

From Marches to Modems: A Report on Organized Hate in Metropolitan Toronto

**Commissioned by the
Access and
Equity Centre
The Municipality of
Metropolitan Toronto**

Metro

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ACKNOWLEDGEMENTS

From Marches to Modems: A Report on Organized Hate in Metropolitan Toronto was in fact the work of numerous individuals all of whom had one goal in mind - to provide credible and easy to understand information on hatemongers, hate groups and their impact on Metropolitan Toronto.

On behalf of the Canadian Jewish Congress Ontario Region, I would like to thank Charles Smith, Manager of Access and Equity Centre for the Municipality of Metropolitan Toronto for the opportunity of putting together what we consider to be a very important report on organized hate groups in Metro Toronto.

A debt of gratitude must be paid to Bill Dunphy, who is by anybody's measure, one of the most knowledgeable journalists in Canada on issues dealing with white supremacy, neo-Nazism and the extreme right. Mr. Dunphy helped not only in the editing of the report but in the organizing and "brainstorming" necessary for accuracy and completion. Mr. Dunphy is also the author of chapter 2.5 dealing with Marc Lemire.

Thanks as well to Steven H. Shulman, Associate Director of Community Relations and Assistant Legal Counsel, Canadian Jewish Congress, Ontario Region. Mr. Shulman, a lawyer by training, wrote section 5 "The Law". It provides a comprehensive look at the law, its implications and the manner in which it could and should be used.

A special thank you to Elizabeth Moore. Elizabeth who was formerly a leading luminary of the Heritage Front demonstrated courage that in many ways is beyond our own understanding. The ability to remove herself from the clutches of the neo-Nazi movement in Toronto, and become an active anti-racist is a testament to her bravery. Her story contained in this report is unique and poignant.

I would also like to thank my friends and colleagues at the Canadian Jewish Congress Ontario Region: Pauline Pont, Glenda David, Beverley Livshitz, and Mary Anne Ryzman for their administrative skills in this endeavour.

Thanks to Manuel Prutschi, Canadian Jewish Congress Ontario Region Executive Director, for reading the entire manuscript and for his many valuable editorial suggestions. He also wrote the early history of Paul Fromm, which I updated for this report as chapter 2.2, as well as the articles in the appendices. Mr. Prutschi's seminal work in the field, long-term insights, historical analytical acumen and keen mind have been a guiding light not only for this project but for the work we have been able to accomplish together over many years.

And finally to my wife Karyn and my three children, thanks for putting up with my endless hours before the computer and understanding the need to help create a better and safer world for our children in the 21st century.

Bernie M. Farber
January 1997

On July 30, 1996, Canadian Jewish Congress Ontario Region was commissioned by the Access and Equity Centre of the Municipality of Metropolitan Toronto to prepare a report on the Perpetrators of Hate Activities Within Metropolitan Toronto.

The purpose of such a report was to provide information and the tools necessary for Metro Government, law enforcement, education officials and the citizens of Metropolitan Toronto to understand the history of hate movements in this city, their development, and finally to offer a means by which to cope and effectively deal with expressions of hatred however they may manifest themselves in the future.

The report is divided into seven sections. The first deals with the early history of hate and its "guiding lights" from 1933 to 1989.

Section 2 looks at the key leaders of hate movements in Metropolitan Toronto and how they have intersected with hate-motivated activities, and the methods they use to accomplish their goals.

Section 3 details the tools used by white supremacists: the use of the internet and most importantly recruitment. In a rare and unique opportunity, we have asked Elizabeth Moore, a former leading member of a white supremacist organization - the Heritage Front - to focus on what happened to her and how she was recruited into one of the most notorious organizations in Canada.

Section 4 delves into two case studies of crimes motivated by hatred. It demonstrates how individuals are manipulated by hate groups to commit crimes as well as the role played by hatred in perpetuating violence.

Section 5 is an intense look at our present jurisprudence in the area and how best to apply the law to meet the need.

Section 6 lists recommendations that we believe are necessary and important for Metro Toronto, as the country's leading multicultural jurisdiction, to control hate and the hate movement.

Section 7 are useful appendices for those seeking greater insight.

We have also included an index so that this report might be a useful instrument for Metro Councillors and city professionals to use on an ongoing basis as a work of reference.

Toronto has historically been a principal feeding ground for those who would ferment hatred. It is for this reason that elected municipal officials must assume a leadership role in confronting and defeating hate. This report will hopefully add to the armour necessary in providing that "fence of protection" for the citizens of Toronto.

by Bernie M. Farber

As the final decade of the 20th century draws to a close, organized hate - most of it arising from white racism - has returned to the periphery of Canadian society.

Those who monitor hate activity have concluded that white supremacist activity in Metro Toronto seemed to have reached its peak in late 1993 and has, for the time being, "bottomed out". Nonetheless, it is important that society not rest on its laurels and come to the erroneous conclusion that racist extremism has gone the way of the dinosaur. Not only is this not so, it would be dangerous to be lulled into this fairytale. Racism, hatred and antisemitism are no strangers to Canada and Canadian history. Indeed, Ontario and specifically Metropolitan Toronto has had a sordid history of open fascist activity dating as far back as the late 1920's, activity which continued through to the Second World War. Groups such as the Caboto Committee, the National Unity Party, and various Swastika Clubs sprung up across Toronto and Ontario, their members openly sporting swastikas and other fascist symbols in an attempt to keep parts of Toronto free of Jews and other "undesirables." On August 16, 1933 this culminated in what became known as the Christie Pits Riots when a swastika flag was unfurled at a softball game between a Jewish and non-Jewish team. It was perhaps Toronto's first race riot, but not our last.

It was in this same era, that the "elder statesman of antisemitism and racism" - John Ross Taylor- first made his unwanted appearance in Toronto as the leader of the Canadian Union of Fascists. While Taylor and his "union" hovered on the fringes of Toronto society, he remained a mainstay in the movement, graduating to become a kind of father figure and eventually a "martyr" to the young Nazis and white racists of the latter part of the 20th century.

World War II belatedly opened the world's eyes to the true horrors of organized racism. As it became evident that Nazi Germany engaged in the attempted murder of an entire nation of people, Canadians and the rest of the world understood that the slippery slope of racism could lead to the horrors of Auschwitz and the murder of six million innocent Jewish men, women, children and countless other Europeans. Fascism and Nazism in Ontario was seen for the horror it truly was and organized hate groups fell into a steep decline.

And while it is true to say that organized and overt antisemitism and racism were not readily apparent following the end of World War II, it is clear that the values fostered by the Swastika Clubs did not disappear from Canadian society in the late 1940's, 50's and 60's.

For example, well into the 40's, it is said that private properties in Toronto carried signs saying "*No Dogs or Jews Allowed*". Certainly other signs reading "*No Jews Wanted; Restricted Clientele; Gentiles Only*" were commonplace in different sections of the city until the practice was outlawed by the Provincial *Racial Discrimination Act* in the mid-40's. Restrictive land covenants remained in place in Ontario until the courts finally outlawed them in the early 1950's.



But organized hate and the extreme right did not die out entirely. Ron Gostick from Flesherton, Ontario began spreading the extreme right's message through something called Canadian Intelligence Publications, which to this day still distributes its newsletter to members of the federal and provincial parliaments. In Ontario in the early 1960's, Gostick initiated the Christian Action Movement which became the Canadian League of Rights, one of the longest-lived racist movements in the country. Presently, Mr. Gostick resides in western Alberta.

The Sixties saw the "rebirth" of visible extreme right organizations in Ontario and specifically Metropolitan Toronto.

The so-called Canadian Nazi Party made its first appearance in Toronto in 1965 under the leadership of 24-year old William John Beattie. Along with his partner-in-fascism, David Stanley, an 18-year old student from the Toronto area, the Canadian Nazi Party, albeit tiny, provoked much fear and anger especially amongst Toronto's large Jewish population.


However, by the late 1960's, Stanley and Beattie's Canadian Nazi Party had collapsed. In fact, David Stanley renounced his Nazi ways and even apologized to the Jewish community. William John Beattie disappeared until the late 1980's when he reemerged to offer his rented farmhouse near Minden, Ontario as the locale for one of Canada's first *Aryanfests*, a weekend-long picnic and concert for racist skinheads and hatemongers. In some respects, Beattie is a metaphor for Ontario's extreme right - a man whose life is a series of disappearances and re-emergences.

The remnants of the Canadian Nazi Party retired to new headquarters in London, Ontario, where it became the National Socialist Party.

The next two decades (1970 - 1990) became an important growth period for the radical right in Ontario. While they remained very much on the fringes of society, a series of organizations and groups emerged laying the groundwork for the explosive, if brief, growth of organized hate in the early 90's. These precursors included Don Andrews and his Nationalist Party, in the late 70's and early 80's and the Canadian Knights of the Ku Klux Klan. As well there were groups which attempted to cloak their more extreme views and activities in the language of legitimate dissent, notably Paul Fromm's C-FAR (Canadians for Foreign Aid Reform), and CAFE (Canadian Association for Free Expression).

Whereas ordinary Canadians resorted to violent direct action against organized hatred in the Christie Pits riots of the 30's, or the Allen Gardens riots of the 60's, by the 70's and 80's societal institutions took the lead in dealing with hate mongers.

Nationalist Party members were hit with criminal charges for assaults, vandalism and bomb plot conspiracy in the 70's, and two leaders, Don Andrews and Robert Smith, were convicted under laws forbidding the willful promotion of hatred.



Criminal charges were brought against a raft of racists during this time and among those charged were Armand Siskna, James Alexander McQuirter (leader of Toronto's Canadian Knights of the Ku Klux Klan), and Wolfgang Droege. They and others spent time in prison for hate-related activities that ranged from promoting hatred to conspiracy to commit murder and plotting to overthrow a government.

Not surprisingly the groups were unable to hang together or function very efficiently in the face of their leaders' criminal convictions.

The latest and most prominent wave of white supremacist and hate group activity occurred between the years of 1989 and 1993. While others still lingered from the early 80's (i.e. the Nationalist Party, the odd remnant of various KKK cells) the main impetus behind the re-emergence of white supremacy in Metropolitan Toronto was long time neo-Nazi advocate, Wolfgang Droege. In this section we'll look at Droege and four other key figures in the white racist movement's efforts to organize hate in Metro Toronto. Tellingly, while three of the five have, at different times attempted to directly build "mass" movements all have essentially abandoned those efforts in favour of the pursuit of propaganda. As noted elsewhere, this doesn't signal the end of organized hate groups in Metropolitan Toronto and Canada, rather it marks a tactical change by the brightest of the hate leadership. The seeds of hatred are still being sown, but now more care is being taken to prepare the soil first.

2.1 Wolfgang Droege

by Bernie M. Farber

Droege came to his Nazism quite naturally. According to a Toronto Star article, *White Rights advocate learned it all at grandpas knee*¹ Wolfgang Droege was infused with Nazi pride from his grandfather who was a good friend of Nazi propagandist Julius Streicher. Streicher was the editor of *Der Sturmer* a viciously antisemitic newspaper utilized by Hitler and the Nazis to denounce Jews and portray them as evil sexual perverts. Droege's father - Walter (after whom he was named) - fought for the third Reich and "missed it when it ended."² According to Droege his grandfather instilled in him a pride of being German.

*Claims Droege, "Adolph Hitler was misunderstood. I admire him and his speeches are inspiring:"*³

Born in 1949 in Forcheim, Bavaria, Droege emigrated to Canada as a young teenager at the age of 13. His parents who were separated (mother living in Toronto, father still in Germany) had a significant effect on his life, particularly his father who was in the Luftwaffe and helped encourage Droege's ideological bent. According to various reports Droege did return to Germany in 1967 at the age of 17 where he began to attend secret meetings of pro-Nazi organizations.⁴

Upon his return to Canada he worked as a printer's apprentice which his mother thought might lead to a "good career in printing".⁵ At the same time, he made contact with the white supremacist Western Guard. Droege's first brush with the law occurred in 1975 when he was nabbed painting white power graffiti along the route of an African Liberation Day march. This led to a conviction for mischief and damage to property. Droege's first assault conviction wasn't far behind.

The young racist slugged a persistent Toronto Sun reporter on the courthouse steps the same day he was found guilty in the vandalism case. The reporter was David Sommerville - now the president of the ultra-conservative National Citizens Coalition. Droege's criminal record has grown in the decades that followed and now is a litany of legal scrapes over everything from political violence to drug running.

In one highly-publicized case Droege and Larry Jacklin, of Listowell, Ontario, (and eight American white supremacists and would-be mercenaries) were convicted in the United States of a conspiracy to overthrow the government of the Caribbean Island of Dominica. For that offence Droege was sentenced to three years in prison, but after an early release, Droege was busted again on drugs and weapons charges.

¹ Toronto Star, February 21, 1993

² Ibid

³ Toronto Star, February 21, 1993

⁴ Web of Hate, Inside Canada's Far Right Network, Harper Collins, 1994, Page 206,

⁵ Toronto Star, February 21, 1993



All told, Droege was sentenced to thirteen years in prison in the United States and ended up serving six and a half.

After being released from Lompoc Prison in the United States on April 21, 1989 Droege made his way back to Toronto.

According to Canadian government intelligence reports, Droege arrived in Toronto with not a cent to his name.⁶ However, as a senior statesman of the extreme right movement, Droege was assisted in accommodation, food and shelter and almost immediately went to work as a part-time bailiff for Alan Overfield's bailiff Service. Interestingly, Alan Overfield was not only an old friend of Wolfgang Droege's but a one time associate of Don Andrews of the Nationalist Party. An avid gun collector, Allan Overfield has maintained close ties with key leaders on the extreme right and for a time he was even a spokesman for the Western Guard. He was also instrumental in the Heritage Front's abortive attempt to infiltrate the Reform Party.

On November 16, 1992, Metro police raided Overfield's east Toronto home following a call to a domestic dispute. According to media reports, more than 50 weapons were seized, including an anti-tank rocket launcher, machine guns, assault rifles, semi-automatic handguns, bayonets, ammunition and grenades. At the time a startled police official claimed:

"It [finding of weapons] was totally unnerving. It's very frightening.... you wouldn't stand much of a chance against this stuff...." One police officer noted that there was enough military weapons found in Overfield's home "...to start your own war".⁷

Incredibly Overfield had permits for all of the weapons and, although he was charged with unsafe storage, a plea bargain deal meant he was eventually allowed to keep the collection..

It was a few days after arriving in Toronto in April 1989 that Droege attended a "welcome home" gathering hosted by his old friend, Nationalist Party leader Don Andrews. There Droege met a couple of new arrivals on the scene - Gerry Lincoln and Grant Bristow and shortly thereafter the seed of an idea to create a new white supremacist organization sprouted.

