

# “First to Stand”: Irwin Cotler, Crusader of Human Rights

By Randy Pinsky

After years of hinting and hoping, a documentary was (finally) made about former Canadian Justice Minister and tireless human rights defender, Irwin Cotler.

Entitled “[First to Stand: The Cases and Causes of Irwin Cotler](#)” and directed by power couple Irene Lilienheim Angelico and Abbey Jack Neidik, the documentary premiered at the Montreal Museum of Fine Arts on December 10, 2022; appropriately, Human Rights Day.

A champion for political prisoners worldwide and a consistent advocate for action over apathy, viewers sat riveted during the hour and a half documentary which outlined Cotler’s career and relentless pursuit of justice, the worst enemy of dictators, tyrants and indifference everywhere.

Critics have called the documentary “extraordinary,” “captivating, beautifully orchestrated, emotionally charged...and fast-paced.”

As Bill Browder, renowned financial investor whose exposure of corruption of Russian companies earned him the title of “[Putin’s #1 enemy](#)” reflected, “We spend a lot of energy dealing with the villains, but hardly any time celebrating the heroes. Irwin Cotler is one of the greatest heroes of our time. He’s taken the most intractable dictators and saved the most unjustly imprisoned hostages...[through an] inspiring commitment to justice.”

## A Lifetime of Activism

“We are in a real historical inflection moment today,” announced Cotler in the film. “We are witnessing a resurgent global authoritarianism, the backsliding of democracies and liberal populism, an assault on human rights, and increasingly political prisoners as a looking glass into all of this.”

Cotler’s activism and righteous indignation to human rights violations started early, when as a law student at McGill University he was active in the defense of Soviet Jewry. As a law professor and then during his political career as Member of Parliament and then Minister of Justice, he has risen to calls of justice from around the world, and has done so with grace, humor, and his signature calmness. He is an Officer of the Order of Canada, a winner of the Queen’s Diamond Jubilee Medal, the recipient of over 10 honorary doctorates, and was nominated twice for the Nobel Peace Prize (in 2016 and 2019) for his work.

An indefatigable righter of wrongs and fighter for justice, Cotler led the [first-ever Assembly of Parliamentarians for the International Criminal Court](#), chaired the Parliamentarians for Global Action, and launched Canada’s first National Justice Initiative Against Racism and Hate.

To many, Cotler is truly the [conscience of Canada](#).”

In 2015, at the age at which most people would be enjoying their retirement, Cotler founded the Raoul Wallenberg Centre for Human Rights in memory of the Swedish diplomat who saved thousands of Jews during the Holocaust and disappeared in a Soviet prison, representing political prisoners and victims of human rights violations worldwide. As Cotler has often soberly reflected, [“the test of a just society is how it treats its most vulnerable.”](#)

## **The Crusade Begins**

Cotler launched his career with the well-known case of Anatoly (Natan) Sharansky of the Soviet Union in 1979. A defender of human rights and a fierce proponent of religious freedom as a practicing Jewish man, Sharansky was jailed on trumped up charges of treason and espionage. He was sentenced to the Gulag for 13 years, four of which were in solitary confinement. He retained his mental sanity by [playing games of chess](#) in his head, as a symbolic triumph over the KGB agents who sought to break his spirit.

In atheist Soviet Union, Jewish people were not permitted to practice their religion, but neither were they allowed to leave to Israel (refuseniks), causing the acquisition of exit visas to be rare and dangerous.

Cotler and Sharansky's wife Avital (who had married Natan a few short years before his imprisonment) raised international awareness about his plight, pushing to keep him in the public eye. In doing so, they sparked a movement of shaming and visibility to force his release and for freedom of movement for other refuseniks.

It took seven long years, but they were at last successful in garnering Sharansky's release in 1986 (he would memorably greet his wife with, "Sorry I'm late" when he landed in Israel) as well as winning [the right to leave](#) for thousands of Soviet Jews and other persecuted minorities.

## **But How?**

What caused this ultimate reversal in Soviet policy? Was it a sudden awareness of the immorality of the situation? A change of heart?

Or simply because the international shaming negatively impacted their image worldwide?

