

Gorsuch Condemns COVID Policies for Violating Civil Liberties: Where Are the Rest?

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In a [statement](#) relating to the case of *Arizona v. Alejandro Mayorkas* (Secretary of Homeland Security), US Supreme Court Justice, Neil Gorsuch, condemned government-imposed COVID policies that turned the legal and legislative process on its head and violated civil liberties. The justice's review of actions taken by local, state, and federal governments over the past three years reads like a report on human rights abuses from the socialist Soviet Union era. Previous generations of Americans would have thought the justice's statements were from a dystopian novel, not current events.

The Gorsuch statement

Here are some key passages from Justice Gorsuch's statement.

Since March 2020, we may have experienced the greatest intrusions on civil liberties in the peacetime history of this country. Executive officials across the country issued emergency decrees on a breathtaking scale. Governors and local leaders imposed lockdown orders forcing people to remain in their homes. They shuttered businesses and schools, public and private. They closed churches even as they allowed casinos and other favored businesses to carry on... They divided cities and neighborhoods into color-coded zones, forced individuals to fight for their freedoms in court on emergency timetables, and then changed their color-coded schemes when defeat in court seemed imminent.

Federal executive officials entered the act too... They deployed a public-health agency to regulate landlord-tenant relations nationwide. They used a workplace-safety agency to issue a vaccination mandate... They threatened to fire noncompliant employees, and warned that service members who refused to vaccinate might face dishonorable discharge and confinement. Along the way, it seems federal officials may have pressured social-media companies to suppress information about pandemic policies with which they disagreed.

While executive officials issued new emergency decrees at a furious pace, state legislatures and Congress—the bodies normally responsible for adopting our laws—too often fell silent. Courts bound to protect our liberties addressed a few—but hardly all—of the intrusions upon them. In some cases, like this one, courts even allowed themselves to be used to perpetuate emergency public-health decrees for collateral purposes, itself a form of emergency-lawmaking-by-litigation.

Amen Justice Gorsuch—someone finally said it!

But where are the rest?

For over three years now, governors, presidents, and a plethora of agents and agencies under their charge have usurped powers not constitutionally delegated to them and trampled on rights once held sacred. The lawless and oppressive nature of lockdown-shutdown-maskup-vaxup orders was able to be known from day one. (See this article for an explanation of [Why COVID Orders Are Not Law](#)). Statements like that of Justice Gorsuch could have and should have been issued by every public official in the land. These include two Presidents that presided over the pandemic, 535 members of Congress, 50 governors, 7,558 state legislators, thousands of county commissioners, thousands of county sheriffs, and tens of thousands of mayors and city councilmen.

Yet of those thousands of public officials whose duty it is to defend our God-given rights and uphold the constitutional rule of law, we now have this statement issued by one Supreme Court justice, two governors who either declined to implement, or stood up against unlawful

policies (South Dakota and Florida), and Rand Paul, who continues to be a voice for liberty in the US Senate.

So again, I ask:

Where are the rest?

Are there any others in elected office anywhere in the land who comprehend the concept of inherent, immutable, God-given rights and who hold fidelity to the plain text and original intent of the Constitution provided for the preservation of those rights?

There has been discussion about the effectiveness of masks and the safety of the shots, though relatively little of that has come from elected officials. But frankly, those discussions distracted us from the paramount issue. From day one, the salient question has been whether we will remain free and autonomous souls with rights bestowed by our Creator, or become the slavish wards of an almighty state.

So again, I ask, where are the voices of other public officials championing the rule of law and decrying the violation of rights?

Where were the hundreds of Republican members of Congress who could have provided national leadership by issuing a joint statement denouncing such policies as unlawful and violating civil liberties?

Where was the Republican Party, which could have issued a statement akin to that of Justice Gorsuch, then threatened to expel from the party any governors issuing emergency orders that violate the God-given rights of their citizens?

For that matter, where were the large, well-funded organizations of the right—the ones that beg Granny for her social security check so they can save the grandkids from the libs by electing more Republicans—organizations that could have mounted major legal battles in defense of churches, small businesses, and workers rights?

