Civil Liberties in Times of Crisis

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Civil liberties in times of crisis

- The notion that humans have natural, inalienable rights is the foundation of liberal democracies (Locke 1698; Mill 1875; Rawls 1971).

  - Political philosophers sometimes consider civil liberties as “sacred values,” rights that should not be subject to trade-offs (e.g., Aberle et al. 1950; Radcliffe-Brown 1952; Tetlock 2003).
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  - Political philosophers sometimes consider civil liberties as “sacred values,” rights that should not be subject to trade-offs (e.g., Aberle et al. 1950; Radcliffe-Brown 1952; Tetlock 2003).
- Yet when societies confront major crises, trade-offs between individual civil liberties and security become stark.
  - Crises responses (e.g., toward terrorist attacks, devastating natural disasters, pandemics) often involve curbing liberties, at least temporarily.

⇒ This paper aims to answer these questions in context of COVID-19 pandemic.
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• Yet when societies confront major crises, trade-offs between individual civil liberties and security become stark.
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1. What are citizens willing to sacrifice, and what are they steadfast in supporting no matter what the circumstance?
2. How does this vary across countries, between individuals within countries, and over time?
3. How do threats to security affect this trade-off, and what does variation in the willingness to sacrifice rights across groups reveal about social inequality?

⇒ This paper aims to answer these questions in context of COVID-19 pandemic.
The New York Times

France Weighs Its Love of Liberty in Fight Against Coronavirus

The French are cautiously considering digital tracking, which has proved effective in Asia. But can a country that so prizes personal freedom and privacy ever accept it?

The Guardian

New US measures threaten civil rights amid coronavirus pandemic

WPR

In Modi's India, Rights and Freedoms Erode Further Amid COVID-19 pandemic

The Harvard Gazette

NATIONAL & WORLD AFFAIRS

Restricting civil liberties amid COVID-19 pandemic

CBC

As civil liberties erode, Canada must not allow COVID-19 outbreak to infect the rule of law

The New York Times

Spain, on Lockdown, Weighs Liberties Against Containing Coronavirus

Empty streets. Shut-down stores. Spain has joined the number of countries struggling to balance public health with freedoms especially prized in a relatively young democracy.

The Telegraph

Under cover of Covid, the Government has launched an all-out assault on British civil liberties

Few among us will doubt ministers' good intentions - but you know what they say about the road to hell.
We study to what extent individual preferences for protecting rights and civil liberties are elastic to health insecurity during COVID-19.

- Conduct representative surveys involving approximately 550,000 responses across 15 countries, from March 2020 until January 2021.
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- Document significant heterogeneity across countries and demographic groups in willingness to sacrifice rights for public welfare.
  - Citizens disadvantaged by income, education, or race are less willing to sacrifice rights than their more advantaged peers in every country: suggesting civil liberties as “luxury goods.”
We study to what extent individual preferences for protecting rights and civil liberties are elastic to health insecurity during COVID-19.

- Conduct representative surveys involving approximately 550,000 responses across 15 countries, from March 2020 until January 2021.
- Document significant heterogeneity across countries and demographic groups in willingness to sacrifice rights for public welfare.
  - Citizens disadvantaged by income, education, or race are less willing to sacrifice rights than their more advantaged peers in every country: suggesting civil liberties as “luxury goods.”
- Estimate that 1 s.d. raise in health insecurity increases willingness to sacrifice civil liberties by approx. 72-92% of gap between Chinese and US citizens.
  - Qualitatively and quantitatively similar results leveraging either naturally-occurring variation or experimental approaches.
Surveys and measurement
Two large-scale online surveys

1. Longitudinal survey:
   - 535,657 responses from 300,000 unique respondents;
   - 13 countries: Australia, Canada, France, Germany, India, Italy, Japan, the Netherlands, Singapore, Spain, Sweden, UK, and US;
   - 1,000/country each week, from March 2020 to January 2021.
   - Core civil liberties trade-off module: willingness to sacrifice ...

