

# Free Speech Monitor

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## Number 145 January/February 2007 Penniless Victim of Richard Warman Fined Gagged & Fined \$4,000 but Warman to Get Nothing

OTTAWA. February 2, 2007. Saskatchewan math and computer instructor **Terry Tremaine** ([mathdoktor99](#) on **Stormfront**) was found guilty of a discriminatory practice today for posting critical comments about Jews and Negroes on **STORMFRONT**, a U.S. White nationalist website and discussion forum. This was the result of another complaint by **Richard Warman**, who is waging a personal political vendetta which he terms "maximum disruption" against those holding political views to the right of his. Mr. Tremaine was slapped with what amounts to a political gag order - an order to cease and desist posting on the **Internet** "material of the type that was found to violate section 13(1) in the present case, or any other messages of a substantially similar content, that are likely to expose a person or persons to hatred or contempt" [para 169.1] who are members of privileged groups - race, religion, sex, sexual orientation, etc. Should he re-post such material or similar material, he could be charged with contempt of court and jailed. Fellow Warman victim **Tom Winnicki** was sentenced to nine months in prison for violating a similar cease and desist order. He served over three months of the sentence. The conviction has since been overturned on appeal.

In addition, **Tribunal Member** (judge) **Michel Doucet** fined the penniless Tremaine an impossible fine. "Terry Tremaine shall pay a penalty in the amount of \$4,000 ... within 120 days." [para. 169.2] In considering a fine for posting dissident material likely to expose the privileged to "hatred or contempt", the Tribunal is supposed to take into account the "extent and gravity of the discriminatory practice; the wilfulness or intent of the person who engaged in the discriminatory practice; .. and the person's ability to pay the penalty." [para 161] Doucet concluded "On the positive side for the Respondent, there was no information that he had engaged in any prior discriminatory practices before he started posting on the "**Stormfront**" website in 2004." [para. 164] However, "the Respondent's wilfulness and intent in engaging in the discriminatory practice, is self-evident from the vicious tone of the messages themselves. His reaffirmation at the hearing that he stood by all his postings, his refusal to utter any remorse and the fact that he has not shown any indication that he has any intent of stopping." [para. 166] The expectation that Mr. Tremaine, who has become a committed National Socialist after years of world travel and study, should feel remorse for his views is truly Orwellian. One wonders what is next in the totalitarian world of "human rights" - political "re-education" camps?

"The Respondent gave evidence regarding his financial situation. He testified that he did not own a car or a house. He has lost his job at the University of Saskatchewan. He testified that he is presently working 20 hours a week at a minimum wage job, clearing about \$600 a month." [para. 167] That would give him an annual income of \$7,200!. According to **Statistics Canada**, the poverty line - or Low Income Cut-off, in bureaucratese - for a single person in the city the size of the one in which Mr. Tremaine lives was \$16,048! Mr. Tremaine says, that from time to time he has had to use food banks. With an annual income over 50 per cent below the poverty line, Mr. Tremaine was still slapped with a fine that would consume 55 per cent of his annual income! The ghoulsh decision took no note of the fact that Mr. Tremaine was fired from a well paying job at the **University of Saskatchewan** because of pressure brought to bear by Mr.

Warman who, after filing his complaint, wrote the university threatening exposure and publicity if action were not taken against the dissident math instructor. "The evidence showed The Respondent was served with the complaint on April 8, 2005. On April 11, 2005 and again on July 23, 2005, the Complainant wrote to the President of the **University of Saskatchewan**, the Respondent's employer at the time, providing information regarding the Respondent's activities." [para. 46] One small victory is that Richard Warman's demand for compensation for being a victim of Mr. Tremaine's posting was turned down. The Ottawa censor and champion Sec. 13.1 complainer will get nothing. "The Complainant, for its [sic] part, did not present, during the hearing, any evidence which could establish that he was a victim of the discriminatory practice of the Respondent. ... The Tribunal therefore concludes that the Complainant's claim to compensation under paragraph 54(1)(b) is unfounded." [para. 159-160]

