

Free Speech Monitor

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Martin Introduces Bill to Repeal Sec. 13

Liberal MP Keith Martin has introduced a Private Member's Bill M-446 calling for the repeal of Sec. 13 of the Canadian Human Rights Act, the Internet censorship provision that has gagged and seen fined so many dissidents over the past few years. Here is the report from Hansard: "M-446 - January 30, 2008 - Mr. Martin (Esquimalt-Juan de Fuca) - That, in the opinion of the House, subsection 13(1) of the Canadian Human Rights Act should be deleted from the Act."

Martin is a former Reform MP who jumped to the Liberals. He is of White and Indian (India) parentage. His being a Liberal may make it easier for the Conservatives to support his motion or introduce similar legislation of their own because now their supporters -- conservative Christians and neo-Cons like Mark Steyn are the latest target of the CHRC censors and that band of gag artists who are filing complaints trying to silence political opponents under the guise of stopping "hate."

Momentum is moving in our direction. It's vital that you phone or FAX or write your MP (c/o House of Commons, Ottawa, ON, K1A 0A6). Ask for a written response from your MP. Tell him or her:

1. Support Keith Martin's Private Member Bill M-446.
2. Repeal Sec. 13 of the Canadian Human Rights Act. End Internet censorship in Canada.

The sordid Soviet style reign of terror by the Canadian Human Rights Commission is now out in the open. All the details are becoming public -- truth is no defence, intent is no defence, criticize a privileged minority and you're convicted, Bible scriptures are banned from the Internet; some complainants and witnesses are agents provocateurs, lurking under "racist" names and posting vile material. The CHRC reign of thought control looks like a drying pool of vomit on the dirty floor of some dingy dive. Yes, it stinks and good men are beginning to speak up. Marc Lemire, the Canadian Association for Free Expression, freethinkers from the left like Arthur Topham and I have been fighting this battle for freedom on the Internet for a decade. Now is the time to speak up. -- Paul Fromm

Another Warman & CJC, Terry Tremaine, Charged With "Hate"

On January 23, Dr. Terry Tremaine, Stormfront's "mathdokter99" was summoned to the Regina police station by one of the officers who arrested him and detained him, without charge, last June. At that time, the police seized his computer in an effort to shut him down politically. He was held for five hours in a cold cell at the police station. He's now been charged for postings on his website, under Sec. 319 of the Criminal Code, Canada's notorious hate law. Apparently, he's made critical comments about Jews. The Canadian Jewish Congress has been loudly calling for charges to be laid against him for almost a year. Mr. Tremaine has been completely gagged. His bail conditions state that he cannot own a computer or access the Internet. Yes, our sordid corrupt justice system becomes more corrupt each day. It's like when they took away Ernst Zundel's pencils

Terry Tremaine's suffering at the hands of Canada's thought control police stems from several complaints made by Richard Warman. Warman, who won a Canadian Jewish Congress "human rights award," last June, has seriously damaged Dr. Tremaine's life:

* his complaint to the Canadian Human Rights Commission about mathdokter99's postings on Stormfront resulted in a guilty finding. In Canada's "mass democracy struggle sessions" or Tribunals, in free speech cases, the dissident is always guilty. Despite earning just over half the poverty level, mathdokter99 was fined a brutal \$4,000.

* Warman then complained to the University of Saskatchewan and Dr. Tremaine lost his job and standard of living, since then being able to find only low paying, menial work;

* Warman, as is his habit, also filed Criminal Code "hate law" complaints which resulted in last June's raid on Dr. Tremaine and the theft of his computer. The Stormfront community rallied and, within a week, had bought him a replacement. The man may be in chains but his mind remains free.

