

# Levant vs AHRCC: where to draw the line on free speech?

If we silence him, then we threaten our right to speak our minds



CODY CIVIERO

point

Two years ago, the now-defunct *Western Standard* magazine republished the infamous Danish Muhammad cartoons, an act that offended an imam by the name of Syed Soharwardy. He subsequently went to the Calgary police and demanded that publisher Ezra Levant be arrested; however, when his complaint was ignored, he brought his grievances to the "Alberta Human Rights and Citizenship Commission" (AHRCC). And for the last two years, Levant has been relentlessly pursued by government lackeys while taxpayers have footed the complainant's bill.

On 11 January, Levant was interrogated by a "human rights officer" for an hour and a half, during which time he was asked what his intent was in publishing the cartoons. But intent doesn't matter: the images speak for themselves, and this question was just fishing for conviction on the basis of thought-crime. And though I'm loath to use the term "Orwellian," never have I seen a more appropriate time for it.

Regardless of whether or not such tactics are underhanded, Levant will likely lose the case. The kangaroo court that is the AHRCC has a 100-per-cent conviction rate. Previously successful complainants include a male hairdressing student who was called a "loser" by female colleagues and a cook fired for having hepatitis C.

Ridiculous cases are set up to favour the complainant by default because the AHRC is based on a presumption of guilt rather than innocence, and when you combine this with

the lack of any financial or legal responsibility for the accuser, it becomes the perfect recourse for litigious and spiteful people who have little legal bearing to carry out their personal vendettas. Even if one was to miraculously succeed in defending himself against the AHRCC, the financial cost and stress brought on by this makes the process itself a form of punishment.

Albertans should be watching the case with great concern. A conviction would open a huge can of legal worms as there's no logical basis for the complaint, so there's nowhere to draw the line. Regardless of whether one thinks that the cartoons were in poor taste, we can't compromise our freedom of speech and freedom of the press.

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In a free society, not only can we expect to be offended from time to time, but we have the moral responsibility to accept it when it happens. To name a very relevant example, I'm offended by Soharwardy's public endorsement of sharia law to govern Canada. Yes, I'm affronted by such a suggestion, but I won't run crying to the thought police. In a truly free country, any idiot has the right to say whatever dumb-ass thing he wants. Exceptions can be made for libel or national security purposes—but not just because someone's precious feelings are hurt. You aren't required to respect or pay attention to anyone's beliefs, but you can't silence them with legal bullying.

If you've got nothing good to say, exercise restraint and shut up



SARAH STEAD

counterpoint

Last February, Ezra Levant made a choice. He chose to reprint some controversial political cartoons depicting the Islamic prophet Muhammad in what some Muslims felt was a defamatory manner. Now, following Soharwardy's complaint, he's facing an inquiry by the AHRCC, which he feels is an unfair act of censorship and against his "fundamental human rights."

**The United Nations Declaration of Human Rights, which Levant uses as a crutch to support his rights to free speech, also includes the right to freedom of religion, including Islam.**

Initially, I was inclined to agree with Levant, but after seeing the cartoons, reading posts he made on his website in recent days, and watching video of his hearing, I've changed my stance.

In the video clips—which Levant has posted on YouTube—he announces immediately that he's only appearing before the AHRCC as a form of protest and that publishing the comics was "the proudest moment of [his] public life." Levant then proceeds to go on a rant, calling the Commission a "joke" and referring to it as "a dump for the junk that gets rejected from the real legal system."

Though I support free speech, I also feel that freedoms come with responsibilities. Claiming that you have a right to speak your mind isn't a golden ticket to, as Levant eloquently put it, "publish whatever the hell I want." If Levant has a right to publish whatever he sees fit, then people who are offended by it have a right to complain.

The United Nations Declaration of Human Rights, which Levant uses as a crutch to support his rights to free speech, also includes the right to freedom of religion, including Islam. The freedom to religion includes the right to not be discriminated against on the basis of one's religion. If Levant had published comics that were misogynist, racist, or homophobic, he would be charged with discrimination—trivializing an already marginalized and misunderstood religion shouldn't make him a hero.

When asked by the AHRCC if he was aware that the comics could be exposing Muslims to "further contempt and hatred," he stated that the cartoons weren't to blame. Rather, it was the "radical Muslims who blow things up." He then proceeded to cite an example of an Edmonton synagogue that was fire-bombed by "a dumb fascist Muslim Arab from Jordan." He also accuses Soharwardy of being a misogynist.

It's also worth noting that the man who lodged the formal complaint against Levant is facing his own inquiry by the AHRCC on accusations that he mistreated and humiliated women in a Mosque. Levant has claimed that he doesn't wish success to these women, however, stating that "all of [his] arguments against the commission apply to their complaint as much as it applies to Soharwardy's complaint against [his] magazine."

Levant may have the right to free speech, but this doesn't trump any Muslim's right to freedom of religion. As it stands, Levant is only facing an inquiry right now. The outcome may or may not be in his favour, but he should at least be cooperative with the AHRCC.

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