

# Commentary... The Law of Suspects and civil death

By **Jim Cornelius**  
Editor In Chief

At the febrile height of the French Revolution — the political event that created the modern world — the General Council of the Paris Commune issued a kind of passport for citizens who could demonstrate that they were politically reliable: the *certificat de civisme*. Proof of civic virtue and political reliability was absolutely vital. Without a certificate, a citizen was “civilly dead.” They had no rights, they could not find legitimate employment, and they were subject to arrest. As the Reign of Terror accelerated, civil death could easily become literal death under the falling blade of the guillotine.

The Law of Suspects made not having a *certificat de civisme* a crime.

\* \* \*

I have in my wallet a certificate that says I’ve been vaccinated twice and boosted once against COVID-19. I’m glad to be vaxxed — I think it’s the smart play: it’s clear that being vaxxed up helps prevent serious illness, and choosing to vaccinate has expanded my freedom, not constricted it. I feel like I’ve done what I can to protect myself and my family, and to boost the return of things that I value (live music in particular). It wasn’t a hard choice — the operative word being choice.

In our own febrile cultural climate, that vax card feels uncomfortably like a *certificat de civisme*.

I’m in favor of vaccination, and encourage my friends and loved ones to get it done. I am opposed to vaccine mandates and passports, and the notion of creating categories of citizenship around vaccination status makes my skin crawl.

The dangers are not speculative. There are segments of European populations that are “falling out of society” due to vaccination status. Last week, the Salt Lake City Tribune said the unvaccinated ought to be confined to their homes by the National Guard.

That kind of thinking is not uncommon — and no matter where you stand on the political spectrum, that should concern you.

A lot.

We are walking a very dangerous road. Compulsory “virtue” cannot be virtue at all — and it tills the soil and plants the seeds of repression and terror. As a friend noted, when this kind of “social credit” precedent

is established, what comes next? Compulsory trade-in of your older, less environmentally friendly car? And what from there?

The U.S. Supreme Court did the right thing in striking down President Biden’s vaccine mandate for large businesses. It’s their job to push back against overreach and unaccountable government power, even when it’s ostensibly being exercised for “the greater good.” This pandemic will end. The broad precedent for the exercise of “emergency powers” will outlast it, and may ultimately itself be a contagious and dangerous virus.

We must remember that the social contract that underpins modern civilization granted government a monopoly on violence, and all compulsory requirements it makes are ultimately backed by the threat of violence. As time has marched on, we have allowed its writ to run very wide.

A couple of decades ago, when Congress passed the PATRIOT Act, some of my more right-leaning friends dismissed my concerns about putting unprecedented, unaccountable power in the hands of the federal government. They figured it was a necessary tool to combat foreign terrorists who had already wrought terrible destruction

on the country. The Act’s provisions weren’t aimed at good citizens.

“I have nothing to hide,” they asserted, “so I have nothing to worry about.”

Now those same friends are aghast, witnessing the spectacle of parents angry at the conduct of their school board being branded “domestic terrorists” and threatened with federal investigation under that same PATRIOT Act.

We never seem to learn that when we hand government a weapon — even to defend us in a crisis — that weapon can and almost inevitably will eventually be turned on us as citizens.

The public health crisis of COVID-19 was and is real — but it is not paranoia to fear the grip of those who would exploit it in the classic political power grab, expressed in the determination to “never let a crisis go to waste.”

We need to stop viewing the accretion of unaccountable and arbitrary power through a partisan lens, decrying authoritarianism when we see it on “their side” and turning a blind eye to it when it serves “our side.” Because unaccountable and arbitrary power ultimately serves nothing and no one but itself — and we all fall under its sights.

**WHYCHUS:** Participants will learn about restoration

Contact Kolleen Miller at [kmiller@restorethedeschutes.org](mailto:kmiller@restorethedeschutes.org) to register or for more information.

All presentations will be held at Sisters Library from 5:30 to 7:30 p.m., with a virtual attendance option:

- February 15: Whychus Creek 101: Watershed Overview & History
- March 1: Whychus Creek Hydrology & Water Use
- March 15: Water Use & Conservation
- April 5: Habitat Restoration & Native Fish
- April 19: Climate Change & Glacier Health.

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and massive restoration in recent years.

Participants will learn about the removal of fish barriers, the restoration of Camp Polk Meadow, and restoration along the upper reaches of the creek above Sisters and through Rim Rock Ranch.

Preregistration and payment of a \$25 pre-registration fee is required for the series.

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