



October 18, 2011 - André Schutten - The William Whatcott case was heard by the Supreme Court of Canada last week Wednesday. Being one of the lawyer present, I had a pretty good view of what was going on. There is a lot at stake with this case. That's probably why there was an unprecedented number of intervenors. And it seems like many news agencies across the political spectrum got the point too - there is much at stake!

So, what did Bill do wrong? Why was his lawyer trying to defend him at the Supreme Court? Mr. Whatcott doesn't like the practice of homosexuality and thinks it is unhealthy, immoral and is risky behaviour. And he wants to share his concern about this behaviour with others. He distributed (and continues to distribute) fliers on this topic, looking especially at the issue from a public policy point of view: should our governments be encouraging this type of behaviour in schools?

What landed Bill in court was that he uses rather strong, polemical language to make his point. And people certainly get his point when reading his fliers. These fliers are offensive to many people. But never do they call for violence against anyone. However, four people in particular were offended and so they brought a complaint against Bill and he was ordered to pay them \$17,500 in compensation. That's no small potatoes. (Having worked in criminal law, most Criminal law fines are much lower than that!)

The case was appealed all the way to the Supreme Court. And there, our governments (not only the Sask. Human Rights Commission, but also the Sask. Attorney General, the Alberta Human Rights Commission, the Alberta Attorney General, the Ontario Human Rights Commission, the

Canadian Human Rights Commission, the Northwest Territories Human Rights Commission and Yukon Human Rights Commission) argued using thousands and thousands of your tax dollars, that they should have the right to censor you.

Some of the more shocking arguments included an assertion from the lawyer for the Sask. HRC stating that certain passages of the Apostle Paul from the Bible could be considered hate speech and arguments made by the Ontario and the Alberta HRCs that there should be a double standard of enforcement of hate speech: a zero tolerance approach for "vulnerable" groups and a less stringent standard for not-so-vulnerable groups. (i.e. no equality before the law). And these are the very people tasked to speak on our behalf!

Public debate requires open, frank discussion. Public policy is too important to be censored according to political correctness standards. The freedom of expression must be vigorously protected. Without it, those who define what is offensive or "hateful" and what is not, those who define who is "vulnerable" and who is not, they control the debate, they control who gets punished and who gets a free pass. Such imbalance is unacceptable in a free and democratic society. It's totalitarian. Let's hope the Supreme Court unanimously condemns the human rights industry for its censorship.