

Perspective: It's time for lawmakers to protect the assets of people accused of 'wrongthink'

Trudeau crossed a troubling line when he invoked the power to freeze the assets of anyone who contributed to Canada's trucker protests



Police move into position as they take action to end a protest in opposition to mandatory COVID-19 vaccine mandates in Ottawa, Friday, Feb. 18, 2022.

Adrian Wyld, The Canadian Press via Associated Press

Being a typical American, I always thought of our neighbor to the north as being a more practical, multicultural and kinder version of what our own democracy might be. In my academic peregrinations, I enjoyed visiting Canadian universities and thought to myself how lovely it might be to one

day end up teaching at one. The Canadian way of life seemed somehow saner, steadier.

Watching Canada over the past two years has shot down those ideas. Canada is sliding toward a harsh social credit system based on ideological loyalty. As a political scientist, it is hard not to categorize Canada as an increasingly "illiberal democracy," a term that used to be reserved for corrupt regimes that held elections but didn't pay any attention to them. Canada's elections may still be real, but they have ushered into power a regime whose actions are arguably anti-democratic.

The recent showdown over the Freedom Convoy is very revealing, for example. Truckers protesting vaccine mandates reimposed on them in mid-January began to converge on Ottawa to protest, blocking roads there and also obstructing cross-border traffic to and from the U.S.

In an unprecedented move, Prime Minister Justin Trudeau [invoked](#) the Emergencies Act on Feb. 14 for the first time in Canadian history, allowing his government to take extraordinary measures to disperse the truckers and their supporters. (The previous iteration, the War Measures Act, had been used three times: during both World Wars and in 1970, when the deputy premier of the province of Quebec was kidnapped and killed.)

Most controversially, in addition to dragging off the protesters, the Emergencies Act allowed the government to order financial institutions to freeze the assets and refuse service to all Canadians who had contributed to the protest through fundraising sites, which in turn were forced to reveal the identities of those who had donated. Insurance policies for these individuals and companies were also suspended. This measure applied not only to regular banking accounts, but also [cryptocurrency](#) accounts.

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The act could only be invoked for a week without parliamentary assent. The House of Commons voted in favor of extending the act for 30 days, but the Senate balked (and several provinces said they would challenge it in court), and Trudeau lifted the act on Feb. 23, which also served to [release](#) the banking accounts of those targeted.

But the damage had been done; as one MP [put it](#), "When you freeze someone's bank account, you're effectively removing them from society." Even a person who had contributed but \$5 to the truckers' fund, and who never set foot near the protests and was never formally accused of a crime, would be fair game in the government's eyes for being "removed" from Canadian society, unable to use their bank cards or be insured or even get cash from their own accounts.

This is tantamount to financial warfare against an unarmed civilian population. Given that access to one's own money is necessary for an individual to obtain basic necessities such as food and shelter, the imposition of such warfare could be considered a [crime against humanity](#) under the statutes of the International Criminal Court.

It is important to note that a similar form of aggressive financial erasure has been used before against civilians who have never been formally accused of any crime — not by governments, but by for-profit financial institutions such as Mastercard, GoFundMe, PayPal and many others. If you express what they believe is a wrong opinion, you can be [cut off](#) without appeal for a violation of "terms of service." Trudeau seems to have gotten his playbook from them.

The time has come for urgent legislative action, not just in Canada, but also

in the United States, to prevent financial erasure. In 2010, Robert Peston, then the business editor of the BBC, [urged](#) the U.K. Parliament to pass legislation to ensure a "universal service obligation" on banks to provide British citizens having provable British residency with basic banking accounts. At the time, Peston was thinking primarily of the poor and elderly who often find themselves "unbanked." But this type of legislation is needed now more than ever to service the "ideologically untouchable," those who have committed no crime other than to support causes deemed "wrongthink" by the powerful.

Assurance that one's financial existence cannot be erased for wrongthink is, I argue, essential for a functioning democracy. It is time for state and national legislators to craft and implement legislation that would safeguard freedom of thought and belief by ensuring that a citizen's financial life, including banking and insurance, cannot be canceled because one holds views divergent from the mainstream, and to make such legislation binding on both governments and corporate financial institutions. Call it the "Canada, O Canada Act" in honor of the country that first brought this danger to our collective attention.

Correction: *An earlier version incorrectly said that Canada's War Measures Act had been invoked when when the deputy prime minister was kidnapped and killed. The person who was killed was the minister of labor and deputy premier of Quebec.*

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