

## When free speech offends Muslims

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Cases in Canada show the value of standing firm.

Rondi Adamson

Monitor Opinion Editor Josh Burek speaks with Rondi Adamson about upholding free speech despite pressure from Muslim activists.

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"Everybody favours free speech in the slack moments when no axes are being ground," 20th-century American journalist Heywood Broun once wrote. The real test of mettle is allowing free speech to thrive while axes aggressively grind. Just ask Canadian publisher Ezra Levant and author Mark Steyn.

In February 2006, Levant's conservative magazine, the now-online-only [Western Standard](#), reprinted the Danish Muhammad cartoons. Shortly thereafter, Syed Soharwardy, the national president of the Islamic Supreme Council of Canada, filed a Koranic-verse laden complaint against Mr. Levant with the Alberta Human Rights and Citizenship Commission, claiming discrimination.

Canada's Human Rights Commissions (HRC) are government agencies, not courts. They were set up, starting in the 1960s, to fight job and housing discrimination – offensive acts, not words. Borne of good intention, some argue they have paved a path to politically correct hell. Those behind the creation of the commissions maintain they were never meant to impede free speech – a right guaranteed under Canada's Charter of Rights and Freedoms – and that "thought crime" cases represent a fraction of the commissions' work.

As many of those complaints were brought against crackpot anti-Semites and Holocaust deniers, or Christian fundamentalists expressing extreme antigay views, few Canadians wasted a moment worrying about them. Therein lies the cautionary tale. The odious have to be free to speak – provided they are not inciting violence – or none of us are.

With limited exceptions, the aforementioned cases received little attention. Then along came Levant. Even those to whom he is not beloved are waking up to the dangers of a lumbering system in which there are no real rules of procedure, the accused must pay their own way and could ultimately be compelled to pay a fine and apologize, while the complainant relies on taxpayers to protect his or her "human right" to not feel offended.

Levant is preternaturally media savvy, and when he made his appearance before the Alberta commission – this January – he had it videotaped, promptly posting the

recordings on YouTube. Some 400,000 people have watched his bristly exchanges with the hapless commission representative. Levant, a lawyer, peppered her with questions of his own and reminded her of the freedoms that the HRC was trampling upon:

"For a government bureaucrat to call any publisher or anyone else to an interrogation to be quizzed about his political or religious expression is a violation of 800 years of common law, a Universal Declaration of Rights, a Bill of Rights, and a Charter of Rights. This commission is applying Saudi values, not Canadian values."

The resulting publicity proved too much for Imam Soharwardy. He dropped his complaint after two years and much public money spent, stating his newfound appreciation for the values of his adopted country: "I understand that most Canadians see this as an issue of freedom of speech, that that principle is sacred and holy in our society." Levant still faces a similar complaint from the Edmonton Council of Muslim Communities.

This, in turn, has brought unprecedented scrutiny to complaints against Maclean's, a mainstream magazine that's a mix of Time and US Weekly. Though some call it right-of-center, its main agenda appears to be getting attention. (Last fall, Maclean's ran a cover story critical of the war in Iraq featuring President Bush made to appear as Saddam Hussein.)

In October 2006, Maclean's ran an excerpt from Mark Steyn's book, "America Alone: The End of the World as We Know It." (Mr. Steyn is a Maclean's columnist.) Bothered by the Steyn reprints, four law students (since joined by a fifth) asserted that Maclean's presented an inflammatory view of Islam. The students met with Maclean's editor Kenneth Whyte, and asked him to publish a lengthy response, as though a magazine editor were required to cater content to indignant readers.

Mr. Whyte, quite rightly, refused – 27 letters to the editor regarding Steyn's story had already been published. So the students, with the backing of the Canadian Islamic Congress (CIC), filed complaints against the magazine.

If the HRC found Levant's YouTube clips formidable, it won't know what hit it when media mogul Ted Rogers, the owner of Maclean's, fights back – if the case gets that far.

Since January, op-eds supportive of Maclean's and Levant's positions from even left-leaning newspapers have abounded. A motion has been put forth in Canada's parliament to remove the section of the Human Rights Act that prescribes speech. Organizations such as the Canadian Civil Liberties Association and PEN Canada (some of whose members can't abide Levant's and Steyn's politics) have called for similar amendments and for the complaints against Maclean's and Levant to be dropped.

The reverberations don't end there. The Canadian Broadcasting Corporation recently did something it was too craven to do two years ago. During a news segment regarding the HRC, Canada's public broadcaster aired – briefly, fleetingly – the Danish cartoons. This is heartening. Much of the Canadian – and Western – left has seemed far too eager in recent years to buckle in the face of, and even sympathize with, Islamist extremism. Let's hope these cases bring about an understanding of what's at stake.

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