The decision takes Canada further down the sorry path of political repression. The **Tribunal** rejected all the arguments put forth for the defence by **Paul Fromm**. Mr. Fromm had argued that **STORMFRONT** was essentially a meeting place of people with similar ideological ideas and that the threads therein were conversations among like-minded people. **STORMFRONT** is clearly labelled as a "White Nationalist" forum. In rejecting this argument, Doucet wrote: "Nor is it necessary to show that anyone was so victimized. Unlike the other sections in the Act dealing with discrimination, s. 13(1) provides for liability where there is no proven or provable discriminatory impact." [para. 110] Thus, there need be no proven impact. Just to criticize protected special minorities in strong terms is enough to violate the political censorship act. So arrogant have Tribunals become that they no longer see the need for guidance in the weighing of the impact or meaning or context of controversial postings. "How is the likelihood of exposure to harm to be determined? In *Citron v. Zundel* (No. 4) (2002), 41 C.H.R.R. D/274, the Tribunal stated that the most persuasive evidence was the language used in the messages themselves. There is no need for expert evidence on this matter." [para. 114] It just seems that Tribunal members who must, by law, have "a special sensitivity" to group rights, as opposed to individual rights, such as freedom of speech, will just know whether a message will expose the privileged groups to hatred or contempt. "The fact that no expert evidence was called is not in itself fatal to the complainant's claim." [para. 134]

Mr. Fromm "also expressed the opinion that common sense would suggest that since the postings were made on a website where like-minded people communicated amongst themselves then they were not exposing the targeted groups to hatred or contempt. He also argued that the messages were not likely to expose members of the targeted groups to hatred and contempt since anyone surfing the **Internet** would have had fair warning of the content of the messages by the nature of the banners on the home page of the sites. Therefore, people had a choice whether to read the messages or not. Again, the **Tribunal** cannot accept this argument. Although, it might be true to conclude that an individual who posts or reads the posting on these sites might be considered an adherent to the opinion they espouse and consequently might already possess feelings of hate and contempt for minority groups, it is conceivable that these feelings might be inflamed further by these messages. In any event, we should remember that the preconceived feelings of the individual who post or reads such posting is not in issue in the interpretation of s. 13. The

question is whether the matter communicated is likely to expose a person or persons to hatred or contempt. The fact that the banners provided some vague indication of the content of the websites does not put the messages beyond reach of s 13(1). " [para. 127-128]

Thankfully, Member Doucet makes it quite clear that **Sec. 13.1** is all about political censorship and restricting ideas. "Freedom to express one's idea ceases to be freedom of expression or opinion when it is used to stand in the way of the promotion of equality. Freedom of expression ceases to be a fundamental characteristic of democratic values when it becomes a vehicle for the promotion of hate. " [para. 97] Once again, multiculturalism has cost us many precious freedoms, including freedom of speech and the right to dissent. What will Mr. Tremaine do? He hasn't decided, he told **CAFÉ** the day after the decision was announced. He may seek judicial review (appeal) but that would cost money the poverty strapped ex-professor doesn't have. "I'll worry about the fine later," he said. As for the cease and desist gag order, the quiet mathematicians said: "If going to jail would call attention to the peril we are in, well ...."

The Orwellian **Sec. 13.1** which clearly seeks to outlaw or gag right-of-centre dissent on the **Internet** must be repealed or ruled unconstitutional. That's why the **Marc Lemire Internet** case and constitutional challenge now heading into its second week is so important. **Michel Doucet** in his ruling in the **Terry Tremaine** case makes it clear that censoring the **Internet** is what it's all about. "**Internet** has had a profound impact on modern society. It has made accessible to all information which in the past was only available to a few. It has also allowed individuals to exchange ideas and to discuss important issues but it has also raised serious concerns about the content found on many sites. Issues have arisen regarding the preservation of legitimate free speech, on the one hand, and the need to control the proliferation of 'hate sites', on the other hand. Cyberspace cannot and should not be seen as a frontier society where everything is allowed and where the constraints which limit discourse in the real world have no place." The argumentation for repression in the Tremaine decision echoed other **Sec. 13.1** rulings. It was filled with the most appalling and erroneous sociological claptrap - the cultural communism taught by the **Frankfurt School** and going back to the **Cohen Report**. We have the experts to blow this sociology to bits. However, we need your help to help **Marc Lemire** challenge this evil law and to help **Terry Tremaine** and other victims of **Richard Warman** and the **Canadian Human Rights Commission**.

