

# 'Unconstitutional': Co-author of Canada's 1982 Charter of Rights Rebukes 'Illegal' COVID Policies: Brian Peckford

'I never thought in my wildest dreams, that the day I am now a part of would ever come,' lamented Brian Peckford.

By [Jack Bingham](#)

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*The last surviving architect of the Canadian Charter of Rights and Freedoms condemned the "callous" and "unconstitutional" abuses of the 1982 Charter by Canadian governments in the name of the so-called COVID pandemic.*

Brian Peckford, the former premier of Newfoundland, spoke out strongly against the transgressions performed against each citizen's Charter rights via vaccine mandates and other COVID-related measures, in a video seminar hosted by pro-freedom group [Action4Canada](#) Wednesday evening.

"I never thought in my wildest dreams, that the day I am now a part of would ever come," lamented Peckford. "I don't think anybody ... the people at the [1982] conference, ever thought that the day would come ... that the governments of this nation would so callously look upon the Charter of Rights today as they are doing, have done in the last two years, and are doing as we speak."

Explaining the importance and relevance of the Charter in these unprecedented times, Peckford outlined the most important aspects of the 1982 document and described the transgressions occurring today at the hands of Canadian governments.

"[Section 52](#) of that Charter [says](#) the supreme law of Canada is the Constitution (of which the Charter is a part), no other law supersedes this constitutional law," Peckford paraphrased. "So, you are on safe ground ... when we talk about the Charter of Rights and Freedoms we're talking about the supreme law of Canada. The Charter of Rights and Freedoms are in the Constitution."

“As mentioned earlier, there are at least four provisions in the Charter of Rights and Freedoms which are extremely important: [Section 2](#), [Section 6](#), [Section 7](#), and [Section 15](#),” added Peckford. “And [Section] 2 has to do with your freedom of expression, your freedom of conscience, your freedom of religion, your freedom of assembly, your freedom of association. That’s under Section 2 of the Charter of Rights and Freedoms. Make no mistake about it.”

Emphasizing the importance of the other provisions, Peckford highlights the “Mobility Rights” protected under Section 6. In Canada, various levels of government, including Prime Minister Justin Trudeau’s federal government, have placed restrictions on Canadians’ freedom of movement throughout the coronavirus crisis. Including “[stay-at-home](#)” orders in various provinces, barring certain citizens from [traveling interprovincially](#), and most recently, [banning the unvaccinated](#) from interprovincial travel via plane, train, or sea.

“You and I, as citizens of Canada, have the right to travel anywhere in Canada, and even leave Canada. That’s a right! Enshrined in the supreme law of Canada,” explained Peckford. “It’s amazing when you look at what’s going on now to think, that the government would even attempt to violate these things.”

Touching on Section 7 regarding the right to “Life, Liberty, and Security of the Person,” Peckford states, “You have a right to freedom, you have a right to your security as a person. In other words, these injections are completely beyond the scope of the Charter and are illegal or unconstitutional.”

Further stressing the point, Peckford explains that Section 15 guarantees that each Canadian, regardless of their status in life, has the “equal” protection of the aforementioned sections outlined in the Charter. Suggesting that any method of medical-based discrimination is illegal and outrighted prohibited by Canadian law.

“Section 15 says everybody has the right to equality before the law. We are all equal. We are all equal before the law of Canada,” said Peckford. “Section 2, Section 6, Section 7, and Section 15, are the ‘gems’ of the Charter from individual rights and freedoms point of view.”

Peckford describes that per [Section 1](#) of the Constitution Act of 1982, the only means in which the government can “override” these fundamental rights in any capacity, is if “they can demonstrably justify” taking those actions.

According to Peckford and Section 1, “demonstrably” justifying the measures has to be done “in law” within “reasonable limits” in accordance with a “free and democratic society.”

Per Peckford,

“not one government: federal, provincial, or territorial, has demonstrably justified what they are doing,” there “is not one cost-benefit analysis, there’s not one study, there’s not one report, by any government, that says, ‘Here is our argument justifying the new measures we are bringing in to fight this so-called pandemic.’ None. Zero. There isn’t any.”

Assessing how the current situation came about, Peckford states, “One of our great problems today, of why we are where we are, is that our government has been sliding down

a very slippery slope for 40 or 50 years.”

“This just didn’t happen yesterday, or didn’t happen with the pandemic. It happened long before, where the power of our parliament, and the power of our legislatures, was gradually eroded without a shot being fired, and the movement of that power went from the MP (member of parliament) ... to the Cabinet, then ... to the Prime Minister’s office.”

Peckford’s evaluation of the Charter and its relevance to Canadian citizens in the midst of the COVID-19 crisis is nearly identical to that of constitutional rights lawyer Rocco Galati.

Galati, in an August press conference regarding his lawsuit against various levels of government with Action4Canada founder Tanya Gaw, also [affirmed](#) that many of the actions taken by Canadian governments are “illegal” and “unconstitutional”, including “the ordering of isolation, lockdowns, masking, social distancing and, without making full, true and plain disclosure of the known risks thereof, mandating and promoting dangerous experimental medical injections which they know, or ought to know, cause adverse reactions and death.”

“This is depraved, this is illegal, this is criminal, this is unconstitutional,” added the lawyer. There is “no scientific basis to the measures,” and “[we] can prove that in a court of law.”

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