Liberal & NDP Party Spokesmen Pledge Support for Internet Censorship

According to a Canadian Press report, Liberal Party leader Stéphane Dion wants party member Keith Martin to withdraw his private member's bill calling for the repeal of Sec. 13 -- the Internet censorship provision of the Canadian Human Rights Act. "Liberal Leader Stéphane Dion's office disavowed the motion and suggested Martin will be asked to withdraw it. 'This is not the position of the Liberal Party of Canada or the Liberal caucus or Mr. Dion,' said spokeswoman Leslie Swartman. 'We support the Canadian Human Rights Act and will not entertain changes to it such as this.' (Canadian Press, February 1, 2008)

Free speech supporters should remember this at the next election. The Liberal Party officially backs censorship of the Internet and suppression of dissent. The NDP is no better. A spokethingy for Canada's socialists also backed censorship and tyranny, where truth is no defence. "NDP MP Wayne Marston said he was 'deeply troubled that any Liberal' would try to weaken human rights legislation. While some complainants may try to abuse the act, Marston said his party has 'great confidence' that human rights tribunals can weed out the frivolous complaints from the genuine ones. 'That's the role of the human rights commission to make that determination.'"

Well, Marston is a dreamer, a fool or chronically misinformed. No tribunal has ever acquitted a victim of an Internet, or prior to that, a telephone answering machine complaint. Criticize a privileged minority and you're convicted. It's that simple when Tribunals are made up of members specially selected for their bias in favour of group rights as opposed to individual rights like free speech and free expression.

Martin is hanging tough: "Martin noted there are laws against promoting hatred or slandering another person but human rights tribunals are going further, penalizing people for giving offence to someone else. 'I don't think any self-respecting democracy can trample on freedom of speech, outside of something that is considered slanderous or hate crimes which must be pursued through the courts,' he said."

My posting on STORMFRONT came in for some Canadian Press attention: "The extreme right adherents at Stormfront were clearly thrilled to find a member of the Liberal party, which introduced the act and prides itself as the party of the Charter of Rights, joining their crusade. 'The sordid Soviet-style reign of terror by the Canadian

Human Rights Commission is now out in the open,' declares **Paul Fromm** in a posting on the website.

'The CHRC reign of thought control looks like a drying pool of vomit on the dirty floor of some dingy dive. Yes, it stinks and good men are beginning to speak up.' Fromm, a controversial anti-immigration and free speech activist who has been linked to neo-Nazi groups in the past, predicts it 'may be easier' for Conservative MPs to back the motion because it's being introduced by a Liberal of "White and Indian (India) parentage." -- **Paul Fromm**

Where Is/Was "Civil Libertarian Alan Borovoy During the Attack on the Internet

Over the past two months, the **Globe and Mail**, the **National Post** and various neo-Conservative commentators have been pounding the case against **Internet** censorship and the reign of repression unleashed by the **Canadian Human Rights Tribunal**. **Richard Warman** has also come in for a torrent of criticism and a few good lumps on the head. One interesting and annoying feature is the widespread quoting of **Alan Borovoy** who has, some 30 years late, discovered that human rights legislation is restricting freedom of speech. Too bad John Ivison decided to spoil an otherwise excellent article about the battle against the **Canadian Human Rights Commission** and **Internet** censorship ("It's Not Just About Nazis", **National Post**, February 5, 2008) with a gratuitous slur against the admittedly right-of-centre and White nationalist website **STORMFRONT**.

Ivison reports half correctly that **Liberal MP Keith Martin's** private members bill calling for the repeal of Sec. 13, the **Internet** censorship provision of the **Canadian Human Rights Act** "was greeted with acclaim by the Nazis at **STORMFRONT**." He later quotes me. That **STORMFRONT** is a "neo-Nazi" website is a fantasy of chronic Sec. 13 complaint filer **Richard Warman**. I host a nightly commentary show on **STORMFRONT** and am no Nazi, "neo" or otherwise.

★ The report quotes long-time **Canadian Civil Liberties** head **Alan Borovoy** saying censorship was never what human rights commissions were all about. Where has he been? **Sec. 13**, which originally, applied only to telephone answering machines has been in the Act from the beginning. For almost 30 years, the **Canadian Human Rights Commission** has been gagging and fining people using telephone answering machines for political messages and, more recently, people posting on the **Internet**. The reign of repression has, until recently, hit only small, independent people. Now that journalists are targets Mr. Borovoy is quite rightly outraged. But where was he when obscure bloggers were silenced? The Canadian Human Rights procedures are Orwellian. Truth is no defence, intent is no defence. All that needs be established is that a posted remark is "likely to expose" a privileged minority to "hatred or contempt." Any criticism might expose someone to contempt. So, some groups are now immune from criticism on line. Interestingly, no victim, that's right, not a single one, has ever been acquitted by the **Canadian Human Rights Commission** under its **Internet** censorship **Sec. 13** provision.

