examples of rights generally are: "right to life, liberty and property"<sup>1</sup>. The most important of all these rights according to him is the right to life. The right to life is the fundamental right without which other rights become otiose. To put in another way, without the right to life, the would-be right-bearer cannot enjoy any other forms of rights. He writes: "all other rights are corollaries of this primary one; without the right to life, there can be no others, and the concept of right itself becomes meaningless."<sup>2</sup>

Robert M. Sade assumes that human beings are rational agents who are endowed with the capacities to reflect critically on issues that are germane to their continuous existence. He also assumes that human beings are also capable of choosing from alternatives actions, that, which in the final analysis will enhance their chances of survival. Arising from these attributes of human beings and their basic right to life, Sade argues that there are certain things which must be accomplished if the right to life will be meaningful. As such, human beings must engage in productive activities in a bid to cater for their bodies on one hand and be interested in the acquisition of knowledge to keep their souls together on the other.<sup>3</sup>

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<sup>1</sup> Knowles Dudley ,2001. Political Philosophy (London: Routledge Press) p.134

<sup>2</sup> Werhane Patricia, et. al. 1986.Philosophical Issues in Human Rights (New York: Random House) p.288

<sup>3</sup> Op Cit., p.288

Granted that there is a right to life, Robert M. Sade seems to argue that there are other forms of rights without which it becomes impossible to enjoy the right to life. In other words, the right to life must be deduced or inferred from other types of rights. These other important rights are: the right to choose that which one considers essential to live comfortably, the right to determine without interference how to achieve that which one considers important to live comfortably, and the right to be able to dispense with that which one desires willingly, if necessary, when it has been accomplished.<sup>4</sup> Any attempt to prevent a would-be-right bearer, in this context a bearer of the right to life from enjoying his right to life through human commission or commissions, or through the agent of the state is tantamount to putting the said individual in servitude. It is necessary to reiterate at this point that, Robert M. Sade underscores the importance of properties legitimately accumulated as a vehicle through which the right to life could be enjoyed.

Attempts to enjoy ones right to life according Robert M. Sade should involve deliberate and concerted efforts towards the production of goods and services. To put it succinctly, individuals must labour hard towards ensuring that their basic needs are not only met, but also to persistently strive to accumulate properties which seems to him as the basis on which the right to life could be expressed. In the process, individual must engage in some commercial activities where the goods and services produced could be sold to other individuals who are in need of them. He writes: “Goods and services are thus owned as a consequence of the right to sustain life by one’s own physical and mental effort.”<sup>5</sup> Stressing the importance of properties in an attempt to enjoy ones right to life, Robert M. Sade argues that any attempt to deny somebody who has labored the right to his properties by claiming that individuals who may not have contributed in any way to the production or accumulation of such properties could claim it, is unjustified. It amounts to the use of coercion on those who want to enjoy the fruit of labour of another person unjustly.

Robert M. Sade concludes his arguments on the right to life and others deduced from it, by asserting that the need to protect and defend ones right to life explains why government became expedient at a time in history. He implicitly alluded to the contracts theorists and their

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<sup>4</sup> Op.Cit.p.288

<sup>5</sup> Op.Cit.p.289

arguments for the society because of the exigencies of the natural state.<sup>6</sup> It follows from Robert M. Sade's arguments on the right to life and others inferred from it, that whatever is produced cannot be legitimately taken from the owner. On the basis of this, he seems to conclude that there cannot be a right to medical care. Medical care as a right, for him, involves taking the proceeds of labour of others unjustly.

Apart from Sade's arguments from the right to life and others deduced from it, he also relies on the fact that arguments in support of the right to health care have been based on some errors in reasoning. For the purpose of this paper, some of the arguments which he claims are fundamentally based on erroneous reasoning will be examined.<sup>7</sup> Defenders of the right to health care maintain that issues on health border on the community which must necessarily involve the contribution of all and sundry. On the basis of this position, its adherents claim that health care should be a right. In Sade's view, it is not correct to argue for a right to health care simply by claiming that health is a community matter. On the contrary, Sade argues, that available medical records attest to the fact that health is a private matter bordering on the different lifestyles of every citizen. In support of this, he argues that about seventy percent of challenging health cases in United States of America at a particular period could have been avoided but for the nonchalant attitude of a large number of the citizens. For this reason it is wrong to maintain that health is something beyond the individual.<sup>8</sup>

