

A Citizen's Guide to Canadian Politics

A resource for understanding
democratic governance in Canada,
the threats we face, and what you can do about it

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Canada

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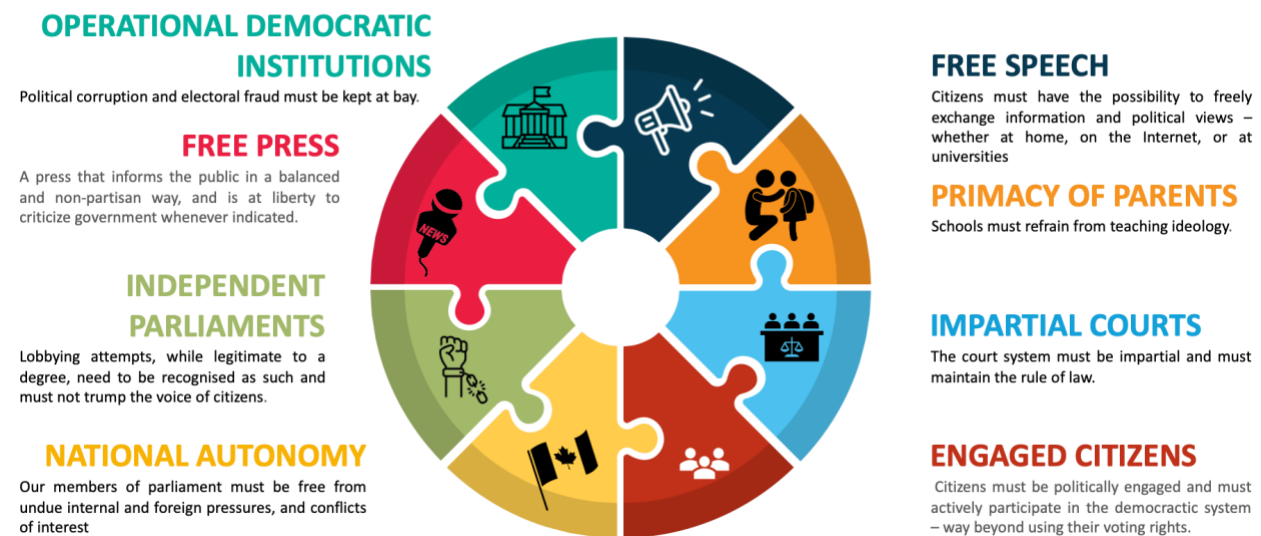
Introduction

For many individuals, especially recent immigrants, understanding and engaging in the political process may appear to be an overwhelming challenge. This is increasingly so because democratic institutions have lost much of their appeal, which is evident in low voter turnout and increasing frustration with the political process. A Swedish think tank that ranks the performance of democracies found that over the last few years:¹

- Canada's score for “Checks on Government” fell from 0.77 to 0.68, and
- Canada's score for “Effective Parliament” fell from 0.73 to 0.59.

This guidebook is designed to inform readers about how Canada’s political institutions are meant to work and to provide guidance on what individuals can do to respond to undesirable developments.

For a democracy to be healthy and survive, several elements must be in place (see image below). If any of these elements are compromised, democracy is hampered, if not jeopardized. The first chapters of this Guide deal with these elements in greater detail.



Democracies are only as healthy and vibrant as their citizens who are engaged in the democratic process. This is why this Guide recommends what you can do, beyond voting, to engage in the discussion.

A number of Canadian experts have contributed to this Guide to help readers understand the state of democracy in Canada and how to make their voices heard for improving Canadian democracy. These nine experts worked pro bono to produce this resource for the benefit of all Canadians free of charge. Their writing styles vary, as does the complexity of their chapters. We ask readers to be tolerant of these differences.

¹ <https://www.idea.int/gsod-indices/democracy-indices> (accessed July 19, 2022)

I. A Short History of Politics in Canada

By Thomas Flanagan

According to a saying often associated with Tip O'Neill, Speaker of the American House of Representatives from 1977 to 1987, "all politics is local." The implication is that the struggle to control the Canadian government has many highly distinctive patterns and characteristics, which have persisted from Confederation to the present day. These durable features of Canadian politics flow from its geographical location, demographic composition, and historical background. They are the three great factors that determine the local character of politics, and all three have played a prominent role in Canadian political history.



The Charlottetown Conference in 1864 prepared the way for Canadian unity and resulted in a resolution to create a federal government that would defend its sovereignty (image credit: HMdb.org)

Canada was founded on July 1, 1867, by passage in Great Britain of the *British North America (BNA) Act*, now known as the *Constitution Act, 1867*. This British legislation created the Dominion of Canada by uniting the former colonies of Nova Scotia, New Brunswick, and Canada, while subdividing the latter into the provinces of Ontario and Quebec. Canadian politicians, led by Sir John A. Macdonald, requested unification of the colonies at least partly because they feared that the United States, now finished with its Civil War, might direct its armed forces toward northern conquest.

Macdonald and many other Canadian leaders thought the United States had slipped into the Civil War because the states had too much power. The lesson they drew was that it would be preferable to construct the new Dominion on the British unitary model, in which sovereignty was concentrated in a single central government. Hence, the BNA stated at the outset that the new Dominion should have "a Constitution similar in Principle to that of the United Kingdom."

However, Canadian conditions made it impossible to imitate the British model precisely. The existence of a large Francophone minority concentrated in Quebec had to be recognized in a federal system in which the provinces would be guaranteed independent law-making authority within specified areas of jurisdiction, or else Francophone consent to

the new arrangements would not have been forthcoming. Thus, Canadians had to accept federalism even though many thought it had led to the United States Civil War.

Federalism requires a written constitution—in this case, the BNA Act—to lay down the powers of the different levels of government, which was a departure from the British tradition of an unwritten constitution—actually a blend of various enactments with a substantial number of precedents known as constitutional conventions. This would lead in time to a greater role for Canadian courts in interpreting the governmental rules laid down in the BNA Act.

Preferring a unitary state but realizing that federalism was essential to get French-Canadian support for the government of the new Dominion, Macdonald was determined to make the new government as close to unitary as possible. Thus, the BNA Act contained important centralising features:

- Approval by Parliament of admission of any new provinces into Confederation.
- Veto power of the federal cabinet over provincial legislation, using the powers of reservation and disallowance.
- Appointment of Senators by the Prime Minister, thus weakening the second chamber's usual function of representing regional interests in a federal system.
- Appointment by the federal cabinet of all judges of the superior and appellate courts.
- Federal jurisdiction over the major aspects of state policy as understood in the nineteenth century: military and foreign affairs, banking and currency, international and interprovincial trade and commerce, and criminal law.
- Restriction of provincial jurisdiction to what were thought at the time to be matters of secondary or local importance, such as education, health and welfare, and property and civil rights.

Canada has endured since 1867 without a civil war or significant rebellion. The country played an honourable part on the winning side in the two great World Wars of the 20th century. Canadian citizens have enjoyed a high material standard of living as well as a high level of personal freedom, though that freedom was compromised by governmental restrictions introduced during the Covid-19 pandemic, as well as various laws that aim to restrict freedom of expression in Canada (see Chapter VIII). Ever since the late 19th century, people have wanted to move here as Canada has experienced one of the highest levels of voluntary immigration in the world. The best test of success is how people vote with their feet; do they want to move into or out of a jurisdiction? And Canada has passed that test for well over a century.

The Canadian political system has dealt more or less successfully with the major political trends of recent centuries—extension of the right to vote to the working class, to women, and ethnic minorities; creation of a generous welfare state guaranteeing public education, medical care, pensions, and other benefits; and recognition of political and civil rights, as enshrined in the Canadian Charter of Rights and Freedoms adopted in 1982. This second written constitutional document, enacted upon the initiative of then-PM Pierre Trudeau, has enhanced the role of the courts in determining whether governments can or cannot enact certain laws, i.e. whether they are constitutional or not. According to William Gairdner, although Canada's Charter ostensibly defends the individual *against* the state, it in

fact presupposes the huge controlling state required to satisfy all the uniform rights to equal goods, services and affirmative fiscal and social rebalancing guaranteed by the Charter itself.² Political battles accompanied all these achievements, but differences were generally resolved peacefully, with ballots rather than bullets.

Two big problems, however, remain unresolved: how to pay for these achievements, and how to control the large permanent bureaucracy necessitated by a generous welfare state? Government in Canada now takes up at least 40% of the Gross Domestic Product.³ Though much of the expense is now borne by provincial and local governments, programs such as public health care were initiated by the federal government. Governments have only three ways to pay for these programs: levying taxes, charging fees for service, and borrowing. Taxes and service fees are unpopular, so the federal and provincial governments indulge in borrowing to pay, not just for capital investments, but for current services. The result was the fiscal crisis of the mid-1990s, in which the federal government had to cut social benefits to avoid devaluation of the Canadian dollar, and the run-away inflation of 2022.

Control of the permanent bureaucracy is also a problem in Canada, as in all modern democracies. Government employees, especially when organised into trade unions, enjoy many advantages of pay, working conditions, and employment tenure. Based on their superior access to information, they also wield many advantages over the elected politicians to whom they nominally report. At the extreme, permanent civil servants may combine with elements of the military in a covert alliance sometime called the “deep state,” circumventing politicians even to the extent of taking over the government.

Moreover, the circumstances of Canada’s founding have given a distinctive character to Canadian politics. Most important political issues take on a regional dimension, pitting provinces against each other and/or against the federal government. The flavour of Canadian politics is summed up in this joke:

The teacher in a Swiss boarding school assigns the students to write an essay about elephants. The French student writes on “The Love Life of the Elephant.” The German student hands in a paper entitled “Elephants: A Short Introduction in Four Volumes.” The American boy describes “How to Build Bigger and Better Elephants.” And the Canadian student poses the question, “Elephants: A Federal or Provincial Issue?”

Regionalism has two main foci in Canada—one in Quebec, the other in western Canada, particularly in Alberta. The Quebec situation is easy to understand. Francophones make up a large majority of voters in Quebec but are only a minority of voters in Canada (and a tiny minority of residents of North America). Hence, they understandably worry about the fate of their distinctive language and culture. But by voting as a bloc, Francophones in Quebec can exert tremendous influence over Canadian politics, which they have used to get benefits not enjoyed by other provinces. From the 1960s onward, Quebec’s leverage has been enhanced by implicit or explicit threats to separate from Canada if the demands of provincial politicians are not met. Indeed, these threats led to referendums in 1980 and

² Gairdner, William: *The Trouble With Canada—Still* (p.463)

³ <https://macdonaldlaurier.ca/size-of-government-in-canada/> (accessed July 19, 2024)

1995 on separation in Quebec, the second of which came within a few tenths of a percentage point of favouring separation.

Quebec's threats to secede from Canada are particularly dangerous because of its location in the middle of the country athwart the St. Lawrence River. If Newfoundland or British Columbia separated, Canada would be diminished but would still be recognizable as Canada; but without Quebec, would Canada still be Canada, with the four Atlantic Provinces cut off from the rest of the country?

Quebec's politics of threat has led to many advantages for French language speakers, such as official bilingualism in governmental institutions and Crown Corporations. It has also led to financial benefits, chief of which is the Equalization program, which transfers over \$14 billion a year to Quebec from the federal government.⁴ The extra money allows Quebec to offer social programs, such as inexpensive childcare and subsidised university tuition, which other provinces cannot afford.

In contrast, regionalism in Western Canada is anchored not in differences of language and culture but in constitutional history. When Canada purchased Rupert's Land from the Hudson's Bay Company in 1870, the intention was to govern this immense landmass as a territory, rather than a province, until population increased. A resistance movement in the Red River colony led by Louis Riel eventuated in the creation of a miniature province of Manitoba in 1870, but Saskatchewan and Alberta were not established as provinces by federal legislation until 1905. Moreover, the three Prairie Provinces did not get control of their public lands and natural resources until 1930. This treatment engendered a feeling in the West of being treated as second-class provinces because they were deprived of property taxes and resource royalties, which were the main sources of provincial revenue at the time.

That feeling has been strengthened by Ottawa's attempts to exert control over natural resource industries, particularly oil and gas, which are so important to the Western provinces. The National Energy Program of the early 1980s, which set domestic oil prices below international levels and transferred revenue to Ottawa through new taxes on oil and gas, permanently alienated many in the West, particularly in Alberta. More recently, the federal government has tried to limit oil and gas production in the name of slowing down global warming. Quebec has heightened the impact by blocking oil and gas pipelines across its territory, even though it continues to accept Equalization payments generated from petroleum revenues. All democracies experience conflicts over industrial and environmental policy, but in Canada such conflicts quickly become issues of regionalism and federalism. Not surprisingly, voters in Quebec and the West, particularly Alberta, often feel that the Canadian system of political parties does not work in their interest. The result is the frequent foundation of new political parties promising better representation of provincial interests.

Typically, the new Quebec parties attempt to represent provincial interests, even to the point of separation from Canada, while the new Western parties often want to win political power in Ottawa. This has led to a particular dynamic in the West of creating new parties

⁴ <https://www.canada.ca/en/department-finance/programs/federal-transfers/letters-provinces-territories/2021/quebec.html>

only to find that they are too narrowly based to win power, followed by attempts to merge with other parties to broaden their political base. The Reform Party of Canada followed this course by dominating Western seats in the three elections held from 1993 through 2000, then merging with the Progressive Conservatives and winning power nationally from 2006 through 2015.

Much of Canadian political history consists of regional dissatisfaction with old parties, establishment of new parties to better represent regional interests, then cooperation or merger with old parties in an attempt to win power. Canadian political history would have been boring and uncreative if it had consisted only of sumo wrestling between the Liberals and Conservatives. New ideas have often come from new parties, such the Parti Québécois and the Bloc Québécois; the Progressives, the Co-operative Commonwealth Federation (CCF) and the New Democratic Party (NDP); and Social Credit and the Reform Party of Canada.

While Canada's constitutional design has led to tensions between regions and provinces that are greater than in most comparable nations, there is another sense in which political power is more concentrated in the hands of the chief executive than in many other modern democratic countries. Party discipline is more rigid in Canada than almost anywhere else. Thus, a Canadian prime minister can almost always count on getting his program through the House of Commons, whereas an American president is often stymied in Congress, even when nominal majorities of their own parties have controlled both the Senate and the House of Representatives.

A Canadian prime minister may choose not to run again because of unpopularity, as Brian Mulroney decided in 1993; but no sitting prime minister has ever been defeated in the House of Commons because of loss of support within his own party, except for Sir John A. Macdonald in 1872. Macdonald resigned as prime minister when some of his supporters defected over his attempts to get campaign donations from the backers of the national railway project (see text box). He was then defeated in the ensuing general election. In contrast, British Prime Ministers Margaret Thatcher and Boris Johnson were forced out of office by a vote of their own caucus members, and the same happens frequently in Australia.

Scandals

Our country's history is not free of corruption scandals. In the years following Confederation, it was clear that Canada needed to build a trans-continental railway, an enormously expensive undertaking and the Conservative government of John A. Macdonald proved to be open to large-scale bribery, with the Prime Minister himself proclaiming "Send me another \$10,000." Those who today clutch their pearls upon learning of a private fund set up to support the former leader of the Conservatives must also have been appalled when they learned that Liberal prime ministers Wilfrid Laurier, William Lyon Mackenzie King, Louis St. Laurent and Lester Pearson were the beneficiaries of under-the-table stipends from supporters. Since then, Canadians have been treated to the Airbus scandal, the Air Ambulance Scandal, the Adscam (or Sponsorgate) scandal, Harbourgate, Tunagate, Shawinigate, Casinogate, Bingogate, and more recent brouhahas in the House of Commons.⁵

⁵ <https://fcpp.org/2020/09/22/a-short-history-of-political-corruption/> (accessed July 15, 2022)

Another aspect of a Canadian prime minister's power is his virtually unchecked power of appointment. He selects the Governor-General (his nominal superior), Senators, judges, and top civil servants. In practice, none of these appointments needs to be ratified or confirmed by any other person or body; the time when the Crown might act independently in making appointments is long past. The prime minister selects the members of cabinet and can replace them at will. He also appoints his ministers' most senior political staff, thus giving him substantial control over their activities and making it virtually impossible for ministers to conspire against him.

At one time, cabinet ministers were powerful figures, regional leaders whose support was indispensable to the prime minister, but that day is long gone. Today the most powerful figures in Ottawa are staffers who report directly to the prime minister—the Clerk of the Privy Council, who is the permanent head of the civil service, and the prime minister's chief of staff and other senior advisers. There is always a good deal of complaining about the outsized role of these unelected officials, but the situation never changes no matter which party is in power. Given the pace and pervasiveness of modern media coverage, prime ministers fear they will quickly be blamed by public opinion unless they exert strict control over their agenda and communications, and that control is exercised by officials who report directly to the top.

While the prime minister can maintain a working majority in the House of Commons—i.e., avoiding defeat on votes of confidence and major legislation such as the budget—he will control the whole apparatus of the federal government. The House of Commons is controlled by party discipline, and the Senate offers little serious opposition because the unelected status of its members undercuts their political legitimacy. However, three facts prevent this concentrated structure of power from turning into a dictatorship:

1. Federal elections must be held at least once every five years. For better or worse, the time horizon of politicians is short. No matter how powerful they seem, they must always try to calculate how voters will react at the next election.
2. The independent Canadian judiciary exercises wide power, augmented by passage of the Charter of Rights and Freedoms in 1982, to interpret or even nullify legislation and orders-in-council (see Chapter IV). No matter how powerful the prime minister may seem, considerable thought must be given to anticipating how the courts will view governmental actions when challenges are brought, as they almost inevitably will be.
3. Provincial governments have independent power under the constitution. Apart from military and foreign affairs, most major policy areas require some degree of coordination between federal and provincial governments. At the time of writing, the Liberals are in power federally but nine of ten provinces are governed by other parties.

Of course, nothing is ever quite as simple as it seems. A prime minister's power may seem to be limited in these ways, but a politically astute head of government may find ways to make these apparent checks work in his favour. He may use polling to determine just the right time to call an election, perhaps escaping the wrath of voters. He may push legislation through Parliament, knowing it will be ruled unconstitutional by the courts, thus being able

to tell voters, “I tried.” Or he may go on the warpath against a province whose government opposes his party’s policies, writing off support in that province while courting popularity in the rest of the country. Ultimately, the political process is always open to manipulation by the strategic ingenuity of political leaders.

In sum, then, Canada’s politics is unique because of our geography, demography, and history, but it is still politics—the competitive struggle for dominance through coalition-building; and the political skills and tactics that one sees in other countries have also been on display throughout our own political history.

Further-going material:

Greene, Ian: *Honest Politics Now*. James Lorimer and Company (2017)

Milke, Mark: [A Nation of Serfs?](#) Wiley (2006)

Savoie, Donald: *Democracy in Canada—The Disintegration of Our Institutions*. McGill-Queen's University Press (2019)

Wernick, Michael: *Governing Canada—A Guide to the Tradecraft of Politics*. On Point Press (2021)

Jack M. Mintz, Ted Morton, and Tom Flanagan, eds. *Moment of Truth: How to Think about Alberta's Future*. Toronto: Sutherland House, 2020

Brock, Kathy and Hale, Geoffrey (ed.): *Managing Federalism through Pandemic*. University of Toronto Press, November 2023

II. Canada's Political Structure

By Stephen Woodworth

Canada is a constitutional monarchy, which means that the country has a monarch who is represented at the federal level by a Governor General. The rules for our system of government, including civil and human rights, are found in both written laws and unwritten but time-honoured practices, which together make up our constitution. All other government decisions must comply with the constitution. Democratic ideals are built into our government systems to reconcile differing interests and viewpoints by encouraging participation and discussion to produce government action that benefits all Canadians.

Government authority is divided in two ways in Canada. The first is hierarchical, in principal matching decisions with people according to the functions they perform. This gives us three branches of government, including legislatures (Parliaments and the Senate), the judiciary (Courts), and the executive (Prime Minister and Premiers, with their Cabinets and civil servants) The second divides political authority geographically, in principle based on matching decisions with the people who are closest to their consequences. This gives us a national government, ten provincial governments, and three territorial governments. Provinces and territories can delegate some of their authority to municipal governments and school divisions.

A. BRANCHES OF GOVERNMENT

In every governing system, decisions must be enacted, implemented, and enforced. All these functions belong, in theory, to the Monarch, represented in Canada by the Governor-General but are subject to strict rules even the Monarch must obey. The Legislature, the Executive, and the Courts each have primary responsibility for their respective functions but are also allowed to participate, sometimes to a large degree, in the functions of the others.

The national Legislature includes 338 elected Members of Parliament (MPs) sitting as the House of Commons and 105 Senators appointed by Canada's Prime Ministers. The election of Members of Parliament serves the democratic function of government "by the people." The Senate's role is contested, with various viewpoints seeing the Senate as a bulwark of provincial perspective, as a Chamber of sober second thought, as an historical anachronism, or as all or some of each.

Every province has its own elected Legislature but no Senate. In principle, all collective decisions are made by Legislatures, which set policy direction enforced by laws. In practice, the Canadian Parliament is heavily dominated by its Executive (and provincial legislatures often follow suit).

At the federal level, the Executive ("the Government") includes the Prime Minister and Cabinet, to whom the civil service and military answer. They are responsible for delivering the policies the Legislature directs and enforcing the resulting laws. To do that, they must determine budgets and spending, hire personnel, monitor performance, and interpret policies. Executive decisions are all made in the name of the Governor-General (or, in the provinces, the Lieutenant-Governor and in the territories, the Commissioner), but whoever

fills that role is obligated to comply with the requests of any Prime Minister (or, in the provinces and territories, the Premier) who enjoys the support of the majority of legislators. The Governor-General merely provides the signature required for a Bill to become law.

As mentioned, the rules allow each branch to perform some of the functions of the others. For example, the Executive initiates most proposals the Legislature considers. Also, party leaders offer incentives and penalties which discipline representatives from exercising independent judgement. This will be touched upon in Chapter III. The Courts sometimes inject judges' policy preferences into legal interpretations, invalidating laws enacted by the Legislature and Executive or even crafting new rules. This will be further elaborated in Chapter IV. The Legislature can overrule some (but not all) judicial interpretations by enacting more specific rules,⁷ sometimes pursuant to a provision known as "the Notwithstanding Clause," which was added to the constitution to preserve the democratic supremacy of the peoples' representatives. In spite of its availability, the national legislature has never used the latter provision to defend itself.

B. THE LEGISLATIVE PROCESS

In Parliament. Written legal proposals are called "Bills" during debate and "Statutes" after final approval. Government Bills may be introduced in the House of Commons or the Senate but follow the same legislative steps in both Chambers. Figure 1 shows the formal process for most Bills at the federal level and offers helpful suggestions about influencing those proceedings (Senators can also introduce Bills, which would be proposed to Parliament once the Senate has reviewed them). If the Senate rejects a Bill or demands amendments, it will be returned to Parliament for further consideration. If an election is called, all Bills "die" and must be reintroduced during the next legislative period.

The Unholy Trinity of the Administrative State

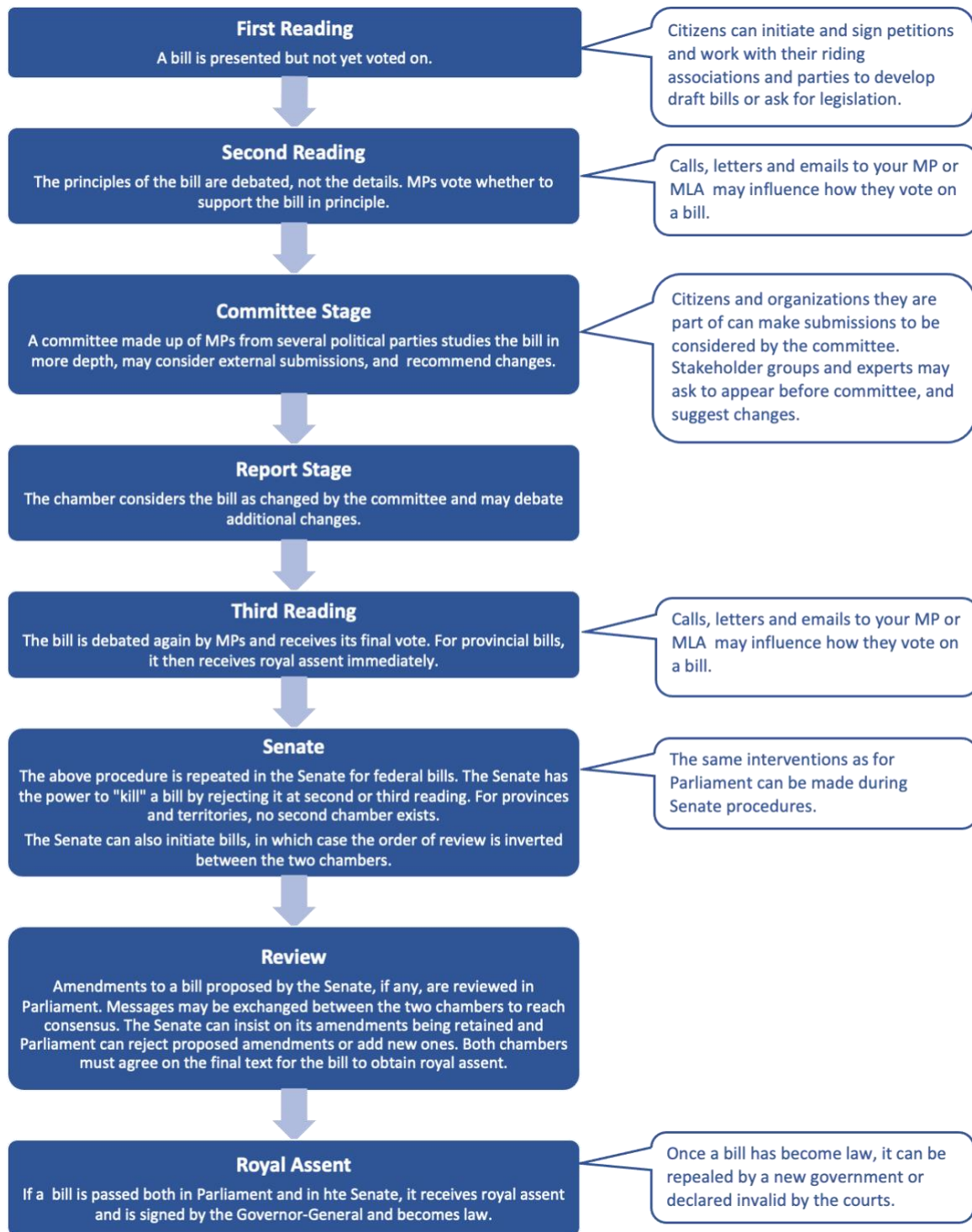
The administrative state consists of every part of government that is neither legislature nor court: cabinets, departments, ministries, agencies, public health officials, boards, commissions, regulators, tribunals, law enforcement, inspectors and more. The legislature delegates power to these public bodies, and courts defer to their decisions. This provides discretion for the administrative state to decide what is in the public interest and to control our lives in every conceivable way. They supervise our speech, employment, bank accounts and media. They indoctrinate our children. They locked us down and directed our personal medical decisions. They control the money supply, the interest rate and the terms of credit. They track, direct, incentivize, censor, punish, redistribute, subsidize, tax, license and inspect. Their control over our lives would make the kings of old blush.⁶

The administrative state rules *by law*. Rather than having laws with clear rules that apply to all with predictable outcomes, as in *rule of law*, this means (micro-)managing society to achieve desired outcomes. Law—including the Charter of Rights and Freedoms—is reinterpreted constantly to conform to the elite's preferences. Officials are no longer bound by the law, but in control (and above) it.

⁶ <https://c2cjournal.ca/2024/05/canadas-constitutional-mistake-how-the-rule-of-law-gave-way-to-the-managerial-state/>

⁷ At least in cases where courts make a ruling based on certain sections of the *Charter*. In every other case, legislators are bound by the decision of the courts.

Figure 1 The Legislative Process at the Federal Level⁸



It is important to understand that a different issue is addressed at each stage. At first reading, no vote takes place. After the second reading, a Bill may be sent to a committee with several members from different parties. Amendments are often proposed and voted

⁸ SENATE PROCEDURE IN PRACTICE. Senate of Canada, 2015

on, and the third reading vote result may then be different from the second reading if, for example, MPs agree that a law on the issue is needed but don't agree with how the law is worded. These procedures are very similar between the federal and provincial legislatures.

The process in the Senate operates analogously. Minimum delays are defined between steps to give Senators enough time to review and consider the aspects of a bill. Senators have been nominated by prime ministers before they are appointed by the Crown, all of which have been either Liberals or Conservatives. Other parties are not represented in the Senate.

Although the Senate does not have formal parties, most Senators have joined Senate groups that share a political view. The Independent Senators Group has strong leanings towards the Liberal Party and the Conservative Senators Group to the Conservatives. The Progressive Senators group describe themselves as possessing a "progressive" philosophy based on liberty and equality, sharing the view every individual possesses fundamental rights and responsibility to advance collective welfare, including Indigenous reconciliation, using government positively for that purpose.⁹ Finally, the Canadian Senators Group say they focus on modernizing the Senate, making it more independent, and representing regional interests).¹⁰ At least one Senate appointee has characterized this group as "Red Tories."¹¹

Bills and Motions can be introduced by the Government or by individual Members of Parliament (the latter known as "Private Members' Business" or "PMB"), as well as by Senators. A Member may introduce an unlimited number of PMBs but can only propose one PMB for a vote in each Parliament and only then if their name is drawn in a lottery. A PMB proposing the expenditure of public funds must be accompanied by a royal recommendation, which can be provided only by the government minister. Also, a PMB must be found by a parliamentary procedures committee to be "votable" (within the constitutional competence of Parliament), and complaints occasionally surface that party leaders artificially manipulate the outcome to squash debate. Further, debate on a national PMB is ordinarily limited to 2 hours 45 minutes. Finally, the overwhelming majority of PMBs are defeated rather than passed.

Free Votes?

In theory, MPs are meant to vote on each issue according to their best judgment. However, party leaders often require their MPs to vote with their party on certain Bills, preventing each from following their convictions, under threat of removal from Cabinet or critic positions, caucus, or even from their party. Further, MPs might not study bills in sufficient detail, preferring to simply follow the "party line," even when constituents might resist the party position. Reasons might include a lack of time or motivation to follow each Bill, reluctance to disagree with colleagues within one's party or lack of adequate resources.

Unanimous consent can also be used to pass motions to skip second or third reading of a bill. Limitations of the use of unanimous consent are narrow, only preventing its use to set aside provisions of the Constitution Act or any other statutory authority or to do any illegal act.

⁹ <https://theprogressives.ca/about-us/> (accessed April 2, 2024)

¹⁰ <https://csg.sencanada.ca/en/about-the-csg/> (accessed April 2, 2024)

¹¹ (https://www.linkedin.com/posts/andrew-cardozo-65634248_just-finished-week-2-on-the-job-as-a-new-activity-7007205436500099072-fjzW/?originalSubdomain=mu)

Notwithstanding that general record, a PMB can usefully provoke public debate and may be enacted if the moment is propitious. An interesting and controversial example of this process was the push for a law allowing doctors to provide people with substances to cause their deaths. In 1992, MP Robinson proposed Bill C-385 to amend the criminal code to allow for medically assisted deaths. In 2005, Francine Lalonde, a Bloc Quebecois MP, introduced a private member's Bill, C-407, which only made it through the second reading in Parliament. She reintroduced a similar Bill in 2009, which was likewise unsuccessful. Other unsuccessful attempts to legalize such behaviour between 1992 and 2015 included Bill S-2 (36th Parliament, 2nd session), Bill S-225 (41st Parliament, 2nd session), Bill C-581 (41st Parliament, 2nd session), Bill C-582 (41st Parliament, 2nd session). Despite Parliament's adamant refusal to enact such legislation, assisted suicide became legal in Canada, first in Quebec legislation and then by a 2015 decision of the Supreme Court reversing an earlier ruling by holding that denying assisted death was unconstitutional. These PMBs may have contributed to legalizing the practice in Canada despite repeatedly failing to win approval from elected representatives.

Outside Parliament. We ought to look beyond the bare legislative process at the longer-term process of how Bills get to Parliament in the first place and what happens to them after enactment (or rejection). How does a proposal make it to the floor of a Legislature?

Sometimes, a Prime Minister with enough persistence can personally push through a preferred Bill. More frequently, ideas

Citizen Participation

The legislative process is ordinarily designed to take time, so the interests of Canadians are fully considered, and laws are fair and well designed. For example, there is a minimum delay of two days between the first and second readings in the senate, and subsequent readings in Parliament must take place on different calendar days. After first reading, committees are set up to discuss the intricacies of each Bill and to discuss possible amendments. This process ensures that at each stage of the legislative process, citizens can approach their MPs or Senators (an in-person visit always trumps a call or email), and interest groups can make submissions to committees or directly to their representatives, to try to improve the legislation.

In the case of Bill C-4 (44-1) on conversion therapy, this legislative process was cut short in December 2021. A motion by the Conservative party that was unanimously accepted by Parliament on December 1 rushed the Bill right from first to third reading in just one day, passing it on to the Senate. Shortly thereafter, the Senate repeated the same procedure and passed the Bill at second reading, accepting another Conservative motion to not discuss the Bill further. This way, a Bill that usually takes several months to be passed, became law in just two weeks. This effectively removed the opportunity for citizens to intervene in the legislative process, setting a concerning precedent for "short-circuiting" legislation viewed as controversial. Unanimous consent demanded by party leaders can be, and has been, used to accelerate the legislative process in order to facilitate the passing of a Bill and remove opportunities for citizen participation (see also box "Free Votes"). Government rushing bills through the legislative process to minimise scrutiny is also observed at the provincial levels, such as in B.C.^{12,13}

¹² <https://vancouversun.com/news/local-news/transformative-b-c-housing-bills-being-forced-through-with-limited-debate-critics>

¹³ <https://bcgreencaucus.ca/bc-ndp-calls-time-allocation-bypassing-democratic-process/>

proposed by Prime Ministers, Cabinet Ministers, or civil servants are strained through a complex filter of policy analysis “lenses,” interdepartmental committees, policy reviews, Treasury Board directives, Planning and Priorities meetings, political staff input, Justice Department reviews, and similar challenges. While these are maddening for those seeking a preferred policy, they are also opportunities for influence provided one can gain access to decision-makers.

All these pre-legislative mechanisms occur within the ever-changing agenda-setting and attention-getting of public politics beyond Parliament. Politicians monitor and respond to legacy and social media, where passion is often more effective than reason and persuasion.

