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Discrimination not always the same thing as bigotry

The goal of ending discrimination continues to create absurd and unjust situations that leave tolerant and sensible people shaking their heads.

Sonja Power, 17, was on the cusp of earning her black belt in Aikido at a Halifax dojo when a Muslim man joined the class, and demanded, as his legal right to be “free from discrimination,” that he be exempted from bowing and from any contact with women during sparring.

In the name of human rights, Power and the other women were told to stay on one side of the room and not to approach the Muslim man to respect his faith, and to “get used to” gender separation becoming the norm in Canada.

St. Catharines, Ont., fitness club owner John Fulton was saddled with tens of thousands of dollars in legal bills fighting human rights authorities who tried to compel him to allow a male, who had not yet undergone gender re-assignment surgery, to use the women’s washroom inside the women’s change room.

Faith McGregor filed a discrimination complaint against a Muslim barber who had refused to provide her with a men’s haircut, because touching a woman was contrary to his religious faith.

Maclean’s magazine was forced to spend tens of thousands of dollars defending itself against a human rights complaint over its publication of opinions that were critical of fundamentalist and jihadist Islam.

The cases in which “discrimination” is used to attack religious schools and universities (almost always Christian

ones) and the peaceful expression of opinion (usually social conservative views) are too numerous to mention.

Originally, discrimination simply meant making a distinction. It was a neutral or even positive term, considering that a “discriminating shopper” is someone with sophisticated tastes. Since the 1960s, the word discrimination has gradually changed to mean the same thing as bigotry: failing to promote a qualified woman in the workplace, or refusing to rent an apartment to a non-white family.

The noble ideal of protecting employees, tenants and consumers from bigotry in commercial settings was the impetus for human rights legislation. But in Canada today, the legal right to be “free from discrimination” is used aggressively to attack private or voluntary associations like gyms, barber shops, magazines, martial arts studios, and Christian schools and universities.

When a martial arts studio requires bowing to the sensei, or physical contact between men and women during sparring, it most certainly discriminates against anyone who disagrees with these practices. However, this is not bigotry, and people are free to pursue other sports and arts. When a Christian school or university insists on a code of conduct for its students and teachers, in order to create a community that is consistent with its teachings, this discriminates against people who have no interest in abiding by that community’s standards. University students are free to choose another community. Parents and teachers are free to choose a different school.

In a free society, every voluntary association discriminates on the basis of its beliefs, interests, activities, or identity. Freedom of association — one of the cornerstones of Canada’s free society — is undermined by this new, intolerant “right” to force changes on associations that one disagrees with. The latter amounts to thinly disguised totalitarianism.

In Alberta, MLAs Kent Hehr and Danielle Smith have effectively called for an end to government funding for Catholic, Protestant and other religious schools that insist on hiring and retaining only those teachers who are practising adherents of the school’s faith. In the name of ending “discrimination,” these politicians attack freedom of association and parental choice in education, demanding that every school in Alberta must conform to fashionable post-modern beliefs about marriage and sexuality in their approach to staffing.

Canada’s drift toward even greater injustice will only get worse until people appreciate that just discrimination is a necessary part of a free society, while bigotry and the compulsion to conformity are not. Current human rights debates are muddled by the fact that “discrimination” can have different meanings, “bigotry” being only one of them.

Restoring our basic human rights, like freedom of association and freedom of expression, will require changing human rights laws or abolishing them. Until then, thousands of Canadian schools, universities, charities and other organizations will continue to live in the shadow of the next human rights complaint.

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