

Free Speech Monitor

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Christie Wins Appeal for Chief Ahenakew

Victoria's Battling Barrister **Douglas H. Christie** has won another victory, albeit a small one, in the battle to hold back the minority-instigated assaults on free speech in Canada. "**David Ahenakew's** conviction for promoting hatred was overturned yesterday and a new trial was ordered by a judge who questioned whether the former aboriginal leader wilfully intended to spread hate when he told a reporter that Jews were a "disease." **Chief Justice Robert Laing** of the **Saskatchewan Court of Queen's Bench** said the lower court judge who convicted Mr. Ahenakew and fined him \$1,000 last summer erred by not taking into account whether the comments were made "spontaneously" and in anger. Chief Justice Laing said that hateful words, where they are said and the tone of voice used are all relevant factors in determining intent. In 2002, Mr. Ahenakew, now 72, blamed Jews for the Second World War during a profanity-filled speech. The former head of the **Assembly of First Nations** repeated those sentiments when approached afterward by a reporter from the **Saskatoon StarPhoenix**. He went on to laud Hitler's use of death camps as a way to "clean up the world" of Jewish people. " (**Globe and Mail**, June 9, 2006) Chief Ahenakew maintained his proud and defiant attitude and "told **CBC Radio** yesterday that the case has been a waste of time and money and that he has 'nothing to repent for.' ... 'I wonder if he'll get his Order of Canada back now,' Mr. Christie said. 'He didn't send it [the insignia] back. He said, 'You want it, you come and get it.' ... **Doug Christie**, Mr. Ahenakew's lawyer, said during the appeal that upholding the conviction would lead to a 'tattletale state.' He said yesterday the Crown should not bother with a new trial because there was no further evidence of intent. 'You've got an angry man in an unpremeditated argument with indiscreet language. Not an intentional communication at all, really,' Mr. Christie said in an interview. 'It's so different from anything they've ever prosecuted before that I think nothing but a political decision would justify a new trial.'

Murray Brown, Saskatchewan's director of public prosecutions, said his office would decide by the end of next week whether to appeal the ruling or set a date for a new trial. What about dropping the case? 'Staying? It's not one [option] I'm entertaining,' Mr. Brown said. Sadly, if Brown's comments can be taken at face value, the state intends to re-try Chief Ahenakew and continue its policy of prosecuting politically incorrect dissidents for "hate".

One disappointment is that the Appeal Court Judge seemed to reject the powerful argument that the Chief's remarks were in a private conversation, which does not come under **Sec. 319** -- the "hate law", which was passed into law in 1971 after more than 30 years of lobbying by the **Canadian Jewish Congress**. "During the appeal, Christie suggested Irwin also erred in finding the discussion was not private, which would also exempt it from the **Criminal Code's** hate law. Ahenakew had no idea it would be made public and had no intention to make it public, he said. That decision was the reporter's, he added, stressing the issue of intent is crucial to rendering whether a comment is criminal or not. Laing disagreed, endorsing Irwin's interpretation that speaking with a reporter who requested an interview could not be considered private." (**Saskatoon Star-Phoenix**, June 9, 2006)

The Bahr Hearing: Gov't Snoops on STORMFRONT
EDMONTON. The **Canadian Human Rights Tribunal** inquiry into "hate" charges against **Glenn Bahr** heard admissions of spying on **STORMFRONT** (a popular White nationalist website -- www.stormfront.org) and the now defunct **Western Canada for**

Us website by Edmonton "hate squad" operatives and by then **Canadian Human Rights Commission** investigator **Richard Warman**. After first pleading "ongoing police investigation," former Edmonton hate squad head cop Cons. -- now newly promoted to Sgt. -- **Stephen Camp** admitted that an officer used the name "Estate" to troll on **STORMFRONT**. Despite repeated questions from Mr. Bahr's legal representative **Paul Fromm**, Camp refused to give the name of the officer, citing fear that his picture might be posted on the **Internet** and put him in danger. Mr. Warman, a professional anti-racist, who has now made more than 20 complaints against **Internet** posters or websites he doesn't like eventually admitted to posting under the name *Pogue Mahone* (Gaelic for "Kiss my Ass") on **STORMFRONT**.