Not every policy initiative requires a new Bill. Sometimes there may be room to interpret an existing statute in new, more favourable ways or find meanings that might have been overlooked. Access to a willing decision-maker with some wiggle-room and budget may permit innovation when implementing legislation.

In the same vein, bills adopted by Parliament may only provide general guidance, whereas Ministries or government agencies are charged with creating regulations that further specify how a law affects Canadians. This applies to Health Canada, for example, which allowed edible cannabis products after Parliament passed the Cannabis Act in 2018, which authorised the sale of “edible cannabis.” Health Canada’s Cannabis regulations then addressed issues such as types of edible products and allowable THC contents. Likewise, the Canadian Radio-television and Telecommunications Commission was charged by the government to work out the details for Bills C-11 and C-18 (see Chapters VI and VIII). Citizens can then try to engage these Ministries or agencies (directly or through a lobby organisation, see Chapter X) after a bill has been passed to influence how it will be implemented and worked out through regulations.

C. SHORT-CIRCUITING THE LEGISLATIVE PROCESS

MPs can ignore the spirit and the letter of the process outlined in **Figure 1**. The best result of legislative study and debate is a good amendment or the withdrawal of a poor law. The worst result is a mere choreographed sham where MPs follow party orders to defeat any and all amendments—unfortunately, a more common occurrence. Interviews with former MPs by the Samara Institute revealed that they feel “cut off from the essential responsibilities they are meant to uphold” and reported observations that the House of Commons has “the form of parliamentary democracy but not the substance” (citing columnist Andrew Coyne), where representatives go through preordained motions “without real consequences.”¹⁴

Omnibus Bills, unanimous consent, Covid-inspired restrictions, and similar measures all arguably reduce the independence of MPs and the effectiveness of the legislature. *Until enough citizens make their first priority the election of representatives and leaders committed, above all other considerations, to fair study and debate in collective decision-making, Canadian politics will continue to lack the legitimacy conferred by a robust democratic spirit.*

¹⁴ Morden, Michael. 2020. Real House Lives: Former Members of Parliament on How to Reclaim Democratic Leadership. Samara Centre for Democracy. Victoria, B.C.: FriesenPress. (p. 8)

D. FEDERAL AND PROVINCIAL RESPONSIBILITIES

Historical Perspective. The lateral axis of Canadian political structures emerged out of a history of “incomplete conquests,”¹⁵ that is, conflicts resolved without victors completely subjugating the vanquished. The vast length and breadth of the Canadian landscape lent practical force to demographic diversity to produce strong arguments for local governance. While we must recognize that accommodations haven’t made satisfactory allowance for First Nations or French-Canadian aspirations, they preserved the principle of reconciliation of diverse interests over wholesale assimilation.

The 1867 British North America Act which united the Provinces of Canada (Upper, now Ontario, and Lower, now Quebec), Nova Scotia, and New Brunswick into the Canadian political system we call “Confederation” preserved that principle by confirming the existence of local decision-making in a federal framework.

Division of Jurisdiction. While general governance responsibility was reserved to the national government, provincial governments were guaranteed independent existence and given “exclusive” authority over specified political decisions. Details of the original allocation of decision-making authority between the national government and the provincial governments are in Sections 91 and 92 of the British North America Act. Our “Fathers of Confederation” reserved decision-making for activities most directly affecting the daily lives of citizens to the governments closest to citizens, namely, the provincial governments. Those could, in turn, delegate responsibilities to local municipal governments and school boards. In particular, matters touching upon language and culture were reserved to the provinces and territories.

Table 1 indicates federal and provincial responsibilities. Some overlap exists on certain issues. For example, when an energy project, such as a pipeline, affects more than one province, or has a size that will trigger an environmental impact assessment, federal authorities become involved. Federal and provincial authorities also have shared responsibilities in the areas of immigration, agriculture, and old-age pensions.

The national authority specifically covered “Indians, and Lands reserved for the Indians.” Governments intermittently applied treaties as a matter of general law rather than constitutional necessity. The 1982 addition of Section 35 to the Constitution Act extended constitutional protection for Aboriginal and Treaty rights of Aboriginal peoples by stating that “The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.”

Changing Rules. After Confederation, new provinces were created and some governance in northern areas was devolved to new territorial governments. Entirely new activities not contemplated at Confederation developed, such as telecommunications, income taxes, and nuclear power. The national government and provincial governments engaged in a long-running power struggle, each level finding new ways to extend its reach.

¹⁵ Russell, P. H. (2017). *Canada’s Odyssey: A Country Based on Incomplete Conquests*. University of Toronto Press.

Table 1 Exclusive Federal and Provincial Responsibilities¹⁶

Federal	Provincial
<ul style="list-style-type: none"> • Public Debt and Property • Regulation of Trade/Commerce • Unemployment insurance • Direct/Indirect Taxation • Postal Service • Census/Statistics • Defense • Navigation/Shipping • Quarantine • Sea Coast and Inland Fisheries • Ferries (interprovincial/international) • Currency/Coinage • Banking /Incorporation of Banks/Paper Money • Weights and Measures • Bankruptcy • Patents • Copyrights • Indians/Indian reserves • Citizenship • Marriage/Divorce • Criminal law, including Criminal Procedure • Penitentiaries for sentences of at least two years • Works connecting provinces; beyond boundaries of one province; within a province but to the advantage of Canada/or more than one province 	<ul style="list-style-type: none"> • Direct Taxation within Province • Management/Sale of Public Lands belonging to Province • Prisons • Hospitals • Municipalities • Formalization of Marriage • Property and Civil Rights • Administration of Civil/Criminal Justice • Education • Incorporation of Companies • Natural Resources and Energy • Matters of a merely local or private nature

Sometimes Courts were called upon as umpires to set jurisdictional boundaries. Sometimes everyone decided some matters could be decided concurrently, with both levels of government participating in various aspects of a particular field. Often federal-provincial agreements were negotiated to further refine or alter jurisdictional allocation. Reflecting the complexity of diverse and competing interests, sometimes new arrangements were “symmetrical,” or similarly applicable to all provinces and sometimes they were “asymmetrical,” or applied or qualified differently for different provinces.

E. ELECTIONS

Every Canadian citizen who is 18 years of age or older has the right to cast a ballot in every election from the lowest levels, municipal and school board, to the provincial/territorial level, to the national level, federal elections. No one is required to vote. Municipal elections attract the fewest voters, and elections at higher levels often have fewer than two-thirds of eligible voters participating.

¹⁶ Based on <https://www.canada.ca/en/intergovernmental-affairs/services/federation/distribution-legislative-powers.html>

Federal and provincial elections choose a single representative for each electoral district, with 343 national districts, and varying numbers within each province or territory. Constitutional rules ensure a minimum historical proportion of representation to certain

regions or provinces so that not every vote is equal in a national election. PEI has four representatives in Parliament (one for every 41,000 people), in contrast to Ontario's 121 Members of Parliament (one for every 123,000 people).

National elections (and most provincial elections) are held no more than five years apart, many on a fixed maximum term of four years. However, no jurisdiction prohibits more frequent elections; in fact, where a government does not enjoy majority support its defeat on a key vote indicating loss of confidence will trigger an election. Most elections must occur at least five weeks after the day they are announced, but that formal campaign length may vary. Canadian elections are contested by multiple political parties. See Chapter III for more details about those.

The prevailing Canadian view is that elected representatives should be trustees for their constituents, possessing reliable judgement to investigate and support the best solutions to collective problems, in contrast to merely trying to articulate the majority policy preferences for their districts (which is often impossible to determine, in any event). The reality is somewhat different, however, insofar as many electors decide their vote on the basis of supporting a party leader or by party affiliation, rather than on the basis of the candidates' relative qualities. This in turn reduces an elected representative's ability to act independently of party and leader.

Nonetheless, involvement in political parties and elections builds local and national relationships and channels of communication with decision-makers, which enhances any citizen's opportunities for political influence.

Voting Systems

Canada uses a first-past-the-post single-member district electoral system such that the candidate with the most support represents a district. This means that even if a candidate receives only a minority, for example, 32%, of votes, they will be elected if all other candidates in that district receive fewer votes. The elected candidate represents all citizens in that district, but a poor representative might neglect non-supporters, who may then be less motivated to participate in elections (especially if their preferred candidate has little support).

Under proportional representation, seats in the legislature are distributed between parties according to the proportion of party vote in the country or province/territory, rewarding party strength across the entire country or province with party seats in the legislature. There are numerous differing proposals for proportional representation, all of which aim to maximize the opportunities for election of members of smaller parties. Where implemented, this system leads to coalitions, often unexpected by voters, to obtain a governing majority. Proportional representation is a controversial option in Canada and has been rejected in citizen referenda.¹⁷ A major issue has been its potential to strengthen party control over elected representatives, which is already a concern in Canada.

¹⁷ See <https://www.cbc.ca/news/canada/british-columbia/electoral-reform-referendum-results-1.4954538>

F. CONCLUSION

What should those interested in public policy conclude? First, we should examine what each level of government is actually doing in a policy field without worrying too much about their precise constitutional responsibility. Modern governance consists of many programs but we have information technology to search out those relevant to our policy concern.

Second, we should engage with more than one level of government in any policy arena. Ironically, we should be wary of government actors evading their responsibility by claiming that responsibility resides with another level. If we arm ourselves with information about concrete government directives for delivery of programming (instructions to civil servants), we can resist such evasion. Third, if we have the resources to analyze the possibilities thoroughly, we should carefully prioritize by investing our efforts in government operations most directly relevant to our policy concerns. And finally, recognising that many laws include unclear provisions and defer powers to bureaucrats and agencies, thus feeding the power of the administrative state, we need to hold our representatives accountable for keeping decision-making powers with the legislative and not with unaccountable agencies, courts, or officials that make up rules as a means to control society to political ends.

Further-going material:

See the federal Parliament's website on how Parliament works (<https://lop.parl.ca/About/Parliament/Education/OurCountryOurParliament/home-e.aspx>). Similar sites exist at the provincial and territorial levels.

Other resources on the legislative process include ARPA Canada's "Video Tutorial: How a Bill Becomes Law" (<https://arpacanada.ca/articles/video-tutorial-how-a-bill-becomes-law/>) and the Library of Parliament's "The Legislative Process: From Government Policy to Proclamation In Brief" (https://lop.parl.ca/sites/PublicWebsite/default/en_CA/ResearchPublications/201931E).

Essay on the "administrative state": <https://c2cjournal.ca/2024/05/canadas-constitutional-mistake-how-the-rule-of-law-gave-way-to-the-managerial-state/>

Publications referred to in the footnotes will also be of interest.

III. Political Parties

By Tony Clement and Martin Tampier

As you have read in previous chapters, Canadian political parties are a function of Canada's parliamentary democracy, which in turn owes its existence mainly to Britain's democratic structure and, as well, to her colonization and settlement of Canada. By 1848 responsible government had arrived and, when a unified Canada was founded by an act of the British Parliament in 1867, political groupings were already a fact of life.

Aside from the obvious benefits of representative democracy, parliamentary government requires the chief minister to the Crown, in other words the prime minister, to have command of the majority of seats in the lower chamber, the House of Commons. It became clear early on that a steady and stable government would need the continual support of a majority of MPs who agreed on some basic tenets of governance, specifically the annual budget, various pieces of significant legislation, and a few other things.

From this experience, the party structure was born. If the governing party was able to be disciplined and loyal to the prime minister, the probability of keeping power in a stable manner was enhanced. And, because the Canadian prime minister has so much power, from choosing legislation to picking the Cabinet, the judiciary, and the entire upper chamber of Parliament, that power is significant.

Another function of the loyalty of caucus is that the leader of the party caucus is also simultaneously the leader of the extra-parliamentary party. The leader sets the tone by selecting items for inclusion in the party's election platform, and has considerable and increasing control of the candidate nomination process. This includes disallowing candidates from running for nomination and even rejecting a nominated candidate. In certain circumstances the party leaders may also select candidates for nomination, especially after a writ is dropped¹⁸ and an election is called.

Many observers, including some Members of Parliament, have expressed concern that the pendulum in Canada has swung too far in favour of allocating too much power to the Prime Minister (and provincial Premiers), eroding legislators' abilities to represent their constituents and exercise their professional responsibilities as trustees of the common good. MP Michael Chong's Reform Act, passed in 2015, was a mild attempt to address this challenge federally, but has so far been supported only by the Conservative party.

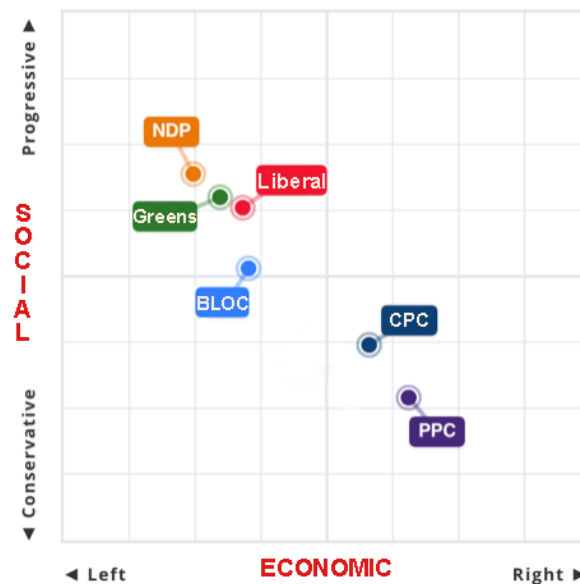
Political parties are not just parliamentary groups anymore. In modern politics they are political organisations designed to achieve victory and obtain power by having the most candidates elected as MPs. Victory is about getting enough votes to win enough ridings (constituencies) and that requires organisers, money, volunteers, and communication channels to motivate voters to vote for their candidates. Certainly, part of the motivation is provided by the style, personality, and likeability of the leader. But historically that is not enough. Voters are attracted by parties and leaders who think a similar way on the issues of the day, as well as their general ideological and political alignment.

¹⁸ <https://www.elections.ca/content.aspx?section=vot&dir=bkg&document=writ&lang=e>

An additional factor in Canadian politics is the regional nature of the country, requiring political parties to be strong in various parts of the country. Added to this is the linguistic duality of Canada (French and English), which has historically required party leaders and aspirants to have facility in both languages. In terms of the basis of support for political parties, these considerations militate against pure ideology as the sole foundation of political parties. In essence, many attributes other than ideology determine party support: leaders’ personality and character traits; regional support; language; family history; socioeconomic factors; and, of course, the conduct and success or failure of the ruling party.

Although the number of parties vying for seats has been increasing, today Canada only has five federal parties with elected representatives in Parliament: the Liberals, the Conservatives, the New Democratic Party, the Green Party, and the Bloc Québécois, which only runs candidates in Québec. In the 2021 election, the People’s Party of Canada (PPC) obtained about 5% of the popular vote, which may be a transitory trend or may indicate its growing importance. Canadians will see how this party works in the future.

Figure 2 Voter Profiles of Key Federal Parties¹⁹



These parties and their political leanings are discussed below.²⁰ As an overview, **Figure 2** indicates qualitatively where each party’s voters stand with respect to socially conservative and “progressive”²¹ ideas, as well as with respect to their economic trends (more socialist and “big government” on the left or more capitalist and fiscally responsible on the right). Although this is not necessarily reflective of the parties and their candidates, it provides an

¹⁹ Based on the output from the VOTE Compass—Canadian Youth Edition. CIVIX, 2021.

<https://youth.votecompass.com>

²⁰ For other parties, see their respective websites to get an idea of what they stand for but they do not have any historical record in Parliament that could be discussed here.

²¹ Left-leaning politicians will usually identify as “progressive” as opposed to “conservative.” Yet, this can be a misnomer since often policies with that label are not progressive in the ordinary meaning of the word as connoting progress, but in fact are often regressive. Further, conservative policies may often be progressive in the ordinary meaning of the word as connoting progress.

idea where these parties tend to stand on some issues, to please their constituencies and the party's membership. It is also important to understand that these positions shift over time. It has been observed that Canada has shifted to the political left over the past two decades;²² this is also reflected in the positions of parties in Parliament and may have opened a space on the right for the PPC to gather votes from those who have remained socially conservative and libertarian.

A. THE LIBERAL PARTY

The Liberals are the most successful party to date, having governed for 103 of the 157 years since Canada's confederation in 1867. This has led to some changes. Until recently, the Liberals have been considered a "moderate" party that is described as either "centrist" or "centre-left." This orientation is reinforced by success: those who want to govern are attracted by the Liberal Party's record of success and this leads to very few major changes in direction. A further explanation is that the Liberal Party is the party of established elites in Canada. It is populated by the economically well-off and well-connected. Over-represented are those who went to the best schools and those who worked in the most successful businesses. Also, media elites tend to gravitate to the Liberal Party when they catch the political bug. This becomes another self-reinforcing mechanism, as media elites support political elites and vice versa.

Centrism, of course, takes many forms, and has evolved over the decades. Basic tenets include the idea of state action being a positive force in society. Statism is thought to be a tool to alleviate economic disparity and promote social justice. For Liberals, state action is the way that society can solve big problems. This worldview is particularly at play in the debate over climate change policy, as an example. While individual action is promoted, it is only by state action that the "climate crisis" can be solved.

Statism

Statism is often defined as the legitimate role of the state to regulate economic and social aspects of social life, its opposite being anarchism, i.e. the absence of any legitimate state control over society. In recent years, statism has become an equivalent of "big government" where the state becomes more and more dominant in various spheres of society, versus "small government" that tries to minimise its role outside its core responsibilities. As such, statism is used to refer to a government that tends to regulate many aspects of society through "social engineering".

With the Liberals' belief in state solutions comes a belief in taxes as a form of redistributive justice, a means to direct markets and as a way to finance state programs. As the post-World War II state has grown to provide health care, pensions, enhanced unemployment benefits, and other trappings of the welfare state, so too have its percentage of GDP and as needed, the taxation rates have grown.

The Charter of Rights and Freedoms of 1982 enshrines collective rights of Canadians, but its original emphasis is on individual rights: of expression, thought and belief, religion, the press, peaceful assembly, and association (see also Chapter IV). The Liberal Party

²² <https://ca.news.yahoo.com/blogs/canada-politics/are-canadians-becoming-more-progressive-210104911.html>

historically has associated itself with individual rights, as most liberal democratic parties throughout the West have done.

But all of this is changing, and the pace of change within Liberal creed has accelerated with the ascension in 2015 of Justin Trudeau as Leader and Prime Minister. There is now a much more pronounced accentuation of collective rights, now called identity politics, than with individual rights. For example, the Liberals under Trudeau have promoted LGBT rights, joined the Black Lives Matter (BLM) protests, seen racialized minorities as large groupings with collective concerns that need to be addressed, and placed greater emphasis on equality of result, rather than of equality of opportunities. They have put emphasis on “performative” activities, such as Pride Parades, BLM marches, keeping Canadian flags at half-mast for half a year in mourning for Indian Residential School children, and starting to rename buildings strongly associated with colonialist memories or residential school creation. Speeches invariably start with Indigenous land acknowledgements and end with Indigenous language thank yous. Woke culture is central to the Liberal Government and is strongly associated with Indigenous reconciliation and coming to terms with a colonialist past.

An offshoot of national elites being Liberal has been the connection to global elites. The Liberal Party, having been at the creation of the United Nations, NATO, the IMF, and World Bank, and other foundations of the post-WWII era, naturally and reflexively support these and other multilateral organisations. It is usually committed to following the advice of global institutions such as the International Panel on Climate Change (IPCC) and the Global Compact for Migration. As populism has grown, it has only strengthened Liberal defence of the global superstructures. Liberals see these multilateral organisations as a bulwark against the destructive forces of populism, which they associate with extremism, racism, white nationalism, and other ills. As elitists themselves, they see like-minded people populating positions of power in multilateral agencies, and

Liberal Scientism

Initially, being a pro-science government meant re-establishing a mandatory long-form census and rehiring a chief science officer, but then came Covid-19. The Liberal government emulated governments in Europe and elsewhere and relied on the Public Health Agency of Canada’s epidemiologists, as well as directives from the World Health Organisation.

With the advent of Covid-19, and associated debates surrounding public health measures, lockdowns and especially vaccines, not only did the Liberal Government fully defer to scientific consensus, the Liberal Party of Canada made accepting government-promoted views on COVID-19 and condemning the dissenters a key component of their 2021 re-election campaign. They explicitly ran against anti-vaccination protests, which protested at Trudeau’s campaign stops, and successfully exploited real or imagined divisions inside the Conservative Party to paint them as anti-vaxx extremists. Instead of challenging orthodoxy with openness to new data, as ordinarily understood, scientific opinion under the Liberals was weaponized to become synonymous with enforcing orthodoxy in support of government decisions and excluding contrary views. It’s safe to say this exaltation of selective scientific opinion as the prime driver of policy positions is baked into the Liberal Party ideology for the foreseeable future.

frequently, Liberal apparatchiks will move between jobs with the Government of Canada and these international organisations.²³

Even before the Covid-19 pandemic, Liberals consciously associated themselves with “science.” This obviously includes trusting IPCC findings on climate change and attacking “climate change deniers.” The 2015 Liberal election platform explicitly condemned the previous Conservative government for “being anti-science” and “muzzling scientists,” which was effective in framing the election as between a suspicious, controlling anti-science government vs the claimed open-minded progressivism of Justin Trudeau.

Another key difference with Liberalism since Justin Trudeau is the lack of concern over spending and government deficits. This started with the Liberals’ 2015 campaign promise to deliberately run a “modest” deficit of \$10 billion to invest in jobs and infrastructure.²⁴ From 2015 to 2019, the deficit was a multiple of that target, and the Liberals entered the 2019 election with no discernible plan to get back to balance. From an electoral point of view, this laissez-faire approach to deficits offered no voter backlash. Justin Trudeau’s increase is the largest in Canadian history outside a war or recession.

With Covid-19, Canada joined most of the advanced democracies in shutting the economy down and providing business and individual subsidies in the wake of a non-functioning economy. Deficits soared, and again this did not lead to Liberal promises of a plan to scale back, at least until the crisis was over. Combine this with ambitious plans to spend on the environment, indigenous reconciliation, infrastructure, childcare, health care, and social justice, and it is clear deficit spending is a chosen goal of the Liberals. In an era of low interest rates, of course, this path can be sustained, but with higher interest rates and high rates of inflation, deficit spending cannot be sustained.

Finally, while foreign affairs rarely become relevant in domestic elections, it is safe to say that China-Canada relations are having an impact (see box). The Liberals tend not to challenge China on human rights. The party pledged \$1.4 billion per year only to

Canada-China relations under Justin Trudeau

The Liberal Party’s views on China have become controversial. As a new government in 2015, Liberals were criticized for their soft line to China and the CCP, exemplified by approving Chinese state-owned enterprise foreign investments, and a lax attitude when faced with Huawei 5G rollout in Canada.

There has been no condemnation of the Uighur genocide, and merely quiet protests over the crushing of freedom in Hong Kong. In December 2018, China had arrested two Canadians and incarcerated them for 1,000 days. The two Canadians were arrested in retaliation over the arrest and court process involving a Huawei executive. They were subsequently released after her release. The Trudeau government has belatedly acknowledged China’s authoritarian and coercive tactics, in line with the consensus of the G7 nations and the broader alliance of democracies. It is reasonable to conclude, however, that Liberals in Canada are reluctant to prepare for the worst, perhaps reflecting the amount of regular contact with Chinese academic and business interests.

²³ For example former interim Liberal Leader Bob Rae is now Canadian Ambassador to the United Nations, and former Bank of Canada Governor Mark Carney currently serves as the UN special envoy for climate action and finance.

²⁴ <https://liberal.ca/wp-content/uploads/sites/292/2020/09/New-plan-for-a-strong-middle-class.pdf>

controversial programs aiming at sex education and birth control.²⁵ This represents about one-third of total foreign aid in 2020, whereas education, for example, accounted for less than 9% in 2019.²⁶

A further striking change of policy has been the Liberal Government's decision that for several years, Canada would not join its close allies in supporting an annual resolution at the U.N. condemning the suppression of human rights by the Communist government in Cuba.

Finally, reaction by the Liberal government to recent events in the Middle East has called into question Canada's previous staunch support for the State of Israel, on one occasion even attracting favourable public comment by the terrorist group Hamas.

B. THE CONSERVATIVE PARTY

In its various forms the Conservative Party of Canada (CPC) is as old as the country itself, having existed at Canada's creation, and being the Party of Canada's first Prime Minister, Sir John A. Macdonald. Other notable accomplishments include steering Canada through the First World War, ushering in Canada's first Bill of Rights, being the party of Canada's first female Prime Minister, and having its first Black Cabinet Minister. The Brian Mulroney years (1984-1993) featured the first free trade deal with the United States, objecting to South African apartheid in the British Commonwealth, and accepting tens of thousands of Vietnamese refugees.

The next major period of Conservative rule, 2006-15, came about after a Liberal scandal and malaise and, most significantly, the merger of the two legacy conservative parties in December 2003, the Canadian Alliance and the Progressive Conservative parties. The newly merged party, under the leadership of Stephen Harper, was able to keep the members together in a united front. Thus, the Conservatives governed successfully for nearly ten years, successfully navigating the country through the 2008 financial crisis.

Accomplishments centered around significant personal and business tax cuts, many free trade agreements, including with the European Union, a resilient economy, an emphasis on crime and justice issues, and development of natural resources.

As with the Liberals, there has been an evolution of parts of Conservative agendas over the decades. An example is the emphasis on tariffs and protections in the Macdonald years, to a free trade focus in the Mulroney and Harper decades. Nonetheless some basic elements of Conservative identity and ideology can be discerned.

First, is patriotism. This is a cornerstone of Conservative worldview: an attachment to Canada as a nation-state and support for its history, culture, and accomplishments. Again historically, there has been a battle with the Liberals over which party is the greater patriot. It was a Liberal government that pushed through the creation of a new maple leaf national flag, enacted legislation supporting national universal health care, and considered it anathema to be too close to controversial American ventures like the Vietnam and Iraq wars.

²⁵ <https://liberal.ca/our-platform/help-for-the-worlds-most-vulnerable-people/> (accessed January 22, 2022)

²⁶ <https://donortracker.org/country/canada> (accessed January 22, 2022)

Conservative patriotism exalts the sacrifice of Canadian soldiers in the Great war (1914-18) and other wars. Participation in the Afghanistan mission, although started by a Liberal government, was enthusiastically continued by the Harper Government: Harper's first foreign trip was to bivouac with Canadian troops in the wilds of Kandahar Province. Moreover, Harper made it a point to spend part of his summer in the high Arctic, with the Canadian navy to assert Canadian sovereignty.

As opposed to an emphasis on multilateral decision-making on big issues like climate, the Conservatives favour building the nation-state as the true expression of popular will. At the same time, Conservatives have given more deference to subnational decision-making, particularly by the provinces and territories. Part of the natural Conservative coalition are Quebec nationalists (those who are not fully-fledged separatists) and Western conservatives who are naturally skeptical of ever-expanding federal authority in areas constitutionally in the provincial/territorial sphere. This includes health care, social welfare, and cultural issues. Yet, when in power, Conservatives have asserted federal authority when it was in the national interest.

A basic part of Conservative DNA is the policy goal of limiting governmental size and interventions and the high tax and high spending. This stems from a skepticism of the effectiveness of ever-increasing government bureaucracies, and a rejection of Liberal confidence that governments can solve most, if not all, social and economic problems. Ideologically, conservatives want to give individuals and families the maximum choices in their lives and decision-making. This is not to say tax policy is free of controversy with Conservatives. Prime Minister Mulroney faced dissent and condemnation for policies designed to introduce a goods and services tax in the early 1990s. Former Conservative Leader Erin O'Toole triggered negative reaction from a carbon pricing policy in the 2021 election. Generally, however, Conservatives want lower taxes and lower spending.

Under the Harper Government (the blue zone starting in 2005 in [Figure 3](#) below), Conservatives cut the goods and services tax, lowered corporate taxes, and created a series of boutique tax credits to assist individuals and families. On the spending side, after a major spending spree, driven in part by opposition demands upon the minority government for "stimulus" spending, in the wake of the 2008 Financial Crisis, the Harper Government reined in spending, and balanced the budget in time for the 2015 election. Justin Trudeau's increase is the largest in Canadian history outside a war or recession. During Covid-19, Conservatives have generally agreed with carefully administered spending to support people and businesses affected by government-mandated lockdowns, but this is seen as an anomalous situation with the goal to reduce spending as quickly as possible post-Covid.

Another common trait of Canadian conservatism is promotion of public safety and security. In office, Conservative governments increase penalties for gun crimes and other offenses, and tackle gang-related violence. A Conservative Government created a "victim's bill of rights" and de-emphasized offenders' early release provisions. This point is related to the gun control debate: Conservatives resist gun bans and other measures that put the emphasis to reduce gun violence and on reducing the numbers and types of firearms in circulation. Conservatives counter that it is better to target gangs and other offenders than to restrict legal gun-ownership.

Figure 3 *Federal gross debt in Canada, in 2022 dollars²⁷*

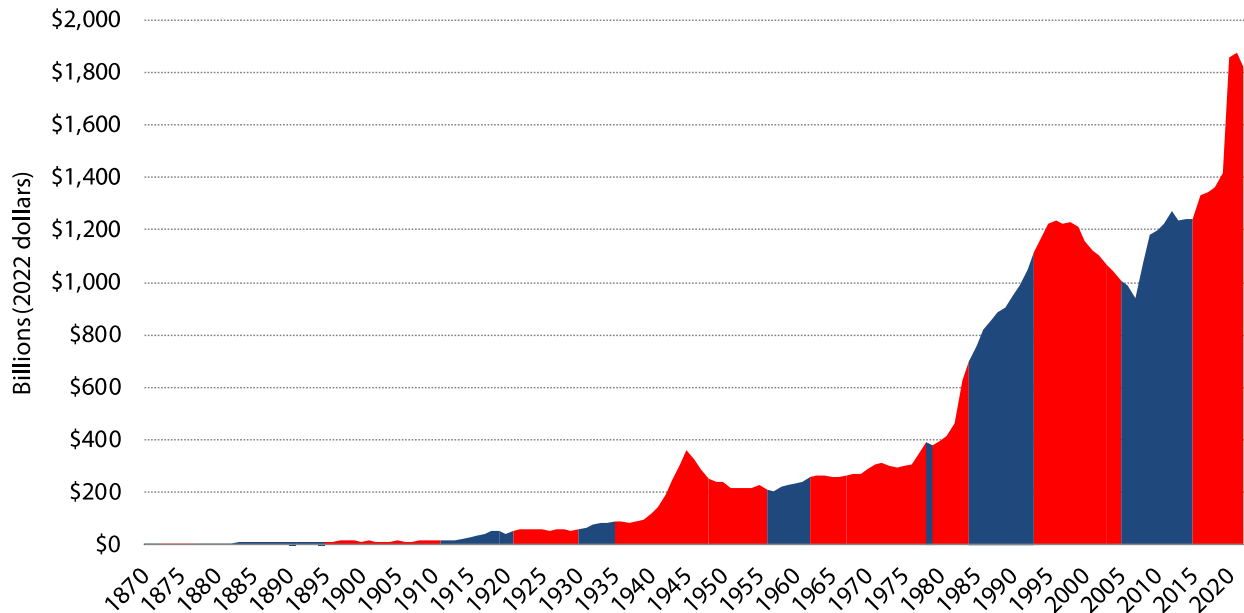


Image used with permission from the Fraser Institute

Canadian Conservatism is not monolithic, however. While many Conservatives have the similar theoretical positions on taxation, patriotism, public safety, and a limited government, there are several fissures within the movement that occasionally make unity more a dream than a reality. Social conservatism is a worldview connected to faith-based organisations and philosophies. As such, social conservatism supports policies that support traditional families, and resist controversial issues such as abortion rights, legalizing gay marriage, early childhood sex education, medical assistance in dying, and measures that would remove God or restrict participation of people of faith from the public square.

The influence of social conservatism in the Conservative Party has waxed and waned over the years, according to both the Party leader, and the ability of the Liberal Party to exploit what are seen as unpopular stands and create “wedge issues” to distract and turn the electorate. Usually, the social conservatives can muster a third of Conservative delegates at party conventions, but they have been relatively adept at nominating social conservative candidates in rural seats, giving them influence in the Conservative caucus. Nonetheless, over time, Conservative Party official positions have migrated closer to the Liberals. Recently, the party leadership has embraced LGBT rights, legalized cannabis sales, and pledges not to introduce government legislation to limit abortions.

Libertarian conservatives seek to maximize individual liberty, choice, and responsibilities, severely reduce the role and the power of governments, and give complete freedom over moral decisions to individuals. Libertarians traditionally support LGBT rights, the legalization of drugs, and the elimination of the welfare state. This is an influential element

²⁷ Examining Federal Debt in Canada by Prime Ministers Since Confederation, 2022. Fraser Research Bulletin. Fraser Institute, July 2022

in the conservative movement, although its adherents are members of both the Conservative Party and the People's Party (see below).

Identity politics and the associated culture wars are another area of fast-developing discussion within the Conservative Party; indeed it is taking place within political discussions generally. From a Conservative perspective, the re-evaluations of Canada's history veers toward negating the very idea of Canada as a nation-state. Discussion of Canada's first Prime Minister, Sir John A. Macdonald, has noted that he was responsible for creating residential schools for Indigenous children, which has been referred to by some politicians as "cultural genocide." Yet, appropriate discussion and re-evaluation has now yielded to statue-toppling and a growing movement to cancel Canada Day, our national holiday it reflects Canada's colonialist and racist past.

Conservatives, while acknowledging Canada's past, generally resist the cancelling of names from Canada's past. They wish to celebrate Canada as it is now, a tolerant and diverse society, but also want to acknowledge the past successes and sacrifices that Canadians have made. Rather than call Canada a "colonialist" and "racist" country, Conservatives see the British legacy as entrenching democracy, individual liberties, and the rule of law. Mob vengeance on statues is not seen as appropriate. This contrasts with the wokeism within political parties on the left.

Furthermore, this cultural debate also involves notions of freedom of expression. Cancel culture and de-platforming those with dissenting cultural views has been enhanced by the Liberal Government under Justin Trudeau to require media to actively erase and de-platform "misinformation" and "hateful" views (see Chapter VIII). Conservatives react to this and see it as injurious to Canada's cherished rights and freedoms of speech and association. Generally Conservatives do not see Canada as a white supremacist and colonialist state.