⁶ The Heritage Front Affair, Report to the Solicitor General of Canada, by the Security Intelligence Review Committee, Dec. 9, 1994

⁷ Toronto Star article, November 17, 1992

In September 1989 Droege and a number of his minions were invited to Tripoli, Libya to attend a 20th anniversary celebration of the Libyan revolution. It was on this trip that plans for a new type of white supremacist organization were crystallized. Among the white racists accompanying Droege on the trip were Gerry Lincoln, James Scott Dawson and Grant Bristow - the three would become the key organizers of the fledgling white supremacist group. Lincoln took on the role of propaganda chief, editing the new group's magazine, Up Front, Dawson filed legal papers and assisted in numerous small ways while the subsequently notorious Bristow - later revealed by the Toronto Sun to have been a paid informant for the Canadian Security Intelligence Service this whole time - took on security and membership duties.⁸

Upon their return from Tripoli, on September 25, 1989, the Heritage Front was actually formed. Ironically, while discussing potential names for this new organization - one individual suggested it be called Aryan Resistance Army - ARA⁹. The irony, of course, is that today's ARA - Anti Racist Action - became the nemesis of the Heritage Front. The name was rejected and eventually Heritage Front was chosen. James Dawson registered the Front on October 2, 1989. Officially, the president was listed as Gerry Lincoln.

The true aim of the Heritage Front was for it to function as a kind of "umbrella organization" attempting to unite the fractious white supremacist movement not only in Toronto but eventually across the country. In fact, according to the Solicitor General's report *The Heritage Front Affair*:

"It was Droege's eventual plan to purchase land in the Peterborough area, attempt to control the town council by electing Heritage Front representatives and thereby legislating racist views through township bylaws."¹⁰

Droege's extensive network of connections were put to good use building the organization. In November of that year Ernst Zundel, one of the world's leading suppliers of Holocaust-denying materials, and a mentor to many neo-Nazis locally and internationally, asked Droege to provide security for British author David Irving. Irving, visiting Canada on one of his periodic North American book-selling tours, has become infamous for Holocaust denial.

The following month, on December 8, 1990, the Heritage Front co-sponsored a Martyrs Day Rally, an annual event honoring "martyrs" to the white racist cause, especially Robert J. Matthews. Matthews, leader of the Aryan Nations terror cell, The Order, was killed in a shootout with U.S. officials in 1984.

⁸ Toronto Sun article, *Spy Unmasked*, Bill Dunphy, Aug. 14, 1994

⁹ *The Heritage Front Affair*, op cit

¹⁰ *The Heritage Front Affair*, op cit

[REDACTED]

Droege was in a unique position among Canadian racists to honor Matthews - Droege is widely believed to have been a member of The Order's outer circle in the mid-80's and claims to have met with Matthews just a few months before his death. Morris Dees, of the Southern Poverty Law Center, has suggested that Droege was the advance man for an Order hit squad that had set its sights on Dees in 1984.¹¹

But after spending most of the 80's behind bars, Droege seems to have abandoned his hopes for a violent race war and subsequent white racist rebellion - which were the goals of the terror cell the Heritage Front was honoring that night in 1990.

Amongst the other speakers that night were Aryan Nations "Ambassador" John Ross Taylor, a few up-and-coming racist skinheads, and Mississauga high school teacher, Paul Fromm. Skinhead George Burdi's band RaHoWa had something of a coming out at the rally as well.

The night was filled with extreme racist rhetoric and overblown adolescent appeals to blood and honor. But the Front was able to claim success, having succeeded in bringing together about 70 very different types of white racists. It was a success that was to be repeated by Droege and the Heritage Front over and over again in the next three years.

The early 1990's were boom years for the Heritage Front, especially when it came to recruiting disaffected youth. At its peak the Front boasted a contact list of 1,800, a magazine, *Up Front* that appeared bi-monthly and was seen by several thousand, and a membership that numbered in the low hundreds. Although their central core was much smaller, they were still able to pull out more than 200 people to several of their rallies during this period.

By now, the tale of the Front's unraveling is well known. A sometimes vicious harassment campaign targeting anti-racists, managed by alleged CSIS mole Grant Bristow, helped raise the group's internal temperature to the point where they effectively could not be controlled.


Several bloody clashes with radical anti-racist activists occurred, and key leaders - including Droege - found themselves fighting criminal assault charges.

Meanwhile groups like the Canadian Jewish Congress prodded the federal government into action, filing Human Rights complaints against the Heritage Front over their telephone hate lines.

The net result was that by late 1993 Droege and his core group were focusing all their energies on court and tribunal appearances - rather than managing and nurturing the largest white racist organization this country had seen since WW II.

Inevitably it fell apart.

¹¹ Season for Justice, by Morris Dees, Scribners, 1991



Droege is now keeping a shell of the Front alive, the way some keep Cayman Island corporations breathing but dormant - you never know when you might need it. The Front's only real activities these days are the hotline, hosted by a Toronto woman, Joy Berke, and the odd Heritage Front Report - a photocopied shadow of the group's defunct magazine.

Droege tells people he is focusing on earning a living again, and appears busy trying to recast himself in the role of a propagandist, or maybe *eminence grise* of the movement, modeling himself to some degree on two of his close associates, Ernst Zundel and Paul Fromm.

2.2 Paul Fromm

by Manuel Prutschi and Bernie M. Farber

Paul Fromm is a former school board trustee and has been a public school teacher for nearly two decades. But his career as a racist activist stretches back to his own student days at the University of Toronto.

There, in the late 1960's he was one of the founders, with Donald Andrews and Leigh Smith, of the Edmund Burke Society.

Although nominally conservative and anti-communist, the Edmund Burke Society quickly degenerated into something much more sinister. The group was involved in several violent confrontations with radical left and anti-war groups in Toronto during those turbulent years. But in the early 70's the group forged links with American Nazi and Ku Klux Klan groups and transformed itself into the more extreme Western Guard. Although he resigned from the Guard shortly after the group - and his leadership role in it - became public, Fromm belonged long enough to be the opening speaker at a May, 1972 banquet to which the "Reverend" Robert Miles gave the keynote address. Miles was a former Klan leader who'd become a leading ideologist in the racist Christian Identity movement, a viciously anti-black, antisemitic "religion". Soon after his Canadian appearance, Miles spent close to 6 years in jail for his involvement in the bombing of ten school buses in Pontiac, Michigan and the tarring and feathering of an area school principal.

Shortly after accounts of that meeting were reported in the Toronto Sun¹², Fromm and several others resigned, effectively leaving the Guard under the control of Andrews. The group lasted a few more years before it disintegrated under pressure from local law enforcement officials. Andrews later served two jail terms, one for conspiracy to create mischief and possession of explosives, and one for wilfully promoting hatred against non-whites.

Don Andrews remains the nominal leader of the virtually defunct Nationalist Party of Canada. Today, the NP seems to rouse itself for but one brief burst of annual political activity - the production and mail-out of letters and a poster urging the adoption of a so-called "European Heritage Week".

Since his EBS days, Fromm has consistently striven to portray himself as nothing more extreme than a simple conservative. But his views, his actions and his associations have continuously betrayed him.

Fromm has borne a long standing animus against minorities and immigrants who do not fit into his profile of what Canada should look like. In one of his publications, "*Canadian Population and Immigration Quarterly*" the item headings tell the story:

- Cuban slasher gets 16 year jail term

¹² Toronto Sun article, May 1, 1972

- Guianese immigrants [sic] rapes and beats wife then strangles her sister
- Tunisian charged with murder of Canadian
- Senior citizen mugged by black
- Black gangs pillage Toronto
- Watch out for the flood from Hong Kong¹³

Fromm's views on minorities and immigration, as early as 1981, disqualified him from mainstream political activity when he was fired as treasurer of the Federal Progressive Conservative party's Metro wing.

Early on, Fromm latched on to the freedom of speech issue, defending the rights of hate-mongers, such as Ernst Zundel, James Keegstra, Malcolm Ross, Wolfgang Droege and others without ever repudiating or distancing himself from their views, choosing instead to portray them as martyrs and victims of witch-hunts.

On September 26, 1991, Fromm donned his "defender of free speech" cloak once more to defend the white racist Heritage Front at a meeting of the Toronto Mayor's Committee on Community, Race and Ethnic Relations. During the meeting Fromm called out "scalp them"¹⁴, apparently directing his remarks at the anti-racism coordinator for the Native Canadian Centre, who was making a presentation on the activities of the Heritage Front.

Paul Fromm and his two primary propaganda vehicles, CAFE and C-FAR, have often interacted with Ron Gostick's Canadian League of Rights, perhaps Canada's most durable antisemitic and racist organization. Fromm has also been a member of the World Anti-communist League. In a 1986 book, *Inside the League*, in a list of what is mostly a rogues gallery of extremists is found "Paul Fromm (Canada): Neo-Nazi and historical revisionist."¹⁵ The identification of Fromm as a revisionist squares with his sponsorship of lectures in Canada by Holocaust denier David Irving and his introduction of a number of Irving's speeches.

Definitive links between Fromm and Wolfgang Droege and the Heritage Front have also been uncovered. The December 9, 1990 "Martyr's Day Rally" was a kind of "coming out" for Paul Fromm. Fromm, as a video tape attests, spoke at the event which was held at the Latvian Hall. The tape shows an audience replete with racist skinheads and other extremists of various stripes. Periodically right hands cut through the air with the Nazi salute and the hall reverberated with the shouts of "Zeig heil", "white power", "hail The Order" and "nigger, nigger, nigger . out out out."¹⁶

¹³ Canadian Population and Immigration Quarterly, Summer 1988 - Aug, 1989

¹⁴ Report to the Minister of Education re Paul Fromm by J.G. Cowan, Feb. 9, 1993 p.25

¹⁵ *Inside the League*, Scott Anderson, Jon Lee Anderson, McLellan Stewart, 1986

¹⁶ From unauthorized video of Martyr's Day Rally, December 8, 1990

Fromm addressed the gathering from a podium bearing the Heritage Front insignia and its motto "*Our Race is our Nation*". Behind him and to the sides, the stage was ornamented with huge banners including the Nazi swastika flag of Hitler's Third Reich, the emblem of the violently racist (and now virtually defunct) Church of the Creator, and some other flags appropriated by various racist groups such as the flag of the Confederacy (Klu Klux Klan) and the Celtic cross (often worn by racist skinheads as a shoulder patch or tattoo.)

At the rally, Fromm reminisced about the Latvian Hall bringing back memories of the good old Edmund Burke Society days. The hall, for a quarter of a century in fact, has given meeting space to rabid racists. Even up to late 1993 and 1994 the Latvian Hall was a preferred site of groups like the Heritage Front amongst others. In 1992, it was a venue for a secretive Hitler birthday bash attended by more than 100 racists.

Fromm's "Martyr's Day" speech provided some specifically Canadian content. It paid tribute to the late John Ross Taylor, whom Fromm praised for "60 years of dedication to his beliefs" and described as a "Canadian hero".¹⁷ Taylor, whose Nazi career in Canada dates from the 1920's, had been jailed twice for contempt of court for his refusal to terminate racist telephone messages attacking minorities. "We are all on the same side"¹⁸ Fromm told his listeners, adding:

"We are up againstan army of occupation, where we the majority have no rights and the only way that we are going to regain our country is through unity, unity, unity".¹⁹

Fromm of course was not speaking of Canadian unity, but of unifying the radical racist right.

Tellingly, Fromm continually disavowed any association with the 'Martyr's Day Rally'. He outrightly denied giving any speech at the rally until challenged by a Toronto Sun reporter who confronted him with a copy of the video showing Fromm addressing the rally.²⁰

Although Fromm later claimed to have been disturbed by what he saw at the Heritage Front's Martyr's Day rally, his involvement was no aberration. Less than one year later, on September 5th, 1991 Fromm was the keynote speaker at the Heritage Front's so-called "Open Forum on Canada's Immigration Policy", its first "public" meeting.

¹⁷ From unauthorized video of Martyrs Day Rally, December 8, 1990

¹⁸ Ibid

¹⁹ Ibid

²⁰ Toronto Sun article *Teacher Taped at Hate Rally*, by Bill Dunphy, April 12, 1992

A television report of the meeting showed that among those cheering him in the audience were a number of racist skinheads. During the 80's Fromm appears to have attempted to recruit young skinheads with a white supremacist bent, with some newspapers reporting skinheads provided security for speakers involved with Fromm in his speaking tours across Ontario and the rest of Canada. And in March 1990, Fromm spoke at a gathering in Guelph Ontario, organized by an upcoming young neo-Nazi skinhead star, George Burdi. Under the false name George Norriss, Burdi was trying to start up a Guelph University chapter of Fromm's C-FAR and had rented a room at the Albion Hotel for an introductory speech by Fromm.

When Burdi's rally was publicly reported a series of student protests were organized. In fact, a students' group purchased almost all the tickets and during Fromm's speech, turned their back and spoke loudly to each other as a piece of "Street Theatre" denouncing Fromm and Burdi. Later both Fromm and Burdi required a police escort to leave the Hotel.

But of late Fromm's audiences seem to have shrunk to a core of mainly older men and women.

As a result of his activities in the early 1990's, complaints were made to the Peel Board of Education (his employer) and to the Ontario Ministry of Education regarding Mr. Fromm's suitability to be a public highschool teacher. Following interventions by a range of groups including Canadian Jewish Congress, Ontario Region, the Native Canadian Centre, the Canadian Council of Christians and Jews, B'nai Brith Canada amongst others, the Ontario Minister of Education called an inquiry appointing J.G. Cowan, a lawyer with Weir and Folds to adjudicate. In a wide ranging report Mr. Cowan noted of particular interest that Mr. Fromm's publications from CAFE and another of his organizations C-FAR

"...pandered to those who view crime and social problems as a consequence of admitting visible minority persons as immigrants or refugees ... (the) Crime Watch section has the potential to develop or reinforce racist attitudes towards visible minorities."²¹

As a direct result of Mr. Cowan's report, Paul Fromm was removed as a high school teacher and reassigned to teach adult education.

Fromm continues, well into 1996, to make common cause with - and give succor to - some of Canada's most notorious racist extremists. In March 1996 he was to have appeared at the Surry Inn, in British Columbia as a guest speaker for the *Second Canadian Free Speech Conference* which was being sponsored by one of Fromm's organizations, CAFE. Amongst those who were scheduled to speak were Holocaust deniers Ernst Zundel, Northshore News columnist and Holocaust denier Doug Collins, as well as fellow "teachers" and antisemites Malcolm Ross and James Keegstra.