Robert M. Sade also maintains that staunch defenders of the right to health care supported their position by claiming that health is better managed by the government. He however argues that there is no convincing argument to support this view. It has only been defended by some unsubstantiated claims that such practices had increased the life expectancy of citizens and prevented the death of citizens to a very large extent. He argues that there are indications that

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<sup>6</sup> Janice Richardson, *The Classic Social Contrarians* 2009.(U.S.A. Ashgate Publishing Company) .p.33

<sup>7</sup> Werhane Patricia, et. al.1986. *Philosophical Issues in Human Rights* (New York: Random House) p.290

<sup>8</sup> Op. Cit.,p.290

this position is far from the truth. Arguments for the right to health care, he argues cannot support such position.

Robert M. Sade's arguments for his position, namely, that health care should not be a right from my analysis so far is based on the right to life. He argues that to enjoy the right to life, the rights to property is inalienable and should be considered sacrosanct. Apart from the right to life, he argues that it is an error in reasoning to maintain that health care must be a right and debunks some of the arguments deduced from this position. A critical examination of Robert M. Sade's view reveals that his argument on the right to property implicitly relies on one of the classical liberal theorists, namely John Locke. It is therefore necessary to consider John Locke's theory of property.

### **The Lockean Theory of Property**

John Locke is one of the classical liberal theorists. The classical liberal theorists are famous for their contribution in political philosophy, with particular reference to their famous but controversial social contract theory. An elaborate discussion of the tenets of liberalism in general will not be done in this paper, given the fact that liberalism is a concept with multiple interpretations. As noted by Watts Miller, "liberalism is a house of many mansions, where reconstruction and disputes over it go on all the time"<sup>9</sup>. In spite of the myriads of interpretations to Liberalism, there are some positions central to these interpretations. Christman John's view on some of the tenets of liberalism seems to explain its defining characteristics. He writes:

Speaking in loose and general terms, a liberal society is one that is, or attempts to be, an open society, a free and tolerant environment where the widest possible range of pursuits are allowed, consistent with equal such opportunities for everyone.<sup>10</sup>

John Locke relies on the existence of God in his theory of property. He argues that God gave "the earth" and whatever can be produced on it to human beings equally. Locke seems to argue that God understands that the right to life cannot be enjoyed if human needs are not met. For this reason, the earth is bestowed on human beings so that it could be used in their bid to enjoy

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<sup>9</sup> Milligan David, & Miller William, (Eds.) 1992. Liberalism, Citizenship and Autonomy (U.S.A. Ashgate Publishing Company) p. ix

<sup>10</sup> Christman John, 2002. Social and Political Philosophy (London: Routledge Press) pp.94-95

the right to life. Since the earth is to be used to produce the basic needs of man, there is a caveat that individuals should appropriate part of the earth that may be required for them to enjoy the right to life. Property in Locke is that part of the earth which an individual takes by his sweat. Namely, a part of the earth becomes an individual's property, when he/she has labored on it. There are rules guiding the acquisition of properties. On the basis of the right to life, an individual can only take a part of the earth that he/she needs and ensures that the remaining part of the earth is left for others, especially in such position where they also can take from it. The Lockean theory discourages wasteful use of the "earth" by individuals. It is a rule that an individual can only take that which he/she wants to use immediately to prevent wastage, since God abhors wastage. An individual can only take that portion of the earth on which he has worked.<sup>11</sup>

Locke argues that in the natural state of man there came a time when money was introduced. With the invention of money as a medium of exchange, it became a store of value. The initial position where whatever is appropriated should not be wasted became obsolete, since a lot could be kept in form of money. The invention of money also changed the status quo, as individuals are no longer concerned about whether something is left for others. With money as a medium of exchange there came a time when some individuals had acquired all the available land since it could be kept for other productive activities. At this stage, there was then the class of landowners and those without land. Locke argues that there was nothing wrong with the emergence of these classes since the inhabitants of this natural state all agreed to invent money.