2. In-depth survey:
   - 13,352 respondents;
   - China, France, Germany, Italy, South Korea, UK, US;
   - Late-March to mid-April 2020.
   - Core civil liberties trade-off module + “minimum lives need to be saved”;
   - Experimental module that provides information on public health consequences of unchecked COVID-19.
1. Core civil liberties trade-off module:
   - *I am willing to sacrifice my own rights and freedom during a crisis like the current one for the health and well-being of society.*
   - In addition to general rights and freedom, 7 questions covering domains such as privacy, democratic procedures, free movement, free speech.
1. Core civil liberties trade-off module:
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2. “Minimum lives need to be saved” module:
   - *Out of every 100 people who would have otherwise died in [your country] because of the COVID-19 pandemic, some will be saved if one of the following policies is implemented. What’s the minimum number of lives that each of the following policies would need to save in order for you to support it?*
   - E.g., the government can track smartphone location and social contact data of all citizens.
   - Total of 11 questions covering privacy, free movement, unrestricted business activities.
   - Insensitive to whether asking the question in relative (above) or absolute scale;
   - Answers strongly predictive of behaviors such as downloading tracking apps, donating to NGOs related to civil liberties, and supporting petitions that advocate liberties.
Civil liberties as “luxury goods”
Patterns within countries

Demographics
- Female
- Age 18-24
- Age 25-34
- Age 35-44
- Age 45-54
- Age 55-64
- Age 65+
- Any Medical Conditions

Disadvantaged Groups
- Income: Bottom 25th Percentile
- Income: 25th to 50th Percentile
- Income: 50th to 75th Percentile
- Income: Top 25th Percentile
- US: Black vs. White
- No College Diploma

Political Attributes
- Rs’ Party in Power
- Mistrust Media
- Exposure to East Germany
- Exposure to North Korea
- China vs. West
Civil liberties as “luxury goods”: across countries and over time
Health insecurities and trading-off civil liberties
Insecurities & sacrificing civil liberties
Stable pattern over time
Empirical approach #1: COVID-19 mortality fluctuations

  - Conditional on local COVID-19 cumulative mortality, variation in policies to combat the disease, individual-level time-varying subjective financial insecurity, and views of government effectiveness.

- As a baseline, we estimate the following model using two-stage least-squares:

\[
Y_{ik} = \alpha_{j(ik)} + \alpha_{t(ik)} + \gamma_0 \cdot \text{Health insecurity}_{ik} + X'_{ik j(ik) t(ik)} \Omega_0 + \epsilon_{ik} \tag{1}
\]

\[
\text{Health insecurity}_{ik} = \alpha_{j(ik)} + \alpha_{t(ik)} + \gamma_1 \cdot \text{COVID-19 incidence}_{j(ik) t(ik)} + X'_{ik j(ik) t(ik)} \Omega_1 + \kappa_{ik}, \tag{2}
\]
Empirical approach #1: COVID-19 mortality fluctuations

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  \[ Y_{ik} = \alpha_j(i_k) + \alpha_t(i_k) + \gamma_0 \cdot \text{Health insecurity}_{ik} + X'_{ikj(i_k)t(i_k)} \Omega_0 + \epsilon_{ik} \]  

  Health insecurity_{ik} = \alpha_j(i_k) + \alpha_t(i_k) + \gamma_1 \cdot \text{COVID-19 incidence}_{j(i_k)t(i_k)} + X'_{ikj(i_k)t(i_k)} \Omega_1 + \kappa_{ik}, \tag{2} \]

- Alternative specification with individual FEs:
  - Unobserved individual characteristics correlated with health insecurity may affect attitudes. We take advantage of the panel component of the survey that approximately 83,000 respondents participate in multiple survey waves over the sampling period.

