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# Friends of Freedom

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A private newsletter for the supporters of the Canadian Free Speech League, dealing in cases of the censorship and persecution of political, religious, and historical opinion.

*"It's a funny thing about free speech: It can't be just for your political friends. If freedom means anything, it is the one valuable gift you have to give to your worst enemies, in order to keep it for yourself." -- Douglas Christie*

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## The 20th Annual George Orwell Free Speech Award & Dinner

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The 20<sup>th</sup> Annual George Orwell Free Speech Award Dinner will be held in our usual place, November 19<sup>th</sup>, 2005, starting with the usual seminar at 1 p.m. with the dinner to follow. We hope to deserve your continued support. A brief review of the past 20 years will tell us where we have been and where we are now. The present battles tell us where we are going and what the future holds. We look forward to revisiting the past with you on that occasion. We also look forward to awarding the 20th Annual George Orwell Award to another indomitable defender of free speech.

Our 20<sup>th</sup> Annual George Orwell Dinner will also be an opportunity to share knowledge about current cases, and encourage the struggle for freedom in each other. If you haven't already done so, please call for a reservation to (250) 385-1022, email [dougchristie@shaw.ca](mailto:dougchristie@shaw.ca) or fax to

250-479-3294. Space is limited and we need to know as soon as possible if you are coming!

The defence of freedom has always relied in the main on those few people who care about freedom, when it does not concern them directly, and such courageous souls have always been a small minority. These are the people who support the Canadian Free Speech League.

For 20 years we have honoured a few noble souls by the George Orwell Free Speech Award. For that same 20 years we have raised money to defend free speech for those who were attacked for exercising their freedom of speech. We have, through the *Friends of Freedom* newsletter, informed our supporters around the world of the causes which resulted in those attacks and who and what they were.

In 1984, the Keegstra case began in Alberta. For the first time a person was being prosecuted under the Criminal Code, for their religious, political and historical opinions. It was a long, and highly-publicized battle, which involved month-long trials, two in number, six appeals and an argument before the Supreme Court, which twice considered the constitutionality of the hate crimes

laws, and other related issues. I well remember Doug Christie's comments about the apple of free speech, out of which everyone wanted a bite.

Since Mr. Keegstra's two, there have been Supreme Court judgments in Ernst Zundel, John Ross Taylor, Malcolm Ross, Tony McAleer and Berscheid. We have not always won but we have always fought. We have been the source of inspiration and hope to many around the world from Lady Jane Birdwood and David Irving of London, to Doug Collins in B.C. and David Ahenakew in Saskatchewan. We have provided support for freedom to speak what various individuals conceive truth to be, on any topic. We have been the voice of freedom when the media wanted universal condemnation.

Today we are appealing the conviction for promoting hatred against David Ahenakew in a single private communication to a clever reporter with an unnoticed tape recorder. Mr. Ahenakew cannot afford the appeal costs. We help.

The days of our lives are precious as we use them defending the important principle of freedom of enquiry in pursuit of truth. A growing body of people are not buying the lies of the media, T.V.,

radio, newspapers, and through the Internet, we see a great levelling of accessibility to information, similar to the days of the first printing presses.

Suddenly, all news, of great and small, is equally accessible. A media blackout is less likely. People like Ernst Zundel can be locked up and tried in a German prison but his words, thoughts and news travels the world via the Internet, so that people can judge for themselves, rather than accept that of a state-controlled, or special interest group filter. The jail and the silent treatment are only successful to control those who do not want to know. Everywhere people are waking up to freedom.

Interestingly Ernst Zundel's trial starts in November. The phony national security trial in Toronto before Pierre Blaise, is over. Deportation resulted. Mr. McIntosh boasted Zundel could destabilize Canada, Germany and South Africa. We will never know the evidence, if it truly exists, because the trial was secret and even Zundel's lawyer could never see the evidence or hear the witnesses. The Soviet Union lives on in Canada, but still we stand, and still we speak. Someone will quietly, peacefully, honestly record the events and warn the western world of the struggle for freedom. This we do.

Only a fool would believe the courts alone can ever defend our freedom. Each of us has a duty to do what we can to save the truth and freedom for ourselves and for future generations. We are able to achieve great things together and we have. In 20 years of struggle we have helped many, so that no individual who came to us for help on a speech issue was forced to stand alone.

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### *The Case of David Ahenakew*

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The appeal of David Ahenakew's conviction under the Canadian Criminal Code hate crimes legislation will be heard in April of next year. Meanwhile Doug Christie is busy preparing his arguments for this appeal.