Finally, an examination of foreign policy, the Conservative position has been of full support the state of Israel. PM Stephen Harper supported Israel diplomatically, economically, and even personally in the ongoing debates in international fora. Harper took pride in supporting Israel, even during UN condemnation, and particularly in Israel's military responses to Hamas and Hezbollah.

C. THE NEW DEMOCRATIC PARTY

The New Democratic Party (NDP) is a leftish-leaning political party, arising out of another party called the Co-operative Commonwealth Federation (CCF), and supported by organised labour. Other elements of the NDP include people who support a socialist agrarian movement, leftist intellectuals, and social gospel adherents. While social democrats initially sought government control over the means of production, this aspect of their economic policy has waned over the years. Yet the NDP still holds the following ideas: an aversion to the profit motive in important parts of the economy such as education and health care; a commitment to affirmative action to achieve gender equality, environmentalism, LGBT rights, and the inclusion of racialized persons²⁸ rights of organised labour; and a greater role of the state in the economy.

²⁸ CONSTITUTION OF THE New Democratic Party of Canada, 2021

Coinciding with the election of Jagmeet Singh as federal NDP Leader, the party has placed greater emphasis on collective rights and culture issues, allying with Black Lives Matter, trans rights activists, and environmentalists, to name a few. Class-based analyses of the economy, emphasizing the need for increased support for blue collar workers has fallen by the wayside, as diversity and inclusion have come to dominate the party platform. This disconnect with blue collar workers and their more socially conservative views has led to advances by conservative and populist parties in this group, mirroring trends in the USA, UK, and continental Europe.

The NDP has been successful in forming governments in a number of provinces, notably Nova Scotia, Ontario, Manitoba, Saskatchewan, Alberta, and British Columbia. But this has not carried over to national success. In the 2015 election, the Liberals swerved to the left of the NDP by running deficits, legalizing cannabis, and committing to large reductions in carbon emissions. Once elected, Justin Trudeau self-declared as a feminist and participated in many gay pride marches as well as a BLM protest.

Consequently, the federal NDP is facing a lack of relevance, save for urging the Liberals to go farther and faster to the left. As the state has expanded massively during the Covid-19 pandemic, both in terms of percentage of the economy and the oversight of formerly private decisions, there is little room for the NDP to distinguish itself from the Liberals. Moreover, the disconnect with organised labour means the latter tend to organise for the Liberals and attack conservatism rather working for the NDP. And the union members drift farther into Conservative or populist choices, feeling their voices are not being heard by the “woke” NDP. Whether this will herald an inexorable decline in federal NDP fortunes remains to be seen, but the warning signs are there.

D. THE GREEN PARTY

The Green Party of Canada was founded in 1983 focusing on environmental issues. It does not see itself as either “right” or “left”; rather, it rejects labels and ideological orientations. And the Green Party, in fact, draws from across the political spectrum. Nevertheless, recent Green Party platforms have featured policies that are unmistakably big spending, big government, and interventionist similar to the Liberals and NDP.

Several principles were adopted by Greens in 2002: ecological wisdom; non-violence; social justice; sustainability; participatory democracy; and diversity. The common core is a belief in setting limits to growth. The Party proposes a radical redistribution of society’s power and wealth, which would put it on the extreme left on the political spectrum.

In the summer of 2024, the Green Party fell into a state of disrepair and internal rancor. The Party garnered its lowest share of votes in the 2021 election and the leader, Annamie Paul, was forced to resign. Numerous factions created dissension over the Israel-Hamas conflict. The only bright light was the election of a second M.P.

Despite successes in some provinces, notably in British Columbia and Prince Edward Island, where the Greens have temporarily formed the Official Opposition, success federally has not happened. Its future in federal politics is uncertain.

E. THE BLOC QUEBECOIS

The Bloc Québécois (BQ) was founded as a federal party in 1991, and initially it was a group of Quebec MPs who left the Progressive Conservative and Liberal parties when a proposed constitutional change, called the Meech Lake Accord, was being considered in the House of Commons. These MPs were so disgusted with what they heard from the rest of Canada about Quebec's aspirations, that they thought Quebec should secede from the federation. At this time, the BQ was a temporary coalition to achieve a "Yes" result in a sovereignty referendum in the province. This never happened, yet the BQ is still in Parliament.

The BQ has strong ties to the Quebec provincial separatist party, the Parti Québécois. It draws support from urban secessionists, rural farmers, organised labour, and other groups. Aside from formally seeking the independence of Quebec from Canada, BQ ideology was to demand increasingly more autonomy for Quebec until formal separation was achieved.

Apart from this goal, the BQ supported left leaning policies: greater worker rights; more state control of the economy; and removing Canadian troops from conflicts in the Middle East and Afghanistan. There have been socially liberal planks in BQ platform: support for abortion, LGBT rights; and support for assisted suicide. In addition, the Party supports international action on climate change.

While bursting onto the scene in the 1993 election with 54 seats they were reduced to 4 seats in the 2011 election, but rebounded and held 32 seats after the 2021 election. Recently, the party seems to care more about "fighting for Quebec" than calling for independence, meaning that BQ members of Parliament work at prying federal dollars from the federal government and decrying federal intrusions in Quebec's authority.

An interesting development in BQ ideology is its support of Quebec's decision to ban religious symbols such as the hijab from classrooms or government offices. Suffice to say the BQ wish to enforce secularism even at the expense of religious tolerance.

F. THE PEOPLE'S PARTY

The People's Party of Canada (PPC), was formed in 2018 by Maxime Bernier, a former Conservative MP. The Party won no seats in the 2021 election, but received about 5% of the popular vote. The party opposes corporate welfare, especially Canada's supply management system for milk and dairy products. Bernier launched the PPC as a populist alternative to the Conservative Party of Canada.

Bernier said that the People's Party's core values are "freedom, responsibility, fairness and respect." More specifically, the party is pro-deregulation and pro-tax reform. The PPC would have Canada withdraw from the Paris Climate Accord and advocates limiting annual immigration to no more than 150,000 per year. The PPC also proposed a "values test" for new arrivals, ensuring that they agree with Canadian core values. The 2021 election saw different issues at play, and the PPC capitalized on the Covid-19 crisis, the lockdowns, and vaccine mandates, to take support "freedom" and "choice" for Canadians. As Justin Trudeau made vaccines his top priority in the 2021 election, the PPC became the most vociferous alternative to the Liberals.

Finally, it should be noted that not all of the PPC's support comes from former Conservative votes. Some are disgruntled Green and NDP voters; others who simply refused to vote for

the choices in prior elections were attracted by the PPC's anti-establishment messages. It is unclear whether the PPC will succeed in gaining seats in the future, also because it is facing an especially harsh media critique, exclusion from electoral debates, and deplatforming.

G. PROVINCIAL AND TERRITORIAL PARTIES

Although federal political parties appear with the same names and often the same logos as provincial parties, they do not necessarily have the same political positions. Often, provincial parties try to distance themselves from their federal namesakes, and some do not have direct political links with them. Often, one party has dominated provincial assemblies for a considerable amount of time. For example, the Alberta Conservative Party (1971–2015), the Nova Scotia Liberal party (1882–1925), and the Ontario Conservative Party (1943–85) governed for considerable periods without interruption. Often the number of seats a party has does not represent the proportion of the popular votes they received. In 1987, for example, Frank McKenna's Liberals captured all 58 seats in the New Brunswick legislature with only 60.4% of the popular vote. In 2022, Premier Legault of the CAQ garnered over 70% of the seats in Quebec with 41% of the popular vote.²⁹

British Columbia: In B.C., the emergence of the Social Credit Party in 1952, as a spin-off of the Conservative Party, led to the demise of both the Liberal and Conservative parties. After a twenty-year rule, the Social Credit Party was defeated by the NDP in 1972. Since then, provincial politics has been a swap between NDP and a conservative-leaning party. Starting 1996, Social Credit was replaced by the Liberal Party, taking power in 2001.³⁰ The Liberals obtained many of the conservative-leaning voters,³¹ but became more left-leaning under Premier Christy Clark. Her government, although fiscally conservative, introduced the controversial SOGI sex education program into the public school system. In 2022, the party rebranded itself under the name BC United, possibly signaling a shift back towards the right in an attempt to capture more conservative voters.³² The Conservative Party regained momentum during and after the COVID-19 crisis, based on a promise to bolster parental rights, more moderate climate change policies, and removing mandatory vaccination mandates. The Green Party has held between one and three seats since 2013. BC currently has four parties in their Assembly.

Alberta: Alberta generally has had a two-party competition in recent elections, where government was exchanged between the NDP and the United Conservative Party (UCP). The Conservatives had held power for the previous 44 years, but were defeated by the NDP in 2015. The Alberta Social Credit Party was replaced by the Progressive Conservatives (PC) in 1971. The Liberal Party emerged in 1993 as a fiscally conservative alternative but did not win any seats in the Assembly since 2019. The more socially conservative Wildrose Party became a challenge to the Conservatives around 2008, ultimately leading to vote-splitting

²⁹ <https://www.thecanadianencyclopedia.ca/en/article/provincial-government>

³⁰ <https://www.thecanadianencyclopedia.ca/en/article/politics-in-british-columbia>

³¹ <https://www.cbc.ca/news/canada/british-columbia/why-the-b-c-liberals-are-sometimes-liberal-and-sometimes-not-1.4100339>

³² <https://vancouversun.com/news/local-news/b-c-liberals-to-be-renamed-b-c-united>

and a NDP government in 2015. The PC and Wild Rose parties merged in 2017 to form the UCP.³³ The UCP was successful in gaining governmental power from the NDP in 2019.

Alberta's conservative-leaning parties are strongly opposed to many federal policies that are incursions into provincial rights, thus disadvantaging Alberta. This has resulted in "alienation" that has marked Alberta politics since the 1920s and recently resulted in the creation of the Wexit Party (now Maverick Party) at the federal level.

Saskatchewan: Famous for forming North America's first socialist government, the CCF, in 1944, Saskatchewan was a pioneer of university medical care in 1962. Governmental responsibilities changed from the CCF (NDP), Liberals (1971), the Progressive Conservatives (1982), to the Saskatchewan Party (2007). The Saskatchewan Party emerged as a uniting of the Liberals and the PCs, returning Saskatchewan to a two-party system.

Manitoba: The province had three parties, Liberals, New Democrats, and Progressive Conservatives, with seats in the Legislative Assembly after the 2023 election. Power has changed hands between the NDP and the PC since the 1970s. The NDP was in power for 17 years, but lost to the PCs in 2016. The NDP returned to power in 2023 with Wab Kinew and is openly socialist³⁴ in its Statement of Principles, calling for a province "where individuals give according to their abilities and receive according to their needs."³⁵

Ontario: Until recently, Ontario had a three-party system where all parties (Liberals, NDP, Progressive Conservatives) have formed governments recently. A move of the PCs towards the left has allowed new conservative parties to fill the void. The Ontario Party (1.8% of the popular vote in 2022) and the New Blue Party (2.7%) parties were formed in 2018 and 2021, respectively. They emerged because of a discontent with the PC Party, specifically with its continued support of the sex-education curriculum and overly strict COVID-19 measures. Both of these new parties failed to win any seats at the 2022 election, but each had an MLA because two PC MLAs sat as members of those parties in the 2018-2022 parliament.³⁶ The Green Party won a seat in both the 2018 and 2022 elections.

Quebec: With the creation of the Parti Québécois in the 1960s, Quebec changed from a bipartisan system to a multi-party system. Until recently, Quebec had four provincial parties represented in parliament--the Liberal Party (PLQ), the Parti Québécois (PQ), the Marxist³⁷ Québec Solidaire (QS), founded in 2006 but merged with Option Nationale in 2017, and the more conservative Action Démocratique Québec (ADQ) founded in 1994. In 2011, the Coalition Avenir Québec (CAQ) was founded, but then merged with the struggling ADQ in 2012. It formed the government in 2018 and again in 2022. The Conservative Party of Quebec (CPQ) was founded in 2009 and emerged as the fifth party with around 13% of votes in the 2022 election, filling a centre-right vacuum left by the CAQ, which moved to the left on many policies once it was in power.

³³ <https://www.thecanadianencyclopedia.ca/en/article/politics-in-alberta>

³⁴ https://en.wikipedia.org/wiki/From_each_according_to_his_ability,_to_each_according_to_his_needs

³⁵ https://www.mbnep.ca/statement_of_principles (accessed May 2024)

³⁶ The same had happened with the social-conservative Trillium Party (now defunct) in the previous legislature.

³⁷ <https://www.lapresse.ca/actualites/elections-quebec-2018/201809/25/01-5197846-quebec-solidaire-est-marxiste-dit-manon-masse.php>

Quebec has strong nationalist ambitions and entertains direct diplomatic relations with France and a few other countries, with representation that is parallel to the federal government at some international meetings. A key concern for Quebec voters is the preservation of the French language and culture, to preserve their particular identity.

Since the “Quiet Revolution” in the 1960s, an emancipation from the influence of the Catholic Church has evolved towards a secular stance of government, culminating in Law 21, which forbids the use of religious symbols for state employees. At the same time, the sovereigntist movement has weakened. Quebec governments have leaned towards socialist, interventionist positions, which resulted in the creation of state-run institutions (Hydro-Québec, cégeps, Télé-Québec, etc.) and under René Lévesque, moved from a very conservative position before the Quiet Revolution to the most leftist province of Canada.

New Brunswick: This province has been a two-party system, Liberals and the Conservatives, since confederation. New parties have not been able to gain seats in any election. Specifically, the NDP has no seats in the Legislative Assembly and the People’s Alliance (PA) and the Greens have each won a few seats. The PA was formed in 2010, mainly in opposition to plans of selling NB Power to Hydro Québec, and it has conservative values but is seen as being hostile to bilingualism. Strangely, the party was deregistered in 2022, when the leader joined the governing PC, but it was re-registered later.³⁸

Prince Edward Island (P.E.I.): Politics here has been a competition between the Progressive Conservatives and the Liberals. So far, other parties have not won enough votes to form a government, but even so the Green Party has increased its votes more than the Liberals in both 2019 and 2023.³⁹ The Greens formed the official opposition in 2023. Now, PEI has a three-party system.

Nova Scotia: This province has a three-party system, where the NDP was governing from 2009 to 2013. Before that, either the Progressive Conservatives or the Liberals held power. The two parties, however, were not very different in their political orientations.⁴⁰ Polarization appears to be less of an issue in Nova Scotia, but an urban-rural divide is clearly seen with urban voters trending towards more left-leaning, progressive policies.⁴¹

Newfoundland and Labrador: They have only seen Liberal and (Progressive) Conservative governments, but the NDP is becoming a significant contender garnering about 25% of the popular vote in 2011, although this fell to about 8% in 2021. Interestingly, this province has had the lowest voter turnout rates among the other provinces.⁴² Some analysts see this as a danger for the provincial democratic process.⁴³

Northwest Territories (N.W.T.), Nunavut, and Yukon: As territories, rather than provinces, the governments of these territories have more limited responsibilities than their provincial counterparts. In both the N.W.T. and Nunavut, elections are not based on

³⁸ <https://www.cbc.ca/news/canada/new-brunswick/panb-rick-desaulniers-new-leader-1.6472539>

³⁹ <https://www.cbc.ca/news/canada/prince-edward-island/pei-politics-future-1.6801090>

⁴⁰ <https://www.thecanadianencyclopedia.ca/en/article/politics-in-nova-scotia>

⁴¹ <https://atlantic.ctvnews.ca/election-reveals-stark-urban-rural-divide-in-nova-scotia-s-political-landscape-1.5552856>

⁴² <https://www.conferenceboard.ca/hcp/voter-turnout.aspx-2/>

⁴³ <https://journals.lib.unb.ca/index.php/Acadiensis/article/view/32957/1882528294>

party politics, but on consensuses which includes a range of views. Political candidates run as independents, and not under party banners. The Yukon, however, has a three-party system including the Yukon Party (equivalent of the Progressive Conservatives), Liberals, and NDP, each of which have formed government at various times.

H. CONCLUSION

While Canada is known to have a stable political system, especially compared to the U.S., recent years have seen parties splinter, merge, and accommodate new political movements. The advent of populist movements is not new; a similar trend happened in the 1920s and 1930s, but the pace of change seems to be accelerating.

With the decline of legacy media and the advent of alternative news (see Chapter VI), Canadian political parties continue to evolve and adapt. The federal Liberal Party tries to span the political spectrum, redefining the progressive left as the “centre,” while keeping its grasp on power. Will this continue?

The question is: how can the centre hold when everything around it is being questioned? It used to be that the things that divided Canadians were much fewer than those that united them. In the nineteenth and twentieth centuries it was mostly religion and language that divided the country. Not so today; there are more fissures based on culture, language, age, gender, and other identities. How to find common ground, or at least manage the differences, will be the true test of political leaders in the future.

Further-going material: More information on parties and how they operate can be found at journalist J.J. McCullough’s Canada Guide:

<https://thecanadaguide.com/government/political-parties/>

Several grassroots organisations in Canada maintain records on candidate or party related votes, which can provide an orientation on where parties stand with respect to certain topics. These groups often issue recommendations on how their subscribers should vote to support their causes, often by riding. Some examples are:

- Canadian Taxpayer Federation: <https://www.taxpayer.com/>
- Campaign for Life Coalition: <https://www.campaignlifecoalition.com/voting-records/level/mp/province/>
- ARPA Canada: https://arpacanada.ca/action_items/2021-federal-election/ (or [check for more recent updates](#))

A good book on Canadian politics is William Gairdner’s *The Trouble With Canada ...Still!* (Key Porter Books, 2010).

To understand the history of liberal, socialist, and conservative thought, refer to Roger Scruton’s book, *Conservatism—An Invitation to the Great Tradition*, All Point Books (2018).

To do a self-test as to where you stand on political issues compared to other voters, go to <https://youth.votecompass.com>. Election-specific versions of the Compass can be found at <https://votecompass.cbc.ca/canada>.

IV. The Courts and Politics

By Gwen Landolt

Canada's system of government was founded on a clear separation of powers between the Legislative (Parliament—the House of Commons and Senate), Executive (Governor-General, Prime Minister, and Cabinet and their respective ministries), and the Judicial branch. This separation has been the foundation of the Westminster Parliamentary System since the 1688 Revolution in England, which granted Parliamentary Supremacy, and the *Act of Settlement 1701* (Judicial Independence).⁴⁴ The separation of powers is a means to provide checks and balances on governmental power to protect the liberties of the individual. The separation of powers, like Canada's governmental system, is based upon the principles that no one, including government, is above the law and that the consent of the governed is the only legitimacy for government. However, this well-designed system has been compromised in Canada, especially since 1982 with the passing of the Charter of Rights, which has led to serious consequences for Canada's ability to function as a free parliamentary democracy.

A. THE CANADIAN COURTS AND THE CHARTER

Prior to the adoption of the Charter of Rights and Freedoms in 1982, the role of the courts was to interpret the law according to existing legal principles and precedents. Court decisions were confined to legal issues, deciding questions solely on law and evidence admitted at trial, never expressly intruding into the area of public policy. Judges were to be politically neutral and they were required to remove themselves from partisan politics.

These decisions were rooted in a legal culture that was animated by social norms and values, founded on Judeo-Christian principles. These accepted social norms resulted in the flourishing and thriving of Canadian society.

In 1982, the Charter of Rights and Freedoms changed everything. The Charter came into existence without a referendum and without public pressure or mandate for change. It came about only because of the insistence and obsession of Prime Minister Pierre Trudeau. The Charter also came into existence by a deliberate misrepresentation of its purpose. The public was informed by the Liberal government that the purpose of the Charter was to enshrine “fundamental rights and freedoms” in the Constitution which could not be weakened by Parliament (see Table 2). Unfortunately, fundamental freedoms such as freedom of religion, expression, opinion, mobility, right to fair trial, etc. have, for the most part been weakened and transformed in ways not intended by the Charter's framers.⁴⁵ Instead of protecting and guaranteeing “fundamental rights and freedoms,” the main effect of the Charter has been to shift legislative power from Parliament, which is representative of, and accountable to, a broad cross-section of the population through the ballot box, to

⁴⁴ 1700 Chapter 2, 12 and 13 Will. 3, s.3. The *Act of Settlement 1701* is part of Canada's Constitution. In addition, the wording of s. 99 (tenure of judges and their removal) of the *Constitution Act 1867* follows closely the wording of the *Act of Settlement 1701*.

⁴⁵ Some framers intended legislatures to rein the courts with Section 33.

non-elected, unaccountable judges—a process that has been dubbed a “regime change.”⁴⁶ In other words, the judicial branch has usurped the legislative branch’s function without any of the accountability or legitimacy afforded Parliament. This shift in power has opened the door for the judiciary to determine public policy, and thereby impose its preferred social values—social values far different from, and often at odds with, the majority of Canadians. In doing so, the judiciary has had a great impact on the lives of Canadians.

Figure 4 The Charter of Rights and Freedoms

The image shows a page from the Canadian Charter of Rights and Freedoms. At the top center is the coat of arms of Canada. Below it, the title "CANADIAN CHARTER OF RIGHTS AND FREEDOMS" is prominently displayed in large, bold, serif capital letters. The document is divided into several sections, each with a heading and numbered articles. The sections visible include:

- Democratic Rights:** Articles 3, 4, and 5 regarding the election process and the role of the Senate.
- Mobility Rights:** Article 6 regarding the right of citizens to move and settle anywhere in Canada.
- Legal Rights:** Articles 7 through 14 regarding the rights of the accused, including the right to a fair trial and the right to counsel.
- Official Languages of Canada:** Article 16 regarding the use of English and French in government institutions.
- Minority Language Educational Rights:** Article 23 regarding the right of minority language students to attend schools in their own language.

 The text is in a standard serif font, and the layout is formal and structured. The page is framed by a thin black border.

The 1982 Charter of Rights and Freedoms, a constitutional document, limits the powers of the state and its agents but is not applicable to other entities, such as businesses. It is seen by many as a guarantee of our rights as citizens vis-à-vis government. Yet, courts have used it to change society, bypassing the democratic process.

The reality is that forty years after its creation, the Charter has increasingly become a tool in the hands of the judiciary to impose and support a progressive agenda that is changing the social and legal fabric of this country. The role of the Supreme Court has changed from interpreting the laws passed by Parliament to one that directs Parliament on legislation. Unelected judges that cannot easily be removed and who are not accountable to Canadians

⁴⁶ William Gairdner, *The Trouble With Canada ...Still!—A Citizen Speaks Out*, (Toronto: Key Porter Books Ltd., 2010) at p. 456.

have imposed radical changes on Canadian society that would never have been passed by Parliament.

Table 2 Charter Rights and Freedoms

RIGHTS	FREEDOMS
<ul style="list-style-type: none"> • the right to equality and protection from discrimination • the right to vote and/or be a member of the House of Commons or legislative assembly • the right to live and seek employment anywhere in Canada • the right to life, liberty and personal security • the right to be free from unreasonable search and seizure • the right not to be to arbitrarily detained or imprisoned • the legal rights of people accused of crimes, including: the presumption of innocence; a fair and public hearing by an independent and impartial tribunal; and the right to a jury trial • the rights of Indigenous peoples • the right to use Canada’s official languages and the right of French or English minorities to an education in their language. 	<ul style="list-style-type: none"> • freedom of conscience and religion • freedom of thought, belief, opinion, and expression • freedom of peaceful assembly • freedom of association

B. COURTS REINTERPRET RIGHTS

Initially, when deciding cases about Charter rights, the courts generally showed promise in protecting individual rights in criminal law. For example, the courts have used the Charter to protect rights affected by wiretaps, trial within a reasonable time, mandatory imprisonment, reverse onus (presumption of innocence), disclosure of evidence (to ensure a fair trial), etc. In other areas, however, Charter decisions have done little or nothing to protect individuals and society in the exercise of their supposedly constitutionally “guaranteed” rights and freedoms.

Instead, the Charter has been applied to social issues to change, among other rights, the standard understanding of freedom of religion (making it secondary to homosexual rights⁴⁷), and Canadian laws covering marriage,⁴⁸ illicit drug use,⁴⁹ physician assisted suicide,⁵⁰ abortion,⁵¹ pornography,⁵² prostitution,⁵³ against the declared will of Parliament. The Charter has even been used to change the legal interpretation of indecency.⁵⁴

⁴⁷ *Trinity Western University v. Law Society of Upper Canada*, [2018] 2 S.C.R. 458.

⁴⁸ *Reference re Same-Sex Marriage*, [2004] 3 S.C.R. 698.

⁴⁹ *Canada (Attorney General) v. PHS (Community Services Society)*, [2011] 3 S.C.R. 134.

⁵⁰ *Carter v. Canada (Attorney General)*, [2015] 1 S.C.R. 331.

⁵¹ *R. v. Morgentaler*, [1988] 1 S.C.R. 30.

⁵² *R. v. Butler*, [1992] 1 S.C.R. 452; *R. v. Sharpe*, [2001] 1 S.C.R. 45.

⁵³ *Canada (Attorney General) v. Bedford*, [2013] 3 S.C.R. 1101.

⁵⁴ *R. v. Labaye*, [2005] 3 S.C.R. 728.

It is not only progressive litigants, aided and abetted by their judicial enablers, who are using the Charter to impose a progressive agenda, opposing a Judeo-Christian worldview and its accompanying values held by most Canadians. Increasingly, political elites at both federal and provincial levels are only too happy to hide behind Charter decisions which furthers their own agenda. In doing so, these political elites rely on judges to advance their preferred progressive views, an agenda they know full well would never be approved of by a majority of the Canadian electorate. One only needs to look at the lack of use of s. 33 of the Charter, the “Notwithstanding Clause,” which allows the provincial legislators and Parliament to override a court decision to understand the complacency of the political elites in the Court’s progressive agenda.

The reality is that most Charter decisions are almost exclusively driven by a progressive agenda. Indeed, one is hard pressed to find *any* provincial appellate court, let alone a Supreme Court of Canada decision made under the Charter, that has upheld legislation reflecting Judeo-Christian values duly enacted by Parliament or a provincial legislature. The fact that the Supreme Court of Canada has been politicized to promote progressive values was confirmed by Chief Justice Richard Wagner when he stated that he was proud that the Supreme Court of Canada was “the most progressive court in the world.”⁵⁵

It may come as a shock to Chief Justice Wagner, but courts do not exist to be “progressive” anymore than they exist to simply rubberstamp majority opinions. Rather, courts exist to administer justice, which, in the Canadian context, requires judges to respect the primacy of Parliament as the law-making branch of government. In this regard, Chief Justice Wagner would do well to consider his predecessor’s view that the purpose of the Charter is:

*to guarantee and to protect, within the limits of reason, the enjoyment of the rights and freedoms it enshrines. It is intended to constrain governmental action inconsistent with those rights and freedoms; it is not in itself an authorization for governmental action.*⁵⁶

C. CHANGING CANADA’S SOCIAL VALUES

The first hint that the courts would no longer uphold law based upon accepted traditional Judeo-Christian values but would instead enact fundamental changes according to the judges’ progressive perspective, occurred in 1985 in *Regina v. Big M Drug Mart Ltd.*⁵⁷ The case dealt with the 1906 federal *Lord’s Day Act*,⁵⁸ which said that it was unlawful to carry on business on Sunday. The Supreme Court of Canada concluded that the *Lord’s Day Act* infringed on freedom of religion provided in s. 2(a) of the Charter, since it compelled observance of the Christian Sabbath by all Canadians. The *Lord’s Day Act*, however, did not force anyone to renounce their faith, force them to profess the Christian faith, or force them to go to church on Sunday. It required only that non-Christians had to abstain from *commercial activities on a common day of rest* set aside by the majority, on the day of the

⁵⁵ Tonda MacCharles, “Canada’s top judge says Supreme Court should provide leadership at a time when fundamental values are being undermined in the world”, *Toronto Star*, 22 June 2018

<https://www.thestar.com/news/canada/2018/06/22/canadas-top-judge-says-supreme-court-should-provide-leadership-at-a-time-when-fundamental-values-are-being-undermined-in-the-world.html>

⁵⁶ *Hunter et al. v. Southam Inc.*, [1984] 2 SCR 145, at p. 156, *per* Dickson, J. (as he then was).

⁵⁷ *R. v. Big M Drug Mart Ltd.*, [1985] 1 S.C.R. 295.

⁵⁸ R.S.C. 1970, c. L-13.

week that had existed for centuries as being recognized as a “day of rest.” The Court inferred that there was something inherently wrong in adopting religious values rooted in Christian morality.⁵⁹ The decision in *Big M Drug Mart* ignored Canada’s history and trivialized the historic role of the Christian faith in Canada, which had shaped law, politics, and social values, with positive results. Indeed, it is not without a considerable sense of irony that in doing so, the Supreme Court of Canada ignored the very fact that the Charter, as well as much of our political-legal system, is based on Christian morality and the Judeo-Christian worldview of the individual, state, and society.

The fact that our constitutional system, with its focus on rights, duties, and separation of powers, owes its very existence to the long-standing values of Judeo-Christian ethos. In recognizing that fact, we should be wary of simply assuming that because the Charter is based upon Judeo-Christian values, all decisions based upon the Charter are in conformity with that ethos. The Charter, like any document, legal or otherwise, is open to debate, that is, what is the Charter’s correct interpretation? Like any legal document, judges must interpret the Charter.⁶⁰ Whether the interpretations given by the courts are correct is a judgement each of us must make. However, when courts decide that freedom of association requires compelled association⁶¹ or that the right to life means the right to death,⁶² one must seriously question why the Charter is being twisted to say the opposite of what it clearly says? Clearly, the fault lies not in the text, but in the interpreter.

D. EXPANDING THE COURT’S JURISDICTION

In addition to defining the Charter to suit themselves, there are three provisions in it that the courts have used to justify expanding their own power and jurisdiction to determine public policy. The first is s. 24(1) of the Charter, which provides that the courts may provide “remedies” (undefined in the Charter) when the Charter is infringed. The second is s. 1 of the Charter, the “reasonable limits clause,” which allows for a limitation on a person’s Charter rights. The third is s. 52(1) of the *Constitution Act, 1982*,⁶³ which provides that the Charter is the supreme law of Canada and that any law inconsistent with it has no force and effect. Since it is the judges who are the final arbiters of the meaning of the Charter, their decisions become the “supreme law of Canada” pursuant to which the courts then decide the “appropriate and just remedy” when they decide that laws contravene the Charter. As noted above, Parliament has the ability with s. 33 of the Charter (the Notwithstanding

⁵⁹ And yet, despite the Court’s misgivings about “Christian morality,” it found no such qualms in upholding a “secular pause day” under Ontario’s *Retail Business Holidays Act* a year later in *R. v. Edwards Books and Art Ltd.*, [1986] 2 SCR 713.

⁶⁰ Such interpretation, however, should not take place in an ideological vacuum, but rather within the context of legal precedent—including legal norms that recognize Parliament’s primacy in the legislative process, principles and the facts as established at trial.

⁶¹ See for example: *R. v. Advance Cutting & Coring Ltd.*, [2001] 3 S.C.R. 209; *Bernard v. Canada*, [2014] 1 S.C.R. 227; and *Lavigne v. Ontario Public Service Employees Union*, [1991] 2 S.C.R. 211.

⁶² See for example: *R. v. Morgentaler*, [1988] 1 S.C.R. 30; *Rodriguez v. British Columbia (Attorney General)*, [1993] 3 S.C.R. 519; and *Carter v. Canada (Attorney General)*, [2015] 1 S.C.R. 331.

⁶³ Schedule B to the *Canada Act 1982*, 1982, c. 11 (U.K.).

Cluse) to correct wrongful Supreme Court decisions. However, in practice s. 33 is rarely used and Parliament ends up following the court's lead.⁶⁴

The courts expanded their jurisdiction to intrude in matters of public policy by several other strategies as well. One strategy was to broadly interpret the Charter by setting aside the intentions of the framers of the Charter. This was done in several of their judgements. Two examples:

1. In the case of *Schachter v. Canada*,⁶⁵ the Supreme Court decided that s. 24 of the Charter allowed it to “remedy” legislation “inconsistent” with the Charter by adding or deleting words and expressions from legislation or changing the meaning and purpose of legislation passed by Parliament. Simply put, the *Schachter* decision was revolutionary in that it freed the Court to do whatever it chose to do with any legislation passed by Parliament. An example of this broad interpretation of the Charter occurred in the Ontario Court of Appeal when, using s. 15(1) of the Charter, the court held that the words 'or the same sex' should be read into the definition of spouse in s. 252(4) of the Canada's *Income Tax Act*, for the purposes of the registration of pension plans.⁶⁶ The Ontario Court of Appeal's reasoning in *Rosenberg* mirrors the Supreme Court of Canada's decision in the earlier case of *M. v. H.*⁶⁷ where the court concluded that s. 15(1) of the Charter provided a constitutional right for couples in same-sex unions to receive spousal support under Ontario's *Family Law Act*.
2. The Supreme Court of Canada made another revolutionary decision in the case of *Re B.C. Motor Vehicle Act*,⁶⁸ which concluded that s. 7, one of the Charter's key provisions, should be interpreted by directly contradicting the clear intention of the framers of the Charter.
Section 7 of the Charter states that “everyone has the right to life, liberty, and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.” When testifying before the Joint Committee of the Senate and the House of Commons on the Constitution, Justice Minister Jean Chretien stated that the phrase “fundamental justice” had been carefully chosen to prevent the courts from making *substantive* changes to legislation. Instead, he said, the courts may only make *procedural* changes. This interpretation of s. 7 of the Charter was confirmed by other officials testifying before

⁶⁴ A rare example of Parliament responding to a Supreme Court's Charter decision was its response to *Canada (Attorney General) v. Bedford*, [2013] 3 S.C.R. 1101, in which the Court found s. 212(1)(j) of the *Criminal Code*, which prohibited living on the avails of sex work, to be unconstitutionally overbroad because it criminalized non-exploitative actions that could enhance the safety and security of sex workers. The Court declared this offence to be inconsistent with the Charter and hence void. The declaration of invalidity did not take immediate effect but rather was suspended for one year. Parliament's response was not to use s. 33 of the Charter but instead passed the *Protection of Communities and Exploited Persons Act*, 2014, c. 25, which made major amends to the *Criminal Code* sections dealing with prostitution.

⁶⁵ [1992] 2 S.C.R. 679.

⁶⁶ *Rosenberg v. Canada (Attorney General)*, (1998), 38 O.R. (3d) 577(C.A.).

⁶⁷ [1992] 2 S.C.R. 3.

