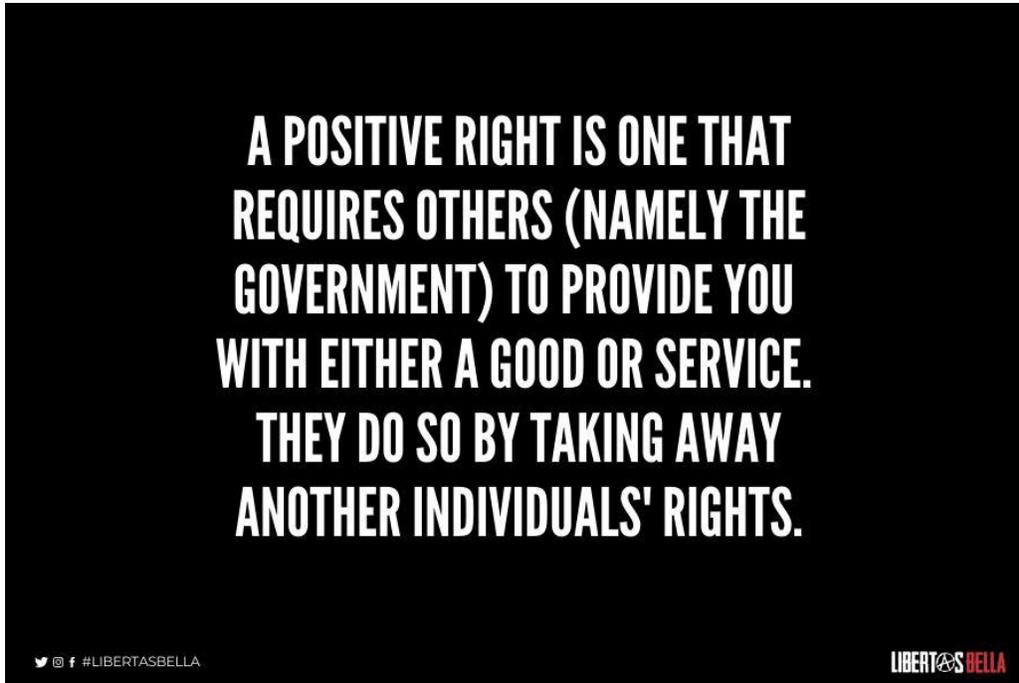


Positive Rights: The Definition of Them and Why They Matter



What are “Positive Rights”?

There is much talk regarding “rights” and how they relate to freedom and liberty. If you’re wondering, “what are positive rights,” and why should I care? We’ll explain what they are and some of the fundamental issues that many people have with this ideology.

Positive Rights Definition

A positive right is one that requires others (namely the government) to provide you with either a good or service. They do so by taking away another individuals’ rights.

Positive right issues start to arise when these infringe on the fundamental unalienable rights of others by requiring them to put forth something in exchange for others to receive that right.

We’ll get into some concrete examples of this in the following section and how this contrasts from Libertarian beliefs.

When you try to define positive rights, it essentially means the “freedom” to have something that you didn’t necessarily have to work for or do anything to achieve it. At its

core, it is a “right,” and it’s something that neither the federal or state government can take away from you.

But, there’s also confusion because these rights are granted to you by the government, and they almost always involve stepping on the toes of someone else’s unalienable rights in the process.

French philosopher Jean-Jacques Rousseau said it better than anyone we could think of; he stated that a strong government makes you free, and submitting to that government is better for the greater good. When you think about it, it sounds as if this ideology “forces you to be free.”

If we have to be forced into freedom, are we really free at all? The constitution and bill of rights give us our entitlements and political rights but does this create a free society or more reliance on the government?

Our constitutional rights as men and women are to have the freedom to do as we please as long as it doesn’t compromise others unalienable rights. This is where non-interference laws and the legal system come into play.

So when we look at our “positive rights,” are they even rights or are they simply ways for the government to control us in the name of the “greater good”?

We believe that it’s important to realize how incompatible this thought process is. You cannot have both the right to freedom and limitations as to how free you can be. There are no in-betweens, but yet the government wants you to believe that you’re free while still requiring you to:

- Attend specific schools
- Pay money for goods and services that don’t benefit you (taxes)
- Take immunizations against your will
- Follow regulations that infringe on your liberty

We could go on and on about all the positive rights that actually take freedom away from you, but these may not be positive rights at all. Our current society was built on negative rights because any positive right you have, has a limitation, a requirement, and a way that the government can come in and take it from you.

Examples of Positive Rights

Where issues arise is when we start to talk about how positive rights contradict negative rights, and the two are incompatible because one always steps on the toes of the other.

For example, **social welfare is a positive right**. We, as Canadian citizens of the Canada, have the positive right to receive provincial welfare benefits if we’re unable to care for ourselves and our family.

What is often forgotten is the fact that people all over the province are *required* to pay taxes to pay for these programs even though they're not benefiting them. So, in turn, the positive right of social welfare impacts the negative right of not requiring us to hand our money over to the government.

If we break it down to the most basic level, where do our positive rights end, and our negative rights begin? Under what conditions does a positive action about something we "should" do become a negative action about something we "shouldn't" do?

Political Philosopher Isaiah Berlin discussed this in a popular lecture titled "Two Concepts of Liberty." He said:

If negative liberty is concerned with the freedom to pursue one's interests according to one's own free will and without "interference from external bodies," then positive liberty takes up the "degree to which individuals or groups" are able to "act autonomously" in the first place.

So, let's break this down.

Positive liberty is the length at which we can go and act on our own free will before we hit a limitation that prevents us from going any further. An example of this could be our positive right to free enterprise.

As citizens, **we have the right to open a business**, run it how we please, and profit from it. But, we cannot put certain businesses in certain locations, we can't decide who comes to our business, and we can only sell goods and services that align with legal proceedings, laws, and regulations of the province we're operating in. Not to mention all the filing and processing fees you need to pay to get started.

So yes, while we might have the positive right of the freedom to start a business. There are also negative rights that protect citizens in the local area and customers who may come to that business.

It's clear that there is a fine line between what separates the two, and it's unclear as to where positive action starts to infringe on individual unalienable rights.

We think the big question is, "*are there any positive rights examples that don't have a negative right associated with them*"?

The answer as far as we can see is, **no**. Even when you think of your right to law enforcement, firefighters, and law, there are negative rights there as well. To have law enforcement and firefighters, it may require that we pay taxes to have those services provided to us by the government.

All positive rights have an equal or greater negative right that puts limitations on the freedoms you have. The right to bear arms, freedom of speech, freedom of religion, property rights, land rights, and other individual unalienable rights.

While you do have the positive right to own a firearm, the government will control the process of obtaining one, which ones you can have, how many you can own, where you can use it, how you use it, when you can carry it, how you can carry it, and they'll charge you all kinds of fees throughout this process.

Summary

Positive rights are the freedoms to have something and have it provided to you by others. Just by reading that sentence, you should immediately see where the controversy comes into play. **To require someone to provide something that violates their unalienable rights and makes it impossible to be truly "free."**