



**FOR IMMEDIATE RELEASE**

**MEDIA CONTACT:** Sheridan Betts  
(405) 646-3272  
[sbetts@1889institute.org](mailto:sbetts@1889institute.org)

**THINK TANK SAYS AMERICANS HAVE RIGHT TO ASSUME RISK, EVEN IN A PANDEMIC**

*Progress requires risk-taking, and Americans knowledgeable of risk can choose to take it.*

**OKLAHOMA CITY, OK** (November 18, 2020) – The 1889 Institute’s Research Fellow, Mike Davis, who is also an attorney, has written “[America’s Legal Tradition of Allowing Risk-Taking, Even in a Pandemic](#),” which argues that American common law allows informed risk taking. As long as people are well-informed, they should therefore have the dignity for themselves to decide how much risk to take. In the case of the current COVID-19 pandemic, individuals in a free society like America’s should have the freedom to choose whether to wear masks and/or isolate themselves as part of social distancing.

“Masks, actually N95 respirators, are truly most effective for individuals who are at high risk from COVID-19 and have not contracted the disease. These include the aged, and others who have other health conditions such as hypertension, diabetes, and obesity,” said Davis. “The young and healthy, who are at less risk from COVID-19 than the seasonal flu, should have the same freedom from masks and social distancing as we give them from flu shots. We do not force anyone to take flu shots every year,” he said.

Davis’s paper explains the long legal tradition of assumed risk. He argues that sound information surrounding COVID-19 is readily available and that people can be just as trusted to evaluate and assume risk surrounding social distancing and mask wearing as they can be with deciding whether to ride in a car.

“If nothing else, unless someone has been living under a rock, we all know about COVID-19 and that it’s dangerous. Speaking as someone who’s had the disease, if anything, the danger posed by COVID-19 for most people is exaggerated,” said Davis.

Davis’s paper concludes that many local governments in Oklahoma have over-reacted with social distancing and mask mandates that have bankrupted businesses and disrupted everybody’s lives for the sake of the very most risk-averse among us. “It’s as if those most fearful of flying forced the grounding of all aircraft,” he said.

###

**[About the 1889 Institute](#)**

The 1889 Institute is an Oklahoma think tank committed to independent, principled state policy fostering limited and responsible government, free enterprise and a robust civil society. The publication, “America’s Legal Tradition of Allowing Risk-Taking, Even in a Pandemic” and other reports can be found on the nonprofit’s website at [www.1889institute.org](http://www.1889institute.org).