

Governmental Intervention on Cheeseburgers?

The United States has been the world center for liberty and freedom since its conception. Whenever, outside threats challenge that sense of freedom, Americans unite to fight against it, but what if the biggest threat to life was ourselves? In 2008 the Los Angeles, California City Council implemented a moratorium on new fast food restaurant license in the South Los Angeles community. Robert Creighton in his Journal, *Cheeseburgers, Race, and Paternalism Los Angeles' Ban on Fast Food Restaurants* tackles underlying intentions on the ban and follows the ban throughout its lifetime. Although the fast food ban has been critiqued as a measure that targets minorities and limits the food choices of low income communities, this doesn't change the fact that there are food deserts in which healthier options aren't available; thus, a ban, and more broadly, paternalism, may be warranted in this case.

Contrary to popular belief, the ban limiting fast food restaurants in South LA was not put in place to abuse power but rather to lift those who suffer from the lack of a meaningful number of healthy eating choices. Robert Creighton a journalist following the life of the ban states, "The ban, proponents argue, is less about limiting people's eating choices than about providing healthy alternatives to the numerous fast food chains that crowd South Los Angeles and provide few healthy eating choices" (Creighton 251). In making this comment, Creighton urges us to consider the intentions behind those who argue for the ban and how the ban on fast food chains was not aimed to limit the people's choice to eat rather it was to better the lives of people who have fallen victim to fast food restaurants that have "cultivated a reliance on their price and convenience" (Creighton 253). The ban aimed to improve the overall health on the population. This evidence tackles how many people think limiting freedom by banning certain food options leads to a slippery

slope of banning all freedom. This evidence clarifies that is not the case and they only wanted to incentivize more healthier options. Furthermore, the ban did not completely remove all fast food restaurants either and simply lowered the amount of them as they heavily outnumbered healthier options. Without any checks in place, the fast food corporations would continue to take advantage of the underprivileged and create a perpetual cycle of unhealthy eating standards. This evidence was effective to clarify the exact goal of the ban, but its also important to remember that the ban on fast food is only the first step to creating a healthier dynamic in these neighborhoods; next, we must make healthier options available.

Though topics like race and social class play an important role in the implementation of this ban, to solely focus on this aspect detracts from the pressing issue of fast food restaurants and evades the purpose of the ban. According to Robert Creighton, “First, the ban does not apply to all of Los Angeles; rather, it targets its most racially and culturally diverse area—South Los Angeles. By saying that those in South Los Angeles cannot make healthy eating choices on their own, the ban treats poor people and minorities like children” (Creighton 256). In other words, Creighton believes that the ban is ineffective in trying to improve the lifestyles of those living in South LA and instead seeks to undermine the underprivileged. This claim is a combination of exaggeration and a red herring. Some individuals who may argue against the ban on fast food may attempt to stir controversy around a sensitive topic like race and social class to paint the ban in a controversial light. However, the fast food ban was not implemented with the reason to suppress the underprivileged. Studies previously mentioned in the journal have cited that South Los Angeles has a significantly higher obesity rate at 29% compared to the 23% national average as well as around 40% fast food restaurants compared to the national 29%. At first it may seem that the ban has racist and bigoted intentions, but a holistic view of the community clarifies its true intent.

South Los Angeles was targeted not specifically for the race or income, but rather because they experience the root of the problem. The continuous development of fast food restaurants only increases the rate at which underprivileged communities are suffering and the ban prevents more people from succumbing the vicious cycle of unhealthy eating. By solely basing the opposition on the argument of race and income in this manner, it prevents the ban from being truly effective and increases the susceptibility of these at-risk groups to health problems that stem from the reach of fast food restaurants. However, it is also important to remember that this measure was meant to be a temporary solution and other changes must be used in tandem with the ban to better society's eating habits permanently.

For the ban to be truly effective, we need to focus the shift of eating options away from fast food as seen in the ban, but also implementing a second plan to incentivize healthier options. As the Supreme Court stated in *Pike*, "And the extent of the burden that will be tolerated will of course depend on the nature of the local interest involved, and on whether it could be promoted as well with a lesser impact on interstate activities" (Creighton 265). In making this comment, the Supreme Court urges us to consider other options to improve the health of these communities whether it be to replace the ban or to supplement it. This is a legitimate concern with the bill. In hindsight, could Los Angeles achieve the same objectives of providing a diversity of eating choices in a way that it does not completely restrict what people can eat? While this logic might detract from the ban's focus, it does bring up a good point if the state could've tried implementing other methods than a flat out ban like providing healthier produce that is more accessible to lower income neighborhoods. The city cannot solely rely on force to come up with solutions to the problems that come with fast food. For example, in 2000 Washington D.C. passed the Supermarket Tax Exemption Act which offered grocery stores in designated areas ten-year waivers on fees and

taxes. This would lower the prices of their goods and allow people in impoverished neighborhoods to access healthier foods at an affordable price. Furthermore, governmental organizations like the Food and Drug Administration and the United States Department of Agriculture regulate countless food items to protect public health. As seen in these examples, some situations require state intervention that individual efforts cannot effectively change, and simply banning fast food restaurants will not do anything rather work must be done in tandem to improve overall health. The communities supported properly by state measures can thrive as a result of calculated measures and state paternalism. Many people may not know it, but governmental intervention is a crucial aspect of public health.

In the end, coercive paternalism has a negative connotation that often distracts people from its main purpose. It becomes dangerous to blindly disagree with coercive paternalism as it subverts its effect to improve public wellbeing. However, this isn't to say that blindly following state measures is beneficial either. In order to progress together, society must find a balance of individual initiatives and governmental support to improve the health of generations to come.

Works Cited

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