reason

Tired: There Are No Libertarians in a Pandemic. Wired: There Are Only Libertarians in a Pandemic.

Nick Gillespie

March 15, 2020

Man, it seems like only a few days ago that the smart set was writing off small-government types (again!) in articles with such snarky headlines as "There Are No Libertarians in a Pandemic."

By now it might be more correct to believe there are only libertarians in a pandemic, including officials who are suddenly willing and able to waive all sorts of ostensibly important rules and procedures in the name of helping people out.

How else to explain the decision by the much-loathed and irrelevant-to-safety Transportation Security Administration (TSA) to allow family-sized jugs of hand sanitizer onto planes? The TSA isn't going full Milton Friedman—it's reminding visitors to its website "that all other liquids, gels and aerosols brought to a checkpoint continue to be allowed at the limit of 3.4 ounces or 100 milliliters carried in a one quart-size bag." But it's a start.

Something similar is going on in Massachusetts, a state well-known for high levels of regulation, including of the medical sector. Expecting a crush in medical care needs due the coronavirus, Gov. Charlie Baker has seen the light and agreed to streamline the Bay State's recognition of "nurses and other medical professionals" who are registered in other parts of the United States, something that 34 states do on a regular basis.

As Walter Olson of the Cato Institute observes,

> That's a good idea, which should help get medical professionals to where they are most needed, and it is one of many good ideas that should be kept on as policy after the pandemic emergency passes. After Superstorm Sandy in 2012, by contrast, when storm-ravaged oceanside homeowners badly needed skilled labor to restore their premises to usable condition, local laws in places like Long Island forbade them to bring in skilled electricians even from other counties of New York, let along other states.

And over at the Food and Drug Administration (FDA), bureaucrats have suddenly decided to approve overnight a coronavirus test that its former chief, Scott Gottlieb, has described as a "fairly routine technology."

The Roche test is 10 times faster than the process currently being used, but the FDA didn't approve it until this past Friday—and then only for this particular emergency. But even with that delay and that limited application, this is a welcome shift.

As Reason's Ronald Bailey has noted, the FDA and the Centers for Disease Control and Prevention "stymied private and academic development of diagnostic tests that might have provided an early warning and a head start on controlling the epidemic that is now spreading across the country."

You can probably see where I'm going with this: If the policies and decisions above are worth tossing out in an emergency, maybe they ought to be sidelined during normal times too.

Situations like the 9/11 attacks and the coronavirus outbreak often open the door to naked power grabs whose terrible consequences stick around long after the events that inspired them (looking at you, TSA!). Governments rarely return power once they've amassed it. But if you listen carefully, you can hear them telling us what stuff they realize can be safely tossed. When the infection rates come down and the theaters and schools and everything else get back to normal, it may be tempting just to go back to the way we were. Resist the temptation: A lot of the rules we put up with every day are worth reevaluating, and not only during an emergency.