Earlier Sgt. Camp admitted that he had threatened Mr. Bahr's girlfriend with the loss of her child. He promised to call and did call social services to investigate potential abuse because of the "poisonous" environment caused by Mr. Bahr's **Western Canada for Us** website work on the computer in their apartment. Mr. Fromm was not allowed to ask whether parents with other unpopular beliefs -- say, religions that promoted a subservient role for women -- might be threatened with loss of their children. Sgt. Camp admitted providing false information to Mr. Bahr during the raid when he seized not just computer equipment authorized in the warrant but even personal jewellery and a bomber jacket. Camp had told Mr. Bahr that he could face up to 10 years for "hate" charges under **Sec. 319** of the **Criminal Code**. Under cross-examination, he admitted the maximum was two years. He justified handcuffing Mr. Bahr during the raid carried on by five officers as being necessary for the "safety" of his officers, despite the fact that Mr. Bahr was unarmed, alone, polite and co-operative. To protect his girlfriend from losing her child, Mr. Bahr, "a decent and honourable young man," Mr. Fromm said in his opening statement, "took full responsibility" for what had been a collaborative website, involving the efforts and input of many people. Mr. Fromm, in his opening statement, accused the Edmonton "hate squad" of being a "political police" of bullies behaving like police thugs in places like Cuba and Guatemala. Although, the Edmonton Police have a bad reputation for corruption, Tribunal Member (chairman) **Julie Lloyd** refused to allow Mr. Fromm to put to Sgt. Camp a recent news story that the **U.S. State Department** had cited the Edmonton cops for their violations of human rights in their handling of arrests.

In other developments, Tribunal Member **Julie Lloyd** refused, May 25, to recuse herself for "reasonable apprehension of bias." She rejected the motion made by Mr. Fromm saying he had provided "no evidence," despite his having quoted over 20 news stories about her long-time lobbying and litigating for homosexual and lesbian causes. Mr. Fromm had especially cited her recent statements labelling as "hate" a proposed law that would permit Alberta marriage commissioners to opt out of performing same sex marriages if this went against their personal beliefs. One of the charges, strongly denied by Mr. Bahr, is that he posted a comment that homosexuals should be euthanized. Mr. Bahr has led extensive evidence that his e-mail and those of others active in **Western Canada for Us** were hacked and that false information and e-mails were circulated. Both officer Camp and **Richard Warman** denied assuming Mr. Bahr's **Internet** identity. After dismissing Mr. Fromm's motion, Lloyd refused to let him have the transcript of her decision until 10 days after the end of the Tribunal hearings. She refused to let him order an expedited copy. Time is urgent as any appeal of this decision to federal Court must be made within 30 days. When he approached the

transcription company, they, at first, quoted him a price of \$60.00. However, they reported his request to the Tribunal. On Monday, Lloyd reversed herself and allowed Mr. Fromm to have the transcript. Now, however, the price of the 15-page document had soared to \$265.00. Mr. Bahr has no resources and the Tribunal has repeatedly refused to provide even photocopying. Mr. Fromm was told by Lloyd, May 29, that, if he couldn't provide 7 copies of each piece of evidence, he could not present that evidence. "So, if Mr. Bahr is too poor to afford photocopying, he cannot present his evidence?" an incredulous Mr. Fromm asked. "Those are the rules," the militant lesbian responded.

Defence Silenced at Bahr Hearing

EDMONTON. June 1, 2006. The inquiry by a **Canadian Human Rights Tribunal** headed by radical Alberta lesbian lawyer **Julie Lloyd** concluded here today, after repeated rulings from Lloyd shut off almost all lines of defence questioning and prevented **Paul Fromm**, **Glenn Bahr's** representative from questioning expert witness **Bernard Klatt** about Mr. Bahr's defence that his e-mail and computer had been hacked and phoney messages sent out in his name. **Glenn Bahr** had been charged under **Sec. 13.1** of the **Canadian Human Rights Act** for posting material on U.S. website **Stormfront** and on **Western Canada for Us** that was critical of Jews, Blacks, Indians and homosexuals. **Sec. 13.1** makes repeated communications over the **Internet** "likely to expose" privileged minority groups "to hatred or contempt" a discriminatory practice. On May 31, Mr. Fromm was prevented from tendering a rebuttal witness - a woman who had lived with **Glenn Bahr** and who would testify that **Sgt. Stephen Camp** of the Edmonton "hate squad" had threatened to and did in her presence call child protection services "with a view to removing her 7-year old child" as she might be in a "poisoned environment" because of Mr. Bahr's immigration reform and free speech views posted on the **Internet** allegedly in the apartment where she lived. She would have testified that this threat was made to her and Mr. Bahr before - in a desperate effort to save her child from being taken - he agreed to admit that the **Western Canada for Us** website was his work alone. He also agreed to take down the website, disband **Western Canada for Us**, and leave Edmonton. The defence had earlier played a **CBC** television story from May 7, 2004, just after the raid on Mr. Bahr's residence. The tape showed **Sgt. Camp** saying that people like Mr. Bahr should "be oppressed and jailed." He denied telling Mr. Bahr that there was no place for people like him in Edmonton and that he should leave town. Mr. Fromm denounced **Sgt. Camp** as a bully for threatening Mr. Bahr's girlfriend with the second worst nightmare of a parent - the loss of her child. Key to the defence was the contention that, in February, 2004, Mr. Bahr's computer and those of other members of **WCFU** were hacked. Phoney and insulting messages were flying back and forth from people adopting the identities of **WCFU** members. So concerned was Mr. Bahr that he complained to the **RCMP** in Red Deer on March 19. An inflammatory posting using Mr. Bahr's moniker had been made, March 10, calling for the euthanizing of homosexuals as they were freaks of nature. Mr. Fromm presented the transcript of Mr. Bahr's extensive complaint to the **RCMP** about this hacking and about a lie-filled poster plastered all over Red Deer, giving his name, address and a series of false accusations about him. The poster eventually had him thrown out of his residence and led to the loss of his job. The poster was circulated by the anarchist **Anti-Racist Action (Calgary)**, led by an Indian **Jason Devine** who ran for the **Communist Party of Canada** in the January, 2006 election. Complainant **Richard Warman's** self-appointed task is "weeding" out the **Internet** of "neo-Nazis" and "White supremacists." Mr. Fromm was not allowed to question his motives or his links with the **ARA**. **Sgt. Camp** had testified that he had called Mr. Warman for a copy of the **ARA** poster plastered up in Red Deer. Warman lives in Ottawa. Mr. Fromm asked