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### *Zundel Trial in Germany*

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In anticipation of yet another proceeding against Ernst Zundel, this time in Germany, to which he was deported from Canada earlier this year, lawyers on behalf of Ernst Zundel have announced that they are suing the Canadian government in the amount of \$10-million for wrongful incarceration. No matter what comes of this lawsuit, it should reveal the unbelievable treatment meted out to a non-violent, word criminal, in the Canadian system.

The Zundel trial starts on November 8th, 2005, in Mannheim, Germany.

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### *The Glen Bahr Case*

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In January, a preliminary hearing in the Glen Bahr case will be held in provincial court in Edmonton. He will be confronted with statements extracted from him to get out of a cell at 3 am and from his friend whose daughter was threatened with seizure.

He is subjected to a strict bail condition which prohibits his communication via the Internet. This case shows how dissidents are silenced and the prosecution drags on the trial, wears out the dissident, all the while cutting him off from communication with his friends and potential friends.

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### *Silencing the Unpopular: Tax Protesters*

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The case of Eva Sydel goes back before His Honour Judge Meyers on March 28, 2006. This is a trial by ordeal for a dentist who honestly believes in a strict reading of section 248 of the Income Tax Act, which defines "person" and uses the word "includes" which can be restrictive or expansive in meaning.

The case will test the law and the degree of culpability necessary for a person's inclusion in "evasion" rather than "avoidance." It boils down to intent.

It all has to do with the expression of a view of law. The government requires you to file a statement and then criminalizes you if you don't agree with their version of how you should respond. This is a free speech/free conscience issue. That's why Nelson Meikle and Nigel Smith are appealing their convictions.

In these tax cases, people seek to use reason and speech to explain their theories about income tax -- that it is optional, that it is illegal, and others. These people are being prosecuted for evasion in expressing in a return, opinions which they hold to be true. These opinions expressed in statements called tax returns can be considered a free speech issue because they involve an honest view of our legal rights.

The cases of Eva Sydel in Vancouver and Dr. Klundert in Windsor, Ontario, involve the important principle that the honest expression of an opinion about our legal rights should not make someone a criminal, even if that opinion is motivated by, or results in financial advantage in avoiding what is perceived to be an illegal,

or unnecessary, or unjustified tax. These questions about income tax are becoming more and more relevant to Canadians with the results of the Gomery Commission, and the widespread dissatisfaction about how the money taxed from Canadians, is spent.

The concept of free choice of beliefs regarding legal matters is not novel, since the self-assessment of income tax requires an interpretation of law imposed on every citizen. How then can you be made a criminal for expressing what a court holds to be a legal error? This is after all the expression of a legal opinion, based on facts unique to the individual in a statement the individual has to swear they believe to be true. How can an error of opinion on a matter of law as complex as income tax be a crime even if the error is one a judge or lawyer might not make?

These important questions go to the heart of the government's mind control and life-controlling power because all government power comes from the power to tax and hence take power away from the people to think and do what they choose and force them to do and think what the government wants. The Canadian Free Speech League therefore encourages a vital interest in these cases, and the questions they involve.

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### *The Case of Michael Seifert*

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Some excerpts from the trial, provided by an observer to the Vancouver portion of the trial, in which the judge is grappling with the next step, which Doug Christie predicted and fought against years ago, in the Finta case, i.e. the

prosecution's attempt to dispense with eye-witnesses, and rely instead upon historian experts for much more than just the surrounding circumstances of the case.

In this case, the experts are being encouraged to testify to facts of the case! No matter what your opinion of the history of World War Two, you should find this degradation of the principles of our law, repugnant. This is an important issue involving free speech because some experts' opinions are being enshrined as historical truth, while others are not. Where is the line to be drawn? They are prescribing the official history of the world, and judges are accepting it.

The following small glimpse into the cross-examination of one expert witness demonstrates why we should all be concerned about the use of historians to testify to the truth of their opinions:

### ***Notes on the Proceedings of October 17, 2005***

The expert historian witness stated that 63 Jews were dispatched from Bolzano to the concentration camp of Flossenburg by order of the RSHA in Berlin for liquidation. Questioned by Doug Christie as to the evidence he has for the murders, the witness said that he "read books that the killing occurred," but he had to admit that it is an allegation and that he has not seen direct evidence.

Referring to a document of August 25, 1945, Mr. Christie pointed out that it is unsigned and that any member of the American War Crimes Commission would have had easy access to a German typewriter. Again, the witness had

to admit that his general inferences are "reconstructions."

