

In the Age of COVID, We're Reminded an Unjust Law Is No Law at All

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Theme: [Law and Justice](#)

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It has become something of a habit in both the American and Canadian media to insist that the Canadian trucker protest against vaccine mandates is an “illegal protest.” They are “[illegal border protests](#),” one American news affiliate proclaims. Canada’s National Post dutifully [refers](#) to the protests in its headlines as illegal acts. The term “illegal” has been used a multitude of times by Liberal Party politicians in the House of Commons. The premier of Ontario—one of Canada’s most hysterical politicians—not only [paints the protests](#) as illegal but as a “siege.” Other opponents of the protests refer to them as an “occupation” and as an “insurrection.”

“Lawbreaker” as a Political Slur

So why the obsession with labeling the protests illegal? The idea, of course, is to cast suspicion on them and portray them as harmful and morally illegitimate. We could contrast the rhetoric surrounding the trucker protest with that of the Black Lives Matter protests. In the case of the BLM protests, illegal acts were downplayed and ignored, with one obvious riot labeled a “mostly peaceful” protest. when it comes to protests and other acts of which the regime approves, legality is never an issue.

The regimes of the world, of course, like to use legality as a standard for judging human behavior because the regimes make the laws. Whether or not the laws actually have anything to do with human rights, private property, or just basic common sense is another matter entirely. Thus history is replete with pointless, immoral, and destructive laws. Slavery has been lawful throughout much of human history. Temporary slavery—known as military conscription—is still employed by many regimes. In the US, the imprisonment of peaceful American citizens of Japanese descent was perfectly lawful under the US regime during World War II. Today, employers can face ruinous sanctions for hiring a worker who lacks the proper immigration paperwork. Worldwide, people can be jailed in many

jurisdictions *for years* for the “crime” of possessing an illegal plant.

During covid, the reality of arbitrary law came very much to the fore when unelected health bureaucrats and lone elected executives began ruling by decree. They closed businesses, shut people up in their homes, and imposed vaccine and mask mandates. Those who refuse to comply—and businesses who refuse to enforce these edicts—are condemned as lawbreakers and subject to punishment.

The Moral Limits of “Law and Order”

All of these legal provisions, acts, and sanctions represent mockeries of basic natural rights rather than protections of them. The notion that laws can be perversions of true justice has long been obvious to many. In fact, the disconnect between morality and legality is a fundamental aspect of Western civilization. The basic notion is very old, but the idea’s endurance in the West was reinforced by the fact that Christianity began as an illegal religion and early Christians were often considered to be criminals deserving of the death penalty. It should be no surprise, then, that Saint Augustine declared an unjust law to be no law at all and compared kings to pirates: the decrees of pirates, of course, are not worthy of obedience or reverence. And if kings are like pirates, kingly decrees are of equal respectability. This same tradition fueled Saint Thomas Aquinas’s support for regicide ([in certain cases](#)). Needless to say, regicide has been always and everywhere declared illegal by the would-be targets.

Yet, unfortunately, declaring something to be “illegal” remains an effective slur. There is no shortage of people who proudly consider themselves to be blind supporters of “law and order” and who insist “lawbreakers” are axiomatically in the wrong. Their simple-minded refrain is “if you don’t like the law, change it” and many of these people naïvely believe that acts of legislators and regulators somehow reflect “the will of the people” or some sort of moral law. The opposite is often the reality.

Thankfully, in the United States, the value of lawbreaking is so “baked in” to the historical narrative that it’s difficult to ignore, even today. The American Revolution was fundamentally a series of illegal acts. The Declaration of Independence was little more than a declaration of a thoroughly illegal rebellion. In response, the king sent men to the colonies to enforce law and order. The American response to this attempt to enforce the law was to kill the government’s enforcers. Less violent acts committed by American rebels were equally criminal, ranging from the Boston Tea Party to a multitude of assaults on tax collectors committed by Samuel Adams’s Sons of Liberty.

Modern shills for the regime have unsurprisingly tried to redefine this conflict as one of a tussle over democracy. “Those American revolutionaries fought for democracy,” the claim goes. Thus, by their definition, no one is ever allowed to rebel in a jurisdiction that has occasional elections. (The reality is that the American rebellion was about the protection of human rights. [Elections had little to do with it.](#))

Fortunately, it will take more than cheap slogans about democracy to undo the fact that the national origin story is about having contempt for the laws of one’s political leaders.

In much of the world, however, rebellion against unjust laws is not regarded with equal amounts of reverence. In Canada, for instance, the national origin story is largely about following the rules and politely asking one’s overlords for autonomy. This is bound to affect

how one sees the roles of law and disobedience.

It Is Often Prudent to Follow Unjust Laws

This isn't to say that open rebellion is necessarily wise. Avoiding illegal acts is often—if not usually—the prudent thing to do. We often follow the law simply to stay out of jail and avoid attracting the attention of regulators and government enforcers. For those who prefer spending time with their families to spending time in prison, this only makes sense. Moreover, disobeying unjust laws can often bring even more unjust laws as a result.

It is one thing to follow the law for prudential reasons. It is another thing entirely to assume the law brings with it some sort of moral imperative. Few laws do. Yes, there are laws against murder, but murder is just one case where the letter of the law happens to often match up with what is fundamentally moral and right. Countless laws lack such solid standing.

When we hear government officials or media pundits refer to something as “illegal” or unlawful, all this should really do is cause us to ask if the defense of these laws is actually prudent, moral, or necessary. Some laws are well founded in basic protections of property rights and other human rights. But many laws are nothing more than the fruits of political schemes to help the regime maintain power or to reward its friends at the expense of others.

We can always expect the regime and its supporters to try to outlaw things they don't like. And once such things are illegal, we'll hear all about the evils of the “lawbreakers” any time those lawbreakers threaten the prestige or power of the regime. (Lawbreaking in *favor* of the regime, of course, is always tolerated.) It's a highly successful trick they've been using for thousands of years.

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