- First stage: Kleibergen-Paap F-stat = 148.70.
Empirical approach #1: COVID-19 mortality fluctuations (result)

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Health Insecurity</td>
<td>0.023*** (0.002)</td>
<td>0.096*** (0.003)</td>
<td>0.057*** (0.003)</td>
<td>0.065*** (0.004)</td>
<td>0.059*** (0.003)</td>
<td>0.095*** (0.004)</td>
</tr>
</tbody>
</table>

**Panel A: OLS Estimates**

<table>
<thead>
<tr>
<th></th>
<th>COVID-19 Incidence</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0.007*** (0.002)</td>
<td>0.006*** (0.002)</td>
<td>0.012*** (0.003)</td>
<td>0.008** (0.003)</td>
<td>0.021*** (0.004)</td>
<td>0.007* (0.004)</td>
</tr>
</tbody>
</table>

**Panel B: Reduced Form**

<table>
<thead>
<tr>
<th></th>
<th>Health Insecurity</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0.107*** (0.028)</td>
<td>0.094*** (0.031)</td>
<td>0.202*** (0.064)</td>
<td>0.122** (0.047)</td>
<td>0.302*** (0.056)</td>
<td>0.128** (0.058)</td>
</tr>
</tbody>
</table>

**Panel C: 2SLS Estimates**

<table>
<thead>
<tr>
<th></th>
<th>Kleibergen-Paap F-statistic</th>
<th>Mean of Outcome</th>
<th>Number of Unique FE</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>115.656</td>
<td>0.747</td>
<td>65313</td>
<td>230089</td>
</tr>
<tr>
<td></td>
<td>104.300</td>
<td>0.750</td>
<td>197</td>
<td>359380</td>
</tr>
<tr>
<td></td>
<td>54.007</td>
<td>0.615</td>
<td>196</td>
<td>71847</td>
</tr>
<tr>
<td></td>
<td>65.218</td>
<td>0.575</td>
<td>197</td>
<td>71804</td>
</tr>
<tr>
<td></td>
<td></td>
<td>88.432</td>
<td>197</td>
<td>71811</td>
</tr>
<tr>
<td></td>
<td></td>
<td>39.053</td>
<td>196</td>
<td>71805</td>
</tr>
</tbody>
</table>

|                      |                            |                  |                     |              |
|                      | Controls:                  | Demographics     | Yes                 | Yes          | Yes         | Yes         |
|                      |                            | Financial Insecurity | Yes                | Yes         | Yes         | Yes         |
|                      |                            | Government Effectiveness | Yes               | Yes         | Yes         | Yes         |
|                      |                            | Policy Response   | Yes                 | Yes         | Yes         | Yes         |
|                      |                            | Lagged COVID-19 Prevalence | Yes             | Yes         | Yes         | Yes         |
|                      |                            | Week Fixed Effects | Yes                 | Yes         | Yes         | Yes         |
|                      |                            | Country Fixed Effects | No                  | Yes         | Yes         | Yes         |
|                      |                            | Individual-Level Fixed Effects | Yes               | No          | No          | No          |
Empirical approach #2: information treatment

- COVID-19 has been not only a health but also an economic crisis. The experimental intervention helped isolate the former channel:
  - Help respondents better understand the exponential nature of disease transmission, the consequences that such exponential growth poses to a healthcare system that cannot adjust at the same rate, and the justification for policies aimed at flattening the epidemic curve;
  - Exponential growth bias should cause people to underestimate the threat that an exponentially-spreading disease poses to the healthcare system.

- Instrument for health insecurity using random assignment to the information treatment (using in-depth survey).

