

The Free North Declaration

<https://freenorthdeclaration.ca/>

We are Canadian lawyers. In our country, civil liberties are under unprecedented attack. Governments, public health authorities, universities, public and private employers, municipalities, and businesses are trampling Canadians' rights and freedoms. Our free society is at risk.

Covid rules restrict citizens' abilities to work, shop, travel and socialize. They erode civil liberties strategically, attempting to not run afoul of the law or to trigger protections in the Charter of Rights and Freedoms such as liberty and security of the person, the freedoms of association, assembly, expression, conscience, religion, and mobility rights. Where Covid rules appear to have violated the Charter, courts have deferred to the state to take whatever measures it deems necessary, whether demonstrably justifiable or not.

Legislatures have passed statutes that delegate broad discretionary powers to unelected public health officials, who then create draconian legal restrictions by fiat, without public scrutiny or open debate. These directives give private and public employers cover to suspend and dismiss workers who insist on their right to decide their own medical treatments. In our system of law, no principle is more important than the right to control your own body and to make your own medical and health decisions. An anxious populace, swept up in a deliberate campaign of fear, now believes that individual liberties upon which our liberal democracy is founded are dangerous and selfish. A growing collectivism that demands safety at the expense of autonomy shapes public policy.

Courts have embraced the pandemic narrative, some taking judicial notice of the nature of risks of the virus and safety of vaccines to adults and children. But the facts are anything but settled. Courts are supposed to be neutral. On Covid, as on any other contentious subject, their mandate is to find facts exclusively upon the evidence adduced by the parties in the courtroom. Instead, courts appear to have taken a side on Covid. Access to justice and the rule of law are now at risk. Unvaccinated persons are banned from juries, throwing into question the ability of all to obtain a fair trial heard by a jury of their peers. Irrational policies born of panic affect no one more than disadvantaged communities who already suffer from lack of access to justice.

The right to privacy and control of personal medical information has been abandoned. Disclosure of vaccination status is becoming a requirement for working, travelling, entering public and private establishments, crossing the border, and sometimes medical treatment. Those who cannot or will not disclose face aggressive social disapprobation. Vaccine passports create the infrastructure for a global digital surveillance system. Institutions that last year were prohibited from collecting individual medical history now demand it as a condition of employment or admission. University and college students are being denied their education for refusing to disclose their own medical choices.

Medical regulators have become dictatorial. They have warned doctors not to express medical opinions that might conflict with official Covid policies, effectively censoring them, and directed them not to certify grounds for medical exemptions from vaccination requirements, rupturing the physician-patient relationship and breaching the principle that only a practitioner who has examined a patient is equipped to give a diagnosis. Human rights commissions, which until recently championed expansive interpretations of human rights, have issued edicts narrowing grounds for accommodations.

Covid rules are inconsistent and irrational. Authorities enforce them selectively and preferentially, coming down hard on common people while turning a blind eye to the privileged. Covid vaccines do not prevent people from becoming infected or from transmitting the virus to others, but only unvaccinated persons are banned or required to undergo testing. People who have recovered from Covid and therefore have natural immunity are still subject to vaccination mandates even though the purpose of vaccination is to mimic natural immunity. Governments, public health authorities and employers advise that Covid vaccinations are safe, but pharmaceutical companies have been granted immunity from liability and no employers will accept legal responsibility for side-effects or adverse events, whether minor or serious, suffered by their employees who take a vaccine that they do not want. The risks posed by Covid vaccines may be in dispute, but they are not zero. Particularly for children and healthy young adults, they may be riskier than the virus.

We fear the erosion of our free society. We question the single-minded fixation on a virus that poses little risk to most people. We protest the uncalculated harms that Covid policies are causing to people's health, livelihoods, relationships, and mental states. We oppose the mass hysteria and anxiety that governments and the media are fuelling. Most of all, we object to the deterioration of our civil liberties and the failure of our legal institutions – legislatures, governments, administrative bodies, and courts – to protect them.

We are appalled by what is happening in our country. We call for the immediate end of vaccine passports and mandates. We propose a public inquiry into the handling of all aspects of the declared pandemic. Canadians should have control of their own lives and have the right to make their own decisions about their health, medical treatments, personal information, travels, and associations. Canada is supposed to be a free country governed by the rule of law. Restore it now or risk losing it for good.

Original signatories:

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The Declaration was launched on November 12, 2021. As of March 29, 2023, it has been signed by 650 lawyers and over 91,000 concerned citizens. To inspect the list of lawyer signatories, or to sign the Declaration, visit <https://www.freenorthdeclaration.ca/>

For commentary and background on the Declaration, see [Bruce Pardy: Covid has cost Canadians their freedom](#) and [Lisa Bildy: The Free North Declaration is an island of sanity in a country gone mad](#)