

# What's the Matter with Canada?

*“Freedom of speech is an American concept, so I don't give it any value.”*

Canadian Human Rights Commission investigator Dean Steacy<sup>1</sup>

Canadian Human Rights Commissions have repeatedly used complaints by “offended” parties to initiate legal proceedings against Canadian citizens who have engaged in political speech. As a result, the Canadian Civil Liberties Association has found it necessary to speak out against Human Rights Commissions getting into “the business of restricting free expression of opinion.”<sup>2</sup> While such proceedings have not yet been initiated against any scholar, Canada's Society for Academic Freedom and Scholarship has raised the concern that “current HRC practice is a danger to the academic freedom of both faculty and students.”<sup>3</sup>

Canadian human rights commissions have carried out proceedings against:

- *MacLean's*, Canada's leading periodical, and Mark Steyn, one of Canada's most prominent political journalists, for publishing excerpts from Steyn's book critical of radical Islam.<sup>4</sup>
- Ezra Levant, publisher of the *Western Standard*, for re-publishing Danish cartoons depicting the prophet Mohammed.<sup>5</sup>
- The Catholic Bishop of Calgary, for publishing a pastoral letter against gay marriage.<sup>6</sup>
- The Rev. Stephen Boissoin, for criticizing homosexuality in letters to the editor of a local newspaper.<sup>7</sup> Rev. Boissoin has been “ordered to desist from communicating his views on this subject ‘in newspapers, by email, on the radio, in public speeches, or on the Internet’ so long as he should live. He has been ordered to pay compensation to” the person offended by his views and “further to make a public recantation of beliefs he still holds.”<sup>8</sup>

According to David Warren of the *Ottawa Citizen*: “Before Canada's ‘human rights’ tribunals, a respondent has none of the defences formerly guaranteed in common law. The truth is no defence, reasonable intention is no defence, nor material harmlessness, there are no rules of evidence, no precedents, nor case law of any kind.”<sup>9</sup>

The nature of radical Islamism and the relationship of public morality and homosexual conduct are issues of vital public importance to which the scholarship of many political scientists is addressed; and *all* political scientists have a professional interest in a full and open scholarly debate on such topics. It would be unseemly for the APSA to turn a blind eye to these attacks on freedom of speech, and it is unacceptable for it to risk exposing its own members to them. In Canada's legal environment, how can the APSA ensure “protection of academic freedom” and “a reasonable basis for feeling welcome” – two key principles of its siting policy<sup>10</sup> – for all of its members, regardless of the scholarly opinions they plan to express at the convention?

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<sup>1</sup> <http://www.nationalpost.com/news/story.html?id=405744>

<sup>2</sup> <http://www.ccla.org/2008-02-06%20Free%20Speech%20and%20Human%20Rights.pdf>

<sup>3</sup> <http://www.safs.ca/issuescases/nicholson.html>

<sup>4</sup> <http://www.cbc.ca/canada/british-columbia/story/2008/06/02/bc-macleans-human-rights.html?ref=rss>

<sup>5</sup> <http://www.reason.com/news/show/124925.html>

<sup>6</sup> <http://www.lifesitenews.com/ldn/2005/aug/05082601.html>

<sup>7</sup> <http://www.ccla.org/news/spring08-10.shtml>

<sup>8</sup> [http://www.realclearpolitics.com/articles/2008/06/deafening\\_silence.html](http://www.realclearpolitics.com/articles/2008/06/deafening_silence.html)

<sup>9</sup> [http://www.realclearpolitics.com/articles/2008/06/show\\_trial.html](http://www.realclearpolitics.com/articles/2008/06/show_trial.html)

<sup>10</sup> <http://www.apsanet.org/imgtest/APSA%20Meeting%20Siting%20Policy%206-26-2008.pdf>