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## CRTC Asked to Block Hate Site

August 24, 2006 at 09:57 | [Print This Post](#)

Mark Goldberg [blogs](#) an application to the CRTC to block two foreign sites featuring hate content. Michael has [more details](#) and some good questions.

The question of the state's proper role in suppressing speech of any kind - even the biliously hateful content at issue in this case - will not be settled here. But I have always been profoundly troubled by any opportunity on the state's part to insert itself between citizen and idea. And I have no faith in the ability of the CRTC, or any other state entity short of an appellate court, to make sensible judgments about the proper scope of state intervention in these matters.

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## 3 Responses to “CRTC Asked to Block Hate Site”



1. [Mark Goldberg](#) August 24th, 2006 at 17:19

You may not be aware of the facts in this case: this is a matter with a pretty simple determination - uttering a death threat (in fact, a call to murder) complete with the target's home address.

The Parliament of Canada granted the CRTC the jurisdiction in this case. There is no other body. Recall from your criminal law classes that utterance of a death threat is form of speech for which we expect the state to intervene between the citizen and idea.

Unless you think that there is some kind of digital exemption.

2. [Rob Hyndman](#) August 24th, 2006 at 17:39

Mark,

If a death threat was uttered, then the law already has a solution - a criminal charge against the utterer. Your problem presumably is that the utterer is not in Canada, and the statement is not criminal where he is resident. The CRTC application therefore seems to be an attempt to effectively impose extra-territorial jurisdiction to Canadian criminal law.

And I doubt very much that Parliament has granted the CRTC jurisdiction to make decisions about what kind of speech can and can't be made on the internet. This is, at the very least, a tortured interpretation of the Act. Having said that, I've complete confidence in the CRTC's ability to abandon common sense in favour of making single-case determinations where the facts are particularly egregious.

To my mind the CRTC has no more business (or competence) banning websites than Customs has banning books. My stomach is strong enough to handle vile speech, and I suspect most of my fellow citizens are equally able to recognize it for what it is. More to the point, I believe it's important to know where it lives - the better to isolate and ostracize it, and to teach the next generation about the true meaning of evil.

Quite apart from that, there seems to be a factual issue here. One of the commenters on your site asserts, in a particularly despicable manner, that no death threat was made on any website - he asserted that it was made on radio, if I recall correctly. I have no interest in looking for the site to see for myself, but I'm curious about your response to that assertion.

No one worth talking to doubts these people are slimeballs. For the life of me, I can't understand why there is so much effort being made to draw attention to them.

3. ohara August 27th, 2006 at 18:57

I never heard the threat on radio but when this issue broke I read it on this neo-Nazi's google blog (now thankfully blocked by Google) and on his own personal website where it remains. In fact it has been repeated with a call for Canadian neo-Nazis in Ottawa to picket Mr. Warmna's home.

I am fully behind Mr. Goldberg and the CJC on this one as I believe are many Canadians. This is not about free speech. It is about protecting a fellow citizen from the potential violent actions by Nazi exmists.

4. Fairness Fairy August 27th, 2006 at 21:07

OH GROW UP...

To be fair, Richard Warman is involved with an urban terrorist group called the "Anti-Racist Action" who he recently sponsored to go and protest in front of another individual's house, thus the Paul Fromm reference. (link provided)

[http://www.onepeoplesproject.com/site/index.php?option=com\\_content&task=view&id=987&Itemid=2](http://www.onepeoplesproject.com/site/index.php?option=com_content&task=view&id=987&Itemid=2)

They picketed his street with masked faces and sticks and weapons. the cops acted as a barrier between them and Mr. Fromm's house. This group of individuals that Richard Warman has given speeches to and financed, were also responsible for the firebombing of another individual's house, including the posting of instructions to do it.

