



## New Brunswick Human Rights Commission

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**Impacting the evolution of human rights during the Commission's early years**

Through the educational programs, and we had a very, very effective educational officer in Karen Taylor who was constantly in the schools and service clubs, etc., and doing simple things, even like explaining in terms of law the kinds of rights we're talking about. You know, there are economic, social and cultural rights, like the right to education, the right to health, the right to work. Well, the right to health doesn't mean very much if there's no health delivery system; the right to education doesn't mean very much unless there's a school system, etc. Well, those kinds of rights—what I call the social economic and cultural rights—have no meat to them unless the society or the state or the province becomes engaged. So you need government intervention to realize those kinds of rights. But, the freedom of thought, the freedom from arbitrary arrest, freedom of the media, the freedom of religion—those rights are enjoyed if the state keeps away from interfering with them. I mean, the state doesn't come along and arrest you falsely, you will enjoy your freedom. So, look how different the implementation of those two different kinds of rights are. One case, you need the state to be intervening, and the other, to enjoy them, you have to have the state not intervene. Then there's this third category of rights that I call "equality rights," in other words, being specific to freedom from discrimination when you're seeking to have accommodation when you're going to an apartment and trying to get an apartment. "We don't rent to Indians," "We don't rent to Blacks," "We don't rent..." I mean, that's overt racial discrimination. Well, the state says that is wrong. And, even if, you might say, situations that are benign... I think of the cases of—and it had been in the news—the Moncton Mens' Press Club. Way back when, maybe most journalists were men, and the province and others could come to town and want to have a press conference and hold it there. If you happened to be a female journalist, you had to get your colleague to sign you in to the Press Club in order to cover it. And so, you can't do that. You have to change your bylaws so men and women journalists can be members. And that got pretty close to your labor rights. And there were cases like that. Some golf clubs, if you were Jewish, membership was not open, and things like that. So, it is clear if you look carefully at the New Brunswick *Human Rights Act*, it is public policy that we are all equal and the provisions of the New Brunswick *Human Rights Act* is based upon public policy in the province. So, for our offices of the Human Rights Commission to go to a respondent and say, "Well, we understand, and under public legislation you have a liquor license. Well, if you're not meeting public policy of the province, why should the province give you a license?" Well, that got the respondent's attention. And so, we were able to change things. You may say, "Oh, that's kind of harsh—a brutal way of doing things." Not really; not when you think about it philosophically, at least. If it's public policy, and you went from the public policy source, the government, why should the government give you a license to do something if you aren't going to follow public policy? So I think we made grand strides in those fields.