And the most important missing constituency

Finally, where was the Christian-conservative-right, the voting block that talks about liberty, complained about masks and mandates, then went back to the polls to reelect nearly every Republican regardless of whether they perpetrated, or merely tolerated the violation of our rights?

It would appear the favored party of the right, nearly all its office holders, and the people who elect them have all collectively lost the understanding of, and forsaken devotion to, the concept of God-given rights and constitutionally limited government.

No, I'm not exaggerating. Just look at the results. The violations outlined by Justice Gorsuch occurred in every blue state and over 90 percent of red states. These include states with complete Republican control (23 states after the 2020 election). The land of liberty has lost its constitutional compass, and the conservative right has forgotten the rights it set out to conserve.

This is the fruit produced by a policy of pursuing victory through compromise.

For over 30 years now, I've watched as the Christian-conservative-right has consistently moved away from candidates who embodied its professed values in favor of those the pundits and party hacks told them could "beat the Democrat." Over this same time, the right gradually forgot the principles it was compromising away to win at the polls. Slowly and subtly, conservatives assimilated the policies and practices of those they were taught to cheer for as their perceived deliverers. So today the right supports a party and votes for politicians its predecessors would have tried for treachery.

Gorsuch – vox clamantis in deserto

The loneliness of Justice Gorsuch's voice crying in the political wilderness demonstrates the degree to which there is no longer a major political party or a significant faction within a party that retains the American ideals of liberty through inherent, immutable, God-given rights protected by the constitutional rule of law.

Yes, a few small activist organizations have pursued remedy against COVID policies in the courts. Also, a rare few alternative media commentators have voiced a constitutional and rights-based view on the matter. But there is no body of elected leaders, no well-funded political organizations, and no populist movement left in the land acknowledging and holding fidelity to the Creator as the source of rights and the Constitution as the source of law. There may be some politicians who give lip service to such, but their inaction during COVID belies them.

Without the acknowledgment of the Creator as the source of rights and the Constitution as the source of law, we are left to drift on a sea of secular humanist philosophy where the passions of human opinion and whims of government edict reign supreme, arbitrarily decreeing who, if any, has rights and what they might be on any given day.

Return to faith – and the proper role of the church

Yes, I'm saying that all our human institutions, including the popular organizations of the right, have failed us. So we're now beyond all political hope of recovering the republic. But that's a good thing. It's good if it leads us to give up hope—false hope that is. And indeed, all hope that looks to man, man-made institutions, and man's political machinations is false hope.

The only valid basis for all true hope is faith in the integrity of our Creator and the veracity of His word.

Does that mean we should withdraw from the political realm? Not at all. Quite the opposite.

The proper role of the church as ambassadors for the owner and soon-coming king of this planet is to declare our Lord's counsels, principles, and purposes to mankind, including to the institutions of men and their civil societies, so that they might know how to govern themselves according to His will and be blessed.

However, it is utterly perverse for the people of God to go around looking to human political institutions for power by which to save ourselves, prostituting ourselves and our professed principles in exchange for a seat at their table. Satan has twisted our minds and turned the tables on us. He has us seeing ourselves as beggars seeking power from the world by which to save ourselves from the world.

All power belongs to the Lord

In reality, all power, both in heaven and on earth, belongs to our Lord. Moreover, the power that this world's leaders currently wield is on loan to them from him. They will soon give an account to him for their use of it. Likewise we will give an account of our ambassadorship and whether we have used it to properly represent our king and the counsels of his kingdom.

No, I'm not saying we should despair of hope and give up.

I am saying that it's time for Christians in America to turn off the TV news. Turn off the talk radio. Put down the column by our favorite pundit. Instead go aside, get quiet, get alone with our own thoughts. Ask God to begin showing us again what are the first principles of His revealed will for human society and its civil governance. Then, return to the standard that the Lord shows us. Refuse to be moved from it even if it means standing alone. Even if it means voting alone. Even if it means writing in the name of the one person we know who overtly honors God and upholds the rule of law.

You see, God's ability to bless, honor, protect, and provide does not depend on who is in office. God's honor comes upon those who honor Him. ([1 Samuel 2:30](#)). Blessing is to those who forsake trust in man and human might and return to trusting in the Lord. ([Jeremiah 17:5](#)).