The initial position that the inhabitants of this natural state could only acquire that on which they have worked could no longer hold. Individuals without land had to work for owners of land. With this development, there was no "limit" to which they could acquire properties. At this state, all the dictates of the laws of nature in Locke were eroded and the consequence was an excessive acquisition of properties. The emerging classes in the natural state, at this stage, felt compelled to move from this state to the society and form a government to protect the existing social relations in the state of nature. Having examined the Lockean theory of property and why it became necessary to leave the state of nature, in the next section I shall critically examine Sade's arguments against a right to health care.

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<sup>11</sup> Macpherson Crawford, (Ed) 1980. John Locke Second Treatise of Government(Cambridge: Hackett Publishing Company, Inc. p.xvi

### **A Critique of Robert T. Sade's Arguments against a Right to Health Care**

This section attempts a critique of Robert M. Sade's arguments against the right to health care. Earlier in this paper, Sade's arguments against the right to health care were identified. His major argument for this contentious position was that every individual has a right to life. On account of the right to life, it follows that individuals must engage in productive ventures for self-preservation. It follows according to Robert M. Sade that the right to the proceeds of ones labour, the thesis defended by defenders of the value theory of labour, cannot be alienated legitimately from the owner.<sup>12</sup> On the basis of this, Robert M. Sade maintains a wholesale skepticism against the right to health care. Wholesale skepticism is a denial of the possibility of knowledge.<sup>13</sup> It contrasts with methodological skepticism defended by scholars like Rene Descartes.<sup>14</sup> In this context therefore, Robert M. Sade argues vehemently against the right to health care.

In the preceding section, I hinted that Robert M. Sade implicitly relies on the Lockean theory of property in defense of his position against the right to health care. The question is whether his arguments from a Lockean theory of property suffice to support this conclusion. My answer is no. What are the reasons for his negative reactions? Robert M. Sade's considers it morally repugnant to forcefully or otherwise take from the proceeds of others to cater for those who could not afford medical care even amidst serious health challenges. This is the normal act by which justice could be promoted within the society. Any other arrangement promotes injustice. A critical examination of the Lockean theory of property however reveals that Sade's position seems to have violated one of the three laws of thought, namely the law of contradiction. The law of contradiction states that something is either the case or not the case.<sup>15</sup> His position which

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<sup>12</sup> Dooley Peter, 2005. *The Labour Theory of Value* (London: Routledge Press) p.3

<sup>13</sup> Hamlyn David, 1970. *Theory of Knowledge* (London: Macmillian) p.16

<sup>14</sup> Descartes Rene, . *Discourse on the Method for Conducting One's Reason Well and for Seeking Truth in the Sciences*, Translated by Donald A.C. 1998.(Cambridge: Hackett Publishing Company) p.65

<sup>15</sup> Copi Irving, & Cohen Carl, 2004. *Introduction to Logic* (New Delhi: Prentice Hall of India) p.344



says that we should not promote injustice relies on assumptions which are fundamentally grounded in injustice.

Let me explain briefly. Let us recall that the Lockean theory of property assumes a natural state, where people lived before the emergence of a society. In this natural state, the earth/nature was freely given to everybody. Individuals also own themselves in this state. Locke assumes that an individual becomes the rightful owners of some parts of the earth, when he/she has labored or toyed on it. Locke notes: “whatever then he removes out of the state that nature hath provided, and left it in, he hath mixed his labour with, and joined to it something that is his own, and thereby makes it his property”<sup>16</sup>The view expressed by Locke becomes obvious in Robert Sade’s account when he argues that: “goods and services are thus owned as a consequence of the right to sustain life by one’s own physical and mental effort.”<sup>17</sup>In an obdurate defense of the labour theory of property, Locke maintains that: “God had given the earth to men for their subsistence: there was a natural right to life; and therefore each had a natural right to take to himself what was needed for sustaining his life”.<sup>18</sup> Robert Sade echo Locke position when he says: “the right to private property, therefore, is essential and indispensable to maintaining free men in a free society.”<sup>19</sup> It is important to stress the fact that even at this level scholars had problem with Locke’s position. Andrew Levine argues that Locke fails to realize that there are kinds and degrees of labour. Attempts to cultivate a thousand heaps definitely require a lot of labour. An individual, who had to dig holes in order to kill a rodent, also requires some physical exertions. The objection is that Locke does not clearly state the degree of labour that must be mixed with nature in quest for personal property.<sup>20</sup> In the same way, Kramer Matthew has criticized the labour theory of property. Kramer maintains that the Lockean labour theory of property fails to accentuate the differences between how nature freely given to individuals in

