

AFFIDAVIT OF EVAN BALGORD

1. I am submitting this Affidavit to the Public Order Emergency Commission (POEC) in response to testimony by Jeremy MacKenzie on November 4, 2022.

Background

2. I, Evan Balgord, am the co-founder and Executive Director of the Canadian Anti-Hate Network (CAHN) and a former Vice President of the Canadian Association of Journalists. For the past six years, I have monitored, researched, written, and advocated on issues related to far-right movements and far-right Ideologically Motivated Violent Extremism (IMVE) in Canada.
3. I am frequently quoted in news reports dealing with far-right individuals, groups, and movements. CAHN is frequently referenced in academic reports. I have been called to testify on behalf of the Canadian Anti-Hate Network in both the House of Commons and the Senate.
4. The Canadian Anti-Hate Network is an independent, not-for-profit corporation founded in 2018 with a mandate to monitor, report, and counter hate-promoting movements and individuals in Canada using every legal, reasonable, and ethical tool at our disposal.
5. CAHN is seen as a reliable and trusted resource of information and analysis for the public, media, academics, educators, policymakers, and more to inform on the day-to-day activities of hate movements in Canada. CAHN's board includes court recognized experts on hate speech and hate crime.
6. MacKenzie is a streamer, content creator, and de facto leader of the Diagon community. He was formerly a member of the Canadian Armed Forces. MacKenzie is currently being held in a Saskatchewan detention centre on charges of assault, pointing a firearm, use of a restricted weapon in a careless manner, and mischief.
7. The Diagon community is made up of the audience of Jeremy MacKenzie and other content creators.
8. CAHN began monitoring Jeremy MacKenzie and the streamers he collaborates with in June 2019 because of the combination of antisemitic and Islamophobic speech and discussions of the inevitability and righteousness of using violence against their perceived enemies. Examples of each of these are contained further in this affidavit.
9. Myself and the other members of the Canadian Anti-Hate Network staff have cumulatively watched hundreds of hours of MacKenzie's streams on a number of platforms, and dozens of hours of other streamers in the Diagon community. We also read his posts on his other social media accounts (eg. Telegram).

10. In early 2021, the Canadian Anti-Hate Network analyzed a subset of Jeremy MacKenzie's statements using the Hallmarks of Hate, which have been endorsed by the Supreme Court as a guide to determining what is illegal hate speech.
11. As a result, CAHN believes that Jeremy MacKenzie has willfully promoted hatred towards Jews and Muslims in violation of s. 319(2) of the Code.

Islamophobia and Antisemitism

12. MacKenzie testified that he and his community were being called "bigots" as a slur or in a way that was "defamatory" towards him and his followers. He said they took the moniker and started calling themselves that to "take power out of the word." The effect of which is to downplay the very real antisemitism and islamophobia shared by MacKenzie, and similar sentiments shared by some members of his audience.
13. Jeremy MacKenzie's has engaged in Holocaust revisionism and classic antisemitic tropes. He refers to conspiracies of global Jewish control and has interviewed, and made statements agreeing with, noted Holocaust deniers on stream, including E. Michael Jones, Adam Green, and Ryan Dawson.
14. MacKenzie has also blamed Jews for numerous wars, again invoking the trope that Jews control governments.
 - a. "Because it's the special people, we're not allowed to criticize or say anything about them. No, they get to Sportchek and get the small hats in the kids section, they're special people, they're not allowed to ever be talked about in any kind of negative way. Who cares how many thousands of people they kill? Or how many wars they send our daughters and sons to fight in, it doesn't matter! They're amazing!"
15. He then affects a stereotypical and mocking Jewish accent and says, "Didn't you see Schindler's list?"
16. MacKenzie has claimed that the Protocols of the Learned Elders of Zion – an antisemitic hoax novel detailing a supposed Jewish conspiracy for world domination – is "describing what's happening right now."
17. MacKenzie has compared Muslims to wolves, saying the Jews have cut a hole in the fence and let them into a pasture of sheep.
18. Mackenzie also claims that sitting members of parliament have connections to the Muslim Brotherhood.

Are Jeremy MacKenzie and Diagon a threat?

