The new totalitarians

DAVID WARREN

In the olden days, in this country, people who were hurtin' sang a country song. I remember my little sister, when she was eight years of age, singing one in the kitchen, while affecting to wash some dishes. The lyrics were, as I recall: "My daddy hates me. / My mommy hates me. / My brubber hates me. / Everybody hates me and I'm / not very happy." It needed at least a banjo.

These days in Canada, if you're feeling down and blue, and you think somebody hates you, you bring your case to a human rights tribunal. And the people you think hate you get that knock on the door, celebrated in the literature of the Soviet Gulag, and wherever else ideology triumphed over humanity in the 20th century's painful course. Your daddy, your mommy, your brubber, or more likely some newspaper pundit gets dragged before a committee of smug, left-wing, humourless, jargon-blathering adjudicators. After long delays that are costly only to the defendant and the taxpayer (justice delayed is justice denied), you will have the satisfaction of making your enemy squirm, in a kangaroo court where he is stripped of the right to due process, in which there are no fixed rules of evidence, in which the "judges" make up the law as they go along, and impose penalties restricted only by their grimly limited imaginations.

Then finally, on "some autumn night of delations and noyades" (I am quoting Auden), the unrepentant practitioners of free speech will be sequestered by their litigator, and "those he hates shall hate themselves instead."

Alan Borovoy, one of the pioneers of these star chambers in Canada, now expresses himself aghast at their powers, and how they are being used to bring an end to Canada's heritage of free speech and free press. As he wrote in the *Calgary Herald* recently: "During the years when my colleagues and I were labouring to create [these] commissions, we never imagined that they might ultimately be used against freedom of speech."

Against him, it must be said that he and his colleagues simply weren't listening when I and mine explained, decades ago, why this would be their inevitable effect. I think back, for instance, to the dismissals we received when I published Ian Hunter's important article, "What's Wrong with Human Rights," in the *Idler* magazine of April 1985. Everything that has happened since has confirmed our darkest predictions.

Including the darkest of those predictions: that intellectuals and the Canadian media simply would not care about defending even their own freedom. They would see it as a Left-Right issue, and being overwhelmingly people of the Left themselves, would actually approve the stifling of "racists" and "misogynists" and "born again crazies."

But to paraphrase the late Pastor Martin Niemöller: "First they came for the redneck trolls, and I did not speak out because I was not a redneck troll. Then they came for the male chauvinist pigs, and I did not speak out because I was not a male chauvinist pig. Then they came for Mark Steyn, and I did not speak out because I was not Mark Steyn. Then they came for me, and there was no one left to speak out for me."

It should also be said that people of the Right, who should have known better, also didn't care. I have several quite plausibly right-wing friends who did not hesitate to use the new "human rights" machinery to lodge complaints about vicious attacks in the media on themselves, on Christians and conservatives generally, and especially on Roman Catholics and the Catholic Church. Their complaints were invariably dismissed by the tribunals on sight, and yet by making them they contributed to legitimizing the process by which free speech could be "reviewed" in kangaroo courts.

For nota bene: this should not be a Left or Right issue. Freedom for one is freedom for all, and tyranny against one is tyranny against all. The remark attributed to Voltaire, "I disapprove of what you say, but I will defend to the death your right to say it," perfectly expresses the finest traditional liberal principle, upon which, ultimately, civil society relies.

I mentioned last week the case Mohamed Elmasry and the Canadian Islamic Congress has brought against *Maclean's* magazine concerning writer Mark Steyn — simultaneously before multiple human rights commissions, a tactic that is itself an egregious abuse of process. It is a case that should clang alarm bells right across Canada. Yet all we have heard is a couple of modest tinkles.

David Warren's column appears Sunday, Wednesday and Saturday.

No shortage of to kick while th

Not that you are, but if you were the kind of person who liked to kick people when they were down, what a week this would be for you! Conrad Black goes to jail. Larry O'Brien is charged. Brian Mulroney is dragged before a parliamentary committee and sort of apologizes.

If you were the sort of person who liked to kick people when they were down you could have a field day. You could attack Black's vocabulary and O'Brien's budgetary savvy. You could reprise your arguments against such Mulroney legacies as the Free Trade Agreement and the GST.

You could have fun. But would it be nice? Would it be Canadian?

Well, it would be if you were a certain kind of Canadian. If you watched the members of the Commons ethics committee haranguing Brian Mulroney on Thursday, that would be clear to you. Here's Mulroney, a man who was down if there ever was one — humiliated, by proxy, in the election of 1993, his party reduced to two seats after nine years in office, humiliated again over the years by having his name linked with Karlheinz Schreiber, and now forced before a parliamentary committee, where he apologizes for making the two biggest mistakes of his life, one of them being taking cash from Schreiber, the other being introduced to him.

And when all this committee stuff is over, Mulroney has a public inquiry to look forward to. That will be more of the same, only longer and with a lot more lawyers. He is probably the only person who will enjoy that process less than the rest of us.

Could you be more down than that? Hearing Mulroney's apology, the smart thing for opposition members to do was to say thank you very much and let his words hang in the air. Instead, the members used their allotted minutes to yell at the former prime minister, using the old question period tactic of prefacing rhetorical questions with lectures. The effect, those who don't admire Mulroney should have noticed, was to make Mulroney the sentimental favourite.

Kicking a guy when he's down is not only not good manners, it's also not good tactics. It creates martyrs where martyrdom may not be deserved. Too bad, because this takes away the opportunity to exploit the humour potential of the anti-obesity pasta machine, but that's the price we pay for being fair-minded Canadians.

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