⁶⁸ [1985] 2 S.C.R. 486.

the Committee that same day, such as Solicitor General Robert Kaplan and the Deputy Minister of Public Laws, Barry Strayer.⁶⁹ The Joint Committee subsequently confirmed this interpretation of s. 7 in a vote also that same day. This interpretation of s. 7 was also approved when the Charter was passed by Parliament and proclaimed on April 17, 1982. Despite this clearly expressed intention, the Supreme Court of Canada decided in the *B.C. Motor Vehicle case* that the courts were permitted to make substantive review of legislation, not merely procedural. As Lamer, J., as he then was, explained in dismissing reliance upon the testimony given to the Joint Committee which had indicated that substantive review was not the intention underlying s. 7, because:

... the simple fact remains that the Charter is not the product of a few individual public servants, however distinguished, but of a multiplicity of individuals who played major roles in the negotiating, drafting and adoption of the Charter. How can one say with any confidence that within this enormous multiplicity of actors, without forgetting the role of the provinces, the comments of a few federal civil servants can in any way be determinative? 52. Were this Court to accord any significant weight to this testimony, it would in effect be assuming a fact which is nearly impossible of proof, i.e., the intention of the legislative bodies which adopted the Charter. In view of the indeterminate nature of the data, it would in my view be erroneous to give these materials anything but minimal weight.⁷⁰

Lamer, J. obviously ignored the fact that the Charter was passed after extensive debate in Parliament, with the full knowledge and intent of the provinces and whose intent was indeed acceptable as proof by their testimony.

In Lamer, J.'s view, however, the meaning of s. 7 of the Charter conferred a broad (substantive) mandate upon the judiciary to strike down laws that conflict with the Charter because the principles of fundamental justice are to be found in the basic tenets of our legal system. They do not lie in the realm of general public policy but in the inherent domain of the judiciary as guardian of the justice system. Such an approach to the interpretation of "principles of fundamental justice" is consistent with the wording and structure of s. 7, the context of the section, i.e., ss. 8 to 14, and the character and larger objects of the Charter itself. It provides meaningful content for the s. 7 guarantee all the while avoiding adjudication of policy matters.⁷¹

This self-serving interpretation of the Charter by one of the 'Guardians of the Justice System' opened the door to further unrestrained judicial activism causing many laws to be struck down merely because of the personal preferences of the judges. It was immediately used to bring about social change while circumventing democratic processes, thus imposing

⁶⁹ Minutes of Proceedings and Evidence of the Special Joint Committee of the Senate and of the House of Commons on the Constitution of Canada, January 27, 1981. Testimony at pp. 46:32-46 by Justice Minister Jean Chretien, Solicitor General Robert Kaplan, and Deputy Minister of Public Laws, Barry Strayer. Q.C.

⁷⁰ [1985] 2 S.C.R. 486., at para. 51 – 52.

⁷¹ [1985] 2 S.C.R. 486., at para. 31.

the desired change on society through the courts based on new legal interpretations of vaguely worded Charter sections (see box, The Court Party).

E. THE LIVING TREE CONCEPT OF JUDICIAL INTERPRETATION

Another strategy Supreme Court judges have taken to expand their jurisdiction has been to apply the “Living Tree” interpretation to the rights and freedoms contained in the Charter, based on the 1929 Persons Case.⁷² The Living Tree doctrine is one legal interpretive approach aligned with progressivism that reads the Constitution as a flexible document that must comply with the norms and values of the times. As the Supreme Court’s opinion in *Reference Re Same-Sex Marriage*⁷³ noted, “‘frozen concepts’ reasoning runs contrary to one of the most fundamental principles of Canadian constitutional interpretation, that our Constitution is a living tree which, by way of progressive interpretation, accommodates and addresses the realities of modern life.”⁷⁴

In contrast, Originalism⁷⁵ takes seriously the idea that a constitution is a different type of legal document precisely because it is a *political* document—it represents, or ought to, the founding principles and political compromises that makes the founding of a nation-state possible, providing stability and a clear demarcation and limitation of political power. As such, Originalism seeks to interpret the constitution based on the original meaning or intent of the framers of the document when it was written. In doing so, Originalism allows the judicial branch to be a place of judgement rather than legislation.

While it is tempting to prefer a Living Tree approach in some areas when new technologies emerge requiring regulation,⁷⁶ the greater danger remains that in interpreting the Constitution as a “Living Tree,” one invites judicial activism which politicizes the court. The

⁷² The “living tree doctrine” has been deeply entrenched into Canadian constitutional law since *Edwards v Canada (Attorney General)*, [1930] AC 124 (P.C.), [1929] UKPC 86, [1930] 1 D.L.R. 98, also known as the Persons Case. The issue at stake in *Edwards* was whether the term “persons,” as used in s. 24 of the *BNA Act*, could include men and women or was restricted to men only. In deciding that both men and women were “persons” and therefore eligible to sit in the Canadian senate, *the Lord Chancellor, Viscount Sankey*, writing on behalf of the Judicial Committee of the Privy Council, observed “The *British North America Act* planted in Canada a living tree capable of growth and expansion within its natural limits.” [1930] 1 D.L.R. at pp. 106 – 107. Since *Edwards* was decided, Canadian courts have focused more on Sankey’s statement to give the Constitution “a large and liberal interpretation” rather than on his recognition that there are “natural...fixed limits” to such interpretation.

⁷³ [2004] 3 S.C.R. 698

⁷⁴ *Ibid.*, at para. 22.

⁷⁵ Originalism is most prominent in considering questions of interpreting the United States Constitution and it is within this context that it is usually associated, although its application is certainly germane in Canada as well. As a legal theory of interpretation, Originalism has evolved over the years, but it undoubtedly represents the first approach taken to Constitutional interpretation. Indeed, at heart the principles of Originalism simply reflect common law principles of statutory interpretation developed and refined over centuries of judicial and political precedent. These principles recognize that the law’s legitimacy rests on the consent of the governed and thus—consistent with the separation of powers, it is the proper prerogative of the legislature to make the law.

⁷⁶ Such as: aviation, *Canada (AG) v. Ontario (AG)*, [1931] UKPC 93, [1932] A.C. 54 (P.C.) which gave the federal government authority to govern aeronautics, including licensing of pilots, aircraft, and commercial services and regulations for navigation and safety, under ss. 91(2), 91(5), 91(7) and 132 of the *BNA Act*; and radio, *Quebec (AG) v. Canada (AG)*, [1932] UKPC 7, [1932] A.C. 304 (P.C.) which confirmed that radio regulation was within federal jurisdiction pursuant to s. 92(10) of the *BNA Act*.

result is that the Constitution is interpreted beyond its plain meaning as something capable of growth and adaptation to changing times, according to the preferences of the judges divorced from legislative and democratic accountability.

The problems with the “living tree” analogy are threefold. First, it ignores the fact that fundamental human rights and freedoms are objective and exist apart from, and prior to, the state—they do not alter with changing social or political circumstances. Second, the court, in “growing” this living constitution, ignores the soil in which that “living tree” was planted, *i.e.*, the Judeo-Christian principles and values that include both the limitation of government power and respect for the individual, two principles/values that make rights and freedoms possible. Third, in applying the “living tree” analogy the court merely begs the questions of what is a fundamental right or freedom, and who should be defining new “rights” and “freedoms”—courts or Parliament through the amendment process?

By repeatedly ignoring the inherent flaws of the Living Tree doctrine, the Charter has become a mere tool to advance a progressive agenda, contrary to its original purpose, by a branch of government that has no moral or political legitimacy to do so. The Charter is of no use unless it provides stability and a robust check on government power. With Living Tree jurisprudence, Charter rights cease to be fundamental and instead corrupt our constitutional regime by blurring the distinction between the legislative and the judicial branches. The Rule of Law is replaced by the rule of judges who are free to interpret the Charter to mean whatever they want it to mean, according to their own ideology.

The Court Party

Just seven years after its adoption, Professor of Law Michael Mandel claimed that the Charter of Rights and Freedoms has opened the door to law being used to achieve ends too difficult to achieve by other democratic methods.

The “Court Party” that drives this judicial activism consists of citizens interest groups formed during the period of Charter-making and others that have sprung up in response to the Charter. This new power structure is formed by non-territorial identity groups, such as women, the disabled, aboriginal groups, social reform activists, church groups, environmentalists, or ethno-cultural organisations. They are often funded by the state. The Court Party also includes other elites working to use “litigation as a vehicle for social change,” *i.e.* the media, academics, and the lawyers making a living from Charter cases.

Having demolished the well-supported Meech Lake Accord in 1987, these forces went on to change the face of Canada by introducing, through the courts, a new definition of marriage, euthanasia, prisoner-voting, modifications to criminal law enforcement and ruling on bilingualism, to name a few. Conservative groups intervened in many of these decisions but the court record leans heavily towards support for the progressive side, revealing the courts’ ideological bias.

These elites’ goal is not to maximize *Charter* values, but to use the *Charter* to maximize *their* values. Previous reformers sought the electoral support of the masses to challenge the power and privilege of the few. For the Court Party, the masses *are* the problem that needs to be reformed.⁷⁷

⁷⁷ FL Morton, The Charter Revolution and the Court Party. *Osgood Hall Law Journal* Volume 30, Number 3 (Fall 1992)

F. JUDGES MISUSING THEIR POWER

One of the major factors at play in judicial activism is the judicial temperament displayed by far too many judges, who take advantage of the Charter to advance and affirm their own personal, social and political views over Parliament's judgement. Judicial hubris or conceit has led some judges to believe that by virtue of their political appointment to the courts, they have somehow acquired a superior ability to determine what is "best for society." Such behaviour is condescending towards the public and Parliament regarding their views as inferior to the judges' ideas. This conclusion is evident by the comments made by three high-profile judges.

Chief Justice Beverley McLachlin: Chief Justice McLachlin gave a speech⁷⁸ in which she exhorted judges to step fully into a new expanded role, claiming that the Charter changed the lawmaking role of judges by expanding it to include "invading the domain of social policy. This was a false and baseless assumption. In the same speech, McLachlin asserted that judges "are more and more the subjects of critical scrutiny. But at the same time the truth is that the public has never held the judiciary in higher esteem." While judges are certainly subject to increased "critical scrutiny," it would appear to be a serious self-delusion to believe that "the public has never held the judiciary in higher esteem" — certainly segments of the public may, but "the public"?

In another speech, presented to law students at the Victoria University of Wellington in New Zealand,⁷⁹ McLachlin asserted that judges may render their opinion based on unwritten constitutional notions, even in the face of clearly enacted laws or hostile public opinion.⁸⁰ This, she claimed, was based on judges being given a legitimate role in determining "unwritten laws," because judges have a "judicial conscience" founded on their "sworn commitment to uphold the rule of law." By claiming this, McLachlin has put judges above the citizens of Canada, ascribing to them the ability and duty to impose their views on everyone else. This statement by McLachlin was made even though she had full knowledge that judges' consciences (including her own) were based on personal preferences or choices, rather than on established law, legal principles, and precedent.

In an exclusive interview with the *National Post*, McLachlin stated:⁸¹

... my job is simply to listen to what the parties have to say ... *to think about what's best for Canadian society* on this particular problem that's

⁷⁸ "The Role of Judges in Modern Society", Fourth Worldwide Common Law Judiciary Conference, Vancouver, British Columbia, 5 May 2001, <https://www.scc-csc.ca/judges-juges/spe-dis/bm-2001-05-05-eng.aspx>

⁷⁹ "Unwritten Constitutional Principles: What is Going On?" 2005 Lord Cooke Lecture, Law School of Victoria University of Wellington, Wellington, New Zealand, 1 December 2005, <https://www.scc-csc.ca/judges-juges/spe-dis/bm-2005-12-01-eng.aspx>

⁸⁰ That judges may have to make decisions in the face of "hostile public opinion" is all the more reason for them to be individuals of upright moral and independent character. Judicial independence is far too important to waste on the latest progressive fad-of-the-day, but rather exercised when fundamental civil liberties are being threatened by the power of the state.

⁸¹ Joseph Breaun, "Conscious objectivity': That's how the chief justice defines the top court's role. Harper might beg to differ", *National Post*, May 23, 2015, <https://nationalpost.com/news/conscious-objectivity-thats-how-the-chief-justice-defines-the-top-courts-role-harper-might-beg-to-differ>

before us, and give it my best judgement after listening to also, my eight other colleagues” (emphasis added).

It is not up to judges to determine “what is best for society.” That is the role of Parliament. Further, even though there is a clear distinction in the constitution between the role of the legislature and the judiciary, McLachlin demonstrated that she had no hesitation in crossing this line when she:

- questioned the appointment of Judge Marc Nadon to the Supreme Court, a decision solely within the purview of the Prime Minister;
- objected to appointments made to the Judicial Advisory Committee, which are a political decision only;
- objected to the placement of a monument for victims of Communism that she believed was being erected too close to the Supreme Court building.

It is very clear from McLachlin’s speeches and decisions that judicial humility and a greater appreciation for the separation of powers are not among her priorities. Indeed, McLachlin’s career as a judge, shows only too clearly her true colours as a political activist—her legal opinions being based on progressive political trends and not legal merit.

Claire L’Heureux-Dubé: The standard for judges is that they must be impartial and avoid activity or associations which would reflect adversely on their impartiality. Also, judges are required to refrain from conduct such as membership in groups or organisations, or participate in public discussions, which would undermine confidence in their position as judge. L’Heureux-Dubé swept aside these standards:

- She was a founder and board member of a special interest group of feminists, the Canadian Research Institute for the Advancement of Women (CRIAOW) and remained a board member even after her appointment to the Superior Court of Quebec in 1973. The stated objective of CRIAOW was “to promote the advancement of women through feminist research.”
- She was the Canadian Vice-President of the feminist, International Federation of Women Lawyers (FIDA) while she was a member of the Supreme Court of Canada.
- In her judgements, L’Heureux-Dubé consistently promoted a feminist bias. For example, she accused an Alberta Court of Appeal judge in a sexual assault case of “sexually stereotyping” the complainant.⁸²
- She further gave public speeches specifically supporting the legal recognition of same-sex marriage and a judge’s right to make changes in common law and the interpretation of legislation or the constitution in order to adapt it to contemporary values.^{83,84,85}
- At a reception sponsored by the Law Society of Upper Canada,⁸⁶ she applauded the fact that the courts “had been at the forefront of the [homosexual] evolution, not to say revolution... it’s fascinating that the courts played a role.” In short, while sitting

⁸² *R. v. Ewanchuk*, [1999] 1 S.C.R. 330.

⁸³ July 1, 1999, Conference on Same-Sex Partnerships, King’s College University of London.

⁸⁴ August 21, 1999, Speech to the Canadian Bar Association.

⁸⁵ October 21-23, 1998, Queen’s University Conference on Domestic Partnerships.

⁸⁶ June 26, 2003. At this time, L’Heureux-Dubé had retired as a sitting justice.

as a judge, L'Heureux-Dubé served as a lobbyist for feminists and the LGBTQ community to legalize and promote same-sex marriage and the feminist cause.

Whether one agrees with her political views or not, her role as a Supreme Court judge requires impartiality, and as such precludes partisan support of issues that Parliament is called to address, or that might come before the court.

Rosalie Abella: Another example of a judge who had a too-high opinion of her own importance was Supreme Court Judge, Rosalie Abella. Prior to appointment to the Bench, Abella had an extremely low opinion of the objectivity and fairness of judges. She stated,

Every decision-maker who walks into a court room to hear a case is armed not only with the relevant legal text, but with a set of values, experience and assumptions that are thoroughly embedded.⁸⁷

Abella's opinion, however, took an astonishing reversal. Abella stated in one of her judgements while sitting on the Ontario Court of Appeal that judges should be free to make independent judgements, regardless of the public's attitude. Specifically, she observed:

While elected governments may wait for changing attitudes in order to preserve public confidence and credibility. Both public confidence and institutional credibility argue in favour of courts being free to make independent judgements notwithstanding those same attitudes.⁸⁸

There is no basis, either in law or in fact, for the assumption that judges are free to make such changes. Indeed, such changes that Abella seems to favour only serve to weaken public confidence in an "independent" judiciary. Abella crucially misunderstands the concept of judicial independence: judges need to be independent of public opinions of the day, yet are never independent of established laws, legal traditions, or even the will of the people as expressed in democratically passed legislation. Judgements of the court should not deviate from the intent of the law and the Constitution and must not be shortcuts towards new legislation that bypasses the democratic process and public discussion required before such change can take place.

Abella wrote the majority judgement in *Saskatchewan Federation of Labour v. Saskatchewan*.⁸⁹ In that case, it was held that public service workers had a constitutional right to strike due to the freedom of association provision in s. 2 of the Charter. This was a remarkable stretch of reasoning. Essential workers include police, nurses, hospital staff, service providers such as firemen, health care workers, border security guards, and airline traffic controllers, etc. As a result of this decision, governments can no longer legislate "back to work" legislation for employees working in essential services. This ruling giving the right to strike over the public's safety was neither reasonable, responsible, and certainly was not in the public's interest. The judicial activism that occurred in this case was an example of the triumph of ideology over common sense and logic, as the strong dissents of Rothstein and Wagner J.J., in that case eloquently attested. *Saskatchewan Federation of Labour* is a

⁸⁷ Rosalie Abella, "The Dynamic Nature of Equality", in *Equality and Judicial Neutrality*, edited by S. Martin and K. Mahoney (Carswell: Toronto, 1987).

⁸⁸ *Rosenberg v. Canada (Attorney General)* (1998), 108 OAC 338, 38 O.R. (3d) 577 (C.A.).

⁸⁹ *Saskatchewan Federation of Labour v. Saskatchewan*, [2015] 1 S.C.R. 245.

powerful example as to why non-elected, unaccountable judges should not determine public policy.

G. JUDGES ARE NOT COMPETENT TO DETERMINE PUBLIC POLICY

The rights and freedoms contained in the Charter are guaranteed “subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.”⁹⁰ In other words, the Charter is premised upon the reality that no right or freedom is “absolute,” but can be limited in its scope and operation provided that such limits are “reasonable” and “can be demonstrably justified in a free and democratic society.” Section 1 of the Charter in effect requires judges to consider a balance between the government’s objective(s) in limiting rights and freedoms and the exercise of those rights and freedoms by the individual. The onus (on a balance of probabilities) rests on those (usually the government, but not always) seeking to uphold a limitation on a right or freedom.

In determining the appropriateness of the limitation of rights and freedoms in Charter litigation, the Supreme Court has devised the *Oakes* Test, named for the case in which it was first enunciated⁹¹ In *Oakes*, the Supreme Court articulated a two-stage test under s. 1: first, is the legislative goal impacting upon the right or freedom pressing and substantial, and second, is there proportionality between the means chosen and the goal sought?

While the first-stage question is usually answered in the affirmative without further analysis, the second-stage of the *Oakes* Test generally requires a three-fold analysis:

- i. “Rational Connection”: the measures adopted must be carefully designed and rationally connected to the objective in question;
- ii. “Minimal Impairment”: the limit must impair the right or freedom as little as necessary to achieve the objective; and
- iii. “Proportionality”: there must be a proportionality between the effects of the measures which are responsible for limiting the Charter right or freedom, and the objective which has been identified as of “sufficient importance” in the stage-one analysis.⁹²

Since being decided in 1986, the *Oakes* Test has undergone a number of refinements over the years, yet its basic two-stage structure remains although the emphasis of analysis in the stage-two analysis will vary with the circumstances of each case. In considering these refinements, one wonders whether the *Oakes* Test could not be improved with a greater emphasis on what constitutes “reasonable” and a greater awareness of the principles that animate our society, i.e., freedom (liberty) and democracy (the consent of the governed is essential).⁹³ In this regard, it should be pointed out that the judicial activism practiced by the Supreme Court strikes at the very core of a “free and democratic society.”

⁹⁰ Charter of Rights and Freedoms, s. 1.

⁹¹ *R. v. Oakes*, [1986] 1 S.C.R. 103.

⁹² *Ibid.*, at para. 70, *per* Dickson, C.J.

⁹³ Whether the jurisprudence of s. 1 continues to be useful or not is well discussed by Jonathan Martin in “Does the R. v. Oakes Test Still do Justice to Section 1? Part 1,” *The Lawyer’s Daily*, 18 November 2021 and “Does the R. v. Oakes Test Still do Justice to Section 1? Part 2,” *The Lawyer’s Daily*, 19 November 2021. Martin

Section 1 thus becomes the ultimate interpretive tool for the court to decide whether a violation of the Charter is justified before any remedy can be considered. In particular, the evidence that is adduced under s. 1 analysis is invariably of a public policy nature which means that the court is no longer adjudicating a “legal issue,” but rather is passing judgement on the sufficiency of public policy decisions. Evidence can include, for example, Hansard,⁹⁴ Reports of a Parliamentary committee, commission of inquiry, or law reform commission,⁹⁵ Social science studies and statistics,⁹⁶ and even opinion polls.⁹⁷

What is particularly problematic about this smorgasbord of evidence at the appellate level is that very little, if any, of it will have been introduced under the proper rules of evidence at trial, which include: evidence given under oath, with the ability to cross-examine, as well as the qualifications of any “experts” who may be offering such evidence.⁹⁸ The importance of relying on evidence properly admitted cannot be undervalued. Litigation in Canada is adversarial in nature. This means, among other things, that: (1) cases are decided on the facts, and (2) it up to the parties involved in the litigation to establish those facts based upon the evidence, proven under cross-examination. As the famous legal scholar, John Wigmore noted, cross-examination is the “greatest legal engine ever invented for the discovery of truth.”⁹⁹ Accordingly, relying on materials that have not been properly admitted at trial and given an opportunity to be cross-examined means that such materials are of little probative value and should be given no weight in arriving at a decision.

As a result, however, s. 1 of the Charter is currently being used by judges similar to a Mack truck, driving without restraint through the Charter, to achieve the result they regard as ideologically acceptable.

Unlike Parliament, judges together with the inherent restraints of the litigation process, do not have access to all the “social facts”¹⁰⁰ relevant to the issues before them; they do not

argues that s. 1 require a more rigorous analysis grounded in liberty in order to ensure that Canada remains a “free and democratic society.”

⁹⁴ *R. v. K.R.J.*, [2016] 1 S.C.R. 906; *R. v. Morgentaler*, [1993] 3 S.C.R. 463.

⁹⁵ *R. v. Keegstra*, [1990] 3 S.C.R. 697; *M. v. H.*, [1999] 2 S.C.R. 3; and *Harper v. Canada (A.G.)*, [2004] 1 S.C.R. 827.

⁹⁶ *R. v. K.R.J.*, *supra*.

⁹⁷ *R. v. Bryan*, [2007] 1 S.C.R. 527

⁹⁸ The problem of the provenance of evidence under s. 1 was addressed by McIntyre, J., in *R. v. Morgentaler*, [1988] 1 SCR 30 at 149 when he observed:

Additional material [not introduced at trial] in the form of articles, reports and studies was adduced, from which the Court was invited to conclude that access to abortion is not evenly provided across the country and that this could be the source of much dissatisfaction. While I recognize that in constitutional cases a greater latitude has been allowed concerning the reception of such material, I would prefer to place principal reliance upon the evidence given under oath in court in my considerations of the factual matters. [Emphasis added.]

Here, McIntyre, J. was politely referring to the use (cited 23 times) of the *Powell Report*, a document compiled well after the trial and therefore never subject to proper rules of evidence, including cross-examination.

⁹⁹ 5 J. Wigmore, *Evidence* § 1367, p. 32 (J. Chadbourn rev. 1974).

¹⁰⁰ Yaakov Roth, “How the Courts Trump Parliament” *National Post*, 3 January 2014, <https://nationalpost.com/opinion/yaakov-roth-how-the-courts-trump-parliament> The fact that most Charter decisions come down to a question of public policy preferences, “turning every social policy issue into a disputed “fact” to be resolved by a single judge after hearing testimony from academics is nothing but a transparent effort to substitute judges’ policy views for those of Parliament —just what the SCC repeatedly claims not to do.”

have the luxury of time or the facilities to adequately reflect on or publicly debate issues; they do not have free access to research facilities available to parliamentarians; nor do they have the powers or institutional competence to make full and public inquiries as do parliamentary committees. Neither are judges knowledgeable about alternative policy options. Significantly, they do not have access to the practical experience and views of the public and elected representatives on issues which are increasingly complex, especially those that are economically, socially, and scientifically complex. In short, although judges are well-educated and well-connected, they do not have the background, understanding, or competence to make public policy decisions which so deeply affect the lives of Canadians.

The reality is that judges are not uniquely qualified to make public policy decisions, as they have no greater insight than the public, including politicians, when it comes to debating the important moral and social issues of the day. Indeed, given the fact that judges are increasingly appointed¹⁰¹ not so much based on their respective expertise and competence in law, but rather based on their political leanings and connections, it is not surprising that they have become more like politicians rather than independent guardians of the rule of law and the administration of justice.

Furthermore, it must be appreciated that legislative drafting is an art which few recent governments appear to have mastered given the amount of vague language used that requires judicial interpretation in order to determine how it should be applied. In other words, rather than writing laws in a way that make it clear to citizens and courts what is intended, vagueness becomes a problem exactly because of the uncertainty it creates for citizens to determine whether an action is still legal under the new legislation (see box).

Between legislative vagueness, the Charter's s. 1 analysis, and a cowardly and ineffective Parliament unwilling to push back against Supreme Court abuses, it becomes all too apparent why judges have become the ultimate deciders of public policy.

H. HUMAN RIGHTS COURTS

Human Rights Tribunals are customarily restricted to matters dealing with discrimination due to age, sex, creed, disability, sexual orientation, etc., in such areas as employment, accommodation, service (such as at a restaurant), and membership in an organisation. To be clear, Tribunals do not adjudicate claims based upon the Charter of Rights and Freedoms (see Chapter IV). Instead, Tribunals consider claims of discrimination based upon the relevant *Human Rights Code* of their jurisdiction, *i.e.*, provincial or federal, in which they are based.

¹⁰¹ The actual appointment of federal judges in Canada (known as either "s. 96 judges" [appointed to the Appeal, Superior, District, and County Courts in each Province] or "s.101 judges" [Supreme Court of Canada and Federal Court of Canada, trial and appellate divisions] in reference to the sections of the *Constitution Act, 1867* under which the power to appoint such judges is given) is done by the Governor General. The Governor General, however, appoints only those who have been recommended by the Prime Minister and Cabinet. In effect, judicial appointments are political appointments and politicians are ultimately responsible for the calibre of the judiciary. As our current progressive political class is only interested in appointing people cut from the same ideological cloth, it is not surprising that Canada's judiciary is increasingly populated by left-of-centre jurists.

Individuals serving on these Tribunals are not required to apply standard legal procedures and protections in their decisions, such as the presumption of innocence and the impartial weighing and interpreting of evidence, which serve as safeguards for all parties involved. Generally speaking, neither the Tribunals, nor their supporting bureaucracies (Commissions), are neutral agencies since they are frequently staffed by human rights activists who represent special interest groups and promote their own favourite progressive agenda. Government appointed officials not only investigate the complaint and determine the evidence, but also assist the complainant in the drafting of the complaint and collaborate with them during the entire process. Similar assistance is not provided to the individual against whom the complaint has been laid. The respondents are obliged to obtain and pay for their own legal representation in order to defend themselves.

Although these Tribunals are well-intentioned since their objective is protecting individuals experiencing discrimination, they nevertheless have deep flaws inherent in their structures including their promotion of ideological concepts (see also Chapter VIII). Consequently, it is not surprising that Human Rights Tribunals have been described as “kangaroo courts.” In a scathing 1998 Parliamentary Report,¹⁰² federal Auditor General Denis Desautels, confirmed that Human Rights Commissions/Tribunals are unreliable. Desautels found that despite Parliament’s intention of establishing a Commission and Tribunal to “resolve complaints about human rights quickly, impartially, and expertly” the result has been “cumbersome, time-consuming, and expensive.”¹⁰³ In order to address these shortcomings, including the bias of the Commission itself, the Auditor General recommended, among other things, a clear separation of the Commission’s role as promoter, investigator, conciliator, representative of the public interest, and advocate; and the establishment of standards to safeguard the “reliability, impartiality, and transparency of the investigation, conciliation, and decision-making processes.”¹⁰⁴

I. CONCLUSION

Canadians are increasingly becoming disenfranchised by judicial usurpation of Parliament’s prerogative to legislate. Under the Charter, the Rule of Law has been replaced by the Rule of Judges. With disenfranchisement comes political apathy as Canadians no longer believe their vote makes a difference. This rule of judges not only threatens our democratic processes but also the separation of powers, Responsible Government, and the law’s very legitimacy is called into serious question. However, during the Covid-19 pandemic, with its associated lockdowns and mandates, when fundamental rights and freedoms have been so easily dismissed and trampled by governments, the courts have been disturbingly quiet and arguably completely ineffective in protecting Canadians from government overreach when needed most.

The Charter, despite its promise of securing *fundamental* rights and freedom, has proven largely ineffective in doing so. While some rights in the context of criminal prosecutions have been strengthened to hold governments accountable, other rights have been used as

¹⁰² Tabled in the House of Commons, September 29, 1998, Volume 2, see <https://web.archive.org/web/20000816033502/https://www.oag-bvg.gc.ca/domino/reports.nsf/html/9810ce.html> (see esp. par. 10.81).

¹⁰³ *Ibid.*, par. 10.120.

¹⁰⁴ *Ibid.*, 10.123.

nothing more than an excuse to advance a progressive and alien agenda on Canadians, *e.g.*, abortion, pornography, drugs, and euthanasia.

To “blame” the Charter for the current state of affairs is to miss the point. The Charter is merely a tool, a “purposive document”—it is not an end in itself, but rather a means to an end. That end is, in the words of s. 1 of the Charter, a “free and democratic society”. Whether the Charter is a good or bad thing depends entirely upon how it is used. Fundamental constitutional documents that limit government power are a good thing, but merely having the document in existence is not enough if it has been abused as it has in Canada.

Ultimately, it is those who live under the Charter, and that means all of us, who are responsible. At one level, Canada’s biggest judicial problem is simply the result of too many judges being appointed who mirror the progressive ideology of the political classes who appoint them. At another level, the political classes, in turn, get away with their progressive agenda because too few of us even bother to vote let alone think critically about what they and the government are telling us. Action and reform is required to assert the powers and prerogatives of Parliament and its individual members, free from the control of the Party machine and the power of the Party whips; citizens need to be much more engaged with their parliamentary representatives (see also Chapter X) and hold them accountable. Indeed, Members of Parliament need to be dependent upon their respective riding associations for their nomination to stand for Parliament and not the sign-off of the Party leadership. Moreover, once elected, a Member of Parliament represents all the constituents in the riding, whether they voted for them or not, and as such is responsible to those constituents, not the Prime Minister’s Office, the central Party machine or leadership.

These and other changes are desperately needed if Canada is to survive as a “free and democratic” country. In terms of the judiciary, a good place to start would be qualifications for judicial office. In no particular order, such changes should include: at the trial judge level, employ lawyers who primarily practice as barristers rather than solicitors, with a

Vagueness of Laws

Parliament keeps passing laws that are poorly drafted and sorely lacking in clarity, leaving legal interpretation up to the courts. This results in Canadians wondering and worrying whether they might be infringing upon these laws through certain activities that may or may not be covered. Two examples are:

- Bill C-4¹⁰⁵ banning conversion therapy has no clause clarifying that private conversations around sexual ethics and identity are not “conversion therapy.” By refusing to incorporate this clarifying clause, it will now be up to the courts to decide whether individuals, *e.g.*, parents or pastors, can still discuss matters of sexual orientation with their children or congregants without risking a five-year prison sentence.
- Likewise, Bill C-3¹⁰⁶ intended to prevent people from intimidating health professionals or those seeking certain health services. But the bill does not define the term “intimidation”, meaning that informing peers about the health risks of certain procedures—possibly even through posts on social media—may or may not fall under this legislation.

¹⁰⁵ *An Act to amend the Criminal Code (conversion therapy)*, S.C. 2021 S.C. c.24.

<https://www.parl.ca/DocumentViewer/en/44-1/bill/C-4/royal-assent>

¹⁰⁶ *An Act to amend the Criminal Code and the Canada Labour Code*, S.C. 2021 c.27

<https://www.parl.ca/DocumentViewer/en/44-1/bill/C-3/royal-assent>

minimum of ten years' experience. At the appellate level, appeal court judges should only be appointed from those who are trial judges, whether in federal or provincial courts (provided that provincial court judges meet the same criteria for appointment as federal trial judges) with a minimum of ten years' experience. Supreme Court justices should be chosen from appellate courts only, again with a minimum of ten years' experience. All ss. 96 and 101 judges, whether trial or appellate, should have their appointment confirmed by Parliament based upon a free vote in the House and no longer be "in the gift" of either the Cabinet or the Prime Minister. In addition, the *Supreme Court Act*¹⁰⁷ s.4 (2) should be amended to allow for the appointment of justices and the Chief Justice only with the consent of Parliament, based upon a free vote.

In addition, it is easy to be distracted by the "glamour" of Supreme Court decisions and forget that the vast majority of criminal law cases (and therefore likely to attract Charter attention) occur in provincial courts that are entirely under the control of provincial legislatures.¹⁰⁸ Reform of the provincial judiciary in a federal system such as Canada will be a challenge, but one that is not insurmountable, especially if provincial court judges hope for advancement to a provincial court of appeal.

While institutional reform is necessary, it is important not to overlook the fact that some judges got it "right" when in dissent, and their dissents offer a resource of wisdom and insight that remain instructive to our present day.¹⁰⁹

Finally, there is no denying that since its proclamation in 1982, the Charter has provided the occasion for the development of a problematic jurisprudence. Indeed, when the Charter was brought in, very few Canadians wanted it or thought it was necessary, except for Pierre Trudeau and a handful of politicians. Surely after 40 years of Charter jurisprudence it is fair to ask whether the Charter is really needed? Has the Charter made Canada a better place? In other words, how "free and democratic" is Canada today?

While there have been a few good decisions, these are outweighed by the many bad or problematic decisions issued by the Supreme Court which strongly suggest that, on the balance of probabilities, the Charter has done more harm than good, particularly on issues that are social and moral. Moreover, the shift in power from Parliament to the courts has also done incalculable harm to the separation of powers and the very notion of responsible government. We currently live in an era where unless changes are made to restore responsible government, Canadians of this and future generations may have the dubious honour of being the first to find themselves living and dying under both judicial and executive tyranny.

¹⁰⁷ R.S.C. 1985, c. S-26.

¹⁰⁸ Section 92(14) of the *Constitution Act, 1867* gives each province jurisdiction over the "Administration of Justice in the Province, including the Constitution, Maintenance, and Organisation of Provincial Courts, both of Civil and of Criminal Jurisdiction...". Section 94(4) gives provincial legislatures the power to appoint judges to those s. 92(14) courts.

