

# The Charter is dead – Jordan Peterson’s forced re-education proves it

By Conrad Black

The refusal of the Supreme Court of Canada to hear the appeal of [Jordan Peterson](#) against the outrageous aggregation of injustices that have been inflicted upon him by academic and professional authorities and the lower courts neatly completes the self-exposure of the bankruptcy of our system of protection of civil rights – everyone’s civil rights. This treatment of Professor Peterson, Canada’s leading public intellectual and probably the most famous and esteemed Canadian in the world, is extremely important for what his case reveals and its implications for all Canadians.



Jordan Peterson PHOTO BY DAVE ABEL/TORONTO SUN/POSTMEDIA NETWORK

To summarize the facts in his case, he was accused of violating the group rights of militant gender activists at the University of Toronto, where he was a distinguished professor in 2016. They demanded that he address them in newly

devised terminology recognizing their non-binary gender self-identifications. He emphasized that he intended no offence but that his constitutionally and academically guaranteed freedom of expression was being violated by their attempted dictation of his duty to address them in newly devised language that has

no philological legitimacy. The administration of the university wavered and waffled, declined to support the professor, and warned him he risked facing the rigours of a Human Rights inquisition. His employers effectively put all academic traditions of liberty of expression over the side and valued the claim of activist students to be offended by their inability to dictate novel forms of address over Professor Peterson's right to enjoy freedom of expression as guaranteed by our Constitution in the Charter of Rights and Freedoms.

Following that precedent, the College of Psychologists of Ontario that is the governing body of licensed psychologists in Ontario, responded to receiving a handful of complaints about utterances expressed by Peterson on the Internet, two of them from foreigners who do not live in Canada, none of them having ever had any personal contact with Peterson, and not objecting to his language or professional competence, but merely to his opinions on some gender issues, on Justin Trudeau and his compatriots, and on the issue of climate change. Notwithstanding the extremely tenuous nature of the objections to his comments, the association ordered Peterson, under pain of suspension of his license to practice as a psychologist in Ontario, to submit to an indefinite course of counselling on public relations and communication. The governing body of the psychological profession is putting the nonsensical complaints of a miniscule number of people, out of the hundreds of millions who have heard Peterson, ahead of his same constitutionally entrenched but in fact worthless and meaningless right of self-expression. One may ransack the works of George Orwell, Franz Kafka, and Arthur Koestler in vain to find a more preposterous example of what Shakespeare called "the insolence of office."

[Jordan Peterson](#) is so renowned in his profession that he has already been offered membership in several other psychological associations and has received generous offers from the United States and elsewhere to relocate. This fact alone indicates how deficient Canada has become in the protection of the rights of its citizens. Because of his immense international

success, and unlike all but a handful of other professionals, he was able to pay the more than \$1 million in legal fees that his unsuccessful resistance to this official persecution has cost him. The Charter is obviously now inoperative, and no one in this country should be under the slightest illusion that their rights of self-expression will be defended against any collective faddish or fringe opinion.

Pierre Trudeau told me as he championed the Charter of Rights that the addiction of the French to abstractions and particularly comprehensive assertions of truths, would make it much more difficult for the Quebec nationalists to undermine federalism in Canada with what he described as a squalid dispute between official echelons of politicians over which of them will have what rights when the real issue was to assure full rights to all citizens. We would proclaim and be precise about rights and proclaim the great achievement of that proclamation over the self-interested haggling of politicians. He acknowledged that this could lead to some unrigorous findings by individual judges, but believed that if the quality of judicial appointments was maintained, that would all be sorted out eventually, if necessary by legislation. It was an astute political tactic for defeating the separatists, the reason for Trudeau entering political life, but his optimism about our courts was misplaced.

There has been, as every informed Canadian knows, an avalanche of ludicrous judicial decisions, and the Supreme Court of Canada, because of inappropriate appointments to it from successive prime ministers, has become an almost constant source of absurd judgments. In one case a few years ago, the high court determined that the Charter's right of assembly guaranteed the right of employees of the government of Saskatchewan performing essential work to strike. The upper courts have allowed judges to make an incoherent smorgasbord of our laws, with a shrinking number of reliable precedents and highly idiosyncratic lower court interpretations that pay

no attention to the normal meaning of the language or intention of the legislators. This means that when the courts have finished, the legislators haven't been legislating at all—just putting forth thoughts for the delectation of the bench. But even more sinister, the courts as a whole have followed the legislators into complete abdication in allowing the administrative state to function as it wishes without any apparent reference whatever to the text of law. In the case of Jordan Peterson, his freedom of expression counts for nothing in the face of churlish and self-righteous students or even a few frequenters of the Internet.

Jordan Peterson has already rendered great service to this country; not least in declining to follow the well-traveled road to other generally more mature jurisdictions. Canada is at a crossroads. If we do not act now on our rights and duties as citizens, to install legislators who will assert the liberties that we understood to have been our birthright and to have been guaranteed to us, and to elevate responsible judges who put the fascist monster of the administrative state back under the jurisdiction of the legislators and competent jurists, we will cease to be a functioning democracy at approximately the same speed as our decline in comparative prosperity. More than four centuries of Canadians have believed that our destiny was more distinguished than this. The time is coming soon when we must prove that they were right.

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