

Civil Liberties in a Democracy: Defenders of our own Freedoms

He that would make his own liberty secure, must guard even his enemy from opposition; for if he violates this duty he establishes a precedent that will reach himself. ~Thomas Paine

From the freedom of expression, speech, and the press, to the freedom to sip a beer on a warm summer evening enjoying a majestically painted sunset, civil liberties are the rights considered inseparable from the human experience. Residing in a nation well known for its high level of personal freedom and respect for individual choice, the vigilance to protect these liberties often wanes as we take for granted the protections afforded under law. It is as important as ever to be aware and fiercely protective of these liberties. Only through complacency may these rights be lost, and only through continual involvement by regular citizens will these rights be upheld.

The belief that humans inherently possess civil liberties, “unalienable rights,” is not new to mankind or its governance. Philosophers, ancient to Enlightenment period, Plato to Locke to Rousseau, wrote extensively on the inborn rights of man. As centuries passed, these rights were conferred on peoples all over the globe, through revolutions in America, in France, in Great Britain.

The struggle has continued into more modern times as well. Citizens of this nation have given their lives in the name of protecting these rights at home *and* abroad in foreign countries. One need not think any further back than World War II, in which many brave and righteous soldiers made the ultimate sacrifice to free Europe and North Africa from the tyrannical fascism of Adolf Hitler and his repressive Nazi regime. Over the latter of the half of the nineteenth century, the battles and political squabbles of the

Cold War were fought and won, liberating millions of people from the totalitarian states consolidated under the USSR and Stalin. The commonality shared by both Hitler and Stalin was their refusal to recognize the liberties and worth of individuals. Both detested and persecuted anyone or any minority that differed even slightly from their ideology.

With such sacrifice and effort made to afford Canada's citizens an incredible luxury of freedoms, we as regular citizens have a responsibility to defend these freedoms in principle, and defend them vocally. In a principled defense of civil liberties, citizens must not let personal opinions or convenience excuse them from actively lobbying to maintain the level of liberty and freedom enjoyed by all. A minority of people, be it a minority rooted in belief, such as religious faith, or a minority rooted in habit, such as those who enjoy smoking tobacco products, share a common protection under law. A law, therefore, that limits a minority's civil liberties sets a precedent for the future limitation of liberties for the population at large.

The Canadian democracy and market economy are based on their recognition of individuals as rational and intelligent, and most productive and happiest when *free*. While our government works everyday for the benefit of its citizens, without the feedback from us, the individuals, their legislation can get out of touch with the mainstream opinion. Civil liberties are best protected when rooted in principle and codified in law. Because legislative power is derived from the electorate, strident defense of our liberties focused at our representatives is the best assurance our freedom is maintained. Consistent legal precedent best protects these liberties, and adherence to the rule of law is the best mechanism for consistency.

The last few decades are resplendent with examples of the erosion of individual liberties. A poignant example is observed in limiting the freedom of speech through a recent phenomenon innocently referred to as *political correctness*. Though there are numerous examples of limiting free speech in the interests of national security, limiting the phraseology in schools and in public discourse because such words may offend a select few is an egregious offense. It is not a coincidence that regimes seeking to exert control over a population burn books, outlaw “rogue” ideas, and forcefully control what is deemed acceptable thought. In a free society, it is not official limitations on speech that protect individuals from the tyranny of those who publish hate-charged literature, but education and debate. Though it may seem counterintuitive to permit completely uncensored publishing, it is through understanding such beliefs that a population can expose and debate these notions in an open forum. A central belief of a free society is that the most rational and enlightened perspective will be reached only after all viewpoints are considered.

Another phenomenon prevalent in the modern democracy is *mission creep*. Mission creep refers to government incrementally infringing on individual liberties through the continuation a successful initiative. The promotion public health provides a direct example of how a government overreaches its legitimate role in the name of public good. In the late 18th and early 19th centuries, due to increased urbanization, both national and municipal governments instituted health codes. Included in these codes were standards for a clean water supply, standards in the meat packing industry, and a better system for disposing sewage. All of these initiatives were critical for the health of nearly every city dweller, and therefore lauded as welcome government intervention.

Riding off this previous success a century later, *in the interests of “public good,”* governments have enacted clean air acts to limit emissions from automobiles and industry, mandated that nutritional facts be printed on packaged food, and most recently legitimized a strong series of laws designed to rid public places of second hand smoke. The beneficial effects of these newer laws and limitations are far less clear. In particular, scientific data to substantiate the claims of success in the anti smoking crusade are often conflicting, yet the press to further limit freedom of the smoking minority continues largely unabashed and questioned primarily by the smoking minority.

Freedom is not free. Recognizing the historical events that have secured our liberties and the level of civic involvement required to protect them, our representative government provides several avenues of input. As participants in a democracy, the means by which we exercise this defense is with our mouths, our pens, and our minds. Though not always successful in our efforts, we must try. For further clarification, I point to the eloquent words of Theodore Roosevelt.

“It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, and comes short again and again; because there is not effort without error and shortcoming; but who does actually strive to do the deeds; who knows the great enthusiasms, the great

devotions; who spends himself in a worthy cause, who at the best knows in the end the triumphs of high achievement and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who know neither victory nor defeat.”

These words are inspiring for anyone who values their freedoms. Criticism alone is of little value. The real defenders of freedom are warriors, are tireless, are determined. They accept their mistakes, learn from them, and do not waver from their principles. When faced with defeat, they rebound stronger and more resilient. As protectors of our own freedoms, the words of Theodore Roosevelt serve as a model for our actions.

For those who believe in the protection of minority rights over majority tyranny, for those who believe in limited government, for those who cherish their liberties and celebrate the resounding success of representative democracy while acknowledging its shortcomings, and for those who remember the soldiers who have given their lives so they may enjoy the freedom of afforded under our system – it is our solemn responsibility to always stand guard against unwelcome government encroachment. In the words of Rod Serling, the late creator of the *Twilight Zone* television series:

“Any state, any entity, any ideology that fails to recognize the dignity, the worth, the rights of man...that state is obsolete.”

Fortunate are we that a bloodless defense of our liberties is all that is required.

William Palumbo