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<sup>16</sup>Macpherson Crawford, (Ed.)1980.John Locke Second Treatise of Government, Cambridge: Hackett Publishing Company, Inc.p.17

<sup>17</sup> Werhane Patricia, et. al. 1986.Philosophical Issues in Human Rights (New York: Random House) p.289

<sup>18</sup> Macpherson Crawford, (Ed.) 1980.John Locke Second Treatise of Government, Cambridge: Hackett Publishing Company, Inc. p.xvi

<sup>19</sup> Werhane Patricia, et. al. 1986.Philosophical Issues in Human Rights (New York: Random House) p.288

<sup>20</sup> Levine Andrew, 2002..Engaging Political Philosophy from Hobbes to Rawls(U.S.A: Blackwell Publishers) p.107

Locke's account could be explored to promote the parochial interest of a few individual or in the overall interest of the community.<sup>21</sup>

Let us note that the Lockean theory of property has become so indispensable to Robert M. Sade's position in his defense against a right to health care. It is rather unfortunate to note that why Sade has mentioned that it is unjust to take from the sweat of another to finance free medical services, the theory which he relies on has promoted injustice abinitio. It is apt at this level to reiterate that Locke initially guides against the excessive accumulation of properties, to forestall a situation where others will not have anything to accumulate. It was also the case that the same Locke brought the use of money, as a medium of exchange to this natural state. The advent of money in the natural state brought about greed and excessive accumulation of properties.

At a point, some individuals were able to appropriate all the properties in form of land that were available. This introduced a class society, with two dominant classes, the class of the owners of land and those who do not have land. The landless class had to rely on their labour to survive. At a point, it dawned on the two classes, that their parochial interest could only be protected in a society with a ruler. In a clear term, the Lockean idea of society, where a sovereign is created to preside over the affairs of the new society, was implicitly to preserve the existing social order. A theory which stresses the importance of property in quest of self-preservation, and ended up with two classes that are unequal does not seem to me, to have promoted justice. In like manner, Carole Pateman seems to argue that, such would violate the natural laws.<sup>22</sup>

The point to note here is that, Robert M. Sade's argument against the right to health care relies on a position designed to promote the selfish-interest of some people at the expense of others. On account of this, his arguments in support of property accumulation for self-preservation, which informed his controversial position against the right to health care, cannot be maintained consistently. It is too obvious to gloss over this fact. Even when it is argued that the invention of money had its own benefits, and as such it would not be fair to criticize the labour theory of value and by extension Robert M. Sade's position against the right to health care, it is doubtful whether his arguments are strong enough to support this conclusion. The invention of money

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<sup>21</sup> Kramer Mathew, 2004. John Locke and the Origins of Private Property(Cambridge: University Press) p.17

<sup>22</sup> Pateman Carole, 1979. The Problem of Political Obligation(New York: John Wiley) p.67

brought a lot of economic activities. Everybody benefitted from the invention of money. The property owners could accumulate more properties. Individuals with their labour power could exchange this to survive. A critical examination of the supposed benefits on both sides reveals that one is better than the other. The property owners may choose not to do anything again in the society once they are sure their properties are protected. The property less individuals, have to work hard in the society, or else they will perish. Arrangement of this nature has wholly promoted injustice which Robert M. Sade thinks would be avoided if there is no right to medical care.

Defenders of the right to health care according to Robert M. Sade argue that health care should be a right, because health is a social phenomenon which should concern everybody. Robert M. Sade objects to this argument claiming that contrary to the position of adherents of the right to health care, health matters bothers on the individual, as such, the society should not be involved. His arguments were supported by challenging health cases where the individuals concerned should be allowed to take full responsibilities. Such cases include individuals who may possibly face some problems on account of smoking, excessive intake of alcoholic drinks or careless driving on the road.<sup>23</sup>