In fact, in advocating for Sharansky, Cotler hit upon a formula he would apply for all future cases; the power of international reputation and the ability to use global peer pressure to sway even the most ruthless of regimes. As he argued, “[the tipping point](#) for the release of political prisoners is not necessarily the injustice of the case. It’s when you can make the case that it’s in the [state’s] self-interest to release the prisoner.”

As former Soviet Leader Mikhail Gorbachev reflected in an interview in 1997, “I ordered up [Sharansky’s] file, I saw that he was a troublemaker, but not a criminal, and [that] it’s costing us politically to keep him in prison” ([Irwin Cotler’s Secret: Calm Amid the Chaos](#)).

## **The (Whole) World is Watching**

The realization of the potential of this strategy and even dictators’ sensitivity to their international reputation, led to the development of a ‘[mobilization of shame](#)’ tactic. Essentially, this amounts to “a PR blitz against a superpower to convince them that holding a political prisoner is bad for their image.”

For instance, when Egyptian blogger Maikel Nabil Sanad was arrested for criticizing the state leadership, in conversations with the Egyptian Ambassador, Cotler warned about the potential jeopardization of Egypt’s global status “[through the prism that they arrested a blogger](#)...What does this say about the Arab Spring [pro-democracy protests in the Middle East]?”

Nabil would be released four months later, after spending close to a year in jail.

## **The Global Justice for Sergei Magnitsky Act**

“First to Stand” also covered the Magnitsky Act (2016), a political commitment in memory of Sergei Magnitsky, Russia’s top lawyer who was murdered for being a whistleblower against the “most brazen corruption scheme in Russian history” ([For the Sake of Human Rights, We Must Stand for the Nameless](#)). Former investor Bill Browder, incensed by the abuse to his lawyer, was instrumental in assisting Cotler in getting the Act off the ground and recognized by governments.

The case and what would culminate in the Act did more than merely publicly shame the Putin regime, but also revealed another tactic Cotler would ultimately use to defend political prisoners; the understanding that ‘money talks.’ In collaboration with the Canadian government, the Justice for Corrupt Foreign Officials Act was passed unanimously by the House of Commons in 2017, putting the squeeze on violators of human rights visiting for school, vacation or business interests, freezing assets and banning visas ([The Case for a New and Improved Magnitsky Law](#)). “[The Magnitsky Law](#) ensures that despots and dictators cannot enjoy the freedoms in Canada that they deny their compatriots at home,” wrote Cotler.

Indeed, this ‘naming and shaming’ “[shin\[es\] a deterrent spotlight](#) on their acts of criminality...[tell\[s\] their victims that they are not forgotten...\[and\] protect\[s\] our national sovereignty from the corrosive effects of corrupt foreign capital.](#)”

## **The Danger of Apathy**

Cotler has long maintained that there is no neutrality in cases of abuse. Quoting his hero, Holocaust survivor and fellow fervent human rights defender, Elie Wiesel, “[Indifference always means coming down on the side of the oppressor, never on the side of the oppressed.](#)”

In the deafening global silence of the Holocaust and Rwanda, where “[the whole world stood by as not only bystanders, but as facilitators](#)” to “horrors too terrible to believe, but not too terrible to have happened,” he is continually motivated by the power of one person to act.

The danger of indifference was exemplified in the 2018 murder of Saudi-American journalist Jamal Khashoggi, where “the silence of the democracies, in fact, [enabled](#) [the Saudi Crown Prince] to believe he could act with impunity,” stated Cotler.

### **Silence is Not an Option**

In all the cases of human rights abuses in which Cotler has pushed for public outcry and action, he has always sought to give a voice to the voiceless. As noted by formerly jailed Iranian-Canadian journalist Maziar Bahari, “[The prisoner’s worst nightmare is the thought of being forgotten.](#)”

“First to Stand” evokes Irwin Cotler’s passion, brilliance and tireless commitment to exposing ruthless regimes and demanding the upholding of international rights and freedoms. He steadily chips at the veil of impunity dictatorships hide behind, ensuring they can no longer count on international passivity to continue their suppression of freedom.

As noted by human rights lawyer Amal Clooney, “[When Mr. Cotler speaks, people listen.](#)”

When commemorating last year’s International Holocaust Remembrance Day (January 27), Cotler concluded, “May this day be not only an act of remembrance - which it is - but [a remembrance to act](#) - which it must be - on behalf of our common humanity.”