¹⁰⁹ The opinions of such Justices as McIntyre Gonthier La Forest, Côté or Brown all offer an alternative view of the judicial role and the Charter that provides a sustainable and accountable jurisprudence. Moreover, one should not overlook the fact that the common law was a viable protector of civil liberties before the Charter came along as evidenced in the decisions of such Justices as Rand and Abbott.

Further Reading: The following books will help the reader understand the issue around judicial activism in Canada in more detail:

R. MacGregor Dawson, *The Government of Canada*, 5 Edition., Ed., N. Ward, (Toronto: University of Toronto Press, 1970)

William Gairdner, *The Trouble With Canada ...Still!—A Citizen Speaks Out*, (Toronto: Key Porter Books Ltd., 2010) (Chapter 15)

Robert Ivan Martin, *The Most Dangerous Branch: How the Supreme Court of Canada has Undermined Our Law and Our Democracy*, (Montreal & Kingston: McGill-Queen's University Press, 2005)

Gwen Landolt, Patrick Redmond & Douglas A. Alderson, *From Democracy to Judicial Dictatorship in Canada: The Untold Story of the Charter of Rights*, (Toronto: The Interim Publishing Company, 2019)

Ian Greene, *The Charter of Rights and Freedoms: 30+ years of decisions that shape Canadian life*, (Toronto: James Lorimer & Company, 2014)

James B. Kelly, *Governing With the Charter: Legislative And Judicial Activism And Framers Intent*, (Vancouver: UBC Press Publishers, 2006)

Rory Leishman, *Against Judicial Activism: The Decline of Freedom And Democracy in Canada*, (Montreal & Kingston: McGill-Queen's University Press Publishers, 2006)

[Dwight Newman, Derek Ross, Brian Bird \(General Editors\)](#), *The Forgotten Fundamental Freedoms of the Charter*, (Toronto: LexisNexis, 2020)

Coercing Virtue: The Worldwide Rule of Judges? <https://www.amazon.ca/Coercing-Virtue-Worldwide-Rule-Judges/dp/0844741620> and

Leishman: Against Judicial Activism: The Decline of Freedom and Democracy in Canada, <https://www.amazon.ca/Against-Judicial-Activism-Democracy/dp/0773530541>

Brodie, Ian: *Friends of the Courts*. SUNY Press, New York (2002)

Morton, F.L. and Knopff, Rainer: *The Charter Revolution & the Court Party*. University of Toronto Press, 2000

V. Lobbying and Advocacy

By Catherine Swift and Shannon Boschy

Lobbying in a broad sense is any attempt by individuals or interest groups to influence the decisions of government. Here, we mean the formal process of registered lobbying organisations meeting with, providing information to, and influencing elected officials by legitimate, regulated means.

Advocacy picks up where political lobbying leaves off in terms of tactics, strategies, and audience. Instead of direct influence on lawmakers, advocacy is more wide-reaching in its efforts to shape public perception, and to affect social, behavioral, and political change, hoping that in turn public opinion will redirect or influence legislative and executive decisions. The boundaries of appropriateness in the domain of advocacy are less well defined than in lobbying, which leaves far more room for creative tactics of influence and persuasion.

Whereas lobbying is strictly regulated and fairly well controlled in Canada, the strong influence of advocacy groups has become a serious problem for our democracy. Canada has become uniquely captured by the efforts of social justice advocates and activists over the last several decades. It is almost impossible to find an institution in Canada that has not been infiltrated. The ideological advocacy seems to know no boundaries, certainly not within organisations who have embraced the nice-sounding, bait-and-switch consulting jargon of Diversity, Equity and Inclusion.

A. LOBBYING

Defining lobbying and lobbyist registries: Over the past few decades, the practice of lobbying governments in Canada has become much more regulated and structured. While it was once a somewhat chaotic scene, with all manner of individual businesses, not-for-profit organisations, labour unions, individual citizens, and others approaching politicians to promote their particular agendas with no rules or oversight, recent years have seen significant changes. The federal, provincial, and large municipal governments have all established lobbyist registration processes and procedures which have become stricter over time. The resulting lobbyist registries are able to be accessed by anyone who would like to see who is lobbying governments and who is paying them to do so. Some of the most bureaucratic and complex lobbying registration systems are found at the municipal level.

There are several different types of lobbying organisations. Two main categories are usually referred to as consultant lobbyists and in-house organisations. There are different ways these two groups are labelled at the various levels of government, but the categories are still comparable. They can be divided into lobbyists-for-hire, these are companies that are paid by a business, group of businesses, union, etc. to lobby governments, usually on one specific issue or a range of related issues on which they want their concerns considered.

The businesses that do this kind of lobbying are usually referred to as government relations or public affairs businesses, although other groups such as law firms or consulting firms could also engage in this type of lobbying. Such businesses would typically have staff who have connections with each of the various political parties so they have access to key

political decision-makers no matter which party is in power. Many former politicians and political staffers end up working for government relations companies when they leave politics because of their extensive connections.

The term in-house lobbyists refer to organisations whose job it is to communicate with elected officials on behalf of a particular constituency. Business groups, labour unions, environmental groups, professional organisations, and citizen groups would fall into this category. These organisations would typically charge an annual membership fee or dues to their members and not be funded individually on an issue-by-issue basis as consultant lobbyists usually are.

Individual corporations may also be registered as lobbyists on their own behalf. This would typically be the case for large corporations that have full-time staff dedicated to lobbying activities. Small businesses would be more likely to join a business organisation to represent their interests as they are unlikely to have staff dedicated to this function.

With respect to what type of information must be disclosed by the various lobbying organisations, who they plan to be lobbying (Ministers, senior government department staff, etc.) and on what issues they will be lobbying is included. Lobbyists must also disclose who is paying them. For in-house lobbying organisations, they would usually be completely or largely funded by regular membership dues. The individual businesses, union members, or others who pay the annual dues to the organisation do not usually have to be identified for lobbyist registration purposes. For consultant lobbyists, they typically must disclose who their clients are on specific issues. An overview of lobbying activities at the federal level is provided in report format by the Office of the Commissioner of Lobbying in Canada.¹¹⁰

The definition of what is lobbying is also important.¹¹¹ As a rule, meetings with politicians or senior bureaucrats, government agencies, Crown Corporations, or other government officials are considered lobbying unless something like clarification of existing laws, regulations, etc. is being sought. If a meeting or legislative committee appearance has been initiated by the government representative, that is not usually considered lobbying. Lobbyists are required to register if they receive remuneration for their work. If someone is not being financially compensated, they are free to contact politicians, senior bureaucrats, etc. without being registered as a lobbyist.

Although the same rules should apply equally to everyone without partisan bias, this is not the case in practice. A good example involved the federal scandal over the WE charity's eligibility to receive significant amounts of money from the Liberal government. It turned out that WE representatives were not registered as lobbyists, although they should have been, considering that they had communicated with several politicians and staff in Ministers' offices as well as the Prime Minister's Office. However, since the group was friendly with the government in power, no disciplinary action was taken.¹¹² It is likely that if

¹¹⁰ <https://lobbycanada.gc.ca/en/reports-and-publications/annual-report-2020-21/>

¹¹¹ How the federal government defines lobbying is described here:
www.youtube.com/watch?v=rrdq4KNcagk

¹¹² <https://nationalpost.com/news/politics/we-organisation-under-scrutiny-for-not-registering-as-lobbyist-before-pitching-proposals-to-trudeau-liberals>

a group is found to breach the lobbying regulations but is not friendly with the government in power, they would not be treated as favourably as the WE organisation was. So, despite the fact the lobbyist registries have been established to treat everyone equally, and to promote a climate of transparency, that is not what always happens.

Recent Lobbying Trends: In recent years there has been an explosion in the number of lobbying organisations and the money devoted to these activities in Canada. Various unions engage in direct and indirect lobbying through intermediate, union-sponsored organisations. Public sector unions are the most active and the biggest spenders. Not surprisingly, public sector unions support political parties that favour big government-- notably the Liberal and the New Democratic Party. Canada has some of the most union-friendly laws in the world, with union dues forced by law and almost no requirement for union financial transparency or that dues can only be spent on collective bargaining activities as many countries have. Some provincial labour laws make it much easier to certify a union than to decertify it.

As a result of all of these conditions favourable to unions, notably in the public sector where they don't have to worry about the competitive forces that have greatly reduced union membership in the private sector, unions often have a great deal of money to spend on political activities. The lack of financial transparency means union members are not even aware of how much of their forced dues are going to political activities the members may not support. It is ironic that public sector union revenues are funded by governments (because members are paid by the governments). These revenues underwrite union activities which support political parties in favour of big government. The costs for this are borne by the very private sector taxpayers who are indirectly funding the unions' campaigns through their tax dollars.

Many non-government organisations (ENGOS) engaging in lobbying activities have managed to receive charitable status from the Canadian government. Charities have the authority to engage in some lobbying activities, but it becomes problematic when they cross the line and are more involved in political than charitable activities. Some lobby groups have received government handouts, creating the impression that government pays to have itself lobbied by certain groups.¹¹³ Having valuable charitable status confers the great advantage of generous tax relief for donors, effectively meaning that Canadian taxpayers end up subsidising these organisations. In addition to the advantage of being classified as charities, many ENGOS also receive direct funding from government. This has been especially pronounced during the Trudeau government's tenure because climate issues have been a priority.

Lobbying Practices: Generally speaking, success in any lobbying activity is based on how a lobby group can influence the politicians and bureaucratic policymakers. Although the Canadian lobbying environment does not involve the massive amount of money found in lobbying in the US, funding is still vital as being able to run an expensive advertising campaign in favour of or opposed to a given policy can be expected to influence public opinion and therefore, votes.

¹¹³ <https://pressprogress.ca/anti-union-lobby-group-has-received-millions-of-dollars-from-doug-fords-government-since-2021/>

Politicians, of course, can still be expected to give more attention to the concerns of large organisations (corporate, activist, labour union) who have more resources to bring to the table and can offer politicians such things as well-compensated board seats and senior staff positions after they leave politics.

Other than the influence of money on politics, being in sync with public opinion is also very valuable. If any organisation lobbying on a particular issue can demonstrate that the general voting public is onside with their position, then they can expect to have more success promoting their goals even if they are not well funded.

Another general rule is that the earlier a group can intervene on a particular issue as it winds its way through the government process, the better. For example, being aware that a government department is planning to put forward a proposal on an issue important to a particular group before it even gets to the political level is hugely valuable as there is much more potential to influence what becomes legislation or policy. Once an issue has become politicized it is much more difficult to oppose it or make amendments, so the earlier any interest group can weigh in, the more effective its intervention is likely to be.

The news media can also be a very effective and inexpensive means of expressing an opinion on a particular issue for any lobby group. The advent of social media and the recent funding of many legacy media organisations by the Justin Trudeau government has unfortunately watered down the effectiveness of particular media organisations, which means that a media lobbying strategy is much more diffuse and complex than 20 or so years ago.

B. ADVOCACY

Defining advocacy: Advocacy can be compared to marketing in the business world, the practice of promoting products, services, or companies in a way that enhances or changes consumer or client loyalties. Marketing and advertising, like lobbying, has undergone significant regulatory scrutiny over the decades because unscrupulous organisations used

Canada 2020

According to a 2017 Macleans article by Anne Kingston, “the progressive think tank that really runs Canada”, Canada 2020, is the Liberal Party’s spine. “The enterprise has been instrumental in shaping the current governing party, from its policies to its leader. It’s an incubator of—and showcase for—bright, rising Liberal talent ... In the wake of the federal “cash for access” scandal, Canada 2020 has been accused of acting as a gatekeeper to power via its events, which see industry leaders and lobbyists rub elbows with cabinet ministers and senior government officials.”

Duff Conacher, co-founder of Democracy Watch and professor of politics and law at the University of Ottawa, says, “Canada 2020 has set up a structure that is non-criminal in terms of influence being peddled, but that is unethical and a violation of the Conflict of Interest Act ... if you want to influence Trudeau, you become a Canada 2020 sponsor.”¹¹⁴

Canada 2020 also has links with the Centre of American Progress, which is funded by George Soros’ Open Societies Foundation (see Chapter IX).¹¹⁵

¹¹⁴ <https://archive.macleans.ca/article/2017/11/1/behind-the-big-red-machine>

¹¹⁵ <https://www.genderdissent.com/post/the-making-of-tranada-soros-fink-and-the-trudeau-liberals>

marketing and advertising to mislead consumers, to make false claims about benefits of products and services and to hide dangerous side effects of their products.

Advocacy in the political context is the practice and process of direct and indirect influence in the social and institutional environment with the goal of changing the beliefs, practices and policies of individuals, organisations, and government. An advocate acts and speaks on behalf of an individual, a group of people or a cause and we would generally think of their goals as advancing, enhancing, and defending certain rights and outcomes related to those causes.

The goals of advocacy range from raising awareness, to changing public opinion, to changing laws and even affecting broad social and behavioral change. It can be as simple as parents petitioning for a safer playground for children in their community on a small scale, and as complex as the large-scale international work of charities like MADD (Mothers Against Drunk Driving) who educate the public through various methods to reduce the incidence of death and injury due to impaired driving.

We can see, especially at the scale of organisations like MADD, that in addition to their fundraising and their education and awareness efforts, they can also engage with policymakers using traditional methods for legal change, where those methods would fall under the formal regulatory scrutiny of lobbying.

Advocates may have good intentions of finding common interests and solutions to issues in society at large, or they may operate according to zero-sum philosophies where the rights of one group will be reduced with the imposition of the rights of another. It is also possible for advocacy groups to be set up as fronts, helping large special interests look approachable and like grass roots efforts.

In short, we can define an advocate as someone with an agenda for change looking to persuade others to adopt that change. We may see advocacy groups clearly express their intentions and pursue those interests with integrity, and some groups may exist with objectives secondary to their stated aims. For example, a local grassroots organisation arguing for segregated bike lanes on major streets may have unstated secondary motives, like making driving more difficult to reduce the use of cars.

Walking the Dark Alleys of Advocacy: In the last few years, as loopholes have been closed and more and more regulations have been imposed on special interest groups lobbying the government, the more nebulous world of grassroots advocacy has seen growing types of creative and questionable attempts to influence public awareness, opinion, and behavior. These attempts have been very successful to impregnate Canadian public life with concepts such as social justice, DEI (Diversity, Equity and Inclusion), using them to direct outcomes and heavily curtail freedom of expression, in undemocratic ways.

Manipulative advocacy tactics used to influence public belief, build political capital, and influence policy are further explained below and include astroturfing, “precedent scaffolding,” and zombie advocacy or conversion advocacy. Institutional mission creep in Provincial and Federal Human Rights Commissions can likewise be seen as an advocacy strategy. Finally, it includes public education, where teachers’ unions and now DEI bureaucrats have centered social justice as the motive for their advocacy.

Egale Canada

Egale Canada is a Canadian NGO, formerly known as “Equality for Gays and Lesbians Everywhere”, an organisation which made historic contributions to Gay and Lesbian rights in Canada. It currently receives funding from seven federal government departments and the Province of Ontario. The sources of funding are not obvious on the Egale website and links to their funding sources can only be found at the bottom of their web pages in the banner section that includes: “Media,” “Careers,” “contact us,” and “Our Partners.”

Egale, which has more than 3,000 members, describes its mission as:¹¹⁶

*To improve the lives of 2SLGBTQI people in Canada and to enhance the global response to 2SLGBTQI issues. Egale will achieve this by **informing public policy**, inspiring cultural change, and promoting human rights and inclusion through research, education, awareness and legal advocacy.*

Wikipedia describes their activities:¹¹⁷

*Egale’s work includes **lobbying for more equitable laws** for LGBT people, intervening in legal cases that affect human rights and equality, and increasing public education and awareness by providing information to individuals, groups, and media.*

In 2023, Egale was to submit a demand to the CRTC to ban Fox News from distribution through Canadian Cable packages.¹¹⁸ Egale views Fox News as unfriendly to their cause, specifically because Fox has been airing stories about young detransitioners (people who initiated sex changes to transition but later changed their minds or realized they made a mistake) but Egale has a vested interest in silencing media unfriendly to the Trudeau government because of the deeply critical editorial position Fox has taken towards the latter. It appears that Justin Trudeau would receive a collateral benefit from the efforts made by Egale Canada if they were successful in removing Fox News from the airwaves, further narrowing the Canadian Media landscape.

This raises the question about the independence of Egale, and the distance it has or does not have in relationship to the government that funds them. A conflict of interest needs only to be perceived as problem to be an ethical violation. It appears that millions of taxpayer dollars are going to this organisation and that its work also benefits Liberal interests.

Astroturfing is a term used to describe an advocacy campaign that is disguised to look like a grassroots effort but is funded by much larger political and economic interests. Named after artificial grass, astroturfing is a practice increasingly used by political and corporate interests to change perceptions and to influence behaviors while making it seem like the interests at hand came from everyday people moved to action by their own concerns.

The simplest form of astroturfing is the promotion of online products where the company selling products uses fake user accounts to give positive reviews of products. It becomes more impactful, however, when public relations firms and political actors employ people to steer public belief by dominating the discourse in online environments. Astroturfers even take over moderator positions of online discussion groups, limiting who is allowed to speak or what topics of discussion are acceptable without naming their intentions or affiliations.

¹¹⁶ <https://egale.ca/about/>

¹¹⁷ https://en.wikipedia.org/wiki/Egale_Canada (accessed August, 28, 2023)

¹¹⁸ <https://egale.ca/awareness/open-letter-crtc-fox-news/>

Digital Astroturfing could be seen in a similar light to the widespread allegations of foreign election influence in the US by paid trolls following the 2016 US election. The challenge with digital astroturfing specifically is that it is extremely difficult for the average person to recognize, is difficult to prove, and as such is often discounted as conspiratorial.

Another form of astroturfing presents the image of an independent non-profit or advocacy group while the group is heavily funded by other interests. For example, the federal government's extensive funding of an NGO blurs the lines between the advocacy work of the organisation and the current government's policy objectives (see box "Egale Canada").

Precedent Scaffolding: This strategy generally uses legal means to advance an advocated cause, so indirectly guides the political system by increasingly forcing a desired way of interpreting the world upon political actors, and politicians who see themselves as being limited in how they can legislate or even speak about certain topics. A legal precedent that provides human rights or other legal support to an identity group or for a cause that is supported by an advocacy group, can be used to develop further-going legal cases that help define the cause in more detail, and can be used to demolish public opposition and cement desired procedures or outcomes outside the democratic process.

For example, once euthanasia is legalised in a country, the law usually restricts eligibility to only a small group of citizens, such as those who are close to death. Subsequent legal cases can then be used to expand the practice to ever more groups, based on the argument that the existing law discriminates against those groups. Institutions opposed to these developments can be "sued into compliance," forcing them to accept euthanasia even if it is against their consciences or religious convictions.

Precedent scaffolding can start with claims of an advocacy group that may be unpopular but are then layered over time based on legitimate human rights declarations. Lawyers looking to make precedent in new territories of Human Rights can refer to these claims to weave them into their legal cases to seek recognition for new "human rights." These processes can take years or decades to accomplish and are often effective in reaching political goals where it would be difficult or impossible to reach consensus otherwise.¹¹⁹

Precedent Scaffolder Barbara Findlay

In Canada today, one figure stands far above the rest in transgender Advocacy: BC lawyer, Barbara Findlay. Her 1996 book, "Finding Our Place, Transgender Law Reform Project" is cited in numerous Human Rights policies informing legislation and she has incrementally and strategically scaffolded policies, case law and legislative change to make BC the first, and most ideologically captured jurisdiction in Canada by gender identity theory. The provincial policies that evolved from concepts and declarations of small groups over time eventually reached the federal level, where in 2017, Bill C-16(42-1), the infamous pronoun bill, and in 2022, Bill C-4(44-1), the Anti-Conversion Therapy bill, made it nearly illegal for anyone to question a child confused by the concept of gender identity.

¹¹⁹ See e.g. Brodie, Ian: Friends of the Courts, SUNY Press (2002) about the Morgenthaler Decision.

Zombie Advocacy or conversion advocacy is the process of creating and empowering converts to a worldview to preach and distribute the message. Essentially, it is the recruitment of missionaries to train other missionaries to spread a message. In its most common form, zombification or conversion victims are unethically manipulated and coerced into adopting new beliefs and behaviors in the name of advocating for specific causes, namely fighting for social justice against sexism, racism, and oppression.

This worldview has gained extraordinary influence and traction in the last decade in politics, government, business, and education, but its missionaries often use unethical means to recruit people to their cause. It is known as Social Justice, Anti-Racism or by the more friendly acronym, DEI and ESG (Environment, Social and Governance).

Zombification involves the psychological manipulation of individuals and groups and the use of unethical persuasion tactics in workplaces which displaces critical thought and meaningful analysis of the claims of its advocates. Most people, especially children and young adults in educational settings, often accept the false and misleading assertions of Social Justice Advocates because they are made by authority figures. People forced to convert to this ideology often lack the broader worldview and maturity to engage

Zombification versus Freedom of Expression

The Jordan Peterson case is a familiar one to most, where the College of Psychologists of Ontario is subjecting him to mandatory ideological retraining and re-education for his political speech online.¹²⁰

Lesser known perhaps is the case of BC nurse Amy Hamm, who faces loss of her nursing license for co-sponsoring a billboard in Vancouver that said, "I ♥ JK Rowling" which allegedly is hate speech.¹²¹ By the time the Hamm hearings are finished, they will have occupied more time than a typical murder trial and she vows to go to the Supreme Court if the B.C. Nurses and Midwives federation revokes her license and ends her nursing career.

Jim McMurtry, a teacher in British Columbia, was suspended and eventually fired from his long career as a teacher for speaking truthfully in his classroom about the deaths of children in Residential Schools in Canada following the wide claim that thousands of children's bodies had been discovered at sites of formal residential schools.¹²² He has a PhD in Education with a specialization in Indigenous History, but the Commissariat could not tolerate his expertise and clear-sightedness in the classroom. Since then, he battles to keep his teaching license.

Chanel Pfahl, a young teacher from Barrie, Ontario, was suspended and has suffered repeated investigations and attacks because she posted concerns in private Facebook group of Ontario teachers, that Black Lives Matter was a political organisation whose beliefs should not be taught as the accepted and unquestioned official viewpoint to children.

The implications for people like McMurtry, near the end of his career, are different from people like Pfahl, who only taught for a few years, who may never teach again. The implications for us all, of a system that abuses and destroys people who question the lies it perpetrates, are deadly serious, as the tragic death of Richard Bilkszto shows us.

¹²⁰ <https://nationalpost.com/opinion/christine-van-geyn-college-of-psychologists-attacks-jordan-peterson-in-court>

¹²¹ <https://www.jccf.ca/nurse-being-investigated-by-college-of-nurses-for-her-gender-critical-views/>

¹²² <https://nationalpost.com/opinion/michael-higgins-truth-ignored-as-teacher-fired-for-saying-tb-caused-residential-school-deaths>

meaningfully with the claims made by the Advocate/Activist teachers and professors.

These conversion tactics include explicit and implicit threats of social consequences, guilt, shame, emotional blackmail, bullying, falsified social proof, and manufactured claims of consensus. The resultant force for social change is a mass formation of zombie advocates for the social justice/anti-racist¹²³ worldview that has exploded in influence, especially since the death of George Floyd in 2020. In simple terms, zombie conversion presents the false choice under pain of social abuse: “you must convert or you’re a bad person.”

Ideologues exert immense pressure on people who refuse to comply and who speak truths contrary to the issued doctrines and most cannot afford to fight back when pressured to comply. The emerging reality is that questioning the established dogmas comes at the risk of ending career advancement, undermining academic opportunities, and even job loss or loss of professional designations (see box on Zombification). These methods of manipulation and coercion lead to a learned helplessness, where people feel it is impossible or too costly to push back against the forces of Zombification.

These manipulative tactics often displace individual reason, and forces people to suspend their critical faculties and their own moral judgement. It begins with the insidious imposition of the double-bind of “anti-oppression.” The process emerged decades ago from activist university disciplines rooted in Critical Theory which asserts that oppression (racism, homophobia, transphobia etc.) is the normal and pervasive state in western societies, and it also asserts that anyone who disputes this is racist, phobic, and bigoted (see box on systemic racism in Montreal).

When presented this way in corporate and institutional settings by trainers, teachers, professors, and managers at major corporations, participants cannot question the assertions because of the implied threat of being directly bullied and intimidated, or indirectly having their career derailed and even being investigated or ended.

In a tragic case in July 2023, a former High School Principal from Toronto, Richard Bilkszto, took his life after he was publicly attacked and humiliated by an Equity and Diversity consultant in front of two hundred of his peers and colleagues.¹²⁴ The trainer claimed that Canada was a more racist country against Blacks than the US is. When Bilkszto objected, having had experience teaching in inner-city America, the trainer attacked him, and among other things insinuated his job was not to question her, but to categorically accept the claims of Black people.¹²⁵ The message is clear, one must convert and profess allegiance to DEI or face vicious social and career consequences.

¹²³ Falsely called so, since it actually perpetuates racism, segregation and inequality by claiming privileges for certain groups at the exclusion of others, rather than seeking justice that treats all people the same.

¹²⁴ <https://www.thefp.com/p/a-racist-smear-a-tarnished-career-suicide>

¹²⁵ The approach with sensitivity training and the unquestioned acceptance of the experience of members of “minority groups” is utterly one-sided. It delegitimizes the experience of any other groups not included as “oppressed” in critical theory. As such, men are not allowed to question a women’s view about abortion, or white people cannot question a black person’s feelings of oppression, or even discuss whether Canada is a racist society. So-called microaggressions can only be claimed by predefined “victims”, whereas any minority group member can attack and question views not in line with critical theory orthodoxy without this being called an aggression.

Following the incident, Bilkszto faced attacks from a senior administrator at the Toronto District School Board (TDSB). He lost his contracts with the TDSB and filed and won a complaint with WSIB (Workplace Safety) who confirmed he was unquestionably the victim of workplace harassment and bullying.¹²⁷ In spite of vindication by WSIB, most who knew Bilkszto believe that the ongoing harassment and the stress of a pending lawsuit against the Toronto School Board and anticipated attacks by former colleagues and some Toronto media contributed to his suicide.

The zombification of colleagues, even if one does keep some private criticism, means living in a poisoned environment. Social justice advocates, or anti-racism converts, are trained to actively seek to call out those offenders. If people disagree with claims made by advocates yet go along with the new policies brought into the institution, they must self-censor for fear of being called out for biases and microaggressions.

“Critical Pedagogy” is the method of propagating social justice zombification, and of creating an army of advocates for social justice and anti-racism policies. Its instructors are trained to spot “fragility” in participants. This perfectly explains what happened to Bilkszto. Any

resistance or reaction to any claim made by a social justice advocate is viewed as proof of racism, bigotry, or a stubborn protection of one’s white supremacy. Being silent shows fragility and so does trying to debate the claims. The double-binds and impossible no-win situation imposed on their victims trigger irreconcilable psychological states, leaving few options for their psychological safety. The most proper term to describe the zombification tactics delivered by racial justice advocates is “severe psychological manipulation and abuse,” which undermines a person’s fundamental dignity and their free will.

Systemic Racism in Montreal?

In 2019, the International Observatory on Participatory Democracy (IOPD) collected information from citizens, city and borough civil servants, officials, representatives of organisations, university researchers, and experts from various backgrounds in Montreal. The summary report, *Systemic Racism and Discrimination Within City of Montreal Jurisdiction*,¹²⁶ was published in June 2020.

IOPD found that Montreal “civil servants maintain that their mission is to serve the entire population in the same manner, regardless of their origin, and insist on the universal and neutral character of the services provided.” Yet, that “colour blind” approach which treats everyone the same is not compatible with DEI. So, given the City of Montreal does not recognize the “systemic” nature of racism and discrimination, it is unable to fight against it.

No evidence whatsoever is provided in the report that systemic racism and discrimination do exist. Rather, its existence is the dogma against which all responses are evaluated, and which the City of Montreal is encouraged to publicly recognize. Thus, the report recommends giving preference to racialized and Indigenous people for promotions, mandatory training on discrimination and racism (see text) for all City employees. The report makes several recommendations targeted at racial and other groups, thus reinforcing racial distinctions, creating tension with groups that are not favoured equally by these recommendations, and contributing to divisiveness by offering special privileges—not just accommodation—to certain groups.

¹²⁶ Summary report: Public consultation on systemic racism and discrimination within the jurisdiction of the City of Montreal. 978-2-924750-86-5, International Observatory on Participatory Democracy, June 2020

¹²⁷ Source (if different from above)

Once subjected to the double-binds, the only possible reaction that a victim can have when confronted with this kind of psychological manipulation is to accept the false claims, to confess to allegations of historic sins, and to declare themselves to be anti-racists now.

Most people simply and unconsciously accept the assertions made by these authority figures, rather than seeing themselves subjected to character attacks and the moral condemnation of their peers. Most people will accept the accusation of their white privilege and the existence of systemic and pervasive oppression, while committing to anti-racism, like converts to a new religious dogma.

The combination of double-binds and social proof, i.e., the consensus or non-objection of peers to the assertions of teachers and trainers, is an extremely powerful psychological force. When an individual faces either an impossible and irreconcilable choice of standing up and contesting the false or misleading claims of the trainers, upon threat of being called a bad person in front of a group of peers, or to confess the sins assigned to them, most people will choose the latter. There is no winning once the individual is placed in the bind in front of a group of peers and colleagues. The no-win situation is described in detail in the following quotation. Any pushback is treated and called out as racism and illegitimate supremacy.

*White Fragility is a state in which even a minimum amount of racial stress becomes intolerable, triggering a range of defensive moves. These moves include the outward display of emotions such as anger, fear, and guilt, and behaviors such as argumentation, silence, and leaving the stress-inducing situation. These behaviors, in turn, function to reinstate white racial equilibrium.*¹²⁸

The advocacy of social justice is: “accept what I say, or else” and it dominates public and private institutions as well as public and post-secondary education. We also find this worldview entrenched in journalists reporting for most of the legacy media in Canada. Besides the tactics used openly by anti-racist DEI trainers regarding white supremacy, the same zombification tactics are used to establish compliance with anything to do with the orthodox view of climate change (our imminent doom), to remediating Indigenous issues in Canada (decolonizing), to fighting so-called patriarchal oppression and systemic sexism (gender equity), to combating so-called heterosexism (the belief that heterosexuality is the normal orientation for human beings), to advancing LGBTQIA+ causes, and to prevent public discussion around approaches to the COVID-19 pandemic.¹²⁹

C. CONCLUSION

Whereas lobbying is strictly regulated and fairly well controlled in Canada, the strong influence of advocacy groups has become a serious problem for our democracy. Canada has become uniquely captured by social justice advocates and activists over the last several decades. It is almost impossible to find an institution in Canada that has not been infiltrated. The ideological advocacy seems to know no boundaries, certainly not within organisations

¹²⁸ Robin D’Angelo: White Fragility. *International Journal of Critical Pedagogy*, Vol 3, No 3 (2011)

¹²⁹ For an example, see the case of Professor Patrick Provost at Laval University in Quebec, who was repeatedly put on unpaid leave for commenting that the vaccination of children against COVID was unnecessary. https://www.thesuburban.com/news/city_news/professor-suspended-for-vaccine-remarks-again/article_39e38361-fb5a-533b-b462-12897422284f.html

who have embraced the nice-sounding, bait-and-switch consulting jargon of Diversity, Equity, and Inclusion.

These ideas, which are fundamentally lies, have become part of the fabric of our most trusted institutions. Social Justice ideology has become entrenched in the policies of the Law Society of Ontario, for example, following a win by a progressive slate in the Ontario Benchers Elections in 2023. When our legal system redefines justice and becomes a proxy for ideological advocacy and enforcement, there is cause for grave concern.

This leaves many with a sense there is nothing we can do, and that perhaps “going along to get along” is the best survival strategy. This will not lead us out of this crisis.

Fundamentally what has happened in Canada, perhaps more so than in other western countries who are all facing similar problems, is that our national niceness is our greatest vulnerability. Those who are not zombified are afraid to speak about their concerns. They are too polite and as such we have widely surrendered our institutions and the power of control over the means to punitively enforce adherence to their claims about the world.

Institutional Capture by a small minority of activists is a new reality in Canada, but it is not unique in the world. We can look to other countries for ideas and strategies on how we can combat the corrupt forces that are imposing mechanisms of social control upon us and our fellow citizens. As frightening as it may seem, the stories of how countries like Czechoslovakia liberated their citizens from the totalitarianism of communism are apropos.

In February of this year, Jordan B Peterson made comments about the nature of totalitarianism while giving his lecture at the Canadian Tire Center in Ottawa. He has since repeated this observation in other interviews and podcasts.

“People think that a totalitarian country is a place where a single despotic leader controls absolutely everything.

But that’s wrong!

A totalitarian society is a society that lies about absolutely everything all the time and its leader is the prince of lies.”

The idea of “The Big Lie” comes from studies in totalitarianism. It is the total lie, or the total set of lies, that holds a totalitarian system together.

It is frightening to say that we are teetering between a culture of total lies and one of choosing to live in the truth. Some of our institutions are functioning entirely like eastern Bloc countries did during the cold war. They have fully embraced the lies of anti-racism, the lies of transgenderism, and the lies of de-colonization pushed by advocates, activists, and zealots.

Zombie advocates and true believers within that system check for perpetrators of wrong-think and weaponize mechanisms of investigation and bureaucratic enforcement to enforce conformity. The cost of criticizing the obvious lies pushed by teachers’ unions (which have adopted social justice as a core mission), by the growing numbers of DEI bureaucrats who chillingly resemble the Commissars of Communist Russia or the Stasi officers of East Germany, and the external consultants and trainers, like the one who humiliated Richard Bilkszto, is extraordinary. But how do we combat the lies?

We will indeed need to repeal the destructive laws, predicated on the Big Lie that human beings can change sex, and the claims that those people need special protections from the government. We will need to untangle the Big Lie of Anti-Racism and Systemic Oppression from our institutions. We will need to tear down the provincial Human Rights Commissions which have been captured by advocacy, and who have suffered mission creep under the influence of social justice advocates (see also Chapter VIII).

If we cannot fix our legal institutions, we will have to build credible replacements which can return us to human rights protections based in the view that all people are equal, instead of prioritizing the rights of specific “oppressed” interest groups over those of others who are supposedly oppressors.

We will eventually have to create systems to hold media accountable, and to remove political bias and activism from journalism; and we will have to return to academic integrity in universities or rebuild the system of education and knowledge construction entirely.

