

*Applying the principles of liberty to pandemic response*

# The Policy Guide to a Public Health Catastrophe

**T**he COVID-19 pandemic has upended public policy, with radical and unprecedented policy responses sweeping the globe. With so much uncertainty and with massive consequences at stake, policymakers should be able to turn to sound, nonpartisan, data-driven advice. Cato is supplying just that, with a wide-ranging new online guide, *Pandemics and Policy*. In this publication, Cato scholars provide a principled overview of the good, the bad, and the simply difficult policy choices we are confronted with during the spread of a deadly communicable disease.

While COVID-19 continues to ravage global health and the economy, the lessons we can take from it aren't limited to the present circumstances alone. Outbreaks of contagious disease are not uncommon. Recent years have seen other examples, such as Ebola and SARS, and it is likely that the aftermath of the current pandemic will make governments even more sensitive to the risk posed by new diseases.

In a format similar to that of the acclaimed *Cato Handbook for Policymakers*, Cato scholars address their policy areas of expertise and provide a realistic, actionable guide for measures that can be taken and those that should be avoided.

One hard question is the apparent tradeoff of liberty versus health with various mandatory countermeasures, ranging from masks to lockdowns, intended to help contain a disease outbreak. There are constitutional questions about the limits of government power, addressed by Ilya Shapiro, director of the Robert A. Levy Center for Constitutional Studies. Another chapter, by Peter Van Doren, senior fellow and editor of *Regulation* magazine, considers the degree to which law and policy can be successfully guided by scientific expert-



ise, an issue that continues to be a point of contention with COVID-19.

A pandemic like this one also presents dire concerns for privacy and Fourth Amendment rights, when one of the most effective countermeasures available is contact tracing of known infected persons. As benign as the purpose is, if not done carefully it could amount to constructing an Orwellian panopticon. Striking the right balance, and opting for more effective and less intrusive ways to achieve contact tracing, is the subject of a chapter by Matthew Feeney, Julian Sanchez, and Patrick Eddington, who among them possess a range of relevant experience on technology, surveillance, national security, and civil liberties.

While proposals for contact tracing are being weighed, we must also confront the massive government failure that delayed and bungled early testing and detection efforts. Adjunct scholars David A. Hyman and Charles Silver, authors of *Overcharged: Why Americans Pay Too Much for Health Care*, trace the regulatory dysfunction and bureaucratic delays that hindered America's response right when it mattered most. In any accounting of COVID-19 policy failures that must be addressed, the FDA (Food and Drug Administration) and the

CDC (Centers for Disease Control and Prevention) must face a serious reckoning, as must the regulatory hurdles and occupational licensing requirements placed on doctors and hospitals by state and local governments.

The economic catastrophe has brought back some bad old ideas about state intervention in the markets. Ryan Bourne, who occupies the R. Evan Scharf Chair for the Public Understanding of Economics at Cato, explains the harsh realities of how ineffective and counterproductive wage and price controls can be, even in a time of crisis and shock when politicians and the public alike often find such measures most appealing. Senior fellow Michael D. Tanner, author of *The Inclusive Economy: How to Bring Wealth to America's Poor*, looks to the future and to how we can hope to achieve a robust and inclusive economic recovery.

The initial entries for *Pandemics and Policy* were published online at [cato.org](http://cato.org) in September, with additional chapters to follow. Ultimately, the topics addressed will effectively include the entire range of Cato's policy work, including education, immigration, foreign policy, constitutional separation of powers, monetary policy, and government budgets. ■