### **Halifax Nutter Justifies Violence Against Jared Taylor**

On January 16, writer and lecturer **Jared Taylor**, editor of **American Renaissance**, a monthly U.S magazine, was assaulted and prevented from speaking by about three dozen goons from various leftist groups, including **Anti-Racist Action (ARA)** and the ultra-Trotskyist **International Socialists**. Taylor had originally been invited by the head of Black Studies (honest to God! Is there a Department of White Studies?) at **Dalhousie University**. As part of **Martin Luther King Day** shenanigans, there was to be a debate on the topic **Racial Diversity: North America's Strength or Weakness**. In December, the debate was cancelled for fear of hurting minority feelings. In an utter betrayal of free inquiry and open-mindedness, the university decided it **KNEW** in advance what Mr. Taylor would say and wouldn't allow their students to hear him. There would be a debate where **Prof. Divine**, head of the **Black Studies Department**, would present Mr. Taylor's arguments and then refute them. You can't lose a debate without an opponent. **Jared Taylor** vowed to go to Halifax and give his talk in another venue. The non-debate, on January 15, was cancelled because of a light snow (or was it because virtually no one would show up?) Mr. Taylor arrived in Halifax and circulated

notices on campus of his lecture to be held on January 16 at a room booked in the **Lord Nelson Hotel**. A good contingent of press and a handful of supporters gathered in the meeting room at 7:00. They were invaded by three dozen goons, many wearing **ARA**-signature bandannas or scarves on their faces. The females were the worst of all, an observer noted, screaming hysterically, their eyes glazed. The mob beat upon pots and pans and chanted and shouted down the ever suave and calm Mr. Taylor each time he attempted to speak. Eventually, one got him in a bear hug. "I was manhandled, picked up like a sack of potatoes and forced into the hall," Taylor recounted to **CAFÉ**. Some protesters linked arms and physically forced Taylor out of the room he had rented. One protester vowed he'd torch Mr. Taylor's car. He later received death threats over the **Internet**. Hotel security finally called the Halifax police who arrived just as the protesters were leaving. Even supporters were cleared from the hall. This was another example of wretched policing. The police have long known of the violent proclivities of the local left loonies, who admitted meeting half an hour prior to the event to plan their assault. Mr. Taylor's meeting had been advertized. The anti-free speech crowd had vowed a confrontation. Where were the politically correct police? Are we looking at mere incompetence or complicity? The next day **Jared Taylor** filed an official complaint. People across North America have been calling the Halifax police telling them to do their job and lay charges of assault, wearing a mask in the commission of a crime and causing a disturbance against the goons. This sort of anti-free speech behaviour is a trade mark of the radical left.

The following is information posted by one **Aaron Doncaster**, one of the goons who attacked **Jared Taylor** and prevented him from speaking at his own meeting on January 16, in Halifax. Doncaster describes himself in **MySpace.com** thus: "I love life and all lifeforms on earth and I wish to protect life on the planet with the exception of capitalists, If they we all killed off, I would not shed a tear. I am a dedicated activist, and anti-capitalist. I am determined to work to destroy the capitalist system. I am a Vegan. Do your part, go vegan!! I am caring co-opertive, empathetic and full of love. I fully believe in the polyamorous lifestyle and find monogamy to be exclusive. Love should be free and I think a large part of societies dislike of polyamory comes from conditioned jealousy and possessiveness." His semi-literate ramblings and boastings on a Halifax chat-line show the result of a failed education system and the wild propaganda of professional "anti-racists" promoted and funded by governments at all levels. Logic? Doncaster doesn't know the meaning of the term. "Taylor was here to propagate hate, Canadian laws do not allow that," he writes. How does he know? Mr. Taylor never got a chance to open his mouth or properly deliver his speech. However, the existence of hate laws encourages the street crazies to take the law into their own hands and impose "people's justice." "If it is the job of the police to serve and protect the public and inforce [sic] canadian [sic] laws, then they should havestepped in and shutdown Taylor and charged him with hate crimes. When the cops refuse to protect us from such violent racist hatred, be it verbal or physical, we have a duty to protect ourselves and our communities!" writes Doncaster, son of a Cape Breton politician. (**halifaxlocals.com**) Doncaster is the poster boy for violent, anti-intellectual "anti-racism." His address on **MySpace** is **myspace.com/killharper**. This, presumably, refers to killing Canada's **Prime Minister Stephen Harper**. Another of the disrupters writing under the name **xTROTSKYx** also on **Halifaxlocals.com** confirmed that the attack was planned and meant to be covert: "I was wearing a mask for my safety. Most people were covering their faces for this purpose, and, in fact, there was a white supremacist or two present with cameras. We talked about this in our breifing/meeting [sic] before going inside, and I think it's stupid to fault people for not wanting Nazis to have pictures of them."