²¹ Report to the Minister of Education re. Paul Fromm by J.G. Cowan, Feb. 9, 1993

Also in March 1996 a planned speaking engagement by Paul Fromm in Edmonton was thwarted as a result of demonstrations held by anti-racist protesters in front of the hotel. Even as late as September 1996, Paul Fromm was seen to be supporting Ron Gostick of the Canadian League of Rights who was seeking a hotel to hold what ostensibly was to be a discussion on the pros and cons of Quebec separation. Once again as a result of pressure brought to bear by anti-racist groups in Edmonton, the hotel in question canceled the group's contract. Fromm came immediately to the defense of his colleague in a letter he wrote to the hotel, attempting to discredit Professor David Lethbridge of the Salmon Arms Coalition Against Racism. In his letter, Fromm said:

"I am also sending you excerpts from our recent Free Speech monitor (a series of pamphlets produced by Paul Fromm supporting the rights of neo-Nazis to free speech) on activities and statements by Lethbridge who incidentally refuses to debate with such distinguished supporters of freedom as British war hero Doug Collins of the North Shore News in Vancouver."²²

Collins is presently facing a human rights complaint in British Columbia stemming from his outspoken support of Holocaust denial and deniers.

Paul Fromm continues to run into trouble. On December 11, 1996 at a public forum to commemorate "International Human Rights Day" B'nai Brith Canada's League of Human Rights, accused Paul Fromm of:

"... continuing to associate with known white supremacists, and to make speeches against Canada's multicultural/multiracial society, in blatant violation of a Peel Board (of Education) ruling that prohibits such conduct."²³

During the course of the forum, audience members were shown excerpts from an appearance by Paul Fromm at the "Reviso P. Oliver Memorial Symposium" in November 1994.

The symposium was organized by the National Alliance, a large U.S. Nazi propaganda organization, whose leader William L. Pearce was the author of the infamous Turner Diaries. The novel about guerrilla warfare waged against Blacks, Jews and the U.S. government, is billed "a handbook for white victory". Tragically it appears as though the bombing of the Oklahoma City Alfred P. Murrah building in April 1995 mirrors a fictional episode written about in the Turner Diaries. In its book *Extremism on the Right*, the Anti-Defamation League describes the National Alliance as a "neo Hitlerian, racist, and antisemitic extremist group."²⁴

²² From an unpublished letter to the manager of the Coast Terrace Inn, Edmonton, AB., 1996

²³ B'nai Brith Canada, Press Release, December 11, 1996

²⁴ *Extremism on the Right*; a Handbook, Anti-Defamation League, New York, N.Y.

Revido P. Oliver was one of America's most notorious fascists and, according to B'nai Brith Canada a "long time proponent of antisemitism".²⁵

An advertisement for the video appeared in National Vanguard, house organ for Pearce's National Alliance group. The ad had this to say of the symposium's namesake:

Dr. Revido P. Oliver was one of this centuries greatest thinkers and writers.he was one of the very few academicians to fully perceive the threats to America and to western man. He was one of the founders of the John Birch Society.when he realized that conservatism was a lost cause in America, he appealed to Americans to make a final and uncompromising stand for survival of America's founding race, a cause he championed until his death ... These speakers are speaking from the heart and speaking of the greatest issue - the survival of the European race - of this or any other century.²⁶

Fromm himself seemed well in tune with the symposium's sentiments. Excerpts from Fromm's speech were read aloud at the International Human Rights Day forum:

"If we are going to be true to our Aryan spirit, to the very best of our people, which is reason.....[for] doing what Aryan man has always done....facing reality.[it was necessary] "to recapture the greatness of our race's spirit and then we can retake this continent."²⁷

Amongst other honoured guests at its symposium were former Ku Klux Klan leader and well known right-wing extremist David Duke. The Revido P. Oliver Memorial Symposium concluded with the singing of "Deutschland Uber Alles."

Karen Mock, B'nai Brith Director of the League of Human Rights, reiterated the earlier call of the CJC and the Native Canadian Center for the Peel Board of Education to fire Paul Fromm as a teacher:

"If he must continue his racist 'free speech' campaign, let him not do it as a teacher."²⁸

Both Fromm, the propagandist, and Droege, the movement leader, are linked, not just through their attendance at each other's meetings, but also through a mutual associate and friend - Ernst Zundel.

(As this report was being printed, Ernst Zundel revealed on his internet site that Fromm has been notified of the termination of his employment with the Peel Board due to his continued association with racists and antisemites. Fromm has indicated he will fight the dismissal.)

²⁵ B'nai Brith Canada, Press Release, December 11, 1996

²⁶ Ad for Revido P. Oliver Memorial Symposium, quoted in July 1995 Free Speech

²⁷ B'nai Brith Press Release, Dec. 11, 1996

²⁸ Ibid

2.3 Ernst Zundel

by Bernie M. Farber

(Because of the central role Zundel plays within a number of international hate networks, we have included a brief but detailed look at his life and activities, excerpted from Alan Davies' Antisemitism in Canada: History And Interpretation . The chapter, The Zundel Affair, written by Manuel Prutschi, can be found in Appendix A.)

Ernst Zundel oversees his international multi-media propaganda operation from a crowded perch in a three storey Victorian house in Toronto's Cabbagetown. The Carleton St. fortified bunker is strung with security devices, and painted in the Red White and Black of his beloved fatherland, Germany.

His home has been a regular meeting place for a veritable Who's Who of the white racist and Nazi world. From British author David Irving, to Mississauga's Paul Fromm, from Germany's Bela Ewald Althans to Toronto's Wolfgang Droege - they have all worked or paid their respects at "Zundelhaus".

Droege's public work with Zundel goes back to the early 80's during the German-born publisher's first "False News" trial. And in March 1991, Droege attended a Nazi conference in Munich, Germany, sponsored by Zundel. The rally was broken up by German police who arrested Zundel and charged him with defaming the memory of the dead.

One month later Zundel attended a Hitler's Birthday bash organized by the Heritage Front and gave the keynote speech, advising the many skinheads in the audience to grow their hair, clean up their act, and not get caught up in playing "Hollywood Nazis".

But Zundel is perhaps most widely known for two convictions under Canada's "false news law" that arose from his distribution of a pamphlet denying the Holocaust. Those convictions, however, did not stand.

Despite the Ontario Court of Appeal affirming Zundel's second conviction and upholding the "false new law" as being constitutional, on August 31, 1992, in a 4 - 3 decision the Supreme Court of Canada declared the "false news law" unconstitutional. It was the decision of the majority of the Court that the limit to free speech contained within the section was too broad and therefore could not be justified under section 1 of the Charter (see *Appendix C*).

While ostensibly this handed Zundel a significant victory, the court's decision clearly dealt only with issues of constitutional law. The court did not in any way dispute the facts vis-a-vis Zundel being a Holocaust denier.

The Supreme Court's decision appears to have given Zundel, at least in his own mind, a green light to put his Holocaust denial machinery into full gear. As a result Zundel's printing presses began to run in overdrive. By 1993 German authorities were telling Metropolitan Toronto Police and others that Ernst Zundel was considered to be one of the six most important distributors of Holocaust denial material to Germany.

According to anti-Nazi magazines such as Searchlight, much of Zundel's Holocaust denial material can be found at neo-Nazi rallies in Germany and are read by German skinheads and other neo-Nazi "wannabees."

Zundel was the key organizer of a neo-Nazi rally in Munich, Germany in March 1991. While the German police had canceled the event, law-enforcement officials arrested Zundel and charged him with "inciting racial hatred" and "defiling the memory of the dead" (which is in effect Germany's anti-Holocaust denial law).

A number of months later Zundel was convicted of inciting racial hatred based on his distribution of a video entitled *The Auschwitz Lie* which in effect denies the Holocaust. He was fined 12,600 Deutsche marks (\$10,800 Canadian) and removed from Germany.

A number of Zundel associates have been convicted under German hate legislation.

For example Fred Leuchter, a man who fraudulently claimed to be an engineer and carried out a supposed study of the gas chambers in Auschwitz, eventually concluding that they couldn't have existed, was apprehended in Germany on charges of inciting racial hatred and defiling the dead. Ernst Zundel assisted Leuchter in gathering enough money so that he might secure bail.

In Munich Germany, a young neo-Nazi by the name of Bela Ewald Althans was the one chosen by Zundel to carry out his work. Althans visited with Zundel on a number of occasions in Toronto and was the subject of two rather stark documentaries on the world-wide neo-Nazi movement. Both, one produced by CBC's *The Fifth Estate* and the other by German film maker Winfried Bonengel (*Profession Neo-Nazi*) portrayed Althans as an unrepentant Hitler lover and the new look German neo-Nazi. In July 1995 Althans was sentenced to 3 years in a German prison for "inciting racial hatred" and "denying the Holocaust." It was his appearance in the documentary *Profession Neo-Nazi* which provided the evidence to convict him.

Zundel's ongoing activity in the Holocaust denial front does not only centre on the production of Holocaust denial material but the provision of funds and resources to those outside of Canada (primarily Germany) that will push his message forward. In an interview with CBC's *The Fifth Estate* recorded in February 1993, Zundel confirms his ongoing work with the German neo-Nazi movement.. Claims Zundel:

"I have supported young groups in Germany, yes absolutely. I have organized speaking tours for what I call Ernst Zundel's foreign legion; the intellectual foreign legions - information campaigns".²⁹

²⁹ *The Fifth Estate*, Canadian Broadcasting Corporation, February, 1993



German authorities and others insist that through this kind of support and distribution of materials Zundel has built upon the publicity he gained in his two Canadian trials to become viewed as a martyr for the neo-Nazi movement. It's a movement which, in the early 90's, saw numerous racially motivated assaults, arson, and murders. In the same CBC's Fifth Estate program, Zundel suggested the number of racist attacks in Germany was a fabrication. And when faced with the charge that his propaganda activities were planting "the seeds of Hate, and now the harvest is being reaped," Zundel responded by saying:

".... I also have the right to export these ideas to Germany, I am a gift to this world. If people don't want to agree with it or not, I frankly don't give a damn."³⁰

In Canada, Zundel's legal entanglements are complex..

A variety of groups, both Jewish and non-Jewish, have pressed the police and the Attorney General's Office for action regarding Zundel's activities. And Metro Toronto police continue to closely monitor those activities, but to date, this has not resulted in any formal legal action on a criminal charge of promoting hatred.

Sabina Citron, formerly the president of the Canadian Holocaust Remembrance Association and the woman who originally brought the "false news" charges against Zundel, did lay a private complaint against Zundel in mid 1995 for Defamatory Libel and Conspiracy to promote hatred. The Crown did not assume responsibility for the charge and when brought before the courts the matter was dropped for lack of evidence. Meanwhile, both Citron and Zundel are in the midst of a civil procedure suing and counter suing each other for defamation of character and libel.

Possibly fearing the chance of criminal charges which may eventually lead to the potential for a deportation back to Germany if successful, Ernst Zundel applied for Canadian citizenship in late 1993. Following an investigation by CSIS (Canadian Security Intelligence Service) it reached the conclusion that Zundel should not be granted citizenship on the basis that he is a security threat to Canada. Zundel seized upon this opportunity to challenge the CSIS finding and appealed to SIRC (Security Intelligence Review Committee) the watchdog which oversees CSIS activities.

³⁰ Ibid

The appeal began in March 1996 and had an opportunity to hear only one witness called by the federal government, Bernie M. Farber, the National Director of Community Relations for Canadian Jewish Congress. The SIRC hearings are held in camera and are subject to the Official Secrets Act. Nonetheless, in the middle of Mr. Farber's cross-examination by Zundel counsel Doug Christie, a decision was made by the Zundel defense team to challenge SIRC's right to hear Zundel's appeal. According to Zundel, SIRC, as evidenced by their Dec. 1994 report to the Solicitor General of Canada, The Heritage Front Affair, was biased against him and would be unable to render a proper decision. The matter was sent for judicial review to the Federal Court of Canada which agreed with Zundel's position and stayed the proceedings. The federal government has decided to appeal this decision and at the time of writing the hearing is pending.

However, this did not mark the full extent of Zundel's legal woes. Late last year the Canadian Human Rights Commission informed Zundel they were beginning an investigation of his Internet activities in response to complaints they violated the Canadian human rights law³¹.

It was the position of the Toronto Mayor's Committee on Community and Race Relations that it had reasonable grounds for believing that Ernst Zundel was posting messages through the Internet and his world-wide web site known as "Zundelsite", which were in direct contravention of section 13(1) of the Canadian Human Rights Act (CHRA). Section 13 (1) states that it is contrary to the Canadian Human Rights Act to discriminate against persons or groups of persons on the grounds of race, religion, national or ethnic origin or sexual orientation by telephonically disseminating messages which are likely to expose a person or persons to hatred or contempt.

Zundel's web site which had been operating since the fall of 1995 provides texts of various Holocaust denial pamphlets and articles including the pernicious *Did Six Million Really Die?* the original document which Zundel published and made him subject to charges in the 1980's.

A federal Human Rights tribunal has been called to examine these allegations and is expected to convene later this year.

In the meantime Zundel continues to be, in his own words, the "guru" of national socialism in this country. He has in this role become the mentor for a new phalanx of young neo-Nazi toughs and has spurred some of them to become leaders in their own right. In fact, one of the new young recruits to the neo-Nazi movement and an individual who would play a key role in the recruitment of young people from the metro Toronto area into the neo-Nazi ranks studied assiduously under the tutelage of Ernst Zundel: George Burdi.

³¹ See Appendix E for full text of the Aug. 2, 1996 letter to Zundel from the Commission

2.4 George Burdi

by Bernie M. Farber

George Burdi seems an unlikely individual to have become one of the more successful leaders and recruiters of the neo-Nazi movement in Canada. Born in June 1970 to an upper-middle income family from Woodbridge Ontario, Burdi was a bright and articulate youngster. He was enrolled in the Roman Catholic Separate School system in Mississauga and in the summer of 1985 graduated to DeLaSalle College School, a Catholic boy's school in Toronto. Interestingly during his highschool days, George Burdi is said to have not paid much attention to skin colour, ethnicity or religion.

