

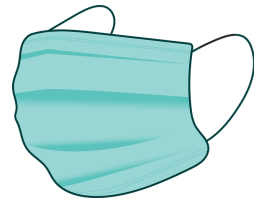
“You’re Not the Boss of Me!” - Individual Rights Versus Public Health & Safety

The government is often faced with the disparate tasks of protecting public health while also protecting individual rights. For example, by 1974, all new automobiles were manufactured with integrated seatbelts, but by 1982 only around 11% of drivers and front seat passengers were using them. By 1996, many states had mandatory seat belt use laws and usage increased to around 50%. By 2009, usage was up to 88% and was higher in states with strong seat belt laws (and lower in states with weaker laws), which illustrates the power and effectiveness of law as a means to shape behavior in society.



While we may not think of seat belt laws as controversial, they were at the time. There was public backlash against them and many people feared they would actually be less safe wearing a seatbelt because it might “trap” them in their car in the event of a crash. This was not the case and studies have repeatedly shown that seat belt usage saves lives and also saves the taxpayers millions of dollars in costs from motor vehicle crashes each year.

The Covid-19 pandemic has provided a real-time case study in how governments navigate the balancing act between public health and individual rights and it has highlighted the legal authority to act at the local, state, and federal level. For example, the federal government restricted international travel. The state government mandated the wearing of masks and the closing of certain businesses, and then allowed the reopening of businesses at differing capacities. Some local governments instituted a curfew or declared emergency orders. Agencies at each level of government were also rapidly responding to the pandemic and getting guidance from one another in their respective areas of expertise.



Many other issues have sparked discussion of how best to weigh individual liberties against public health concerns. Can you think of other aspects of your daily world where these may come into play? Consider the following:

- What other issues, past or present, can you think of that require(d) laws, regulations, or guidelines in order to address public behavior?
- How might these issues sit at an intersection of public health and individual freedoms?
- In your opinion, what do you think is the most effective way to alter dangerous behavior? Would you strengthen laws or penalties? Weaken laws or penalties? Appeal to the public for voluntary compliance? Why?
- While there are no easy answers to these questions, it’s important to consider that the local, state, and federal governments each have different considerations and constituents to think about. Which levels of government do you feel are best equipped to handle the issues above?