

## ARE FREEDOMS WITH LIMITS, FREEDOMS INDEED?

The beginning of OCLA arrives just as another freedom of expression and civil rights case arises to dominate the headlines. This time the story comes from British Columbia and Trinity Western University – again. Previously, it was discriminatory practices with regard to gay students in its faculty of education; this time it's the university wishing to start a bible-based law school based on Christian principles. And it will probably win – again – because religious-based institutions are exempted under the Charter of Rights for discriminatory practices that are based on their religious beliefs. In Ontario, each year at Christmas there are news stories replete with sad tales of Christmas being cancelled in order to not offend other religions. Somehow our society has been given the message that exclusion endorses inclusion.

The offender is the notion of “political correctness” which is used as a form of attack by elites to disallow sensitivity to those with less power, while at the same time by those who see themselves as upholders of “social awareness.” Both sides end up using this dynamic to shut down and stifle freedom of expression and speech. Exclusion is not inclusion. Limited freedom is not the path to freedom. To be inclusive means being open to all, not being closed to a few.

There was a time when our society, at least had a modicum of belief in “Truths being our authority.” Now, increasingly, this former belief has morphed into “Authorities being our truth.”

With authority and elites from all spheres of life holding the reins of power and constructing the institutions they control in their own image, it is no small wonder that there are laws that endorse things like censorship, defamation and pornography – all based on “prevailing standards of the community.” And from whose image are these standards being carved? Could these standards be in the form of protecting people with disabilities, First Nations peoples, people living in poverty, women, immigrants and visibly minoritized people, sexual minoritized people – or members of any number of other less powerful groups in our community? No! The political, economic and power community, that one that holds the vast majority of power, already, is the one deciding the standards – in essence the power minority is dictating to the majority of us who have far less power – and more importantly the elites believe their interests are, apparently, more important to protect – even at the cost of everyone else's. No one seems to ask the lone dissenter or minority objectors, who are easy prey by the elite to silence and ignore, regardless of their truths. However, when someone who has money, political connections, education and/or other influence speaks his or her truths, they are considered to be important, legitimate, right and relevant. Authorities have now become truth society clings to rather than truths being our authority that guides us. We become lemmings to the interests and desires of elites – whether they are bank executives, university presidents, church leaders, government –or union leaders, cultural group leaders, opinion leaders, pundits or experts.

By reducing our community dialogue to a monologue – a single story creates something easier to believe while flattening experiences and erasing truths and expressions that threaten the status quo. The world becomes easier to understand, but in whose world do we end up believing? Experts and elites are about shutting down dialogue through the finding of answers. Dialogue and debate is as much about knowing what questions to be asking in order to reveal still deeper queries. But those deeper queries – those truths often contain revelations that are inconvenient, contradictory, hateful, harsh, impolite, ugly and offensive as much as entertaining, uplifting, inspiring, empowering and humanizing.

Laws of censorship, defamation and pornography (which are codes for “good taste”) are created by elites, to protect elite interests and power from dissent. Group think becomes absolute. Group think serves to keep dissent out, but also serves to lock in and stultify those ensconced within. Through these laws comes another hegemonic attribute: panopticon surveillance. Elites do not have to do all the work in protecting their interests. Through various forms of legislative limits on free speech and expression, citizens police one another: social mobbing to force individuals or groups into silence, taking people to court for punishment and silencing, while protecting questionable morality and ethics, using elites’ standards to bar dissenters from speaking freely and to silence and oppress one another. That’s so much neater than having elites doing all that nasty oppression on their own. They would be vilified as evil-doers. Now they can construct themselves as upholding community standards and good taste (while shutting down dissent that can potentially undermine their interests.). Pretty nifty trick, I would say.

It’s ironic that these neo-liberal power brokers seek wide open access and functioning of markets to make and acquire ever more wealth and power - also want extensive governmental and legislative interventions to shut down people and groups who dare to question the ethics or morality or character of their actions.

Free speech is about everyone having the ability to speak freely about anything they choose, in an absolute sense. Free speech is also about dialogue and open critique and dissent when we, each, hear something we disagree with. Limiting free speech is a form of shorthand repression replacing dialogue with brute force that undermines critique and dissent.

Within relational systems of power, two dynamics occur simultaneously: Elites take their power from us, the others; while power others have has to be given up to the elites, for them to take. Free speech balances that power dynamic. Either we use our rights or we’ll end up losing them.

Before I commence any of my classes on logic and critical thinking I remind my students of the following:

When others seek to make us believe things that are in their best interests, it is often the case, that our interests are not being well served, if at all. If we don't think for ourselves, we become slaves to the thinking of others. We are never given the opportunity to think for ourselves or recognize our ignorance and speak out freely in dialogue and dissent when our interests are ignored. The taking away of our power to speak up and speak out is absolute.

We are inundated with all kinds of information and messages, but this information is useless if we don't know *how* to integrate it in our thinking for its implications and consequences.

We are constantly presented with arguments meant for us to think a certain way or accept conclusions we may not otherwise accept. When others are telling us *what* to believe, to serve their best interests, this often means our interests are not being met at all.

*We must re-gain our individual and collective intellectual respect and independence.* When we do not understand what a good or bad argument is, then we let others do our thinking for us. When we are told to be quiet, this makes our inhumanity complete. This diminishes us as human beings and opens us to limited perceptions and hidden oppressions we may not even be aware are happening to us.

In practice, the right to freedom of speech can be subjected to limitations such as hate speech, slander and libel. Censorship can be described metaphorically as a removal of an individual or group's voice. The discussion of the existence of free speech to contemporary life is debatable. Censorship and defamation laws are about silencing and curtailing rights, not educating people how to use their rights in constructive dialogue. It's easier to sue and silence than to enlighten and educate. And a whole lot more cowardly.

*"The single story creates stereotypes, and the problem with stereotypes is not that they are untrue, but that they are incomplete. They make one story become the only story."*

(Nigerian writer: Chimamanda Ngozi Adichie )

Silence. Censorship. Defamation.  
These can never be allowed to replace:  
Dialogue. Critique. Dissent.

The Ontario Civil Liberties Association will be one such force to push against and resist the former in order to safeguard the latter.

Thank you.