It was in high school however that his inquisitive mind, looking for more sophisticated reading material, happened upon the writings of Frederick Nietzsche. Nietzsche was a German philosopher who wrote on numerous issues dealing with Aryan philosophy, the strength of humankind and posed philosophical issues and questions that without context have been perceived as racist, and antisemitic. According to Warren Kinsella's *Web of Hate*, Nietzsche had a significant effect on Burdi's thinking, priming him for his role as a racist propagandist. It was such thinking, for example, that led George Burdi to demand "equal time" following his school's celebration of "black pride month". According to a *New York Times Magazine* article, *The Method of a Neo-Nazi Mogul*, George Burdi is quoted as saying in response to the "black pride month" issue:

"I said, 'how can we have a black pride month and not a white pride month?'. Burdi went on to note "....and there was an element of the population that started calling me a Nazi, and I really didn't understand the connection to what I was saying".³²

The connection, however, became more clear for George Burdi when in 1986 a young woman that he dated introduced him to a number of white supremacists and their supporters in the Toronto area. This included individuals such as John Ross Taylor, Paul Fromm and probably the most important and significant figure that would have a tremendous impact on George's young life - Ernst Zundel. Stated Burdi in relation to his work with Zundel in the mid 1980's:

"I started to work with Zundel and I started to learn about Holocaust revisionism. I worked on his computer a lot. I typed his newsletters and I went to his house as often as I could."³³

In fact, thanks to Ernst Zundel, Burdi became not only a rabid Holocaust denier, but a true and devoted follower of the philosophy of national socialism.

³² *New York Times Magazine*, February 2, 1996, *Method of a Neo-Nazi Mogul*

³³ *Web of Hate*, Op Cit, page 229

While continuing his work with Ernst Zundel and flirting with the stars of Toronto's neo-Nazi scene, George Burdi entered the University of Guelph majoring in Political Science in 1989. While the structure of university was not to his liking, it did give him the opportunity to spread his wings and learn about organizing for the extremist right. It was while in university that George Burdi was given his first copy of a magazine entitled Racial Loyalty. An openly and unrelentingly racist newsletter, Racial Loyalty was the propaganda arm of an antisemitic and violent para-military organization known as the Church of the Creator (COTC). Although it was then U.S.-based, the group's founder was also a Canadian, Ben Klassen. Klassen grew up on the prairies, graduated from the University of Winnipeg, and eventually moved to the United States. Klassen's creed, summarized in The White Man's Bible, played a central role in the transformation of George Burdi from a white suburban kid into the white racist skinhead he is today.

The White Man's Bible is a violent racist tome which is banned in Canada. For example, among its 16 commandments can be found the following:

Remember that the inferior coloured races are our deadly enemies, and the most dangerous of all is the Jewish race. It is our immediate objective to relentlessly expand the white race and keep shrinking our enemies.

Show preferential treatment and business dealings with members of our own race, phase out all dealings with Jews as soon as possible. Do not employ niggers or other coloureds. Have social contacts with members of your own racial family.

Destroy and banish all Jewish thought from society. Work hard to bring about another world as soon as possible.³⁴

Understanding full well the needs of young people and how to attract them, Burdi was one of the first hatemongers in Canada to recognize the seductive power of music. Out of this realization was born one of Canada's first "hate rock" bands, RaHoWa (an acronym for Racial Holy War). The band has provided the "musical entertainment" at a number of Heritage Front functions, offering their skinhead followers lyrics that are more ugly than lyrical:

"These boots are made for stompin; and that's just what they'll do and one of these days these boots are going to stomp all over Jews."³⁵

³⁴ The White Man's Bible, Ben Klassen, Church of the Creator, Otto, N.C., 1981

³⁵ Globe and Mail article, June 6, 1993

or other musical numbers that included lyrics such as

....*"nigger nigger nigger, out out out."*³⁶

Along with his musical career, George Burdi became a prolific contributor to the COTC's Racial Loyalty. Writing under the pseudonym of "Revered Eric Hawthorne", George Burdi had this to say in March 1993:

"Our confidence comes from the calculated certainty that history will repeat itself once again. As before, when the jew [sic] reeking (sic) havoc upon the host population and when his meddling and diabolical scheming became apparent to them the people rose up against him and cast him from their land. Each time the jew [sic] thought that he had victory seized, each time that he was certain that his reign would last forever, the white man arose in a frenzied rage!! Once again our eternal foe is playing with fire! Once again he is swaying too close to the abyss! Once again he is foolish enough to bellow arrogantly in the house of the sleeping giant! When the white race awakens, it will be with unprecedented fury and passion that he will strike hard at the throat of the hooked nose beast! This time we will not show mercy."[emphasis in original]³⁷

While the COTC destroyed itself in late 1994 following the suicide of its leader Ben Klassen, George Burdi was not to be deterred in his struggle to create a white super human race. Turning to hate rock music, George Burdi and his friend and former COTC leader, Mark Wilson, put together the Detroit-based Resistance Records Inc. which includes a record label, a magazine Resistance, (which Burdi edits) and an internet home page. To some extent Burdi has been successful in this endeavor. According to Burdi and others in the hate rock music scene the circulation of Resistance is estimated at approximately 19,000. And, according to both Wilson and Burdi, Resistance's 12 bands under their label have sold about 50,000 CD's in their first 18 months of operation.

In May, 1993, Burdi and RaHoWa played at and helped organize a hate rock concert designed to kick off a Heritage Front recruiting drive in Ottawa. That night, following the concert, Burdi led his followers into a near riot on Parliament Hill and led himself into his most serious problems yet.

Burdi was arrested and charged with assault causing bodily harm for kicking a young woman (anti racist Alicia Reckzin) in the face with his steel toed boots during the bloody street-fighting that followed the RaHoWa concert. Burdi elected trial by jury. On April 10, 1995 after deliberating for about five hours, a seven men five women jury found Burdi guilty, much to his apparent surprise. One month later, putting aside the more lenient recommendations from both the crown and defense, Ottawa Judge Charles Doyle sentenced George Burdi to one year in prison, noting that "...other judges may have erred in law in lenient sentences for similar crimes"³⁸

³⁶ Ibid

³⁷ Racial Loyalty article, *White Man This is Your Final Call*, March 1993

³⁸ Ottawa Citizen article, May 12, 1995

In regards to previous sentences (of 45 and 90 days) handed down to other skinheads who participated in the Ottawa riot, Judge Doyle added:

"I would say those sentences were in error. I don't want to perpetuate such an error in an attack which had racial overtones."³⁹

In prison for one month and released on bail pending appeal, George Burdi's public activities have since taken a sharp decline. Nonetheless it has not stopped his budding hate rock producing career. Most recently, George Burdi has moved to Windsor so he can be closer to Resistance Records operations. Concerts promoted by Resistance have been held in several American venues and several times in London, Ont. and just outside of Metro Toronto. Although Burdi is keeping a lower profile these days, everything about this ambitious and egotistical young hatemonger suggests that once his legal problems are behind him, he will reclaim his public leadership role within the white racist movement.

³⁹ Ibid

2.5 Marc Lemire

by Bill Dunphy

If you'd like a glimpse of the future of organized hate in this country, look no further than this 21-year-old army reservist.

Armed with little more than rudimentary computer literacy and a few thousand dollars worth of electronics, Toronto's Marc Lemire has already secured himself a lead spot on Canada's roster of racist propagandists.

Through his computerized Digital Freedom bulletin board service (begun in April 1995), and his Freedom Site homepage complex on the World Wide Web, (up and running since February 96) Lemire has provided a virtual library and town hall meeting place for Canadian white racists. Although his claims for their reach and efficacy may be somewhat overblown, there is no denying that anyone making a serious study of organized hatred in Canada need take a close look at this young racist's career.

Lemire points a finger at employment equity's effects on fire fighter hiring decisions as the reason he first joined the white racist movement in general and the Heritage Front in particular.

"I always wanted to be a fireman, ever since I was a little kid," he said in a 1996 interview. "And then your dreams are shattered - that was one of the compelling reasons I joined."⁴⁰

Never mind that Lemire hooked up with Wolfgang Droege and the Heritage Front before he was even old enough to apply for a fire fighter's job.

Like a couple of dozen angry young white men this decade, Lemire formed a bond with Droege, and eagerly embarked on flyer distribution campaigns and teen recruitment drives for the Front back in the early 90's as that group was really hitting its stride.

But by the summer of 1993 Lemire had fallen in with a sub-group for Front members and associates, a small circle of young men who chafed under the Front's leadership (and CSIS Grant Bristow's acid tongue). These men, Ken Barker, Phil Grech, Les Jasinski and Lemire formed their own bonds of kinship and began drifting away from the Front and spending increasing amounts of time in their own company.

By the fall of 93, Grech, Jasinski and Lemire were sharing an east Toronto flat while Barker had moved back to his home turf of Oshawa.

Of the four Lemire, while not an obvious leader, was certainly the most stable. Two of the men, Barker and Grech had recurring health and emotional problems. Jasinski was an unstable extremist and Christian Identity zealot who'd already been booted out of a local Ku Klux Klan cell because of his dangerously violent rhetoric.

⁴⁰ From an unpublished interview with the author, May, 1996

Still, the group looked with some disdain on the tattooed and beer-drinking skinheads who seemed to be holding a certain sway in the Front and they began developing their own ways of getting things done. Some were time-honored and traditional - leafleting, letter-writing and setting up a telephone hotline. Others were more dangerous.

One Wednesday morning that fall, Grech donned a clown's mask and yelling at the terrified tellers, vaulted the counter of a TD bank in Oshawa. After fumbling momentarily with the cash drawer, he tore it open, grabbed a fistful of bills and ran out. An alert bank employee noted his car and later that night it was found a few blocks away in the parking lot of Barker's apartment building.

Hold-up squad officers raided the Oshawa apartment where Barker lived with his young daughter and found disguises, a wad of cash, ammunition, a realistic-looking, but fake bomb, and two shotguns, one of them with its barrel sawed-down.

The next morning police raided the east end flat where Lemire, Jasinski and Grech lived and arrested Grech.

He was charged with the bank robbery and Barker was charged with weapons offences and a late-night donut store stick-up from the month before. In that robbery, two masked men - one armed with a shotgun - terrorized the overnight help before making off with a grand total of \$257. Jasinski later confessed under oath in court that he had bought both shotguns, sawed the one down and used it in the donut store hold up. But he was never convicted of any criminal offence.⁴¹ Grech pled guilty and was sentenced to 18 months in prison, Barker was convicted of weapons storage offences.

Lemire was never charged with any criminal offence arising from that group's activities.

While his buddies fought their legal battles, Lemire turned to the ideological battlefield - opening the Euro-Canadian Action Line, a taped telephone message service promoting white racist causes and views.

Like his friend Barker's Equal Rights for Whites hotline, Lemire strove to avoid breaking Canada's hate laws, targeting government policies on employment equity, multi-culturalism and immigration, and avoiding name-calling.

Although he offered time on the hotline to others - notably Jasinski who taped some Christian Identity rants - the hotline proved to be pretty much a one man show. And something of a flop at that. In his third month of operation he was only attracting 30 calls a week.

⁴¹ Jasinski's admission came in testimony at Barker's bail hearing and, under the Charter of Rights, could not be used against him in another legal proceeding. Although immediately arrested and charged with armed robbery, police were unable to obtain sufficient evidence against Jasinski for a criminal conviction. They did succeed in getting a judge's order banning him from possessing firearms, explosives or ammunition for the rest of his life.

But the move away from the Heritage Front's skinheads and into the smaller, independent end of the racist movement was not a total loss, even if most of his close associates had made a series of very stupid mistakes. The Front had fared no better.

In 1993 at the very height of its powers, the Heritage Front was falling apart, convulsed by street fights with anti-racist extremists and courtroom battles with the establishment. The Front collapsed as a "mass" movement and has yet to recover.

But Lemire, like his mentors Ernst Zundel and Paul Fromm, emerged relatively unscathed from the wreckage of the early-90's white racist movement's boom and bust. Like Fromm had done 15 years earlier, Lemire cobbled together an innocent sounding front group from which to operate. Initially called the Euro-Canadian Alliance, and later changed to the Canadian Patriot's Network the groups have never really been anything more than Lemire and one or two others.

One of them, Chris Saunders, would help Lemire into the area that would ensure his spot in the thin histories of Canada's organized hate groups.

Saunders was something of a computer geek.

Lemire had earlier signed on with the Canadian Armed Forces reserves, angling for medical training. And in the summer of 94, he had to leave his hotline in Jasinski's hands while he crawled through the bush at Camp Petewawa. But after his return things changed.

That September he announced the change to the Canadian Patriots Network. By October Lemire had his first private internet account. By December he helped Saunders set up one of this country's first white racist computer bulletin boards (a BBS, as they are more familiarly known.)

The idea of using a BBS - an electronic meeting place where people can post and pick up notes, view files and have real-time conversations - was not altogether new to the white racist movement. Texas Klan leader Louis Beam had set up the Liberty Net as an underground communication and resource center nearly a decade earlier.

But that was not a recruiting tool, it was more of a secure line of communications. Saunders and Lemire's Politically Incorrect BBS was meant to attract, recruit, and convert. Even here they were following the lead of American racists - former Klan leader and Droege associate Don Black had had huge success with his Stormfront BBS in Florida.

Four months later Lemire and Saunders parted ways and Lemire opened Digital Freedom BBS in April 1995, a service which he described as "Free Speech and Pro-White".⁴² There were and are more sophisticated computer jockeys in the white racist movement in Canada, but Lemire displayed an almost obsessive pride in his BBS and drove hard to make it the biggest and the best around.

Within the movement he succeeded, building up a massive collection of files and resources (even if they are poorly organized) and attracting a large core of users and an even larger corps of occasional visitors.

With Black he dreamed of setting up an international network of "pro-white" BBS's and did put together a kind of network bringing together BBS' several countries in a loose electronic mail linkage.

That was the year of the exponential growth of the Internet's World Wide Web and Lemire - who used the Internet newsgroups and mailing lists to advertise his Digital Freedom BBS - recognized a good thing when he saw it. By February he was truly on-line, throwing an increasingly complex collection of files and photos on his Freedom Site on the WWW. And while he still gets more traffic on his BBS, and gets most of his funds from BBS members, his website has offered him a chance to act as a virtual emcee in a no-risk, ongoing ,town hall meeting of Canada's white racist community.

Among the groups who have found a home on his web site are the moribund Heritage Front, Fromm's front groups, Citizens for Foreign Aid Reform and Canadian Association for Free Expressions, The Euro-Christian Defence League (a Christian Identity group from the prairies,) and B.C. lawyer Doug Christie's Friends of Freedom..⁴³


The groups sell books and pamphlets, audio and video tapes, and post their newsletters on the site. Last month Lemire announced the start up of Radio Freedom, a once a week live Internet "broadcast" radio show featuring weekly talk and interviews computer users can listen to in real time or download for later listening via a section of his World Wide Web site.

Among the "hosts" Lemire has signed up are: Paul Fromm, Kevin Strom, the neo-nazi host of a shortwave radio show American Dissident Voices, Joy Berke, the latest "host" of the Heritage Front's telephone hotline and Lemire's old friend, Saunders.

