

# Governments balance law and order with individual freedom

[Science](#), [Social Science](#)



Balancing law and order with Individual freedom Introduction Many people deem that individual rights and freedom should be free from any government interference. However, since the government want to maintain law and order, sometimes it limits these freedoms. There should therefore be a balance between individual rights and maintenance of law and order.

Fallon (1993) indicates that in cases involving balancing, governmental concerns, used to maintain law and order should balance with the interests that underscore individual freedoms. For instance, the government can control even political speech to prevent chaos. Moreover, in case of protected rights, their identification and definition depends on a balancing of the concerns supporting the rights with the interests underlying the maintenance of law and order.

Means of balancing law and order with individual freedoms

The Government outlines the individual rights and freedoms in the constitution, which comprise a set of guidelines to govern the people. Thus, individual liberty needs a basis in law, but additionally, it must integrate the requirements of social order. This means that maintenance of law and order balances with individual freedom to guard and define the sphere of liberty of the individual and promote order in the society (Schnarrer, 2004). Despite, democratic governments supporting the importance of freedom, they must put limits on individual freedoms. In this regard, provisions should forbid those deeds that would cause panic or harm for the general good. By this, the government ensure that it maintains law and order and at the same time offering individual freedom. In the United States, there is limitation of individual liberty to guard citizens from one another, to guarantee order in

society and to uphold the common interests of the society. Therefore, the law must permit the sensible exercise of freedoms when those deeds do not cause hurt others (Fagin, 2007).

The Government can also strike this balance by supporting the social systems in the society that realize the goals of freedom and order. Fagin (2007) asserts that the society uses numerous strategies to attain these goals, including social standards imposed through the social forces of the family, government, religion and school. Through these social institutions, people learn the principles and requirements for good behavior and receive punishment when they infringe these social standards. Schnarrer (2004) adds that all human societies have principled systems that define the meanings of justice, right and wrong, honesty, and comparable ideas concerning ethics and rightness. Consequently, most individuals develop a strong sense of principles, which then helps in maintaining law and order in the society.

Another strategy that the government can use to balance law and order with individual freedom is by clear definition of freedoms. Fallon (1993) indicates that law courts should differentiate between positive and negative freedoms and then divide negative freedoms into preferred rights and interests. In the case of preferred rights, the judicial review is forceful and impenitent. On the other hand, the interests largely depend on legislative balancing and the judiciary should consider them as minor rights. This means that generally, not all interests are uniformly vital or essential. In this regard, the freedoms, which are not important or fundamental, are subject to limitation in the case of maintaining law and order.

## Conclusion

Most governments have difficulties in balancing law and order with individual freedoms. This is because most people believe that the government should not interfere with individual freedoms. As a result, most people do not adhere to some government regulations aiming at maintaining law and order, as they think that the government is interfering with their freedom. However, governments can ensure that there are limitations put in the individual freedoms to ensure that they do not cause harm to others. In addition, governments can strengthen the social systems that promote ethical behavior. Furthermore, the government through the law courts can define and interpret the freedoms to distinguish between interests and preferred rights. By so doing, individuals will comprehend the rights that would destroy order in the society.

## References

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