At the personal level, we must have the courage to speak the truth as the people did who fought against lies in the past. Vaclav Havel tells us that this is an individual choice not to take part in the lie:

Let us now imagine that one day something in our greengrocer snaps and he stops putting up the slogans (in the shop window) merely to ingratiate himself. He stops voting in elections he knows to be a farce. He begins to say what he really thinks at political meetings. And he even finds the strength in himself to express solidarity with those of whom his conscience commands him to support. In this revolt the greengrocer steps out of living within the lie. He rejects the ritual and breaks the rules of the game. He discovers once more his suppressed identity and dignity. He gives his freedom a concrete significance. His revolt is an attempt to live within the truth...

...Living within the lie can constitute the system only if it is universal. The principle must embrace and permeate everything. There are no terms whatsoever on which it can coexist with living within the truth, and therefore everyone who steps out of line denies it in principle and threatens it in its entirety.¹³⁰

The most important thing we can do is for each of us to make the choice as individuals to reject the lies and live within The Truth.

¹³⁰ Vaclav Havel, *The Power of the Powerless*, Ch. VII—1978

Further-going material:

1. Lobbying

Historical overview of lobbying in Canada:

<https://www.thecanadianencyclopedia.ca/en/article/lobbying>

2. Advocacy

James Lindsay and Helen Pluckrose: *Cynical Theories*. Pitchstone Publishing, Durham, North Carolina (2020)

Charles Pincoffs: *Counter Wokecraft—A Field Manual for Combatting the Woke in Universities and Beyond*. New Discourses (2021)

Vaclav Havel, [The Power of the Powerless](#) (1978)

VI. The Media

By Derek Fildebrandt

The media is a critical part of Canada’s democratic processes. Defined broadly, it is how Canadians receive their news. It is where they receive their cues about what is important and what opinions or worldviews are socially and politically acceptable. It is the modern public square. What ‘the media’ is in 21st century Canada, however, is a question that needs tackling. So, let’s begin by answering this uneasy question.

A. THE MEDIA LANDSCAPE

‘The media’ includes what has been labeled the ‘mainstream media’ (MSM), or more recently, the ‘legacy media.’ The mainstream media are platforms that stay within the mainstream of public opinion, give or take a few degrees of leeway. This includes the *Toronto Star*, the *National Post* (and its *PostMedia* subsidiaries), the *Globe and Mail*, *CBC*, *CTV*, *Global News*, *Quebecor’s* conglomerate, local papers owned by *Black Press*, and many others. Mainstream media may be difficult to define, but most Canadians probably know the main news outlets when they see them.

In the United States, the Media Bias Chart¹³¹ is an attempt to visualise the political leanings of many of the major outlets, some of which are also popular in Canada. No equivalent ranking exists for Canada, but attempts have been made to produce such an overview.¹³²

Today, almost all major media, except for a few small local papers, are available digitally. But when we speak of the ‘digital media,’ they are, generally speaking, only available online. The advent of the digital media has radically transformed the media in Canada, and indeed around the globe.

In 21st-century Canada, a few hundred dollars can get you into the media game. A basic website and a few casual writers can make you a publisher; a few microphones and a streaming app can make you a podcaster; and a decent camera phone and a \$20 lighting circle can make you a YouTube broadcaster. With little capital investment, an individual with some drive and talent can lay the foundations for their own media empire.

The earliest breakthrough of the digital media platforms were blogs, which is short for “web logs.” The investment of bloggers was mostly in their time. Bloggers have continued through the evolution of the digital media, but they have transformed their work in many ways. Instead of just typing their thoughts out in the form of freelance newspaper columns, they have branched out into other areas of the digital media, including digital broadcasts (podcasts, streaming video, etc.). These bloggers’ goals range from individuals wishing to have their ideas read by someone who cares to ambitions to be on the payroll of a mainstream platform.

Either way, their cheap barrier to entry has been cataclysmic for mainstream media. The mainstream media no longer hold an oligopoly, having lost most of the once lucrative advertising dollars.

¹³¹ <https://adfontesmedia.com/>

¹³² <https://aml.ca/the-bias-in-media-bias-charts/>

Between the formality of the mainstream media and the informality of the bloggers are the professional digital and alternative media. These are platforms that often act like the mainstream media but are mostly digital. They are often full-time businesses, and many of them have an activist bent. The more ideological are sometimes referred to as ‘activist media.’ Some, but not all, of these operate as not-for-profits or have charitable status.

Some of the largest or most important digital media on the Canadian right include *Rebel Media*, *True North*, and *The Western Standard*. On the left, the largest are *rabble.ca*, *The Narwal*, and *CanadaLand*.

Some of these platforms operate professional newsrooms independent from their opinion content, while others blend news and opinions in a more activist approach.

The digital media also includes organisations like *Press Progress*, which is funded by political organisations that produce media content pushing stories and narratives into the mainstream media.

This list of digital media represents only a fraction of those that exist or will exist because the low barriers to entry. Consequently, new media continue to emerge with great frequency. Still, the mainstream media have an advantage over their challengers largely because of direct government support.

B. GOVERNMENT FINANCIAL CONTROL OVER MEDIA

As long as there has been radio broadcasting in Canada, the federal government has had some control over which media succeed and which media fail. This control is exercised by the Canadian Radio-Television and Telecommunications Commission (CRTC) by issuing or denying preferential licensing. For example, the CRTC issues “mandatory carriage” licenses that require cable providers to carry a given television station and pay for the right to do so. Media that have licences have a guaranteed revenue stream that makes them economically viable, often regardless of their viewers. Stations that hold carriage licenses include: the *CBC* and its French-speaking twin *Radio Canada*, *CTV*, *Global News*, *Omni Regional*, *AMI-tv*, *Aboriginal Peoples Television Network*, *CPAC*, and *TV5 Quebec*.

When *Sun News Network* was launched in 2011, its business model required it to obtain a mandatory carriage license compete with other media. When it was denied a license in 2015, *Sun News Network* closed its doors. It’s a stark lesson that no broadcast media is likely to be viable without government support.

In 2019, the federal government announced \$600 million in subsidies for select media outlets. This cash was claimed to be needed by the media, but it showed that the government was influencing the Canadian print and online media companies. Then-Minister of Canadian Heritage, Steven Guilbeault, claimed that the bailout was necessary to keep a free and credible press, but few beyond the most dedicated Liberal partisans and publishers who were helped financially agreed with his claim.

Most of the other Canadian media was already on the government payroll. Magazines already received large subsidies and the massive “regulatory subsidies” ensured that the broadcast media report favourably about the government.

The elephant in the room of government media control is obviously the *CBC*, with an annual taxpayer subsidy of more than \$1.2 billion. No wonder the CBC can give millions of dollars in bonuses to its executives.

By handing nearly \$600 million directly to select newspapers, the government is merely extending its control.

Only media who are included in the “Qualified Canadian Journalism Organisation” (QCJO) are eligible to receive federal subsidies. To receive this status, a media company must answer questions that range from the administrative structure and financial background to editorial policies, including examples of stories that the government would define as “qualified journalism.” A panel of government-sanctioned journalists review the stories to decide if the organisation is compliant.

The government body overseeing this process is the Canada Revenue Agency (CRA), even though the Department of Canadian Heritage is traditionally the department that oversees the media. This was likely done so that “clients” of the CRA are protected by confidentiality. This means that media companies receiving government subsidies are protected from having their business model becoming known to taxpayers.

To date, the only known media companies that have been rejected for “QCJO” status, has been right-leaning outlets like *Rebel Media*. That company — like the *Western Standard*— did not apply in the hope of obtaining the subsidies, but simply to question the process.

To distribute the subsidies, the federal government created a panel in 2020, giving the bailout an appearance of fairness. Not surprising, the panel was stacked with Liberal allies and ideologues.¹³³ Some even awarded themselves grants. For example, *Winnipeg Free Press* Publisher, Bob Cox, was on the panel that granted the Free Press a large “Local Journalism Initiative” grant which was used to hire two new reporters, including a “climate change correspondent.”

The result of these subsidies has been to jeopardize the tenuous public trust people have in the media, and, even worse, to extend the lifespan of some media businesses. In fact, subsidising the media 30 years after the breakthrough of the internet, is prolonging their inevitable death or overhaul.

The so-called alternative media have begun to receive federal subsidies, but it is still the mainstream media who receive the lion’s share of the funding.¹³⁴

In 2023, mainstream media succeeded in lobbying the federal government to pass the Online News Act,¹³⁵ which would force large online platforms like Meta (Facebook and Instagram) and Google to pay them for publishing their material. This was based on the dubious claim from the legacy media that these platforms were “stealing” their content. These platforms claimed just the opposite — that media profit immensely from the ability to get their content in front of readers eyes.

¹³³ [‘Trudeau fan and Liberal supporter deciding which media gets bailout money’](#), *Western Standard*. July 6, 2020

¹³⁴ [‘Which media were included in Trudeau’s \\$10 million top-up fund’](#), *Canadaland*. December 1, 2021

¹³⁵ <https://www.canada.ca/en/canadian-heritage/services/online-news.html> (accessed May 2024)

Despite warnings from these platforms and independent media, the bill was passed and the consequences were swift and devastating. Meta completely removed all Canadian news content from Facebook and Instagram platforms, reducing the visitors to Canadian news sites. It also canceled agreements that it had with Canadian media outlets. Google likewise canceled its voluntary funding agreements with Canadian media. The federal government was forced to accept a relatively modest payment of \$100 million per year from Google.

It seems unlikely that the Canadian media came out any further ahead. But taken together with the media's banishment from Facebook and Instagram — and the accompanying massive loss in web traffic — the Online News Act was devastating for the economic transformation of Canada's new media landscape.

C. THE STATE OF JOURNALISM IN CANADA

Even with generous public subsidies, the legacy media are a shadow of their former glories. Newsrooms once brimming with hardnosed journalists are emptied, often moved to much smaller buildings, or journalists are working from home offices, and staffed with a small number of underpaid, and often ideologically driven, recent journalism school graduates.

Traditional good journalism practices aspired to be neutral, fair, and balanced in their reporting, with both sides of any issue being given equal weight. Rather, it is common practice now for news reporters to do little or nothing to hide their own personal convictions.

The ideological bent of many Canadian journalists is primarily influenced by their education. Journalists coming through journalism schools have, in most cases, been subject to a highly ideological education. North American universities have become factories of extremist leftist, environmentalist, and 'woke' ideology,¹³⁷ which many graduates accept.

Journalism schools increasingly have moved away from the traditional neutral, fair, and balanced news reporting, in favour of bringing about social change with clear ideological goals. In its most extreme form, journalism school students are taught that neutral journalism is a tool of white supremacy. Journalism school graduates that accept this newer doctrine see it as their role—even duty—to use their position for political ends.

In addition, journalists spend increasing amounts of their time and resources covering stories concerning sexual and

A Quote

"The press, as an institution—there are many exceptions, but by the mass of the institution—it has decided that it is a player; that it will pick a side; that it will inflate the people it likes to inflate, and it will derogate and damn those it does not. They will do that from a perch of self-assumed moral superiority. Here's what you need to know: they have forgotten that their audience has intelligence and dignity and they really think that it's more or less a cooperative movement between the elites of government bureaucracy and the university, and the press."

The late Rex Murphy (ex-CBC),
in a conversation with Jordan Peterson¹³⁶

¹³⁶ <https://www.youtube.com/watch?v=5efyUt5YDU0> (accessed March 2022)

¹³⁷ See e.g. The Coddling of the American Mind (www.thecoddling.com) to find such examples

gender identity, the “climate crisis,” and “racial justice.” With limited time and resources, these stories can come at the expense of hard news covering issues of importance.

For example, the *CBC* “Filipino Bureau” ran a story on May 8, 2021, with the headline, ‘Calgary youth unpack sexuality and taboo culture in the Filipino community.’ The opening line read “A workshop this weekend in Calgary is intended to give Filipino youth a safe space to talk about a subject some in the community say is seen as taboo — sex.” Using buzzwords like “safe space,” the article, written by a racial/ethnic focused division of the *CBC*, reads like an advertisement for the event.

The majority of mainstream journalists reside in large cities, making it more likely that they will absorb the ideological dispositions of those areas rather than the dispositions of people who live in small towns and rural areas. Most media conglomerates are also headquartered in large cities, especially Toronto, Ottawa, and Montreal. This results in a highly Central-Canadian focus of the news at the expense of the perspective held by Canadians outside major cities.

Local news coverage has been devastated as large media companies have bought up many daily papers. For example, *Post Media* owns all four major dailies in Alberta: the *Calgary Herald*, the *Calgary Sun*, the *Edmonton Journal*, and the *Edmonton Sun*. As a result, all four papers print almost identical news stories. The only difference is that each paper has a star political columnist. In Quebec, the newspaper industry is dominated by Quebecor, which owns about 43% of dailies and 67% of magazines sold in stores. Similarly, three companies, Bell, Cogeco, and Arsenal Média own 60% of the commercial radio stations.¹⁴⁰ The market share of the four largest radio and TV companies (Bell, Rogers, Shaw, Quebecor) has increased to almost 60% by 2020.¹⁴¹ The combination of direct federal funding and the centralisation of corporate ownership means that Canadians are reading and watching the same stories from many of the same reporters. According to the Global Media and Internet Concentration Project’s 2020 Annual Report, “the more concentrated communication and media industries are, the greater the capacity of dominant players to impose their will on the

Self-Censorship

Journalists in Canada are said to be subject to internal censorship by their own editors. David Radler, former owner of Hollinger, reportedly stated that editors-in-chief can disagree with the owners but then need to do so while no longer being in their services, since it’s the owners who decide what is and what isn’t published. Self-censorship is also carried out to avoid treating subjects, or give room to opinions, that may harm the reputation of a media company. An example is Catherin Dorion, who was told not to criticize Pierre Péladeau, the *Journal du Québec*’s president.¹⁴⁰ In 2022, University of Laval Professor Patrick Provost was put on unpaid leave and Quebecor removed his articles that were critical of the government’s COVID measures from several of its publications.¹³⁸ Journalist Barbara Kay cited a climate of self-censorship as a key reason for leaving her position at the *National Post*.¹³⁹

¹³⁸ <https://libremedia.ca/article/le-veritable-portrait-de-la-covid-19-au-quebec>

¹³⁹ <https://bayobserver.ca/2020/07/25/national-post-columnist-reveals-why-she-is-quitting/>

¹⁴⁰ <https://libremedia.ca/article/la-concentration-des-medias-un-obstacle-a-la-diversite-des-idees>

¹⁴¹ Winseck, Dwayne, 2021, “Media and Internet Concentration in Canada, 1984-2020”, <https://doi.org/10.22215/gmicp/2021.2>. Global Media and Internet Concentration Project, Carleton University.

communications environment without the consent of those affected—the prerequisites for legitimacy in a democracy.”

Increasingly more Canadians are tuning out the mainstream media, and they are getting their information from alternative sources. Internet news sources are becoming the way many Canadians get their news and opinions.¹⁴²

D. SOCIAL MEDIA

While the media landscape continues to shift, the need of political actors to gain media access has remained relatively constant. Politicians can now use social media to speak directly to their constituents, going over the heads of the mainstream media.

The best example of this is former U.S. President Donald Trump’s use of Twitter and other platforms, Trump was able to roused his base and sent his opponents into a frenzy. His social media postings, and the reactions to them, were able to dominate the news cycle, without Trump even speaking directly to the media.

The ability of Canadian politicians to garner the same kind of attention is likely limited. Trump was (or is) a larger-than-life character, and his social media posts were often outrageous. Try as they might, most Canadian politicians are much less colourful. In Canada, the centralised control over political parties and the limited ideological diversity tends to reward politicians who are relatively bland.

Politicians who deliberately court controversy are normally not very successful in Canadian politics. While social media is unlikely to play as key a role for Canadian political actors as it has for Donald Trump, it is still an important part of modern political communications.

In many respects, messages on X have replaced press releases as the first contact with the media. Consequently, many journalists spend their days glued to their X feeds looking for the latest newsworthy missives from public figures.

As a result, the media are increasingly consumed with “what X is saying.” Spending their days on X, journalists are increasingly coming to view that users in their feeds and political hashtags are saying is public opinion. Enough X users outraged at what a politician said on a given topic is often taken as social validation that the public at large must be outraged. This has led to a new kind of news story, often beginning with headlines that read, “Social media reacts to [insert controversy].” The value of political opponents in driving these stories leads them to create fake “sock puppet” accounts, and to push hyperbolic statements that drive social media outrage in hopes of creating news stories that will hopefully create more outrage against their opponents.

Social media can also be used to mobilize core supporters, particularly on platforms like Facebook. The average Canadian might not care what a particular politician has to say about anything, but party members and core supporters may respond to a strong quote in a graphical image or a “burn” of an opponent in a video. This content can be parlayed into raising money through donations and selling party memberships.

¹⁴² <https://www.cmcrp.org/media-concentration-2020-update/>

In fact, political activists play a large role in political discourse on social media. Often, wise-cracking memes lambasting a politician on social media can be more effective than an expensive attack ad run on a major television network. In some cases, political actors employ full-time content creators to push their message to great effect.

On the right, groups like *Ontario Proud* (and the broader *Proud Network*) have incredible social media reach on platforms like Facebook. They share news stories with pithy commentary, and memes that poke fun at the entitlement and cognitive abilities of Justin Trudeau.¹⁴³

On the left, groups like *Press Progress* have been less successful in using Facebook for similar ends, where the ‘meme’ reigns supreme as the medium of comedic attack. Leftists beyond Canada have similarly been less successful than has the right in using memes, spawning the refrain ‘the left can’t meme.’ The left’s failure to use Facebook and memes to their full potential used to be compensated for by their domination of platforms like Twitter, but this advantage has fallen away as Elon Musk’s transformation to X made the platform much less censorious and a home for free speech.

Other platforms like Instagram and TikTok are more often used by younger people, but their ability to substantively influence politics is questionable. Can a youth-friendly politician win over young voters by doing TikTok dances or posting a picture of their chai latte on Instagram? Unlikely, but as these platforms evolve, social-media savvy politicians may find a way.

Social media giants like Facebook, YouTube (and until Musk squired it, Twitter) are increasingly censorious. Under threat of direct regulation by governments, these platforms are quickly removing content and banning users that do not follow their “community standards.” This began with overtly racist or hateful content, but quickly extended to the merely contradictory or controversial.

For example, YouTube users are not allowed to contradict the governments’ and international bodies’ opinions on certain topics. One video of a Calgary police officer who was fired from his job for not being vaccinated against COVID-19 was removed from YouTube despite not discussing the effectiveness of COVID-19 vaccines. “YouTube doesn’t allow claims about COVID-19 vaccinations that contradict expert consensus from local health authorities or the World Health Organisation (WHO),” read the ban notice.¹⁴⁴

Upstart rivals to the social media giants have thus far been a minor nuisance to the big players. Parler—billed as the free speech challenger to former Twitter—was, for example, temporarily taken down by big tech companies when it saw a large influx of users following (old) Twitter’s lifetime ban of Donald Trump.¹⁴⁵ The German government is demanding the right to remove and regulate content on Telegram.¹⁴⁶

¹⁴³ Prime Minister of Canada at the time of writing

¹⁴⁴ [‘YouTube cancels Western Standard for reporting news story’](#). *Western Standard*. December 8, 2021

¹⁴⁵ “We will not be canceled”: Parler relaunches after month offline in wake of capital attack. *Forbes*. February 15, 2021

¹⁴⁶ [‘Politician says Germany should ban Telegram unless it tackles extremist content’](#). *Reuters*. December 14, 2021

In Canada, Bill C-11 (44-1)¹⁴⁷ seeks to greatly expand federal control over online content, giving Ottawa the power to require online platforms to remove content that it deems to be inappropriate. The legislation is almost certain to increase direct censorship and alternative media and individuals on the Internet (see also Chapter VIII).

Video streaming platforms like Rumble may eventually have more success than YouTube, and platforms like Parler require a critical mass of users to create an online community worth visiting. If everyone was already on (old) Twitter, there is little incentive to join Parler. Rumble, by contrast, can be embedded onto other platforms and shared.

Monopolies always destroy themselves in the end, and the time may come when X and Facebook go the way of MySpace and ICQ went, but for the foreseeable future, the social media giants have a firm grasp on the market that political actors cannot ignore.

Social media is not only critical to politicians and parties, but also to the media itself. The days when consumers would bookmark their favorite handful of news websites and check in on them is largely over. Most media consumers find their content on social media.

This has incentivized media platforms to invest in building their social media presence in hopes of obtaining more consumers. Obtaining a wide reach on social media is the 21st century equivalent of having a 20th century newspaper that was readily available.

But just as the capital barrier for entry into publishing has evaporated, so too has the barrier for distribution. Where legacy media had to build large and expensive distribution networks for newspapers and magazines, digital media has only to post its content.

Mainstream and legacy media have claimed that the oligopoly of the social media and search engine giants, like Google, have unfairly taken much of the advertising revenue. Indeed, these giants do earn most advertising dollars, and benefit from their position as the first contact of choice for many media consumers. Some of this is unavoidable, while some is poor business acumen on the part of media platforms that have been unable or unwilling to adapt to the new market reality.

E. ADVERTISING

Google has achieved a dominance in “banner advertising” by making it easy to connect advertisers with dedicated websites that are populated by willing consumers. These ads are normally less expensive than charged by the platforms themselves. The failure of most mainstream and legacy media to cut rates simply prices them out of this market.

To make up for this, large media conglomerates have begun to push governments to forcibly redistribute advertising revenue from tech giants to themselves. Most notably, this happened in Australia in 2021, and governments in Canada, the United States, and the EU have all signaled their intention to follow suit.

This may go some distance in propping up the large mainstream and legacy media conglomerates but has the potential to hinder the growth of small media companies that lack the negotiating power and lobbyists and lawyers.

¹⁴⁷ <https://www.parl.ca/DocumentViewer/en/44-1/bill/C-11/first-reading>

The federal government's *Online News Act* (C-18¹⁴⁸) promises to confiscate large sums of money from tech giants like Facebook (now Meta) and Google and redistribute it to publishers that have official government sanction. This is a particularly pernicious piece of legislation because of the penalties it seeks to impose on publishers that do not take part. Those media that are not sanctioned by the government — or refuse to take part — would see the government forcibly reward their competitors over themselves. Because social media is where most Canadians now discover their news, this would effectively “shadow ban” non-compliant media.

Unsaid is the influence from advertisers themselves. As long as advertising has existed, it has had an unavoidable influence on editorial policy. This has become clear with the COVID crisis where the pharma industry has dominated, if not dictated, the narrative that mainstream media have passed on to the public (see box). Their ads were ubiquitous, and the messaging was clearly focused on their products while suggesting any alternatives were either ineffective or even dangerous. Any media are unlikely to run stories that take aim at their largest advertisers. Some media say they have ‘firewalls’ between advertising and editorial departments, but few veterans of the industry agree that they work.

F. USING THE PRESS, AND THE PRESS USING YOU

Beyond using social media to gain attention, there are several other ways that political players use the press. In doing this, political actors must understand that the press is also using them. Both parties must have a mutual interest in publishing a story, and the better both understand this symbiotic relationship, the better. Smart consumers of media would be wise to understand this symbiotic relationship.

The simplest of these is the general political announcement. Politician A sends a news release or tweets a statement and hopes that the media publishes it with little alteration. In an era of understaffed newsrooms, the chances of having a news release published verbatim with a small quote from an opposing viewpoint is high. In essence, the newsmaker provides content for the news publisher. The publisher, however, is unlikely to act on the information unless it is likely to attract consumers, readers, viewers, and listeners. If enough consumers have their eyeballs on a given piece of content, the news publisher will be rewarded with advertising and subscription dollars; but if the content is poorly consumed, the publisher is not rewarded.

Big Pharma and the COVID Crisis

As with the H1N1 virus in 2010, the mainstream narrative in 2020 was again one of fear and danger, suggesting that rapid action was necessary, and only using new experimental vaccines. For H1N1, evidence was found to suggest that the pharma industry had undue influence over the World Health Organisation and national health authorities, leading to an EU resolution in 2011 calling upon the WHO to review its processes.¹⁴⁹

With COVID, industry influence was even strongly felt, with numerous Pfizer ads running in mainstream media, as well as an almost literal repetition of phrases.¹⁵⁰

¹⁴⁸ <https://www.parl.ca/DocumentViewer/en/44-1/bill/C-18/first-reading>

¹⁴⁹ [https://wikispooks.com/wiki/Swine_flu_\(H1N1\)](https://wikispooks.com/wiki/Swine_flu_(H1N1))

¹⁵⁰ www.realclearpolitics.com/video/2021/10/19/montage_pfizer_sponsors_news_abc_cbs_nbc_cnn.html

Opposition politicians are often frustrated by their difficulty in obtaining press coverage. Criticism that opposition parties only ever “oppose” and are “always angry” is a popular opinion in large part because news publishers often only publish their angry comments. Parties in opposition are not announcing anything when they make a positive announcement about what they would do. It is a promise, contingent upon getting elected, and keeping that promise in government. As a result, opposition politicians are incentivized to make their criticisms increasingly hyperbolic to get a headline or even a mention.

To incentivise coverage of an issue, newsmakers will often provide an exclusive to publishers. The exclusivity of the content increases the chance of obtaining many consumers, since the news has been made scarce, and scarcity increases its value. Providing exclusive content to news publishers is also an important relationship builder. By providing scarce content to a publisher, the newsmaker has built up a credit. Newsmakers will sometimes seek to cash in on this credit and obtain favorable coverage for unrelated stories.

Similar to the exclusive, is the leak. Leaking can be both positive for one’s own side, and an effective attack on one’s opponents.

A positive leak normally comes from newsmakers wishing to set the tone of events, and/or curry favour with a news publisher. In this case, they exclusively provide information without attaching their name. For example, a newsmaker in government might leak that a coming budget will include a new social program. In this case, the newsmaker has highlighted the good news, and potentially distracted from bad news that might be found in it. The publisher has received an exclusive story with scarce content that its competitors will have to do without, or grudgingly credit them for. The publisher is therefore incentivized to give the story greater prominence and continued follow-up stories and editorials to highlight its exclusive information.

In a negative leak, a newsmaker with information damaging to an individual, party, government, business, or other organisation gives it to the publisher normally on condition of remaining unnamed. The incentives are similar to positive leaks. The newsmaker gets to damage an opponent, while the publisher gets to publish exclusive content. The publisher is again incentivized to give this content prominent placement.

In both positive and negative leaks, the news publisher also has an incentive to amplify the importance of the information. Since they are, in most cases, the only platform with the information, they sometimes ‘torque’ the importance or tone of the story to attract more consumers.

“Love-to-hate” is a simultaneously symbiotic relationship between newsmaker and publisher. In this case, the newsmaker does or says something that some in the audience will find objectionable or outrageous, but the newsmaker is happy to be attacked by the “right kind of enemy.”

For example, Donald Trump makes statements that he knows his opponents on platforms like CNN will condemn. Trump had pointed to this as examples of leftist media bias. It is a win-win for both adversarial parties.

G. CONCLUSION

Whatever interventions are taken by government, the dominance of the mainstream and legacy media is likely to continue to decline. Canadian media consumers are increasingly attracted to small, niche media that suit their interests and beliefs. Conservatives wish to consume more conservative media, and progressives wish to consume more progressive media. To meet this market demand, social media platforms, like Facebook, use algorithms that lead people to items that often confirm their biases.¹⁵¹

Standing in opposition to this trend is the centralised news services publishing the same stories by the same reporters across dozens of platforms. This will likely continue to push media consumers towards independent, smaller, niche platforms.

This is not to say that the mainstream and legacy media will fade away entirely or is not an important consideration for political actors. The mainstream media continue to hold residual brand loyalty from many media consumers, trusting them more than less reputable upstarts.

A smart strategy for an informed citizen, regardless of political orientation, requires several actions.

Of course, citizens must avoid receiving all their media from a single source, or sources that only confirm their own biases. Consumers should receive their news and commentaries from a variety of platforms across the political spectrum. People on the right should read the *Toronto Star* or the *Globe and Mail* and watch the *CBC*, and those on the left should read the *National Post* or *Western Standard*, or watch *Rebel Media*. Some other suggestions on where to get your news are included in the appendix.

Diversity in our media consumption also goes beyond ideological matters. Smart media consumers should not rely exclusively on either mainstream or independent and alternative sources but consume both with some degree of balance. Consuming a wide variety of media sources is more time consuming, which is one reason media consumers increasingly get their news from a few niche sources. Resisting this temptation is difficult but rewarding.

Consumers also need to look for unreliable news. Sometimes this is easy to spot, but often it is not. A cheap website with conspiracy-theory headlines should quickly set off alarms, but spotting shoddy journalism is often much more difficult. Mainstream media can hide the agenda of the publisher or reporter behind a smokescreen of jargon and our trained response is believing them by default. Media has always been an industry with opposing views, with both good-faith and bad-faith actors. However much the industry changes, those facts are unlikely to change. At the end of the day, the best a consumer can do to be informed is to be curious and use their common sense. Of course, the media continues to evolve, and it will, in various forms, continue to be an indispensable toolkit for Canadians who need to make sense of the behaviour of politicians.

¹⁵¹ See e.g. *The Social Dilemma*, a Netflix documentary exploring the problems with such algorithms.

Further-going material:

An overview on media bias in Canada can be found in the Canadian Encyclopedia:
<https://www.thecanadianencyclopedia.ca/en/article/media-bias-in-canada>

Ottawa Declaration on Canadian Journalism, rejecting government payroll subsidies:
<https://macdonaldlaurier.ca/the-ottawa-declaration-on-canadian-journalism/>

Carleton University's *Canadian Media Concentration Research Project* tracks media ownership over time and publishes annual reports: <http://www.cmcrp.org/>

An overview of Canadian media ownership and key statistics can be found at Harvard University's *Canadian Media Ownership Index*:
<https://projects.iq.harvard.edu/futureofmedia/canadian-media-ownership>

The Thinker's Guide for Conscientious Citizens on How to Detect Media Bias & Propaganda in National and World News:
<https://projectavalon.net/lib/Dr.%20Richard%20Paul,%20Dr.%20Linda%20Elder%20-%20How%20to%20Detect%20Media%20Bias%20&%20Propaganda.pdf>

VII. Educational Choice & Our Democracy

By John Hilton O'Brien

For generations, there has been a discussion about the function of education in Canada. Does education exist for the sake of the children? Or does education exist to be used as “worker factories,” producing people who choose jobs and political causes favoured by those in authority? It is reasonable to say that in a free society, it is unacceptable for schools to be used for authoritarian purposes. Rather, educational systems should respond to the choices and needs of parents and their children.

This chapter will discuss the history of education in Canada and lay out the pillars of educational choice in a free democracy: Educational Pluralism, Educational Finance, Curriculum Reform, and Parental Authority. We lay out the basic ideas, and discuss threats to these ideas by policy choices.

A. A BRIEF HISTORY OF EDUCATION IN CANADA

The history of education in Canada is to some extent the history of accommodation of minorities, mostly religious minorities but also ethnic and racial minorities. While the British had adopted a policy of assimilation for the Canadian colonies,¹⁵² the British North America Act (BNA) allowed for educational rights of minorities, including Protestant schools in Quebec and Roman Catholic schools in other provinces.¹⁵³ The BNA thus built an ideal of toleration and a certain amount of educational freedom. It also gave education to the provincial/territorial level of government so there is considerable variation across the country.

In this way, Canadian educational policies are different from the policies of European countries. Germany's *kulturkampf* of the 1870s tried to abolish the rights of the Catholic minority,¹⁵⁴ so did the Ferry Laws in France, culminating in the French “Law of Associations” in 1901 that saw French religious orders lose their property, including schools, with many of the clergy emigrating to Canada.¹⁵⁵

Yet here, government incursion into educational policy was also evident, for example in the federal government funding Indian Residential Schools. The federal government also funds schools on Canadian military bases. Similarly, the rights of French-speaking Canadians were sometimes threatened in provinces where English was the major language. Likewise, English-speaking Canadians' rights were sometimes (and are still) threatened in Quebec. The Manitoba School Question, for instance, was a concerted effort to eliminate French language instruction in Manitoba.¹⁵⁶ In Ontario, the government had originally refused to let Catholic schools offer instruction beyond the 10th grade. Funding for Roman Catholic

¹⁵² Harper, 193. <https://doi.org/10.2307/1585907>

¹⁵³ Brennan, 22-23. <http://www.jstor.org/stable/canajeducrevucan.34.4.20>.

¹⁵⁴ Lougee, 219. <https://doi.org/10.2307/3161311>.

¹⁵⁵ Helou. <https://doi.org/10.4000/eccs.2436>

¹⁵⁶ See Verrrette. <https://www.thecanadianencyclopedia.ca/en/article/manitoba-schools-question>,

schools was restricted until 1985 when the government granted full funding for Catholic schools.¹⁵⁷

To this day, there is tension between accommodating minority students and attempting to impose a centralised ideology. This tends to be expressed through disagreements over parental rights and on what children are taught in public schools.

B. EDUCATIONAL PLURALISM

In Canada, power over education vests in the provinces/territories. They have a number of options available to them.

In general, educational pluralism is the idea that public schools will provide options for students. This avoids the problem of “weaponizing” schools to impose ideas on the population.

Alberta is the poster child of choice in Canada.¹⁵⁹ Its education system is delivered through no less than six distinct modes:

1. Locally elected public school boards administer the great majority of schools in Alberta. Originally, these boards were protestant, but they were completely secularized by the 1980s.
2. “Separate schools” are managed by Roman Catholic school districts that are governed in the same manner as are the public school boards.
3. Alberta has a large Francophone population with over 88,000 people and about 8,500 students being educated in two Francophone school divisions.¹⁶⁰
4. “Charter” schools are also a feature of Alberta’s educational system. No other province or territory has charter schools. These schools are non-profit, non-

Education in China

Lenin, the father of Communism in Russia, is reported to have said, “Give me four years to teach the children, and the seed I have sown will never be uprooted.” Totalitarian regimes, whether communist governments, fascist states or religious autocracies, use the educational system to maintain their power. In the phrase of Marxist theorist Antonio Gramsci, they do so to create a “hegemony” of ideology that justifies elites being at the top of society, regulating public opinion and controlling the information to which citizens have access. FORBES writes the following about contemporary China under President Xi Jinping:¹⁵⁸

“There is no portion of the Chinese system treated with more reverence—and that is more out of bounds to private operators—than education. Chinese are forbidden to attend international schools in China, with a few exceptions for star athletes and movie stars issued by the Foreign Ministry. The Chinese Communist Party sees the education system principally as a system for inculcating loyalty and vesting young people with an unquestioning acceptance of the Party’s version of reality. This includes the Party’s version of history, leadership virtue, unimpeachable success in supporting the goals of the public, and selfless commitment to the improvement of the life and security of every PRC citizen. It is worth noting that this is a modern version of imperial China’s well-known examination system, which was more of a value and fealty test than a competence test.”