- First stage: Kleibergen-Paap F-stat = 57.73.
## Empirical approach #2: information treatment (result)

<table>
<thead>
<tr>
<th>Outcome Variables</th>
<th>Health Insecurity (OLS)</th>
<th>Health Insecurity (2SLS)</th>
<th>Mean of Outcome</th>
<th>Gap btw. China and U.S.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Panel A: Overall rights and freedom</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Willing to sacrifice own rights</td>
<td>0.063*** (0.005)</td>
<td>0.170** (0.084)</td>
<td>0.724</td>
<td>0.224</td>
</tr>
<tr>
<td>Willing to sacrifice others’ rights</td>
<td>0.066*** (0.005)</td>
<td>0.137 (0.084)</td>
<td>0.705</td>
<td>0.203</td>
</tr>
<tr>
<td>z-score: willing to sacrifice rights</td>
<td>0.156*** (0.012)</td>
<td>0.369** (0.185)</td>
<td>0.000</td>
<td>0.512</td>
</tr>
<tr>
<td><strong>Panel B: Protection of privacy</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Willing to relax privacy protections</td>
<td>0.033*** (0.006)</td>
<td>0.226** (0.091)</td>
<td>0.577</td>
<td>0.393</td>
</tr>
<tr>
<td>Unwilling to accept: track sick people</td>
<td>-2.114*** (0.422)</td>
<td>-12.475** (6.150)</td>
<td>48.855</td>
<td>-5.843</td>
</tr>
<tr>
<td>Unwilling to accept: track everyone</td>
<td>-1.440*** (0.420)</td>
<td>-15.497** (6.356)</td>
<td>54.572</td>
<td>-8.957</td>
</tr>
<tr>
<td>Contact tracing app</td>
<td>0.036*** (0.006)</td>
<td>0.241*** (0.090)</td>
<td>0.475</td>
<td>0.268</td>
</tr>
<tr>
<td>z-score: willing to sacrifice privacy</td>
<td>0.103*** (0.012)</td>
<td>0.715*** (0.190)</td>
<td>0.000</td>
<td>0.778</td>
</tr>
<tr>
<td><strong>Panel C: Democratic rights and institutions</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prefer strong leader</td>
<td>-0.054*** (0.012)</td>
<td>0.762*** (0.210)</td>
<td>2.672</td>
<td>0.614</td>
</tr>
<tr>
<td>Prefer delegating to experts</td>
<td>0.102*** (0.012)</td>
<td>0.832*** (0.174)</td>
<td>2.909</td>
<td>-0.058</td>
</tr>
<tr>
<td>Willing to sacrifice free press</td>
<td>0.002 (0.006)</td>
<td>0.237** (0.093)</td>
<td>0.600</td>
<td>0.422</td>
</tr>
<tr>
<td>No preference for democratic system</td>
<td>-0.110*** (0.011)</td>
<td>-0.042 (0.125)</td>
<td>1.733</td>
<td>n.a.</td>
</tr>
<tr>
<td>Willing to suspend democr. procedures</td>
<td>-0.014** (0.006)</td>
<td>0.155* (0.082)</td>
<td>0.446</td>
<td>n.a.</td>
</tr>
<tr>
<td>z-score: willing to curtail democracy</td>
<td>0.004 (0.013)</td>
<td>0.743*** (0.183)</td>
<td>-0.001</td>
<td>n.a.</td>
</tr>
</tbody>
</table>
Conclusion

- Individuals are often willing to trade-off civil liberties to alleviate health insecurities, especially among those who are socioeconomically advantaged: civil liberties as luxury goods rather than sacred values.
  - A 1 s.d. increase in health insecurity raises willingness to sacrifice rights and freedom by: 9.4 pp (panel), 10.7 pp (repeated cross-section), 17 pp (information treatment).

Interpretations:
1. Shape of citizens' indifference curves may be altered due to the crisis experience, resulting in a persistent change in the underlying willingness to sacrifice rights and freedoms for a given level of health security.
2. Respond to increase in either objective (e.g., actual epidemic burden) or perceived (e.g., salience of the pandemic) health threats, moving along the indifference curve between health security and civil liberties due to changes in "prices."

- Even transient moves along the indifference curve could result in long-term individual and societal consequences through enduring changes to institutions and norms.
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