19. MacKenzie referring to himself as a "comedian," and to the absurd in-jokes developed in the Diagon community, including the Diagon meme itself and the "demonic goat figurine named Phillip," have the effect of downplaying the threat created by the community.
20. The far-right ecosystem often uses humour to draw people in, radicalize them, and deflect allegations of hateful conduct. This is referred to as irony poisoning, a process of exposing an audience to hateful rhetoric which has been softened and obscured through humour. The audience may begin to, or already, hold these ideas unironically, while the humorous aspects serve as a shield against criticism by creating plausible deniability.
21. Jeremy MacKenzie and his collaborators create the preconditions for Ideologically Motivated Violent Extremism. They convince their audience that they are facing an existential threat, that it can't be solved by democratic processes, that there are targets who are responsible, and that violence towards them is inevitable, justified, and righteous.
22. This paradigm is referred to as stochastic terrorism; "the use of mass media to provoke random acts of ideologically motivated violence that are statistically predictable but individually unpredictable."

Existential threat

23. In an April 2021 livestream, MacKenzie said: "This is the media's baby. They built and supported it, and pushed for this race war, this civil war. They wanted it, this was their idea. It's only fair that they be involved in the violence."
24. MacKenzie tells the audience that the road we're on leads to a "bloodbath."
 - a. "First they destroy the statues, then they destroy the people . We've now leveled up to statue removal, and uh, censorship, hate speech, gag laws. And disarming populations and taking-, like we know where this goes!"
 - b. "Past behaviour is the best indicator of future behaviour, and every time this has happened in the past, we went down that road of a bloodbath. So I'm very concerned that this is gonna happen again, and people say that I'm crazy."
25. MacKenzie says Muslim immigration will destroy Western countries.
 - a. "Basically, they're gonna destroy Europe. Like, Western countries, western culture and our people are obviously gonna have conflict and fight with the Muslims from the Muslim countries, because we believe different things, we have different cultural norms, like we don't believe in polygamy, or honour killings, you know

these kinds of, not to beat a dead horse, but you get the idea. Obviously that's going to happen. I'll use an analogy, I'd say if you're a farmer, a sheep farmer, and you keep finding wolves around eating your sheep, yeah that's a problem, you should deal with these wolves."

26. Shortly after the Buffalo, NY mass murder which killed 10 people in an attack inspired by the racist Great Replacement theory, MacKenzie told his followers:

- a. "It's a theory! Even though it's happening, even though the population of whitey, Europeans, is plummeting for the first time in ever and is projected to be a minority in these countries, in Canada especially, in the next 10 to 15 years. You're not allowed to talk about it."

27. Jeremy, speculating about the invocation of the Emergency Act back in April 2021 states:

- a. "People – this is going to fucking blow up too. This is going to blow up too. You see, you're an idiot, it's ridiculous. So here's where they want to go with this. Which is, if they do this, if this passes there's going to be war. There's no other way out. If these maniacs succeed in suspending your civil rights, indefinitely, because that's what the emergencies act does."

Can't be solved by democratic processes

28. Despite his initial support for the People's Party of Canada, MacKenzie frequently tells his audience that voting doesn't matter. Eg. "you can't vote your way out."

29. During a May 2022 live stream, MacKenzie stated:

- a. "This is the entire collapse of civilization and you have multiple generations – mine, the one under me, in some cases, the one before mine – of people who are essentially fighting off the very real feeling of hopelessness."

30. He goes on to add that the Canadian government should go "pedal to the metal" and enact what he perceives to be its political agenda all the way as it would hasten society's intrinsic decline.

- a. "There's no brakes on this woke train. Let's just go, let's get it over with ... Yes I want you to do what you're doing faster. I want you to implement your woke nonsense faster. I want \$3 gasoline. I want it. I want empty grocery stores. Do it. Take it all. Take it all. Do it. You think things are scary now. 'Oh there will be more violence, there will be people yelling.' People yelling will be the least of your problems if these things continue. And they will."

31. In an April 2021 livestream, MacKenzie said, "Accelerate, accelerate, there's no way out. This is going to come to total shit, so let's just get it over with." Later in the broadcast, he stated, "If you're going to be in a fight, hit first. Vladimir Putin said that."

Target selection

32. Jeremy MacKenzie has frequently referred to his perceived enemies as "communists," and has told his audience that "We'll take over the government and then we'll just genocide communism."
33. Before and after the convoy, MacKenzie and Diagonale have engaged and supported the harassment of critical activists and journalists. When reporters across Canada, specifically women and people of colour, became the targets harassment and threats of violence, MacKenzie took to his Telegram channel, Twitter account, and more to tell the media they deserved it.
34. In August 2022, MacKenzie told his followers that every single member of the media, "should be rounded up, put in handcuffs, and thrown into a jail cell at gunpoint...Getting rid of the media needs to be the number one priority, and that is not an unreasonable thing to say."
35. MacKenzie has read out what he believed to be my family's address on stream multiple times. (He, in fact, had the wrong address). He would make statements alongside this to the effect that there were consequences for my actions. Another time he fantasized about, and mimed out on stream, taking a meeting with antifascists and journalists, not showing up, and assassinating them from a sniper's hide. Immediately afterwards he reads a comment from his audience, "Give them Balgord's address." He responds:
- a. "We have that, don't we Evan. Pretty sure it's known to the community what your address is ... maybe be more careful when you try to ruin people's lives."
36. MacKenzie was also arrested and charged in relation to a protest outside of the Nova Scotia's chief medical officer of health's residence.

