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## A Libertarian Response to the Coronavirus

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There are no libertarians in an epidemic,” some observers seem to believe. But the prevalent view that the coronavirus pandemic renders libertarian ideology invalid is based on a fundamentally flawed understanding of libertarianism.

Libertarians uphold the idea of individual liberty in the economic, political and social spheres. This differentiates them from conservatives and liberals: the former limit freedom in the social realm and the latter in the economic; libertarians defend liberty in all fields of endeavor. But, because of this focus on liberty, many people overlook another important idea underlying the ideology.

In open societies, it is a no-brainer that every human being has a right to life. Most political differences stem from disagreements as to the degree to which each individual’s liberties should be restricted to ensure that the rights and freedoms of other people are protected.

### **The Principal Ideas of Libertarianism**

Those who claim that libertarian ideology is ill equipped to tackle the pandemic forget that libertarians first and foremost uphold people’s right to *life*. As the Declaration of Independence asserts, “all men are ... endowed by their Creator with certain unalienable rights ... among these are life, liberty, and the pursuit of happiness.” The right to life is placed *before* the right to liberty and the pursuit of happiness. Similarly, John Locke writes of the right to “life, liberty and property,” again recognizing the pre-eminence of the right to life. People have inalienable rights. By virtue of its existence, the state imposes limits on how we can exercise those rights, but its objective is to protect them.

Another foundational principle of libertarianism is that the exercise of one’s rights should be kept within reasonable bounds, for you cannot enjoy unlimited personal freedom without infringing on the freedom of other people. As Edmund Burke writes, “Liberty must be limited in order to be possessed.” In the words of David Boaz, vice president of libertarian think tank Cato Institute, “Libertarianism is the view that each person has the right to live his life in any way he chooses so long as he respects the equal rights of others.”

Libertarians, therefore, do not want to get rid of the state completely, because it is necessary to defend people from the dangers stemming from the excesses of unlimited freedom.

For libertarians, the right to life is paramount. Libertarians are therefore ready to accept restrictions on individual freedoms, if necessary to preserve life and other liberties. Actions that harm others must be countered, and it is therefore necessary to keep people’s rights and liberties within certain bounds.

## **Libertarian Justification for the Lockdown**

The Covid-19 pandemic has changed our world, affecting almost every field of human activity. During crises, circumstances can change abruptly, necessitating that the state implement corresponding changes to the amount of liberty citizens enjoy, in order to ensure that everyone's rights and freedoms are respected and prevent what Karl Popper calls "the paradox of freedom," whereby unrestricted freedom leads to a loss of freedom.

Interacting with other people without taking adequate precautions has become dangerous and even deadly due to the speed and ease with which the virus spreads. Dr Anthony Fauci, director of the US National Institute of Allergy and Infectious Diseases, estimates that "somewhere between 25 percent and 50 percent" of coronavirus carriers are asymptomatic. Hence, the average person is likely to be an unconscious spreader of Covid-19, and, if no restrictions on movement are applied, could unintentionally infect others, some of whom may die. Would such a person be responsible for those deaths? Yes. Even though these killings would be unintentional, every rational person today realizes that, if infected, she may pass on the disease to another person, who may be killed by it.

During the coronavirus pandemic, people's right to life would be endangered without relevant constraints on the right to move and assemble freely. Consequently, even from a libertarian perspective, social distancing measures, lockdowns and other restrictions can be justified. As Andy Craig of Cato Institute writes, "Government has a role to play in responding to the pandemic in much the same way it is the government's job to prosecute murderers or defend the country from invasion."

When the fundamental right to life is endangered, more government intervention—and hence restriction of liberty—becomes necessary. Libertarians should always oppose actions that lead to the violation of the essential right to life, be they intentional or not.

As Friedrich Hayek writes in the *Road to Serfdom*, the philosophy of individualism does not "exclude the recognition of social ends, or rather of a coincidence of individual ends which makes it advisable for men to combine for their pursuit." We are all interested in ending the pandemic as quickly as possible, and we have to make short-term sacrifices to ensure the long-term preservation of individual rights and freedoms.

## **Libertarian Objectives During Crises**

Fundamentally, libertarianism is about decentralization and the more even distribution of decision-making power. The state will always be the biggest and most important actor; however, libertarians believe that, because the state is not composed of infallible human beings, it is bound to make mistakes, especially when major decisions depend on a single person. Therefore, libertarians argue, as much decision-making power as possible should be outsourced to private individuals, civil society, state and local governments, etc.

When there are many players in society, the negative consequences of the failure of the state will be mitigated, thanks to the countervailing actions of other units. Germany, for example, has one of the lowest death rates from Covid-19: in that country, the ability to conduct tests is not monopolized by a single entity; private labs can develop and conduct tests on their own. In the US, by contrast, for most of February, the FDA only allowed CDC-produced tests. The CDC tests did not work. Only later did the FDA grant other organizations permission to design and

perform tests. The reliance on a single testing entity considerably hampered the country's ability to respond to the crisis.

The decentralized distribution of decision-making power allows other actors to take action when the government fails to do so. For example, to compensate for the federal government's initial missteps in tackling the threat, states like California and New York quickly took necessary action of their own.

Recent developments not only demonstrate the righteousness of the libertarian belief that more often than not the government is incapable of acting effectively during crises, but that the decentralized model of government allows private individuals, civil society, big businesses, states and municipalities to take action that can offset the federal government's missteps. Federalism thus facilitates a more effective response to crises.

During times of upheaval, the government usually intervenes in the lives of citizens and in the economy, thereby constraining rights and liberties. In the US, this has been the case under both Republican and Democratic presidents: witness the PATRIOT act, following the 9/11 terrorist attacks; the bailout of banks under presidents Bush and Obama, during the 2008 crisis; the bipartisan \$2 trillion Coronavirus Aid, Relief and Economic Security (CARES) Act, recently signed by President Trump, etc. There have been reports that the US government, in partnership with leading tech companies, intends to use location data to better track the spread of the coronavirus. Such measures may be justified during crises: but this does not imply that they should remain in place indefinitely.

As we saw after the Civil War, the Great Depression, the Second World War, the 9/11 attacks and the 2008 crisis, after a crisis is over the federal government rarely retreats to its former shape and size. Measures like the collection of location data on a massive scale may be temporary, but, as Yuval Harari has written, "temporary measures have a nasty habit of outlasting emergencies, especially as there is always a new emergency lurking on the horizon."

This is what libertarians want to prevent. They may support the enhancement of the government's powers and restrictions on individual rights and liberties during crises, but they want these *temporary* measures to be truly temporary and not outlast the emergencies. For it is extremely difficult to recover freedom once lost and, as David Hume noted, "It is seldom that liberty of any kind is lost all at once."