Elsewhere on his website, Lemire advertises his BBS and his own data packages and posts photos he thinks are appropriate. Most are sycophantic portraits of movement leaders, but the odd time his coarser nature wins out, like the time he posted a photograph of a black man being kicked and beaten by a gang of skinheads. He borrowed a hate rock group's song title for the picture, labeling it the "Doc Martens Dental Plan."

⁴² From Digital Freedom ads posted by Lemire in Internet Newsgroups in 1995 and handed out as part of press packages

⁴³ For a more complete look at the content of Lemire's web site, see *Appendix F*, a copy of the Freedom Site's "table of contents" downloaded in Jan. 1996



For his part, Lemire rejects labels like “racist” or “racial separatist” preferring to simply think of himself and the groups he houses on his web site as “controversial Canadians.”

Although Lemire is now no longer actively pursuing an army career, he is still carried on their books as an “employee”.

The history of Canada’s white racist movements, the largest of our organized hate groups, displays a pattern of booms and busts which reached its height at various times in the 20’s and 30’s. Over the last 50 years the movement has risen and fallen in mostly smaller waves of activity that appear to have peaked in the early 90’s with the Heritage Front and its many associated groups.

They’re in decline now, but they trained an awful lot of young men, like Lemire, in hatred and how to organize it. And unlike in previous “down cycles” the movement has now found a few safe, if virtual, harbors to ride out the storms of anti-racist protests and organizing.

And Lemire is one of their key harbor masters.

The organizers of hatred have traditionally relied on the same tools used by political activists everywhere - fresh recruits to provide a pool of cheap labor, and whatever communication devices are at hand and affordable. In the past those communication devices have included the flyers and leaflets delivered anonymously on car windshields or doorsteps, rallies and demonstrations to attract media attention and provide members with a sense of identity, purpose and accomplishment, newsletters, magazines, newspapers and even books. Hatemongers were quick to seize on the telephone as both an organizing tool (e.g. setting up "telephone trees" to mobilize membership) and as a propaganda tool.

In Metro Toronto John Ross Taylor set up a nakedly antisemitic "hotline" using a cheap answering machine and an ordinary phone line. Hauled before a Canadian Human Rights Commission and ordered to cease transmitting hate messages, Taylor continued and was found guilty of Contempt of Court and ordered jailed for one year.

By the early nineties hate organizers had seized upon the spread of a new technology, commercial voice mail, to refine the hotline propaganda technique - partly to cut costs but also to hinder host identification.

But now the key propagandists have seized on a new tool - The Internet. In this section we'll look at some of the issues raised by the hate-mongers' embrace of this new technology. We'll also examine the recruitment, use and abuse of one of the hate movement's (former) brightest new "tools" of the decade, university student Elizabeth Moore.

3.1 The Internet - Hate In Cyberspace

by *Bernie M. Farber*

Throughout the rise of the Heritage Front, organizers such as Lemire, Droege, Burdi, and others, began to realize the potential of utilizing new technology as a means by which to spread their messages. It is cheap; it's easy; and it has the potential to reach millions. The internet. Like a walk through the shouk or the kasba, today's internet offers access to whatever the heart desires. Without leaving the comfort of our office or living room, and by finding the right newsgroup or websites, today's computer literate society can travel to Paris, tour the Louvre, climb Mount Everest, chat with Bill or Hilary Clinton and even download recipes from world famous chefs.

However, the dark side of the equation is bleak indeed. Sexual predators, hustlers, scam artists, child pornographers and hate-mongers also populate cyberspace, thankfully on its periphery.

Some argue that the internet is but a mirror of the world. Good and bad, intelligent and stupid, love and hate, are part of the society we live in and therefore one should not be surprised to find them on the information super-highway or at least a gravelly side-road.

However, in the real world we have to deal with issues of responsibility, sensitivity and a balancing of rights. These are accomplished through various means. In a free and democratic society the best possible choice to ensure one's rights are respected is through a combination of law with individual and corporate responsibility. For example, newspapers, radio and TV, and other forms of inter-global communications have established various sets of guidelines which give definition to what they will print, broadcast or communicate. In various provinces, newspapers fall under the auspices of Press Councils. Where editors and journalists have crossed the bounds of decency, the press council will adjudicate and decide on the appropriate sanctions if necessary. Even within certain large newspapers, codes and guidelines have been worked out. For example, the Toronto Star has established what have become known as "advocacy advertising guidelines." These guidelines assure that specific religious minorities, visible and other vulnerable minorities are not targeted by the unscrupulous to promote hatred, contempt or religious conversion. In broadcasting, the CRTC ensures that radio and tv meet the standards expected by a decent society. As a result, the likes of Ernst Zundel, George Burdi, or Wolfgang Droege would never be given air-time to expound on their hateful views.

Even ham radio operators must abide by an international set of guidelines in order to receive a radio operator's license. Citizen band radio operators have similar regulations.

This brings us to the internet. Many suggest that the technology of the internet transcends man-made law and therefore, the internet, unlike newspapers, radio and TV cannot be so easily controlled. Others, purists, demand that the internet be left untouched as the last domain of free expression in the communications frontier.

The internet is indeed complex new technology. In fact, one can hide in the internet world and be close to invisible. There is great difficulty in clearly identifying those who post abhorrent messages, like garish billboards, on the super information highway. Some have even suggested that this technology makes it impossible in any way to control the net. And yet, only last year we note that a man was convicted in Toronto for downloading pornographic pictures of children on the internet for others to view. Only recently, another individual from Kirkland Lake, Ontario has been charged in the largest seizure of child pornographic material on the internet in its history. And in Ottawa a Department of Defense physicist was charged late last year under child pornography laws for downloading pornographic material from his government-supplied computer. So policing does take place and at least, in these cases, seemed technologically viable.

And many ask why not? In Canada and many other democratic countries around the world there are laws dealing with child pornography, hate-mongering, copyright, fraud, etc., all serving as a means by which we choose to live. If the internet is part of society, should it not be subject to society's laws? In the last couple of years we have heard of two significant decisions by internet servers: firstly CompuServe's resolution to shut down a number of news groups dealing with sexual pornography on the net and secondly the determination by *Deutcher Telekom* to close down Ernst Zundel's web site in Germany. On the first issue of sexual pornography, CompuServe announced that it had closed access world-wide to more than 200 internet user groups, the vast majority of which dealt specifically with child pornography, as a result of a request from a Munich prosecutor who warned that CompuServe would be held legally accountable for distributing illegal sexual material in Germany. This was historically the first time that a government's action led to a world-wide ban on the internet. A number of months later, Canada's I-Star, another large internet service provider, also limited access to child pornography sites on the internet.

In the second case, that of the notorious Canadian landed immigrant and Holocaust denier Ernst Zundel, the T-on line service of *Deutcher Telekom* claimed that it voluntarily blocked access to Zundel's site, the world wide web page operated by Zundel. However, it should be noted that this action occurred shortly after a Manheim Germany State Prosecutor warned *Deutcher Telekom* that it was investigating whether or not the service was "helping to incite racial hatred" which is a crime in Germany.

Deutcher Telekom has more than one million customers in Germany and it has bitterly complained that it is unreasonable for the German government to hold the server responsible for antisemitic material appearing on one of its world wide web pages.

The real question in this case, therefore, is whether it was necessary for state sponsored censorship to be invoked or if less intrusive means were available.

In this light it is absolutely necessary to understand the concerns of vulnerable minorities. Recently, the Jewish Public Library of Montreal in cooperation with Canadian Jewish Congress, Quebec Region, held a seminar dealing with the promotion of racial tolerance in the world of cyber hate. Rabbi Abraham Cooper, associate dean of the Simon Weisenthal Centre, explained to the audience that well known hate monger Tom Metzger, leader of the White Aryan Resistance (WAR) and a resident of Fallbrook, California, spent most of his twenty year career as a hate monger, distributing flyers on street corners and operating a telephone hate line from his home. Six months ago he went on-line. For the first time in his career as one of America's most notorious hate-mongers, Metzger had a way to reach a world-wide audience, specifically targeting youth. Glenda Carmen, a communications associate at the Canadian Jewish Congress, in a recent paper she prepared dealing with hate on-line noted that

".....since going on line, the White Aryan Resistance has had more exposure and the membership growing at a faster pace than Tom Metzger's previous group did in its twenty year history."⁴⁴

It should be remembered that it was Tom Metzger's group, WAR, which a Portland, Oregon jury found liable (to the tune of \$12 million) for inciting a group of neo-Nazi skinheads to murder a young Ethiopian immigrant in that city a few years ago. Similarly, in the past, Holocaust denier Ernst Zundel's ability to access the young was strictly curtailed both in Canada and many areas around the world. Even in the United States, Satellite TV banned his Holocaust denial program following complaints from viewers. With the advent of Lemire's Freedom Site and the Zundel site high school students and many others need only type in the word "Nazi" or even "Holocaust" onto their web browser and pull up pages and pages of antisemitic Holocaust denial garbage. The hatemonger's dream of being able to spread his poison worldwide has become society's nightmare.

⁴⁴ Canadian Jewish Congress Policy Paper - Internet, Glenda Carmen, April 1996

3.2 The Recruits: Elizabeth Moore

For far too long, neo-Nazi and hate groups have been portrayed as being populated by uneducated street people from the lower echelons of society. This is far from the truth. Leaders such as George Burdi, Marc Lemire, Paul Fromm and others appear to come from all walks of society and some are very well educated.

The case of Elizabeth Moore, a former Queen's University student and a young woman who was to become one of the top and rare female spokespersons for the Heritage Front, is a case in point:



ELIZABETH MOORE: HER STORY IN HER OWN WORDS

by Elizabeth Moore

Neo-Nazis in Canada are often viewed as working-class, uneducated, under-privileged people, street-punks clearly on the fringe of society. This stereotype allows us to ignore them and to think "not in my backyard" or "not in my school." While it may be true that some of them are crazy punks, it is not true for all. I personally know, or know of, an estimated 17 neo-Nazis that are either students of, or alumnus of eight post-secondary institutions in Ontario.

I can't explain why these educated people were attracted to the movement, for everyone has their own reasons. What I can do is tell you my story from the time I was first attracted to the time I left, and beyond, in hopes of explaining why and how it is possible for your friends, neighbours, or family to become racist extremists.

For a person to even be interested in joining a group like the Heritage Front they must have a certain level of pre-existing racism. And, admittedly, I was racist before I was introduced to the group. Many people think that racism is mostly learned at home, and for many it is. However, both my parents are fairly liberal in this regard, so most of my racism was learned at school. I had white friends who complained bitterly about the "chinks" taking over our neighborhood. But, I also experienced the other side of the coin: I felt I was the victim of reverse racism. I was called names, pushed into lockers, and intimidated in my classes. At the time, I did not understand where my non-white classmates' rage was coming from, so their abuse only served to intensify the racism developing in me.

Five years ago, when I was in grade 12, I met a guy named Hans. Hans was different from other people I knew. He was German-born, for one, and a couple of years older than the rest of the class. I helped him with his assignments because he still had trouble with English grammar, and he, in turn, slowly introduced me to National Socialism. Eventually, he gave me a couple of flyers about the Heritage Front. He told me that they were "the white man's answer to multiculturalism." The flyers said they were a group of ordinary men and women concerned about the future of Canada, and persecuted by the Human Rights Commission for speaking out.

When I explain why I joined, I always feel torn because I want to believe I joined solely for political reasons: concern about the future, about immigration, about freedom of expression. But I realize now that that was only part of it. That was what was going on in my head. But what made me different from any other well-meaning, but ignorant, citizen, was what was going on in my heart.

I had a lot of self-hatred, and resentment of not having control of my life either at home or at school. For a long time I internalized this negativity and felt that when I was unfairly criticized they were right. What the Heritage Front allowed me to do was to redirect the self hatred back out and thereby feel better about myself. What better boost to your self-esteem than to be told that you are a member of the most supreme race on the planet! Suddenly, what my non-white peers said to me didn't matter because they were "only blacks" or the fact that the Chinese were changing my neighborhood didn't matter because they would be deported when "we" took control. Finally, I began to feel more confident because I was not just sitting around and complaining. I was actually doing something, even if it was only reading propaganda material, and distributing flyers.

I was a willing recruit, but a slow recruit for them. For several months all I did was send away for magazines and talk on the phone with Wolfgang Droege. Occasionally I sent money and distributed Heritage Front business cards.

However, that all changed when I wrote my first article for the Heritage Front's magazine *Up Front*. Ironically, my article was actually a criticism of a piece they published by David Lane. Lane, a member of the notorious racist/terrorist group *The Order*, is serving a life sentence in the USA for the murder of a Jewish radio personality. He wrote an article claiming that white women are corrupt and seduced by power. He claimed that the only way to "get the women back" was to reclaim them by force. I begged to differ. Not knowing that he was famous in racist circles, I assumed he was only a frustrated nineteen year old loser, and ripped his argument to shreds.

My article quickly became the most controversial one the Heritage Front ever published, and it also became the hook that Wolfgang and other Front members used to pull me deeper into the group. They worked on empowering me, by telling me that I was better than my family, friends and teachers because I was racially aware. They also congratulated me for standing up to Lane. They constantly told racist jokes and made racist remarks in order to saturate my conversations with racist rhetoric.

They introduced me to Holocaust denial literature, which came from 3 sources: Ernst Zundel, The Institute for Historical Review in America, and, other Front members. For example, Gerry Lincoln gave me and my boyfriend access to videos in his extensive collection such as *The Eternal Jew* and *Triumph of the Will*. Holocaust denial is important to the movement because if a person is willing to believe that one of the worst mass human rights abuses in the history of the Western world was a hoax, dreamed up by the victims themselves, that person is willing to believe just about anything the movement's leaders tell them.

I quickly got hooked on the euphoria of hatred, the empowerment, and the sense of belonging, which I never had before. My attachment to the group grew so strong that I was always willing to do more, regardless of the potential costs, monetary or otherwise. By the time I was ready to leave the group, I was "staff reporter" for Up Front, I ran a telephone hotline, and I was a media spokesperson. I put up flyers, made speeches, attended demos, infiltrated left wing organizations, and public meetings, including one when Bernie Farber, the National Director of Community Relations for Canadian Jewish Congress, came to Queen's.

I basically lived the "Aryan Life," in which every action was seen as a contribution to the betterment of the race. This Aryan Life affected not only my political actions, but also my taste in music, clothing, TV and movies, to name a few. When I was ready to leave the group, my boyfriend, 90% of my friends, all my thoughts, my hopes and dreams for the future, were wrapped up in the Heritage Front.

