

B'nai Brith Hosts International Symposium On "Hate On The Internet"

By Steven Mock

The International Symposium on Hate on the Internet got off to an explosive start on Sunday. In the opening, a panel of experts on hate crimes and civil liberties squared-off over the issue that would underlie the conference: how to balance freedom of speech with the protection of minorities.

It was agreed both by those on both sides of the question that the new technology of the Internet did not alter this basic philosophical issue.

"I don't think the analysis changes when you talk about a new communications medium," said Professor Nadine Strossen, National President of the American Civil Liberties Union. Alan Borovoy, General Counsel to the Canadian Civil Liberties Association, agreed. "Those of us opposed to the anti-hate law as applied to speeches, books and pamphlets are no less opposed to it as applied to the Internet, for us the dominant issue has always been freedom of speech."

"Internet or no Internet, the wise policy against hatemongers should not be to muzzle them but marginalize them, as far as I'm concerned the advent of the Internet should not alter our position one bit."

Professor Strossen added that if anything, the Internet technology strengthens this position since, "counter-speech is so much more effectively engaged in." She cited grassroots efforts such as the Nizkor project, an on-line resource for documents relating to the Holocaust and Holocaust-denial, as examples.

"Our steadfast opposition to censoring hate speech lies at least as much in our belief in the goals of anti-discrimination as the goals of free speech. Censoring hate speech would do more harm than good to the goals of equality."

She stated that it is paradoxical for marginalized groups to turn to the system for protection, pointing out that, in the past, hate speech laws, once enacted, have been used against minorities. "Minority groups are inevitably the ones whose speech is deemed hate speech."

Professor Irwin Cotler, of the Faculty of Law at McGill University disagreed, stating that hate speech laws prevent minorities from feeling marginalized. "Should a government choose not to enact any prohibitions against hate speech, it appears that minority issues

public response."

For Sigurd Werner, in charge of hate crimes and counter-terrorism in the German province of Baden-Wuerttemberg, the problem was too immediate to be dealt with on strictly a philosophical level.

"We have a responsibility to our citizens and to foreign nationals living in Baden Wuerttemberg. We must protect the younger generation from the propaganda influence of the neo-Nazis.

The Internet has made the enforcement of German laws against hate propaganda problematic." The neo-Nazis, he explained, "use mostly the U.S. and other countries such as Sweden to distribute their propaganda because they know it is against German law."

In his opinion, a solution would have to involve a harmonization of hate-speech laws in the European Union, as well as

world-wide cooperation in monitoring the Internet.

Jeremy Jones, Executive Vice-President of the Council of Australian Jewry identified a similar problem in his country. "Its important to remember that we are talking about an international problem, we (in Australia) have to deal with the consequences of American originated and defended hate material."

However, he agreed that the technology does not alter the principle behind the law itself, but merely the method by which it is to be enforced. "What is legal outside the Internet has to be legal on the Internet. What is illegal outside the Internet should be illegal on the Internet."

Alan Borovoy pointed out that philosophical problems inherent in enforcing such laws remain the same. "It would be hard to imagine an obscenity more malevolent than Holocaust denial, but how do you write a law so beautifully focused that you are going to catch that one awful, unredeemed hate speech without running the terrible risk of catching a lot of other speech in the same net?"

The three-day symposium, organized by the League for Human Rights and Institute for International Affairs of B'nai Brith Canada, was designed to bring together experts and community leaders from around the world to determine an appropriate method for dealing with this insidious new form of hate propaganda.

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