Violence is righteous

37. The phrase "gun or rope" was previously a type of slogan within the community. MacKenzie has repeatedly shouted the phrase after naming public figures he believes are harming the country. This includes a senior member of the military and Toronto mayor John Tory.
38. In a January 2020 livestream, MacKenzie tells his audience:

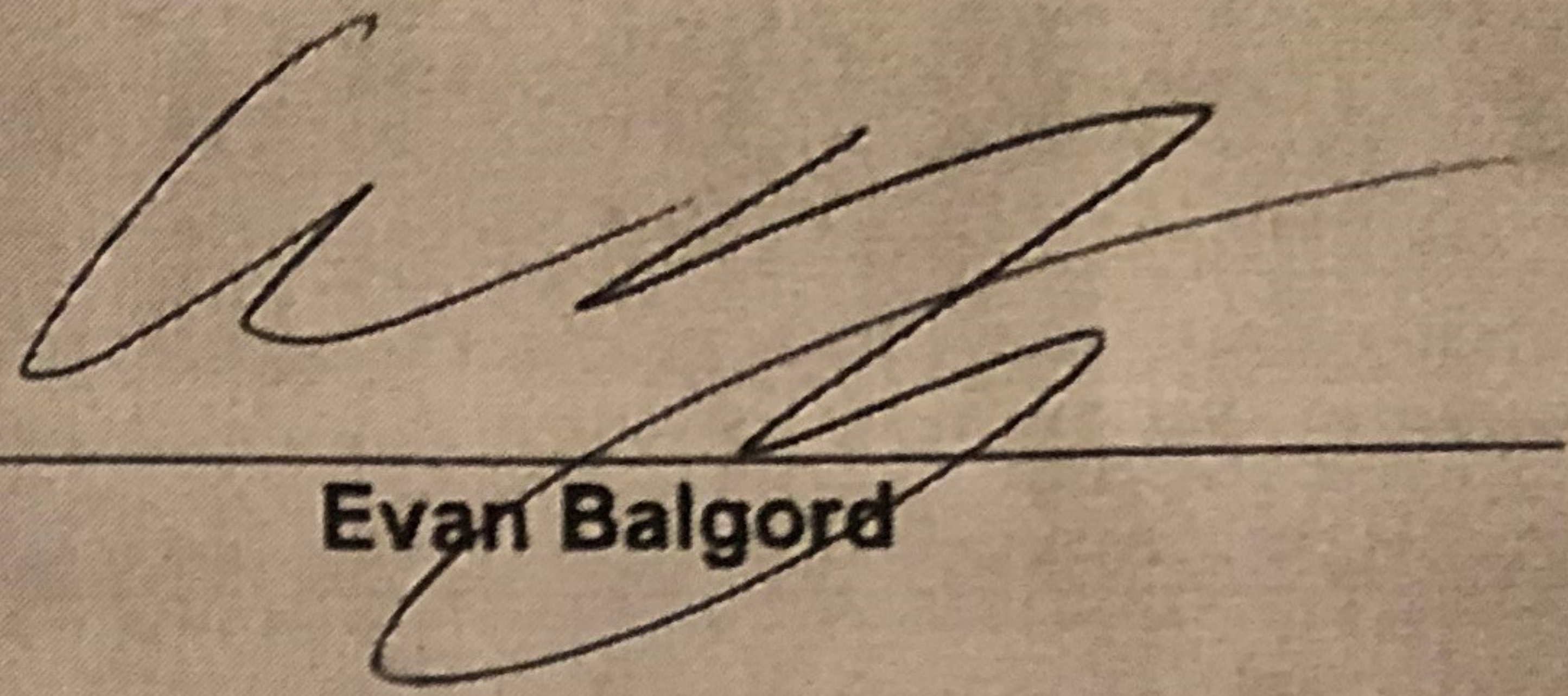
- a. "That's why, you know, get the guns, get as many as you can afford, and hide them and do whatever you got to do. It's legal now. It's not illegal to hide guns right now. But you should, for fun. Just because. And ammunition too. Let's play a game, let's play hide and seek, y'know. That's where they want them, because they know it's gonna get crazy, and people are gonna be upset. Look at France, imagine they had guns still. There's as many guns per capita here as there is in Norway, what are we like fourth in the world in gun ownership, behind the United States? I think we're third or fourth in the world right now, behind the United States. Imagine that was France right now, there wouldn't be just riots, people throwing bricks at cops. It would be a full-on civil war."