It is however wrong to argue against the right to medical services because of the erroneous idea that health is an individual rather than societal matter. The outbreak of Ebola virus disease in some African countries in year 2014 and the efforts made by Governments and citizens of the affected countries laid credence to the fact that health issue must be handled collectively by members of the society. If issues bothering on health relates primarily to the individual, the best thing that would have happened in countries affected by the outbreak of Ebola virus disease, would have been to allow the affected citizens to die of this disease. Ebola being a contagious disease would have ravaged a large percentage of the population of the affected countries, if their states had treated it as an individual issue. On the side of the citizens, especially in Nigeria, suspected cases of any outbreak of the disease were reported to government agencies so that appropriate measures could be taken. Even if Robert M. Sade argues that the outbreak of Ebola virus disease is a peculiar case, and maintains it receives the attention of all because of its

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<sup>23</sup> Werhane Patricia, et. al. 1986. Philosophical Issues in Human Rights (New York: Random House) p.290

peculiar nature. He may argue further that other health cases do not always receive peoples' attention and so health is an individual rather than society issue.

Let us consider the case of a patient suffering from epilepsy. By its nature is not a contagious disease. It has however receives the attention of people. An epileptic patient exhibits some traits that are considered disgraceful not only to him/her but to other members of his/her family. Apart from these traits, the condition of an epilepsy patient is such that when affected by the disease, in a public, say on the road, or on a bicycle, it may lead to the death of the patient. The need to protect the sanctity of life has often compelled the entire people to be concerned with people suffering from this disease. This has further strengthened the fact that issues bothering on health cannot be left to the affected individual against Robert's position that it is individualistic.

The obvious consequence of this fact is that Robert M. Sade's arguments against the right to health care are not strong enough for this position. If it is the case that health cases are communal rather than being individualistic like Sade has argued, it follows that health care should be a right. Contrary to the liberal conception of the individual, for the Communitarians, the liberal practice which places the individual at the center stage is inadequate. The self or the individual cannot be isolated from the community which is fundament to his existence. This explains why they argue in favour of any social arrangement which recognizes the supremacy of the social over and above the individual. This is the "metaphysical thesis" defended by most communitarians.<sup>24</sup> Relating this to Robert M. Sade's view that health care is an individual rather than community issue, it is obvious that Sade's arguments against the right to health care rely on the anthropocentric conception of the self which has been seriously castigated in political literature.<sup>25</sup> In like manner, Macintyre alluded to the importance of the social against liberal individualism, when he argues that the activities of the self can only be understood when they are considered holistically.<sup>26</sup> His holistic understanding of events further demonstrates the supremacy of the social over the individual. Besides, it seems to me that Sade erroneously claims that health care is an individual rather than a community issue because he ignores

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<sup>24</sup> Frazer Elizabeth, 1999. *The Problems of Communitarian Politics* (Oxford: University Press), p.21

<sup>25</sup> Mulhall Stephen, & Swift Adam, 2003. *Liberals and Communitarians*, (U.S.A: Blackwell Publishing Limited) p.198

<sup>26</sup> Macintyre Alasdair, 2007. *After Virtue: A Study in Moral Theory* (Notre Dame, Indiana: University of Notre Dame Press) p.206

important issues about the community. Communitarians generally have maintained that the community defines the identity of her members. This explains why some communitarian scholars defined a community in terms of its defining characteristics. He writes: “a community is a group of people who live in a common territory have a common history and shared values, participate together in various activities, and have a high degree of solidarity.”<sup>27</sup> A community understood in this sense cannot be a place where an individual with a challenging health issue will be left alone. These attributes of the community are interrelated, such that serious health issues, whether the ones that are contagious or those that are not become the concern of the community.

### **Rawls and Nozick on positive and negative liberty**

Isaiah Berlin is famous for making a distinction between positive and negative liberty. By negative liberty he meant: “what is the area within which the subject-a person or group of persons-is or should be left to do or be what he is able to do or be, without interference by other persons?” By positive liberty he meant: “what, or who, is the source of control or interference that can determine someone to do, or be, this rather than that?”<sup>28</sup> Rawls’ conception of positive liberty is encapsulated in his first principle of justice also known as the liberty principle. The liberty principle allows autonomous individuals to enjoy a list of liberties in Rawls. These liberties are “political liberty (the right to vote and to hold public office) and freedom of speech and assembly; liberty of conscience and freedom of thought; freedom of the person, which includes freedom from psychological oppression and assault and dismemberment (integrity of the person); the right to hold personal property and freedom from arbitrary arrest and seizure as defined by the concept of the rule of law”<sup>29</sup> This is a clear case of positive liberty in Rawls. Robert Nozick’s notion of negative liberty is liberty as non-interference. His notion of liberty as non-interference assumes that individuals are atomistic beings with no connection with other individuals.<sup>30</sup> Arising from this view, he maintains that there is no reason on the basis of which