The first time I had doubts was during the filming of Hearts of Hate in the summer of 1994. Hearts of Hate: A Battle for Young Minds was a documentary being filmed by independent film-maker Peter Raymont. The Heritage Front saw it as an ideal opportunity to get its message across — or so it thought. It was the first time I considered what others might make of my views, and so I answered the producer's questions carefully. At that time, I was also introduced to Eric Geringas, the associate producer of the film. He was, as far as I knew, a white guy in his late twenties. After my defection I found out that he was Jewish. As I watched this man work, I realized that he was actually a success. And I also realized that maybe, just maybe, the future for us young folk was not as bleak as the Front leadership led me to believe. I started thinking that perhaps, if I worked hard, there could be another future for me besides racist extremism.

In September of '94, when I returned to school I had a personal crisis in which I hurt people who were supposed to be close to me. I also experienced backlash from the film, since the Hearts of Hate crew filmed at Queen's University. I decided to lay low for a while, and fade out of my political life until I had the rest of my life under control. However, I found that to be impossible. I had telephone hotline commitments, and personal commitments to my boyfriend and other racist friends.


By Thanksgiving of '94, everything started to unravel. Not only did I have personal dissatisfaction with my life, I also found out that I had been lied to by the Heritage Front leadership. I was finally told that the flyers that got Elisse Hategan charged for promoting hatred were actually Heritage Front material. Elisse defected from the Heritage Front about the time I became active. In order to get me in they told me that they had nothing to do with flyers she distributed that compared blacks to gorillas. The Front told me that they had even tried to dissuade her from distributing them! I realized that if they lied to me about that, there must be other things they were keeping from me. I began to see, with my own eyes how much violence played a role in the group. And I also realized that they were not willing to treat women equally, and that I was an anomaly to them. Every other woman, except for Elisse Hategan, followed their boyfriends in and wanted to do nothing more than please them, and have many Aryan children.

With this new insight, I knew that I needed to do more than just try to fade out. I needed to defect completely in order to be free. I was afraid, and didn't know to whom to turn. Fortunately in November '94 Bernie Farber was invited back to Queen's to give a second talk about neo-Nazism in Canada. Through Eric Geringas, I got in touch with Mr. Farber. After his speech, which this time I didn't attend, we went out to a cafe, and had a long, very agonizing conversation. He told me I needed to stop doing the hateline, and break ties with all my Nazi friends, including my boyfriend. At the time, I didn't know if I could do it. He was asking me to give up life as I knew it. And honestly, I didn't know if I could trust him. I felt he had to have his own motives. After all, he was the enemy who was trying to put my friends behind bars.

After much soul searching, I decided to try and trust him. In December '94, when I was in Toronto for Christmas vacation, Mr. Farber invited me to his office for a chat. I had no idea what this so called chat would entail. When I arrived he asked me what my views were about the Holocaust. I was shocked! Every Nazi in Ontario would give an arm and a leg to be in the position to debate the Holocaust with the likes of Bernie Farber. But I couldn't do it. Somehow, sitting in his office in the CJC, my views, which I had promoted so fiercely, seemed unreasonable and unbelievable. So, I didn't respond to his question, I just gaped at him instead.

After what seemed like hours of him challenging my views, he invited me to the Holocaust Memorial Center in his building. The first thing he did was show me a wall of pictures of people who had perished in the Holocaust. He pointed out a picture of a woman with her smiling baby. It could have been taken anywhere, just like pictures anyone would have in their home. He said angrily, "That baby died in the gas chambers of Auschwitz, now you tell me what he had to do with any Jewish conspiracy." I couldn't respond, I couldn't even look at him. Next we sat and watched an audio-visual history of the Holocaust. As the images flashed across the screen, I realized that it was not the Jews, nor the non-whites, who were sub-human - it was me. And as I sat there beside Mr. Farber, I felt (I still can't find the right word for it) I felt "non-human". I felt like complete trash, and that I didn't deserve to live. After our meeting I said to him, you know, the Jews fought to keep their humanity when they had absolutely nothing, yet I had everything, and I freely gave mine away. Mr. Farber nodded his head and said, "Yes, but the beauty of humanity is that you can always get it back." As I left the building, I was actually able to smile to myself, because I knew that what he said was true, and that I would get mine back. What I didn't realize was just how hard that would be.

Five weeks after my meeting with Mr. Farber I had completely severed my ties with the Heritage Front. I was free in body but not in mind and still had a long way to go to recover myself. Suddenly, I was confronted with the fact that I had no identity. I had no idea who I was, where I was going, or what I wanted out of life. I also had to contend with the hatred that was still in me. This led to depression and even suicidal feelings. Many times I felt that everything was hopeless, that I could never fully recover, and that I would never again feel as strong and self-assured as I did when I was a Nazi. I also had to face returning to Toronto for the summer with the realization that even though I had lived in that city for 19 of my 22 years, I did not have one friend left there. A year later that is still the case, and it is perhaps that feeling of being a stranger in my childhood home that upsets me the most about my situation.



Despite all of the negatives, not everything since I defected has been bad. After the stress of final exams, and going public had subsided, I suddenly realized that I could do whatever I wanted. I could listen to whatever music, wear any clothes, watch any shows or movies I wanted, and decorate my place any way I pleased. I quickly took advantage of this new freedom. For the first time, I sat down and watched Seinfeld and enjoyed it immensely! I also took courses at Queen's such as The Holocaust of European Jewry 1933-45, and I made a point of doing projects on Native Canadians, and black women civil rights activists in my other courses.

The most humbling experience since my trip through the Holocaust memorial happened the following summer when I attended an international family reunion on my mother's side. My mother is of Mennonite descent, and many people at the reunion were Old Order, and wore traditional religious clothing. We all sat around and listened to stories about our ancestors who settled in Ontario, and one woman got up and explained that they came over from Switzerland, Germany, and Russia from the 16th century to the 19th century to escape religious persecution which included torture and murder, state sanctioned or otherwise. It was then I realized that hatred does not just affect the other guy, it can affect us, any of us, at any time for almost any reason. And it became clear to me that we are all equally human, and that if one person is a victim of hate, we all suffer for it.

4. THE CRIMES: TWO CASE STUDIES

by Bernie M. Farber

While statistics prepared by Metro Police suggest most hate crimes are committed by individuals not directly connected to any organized hate group, it can be argued that the hate propaganda efforts of racist groups and others certainly set a tone and a climate that nourish the hate in people not necessarily members of their groups.

And too, a look at the hate-motivated crimes committed by members of hate groups suggests they are more vicious and have a disproportionate effect on their intended victims. Here's a look at two such crimes from recent files.

4.1 Hate Music and Racist Violence

On a hot summer night in late August 1993 a young violent neo-Nazi skinhead by the name of Jason Hoolans was attending a "hate rock concert" sponsored by the neo-Nazi Heritage Front. George Burdi's band RaHoWa was being featured along with another hate-rock group known as ARYAN. This hate rock concert was held in a North York bar and attracted over 250 young people.

Hate rock "hits" including *These Boots are Made for Stompin (Jews)* and *Let's go Coon Huntin' Tonight* were sung with vitriolic exuberance.⁴⁵

Pumped up by beer and alcohol and injected with these evil musical lyrics, Jason Hoolan's went "coon huntin" that night.

His innocent victim was a young immigrant, from Sri Lanka, by the name of Sivarajah (Rajah) Vinasithamby. Rajah and his young family had immigrated from Sri Lanka to Canada only a few months earlier. Although a qualified and experienced science teacher, Rajah had taken a job as a dishwasher in a downtown restaurant in order to support his wife and two young children.

There was to be a fateful and tragic meeting that night.

In his "reasons for sentence" at the trial of Jason Hoolans, Justice Hugh Locke put it this way:

"Mr. Hoolans wore heavy steel toed work boots, pseudo army combat pants and a t shirt. He and others of his ilk that night walked the streets and the alleys of Toronto looking for victims. His object was to obviously satisfy a certain perverted urge to do physical violence to other human beings, especially those whose skin colour is not white.

Mr. Vinasithamby that night was finishing his shift as a dishwasher in a restaurant located on or near Bloor Street. As part of his duties he stepped into his alley at the back door of the restaurant in order to dispose of garbage. He did that as Mr. Hoolans, ..., was stalking the alley at that location.

In the result, the accused attacked the complainant, put him to the ground and then proceeded to administer a savage beating to Mr. Vinasithamby, which included multiple kicks to the latter's head by the accused, who was wearing those heavy steel toed work boots.

....The acts of this accused have left his victim with permanent injuries of a most serious type. This was a totally unprovoked, deliberate cowardly attack. The complainant is a victim in the most accurate sense of the word.

⁴⁵ Globe and Mail article, June 6, 1993

...Mr. Hoolans at all material times was a member of a racial hate group dedicated to perpetration of violence upon members of visible minorities as well upon Jews and others.⁴⁶

Interestingly, during the course of the trial, at which Mr. Hoolans pled guilty in his own defense he noted:

"As long as I can remember I was in trouble with the police."⁴⁷

When asked by defense counsel Daniel Brodsky, why it was he joined a neo-Nazi skinhead group Hoolans stated:

...It seemed that they belonged to an empire. I felt a sense of belonging."⁴⁸

It was Jason Hoolans testimony that he was "brainwashed" by hate material and most specifically hate music which led him to the kinds of actions he committed against racial minorities.

"The skinhead's enemies were visible minorities, whites who were sympathetic to visible minorities and homosexuals. Skinheads were a new breed, like a pack of wolves."⁴⁹

In sentencing Jason Hoolan's to 5 years in penitentiary Justice Hugh Locke found racial hatred as a motivating factor. To this day the sentence imposed on Jason Hoolans remains as the longest and most significant amount of prison time given to a neo-Nazi skinhead for racist violence.

⁴⁶ Reasons for sentence, Mr. Justice Hugh Locke, Ontario Court General Division, March 8, 1994.

⁴⁷ Globe and Mail article, Thug Jailed for Beating Immigrant, March 9, 1994

⁴⁸ Globe and Mail Op Cit

⁴⁹ Globe and Mail article Op Cit

4.2 A Synagogue Desecration

Several years ago on a quiet summer evening in a residential area of downtown Toronto, Sharon M. aged 19 was having a party at her parents' home. Mr. & Mrs. M were away for the weekend. Sharon, a part-time cadet with the Canadian Armed Forces, was not known to be a trouble maker. Recently, however, Sharon had met a new group of friends, racist skin-heads. She was particularly attracted to a young neo-Nazi skin-head, Zvonimir Lelas, at the time aged 21.

Alcohol, loud music and profanity were the order of the evening. Soon a plan was to emerge:

"During the course of the evening it was suggested that the group would go to a synagogue for the purpose of spray-painting it with paint"⁵⁰

Checking the yellow pages, a nearby synagogue was located; the Shaarei Shomayim a few blocks from Sharon M's home. Approaching the synagogue, Lelas and Sharon wasted no time. In an orgy of antisemitic hatred, Lelas sprayed two large swastikas circled in red on the main doors of the building, followed by *Smash the Zog* (antisemitic acronym for Zionist Occupational Government).

Working in a frenzy, Lelas and Sharon added *White Power* and more swastikas to the walls and windows of the synagogue.

The night of hatred was not yet over. To complete the evening, Lelas spray-painted *Nazism* and a swastika on the Hebrew day school sign, located not far from the synagogue. As well, spray painted on the door of the Hebrew day school was the phrase *ZOG HAS DIED*. Prior to completing his night's task, Lelas painted a large swastika on the hood of a car which, as it turned out, was Jewish owned. This would become significant in the investigation to follow.

The house chairman of the Shaarei Shomayim Synagogue and a Holocaust survivor was the first person at the scene to witness the damage. In giving a victim impact statement to the court during the Lelas sentencing, he recalled that terrible day:

"I don't have to tell you how much I was personally emotionally hurt as a survivor to see after 45 years that horrible thing on our synagogue."⁵¹

Under the chairmanship of the late David Satok, the Community Relations Committee, Canadian Jewish Congress, Ontario Region decided for the first time to offer a reward of \$5,000 for information leading to the arrest and conviction of the perpetrators. Over the next 5 days, 40 different religious, ethnic and minority groups came forward and added to the CJC reward. People and organizations from all walks of life: Black, Chinese, Anglican, Japanese, Serbian, Roman Catholic and many more had come together in a unique show of solidarity raising the reward to an unprecedented \$25,000.

⁵⁰ Ontario Court, Criminal Division trial, *R vs. Lelas*, January 12, 1990

⁵¹ Ben Stark, victim impact statement in Ontario Court, Criminal Division, Jan. 12, 1990

Then, days later, after having received several useless "tips" Canadian Jewish Congress received a significant phone call. One piece of crucial information had been withheld from the media - the swastika painted on the car hood - yet this caller knew the entire story, including the swastika on the car.

Canadian Jewish Congress facilitated in linking the informant with the police. Zvonimir Lelas and Sharon M were arrested. Interestingly, Lelas was preparing to lead a group of neo-Nazi skinheads to a neo-Nazi rally being held that summer in a small town outside of metro Toronto. As a result of Lelas's quick arrest, the neo-Nazi skinheads were leaderless and drifted away leaving the event sparsely attended.

Both Lelas and Sharon M pleaded guilty to "mischief" and "property" offenses. Sharon M had no prior record, nor any prior connection to neo-Nazi groups. She was given a suspended sentence. Lelas, on the other hand, was different. He had a lengthy history of involvement with neo-Nazi groups, including a leading role as an Exalted Cyclops with a Ku Klux Klan cell. Despite this information, as well as victim impact statements from synagogue members and the Canadian Jewish Congress, Lelas was only ordered to pay restitution and serve a six month sentence.

The Crown appealed the sentence and a year later the Ontario Court of Appeal granted the application and upheld the appeal substituting a sentence of one year. In writing for the majority, Justice Houlden stated,

"When mischief is racially or religiously motivated and is done to cause emotional injury or shock to a particular segment of Canadian society, it calls for a far more severe penalty than mischief which is done merely to damage property....A sentence of 6 months is not in my opinion sufficient.....to show society's general abhorrence over the acts of the respondent. The message must go out loud and clear that conduct such as that engaged in by the respondent will not be tolerated in Canadian society....and will be met with a severe penalty."⁵²

Since Justice Houlden's statement on sentence, the Canadian government has passed Bill C41 which now makes it mandatory across the country for judges to take into consideration during sentence, "hate" as a motivating factor in the crime. Bill C41 has become a primary tool in fighting hate-crime in Canada.

⁵² Ontario Court of Appeal, Mr. Justice Houlden, R. vs. Lelas, 1991

5. THE LAW

by Steven H. Shulman

There are many legal remedies available in Canada to respond to hate activity, be it hate propaganda or other criminal acts motivated by hate of a particular group or groups. This chapter will attempt to provide an overview of the most important legal remedies currently available and their relative strengths and weaknesses in combating hate activity.