The Canadian Anti-Hate Network

39. MacKenzie's testimony about the Canadian Anti-Hate Network can be summarized as an attack on its expertise, credibility, ethics, and independence.
40. In his testimony before the committee, as well as in the letter titled *Diagolon's List of Demands To The Canadian Senate*, MacKenzie makes a number of misleading statements about CAHN.
41. In the letter, MacKenzie specifically names Bernie Farber, chair of CAHN, and accuses him of "engaging in numerous hyperbolic attempts to influence public opinion with lies."
42. MacKenzie has not provided any evidence that Bernie Farber or CAHN have ever lied or, in other words, knowingly shared dis or misinformation.
43. The Canadian Anti-Hate Network strives to be as ethical as possible in its reporting. This includes correcting rare errors in its reporting. CAHN has never falsified information, knowingly spread false information, or engaged in defamation.
44. MacKenzie accuses CAHN, through Bernie Farber, of spreading misinformation. During the convoy, Farber received an email from a lawyer and family friend which stated that her son's friend had seen an antisemitic flyer in Ottawa, and attached a photo. Bernie, trusting the source, posted the photo on Twitter on his personal account with a statement to the effect that he had been told that the flyer had been spotted in Ottawa. This was a case of broken telephone. The picture had originated in the United States weeks before. CAHN noticed the error, and helped Bernie correct the record within hours. This included deleting the original tweet.
45. CAHN also set the record straight when testifying in front of a House of Commons committee. In no case did CAHN deliberately spread misinformation, which is the plain and ordinary meaning of MacKenzie's words. Taking responsibility and correcting an error in fact demonstrates CAHN's commitment to ethics.

46. Conversely, MacKenzie and Diagon have deliberately misled the public and media. Reuters and AFP Fact Check have each issued several stories debunking false headlines and news stories credited to Alex "The Ferryman's Toll" Vriend. These typically take the form of images of news stories altered to contain comical, conspiratorial, or misleading headlines, and are sometimes made to include false bylines of journalists.
47. Under questioning, MacKenzie confirmed that he was repeating unverified rumours on his live stream, including that law enforcement was blocking cellphones. These claims were made without evidence, and MacKenzie told the commission this was a "running suspicion/theory at the time."
48. Vriend, who was detained and released during the convoy, has discussed on live streams how he creates believable but false news headlines. MacKenzie has shared this falsified content on his Telegram channel and during his live streams.
49. Jeremy MacKenzie alleges in his letter to the senate that the Liberal government has funded CAHN "since inception," and that "CAHNs motivations [are] to help the Liberal party destroy its political enemies," such as the People's Party of Canada. Both claims are false.
50. CAHN received a grant of \$268,400 over two years from the Anti-Racism Action Program to monitor and report on hate promoting individuals, groups and movements, and to create an educational toolkit.
51. CAHN's application was selected by bureaucrats. At no time did any politician help CAHN get the grant. At no time did any politician or agent of any political party suggest what we should cover or how we should cover it. Our only requirements were that we report back to the program whether we were carrying out the activities in our application, and to carry out an audit at the end. The grant is over and we got a clean audit by Fruitman Kates LLP. CAHN is not presently receiving any government funds.
52. CAHN is an independent organization and has never taken direction from any political party or its agents. CAHN has never and will never accept funding that comes with conditions which would impact its independence.
53. The statements of Jeremy MacKenzie about our organization are without merit and should not be taken credibly.
54. I make this Affidavit in response to testimony by Jeremy MacKenzie on November 4, 2022 and for no other or improper purpose.

SWORN BEFORE ME remotely, via
videoconference, the Commissioner
being in the City of Ottawa in the
Province of Ontario this 14th day of
November, 2022.*



Evan Baggord

DEPONENT NAME

Kelli-Anne Day (LSO #74261K)

A Commissioner for Taking Affidavits

*Location of Affiant not disclosed in the above jurat on the consent of John
Mather, Avocat de la Commission/Commission Counsel (Public Order
Emergency Commission/Commission sur l'état d'urgence)