Doug Christie questioned him intently about the reliability of the Schoster Report, to which the expert referred so frequently in his report. Schoster had no written authorization to compile it. "What threats or inducements were made to produce this report?" Doug asked. And further, "Doesn't common sense tell you that it was easy for him to point the finger at others in the hope of not incurring charges himself?"

When Doug challenged him by asking, "Don't you think you have an obligation to inquire about the objectivity of your sources?" the expert replied meekly, "I convinced myself that parts of the report could be accepted."

Then Doug asked him, "How do you present your historical report, is it the truth, the whole truth and nothing but the truth?" The expert replied, "I would say that a historical report is a matter of opinion."

Further questions on the reliability of the expert's sources elicited only vague answers, and attempts to strengthen his opinions by claiming that they are based on concepts such as "widely accepted scholarship."

To the visible dismay of the witness, Mr. Christie drew the court's attention to his habit of providing a footnote giving a source for an entire paragraph which contains some fact, but also the witness' own opinion, thus giving the impression that all statements in that paragraph are covered by the footnote. Without raising his voice, but increasing its sharpness, Doug asked the expert point-blank, "Don't you think that's intellectually dishonest?"

*[end of account, with thanks to  
G.L. for the use of his notes]*

The help of the Canadian Free Speech League has been extended to 80-year-old Michael Seifert who is charged with outrageous crimes during the Second World War in a police transit camp.

It is now clear from cross-examinations, which took place in Verona, Italy, in October, that some witnesses who claimed to be in the camp talking to famous people while they observed these horrendous events, were never even in the same camp with those people at the same time. Their stories are impossible on the basis of contemporary records of comings and goings from this camp. An example of this is Don Gagero.

Other witnesses were shown information on T.V. and other programs before testifying. Witnesses were coached outside the hearing room by newspaper reporters in Italian when our Italian interpreters could hear them. All of this is sanctioned by a Canadian government who will spare no cost to become the policeman and prosecutor for 60-year-old events of dubious accuracy. No wonder we are in a time of huge taxation and reducing services.

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### *The Ken Wiebe Case*

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A battle over interrogatories is taking place: The defendants from Quebec do not wish to answer questions put to them in English, nor do they wish to come to discoveries in British Columbia, where the alleged defamation travelled, and where Mr. Wiebe is suing them. They are trying to force the plaintiff to come to Quebec to ask questions of them

in French. These are the continuing obstacles that one side places against the other in a civil case.

This is the case of "government-sponsored studies" which are written by persons with a strong bias but given the stamp of government sanction and placed on government-sponsored websites, therefore, funded by the government. The same technique of ritual defamation was used very effectively against FastCat scandal whistle-blower, Bob Ward, until he died.

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### *Securities Commissions & Their Uses*

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The case of Cameron McEwen is about government trying to regulate all aspects of people's lives and taking away their freedom in the process. There are a plethora of these types of boards and agencies in almost every aspect of our lives. The B.C. Securities Commission is such an example. It wants to stop offshore investment with unlicensed dealers. They expect agents for foreign corporations who are dealt with over the Internet to be subject to licensing requirements in B.C.

The fact that such transactions are difficult to tax is no mere coincidence. Government loves more government. Do investors really need such comprehensive protection, at the expense of more taxes and regulations?

But Cameron McEwen has fought a brave fight for economic freedom from a gold mine in Arizona. He has challenged their authority. Both taxation and regulation first interfere with freedom of speech. If they can force you to say what they need, to tax you and prevent you from

talking to people they say you shouldn't, why would they need bars and prison walls?

We close with a quote from Doug Christie's argument in this case:

"We all know how bureaucrats tend to build empires, using terms of art, which only they can understand, interpret and apply, in a narrow specialized area, which they constantly seek to expand. The essence of good policy is that it be rationally comprehensible to ordinary people using normal intelligence.

"Contrary to such good policy is the attitude that punishment should automatically follow every charge, the only issue being, "How much?" For this reason, lawyers who routinely practice before Human Rights Tribunals and Securities Commissions always advise the only hope is to plead guilty and beg for mercy. The Commission should respond by realizing that rational restraint on its power will only be self-imposed, but by doing so, respect for its decisions will be enhanced and not diminished. It has been observed that the Commission finds fault so Commission staff will not be demoralized, but to routinely and indiscriminately apply punishment without analysis of individual rational culpability will only demonstrate the maxim that power corrupts."

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### *Thank You!*

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Thanks to all our friends around the world for your encouragement and help! You make it possible for us to continue.

Keltie Zubko