why the officer wouldn't simply call the **RCMP** in Red Deer. He received no real answer. Is Warman a Jew or not? Mr. Fromm wanted to ask but was not allowed to. The **Alberta Human Rights Commission** in a report so identifies him as did a draft complaint in the *Warman v. Kulbashian* case. He seemed to deny it in that case saying he was "not of the Jewish faith." Odd phraseology! Homosexual newspaper praising him said he was not "gay". He's certainly not a native Indian nor does he appear to be physically crippled. In his summation Mr. Fromm asked: "What's it to you? Glenn Bahr's writings in no way expose your group to anything. The groups in question (Jews, homosexuals, Aborigines, and Blacks) did not launch this complaint nor even attend the hearings." Warman is using the Human Rights Commission to further a political agenda of censorship pure and simple. Mr. Fromm was repeatedly thwarted from asking any meaningful questions of Warman by the Member (chairman of the Tribunal), activist **Julie Lloyd**. He couldn't even ask who his employer is or how he is able to get weeks off at a time to appear, at taxpayers' expense, as a witness in these complaints. Nor could he ask whether Warman had written a long Canada round up for the current **Audit of Anti-Semitic Incidents** for the **League for Human Rights of B'nai Brith**. His name is on this report and he mentions **Glenn Bahr** at length. [Check it out on the Net.] But that's the protection the industry gives to one of their own in the Soviet-style Human Rights Tribunal kangaroo courts of Canada. If you think that's overstating the case, consider this: In 28 years no victim has ever been acquitted of a **13.1** charge -- "hate" on the **Internet** or on telephone answering machines. No one! Also, all the victims have been on the right of the political spectrum. It's Soviet style political censorship. Have you ever seen **John Cleese's** hilarious industrial film **Meetings, Bloody Meetings?** To illustrate how to conduct a meeting properly, Cleese does a number of rib-tickling skits. In one, he's a judge. He's trying to teach people to have a logical agenda. He asks, "What if I ran my court this way? First, we have the verdict, then we have a little evidence and then we'll have the sentence." Some observers thought they'd stepped into a **John Cleese** skit. The lawyers actually had to do their main summation before all the defence evidence and **Glenn Bahr's** expert witness was heard. Lloyd was in such a hurry to end the hearings and shut the defence down. Expert witness computer expert **Bernard Klatt** of Oliver, B.C., testified about techniques used to hack e-mail and websites but he was not allowed to say anything about Mr. Bahr's evidence of being hacked nor was he allowed to identify any documents. In his final summation, Mr. Fromm warned the Tribunal: "You can't stop the **Internet**. You can shut down **Glenn Bahr**, but you can't stop the message. The message you're sending to young Canadians who acted as good citizens -- they took an interest in public affairs, they informed themselves, they organized a group and leafleted and held public meeting -- is that our politically correct Establishment is saying: 'You shut up!' Is that healthy for a democracy?" he asked. Both complainant Warman and hate squad head **Sgt. Camp** made much of the fact that the novel **The Turner Diaries** could be downloaded from the **Western Canada for Us** website. Fromm explained that, in most of the world, governments are changed through violence - *coups d'etat* or revolutions. Northern Europe developed democracy, where governments are changed at the polls non-violently. "However, democracy requires freedom of speech, freedom to discuss and debate the issues of the day," Fromm explained. "The victim here, Glenn Bahr is a man of the Word. He wrote his ideas. He put them and those of others on a website. He circulated flyers. However, there are also men of the Sword. If you shut down the Men of the Word, you will surely get the hard Men of the Sword. Shut down the Word and you'll get the Sword. You may then get the scenario of violence in The Turner Dairies which you so fear!" he concluded to an ovation of the loyal supporters in the stuffy Tribunal room.