(link with news articles and pictures on the ARA, including the firebombing, and articles about them attacking police horses' eyes with sharp sticks during protests provided)

<http://www.freedomsite.org/ara/index.html>

And if you visit the website of ARA Toronto (link provided), the first page is a video that shows their members in another county of ganging up on an individual sleeping on a train that they suspected was racist and assaulting him while filming it. (link provided)

<http://www.aratoronto.org>

After the event, this group posted paul fromm's address online in a "declaration" about their "successful" mission attacking his house.

(link provided)

[http://onepeoplesproject.com/site/index.php?option=com\\_content&task=view&id=1027&Itemid=2](http://onepeoplesproject.com/site/index.php?option=com_content&task=view&id=1027&Itemid=2)

While they were protesting however, a member of the group was holding up a sign that said, "Thank you Richard Warman for the bus rental" and another with "Die Nazi Scum"

(2 picture links provided) <http://www.stormfront.org/forum/showpost.php?p=3341546&postcount=2>

and <http://www.stormfront.org/forum/showpost.php?p=3341579&postcount=4>

As you can see in the pictures, some of the members are masked in this protest. Good thing the cops outnumbered the protesters threefold.

Now this isn't the end. Paul Fromm is an individual that Warman is trying to sue, seemingly unsuccessfully, for calling him a censor. Also, Paul Fromm has been doing free legal defense work for individuals that Richard Warman files complaints against. A month before the attack on Paul's house, Richard Warman was unsuccessful in trying to ban Mr. Fromm from defending people for free. At the Canadian Human Rights Tribunal, the complainant gets a lawyer from the Canadian Human Rights Commission to prosecute the case for him (for free), but the respondents have no right to legal representation, so they have to pay for their own lawyers. Since most people that Richard Warman targets are youth that post messages online, they can't afford that.

Richard Warman also filed a human rights complaint against someone alleging that he was making racist posts online recently. Before the case even went to court, or was even investigated by the canadian human rights commission, Warman called up the university where this guy worked and told them he was a racist and convinced them to fire him. (link provided)

<http://www.canadianfreespeech.com/updates/tremaine/destruction.html>

He has affected other peoples' lives and threatened their safety as well on many occasions. You live by the sword, you die by the sword. So ohara's comment on the matter is influenced by the fact that she has no idea about any of the background in this case.

So it's okay for RIchard Warman to do this to other individuals and then whine about it when it gets reciprocated. At least it's a good thing that the CRTC rejected the application.

And feel free to read the actual application and decision:

(link provided)

[http://www.crtc.gc.ca/PartVII/eng/2006/8646/p49\\_200610510.htm](http://www.crtc.gc.ca/PartVII/eng/2006/8646/p49_200610510.htm)

Ignore what the media hides, but the application was attempting to carry out the action ex parte (with no one being allowed to oppose them). Is this the kind of action defensible? Is this a dictatorship where well-connected civilians should be able to file an-unopposed motions to change laws?

The Ruling Also states that Richard Warman is not a legal applicant because he is not from the ISP community. So all this was an utter failure.

And to make matters much worse, Bernie Farber filed an affidavit that he was a qualified expert in the hate field while leaving out that the last time he tried to testify (in 1999), he was DISQUALIFIED from testifying because he had made comments to the media that indicated that he is dangerously biased would likely say anything to get some people nailed. (link provided)

[http://www.freedomsite.org/exposed/cjc/farber\\_biased.html](http://www.freedomsite.org/exposed/cjc/farber_biased.html)

There is no information to show he has been requalified as an expert witness since then. And the fact that he decided to go in on the ex parte application shows that his heart is not in the right place.

**GOD FORBID THAT ANYONE POSTS HIS ADDRESS ONLINE OR CALLS FOR A PROTEST ON HIS STREET!**

Next time you get this affected by a story, google the names and events of people involved and you might find out more than you read in the daily rags.

Thank you,

The Fairyness Fairy

P.S. Links have been provided to justify all the information I have posted here. I don't know if the moderators will remove them once this is posted. If i forgot to post some links, feel free to google the information, it will be easy to find.

Name (required)

Mail (will not be published) (required)

Website

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