¹⁵⁷ Brennan, 24-25

¹⁵⁸ <https://www.forbes.com/sites/annestevenson-yang/2021/07/25/chinese-education-debacle-what-xi-is-trying-to-achieve> (accessed November 16, 2023)

¹⁵⁹ Pages for Alberta’s educational options can be located at <https://www.alberta.ca/education-options>

¹⁶⁰ See the Government of Alberta at <https://www.alberta.ca/francophone-heritage.aspx/>.

sectarian and follow the public school program of studies. Each charter school has an educational focus that is different from other charter schools, that means a difference in teaching or learning styles, philosophies, or academic focus.

5. “Private” schools are supervised by the Minister of Education. Many have a religious base, with Christian, Jewish, Muslim, and Sikh schools represented. “Accredited” private schools use licensed teachers and follow the Alberta Program of Studies. While there are unaccredited private schools, the fact that Alberta offers partial funding for accredited schools means few are unaccredited. Most of these schools are working towards being accredited.
6. Home Education is an option favoured by an increasing number of families. Most home schoolers accept some funding from the provincial government, but there are some who decline government funding and supervision. Nevertheless, most homeschoolers follow the Alberta Program of Studies and are supervised by the Minister of Education.

Within these different categories of schools, more variety exists. Even public schools often offer dozens of programs, including religion-based programs.

Threats: There are four primary threats to educational pluralism:

- First, there are periodical attempts to reduce educational options. Even Alberta is not immune to attempts to limit choices.^{161,162}
- Some provinces, such as Quebec,¹⁶³ have removed public school boards. There are concerns that this move will “centralise” educational decisions in the Ministry of Education.
- School boards can become dominated by trustees who actively pursue agendas detached from the interest of the majority of students and their parents. While this is

The Ontario Experience

Two news items from Ontario in recent years demonstrate how damaging ideological interference can be in education.

In one, student Josh Alexander was removed from his Catholic high school because some students objected to him defending the idea of two genders—despite his citing of the Catechism of the Catholic Church in a Catholic school. This happened in part because Ontario’s Ministry of Education had included making students from sexual and gender minorities “uncomfortable,” and prescribed expulsion as a recommended response. The case drew concern from Catholics across the country.

In another famous case, respected principal Richard Bilkszto committed suicide after an extended period of bullying by a Diversity, Inclusion, and Equity coordinator (see also Chapter V on Advocacy). The group was led by employees from an organisation called the KOJO Institute, which also received millions of dollars in grants from the Federal government.

¹⁶¹ See <https://www.thecanadianencyclopedia.ca/en/article/manitoba-schools-question>

¹⁶² https://www.thestar.com/edmonton/school-board-group-calls-for-amalgamation-of-alberta-s-education-systems-including-catholic-and-public/article_ae406f16-596e-5360-9a2e-b6c443e38332.html

¹⁶³ <https://www.cbc.ca/news/canada/montreal/bill-40-kills-school-boards-after-175-years-1.5458564>

lamentable, it is ultimately up to citizens to vote for the trustees that best represent their values and educational preferences.

- Over-prescriptive curricula may leave no time at all for schools to respond to local interests and the particular gifts of teachers.
- Alberta, for example, requires all high schools, including private and confessional schools, to establish “gay-straight-alliances” when one single student makes such a request.

C. FOLLOW THE MONEY

The elephant in the room is the cost of the educational establishment. Ontario had over two million students for the 2021-2022 school year¹⁶⁴ and a ministry budget of about \$34.7 million,¹⁶⁵ which represents a cost of over \$17,000 per student. This is roughly half a million dollars for a class of 30 students. Of this, the teacher receives an average of \$103,926 (including benefits).¹⁶⁶

Even understanding that this amount includes money for capital expenses, this is a low percentage (about 20%) of costs for frontline teachers. It seems reasonable to think that a very large amount of this money is being spent on items and activities that are not directly related to classroom teaching. The Calgary Board of Education’s 2024 budget, for instance, spends \$135 million—\$1,000 per student—on “equity factors.” That’s roughly one dollar for every five they spend on instructional staff.¹⁶⁷ They provide no further details on how the money is used. In fact, Canada-wide, educational systems claim to spend only about 71% of their operating funds on actual instructional expenses, with different provinces being more or less efficient at getting money to the front lines.¹⁶⁸

The sheer amount of money at stake makes it easier to understand the vehemence of the arguments against educational pluralism. The Public School Boards Association of Alberta, for instance, inveigh against any money given to Catholic or independent schools—even if it ultimately results in them having more money per student.¹⁶⁹ Indeed, they have launched major campaigns to eliminate any support to independent or Catholic schools.¹⁷⁰ When 29% of the money is spent on things other than instruction, there is a great deal of money to build administrative empires. This is beneficial to ambitious bureaucrats, as well as to activists who are able to convince governments and school boards to provide them with

¹⁶⁴ <https://www.ontario.ca/page/facts-about-elementary-and-secondary-education>

¹⁶⁵ <https://www.ontario.ca/page/expenditure-estimates-ministry-education-2022-23>

¹⁶⁶ <https://www.blogto.com/city/2020/09/average-ontario-teacher-makes-more-100k-year/>

¹⁶⁷ <https://www.cbe.ab.ca/about-us/budget-and-finance/Documents/cbe-budget-report-2024-2025.pdf>, page 17.

¹⁶⁸

https://assets.nationbuilder.com/parentchoice/pages/883/attachments/original/1713673210/Facts_on_the_ATA.pdf?1713673210

¹⁶⁹ <https://www.westernstandard.news/opinion/hilton-obrien-smith-offers-schools-peace-but-the-radicals-wont-have-it/58011>

¹⁷⁰ https://www.thestar.com/edmonton/school-board-group-calls-for-amalgamation-of-alberta-s-education-systems-including-catholic-and-public/article_ae406f16-596e-5360-9a2e-b6c443e38332.html

relatively prestigious salaried positions. It is in this context that we should understand arguments to defund independent schools.

Sometimes, arguments against school choice appear poorly informed. Consider these arguments:

- Opponents of educational choice sometimes allege that multiple school systems are more expensive than one public system.¹⁷¹ However, a report commissioned by Parents for Choice in Education and the Fraser Institute found that the Province of Alberta *alone* had saved almost \$2 *billion* over eight years thanks to their independent schools and home education.¹⁷²
- Similarly, opponents of educational pluralism claim that partially funding private education amounts to subsidising the rich. However, a Fraser Institute study revealed that 82% of Alberta's private schools have average after-tax income below the Alberta mean.¹⁷³ Simply put, partial funding of these schools allows children from working and middle-class families to have an educational experience that would otherwise be restricted to the wealthy.

It may be the case that these arguments—generally made by industry lobby groups—are less informed than they are disingenuous. Arguments in Alberta are illustrative of this. For example, teachers in Alberta's charter and private schools are not obliged to be members of, or to pay dues to the Alberta Teachers' Association (ATA), which would certainly motivate the ATA to resist these alternative school systems. Similarly, the ATA had financial motives for attacking a recent curriculum reform, discussed below.

Simply put, education is a multibillion-dollar industry in Canada. We should not be surprised that there are people and organizations who are willing to gain the system, whether that is for personal profit or prestige. But what we can do about it?

One answer might be for governments to fund families, rather than institutions. A per-student grant could be assigned for each child that would go to the school of their choice. In the meantime, it would be prudent for provincial and territorial governments and Canadian think tanks to carefully examine school board budgets to see how much money is spent on consultants, speakers for staff professional education, and Diversity, Inclusion, and Equity initiatives which do not directly impact classroom instruction. Care must be used to ensure that educational choices are made for the benefit of students.

D. CURRICULUM REFORM

Few aspects of public education are as controversial as discussions of curricula. The difficulties that former Alberta Premier Jason Kenney experienced is illustrative. The New Democratic Party government of Rachel Notley had signed a memorandum of

¹⁷¹ <https://albertaviews.ca/should-private-schools-get-public-funding/>

¹⁷² Milke, Mark and MacPherson, Paige: How educational choice saved Alberta taxpayers \$1.9 billion and supports student success. Parents for Choice in Education and the Canadian Taxpayers Federation, October 2019

¹⁷³ Angela MacLeod, Sasha Parvani, and Joel Emes: Comparing the Family Income of Students in Alberta's Independent and Public Schools. Fraser Research Bulletin October 2017, Barbara Mitchell Centre for Improvement in Education

understanding with the ATA that would let them control curriculum development. Kenney nixed that agreement.¹⁷⁴ The union, predictably, was outraged, and spent over a million dollars attacking the Conservatives.¹⁷⁵ Again, the self-interest was apparent.

However, underlying the ATA's push was a very real ideological difference. The educational establishment championed the "skills" or "constructivist" approach pioneered by 19th century educator John Dewey. It minimizes the amount of actual content and emphasizes the role of the teaching professional. Kenney's reform, by contrast, was inspired by the writings of E.D. Hirsch, whose "knowledge-based" curriculum emphasizes content and traditional understandings of subject matter. Carefully building each year's knowledge on the year before, it emphasizes subject comprehension. Importantly, Hirsch's program generates solid improvements in student learning, especially for minorities and disadvantaged groups.¹⁷⁶

Kenney's United Conservative Party was shaken enough to back away from this curricular reform.¹⁷⁷ Political needs trumped reform, however well-founded that reform seemed to be. While Alberta's educational establishment was able to reassert its power during Kenney's government, reformers, with the support of parents, will continue to challenge that hegemony.

E. PARENTAL AUTHORITY

Guiding the reforms has been the United Nations' General Declaration on Human Rights. Its Article 26 states that parents have a *prior right* to decide the form of their children's education. Educational choice, in other words, is the purview of the parents.

Moreover, the UNESCO Convention against Discrimination in Education¹⁷⁸ notes that parents have a right to schools "other than those maintained by the public authorities." The underlying idea is that teachers act as agents of the parents— *in loco parentis*.

However, this idea has been challenged recently. Activists, particularly transgender activists, have argued that children have a right to privacy *from their parents*. As a result, they claim, teachers should be mandated to help children to "socially transition" *without their parents' knowledge or consent*. This view is now supported in many pieces of legislation across the country that refer to the "interest of the child" as if the child were capable of making adult-like decisions without their parents' consent. In cases of conflict, whatever is the child's presumed interest will usually be decided by a judge in family courts. When activists use the supposed best interests of the child against the parents, it undermines parental authority. This can, of course, restrict parents from imparting their values, religious beliefs, and political views to their children.

¹⁷⁴ <https://www.cbc.ca/news/canada/edmonton/ata-curriculum-agreement-1.5251702>

¹⁷⁵ https://www.westernstandard.news/opinion/hilton-0brien-the-union-takeover-of-albertas-schools/article_ca7fd936-65f6-11ed-8ba3-5b89ae7c3f72.html

¹⁷⁶ <https://c2journal.ca/2022/08/searching-for-charlemagne-whats-really-at-stake-in-albertas-curriculum-controversy/>

¹⁷⁷ <https://albertapolitics.ca/2021/12/kenney-government-backs-off-plan-to-immediately-implement-widely-condemned-k-6-curriculum-draft/>

¹⁷⁸ <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-discrimination-education>

When the Saskatchewan government passed legislation that teachers should not be allowed to change children's pronouns without parental consent, the Saskatchewan Children's Advocate charged that this decision was, in fact, a violation of the children's human rights as outlined in the UN Convention on the Rights of the Child. This is counter-intuitive because Article 29 of this Convention refers to human rights as defined in the UN Charter (see above) and that the educational approach must have "respect for the child's parents, his or her own cultural identity, language and values."

It is important to understand that this marks a very serious change in the doctrine of human rights and the status of teachers. Human rights doctrine—*especially* as envisioned in the UN documents—sees rights not simply as abstract words, but as claims *by* someone *against* another person or organisation. For the most part, they are a claim *by individuals against the state*.

Conservatives argue that minors are not able to exercise that right because they are not mature enough to make those decisions. A competent agent—usually a parent—must make such decisions for children.

Self-proclaimed advocates for children, however, assert that the teacher—as an agent of the state—must exercise this authority *against parents*. The idea that the State *exerts human rights against parents* is a corruption of the concept of human rights. While the state does sometimes remove custodial rights from parents, this is done with due process: transitioning a child without the parents' knowledge circumvents that process.

The idea that the teacher is an agent of the state rather than a representative of the parents, *in loco parentis*, has been explicitly promoted by teachers associations. The Alberta Teachers association, for instance, claims that teachers now stand *in parens patriae*, the

Whose Children Are They?

The question whether our children are under the authority of their parents or that of the state is crucial to understanding this debate. A government that does not respect parental rights may want to disenfranchise parents, leaving only the state and its institutions, including schools, to decide about what's best for the child.

Writing on the Supreme Court's decision to disallow exemptions from the controversial Quebec Ethics and Religious Culture course, constitutional lawyer Kevin Boonstra takes a stance in favour of parental rights:¹⁷⁹

"Parents bear responsibilities toward their children and must enjoy corresponding rights to exercise those responsibilities. Parents are in a privileged role in this regard. They are uniquely positioned to know and gauge their children's needs and abilities. As a result, the courts have recognized that parents are constitutionally protected when it comes to the moral and religious upbringing of their children. The public school system is one in which, almost inevitably, there will be some conflict between the various belief systems of parents. As noted by Justice Charles Gonthier in Chamberlain v. Surrey School District, the Charter should not be used to negate one set of beliefs when it conflicts with another, whether popular or unpopular. The acceptable resolution is accommodating the needs of individual children and families participating in public education."

¹⁷⁹ <https://www.convivium.ca/articles/whose-children-are-they-anyway/> (accessed Nov 23, 2023)

same status that applies to Child Welfare Agents.¹⁸⁰ For conservative parents, this is problematic.¹⁸¹

As well, teachers associations have published documents such as Alberta's Prism Toolkit, which shows teachers how to teach comprehensive sexual education, without informing parents about what is being taught. Parental rights advocates have noted that this is a power play by the associations.¹⁸²

The way Critical Race Theory (CRT) is used in classrooms is also problematic for many parents (also see the list of further-going materials at the end of this chapter about CRT and Queer Theory). CRT is a set of beliefs and practices meant to empower certain students because of their race, ethnicity, or even sexual orientation. When a classroom teacher tells her (mostly white) students that they should give undue consideration to other students because they are black or brown this undermines the notion of equality of students in the classroom. Such practices remove authority from some students, give more authority to other students, and indirectly remove authority from some parents. As we are reminded by the tragic death of Richard Bilkszto, the Ontario principal who committed suicide after being bullied by CRT trainers, the overreach of these methods is not limited to students and their parents.¹⁸³

Parents, however, have been fighting back against the overreach of these policies. The Million March for Children¹⁸⁴ in the last few years shows some of the underlying determination parents to put things right. Counterprotests, organised by teachers associations, were examples of groups advancing their power.¹⁸⁵ Public response to this appears to have been increasingly unsupportive of the teachers associations' perspective, and is unlikely to cease.

A final threat to parental authority is posed by teachers associations taking over the responsibilities of school boards. For example, the Ontario Secondary School Teachers' Federation endorsed 88 candidates for Ontario school board elections in 2022, and 52 of the candidates were elected,¹⁸⁶ giving the Federation control of some Ontario school boards. It is a story that has been repeated across Canada.^{187,188} This could, of course, be a recipe to undermine public control of education.

¹⁸⁰ See page 14 of "Substitute Teachers: Professional Replacements."

https://assets.nationbuilder.com/parentchoice/pages/70/attachments/original/1671241549/MON-4_SubstituteTeachersProfessionalReplacements.pdf?1671241549

¹⁸¹ https://www.parentchoice.ca/when_it_comes_to_parental_rights_there_are_no_other_stakeholders

¹⁸² <https://informedalbertans.wordpress.com/2017/02/06/part-1-youre-testing-my-child-on-what/>

¹⁸³ https://www.westernstandard.news/opinion/hilton-obrien-tragedy-ambition-and-education-reform/article_4c915aa4-3d23-11ee-b522-6378eaec1a19.html

¹⁸⁴ <https://www.1millionmarchforchildren.ca/>

¹⁸⁵ https://www.westernstandard.news/opinion/hilton-obrien-labour-protest-and-elitism/article_53679d62-5429-11ee-bc08-63df229b055a.html

¹⁸⁶ https://www.westernstandard.news/opinion/hilton-obrien-the-most-successful-political-party-in-canada-is-a-teachers-union/article_1ba40c22-56f9-11ed-ae26-7bbc4d7303c6.html

¹⁸⁷ <https://www.theepochtimes.com/opinion/school-board-elections-are-dirty-but-they-dont-have-to-be-4835600>

¹⁸⁸ <https://www.westernstandard.news/saskatchewan/exclusive-regina-public-schools-teachers-union-allegedly-interfered-in-school-board-elections/59300>

We can expect that parents will push back, mobilizing to try to recapture school boards, but they face an uphill battle. Hopefully, provincial governments will enact legislation to re-establish public control of school boards. Parents, of course, have been organising parental rights advocacy groups, such as PAFE¹⁸⁹ in Ontario and Parents for Choice in Education in Alberta.

F. CONCLUSION

Pluralism is a crucial part of Western democracy. School choice is an important part of it, as is keeping schools politically neutral, rather than using them as tools to enforce religious, political, and values-related differences. Abusing schools for partisan goals can destroy the natural role of public education, infringing on the rights and responsibilities of parents, religious communities, and society at large.

Today, part of the problem is that teachers-as-activists are teaching their students to become “agents of change.” These are changes that the activists want to see—and however well-intentioned, these are changes that advance the activists’ interests. When this is done, the students and their education are treated and become means to an end goal of changing society. Conservative commentators see students and their education as the end for which all educators strive—not a means to obtaining a political goal.

An important part of what we have explored in this chapter is the tension between parents and taxpayers, provincial governments, and the educational establishment, local school boards, and teachers associations, particularly. Simply put, we have too many establishment members setting educational policies and not enough parents involved. The educational establishment is trying to take power away from elected governments and the parents that they are supposed to serve.

In the absence of strong support from provincial governments, parents are beginning to take action themselves. So far, this action is limited to public protests, and forays into electoral politics, which have been largely turned aside by powerful establishment actors, particularly the teachers associations.

The healthiest response is for parents to engage in the political process in a thoughtful way. Parents can and should be asking hard questions at school board meetings.¹⁹⁰ Most importantly, they need to learn how local school trustee elections work, and either help others to run for office.

Provincial governments can help candidates in a number of ways. More importantly, they can limit the massive advantage afforded to incumbents. Above all, provincial governments could enact legislation that would provide educational vouchers to every child, thus empowering parents to pay for alternative education.

Parents can also support better educational policy at the provincial level. Provinces can specify the educational standards they expect students to achieve and they can initiate testing to ensure that they meet these standards. As well, provinces certify teachers who teach in their schools and they could tighten these standards simply by enacting new

¹⁸⁹ <https://www.pafe.ca/>

¹⁹⁰ Since French-language schools in Quebec have no elected school boards, parents can engage with their local schools, including getting elected for parental representation at local school councils.

legislation. Provinces can also ensure that they have educational pluralism—making good on the UNESCO demand that parents have the right to enroll their children in schools that are not run by the state.

Parental rights bills have been implemented or proposed in different provinces and territories across Canada, and more are expected. If parents support such legislation, we can hope that they will effect meaningful change for the better.

Further-going Reading:

Books:

Alberta Education. Public Charter Schools Handbook. Edmonton, 2022. Government of Alberta. Available at <https://open.alberta.ca/publications/public-charter-schools-handbook>

Hirsch, E.D. (2000). *How to Educate a Citizen*. Harper-Collins: New York.

Lindsay, James (2022). *The Marxification of Education: Paulo Freire's Critical Marxism and the Theft of Education*. New Discourses: Orlando.

About Queer Theory dismantling “normalcy” in schools:

Lancing, Logan and Lindsay, James (2024). *The Queering of the American Child: How a New School Religious Cult Poisons the Minds and Bodies of Normal Kids*. New Discourses: Orlando

Marxist author explaining how Critical Theory invaded our institutions:

Gottesman, Isaac (2016). *The Critical Turn in Education: From Marxist Critique to Poststructuralist Feminism to Critical Theories of Race*. Routledge: New York

Wilkinson, Bruce (1994). *Educational Choice: Necessary But Not Sufficient*. The Institute for Research on Public Policy: Montreal.

Articles:

Third Party Child-Centred Disputes: Parental Rights V. Best Interest of the Child
<https://www.albertalawreview.com/index.php/ALR/article/download/1746/1735/0>

Documentary:

“Whose Children Are They?”—although about American schools, many of the issues discussed are also applicable to Canada. <https://whosechildrenarethey.com/>

VIII. Freedom of Expression

By Justice Centre for Constitutional Freedoms

“Everyone has the...freedom of thought, belief,
opinion and expression, including freedom of the press and other media of
communication.”

– *Canadian Charter of Rights and Freedoms*¹⁹¹

In this chapter, we consider institutional, legal, and social pressures on the enjoyment of freedom of expression in Canada. On Canadian campuses, departments, administrations, and student unions appear to be silencing “controversial” perspectives and creating conditions that undermine the possibility of genuine inquiry. Meanwhile, Canadian elected and unelected officials are passing laws that would grant authorities extraordinary powers to regulate and censor online content and broadcasting. And, across Canada and the world, a culture of dialogue and disagreement has been replaced by a culture of cancelling and intolerance. In some cases, the Canadian legal system reinforces this culture.

A. FREEDOM OF EXPRESSION ON CAMPUSES

The conditions that are necessary to facilitate and foster academic freedom (and, more generally, freedom of expression) have largely been eroded on Canadian post-secondary campuses. Internal pressures have transformed what were once “marketplaces of ideas” into forums for the exchange of politically correct ideas and perspectives only. What are these pressures, and how did this occur?

One study by Eric Kaufmann of Birkbeck College of the University of London on the political affiliations of professors in Canada, the US, and the UK suggests that some ideas and perspectives may not even be passing the “hiring phase” on post-secondary campuses. Kaufmann found that 73 percent of surveyed academics identified as “left wing” and only four percent identified as “right wing.”¹⁹² It could be that more liberals than conservatives applied for teaching positions in the surveyed departments. However, Kaufmann also found that 60 percent of the academics who did identify as conservative reported experiencing a “hostile environment” toward their beliefs in their departments, whereas only nine percent of liberals experienced such a hostile environment. Further, it was found that 45 percent of liberal academics would not support the hiring of candidates who had supported President Donald Trump. It appears, then, that the surveyed colleges and universities suffer from “an absence of viewpoint diversity.” An absence of dissenting and divergent views, and intolerance towards those who do voice dissent towards prevailing orthodoxies, has

¹⁹¹ *Canadian Charter of Rights and Freedoms*, s 2, Part 1 of the *Constitution Act*, 1982, being Schedule B to the *Canada Act 1982 (UK)*, 1982, c 11.

¹⁹² Eric Kaufmann, “Academic freedom in crisis: Punishment, political discrimination, and self-censorship,” Center for the Study of Partisanship and Ideology, March 1, 2021, <https://cspicenter.org/reports/academicfreedom/>.

created academic environments that stifle the pursuit of knowledge and understanding instead of fostering it.

Of course, it is *not* problematic that some perspectives are not (or do not happen to be) always represented within academic departments. Not every department can include perfect “perspective diversity.” It is problematic, however, that certain perspectives are prohibited from entering or remaining within academic departments. Indeed, as attitudes toward conservative academic contributions become increasingly hostile, many conservative academics are quietly quitting academia, and the conservative students who might have taken their places are selecting careers where they are not likely to be discriminated against because of their political or ethical perspectives.

And why should they not depart from academia? When the evaluation of academic merit encompasses both the perceived merit of the academic

contribution *and the perceived merit of the person from whom the contribution arose*, why should we wonder that conservatives are leaving academia for professions in which the distinction between personal beliefs and professional contributions remains protected?

Academic departments are not the only bodies exerting pressure on academic freedom. Censorial post-secondary administrations and student unions are implementing policies that (a) do not adequately protect freedom of expression or (b) are not adequately enforced when that freedom is unreasonably limited. When freedoms are limited, administrators all too often make decisions that accommodate the sensitivities of vocal groups instead of preserving a culture of open inquiry. Student unions contribute to censorial academic environments by cancelling so-called “controversial” guest speakers, faculty, or students or by granting a platform only to those who are compatible with entrenched orthodoxies.

One might wonder how this environment came to be in a country with strong legal protections for freedom of expression. While freedom of expression is guaranteed under the *Canadian Charter of Rights and Freedoms* (see box above), this freedom has been qualified and even marginalized over the decades by academics, politicians, and courts. It is often said that freedom is not unlimited and does not extend to speech described in the

Freedom of Expression and the Charter of Rights

The leading Supreme Court of Canada case on freedom of expression is the *Committee for the Commonwealth of Canada v. Canada*, [1991] 1 SCR 139. The SCC made it clear that a public space, owned by government, must allow public expression if it is a place suitable for such expression and it does not contravene the primary function of the place. Justice L’Heureux-Dubé said that the government cannot expect to treat its property as if it were a private citizen.

Indeed, if members of the public had no right to express themselves on government-owned property, then there would be little opportunity to exercise freedom of expression.

In that same case, Justice McLachlin noted that the purposes underlying the *Charter* s. 2(b) right to freedom of expression include: (a) the seeking and obtaining of truth; (b) participation in social and political decision-making; and (c) the encouragement of diversity in forms of individual self-fulfillment by cultivating a tolerant, welcoming environment for the conveyance and reception of ideas. If there is a link to either one of these, then the expression is to be protected.¹⁹³

¹⁹³ *Committee for the Commonwealth of Canada v. Canada*, 1991 CanLII 119 (SCC), [1991] 1 SCR 139, <https://canlii.ca/t/1fsnf>, retrieved on 2023-10-31.

Criminal Code as advocating genocide and inciting hatred that would likely lead to a breach of peace.¹⁹⁴ We can agree that the freedom of expression is not unlimited (i.e., Canadians are not free to speak in ways that violate the Criminal Code), but nobody should be censored for speech that is merely *hated* by those in power without being *criminal*.

Nonetheless, across the country, there are too few students holding student union officials to account. Voter turnout at student union elections is incredibly low. According to a recent analysis of voter turnout at the University of Toronto Student Union executive elections of 2019, only 4.2 percent of the more than 70,000 undergraduates¹⁹⁵ voted.¹⁹⁶ Across the country, student union and association executives are elected by an insignificant number of the students they represent, and yet these unions are thereby granted authority to speak on behalf of *all* students and to implement policies that service unrepresentative ideologies, policies, and events.

Monopolies on orthodoxy, dialogue, and the right to dissent undermine the conditions of successful inquiry. Scientific progress, for instance, is the result of inquiry marked with disagreement and questioning and alternative hypotheses. Dogma and established orthodoxy slow or stop the search for truth by stifling inquiry. Truth will be discovered only where a symposium of voices, even when some are false, have been permitted. How immodest it is to think that the truth can be discovered by silencing voices that disagree with the orthodoxy.

B. ONLINE CENSORSHIP

For some time, the internet was a haven for free expression and autonomy. However, governments, corporations, and social media platforms quickly learned how to actively limit online expression and how to create conditions that have quieting effects on expression. Threats to free online expression have, for example, come from Bill C-36(43-2)¹⁹⁷ and Bill C-11(44-1) in the federal parliament.

One attempt to limit online expression arose on November 3, 2020, when then-Minister of Canadian Heritage Steven Guilbeault proposed *An Act to amend the Broadcasting Act and to make related and consequential amendments to other Acts*. It was later re-introduced as the *Online Streaming Act*, which passed in the House of Commons on June 21, 2022, and which passed with amendments in the Senate on February 2, 2023.¹⁹⁸

Many Canadian citizens and content creators were quick to realize that the bill would extend to the Canadian Radio-television and Telecommunications Commission (CRTC)

¹⁹⁴ Julian Walker, "Hate speech and freedom of expression: Legal boundaries in Canada," Parliamentary Information and Research Service, June 29, 2018, https://lop.parl.ca/sites/PublicWebsite/default/en_CA/ResearchPublications/201825E.

¹⁹⁵ "Enrolment report," Planning and Budget Office, University of Toronto, February 8, 2021, <https://planningandbudget.utoronto.ca/wp-content/uploads/2021/06/Enrolment-Report-2020-21-FINAL.pdf>.

¹⁹⁶ Hannah Carty, "Participation in student government elections at U of T among lowest in Canada," The Varsity, November 10, 2019, <https://thevarsity.ca/2019/11/10/participation-in-student-government-elections-at-u-of-t-among-lowest-in-canada/>.

¹⁹⁷ Later reintroduced as Bill C-63; <https://www.parl.ca/DocumentViewer/en/44-1/bill/C-63/first-reading>

¹⁹⁸ Government of Canada, "Online Streaming Act," Accessed February 13, 2023, <https://www.canada.ca/en/canadian-heritage/services/modernization-broadcasting-act.html>.

more power to control broadcasting and online media in Canada. The Act would equip the CRTC to place any monetizable audio or audio-visual online content (e.g., Netflix, Spotify, or YouTube) within the scope of its regulatory powers.¹⁹⁹ According to University of Ottawa law professor Michael Geist, "The potential scope for regulation is virtually limitless, since any audio-visual service anywhere with Canadian subscribers or users is caught by the rules."²⁰⁰ Among other things, the language of the bill would allow the CRTC to compel online platforms to feature Canadian content and to implement search algorithms that make Canadian content more discoverable.

One might wonder, "What is so bad about Canadian content or allowing the CRTC to regulate it and promote it?" The reality is that serious problems arise from the way in which the Bill would allow the CRTC additional power to promote, regulate, and censor content. These are problems of bias, selection, and the conditions of open inquiry, and each has the potential to set back the enjoyment of freedom of expression and autonomy in Canada.

The first problem is about bias and selection, and how they affect consumers. To grant an unrepresentative, unaccountable, and inevitably biased commission (the CRTC) the power to decide for all Canadians what counts as "Canadian content" is to limit the ability of Canadians to make that determination for themselves. Although the bill does not allow the CRTC to remove "non-Canadian" content from online platforms, it does permit them to compel online platforms to implement search algorithms that effectively hide "non-Canadian" content. As the saying goes, "The best place to hide a body is on the second page of Google," and one might wonder whether a biased and unrepresentative commission is positioned to decide what kind of information should be hidden. A related problem is about what might be called "the conditions of open inquiry" or about the ability of Canadians to learn and explore online material without artificial constraints. Bill C-11 would allow the CRTC to effectively bias the content that can be discovered.²⁰¹ As the world shifts toward online learning, it is important that governments not be determining what counts as "appropriate.". It is paternalism for governments to decide what content will be consumed.

Finally, the regulatory powers granted to the CRTC by Bill C-11 would likely incentivize Canadian online content creators to publish content that will be "sufficiently Canadian" and to stay quiet about other content. Bill C-11 will have a chilling effect on autonomy and freedom of expression in Canada because online creators will be motivated to anticipate the criteria used by the CRTC, and not to broadcast the genuinely valuable content that Canadians want or need. According to Michael Geist, Bill C-11 would give the CRTC the power to set conditions demoting or applying warning labels to content it considers contrary to Broadcasting Act objectives.²⁰² (see box "Freedom of the Press")

¹⁹⁹ Government of Canada.

²⁰⁰ Michael Geist, "Not ready for prime time: Why Bill C-11 leaves the door open to CRTC regulation of user generated content," February 3, 2022, <https://www.michaelgeist.ca/2022/02/not-ready-for-prime-time/>.

²⁰¹ See e.g. this interview with Peter Menzies, former Vice Chair of the CRTC: <https://firstfreedom.ca/now-that-bill-c-11-is-law-whats-next-interview-with-peter-menzies/>.

²⁰² <https://www.michaelgeist.ca/2022/07/the-freedom-of-expression-wake-up-call-why-the-crtc-radio-canada-ruling-eviscerates-the-defence-of-bill-c-11/>

Freedom of the Press

In Canada, the law guarantees the freedom of the press. Yet, recent incidents put a question mark over whether the press is truly free or whether there is censorship in Canada.

- In 2017, the CBC's Al Donato listed several items of concern eroding the freedom of the press in Canada, including police surveillance and even arrests of Canadian journalists.²⁰³
- *Canadian Journalists for Free Expression* reports that undue pressure is sometimes exerted on journalists—not only from those they may be investigating but also from government.²⁰⁴
- Former *National Post* columnist Barbara Kay explains her decision in 2020 to leave in terms of fear of censorship and blowback. “Every editor feels like he is one Tweet away from getting mobbed and fired.” She relates that since 2000, political correctness and ideological purges have led to legacy media “collapsing from within.”²⁰⁵
- Proposed Bill C-36²⁰⁶ (43-2) is intended to prohibit online hate speech, thus protecting politicians, journalists and others from unwarranted online attacks. Yet, critics fear that the Bill’s wording is so vague that it may lead to human rights commissions cracking down on all kinds of unpopular speech, which may also affect online journalism, leading to more self-censorship.
- *Rebel News* has experienced exclusion from press briefings in Alberta in 2016 and then from the 2019 election’s leaders’ debate, as well as from a Conservative Party campaign stop in Whitby, ON.²⁰⁷ In 2021, one of their reporters was physically attacked by the Prime Minister’s bodyguards.²⁰⁸ Although *Rebel News* was generally able to gain access to political events after taking legal action, this tendency to exclude “uncomfortable” media is a worrisome development.

Federal MP Jamil Javani, then working for *Bell Media*, was allegedly fired because of his conservative beliefs and his refusal to conform to current racial stereotypes. *Bell Media* admitted he was let go because of his positions on Justin Trudeau, vaccines, and other controversial topics.²⁰⁹

The effects of Bill C-11 may not be immediately obvious because governments will probably try not to betray their citizens to the full extent of the powers granted to them at the beginning. Instead, Canadians will probably become slowly accustomed to a narrowing of what they see, learn, and create until what is left for the online consumer is nothing more than a selection of what the government wants citizens to consume.

