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**Extended Column on Free Speech**

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Over the past few months, I have been following reports about Canada's federal and provincial human rights commissions and the suppression of free speech. The most troubling stories concern the manner in which human rights commission staff conduct investigations and run their "hearings."

The fact that the RCMP and the Privacy Commissioner have each launched investigations into the Canadian Human Rights Commission (CHRC) should be a real eye-opener for Canadians.

If the increasing number of questionable rulings is any indication, the federal CHRC and its provincial counterparts seem to decide what proper speech is and then punish the transgressor by ordering the defendant to pay thousands of dollars in damages. These damages, which are essentially a tax free gift to the person who filed the complaint, are often accompanied by some sort of "order" that curbs the defendant's Charter rights to "freedom of thought, belief, opinion and expression."

I am a believer in inalienable human rights. I believe that inalienable rights like freedom of speech and freedom of religion, along with the rule of law, are fundamental to western democracies.

These basic rights, combined with the principles of representative and responsible government, have allowed Canada and the entire western world to have the best system of governance known in the history of man. This is a system of governance that provides maximum freedom for the individual in a society without chaos or anarchy.

You may be wondering why if I am such a strong and emphatic believer in human rights, why I am also such a harsh critic of human rights commissions. It is because I believe that Canada's Human Rights Commissions, originally established to protect those seeking housing or employment from discrimination, have morphed into kangaroo courts that selectively oppress Canadians who hold small "c" conservative political or religious views.

Let me site some specific examples.

First, by allowing the trivial to be viewed as rights they have encouraged the use of human rights commissions as personal and political weapons. The recent situation concerning a marriage commissioner in Saskatchewan serves as a clear example of this point.

A homosexual couple wanted to be declared married by a marriage commissioner. They requested that their ceremony be performed by a marriage commissioner who had publicly stated his opposition to homosexual marriage. When he inevitably refused their request, the gay couple took the marriage commissioner to the Saskatchewan Human Rights Tribunal. The Tribunal promptly fined him \$2,500.

It didn't matter that the commissioner offered the homosexual couple the name of another marriage commissioner who could perform the ceremony. No, because of a small, contrived inconvenience, the Saskatchewan Human Rights Tribunal used the coercive power of the state to punish a Canadian for refusing to abandon his religious beliefs.

My second and most prominent example is the Mark Steyn/McLean's case, where arguments recently wrapped up before the B.C Human Rights Tribunal. The case has received international attention, and not only in newspaper editorials concerned about freedom of the press. Legal experts have also been critical of the administration of justice (or lack thereof) by these human rights tribunals.

For instance, University of Queensland Garrick Professor of Law James Allan went as far to say that the protection of fundamental freedoms in Canada is a joke:

"Here is a little known fact about Canada. It is today a country where you can say or write things that are true and yet still be brought before a tribunal. That tribunal can fine you; it can order you to pay money to the people who complained about your words; it can force you to issue an apology; it can do all three. That's not all, though. The people who complained will not need to hire a lawyer. Their costs will be picked up by the state, by the taxpayers. You, on the other hand, will have to hire a lawyer to defend yourself. And there will be no award of costs at the end, so that even if you win, you will still be out of pocket to your lawyers tens of thousands of dollars.

"I don't much like having to state the obvious, which is that Canada has become a joke as far as the issue of protecting free speech is concerned." (Excerpts from "*Canada's Deadly Tongue Trap*," *The Australian*, June 6, 2008.)

As a Member of Parliament and a citizen of this great country, I am deeply concerned about the erosion of our fundamental rights by these quasi-judicial human rights commissions.

I am not sure if all of Canada's human rights commissions should be scrapped, or if a major overhaul of the system, including legislative review would suffice. I am certain, however, that our collection of human rights commissions have very little to do with human rights.

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