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<sup>27</sup> Derek Phillips, 1993. *Looking Backward: A Critical Appraisal of Communitarian Thought* (New York: Routledge Press) p.14

<sup>28</sup> Berlin, I. “Two concepts of liberty” in Miller David, 2006. *The Liberty Reader* (London: Paradigm Publishers) p.34

<sup>29</sup> Rawls John, 1999. *A Theory of Justice*, Rev. ed. Cambridge: Harvard University Press. p.53

<sup>30</sup> Nozick Robert, 1974. *Anarchy, State, and Utopia*, Oxford: Blackwell Publishers. p.33

an individual can be compelled or persuaded to make sacrifices in the overall interest of others. Nozick's defence of negative liberty is further explicated with the argument about Wilt Chamberlin, which not only lay credence to his entitlement theory but also show that: "no end-state principle or distributional patterned principle of justice can be continuously realized without interference with people's lives."<sup>31</sup>

Rawls argues that these basic liberties are rights to be enjoyed by citizens. He thinks that government should strive towards ensuring that citizens enjoy these liberties and perform their corresponding duties without any impediment. He notes: "not only must it be permissible for individuals to do or not to do something, but government and other persons must have a legal duty not to obstruct."<sup>32</sup> Given the positions of Rawls and Nozick on positive and negative liberty already discussed, it is obvious that Rawls considers positive liberty as a form of rights and defended a position which will support a right to health care. From Nozick's conception of negative liberty as non-interference, we can infer that his theory cannot support a right to health care consistently.

## Conclusion

This paper examines Robert M. Sade's arguments against the right to health care. Prominent among Robert M. Sade's argument for this controversial position was the notion of the right to life. The right to life can only be enjoyed when there are material resources with which the right bearer could live comfortably. Against this background, Robert Sade argues that the right to property is an inalienable right. On the basis of this, Sade argues that any attempt to provide free medical services to citizens, with the implicit assumption that they have a right to health care could not be justified. Provisions of free medical services could only be done, he argues, when individuals' properties have been illegitimately taken away from them. In Sade's view, any attempt to appropriate whether in part or the whole of the property of any member of the society to finance the regime of free medical services, is tantamount to standing in the way of such individual in his or her bid to enjoy his right to life.

This paper, on the contrary, argues that Robert M. Sade's position against the right to health care is not correct. It argues that Robert M. Sade's relies very much on the Lockean theory of

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<sup>31</sup> Nozick Robert, 1974, p. 163

<sup>32</sup> Rawls John, 1999, pp. 177-178

property. The paper notes that any argument against an unjust position just like Sade did, is ordinarily supposed to be just. It argues that Robert M. Sade's arguments against the right to health care rely on a theory of property which was meant to promote an unjust social relation. These arguments cannot support his position against a right to health care without being involved in contradiction. Besides, the paper examines Sade's argument that health care is not a community affair. If health care is not a community affair, Sade argues that health care is not a right. Sade argues that major challenging health cases are traceable to nonchalant attitude of some individuals in the community. The paper argues against Sade's position citing the outbreak of Ebola virus disease in Africa, where government and private institutions made concerted efforts to curtail the spread of EVD. The point made with the outbreak of EVD in Africa was to show that issues bordering on health are communal in nature against Sade's contrary view. Given the problems with the major arguments bolstering Sade's position against the right to health care, the paper concludes without any iota of doubt that Robert M. Sade is wrong to maintain that health care should not be a right.

The distinction made between the thesis defended by Liberals and Communitarians was an attempt to make a strong case for a right to health care against any contrary position. A unique characteristic of Liberals is their staunch defence of freedom and equality. This contrasts sharply with the Communitarians who argue for the supremacy of the community over individuals. Applied to the issue of health care, the paper concludes that the Communitarians is more defensible because it protects the sanctity of life.

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