5.1 Hate Activity and The Law

A natural question which arises is how to define the abstract concept of "hate". After all, hate in and of itself is an emotion rather than a concrete act. The emotion of hate often results in specific acts being carried out.

Webster's Ninth New Collegiate Dictionary defines hatred as follows: "prejudiced hostility or animosity (old racial prejudices and national prejudices)."⁵³

The context provided by legislation and its application to actual events is often more helpful in defining terms. That view is certainly applicable to defining the concept of hate. There are a myriad of definitions which have been used by the courts in various instances. One of the more helpful definitions and that which carries the greatest weight in legal terms is the one developed by the Supreme Court of Canada in the criminal case of *R. v. Keegstra* (1990) 3 S.C.R. 697.

Hatred connotes an emotion of an intense and extreme nature that is clearly associated with vilification and detestation. It is an emotion that, if exercised against members of an identifiable group, implies that those individuals are to be despised, scorned, denied respect and made subject to ill-treatment on the basis of group affiliation.

Although the definition in the Keegstra case involved the section of the *Criminal Code* of Canada which acts as the criminal sanction against the most extreme forms of hate propaganda (ie. wilful promotion of hatred against an identifiable group), the definition is relevant to the entire class of hate-related cases.

There is a clear progression implied in the Supreme Court's definition of hatred. The definition deals with an emotion which can result in specific harmful or concrete acts (e.g. discrimination, violence, etc.) against identifiable groups in our society. Essentially, implicit in the definition is a continuum from hate propaganda, to discrimination, to physical violence in the worst case scenario.

As with all other facets of human interaction, the law does not provide a solution to the problem of hate in our society. World history and current events teach us that humanity has not yet evolved to the point where it has produced a fool-proof solution to hate. Rather, legal remedies are among the tools available in the constant struggle against hate moving our society away from freedom and democracy. Other tools include education and the promotion of social interaction. However, it should be stressed that the law has an important role to play, most often in situations where education or the promotion of social interaction are non-starters.

⁵³ Webster's Ninth New Collegiate Dictionary

A common criticism leveled against legal remedies is that they are reactive rather than pro-active. Legal remedies are most often applied in response to conduct which has already occurred, be it the dissemination of hate propaganda or criminal acts motivated by hate against minority groups, although there are notable exceptions. However, the importance of legal remedies goes above and beyond a solely punitive function.

Legislation, be it in the form of criminal sanctions, human rights law, immigration law, or judge-made law (ie. common law) sends a message to our multicultural society about values of decency and tolerance accepted as the norm by our Government and, by extension, the vast majority of Canadians. Particularly in a diverse city like Toronto, the mere existence of legal sanctions to deal with those who would seek to attack identifiable groups because of their race, religion, ethnicity, beliefs, or other factors provides a great measure of comfort to minority groups. These remedies send the message that this society is different than those which have historically allowed abuses against minority groups, often with the state's help. In Canada, the state, through the law, plays a role in fighting such acts. Certainly, the legal remedies available need to be used to underscore that message.

Finally, the existence of legal remedies which are available to combat hate act as a deterrent against hate activity. While it is impossible to scientifically measure how many individuals are deterred from promoting hatred or carrying out criminal acts or human rights violations motivated by hate, as a result of existing legislation, anecdotal evidence provides some support for the argument in favour of deterrence. The best anecdotal evidence of the deterrent effect of anti-hate legislation in the Metropolitan Toronto area is provided by the rise and fall of local "hate telephone lines", discussed below.

5.2 Criminal Code provisions

(a) Hate propaganda - incitement

The most notable group of provisions in the *Criminal Code* which address hate activity are those which impose a criminal sanction against advocating or promoting genocide and wilfully promoting hatred against an identifiable group, in addition to that which empowers a judge to seize hate propaganda. The applicable Criminal Code provisions are sections 318, 319 and 320 (see *Appendix G*).

Section 318 prohibits advocating genocide against an identifiable group. Genocide means intent to destroy in whole or in part any identifiable group by killing members of the group or deliberately inflicting on the group conditions of life calculated to bring about its physical destruction. Identifiable groups are any group distinguished by colour, race, religion or ethnic origin. To date, there have been no charges laid under this section in Ontario.

Section 319 deals with two separate offenses. The first, prohibits communicating statements in any public place which incite hatred against an identifiable group where such incitement is likely to lead to a breach of the peace. The second branch of section 319 (ie. section 319(2)) is the provision which has been used more extensively and has been seen as the primary criminal provision available to combat hate propaganda. Section 319(2) prohibits the wilful promotion of hatred against an identifiable group, by communicating statements other than in private conversation. The maximum sentence available under this provision is two years imprisonment.

There are a number of full defences available to a person charged with wilful promotion of hatred. These defences include establishing the statements were true; made in good faith; relevant to any subject of public interest and made for the public benefit if on reasonable grounds the accused thought the statements to be true; or if in good faith the accused intended to point out for the purpose of removal matters producing or intending to produce feelings of hatred towards an identifiable group in Canada (eg. the statements were made to educate people about racism and anti-racism).

A key requirement of section 319(2) is that the consent of the Provincial Attorney General is required prior to the laying of a charge. A number of individuals and groups active in anti-racist causes have argued that this aspect of the provision should be removed because it makes it relatively difficult to lay a charge as compared with other *Criminal Code* provisions. There have also been arguments that the categories of groups included in the provision should be expanded and available defences reduced.

Any change in section 319(2), however minor, could threaten the constitutionality of the provision. The Supreme Court of Canada has clearly held that the provision is constitutional. The Court made its pronouncement in *R. v. Keegstra* and the companion case of *R. v. Andrews* (1990), 1 C.R.(4th) 266 (S.C.C). *Keegstra* was charged with violating the section due to his 14 years of teaching students that the Holocaust never happened and that there exists an evil Jewish conspiracy determined to control the world.



In *Keegstra* the Supreme Court held that while the provision offends the freedom of expression guaranteed in section 2(b) of the *Charter of Rights and Freedoms*, it is a reasonable limit on that freedom pursuant to section 1 of the *Charter*. Significantly, the Court found the provision to be a reasonable limit on freedom of speech largely due to the safeguards against abuse of the section contained in the numerous defences offered and the requirement to obtain the Attorney General's consent. It is likely that any change to the section would result in another test case going forward to the Supreme Court of Canada over the course of many years, effectively nullifying the impact of the provision in the interim.

Contrary to popular belief, Ernst Zundel has never been charged with wilfully promoting hatred against an identifiable group. Rather, in 1983 Sabina Citron, a Holocaust survivor, laid a private complaint pursuant to section 181 of the *Criminal Code*, colloquially known as the false news law (ie. everyone who wilfully promotes a statement, tale or news that he knows is false and causes or is likely to cause injury or mischief to a public interest). During the 1980's Zundel was convicted twice by a jury of his peers in relation to his distribution of *Did Six Million Really Die?*, an antisemitic Holocaust denial tract. However, in August 1992, in a 4-3 decision, the Supreme Court of Canada declared that the "false news law" was unconstitutional as, in the majority's opinion, the limit to free speech contained in this section was too broad, and therefore could not be justified pursuant to section 1 of the *Charter*⁵⁴ (See *Appendix C*).

The fact that hate propagandists such as Ernst Zundel or others of his ilk have not been charged under section 319(2) speaks more to the lack of enforcement than to the effectiveness of the section. While use of the section should be reserved for the most serious of hate propaganda cases, there is no doubt that it is underused. Despite spiraling incidents of hate propaganda in the early 1990's and the launching of the so-called Metropolitan Toronto Police "Hate Crimes Unit", only one person was charged with violating section 319(2) by the Hate Unit.⁵⁵ In August 1993 the Attorney General of Ontario gave consent to the commencement of proceedings against Elisse Hategan, a former Heritage Front member. The charges were withdrawn when it became clear to police that Hategan was not responsible for wilfully promoting hatred, but instead following a change of heart was warning some anti-racist activists in her school about being targeted by hate propaganda produced by the Heritage Front.

It is not clear whether any responsibility lies with police or the department of the attorney-general for the dearth of charges laid under this section in recent years. What is clear is that there has been a lack of adequate resolve at the enforcement levels of responsibility, which has rendered section 319(2) much less of a deterrent than it should be.

The last in a trio of anti-hate provisions, section 320 of the *Criminal Code* permits a judge to authorize the seizure of any publication that he/she deems, on reasonable grounds, to be hate propaganda.

⁵⁴ See *R. v. Zundel* (1992), 75 C.C.C. (3rd) 449 (S.C.C.)

⁵⁵ Metro Police Service's Hate Crimes Unit did assist Durham Regional Police and the Ontario Provincial Police in a 2 year investigation that led to hate promotion charges being laid against two Durham men in Oct. 1996. The Attorney-General gave consent to the charges being laid 8 months after the completion of the police investigation.

(b) Hate motivation - sentence enhancement

The hate propaganda sections of the *Criminal Code*, described above, recognize the need in a free and democratic society to reasonably balance the right of citizens to freely speak their mind without fear of retribution, together with the right of ethnic, racial, and religious minorities to be protected from harmful vilification. Canada's anti-hate laws provide a fence of protection for minority groups against hate propaganda while at the same time ensuring that, as much as possible, freedom of speech is honoured and guaranteed. However, other forms of hate crime are not caught by the hate propaganda sections. These are *Criminal Code* offenses motivated by hatred against an identifiable group, which do not involve hate propaganda. Such offenses can range from mischief (e.g. defacing synagogues or mosques with anti-Jewish or Muslim epithets), to the most vicious assaults, to murder.

Throughout the early 1990's hate crime of this type continued to rise in a most dramatic fashion, particularly in the urban areas of our country. In August 1994, Detective Sergeant Wayne Cotgreave of the Metropolitan Toronto Police Hate Crimes Unit noted that there had been a 51% increase in hate crimes reported in the Metro Toronto Area, compared with the previous reporting period.

In 1995 legislative proposals to reform sentencing practices in Canada, popularly known as Bill C-41, received royal assent. A portion of Bill C-41, now found in the *Criminal Code* as section 718.2 provides for longer sentences for hate-motivated crimes (see *Appendix H*). In effect, section 718.2 of the *Criminal Code* makes hate-motivation in the commission of any offense an aggravating factor upon sentencing. For example, prior to the enactment of the section, there was no requirement that a court order a more serious sentence for somebody who spray painted "die Jews" on a synagogue as compared to a perpetrator who spray painted a happy face on the wall of a corner drugstore. Therefore, section 718.2 pays due regard not only to the property damage in such a case, or physical pain and injury suffered as a result of an assault, but also takes into account the intense emotional pain suffered by members of the entire targeted community.

The categories of hate-motivation covered by the section include bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation or any other similar factor. As a result, the categories included in the provision are even broader than those set out in the hate propaganda sections of the *Criminal Code*. Contrary to the attacks by some critics on Bill C-41, which characterized the legislation as a "gay rights provision", the new section merely recognizes the fact that in relation to targets of violent hate crime, members of the gay community have been singled out for vicious assaults and even murder in recent years. The inclusion of sexual orientation among the listed categories for hate motivation recognizes that while all Canadians are entitled to equal protection under the law, criminal acts which are specifically intended to terrorize the gay and lesbian community in Canada have increased in number and, ultimately, have become a societal problem.

The inclusion of sexual orientation does not confer special rights on any community but rather helps to ensure that people are not targeted as the victims of crime based solely on their sexual orientation. This safeguard should ultimately better promote equal rights for all Canadians.

5.3 The Canadian Human Rights Act

Section 13 of the *Canadian Human Rights Act (CHRA)* makes it a violation of the *CHRA* to communicate telephonically or to cause to be communicated any matter that is likely to expose a person or persons to hatred or contempt by reason of the fact that that person or those persons are identifiable on the basis of a prohibited ground of discrimination (see *Appendix I*). The prohibited grounds of discrimination are religion, race, colour, national or ethnic origin, age, sex and marital status, disability, and sexual orientation.

Essentially, section 13 has been used to combat what are popularly termed telephone hate lines which involve a prerecorded hate message, prepared by a group or individual, to which any member of the public could dial by telephone. In many instances, these telephone hate lines have been used by hate groups as a way to expand membership.

Among the sanctions available in response to a violation of the section is a cease and desist order in relation to messages which cause hatred or contempt against identifiable groups. In the event that such orders are not complied with, criminal contempt of court proceedings are available and have been used..

Other differences between section 13 and the *Criminal Code* provisions are that the *CHRA* provision applies to messages of hatred or contempt transmitted only by telephone lines. Given that section 13 is not a criminal provision, the standard of proof required is less than that necessary for a conviction pursuant to section 319 (2) of the *Criminal Code*. Under section 319 (sub 2) the violation must be proved at the criminal standard, *beyond a reasonable doubt*. In contrast the less stringent civil standard of proof on the *balance of probabilities* is the bench mark to show a violation of section 13. In addition, section 13 deals not just with promotion of hatred but with "hatred or contempt". It is clear that the promotion of contempt under section 13 requires the promotion of less severe dislike than that necessary for "promotion of hatred", as contemplated in the Keegstra decision.

Section 13 of the *CHRA* has played an important role in limiting the dissemination of hatred and contempt against identifiable groups in the Metropolitan Toronto area. Between 1991 and 1994 there were at least 7 taped telephone "hotlines" spreading hate messages, with many of those operating at the same time. Complaints pursuant to section 13 were filed with the Canadian Human Rights Commission in relation to hate lines in British Columbia, Manitoba and Ontario.

The most notable was a complaint to be considered by the Commission against the Heritage Front, operators of the most notorious hate line in this city. In 1994, before a Human Rights Tribunal, Wolfgang Droege and the Heritage Front accepted a consent order admitting that its messages were likely to expose persons to hatred or contempt and agreed to cease and desist from transmitting the messages.

Soon after the consent order, the Federal Court Trial Division found Wolfgang Droege (leader of the Heritage Front), Gary Schipper (i.e. the voice of the hate line), Kenneth Barker and the Heritage Front guilty of contempt of court for continuing to play hate messages on a newly established Equal Rights For Whites hate line. All of the individuals involved served time in prison and the Heritage Front was fined \$5,000.⁵⁶

Within a short time following the contempt of court conviction only one hate line remained in the Toronto area. It is clear that the use of the legislation available to combat hate lines was effective, not only moderating the message of the hate line which continued, but also serving as a deterrent against the continued operation of other such lines in Toronto. Indeed, Kevin Lew, who ran a Ku Klux Klan hate line in 1992, admitted that the threat of criminal contempt of court proceedings was enough to make him hang up his hate line.⁵⁷

Beside hate telephone lines, section 13 has the potential of being employed against hate messages on the Internet. The reason for section 13's applicability is that Internet messages are transmitted via telephone lines. While no case has yet been completed, applying section 13 to the Internet, one highly publicized case is in its early stages. The Toronto Mayor's Committee on Race Relations and a Toronto Holocaust survivor, Sabina Citron, have commenced companion complaints against Ernst Zundel in relation to material posted on his website. The case is currently at a preliminary stage.

