

### **Discuss the view that sometimes the rights of the individual must be set aside to protect the rights of the majority.**

Democracy is a system based on the idea that the wellbeing of the majority and that of the individual are one and the same thing. Be it France's commitment to Libert ,  galit , Fraternit , or the American values of life, liberty, and the pursuit of happiness, the rights of the individual are supposedly rarely in conflict with the needs of the majority. There are strands of political thought, dominated by the likes of Robert Nozick and his ideological ancestor John Locke, which say that the individual is the object to which all obligations are held, that to give up the rights of one person is to abandon the rights based system altogether. Yet time and again in recent years we have seen this strand of thought crack under the pressure of the challenges that come with an increasingly globalised world. Time and again we have seen those rights that most value the individual (many of them negative rights such as freedom of movement, speech and expression) come undone in the face of challenges which demand solidarity and a commitment to the greater good. Be it through the provision of essential but costly public services, the danger free expression can pose to the vulnerable in our society or the massive consequences threatened by public health disasters, the line between rights which benefit the individual and those which aid the greater good are continually being redrawn. But is it right to strip people of their limited rights at the first sign that they pose a threat to those around them? Or does doing this conflict with the very notion of freedom? And perhaps more importantly, are such actions effective?

The welfare state is reviled in many circles of libertarian thinking as the ultimate impediment on individual rights, most notably the inalienable right to property. Robert Nozick's 'Anarchy State and Utopia' has become the sacred text of a system which champions the protection of individual rights as the only method of helping the majority. This protection of rights, in Nozick's view, brands the kind of taxation which fuels a welfare state as theft, thus making it incompatible with the right to hold property. On the other end of the spectrum, Nozick's antithesis, John Rawls, regards the

sort of wealth redistribution carried out by a welfare state as essential to the wellbeing of the majority. The prime example of the welfare state in the modern world exists today in Britain.

The National Health Service set up as a result of the Beveridge report in the 1950s is fully nationalised and completely free for its citizens use. It is an institution which indiscriminately serves the majority with (according to the service's own figures) 1 million patients being treated every 36 hours. Yet it has come at a price, and how you feel about that price differs depending on whether you feel individual rights can be set aside in order to serve the majority. Nozick would no doubt look upon reports from the BBC that 30.1% of the British government's budget is spent on the service with a measure of disgust. He would see a decrease in state health spending as an opportunity to massively cut taxes and increase personal wealth, allowing people to pay for their own healthcare in a privatised system which is not funded by theft. However, if you are Rawls you instead see a sacrifice in property rights which is of widespread benefit and protects the majority's right to decent healthcare promised in Article 25 of the UDHR.

Public health has become a topical issue as we weigh up the sanctity of individual rights and freedoms against the necessity of those which aid the common good. The Covid-19 outbreak which began in China earlier this year has led to actions by governments across the world which tighten their control on personal freedoms, if only temporarily. Yet whether the restriction of these freedoms is an effective way of combating this global crisis is far from certain. It is true that as President Trump has repeated time and again "the cure can't be worse than the disease". China, a repressive communist state at the best of times, ramped up its restrictions on civil liberties in order to combat the virus, something which appears to have had a significant impact. According to figures published in the New York Times, on March 7th 2020 Hubei province, the center of the epidemic, reported 99 new cases, a week before they were reporting up to 2000 a day. The same day saw 49 deaths, in comparison, a struggling Italy suffered 99. The Chinese government points to their far-reaching actions as the reason for these figures. 56 million people were quarantined in Hubei during the lockdown, while travel restrictions to and from the region effected millions more. Even outside the province, China's reaction was archaic. According to the state-run China Daily newspaper (a source which makes me think the figure may actually be much higher), 827,000 people endured total lockdown in Beijing. Since the decrease, China's ruling communist party has hailed the slowdown as a sign of the superiority of its authoritarian government.

In today's world, what it means to be a rights holder is constantly changing. Each new challenge presents a new set of circumstances for duty bearers to consider and we must recognise that our actions as responsible rights holders now effect far more people than they would have in our less connected past. While personal liberties are still an essential part of any democracy it is my view that to disregard the idea that a greater good can be reached through restrictions upon the negative rights of individuals is extremely dangerous and risks returning us to the kind of state of nature which pits us against one another. No one is an island.