

Ending Mandates: Rights Cannot Be 'Switched Off' During Emergencies



The ongoing Truckers for Freedom convoy in Ottawa has triggered a shockwave that is reaching all around the world. Even as our authoritarian federal regime continues to double down on measures and threatens to use brute force tactics against peaceful protesters, many provinces are nervously beginning to lay out a timeline for ending mandates.

But there is something important missing from the conversation surrounding the end of mandates. **If the mandates are simply dropped today without calling out the underlying legal and ethical fallacy that was used to justify them, government overreach will have become normalized.** We will be left without the legal protections to stop them from doing this to us again after the truckers go home. All it will take to put us back in a cage is for the government to point at the next wave, the next virus variant, or the next non-Covid emergency.

We will have normalized that our rights, our freedoms, our

bodily autonomy, and even access to our lives are conditional privileges, subject to opinion polls and technocratic impulses, and that they can be withdrawn again at any time, “for our safety.”

In March of 2020, in violation of the principles embedded in our constitutions, governments around the world convinced citizens to give their leaders and public institutions the authority to overrule individual rights in order to “flatten the curve.” That impulse went unchallenged under the false assumption that human rights violations could be justified as long as the benefits to the majority outweighed the costs to the minority. By accepting this excuse for overriding unconditional rights, we transformed ourselves into an authoritarian police state where “might makes right.” That is the moment when all the checks and balances in our scientific and democratic institutions stopped functioning.

Liberal democracy was built around the principle that individual rights must be unconditional. In other words, they are meant to supersede the authority of government. Consequently, **individual rights (such as bodily autonomy) were meant to serve as checks and balances on government power.** They were meant to provide a hard limit to what our government can do to us without our individual consent.

If the government cannot override your rights to bend you to its will, then it will be forced to try to convince you by talking with you. That forces government to be transparent and to engage in meaningful debate with critics. Your ability to say NO, and to have your choice respected, is the difference between a functioning liberal democracy and an authoritarian regime.

The natural instinct of fearful people is to control those around them. Unconditional rights force people to negotiate voluntary participation in collective solutions. Thus, unconditional rights prevent the formation of echo chambers

and provide an important counter-weight to rein in uncontrolled panic. When no one has the option to use the brute force of state power to force others to submit to what they think is “the right thing to do,” then the only path forward is to keep talking to everyone, including to “fringe minorities” with “unacceptable views.” When we allow rights to become conditional, it is virtually a certainty that during a crisis, panicked citizens and opportunistic politicians will give in to their worst impulses and trample those who disagree with them.

Unconditional individual rights prevent governments from taking unwilling citizens on crusades. They prevent scientific institutions from transforming themselves into unchallengeable “Ministries of Truth” that can double down on their mistakes to avoid accountability. They ensure that the checks and balances that make science and democracy work do not break down in the chaos of a crisis. In the heat of an emergency when policy decisions are often made on the fly, unconditional rights are often the only safeguards to protect minorities from panicked mobs and self-anointed kings.

If we allow our leaders to normalize the idea that rights can be switched off during emergencies or when political leaders decide that “the science is settled,” then we are giving the government terrifying and unlimited power over us. It gives those who control the levers of power the authority to turn off access to your life. That turns the competition for power into a zero-sum game: the winners become masters, the losers become serfs. It means you can no longer afford to allow the other side to win an election, at *any* cost, nor agree to a peaceful transfer of power, because if you lose the winning team becomes the master of your destiny. And so, a zero-sum game of brutal power politics is set in motion. Unconditional individual rights are the antidote to civil war. Liberal democracy collapses without them.

Withdrawing mandates because “the Omicron variant is mild” or

because “the costs of continuing the measures outweigh the benefits” does not undo what has been normalized and legitimized. If the legitimacy of mandates is not overturned, you will not be going back to your normal life. It may superficially look similar to your life before Covid, but in reality, you will be living in a Brave New World where governments temporarily grant privileges to those who conform with the government’s vision of how we should live. You will no longer be celebrating your differences, cultivating your individuality, or making your own free choices. Only conformity will enable you to exist. You will be living under a regime in which any new “crisis” can serve as justification to impose restrictions on those who don’t “get with the program” as long as mobs and technocrats think the restrictions are “reasonable.” You will no longer be the master of your own life. A golden cage is still a cage if someone else controls the lock on the door.

Politicians and public health authorities **MUST** be forced to acknowledge that mandates are a violation of civil liberties. The public **MUST** be confronted by the fact that liberal democracy ceases to exist without the unconditional (inalienable) safeguards of individual rights and freedoms. The public **MUST** recognize that science ceases to function when mandates can be used to cut off scientific debates. Our governments and our fellow citizens **MUST** be made to understand that unconditional rights are especially important during a crisis.

If the legal and ethical fallacies that were used to justify mandates are not called out as inexcusable violations of our constitutional rights, we will have inadvertently normalized the illiberal idea that, as long as someone in a lab coat says it’s okay, this can be done to us again, at any time, whether to fight the next wave of Covid, to take away freedoms to fight “climate change”, to seize assets to solve a government debt crisis, or simply to socially engineer outcomes according

to whatever our leaders define as a “fairer and more equitable world”.

How we navigate the end of mandates determines whether we win our freedom or whether we allow our leaders to normalize a Brave New World with conditional rights that can be turned off again during the next “emergency.”