

Pamela Howson clearly knows how the human rights system works.

First, claim membership of a “protected” group. In Ontario, their Human Rights Code includes protection on the basis of “family status”, which has been interpreted by the provincial tribunal as granting privileged status to mothers with children. Ms. Howson has three children, so she qualifies.

Second, find a grievance and, by extension, a target. Any grievance will do, but it helps to target the type of individuals or organizations that the province’s Commission is currently scrutinizing for its next wave of human rights education. In this case, the OHRC is waging a campaign against zoning laws in municipalities across the province. Ms. Howson wants to park her car on her front lawn, in contravention to current zoning laws, so it appears to be a match made in human rights heaven.

Finally, generate the only evidence that a human rights tribunal requires: [hurt feelings](#) .

“We love our family home,” an emotional Howson said, pausing to regain her composure. Because of the parking problem, they will either have to sell the home or accept a reduced quality of life, she said. “This is a lived burden that is very real for us.”

Howson knows exactly how the system is rigged. After all, she is a former investigator at the Ontario Human Rights Commission.

But if we put bad optics aside, what is really troubling about this complaint is the trend in human rights law to establish special treatment for specific groups. And it has never been more pervasive than under the Code’s provision for family status. For example, most working stiffs get their employment schedule handed to them by management, while working mothers get to pick their own shifts under threat of human rights complaints. Any time you see the word

“accommodation”, someone is getting special rights and special treatment.

If you delve into the term, “human rights”, you cannot escape the simple definition that every human being has inherent rights. The antithesis of human rights is group rights, the concept that you have specific rights contingent on your membership in a particular group; and those outside of the group do not have those rights.

Do special circumstances exist? Certainly. It lies first and foremost with the individual, and voluntary societal supports, to address his or her own special circumstances. If one feels that the circumstances warrant special treatment from government, that should be decided on a case-by-case basis by elected representatives, with careful attention to the rights of others. It should not be up to unelected human rights activists to order this or that special treatment as a matter of right.