Since 1978, its sorry history of gagging unpopular thought was there for all to see. At any time, Mr. Borovoy could have spoken up or intervened as he was urged to do on more than one occasion as the increasingly bold censors muzzled one obscure **Internet** poster after another. He was invited to intervene to support **Ernst Zundel** in the **Zundel** **Internet** case, 1996-2002. He refused. His **Canadian Civil Liberties Association** has been asked to intervene in the **Marc Lemire** constitutional challenge. He won't even answer or return Mr. Lemire's lawyer **Barbara Kulaszka's** phone calls.

The ones involved in defending the defenceless or intervening in these human rights tribunals were **Doug Christie's Canadian Free Speech League** and the **Canadian Association for Free Expression**.

Only now when a high profile victim – **Maclean's** magazine – is on the censor's chopping block does Mr. Borovoy speak up. Here's a challenge. **Marc Lemire** has launched a constitutional challenge against **Sec. 13**. Several expert witnesses have been led who have challenged the justifications of this political censorship. We invite Mr. Borovoy to give some teeth to his talk and join us in intervening in this case to secure freedom of speech on the **Internet** in Canada.

Screwing Down The Lid On Free Speech

"The **UN General Assembly** has passed a resolution against 'defamation of religion,' expressing concern about laws that have led to religions discrimination and profiling since Sept. 11. The resolution urges all 'states to provide, within their respective legal and constitutional systems, adequate protection against acts of hatred, discrimination, intimidation and coercion resulting from defamation of religions, to take all possible measures to promote tolerance and respect for all religions and their value systems and to complement legal systems with intellectual and moral strategies to combat religious hatred and intolerance.' The resolution, supported by the **Organization of the Islamic Conference**, passed [Dec 18] by a vote of 108-51, with 25 abstentions. Many Western nations and other democracies opposed the resolution. The **UN Human Rights Council** passed a similar resolution opposing defamation of **Islam** in March, with many of the same western nations standing in opposition." (**Jurist**, December 20, 2007) This is not some mere freedom of worship motherhood issue -- the text consistently speaks of "religions," not "religion." Even so, the only religion specifically referenced is **Islam**. The resolution undermines both counter terror measures and border controls in its denunciation of "laws that stigmatize groups of people belonging to certain religions and faiths under a variety of pretexts relating to security and illegal immigration," adding "deep concern that **Islam** is frequently and *wrongly* associated with human rights violations and terrorism." It insists that Moslems have suffered from "ethnic and religious profiling" and blames "the negative projection of **Islam** in the media." The **Organization of the Islamic Conference** began pressing for legislation outlawing insults to **Islam** ever since the Danish cartoon fiasco. Fortunately for the religious police, the Organization constitutes the biggest voting bloc at the **UN**. While there's absolutely nothing here to prevent some benighted regime from blowing **Afghanistan's Bamiyan Buddhas** to smithereens, criticism of such a barbarism is *haram* (forbidden). Canada, along with most of the world's functional democracies, voted against the resolution, but that means less than might be hoped: Canadian courts are choking on cases predicated on conflicts between existing law and "our international obligations to the **UN**." Similarly, there has been a great deal of pressure for the **EU** to pass a resolution on "respect for religious feelings." This **UN** resolution can only embolden those voices. When the **Council of Europe** debated this question, **Keith Porteous Wood** said "I do not think it wise to impose any law that is as subjective as one outlawing the *causing of offence* would be. There would be endless disputes as to which religions should be so privileged, and the danger would be that it would be the demands of the most sensitive that would prevail. That would be a disaster for freedom of expression. It is not religious sensitivities that need protecting, however, it is freedom of expression. And if there is to be any internationally imposed legislation on this topic it should be to reduce restrictions on freedom of expression, rather than create another tier of censorship that will frighten commentators and artists from raising controversial matters." Amen brother.

Babel beckons. E.T.