Certainly, there are potential problems in the application of section 13 to the Internet. In some cases, demonstrating *Canadian Human Rights Commission* jurisdiction may be difficult given that many hate messages, via the Internet, that find their way into Canada originate from beyond this country's borders. In addition, there are many difficult evidentiary issues including the responsibility of individuals who may not physically post hate messages on the Internet but have their work posted by another person or group. Despite the hurdles, section 13 certainly holds promise.

⁵⁶ The Front never paid the \$5,000 fine

⁵⁷ Unpublished interview with Kevin Lew by Toronto Sun reporter Bill Dunphy, July, 1992

5.4 The Ontario Human Rights Code

The applicability of the *Ontario Human Rights Code* to hate activity, is limited, since the prime focus of the legislation is discrimination in the areas of employment, services, accommodation and contracts. However, section 13 of the code prohibits the publication or display of notices, signs, symbols or other similar representations that indicate the intention of the person to infringe or incite infringement of the code right. One of the code rights is "equal treatmentwithout discrimination". Potentially, such hateful symbols as swastikas in the work place or in housing environments could violate the code.

Prohibited grounds of discrimination in the *Ontario Human Rights Code* are race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status, receipt of public assistance (in accommodation) and record of offences (in employment).

(c) The potential for other civil legislative remedies for hate activity

In recent years there has been much talk and some movement toward establishing a civil cause of action in response to hate propaganda in particular and hate activity in general. In fact, current Ontario Attorney General, the Honourable Charles Harnick, brought forward a private member's bill initiating such legislation while in opposition. Mr. Harnick later withdrew the bill.

On the surface, such legislation would seem to be advantageous to those involved in the fight against racism and antisemitism. Many believe such legislation would provide an additional tool to combat hate activity. Further, the ability to civilly sue hate groups could potentially cease the operations of hate groups found liable as they would be hit in the pocketbook. Further, a civil proceeding could be initiated by targeted groups in those cases in which police and governmental authorities are either unwilling or unable to prosecute.

On the flip side, there are many criticisms of the development of such legislation. Some of the arguments in opposition to the statutory creation of a new tort with respect to hate activities are as follows:

- Many anti-racist groups take the position that dealing with hatemongers is the state's responsibility. In particular, the legislative tools already available under both the criminal law statutes and human rights code should be used to their full potential.
- Such civil legislation might create the erroneous impression that responsibility for dealing with racist extremists has shifted from the government and human rights commissions to private citizens and organizations. The potential of creating such a perception, in and of itself, provides sufficient reason for objecting to the creation of new civil legislation, with questionable constitutionality and impact, which would have the effect of neutralizing government action in this area.

- There is potential for a large number of frivolous actions initiated by hate groups and members of hate groups against anti-racist organizations which seek to fight the promotion of racism and antisemitism. Responding to such frivolous actions would sap anti-racist organizations of their resources in the form of time, energy and money.
- The focus on civil actions would not create greater access for parties without financial resources. It is well recognized that access to the civil litigation system, despite the potential of availability of legal aid, is much easier for those with ample financial resources. Thus it is far more equitable to maintain the state's sole responsibility to deal with hatemongers through the use of criminal law or human rights provisions.
- Public support for the whole idea of combating hate group activity could be seriously eroded by an onslaught of civil actions dealing with hate-related activities. Further, the ability of every group and individual to launch civil actions in response to alleged hate-related activities is much more likely to be abused than currently available criminal and human rights sanctions. Thus the potential for stifling legitimate free speech would be that much greater with legislation creating a civil right to sue.
- It would be exceedingly difficult for target groups, such as the Jewish or black communities to prove pecuniary damages. In the event that fines are set out in any proposed legislation to get around this problem, a new difficulty will be created providing for criminal sanctions flowing directly from a civil proceeding. In British Columbia there has been a civil cause of action for hate activity in effect since 1981. The provision has not been used. Possible reasons for the disuse of the legislation are the high costs of privately commencing civil litigation and the uncertain level of damages available.

Alternatives to creating a new tort include amending the *Ontario Human Rights Code* to prohibit a broader range of hate activity and to permit individuals or groups to file such complaints with the Ontario Human Rights Commission. An amendment broadening *the Human Rights Code* to take into account hate-related matters could be made in conjunction with providing the Commission with greater resources and, if necessary, restructuring the Commission so that complaints could be handled more expeditiously.

Responding to hate-related matters which fall outside the ambit of the criminal law, through an expanded *Human Rights Code*, would: maintain state responsibility for hate related matters; be less problematic constitutionally; and be more equitable for complainants on a cost basis as compared to the civil litigation process.

5.5 Customs and Immigration

One of the roles of Revenue Canada - Customs, Excise and Taxation is to administer the Customs' tariff, which prohibits the importation into Canada of material considered to be obscene, treasonable, seditious, hate propaganda, or child pornography as those terms are treated in the *Criminal Code*.

Hate propaganda being imported into Canada can be detained and or seized by Canada Customs. Upon seizure, Canadian importers are advised in writing that the material has been examined and that importation is prohibited. The importer then has a right to appeal the decision, initially to a senior Customs officer and then to the applicable Deputy Minister.

In practice, Revenue Canada - Customs, Excise and Taxation prints a list of material prohibited by the Importations Directorate every three months. Included in the list are numerous publications, including computer diskettes, magazines, audio and video tapes which are prohibited from importation to Canada based on their "hate propaganda" classification. Also any person, not only customs officials or police, may alert the Prohibited Importations Branch (of Canada Customs) of material being imported to Canada that may fall under the "hate propaganda" classification.

Section 19 of the *Immigration Act* complements customs regulations by addressing indirectly the need to protect our borders from foreign citizens who come to Canada for the purpose of promoting hatred against identifiable groups (see *Appendix J*).

Under section 19 there are two potential avenues available to bar hatemongers from Canada. The first possibility is barring admission on the basis of a criminal record. In fact, a significant proportion of well known hatemongers outside of Canada have been convicted criminally either for their hate propaganda activities or other criminal offences recognized by both the foreign jurisdiction in which they were convicted and Canadian law. On such a basis, individuals can be barred from entering Canada.

Individuals can also be barred from Canada if there are reasonable grounds to believe that they will commit one or more offences punishable by way of indictment under any Act of Parliament. For example, a well-known hatemonger from abroad, scheduled to appear in Toronto for a public address, could be barred from this country if there were reasonable grounds to believe the person would violate section 319 of the *Criminal Code*. (i.e. willful promotion of hatred against an identifiable group) while in Canada.

The provisions included in section 319 of the *Immigration Act* have been used quite effectively in limiting extreme hatemongers' access to Canada. In recent years, individuals such as Holocaust denier David Irving, Khalid Abdul Muhammed (see *Appendix D*), Tom Metzger, and hate rock bands have been barred from the country.

Deportation remains an option in the event such a person is able to initially evade immigration officials and gain entry to Canada.

5.6 Conclusion

There are additional legal means potentially available to those in society - be it government, groups, or individuals seeking to counter hate activity. Possibilities include using the punitive sections of the *Income Tax Act* in response to hate mongers who don't accurately report the income they derive from the sale of hate propaganda. There is also potential legal recourse available at common law to conference facility owners, be it hotels or convention centres, who unwittingly rent out space to hate groups for group meetings or public gatherings.

Despite recourse to these alternative legal remedies, the primary remedies in Ontario for combating hate activity have been described. To date, the effectiveness of these provisions have, for the most part, not been curtailed by the courts. Rather, it has been the failure of the authorities to seize the opportunity provided by existing legislation, particularly that aimed at hate propaganda, which has limited the deterrence value of such provisions. Once again, as in other facets of human activity the law is not a complete solution but is certainly part of the answer.

The battle against hate is a continuing process. While the white supremacist movement in Metro Toronto (and for that matter across the continent), has always remained very much on the periphery of society, its potential for violence should be our foremost concern.

While the history of hate groups and their leaders is almost tidal - a regular ebbing and flowing of their fortunes, the movement reached strengths unheard of in the early 90's. And although criminal sanctions and the thorough penetration of the group by a CSIS mole led to a recent, temporary, collapse of the movement, there is little cause for celebration. This latest incarnation has demonstrated that Canadian society was ill-prepared, unwilling and lacked the 'fire in the belly' necessary to take the strong and decisive action required to inoculate society effectively.

We have the legal tools; we appear to lack the will.

The real danger as we head into the 21st century is that now a significant number of hate group leaders have emerged who are experienced organizers and who understand the importance of "preparing the soil" before the seeds of hate may grow. While presently these groups appear in disarray and the attention of Toronto and Canada is elsewhere, the work of the Droeges, Zundels, Lemires, and others continue to creep along like some malignant vine.

With potential leaders like George Burdi waiting in the wings it becomes more urgent that Metro Toronto be seen as a leader in combating hate, hate groups and white supremacy.

We offer therefore the following recommendations emanating from this report for your respectful consideration:

RECOMMENDATIONS


1. Education

- a) Notwithstanding any planned changes to Metro Toronto's government structure, Metro Council should re-affirm the need for an Equity Centre to carry out the vital role of equity education and advocacy in a thriving multicultural city.
- (b) Metro Council should press local school boards to offer mandatory courses on anti-racism, Holocaust education and the history of white supremacy. The utilization of videotapes, reference books and the internet should be considered.

-
- (c) Metro Council should more broadly recognize those young people actively involved in legitimate anti-racism work. Awards, citations and other forms of recognition go a long way in presenting a positive image about our multicultural society.
 - (d) Metro Council, through its Equity Centre, should acquire and provide "public" information in the form of CD ROMs, printed material, videotapes etc. on the history of white supremacy in Toronto: its dangers, and how best to deal with the situation.
 - (e) Metro Council should conduct a review of area public and school libraries to determine if openly white supremacist and Holocaust denial material is available for general distribution. The review should include an examination of what, if any, policies are in place to ensure that such materials are appropriately classified and reserved for academic work, perhaps centralized in the Metro Reference Library.
 - (f) Metro Council should encourage area schools and other institutions to make common use of facilities within Toronto such as the *Holocaust Education and Memorial Centre* in understanding the evolution and history of hate.
 - (g) Metro Council should encourage the provincial teachers' associations and unions to be more cognizant of the need to ensure that their charter and guidelines around anti-racism are strictly upheld. Council should recommend to the newly-instituted College of Teachers that it develop and enforce a code of conduct that sends a clear message to the community that racist activity by teachers - in or out of the classroom - will not be tolerated.
 - (h) Metro Council should encourage private businesses and enterprises to be "good corporate citizens" and not distribute or sell hate rock CD's, white supremacist insignias, materials, etc.
 - (i) Metro Council should consult with the hate crimes unit of the Metropolitan Toronto Police Service for advice on hate insignias such as swastika flashes, Doc Marten boots with coloured shoelaces, Celtic Crosses, etc. Metro Council should then work with local school boards to ensure our schools are an inclusive and welcoming place. Racist insignias create an atmosphere of fear and hate.

2. The Law

- (a) "We have the legal tools; we lack the fire in the belly". Metro Council should ask its representatives on the Metropolitan Toronto Police Services Board to urge enforcement of Canada's anti-hate laws. These laws, *as they are now*, when properly enforced are effective.

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- (b) Metro Council should examine what role they can play in advocating effective use of the law (the *Canadian Human Rights Act*, the *Ontario Human Rights Code*, the *Immigration Act*, tax laws, GST AND PST guidelines, etc.) by other levels of government in dealing with hatemongers.
 - (c) Metro Council should develop policy forbidding the use of public facilities such as library auditoriums, city hall sites, etc. by known hate groups.
 - (d) Metro Council should refuse to give grants or do business with those in the private sector who offer facilities to hate groups.
 - (e) Metro Council should ask their representatives on the Metropolitan Toronto Police Services Board to press for the transformation of the police "Hate Crimes Unit" to a dedicated, full-time unit whose sole function is to investigate all hate-related crimes within the Metro Toronto. Its present status as a "part-time" unit with no separate investigative authority does not conform to the practice of other large urban police forces which recognize the need for dedicated units.
 - (f) Metro Council should urge the local Crown Association to appoint a Crown or Crowns with specific responsibilities towards hate and hate groups. The building up of a body of knowledge be it within the Crown's office or police force is absolutely essential in coming to grips with hate activity in our city.
 - (g) Metro Council should consider lobbying the provincial government to amend the *Ontario Human Rights Code* to prohibit a broader range of hate activity and to permit individuals or groups to file such complaints with the Ontario Human Rights Commission. This could be done in conjunction with providing the Commission with greater resources to handle such complaints. Consideration of establishing new "civil procedures" which would allow anti-racist groups to civilly sue in court would, in our opinion, not be terribly helpful.
 - (h) The Government of Metro Toronto should take a firm stand on not permitting known white supremacists or racists entry to Canada from another country. In the past it has always been the affected communities who had to speak out on this matter. Under section 19 of the *Immigration Act* racists with a criminal record can be denied entry. So too can foreign hatemongers whom Canadian authorities have reasonable grounds to believe are entering Canada to violate our anti-hate laws. It is urgent that our elected municipal representatives make their voice heard on these matters.

3. The internet

- (a) The Internet is not sacrosanct. Metro Council should support the use of criminal law sanctions and civil law processes in relation to internet use. Specifically, where there is evidence to proceed by criminal prosecution or civil process under federal or provincial law such action should be taken.
- (b) Metro Council should establish a method in which the Access and Equity Centre could continue to gather internet data and monitor hate groups, hate websites and violent pornography.
- (c) In conjunction with other like-minded groups and organizations, Metro Council should continue to raise awareness of and explore strategies to combat internet hate by involving university students, the wider community, women's groups, ethno-cultural groups and other non-governmental organizations in its efforts.
- (d) Metro Council should be a leader in helping to establish a forum for internet service providers to explore the possibility of establishing guidelines and/or a code of ethics for the internet. This could be done in conjunction with other organizations and interested individuals who are working towards the same goal.
- (e) On the Metro Toronto Government website, links should be established with other web pages which provide the necessary information and/or links for individuals who require details on hate, news groups and hatemongers, as well as provide information on how best to respond to such groups.

Respectfully submitted,

Bernie M. Farber,
for The Canadian Jewish Congress, Ontario Region

January, 1997

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