C. CANCEL CULTURE

The problem of *cancel culture* has been examined already. Former Canadian politician Stockwell Day²¹⁰ and CBC host Wendy Mesley²¹¹ lost their positions after making politically incorrect remarks about systemic racism. Iconic hockey commentator Don Cherry also lost his CBC job after saying that immigrants should honour our history and customs by wearing

²⁰³ <https://www.cbc.ca/cbcdocspov/features/press-freedom-in-canada-is-under-attack-too>

²⁰⁴ https://www.cjfe.org/enqu_te_canada

²⁰⁵ <https://bayobserver.ca/2020/07/25/national-post-columnist-reveals-why-she-is-quitting/>

²⁰⁶ <https://www.parl.ca/DocumentViewer/en/43-2/bill/C-36/first-reading>

²⁰⁷ <https://www.thestar.com/politics/federal/2019/09/30/rebel-without-a-media-accreditation.html>

²⁰⁸ https://www.rebelnews.com/raw_rebel_reporter_attacked_by_trudeaus_bodyguards

²⁰⁹ <https://slowtowrite.com/bell-lets-talk-about-racism/>

²¹⁰ <https://www.cbc.ca/news/politics/stockwell-day-systemic-racism-canada-1.5597550>

²¹¹ <https://www.cbc.ca/news/canada/wendy-mesley-suspended-hosting-1.5604973>

poppies in November.²¹² In Vancouver, nurse Amy Hamm was investigated by the British Columbia College of Nurses and Midwives for publicly endorsing author J.K. Rowling's stance on having separate bathrooms for boys and girls.²¹³ Since the COVID crisis, many health professionals feared for their livelihoods if they spoke out publicly about controversial topics.²¹⁴ Ontario lawyer Kathryn Marshall stated on a Canada Strong and Free Zoom conference that she had been contacted by many medical health professionals who said they were no longer expressing their views for fear the College of Physicians may discipline them.

In Ontario, psychologist Jordan Peterson is being compelled to complete mandatory social media training to keep his professional licence from the College of Psychologists.²¹⁵ In Ottawa, hundreds of peaceful protesters were disbanded, cancelled, when the federal government invoked *The Emergencies Act* in February 2022. There are many other examples. The scope of persons and objects that are cancellable is significant

What motivates cancel culture? How is it that “cancelling” is a cultural phenomenon and not just “something that happens on occasion”?

Normally, when groups band together to cancel a person, they do not report that the person is thought to be doing something *unlawful*. Reparations for cancellations rarely fall within the power of the courts because injuries caused by cancellations are not regarded as legal injuries. The fact that cancel culture often occurs beyond the scope of the law is odd. Indeed, justification for cancel culture is often fuzzy, and this is probably because those trying to cancel someone rarely know about freedom of expression. Whatever justifications are used generally appeal to preventing social harms or of promoting social justice, which are nebulous principles.

The very existence of cancel culture betrays a hostility toward legal but “controversial” viewpoints. Cancel culture represents an attack on the notion of *the public sphere* as a space for the competition and adjudication of incompatible viewpoints. The maintenance of such spaces (a notable example includes the parliament of Canada where members are protected from being penalized or “cancelled” for exercising their freedom of expression) was a remarkable historical development.

That development might not have occurred, *and it could be reversed*. The groundwork for such a reversal is occurring across Canada now, but its impact has not been addressed by the law or by parliament. Consequently, controversial viewpoints are being driven from public spaces into private forums where the threat of public cancellations does not exist. This, of course, just leads to the establishment of “echo chambers,” where viewpoints

²¹² <https://toronto.ctvnews.ca/fired-host-don-cherry-not-apologizing-for-you-people-rant-on-hockey-night-in-canada-1.4679550>

²¹³ Justice Centre, “Nurse being investigated by College of Nurses for her gender-critical views,” July 10, 2021, <https://www.jccf.ca/nurse-being-investigated-by-college-of-nurses-for-her-gender-critical-views/>.

²¹⁴ <https://roadwarriornews.com/we-are-losing-and-we-are-losing-badly/>

²¹⁵ Jonathan Bradley, “Jordan Peterson says Ontario psychologist regulator requesting he do social media course,” *Western Standard*, January 3, 2023, https://www.westernstandard.news/news/jordan-peterson-says-ontario-psychologist-regulator-requesting-he-do-social-media-course/article_f5e7aef4-8b9f-11ed-9106-675e956ec934.html.

survive unchallenged and membership is by subscription to the guidelines of the group. Intolerance in public, intolerance in private!

Cancel Culture—Canadian Examples

- Already in 2010, Ann Coulter was stopped from speaking at the University of Ottawa because of threats by an angry mob of two thousand protesters armed with rocks and sticks.²¹⁶
- Ryerson University cancelled a freedom of expression event in 2017 because a mob of over 500 people threatened to disrupt it.²¹⁷
- At the University of Alberta, a pro-life event was disrupted by jeering crowds. Instead of chastising the disruptors, the administration prohibited future events by imposing a \$17,500 security fee.²¹⁸
- (Then) teaching assistant Lindsey Shepherd was reprimanded in 2017 after showing a Jordan Peterson video in one of her classes at Wilfrid Laurier University.²¹⁹
- Rick Mehta, associate professor of psychology at Acadia University, was fired in 2018 after being accused of making statements labelled as transphobic and racist.
- In 2018, Jean Laberge, a philosophy lecturer at the Old Montreal College, was suspended after explaining on his Facebook page why he was *not* homophobic.²²⁰
- Leading Quebec thinker Mathieu Bock-Coté cancelled a 2019 Montreal event after threats of violence.²²¹
- Transgender person Jenn Smith was threatened by violent mobs during a 2019 event to discuss the provincial SOGI school program and gender dysphoria at UBC.²²²
- A freedom of expression event featuring Professor Jordan Peterson and *Post Millennial* editor Andy Ngo at UBC in Vancouver in 2020 had to be cancelled because of “security concerns,” specifically, threats of violence.²²³
- University of Laval professor Patrick Provost has been suspended without pay repeatedly in 2022 and again in 2023 after criticising the government’s approach to the COVID crisis.²²⁴
- Even students are no longer safe from the ideological purge, as one student found out after being expelled from the University of Manitoba’s medical program in 2020 for expressing his pro-life views.²²⁵

The *Campus Freedom Index* website lists many similar incidents.²²⁶

²¹⁶ <https://www.newsmax.com/Headline/US-Taliban-Talks/2010/03/24/id/353731/>

²¹⁷ <https://dailycaller.com/2017/08/16/college-responds-to-hosting-panel-on-free-speech-by-canceling-it/>

²¹⁸ <https://nationalpost.com/news/canada/complaint-over-universitys-17500-security-charge-for-anti-abortion-protest-heads-to-albertas-top-court>

²¹⁹ <https://nationalpost.com/news/canada/heres-the-full-recording-of-wilfrid-laurier-reprimanding-lindsay-shepherd-for-showing-a-jordan-peterson-video>

²²⁰ <https://ici.radio-canada.ca/nouvelle/1081916/professeur-cegep-vieux-montreal-suspendu-homophobie>

²²¹ <https://www.journaldemontreal.com/2019/04/26/une-conference-de-bock-cote-annulee-a-cause-de-menaces>

²²² <https://thepostmillennial.com/video-antifa-member-arrested-after-alleged-assault-at-ubc-trans-talk/>

²²³ <https://globalnews.ca/news/6367366/ubc-free-speech-andy-ngo/>

²²⁴ <https://www.libre-media.com/article/luniversite-laval-menace-patrick-provost-de-congediement>

²²⁵ <https://www.lifesitenews.com/news/canadian-university-expels-medical-student-for-anti-abortion-conservative-facebook-posts/>

²²⁶ <https://campusfreedomindex.ca>

As the well-known saying goes, "All silencing of discussion is an assumption of infallibility."²²⁷ It could be that those who *cancel* are convinced of their own infallibility or of the fallibility of the viewpoint they disagree with. Or perhaps the reason is that the existence of cancel culture is symptomatic of the fragility of the entrenched mainstream narrative. Perhaps there is little confidence that the narrative could withstand serious scrutiny. All kinds of social harms will occur beyond the application of the law. Canadians must decide which harms are worth enduring. Occasionally, speakers, protestors, books, and films will espouse false and harmful ideas. We could pre-emptively cancel any idea we suspect of falseness or harmfulness. In doing so, we will expose ourselves to a more destructive harm: the erosion of freedom of expression and the confidence that truth needs no protection.

D. HUMAN RIGHTS TRIBUNALS

What are human rights tribunals? In 1977, the Parliament of Canada passed the *Canadian Human Rights Act* so that

...all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have and to have their needs accommodated, consistent with their duties and obligations as members of society, without being hindered in or prevented from doing so by discriminatory practices based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability or conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered.²²⁸

Canadian Human Rights Tribunals were established under the authority of the *Canadian Human Rights Act* to decide whether persons or organisations have engaged in discriminatory practices.²³⁰ They are quasi-judicial bodies, which means that they have powers and legal procedures that are similar to courts but less formal and they have a narrower scope, dealing only with cases of discrimination as defined under the *Act*.²³¹⁻²³²

A Quote

"Human rights commissions, as they are evolving, are an attack on our fundamental freedoms and the basic existence of a democratic society ... It is, in fact, totalitarianism. I find this is very scary stuff."

Stephen Harper
Former Prime Minister of Canada²²⁹

²²⁷ John Stuart Mill, *On Liberty*, 1859, chapter 2, p. 1.

²²⁸ Government of Canada, "Canadian Human Rights Act (R.S.C., 1985, c. H-6)," Accessed February 13, 2022, <https://laws-lois.justice.gc.ca/eng/acts/h-6/>.

²²⁹

<https://web.archive.org/web/20121019083629/http://www.canadians.org/democracy/documents/p8.pdf>

²³⁰ Canadian Human Rights Tribunal, "Welcome to the Canadian Human Rights Tribunal," Accessed February 13, 2022, <https://www.chrt-tcdp.gc.ca/index-en.html>.

²³¹ Canadian Human Rights Tribunal.

²³² There is disagreement as to *whether* human rights tribunals are *the appropriate way* to protect individuals and organisations against discrimination in Canada. There is no disagreement that the Canadian Human Rights Tribunal is a legitimate part of our judicial system, even if its legitimacy is contested.

Some actions or speech that are *not* discriminatory have been seen as discriminatory by these tribunals. For instance, the human rights tribunal of Québec ordered comedian Mike Ward to pay Jérémy Gabriel and his mother \$42,000 as compensation for a joke about Gabriel that was seen by the tribunal as discriminatory in 2016.²³³ Comedians and public intellectuals were rightly concerned that this decision would set a precedent of intolerance toward controversial expression.²³⁴ This decision was later overturned by the Supreme Court of Canada in 2021, when it was decided that there is no right not to be offended, and that the rights of Gabriel did not occur.²³⁵

This case shows that human rights tribunals are fallible in the identification of instances of discrimination; sometimes, tribunals have rendered decisions that are wrong and dampen freedom of expression. An example is the Divisional Court decision on the *Christian Horizons* case. *Christian Horizons*, a faith-based organisation providing homes and care to Ontarians with developmental disabilities, was accused by the Ontario Human Rights Commission of discrimination because it refused to hire employees who would not subscribe to its statement of faith.²³⁶ *Christian Horizons* is an association of like-minded people who share a common credo, and the case was really about such free association, not about discrimination. The court's decision means that individuals must leave their faith identities at the door when contracting with governments, which is, of course, a clear case of discrimination.²³⁷

Human rights tribunals often do not operate like courts, and judgments often do not hold up to scrutiny, leaving one to assume that tribunals make decisions based on their biases, rather than the evidence that has been brought before them.^{238,239} Such judgments, of course, are highly problematic, and may be proven to be arbitrary.²⁴⁰ Still, going through court proceedings can be onerous and costly, as well as damaging to the defendant, and “the process becomes the punishment” for anyone accused of discrimination (see box “A Chill on Freedom of Expression”).

²³³ <https://www.cbc.ca/news/canada/montreal/mike-ward-comedian-human-rights-tribunal-1.3689465>

²³⁴ In another case, a punitive award of \$20,000 in extra costs was levied after a target of a human rights complaint refused to use female pronouns to describe a biological male complainant – see *Oger v. Whatcott* (No. 7), 2019 BCHRT 58

<https://www.canlii.org/en/bc/bchrt/doc/2019/2019bchrt58/2019bchrt58.html?searchUrlHash=AAAAAQjIndoYXRjb3R0IiAicHJvbm91bnMiIG9nZXIglwLDAwMCIAAAAAAQ&resultIndex=1>

²³⁵ <https://hillnotes.ca/2022/11/17/freedom-of-expression-recent-jurisprudence/>

²³⁶ <https://www.ohrc.on.ca/en/ontario-human-rights-commission-v-christian-horizons>

²³⁷ <https://www.pressreader.com/canada/ottawa-citizen/20130824/281947425505991>

²³⁸ <https://arpacanada.ca/articles/in-racism-claims-preference-given-to-allegations-over-conclusive-proof/>

²³⁹ <https://web.archive.org/web/20140416173553/http://humanrightscommissions.ca/192-you-kind-need-evidence-before-ruining-a-corporations-reputation>

²⁴⁰ <https://theinterim.com/issues/human-rights-commissions/free-us-from-the-human-rights-commissions/>

E. CONCLUSION

Renewed vigilance and public spirit will be needed if Canadians are to enjoy freedom of expression in our country. This hard-earned freedom has been quietly and systematically weakened in schools, institutions of higher education, online, in bookstores, and even in comedy clubs, professional associations, and businesses, and even at Parliament Hill in Ottawa.

Legislators may help improve freedom of expression on campuses and elsewhere. One initiative is Bill S-257(44-1) proposed by Senator Salma Atallahjan, which would add “political belief or activity” to the *Canadian Human Rights Act* as a prohibited ground of discrimination. This amendment would reduce the powers of human rights tribunals against Canadians who may be accused of speech acts that fall into the realm of free expression. Quebec’s Parliament passed Bill 32(2022), which defines academic freedom as “the right of every person to engage freely and without doctrinal, ideological or moral constraint” in all school-related activities.²⁴⁴

The International Westminster Declaration proclaimed in June 2023²⁴⁵ has been signed by many intellectuals and journalists, calling upon governments, media, and citizens to defend freedom of expression against the “Censorship-Industrial Complex.” Canadians must indeed renew their dedication to using the public sphere *as a forum for debate* that must be defended because it is the basis of our democracy, and individual and collective freedom.

A Chill on Freedom of Expression

Human rights complaints are being used in Canada to muzzle public debate, such as in the case of Chilliwack trustee Barry Neufeld, who dared to critique his province’s sex-education school curriculum, only to find himself being accused of “creating an unsafe work environment” at the school board. Instead of fighting for freedom of expression, the Board settled the complaint by promising to engage in “censuring discriminatory commentary from a trustee.”²⁴¹ Yet the trustee’s ordeal was only to begin.

In 2018, the BC Teachers’ Federation filed a complaint to the BC Human Rights Tribunal, accusing Mr. Neufeld of hate speech for stating on his Facebook page that he believes that allowing children to choose to change gender is child abuse.²⁴² The Federation asked the Tribunal to order Mr. Neufeld to stop expressing his ideas, and to pay a fine to a non-profit organisation that advocates for LGBTQ youth. His application to dismiss the case was refused in 2019, and he eventually asked the BC Supreme Court for a judicial review of this case.

The review was dismissed by the Supreme Court in August 2023, leaving the Tribunal’s process to continue five years after the initial complaint, with an uncertain outcome.²⁴³ This example indicates the impact of such proceedings on private life and its effect on stifling freedom of expression, given the risk of being exposed to such lengthy proceedings when speaking out about one’s convictions publicly (or privately on social media).

²⁴¹ <https://www.theprogress.com/news/chilliwack-school-board-settles-with-cupe-over-human-rights-complaint/>

²⁴² <https://bchumanrights.ca/Cases/legal-interventions-neufeld-v-bctf/>

²⁴³ <https://www.abbynews.com/local-news/former-chilliwack-school-trustee-barry-neufeld-loses-battle-in-bc-supreme-court-3105530>

²⁴⁴ Sadly, this bill has so far not been widely applied, as the Université of Laval is permitted to silence and discriminate against its tenured professors, as illustrated by the case of Prof. Patrick Provost (see <https://tnc.news/2023/06/18/laval-prof-vaxx/>)

²⁴⁵ <https://westminsterdeclaration.org/>

Further-going material

Freedom of expression:

[*Rouleau report's free speech recommendation should be of concern to freedom-loving Canadians*](#), by John Carpay

[*On Liberty*](#), by John Mill

The Righteous Mind: Why Good People Are Divided by Politics and Religion, by Jonathan Haidt, ISBN 978-0307455772

Freedom From Speech, by Greg Lukianoff, ISBN 978-1594038075

Free Speech And Why It Matters, by Andrew Doyle, ASIN B08P1JW2W5

Universities:

[*How Our Illiberal Universities Betray Liberal Democracy*](#), by Philip Carl Salzman

Nothing Left to Lose: An Impolite Report on the State of Freedom in Canada, by Philp Slayton, ISBN 978-1989555224

On-line Censorship:

[*Social Media, Censorship and Stopping Lies*](#), by Eamonn Brosnan

[*Canada is one step closer to the demise of free speech with Bill C-11*](#), by John Carpay

Human Rights Courts:

[*Stand Up for Freedom Canada*](#) (archived site)

[*Getting Rid of Canada's Kangaroo Courts*](#) (Frontier Centre Report, 2009)

IX. Foreign Influence

By Sze-Fung Lee (China Section) and Martin Tampier

A country’s democratic process is only autonomous and genuinely democratic if it is free of undue influence by outside forces. Whereas industrial espionage and intelligence gathering on foreign governments are likely to stay with us indefinitely, a 2020 Canadian parliamentary report identified Russia and China as countries of specific concern to Canadian democracy.²⁴⁶ Each engages in digital foreign interference (DFI). DFI means spreading manipulated facts and falsehoods online in order to convince citizens in other countries to change their behaviour in ways that serve foreign rather than national interests.²⁴⁷ India has also been accused of meddling with recent elections in Canada,²⁴⁸ and a 2024 parliamentary investigation found that several Canadian MPs ‘aided’ such interference from India and China.²⁴⁹

Cyber threats to democracy are of great concern, especially during elections: foreign state and non-state actors often

target voters, political parties, and election infrastructure. Moving parts of the democratic process online or incorporating new technology into the voting process almost certainly increased the vulnerability of democratic processes to cyber threats.²⁵⁰ But even outside election periods, foreign actors interfere with Canadian politics, whether by inserting false information or fomenting a confrontational and polarising discourse online or by influencing public servants, or other means. According to the Communications Security Establishment (CSE), Canada remains a lower-priority target for online foreign influence activity relative to some other countries, such as the U.S. Yet, because Canada’s media ecosystem is closely intertwined with that of the U.S. and European allies, Canadians are still exposed to online influence in those countries as a type of collateral damage.

Cyber Threats to Democracy²⁵⁰

The short-term consequences of cyber threat activity include:

- amplifying false or polarizing discourse;
- burying legitimate information;
- affecting the popularity of or support for candidates;
- calling into question the legitimacy of the election process and results;
- promoting a desired election outcome;
- distracting voters from important election issues; and
- reducing voter turnout.

Mid-term and long-term consequences include:

- reducing the public’s trust in the democratic process;
- lowering trust in journalism and the media;
- creating divisions in international alliances;
- increasing polarization and decreasing social cohesion;
- weakening confidence in leaders; and
- promoting the economic, geopolitical, or ideological interests of hostile foreign states.

²⁴⁶ www.nsicop-cpsnr.ca/reports/rp-2021-04-12-ar/intro-en.html

²⁴⁷ <https://macdonaldlaurier.ca/what-you-should-know-about-digital-foreign-interference-wilner-reis/>

²⁴⁸ <https://www.indiandefensenews.in/2024/01/canada-to-examine-alleged-election.html>

²⁴⁹ <https://nationalpost.com/news/canada/freeland-foreign-interference-committee>

²⁵⁰ Cyber Threats to Canada’s Democratic Process—July 2021 Update. Communications Security Establishment, 2021

Other threats to our political autonomy include money flowing to Canadian organisations from abroad and international influence from organisations such as the World Economic Forum and the United Nations.

This chapter will discuss such threats from foreign governments or other such actors to help the reader understand Canada’s exposure to foreign interference.

A. RUSSIA

The Russian government’s modern military doctrine employs disinformation, cyber-attacks, transnational repression, economic pressure, and the use of military force. Canada’s leadership of Operation Unifier to train Ukrainian forces, its membership in G7 and NATO, its special relationship with the U.S., and its leadership of NATO’s enhanced forward presence mission in Latvia make it a target for Russian government propagandists. Russia also claimed its right to resources under the entire Arctic Ocean, up to the edge of Canada’s 200-mile exclusive economic zone, which may create the conditions for an escalation of Russian hybrid warfare against Canadian interests.²⁵⁴

Iran

Together with Russia and China, Iran is sometimes mentioned in the context of foreign political interference in Canada. Indeed, Prime Minister Harper closed down the Iranian embassy in 2012, in part due to major concerns over the regime’s attempts to control Iranian ex-pats in Canada.²⁵¹ In 2020, CSIS warned that a Toronto-based company received millions of dollars from Iran, for unnamed purposes, and in the same year, Liberal MP Majid Jowhari was accused of receiving payments from Iran.²⁵² In May 2023, federal MPs from several parties supported a motion to hold a public enquiry on attempted election interference not only by China and Russia but also Iran and India, due to major concerns around the 2021 federal election.²⁵³

Vladimir Putin’s government aims to destabilize Western nations and targets Canadian citizens and politicians. Russian media will spread information trying to discredit Canadian politicians that take positions that are damaging to Russian interests, an activity dubbed “cyber influence activity to cause reputational damage” by the CSE.²⁵⁵ A Canadian Security Intelligence Service workshop report warns, “Driving wedges between people is sure to be one objective of the Kremlin, and it is incumbent upon everyone to make an effort to not be pawns in a Kremlin game.”²⁵⁶ Through its Internet Research Agency (IRA), dubbed the St Petersburg Troll Farm, it issues Twitter (X) campaigns pushing narratives that serve to push extremist left- and right-wing views to polarize democratic societies. The IRA uses X, Facebook, and other social media platforms through online bots, proxies, and trolls to

²⁵¹ <https://www.cbc.ca/news/politics/canada-closes-embassy-in-iran-expels-iranian-diplomats-1.1166509>

²⁵² <https://www.frontpagemag.com/canada-new-democratic-party-seeks-probe-on-election-interference-by-iran>

²⁵³ <https://nationalpost.com/news/politics/foreign-interference-public-inquiry-agreement-reached-by-all-parties-conservatives-say>

²⁵⁴ www.cgai.ca/confusion_destabilization_and_chaos_russias_hybrid_warfare_against_canada_and_its_allies

²⁵⁵ <https://globalnews.ca/news/6258755/intelligence-reports-canadian-leaders-attacked-cyber-campaigns/>

²⁵⁶ Anonymous. 2018. *Who Said What? The security challenges of modern disinformation*. Canadian Security Intelligence Service.

amplify pro-Russian messaging—often issued by the Russian embassy in Ottawa—that is anti-western, anti-NATO, anti-Ukrainian, or that amplifies Kremlin narratives. According to a recent report by CSE, Canadian Facebook groups with strong pro-Russian government bias have close to 100,000 followers, and the 2015 federal election was targeted by [Russian-led] low-sophistication cyber threat activity.²⁵⁷

Russian attacks against then foreign affairs minister (and vocal critic of the Putin government) Chrystia Freeland led to a diplomatic row, and the expulsion of four Russian diplomats from Canada in 2018.²⁵⁸ Canada and its political leaders were targeted more than 300 times in Twitter (X) accounts now shut down because of links to the Russian government or its proxies. Topics connected to Canadian interests—from NATO to Latvia and Ukraine, where Canadian soldiers were deployed—featured in thousands of tweets. X said it found many tweets that focused “on undermining faith in the NATO alliance and its stability.” A number of these X accounts that targeted Canada are associated with the IRA.²⁵⁹

Russia also tries to influence Canadian media. The Valdai Discussion Club seeks to attract Western intellectuals who will then write positively about Putin and Russian interests.²⁵⁶ Organised as a Kremlin initiative in 2004, the Club cooperates with Canadians, such as Professor Dutkiewicz at Ottawa’s Carleton University. The Club’s website²⁶⁰ informs that it engages in social media, organises conferences where Russian speakers, including Putin, may present, and operates as a think tank. Several Canadian academics are listed as contributors to Valdai.

Business links are likewise exploited in favour of Russian interests. The Canada Eurasia Russia Business Association groups several Canadian companies with interests in Russia and tends to speak in favour of Russian interests. Russian oligarch Vladimir Yakunin, director of Russian Railways and close friend of Bombardier CEO Pierre Baudoin, is on U.S. and Australian sanctions lists but has so far been spared by Canada, possibly due to the Association’s activities.²⁵⁶

Although Russian interference in Canada is not as strong as in the U.S., for example, it is still ubiquitous and at least partially effective at defending the Kremlin’s interests. Although recent federal elections in Canada have not been severely targeted by Russia, CSIS expects that future elections will again be targeted and that Russian interference attempts may increase in the wake of increased conflicts between Western nations and Russia.²⁶¹

²⁵⁷ Kolga, Marcus: Stemming the Virus—Understanding and responding to the threat of Russian disinformation. McDonald-Laurier Institute, January 2019

²⁵⁸ <https://globalnews.ca/news/4123399/russian-spy-attack-justin-trudeau-2/>

²⁵⁹ www.theglobeandmail.com/politics/article-canada-among-targets-of-twitter-accounts-shut-down-for-links-to (February 28, 2021)

²⁶⁰ <https://valdaiclub.com/>

²⁶¹ <https://www.theepochtimes.com/world/russia-not-a-significant-interference-threat-to-elections-but-remains-a-risk-csis-5622624>

B. CHINA

Chinese hybrid warfare: Beijing's actions and strategic planning in recent years have targeted several levels—its grand strategy includes all kind of influence operations, coercive diplomacy,²⁶⁶ traditional and irregular warfare, as well as various unorthodox methods. China's foreign policy aims at expanding its power via hybrid strategies; for example, disinformation, electoral intervention, and transnational repression in overseas Chinese diaspora communities.

This concept of Beijing's hybrid tactics is supported by the "Three Warfare" principle—first announced by the Central Military Commission (CMC) in 2003. Hybrid warfare is a theory of military strategy, that was first proposed by Frank Hoffman from the United States. It employs political warfare and blends conventional warfare, irregular warfare, and cyberwarfare with other influencing methods, such as fake news, diplomacy, lawfare, and foreign electoral intervention. Chinese foreign influence operations are conducted by multiple government institutions and state-affiliated organisations. For instance, the infamous United Front Work Department (UFWD). The United Front is one of the key pillars of implementing the strategies to achieve the party's goals. It has expanded in scope and reach since Xi Jinping came to power in 2012.

The UFWD, the primary organisation responsible for United Front work within China and United Front operations targeting Chinese communities abroad, is a high-level

Cultural Exchange or Undermining Democracy?

China seeks to influence Canadians starting at their youngest age, through "cultural exchange" courses in schools and at universities. Established by New Brunswick's Liberal government in 2008, a contract with the Confucius Institute gave the Chinese government access to primary and secondary school students throughout the province. The Canadian intelligence service, CSIS, suspects the Confucius Institute of being a "Trojan Horse" that spies on Canada behind the façade of its cultural exchange mandate.²⁶²

For its cultural and language programs, the Institute declared certain topics like the status of Taiwan "off-limits", pursuing an overtly political agenda that denies the 1989 Tiananmen Square massacre, has students draw maps erasing Taiwan's border with China, and disciplines students who raise questions about Beijing's human rights abuses.²⁶³

After then-education minister Dominic Cardy had announced he would pull the plug on these programs, China's Consul General in Canada, Chen Xueming, appeared in Cardy's office in February 2019. At first, the Consul invited Cardy to come to China and let himself be convinced of the veracity of the vision and messages the Institute is promoting. Upon refusal, the Consul then indirectly threatened the Minister that China would stop lobster imports from New Brunswick, even alluding that Canadian citizens in China could face repercussions if the program was cancelled.²⁶⁴

Although New Brunswick and several other provinces and cities like Toronto have cancelled links to the Institute, it is still present throughout Canada and involved with educational activities.²⁶⁵

²⁶² <https://www.cbc.ca/news/canada/new-brunswick/education-minister-pulling-plug-confucius-institute-new-brunswick-1.5028098>

²⁶³ https://www.theepochtimes.com/new-brunswick-minister-says-province-cutting-ties-with-accredited-schools-in-china-citing-concerns-with-beijing-regime_4793040.html

²⁶⁶ A state can coerce its adversary threatening political consequences, such as the expulsion from an international organisation, economic sanctions, such as an embargo and the suspension of an economic agreement, or the use of force.

Party body that reports directly to the CCP's Central Committee. The UFWD follows the direction of China's broader United Front strategy set forth by the Chinese People's Political Consultative Conference (CPPCC), a coordinating body led by a member of the Party's Politburo Standing Committee that brings together representatives of China's other interest groups under the CCP's overall leadership.²⁶⁷ The UFWD comprises four subordinate offices and nine specialized bureaus, each dealing with a particular targeted group such as China's eight officially-approved non-communist political parties, ethnic minorities, and Chinese communities overseas. President Xi recently expanded the UFWD by setting up two new bureaus. One, which targets representatives of the "New Social Classes," is responsible for garnering support from China's new middle class, and the other cultivates loyalty and suppresses separatism in the Xinjiang Uyghur Autonomous Region of China, also known as East Turkestan.²⁶⁸

The UFWD offices have "prioritized" targets who "threaten Chinese national security" in the regime's eyes. These primary targets include ethnic and regional minorities (such as the Uyghurs), Chinese students studying abroad, Taiwanese, Hong Kong, and Macau residents, as well as Han overseas Chinese communities.²⁶⁹ Transnational Repression is used by the regime and enforced through consular operations in Canada. Its goals are to suppress any voices of dissent that might threaten the image of the regime here in Canada and at home. Targets are academics, journalists, publishers, dissidents, politicians, and academics, especially those who advocate for pro-democracy, self-determination and/or independence. In 2019, the China Democracy Fund was formed in Canada to help defend individuals and groups targeted by the UFWD around the globe.²⁷⁰

China's political and economic influence is being entrenched by its extensive economic ties. Through bilateral trade agreements, tourism, infrastructure developments, and financial cooperation, Beijing's political and economic influence on other nations has been surging since 2010. China's Belt and Road Initiative (BRI) has increased the world's economic dependency on the country by creating "debt traps." Making many developing countries debtors to Chinese lenders gives China significant political leverage to influence their politics.²⁷¹ Launched in 2013, the project involved over US\$200 billion of investment²⁷² in 138 countries.²⁷³ The so-called Chinese Marshall Plan promotes the RMB (Chinese

²⁶⁵ <https://www.cbc.ca/news/canada/edmonton/confucius-institute-schools-funding-1.5370858>

²⁶⁶ A state can coerce its adversary threatening political consequences, such as the expulsion from an international organisation, economic sanctions, such as an embargo and the suspension of an economic agreement, or the use of force.

²⁶⁷ Bowe, Alexander: China's Overseas United Front Work—Background and Implications for the United States. U.S.-China Economic and Security Review Commission, August 2018

²⁶⁸ From the US China Economic and Security Review Commission's staff report 2018.

²⁶⁹ Charon, Paul and Jeangene Vilmer, Jean-Baptiste. 2021. Chinese Influence Operations—A Machiavellian Moment. *The Institute for Strategic Research*.

²⁷⁰ www.chinadem.org

²⁷¹ Hillman, Jonathan. (2018). 'China's Belt and Road Initiative: Five Years Later'. *Center for Strategic and International Studies*. <https://www.csis.org/analysis/chinas-belt-and-road-initiative-five-years-later-0>

²⁷² Chatzky, Andrew. and McBride, James. 2020. 'China's Massive Belt and Road Initiative'. *Council on Foreign Relations*. <https://www.cfr.org/backgrounder/chinas-massive-belt-and-road-initiative>

²⁷³ The Greed Belt and Road Initiative Center. 'Countries of the Belt and Road Initiative'. *International Institute of Green Finance of the Central University of Finance and Economics*. <https://green-bri.org/countries-of-the-belt-and-road-initiative-bri>

currency) as the international currency and expands China's import and export markets by pressurizing states to open new markets for it.²⁷⁴ Indeed, a "new China-centric global economic order"²⁷⁵ is being constituted to provide Beijing certain privileges to ensure access to vital trade goods—for instance, raw materials for industrial uses²⁷⁶—through its exertion of power and influence. China's economic power now allows Beijing to reshape "central political norms of international order".²⁷⁷ In fact, Beijing tries to compel other governments to remain silent about its human rights abuses and deprivation of freedom and liberty via commercial means and political influence.²⁷⁸

All of what has been described here are part of the CCP's bigger Hybrid War against Canada and the West. These hybrid tactics exploit the vulnerabilities of liberal democracies using both sharp and soft power diplomacy, economic subversion, political interference, disinformation and propaganda and espionage operations. For instance, state-sponsored disinformation campaigns depend on the free flow of information. They blur the lines between "opinions" and "propaganda", as well as the principle of freedom of speech to promote "alternative narratives." Manipulating information threatens democratic societies and directly threatens Canadian national security. Moreover, Canada remains susceptible to these kinds of operations.

Chinese Influence in Canada: The "Cyber threats to Canada's democratic process" report²⁵⁰ released in July 2021 finds that the potential ramifications caused to Canada could still be huge for two reasons. First, despite being left out of AUKUS, the trilateral Australia-UK-US security pact,²⁷⁹ Canada remains an important ally of the United States and is a Five Eyes member,²⁸⁰ whom China's hybrid tactics would inevitably target. Second, Chinese Canadians are one of the largest visible minorities in the country. In the 2021 census, over 1.71 million people reported being of Chinese origin. Since Chinese diaspora communities "presented a threat" to the dictated regime due to their command of local cultural codes and probability to import those liberal ideas into China, they have always been one of the twelve primary targets identified by the CCP United Front Work Department.²⁸¹ Indeed, control of

²⁷⁴ Chatzky, Andrew. and McBride, James. 2020. 'China's Massive Belt and Road Initiative'. *Council on Foreign Relation*. <https://www.cfr.org/backgrounders/chinas-massive-belt-and-road-initiative>

²⁷⁵ Hart, Melanie and Johnson, Blaine. 2019. 'Mapping China's Global Governance Ambition'. *Center for American Progress*. Retrieved from <https://www.americanprogress.org/issues/security/reports/2019/02/28/466768/mapping-chinas-global-governance-ambitions/>

²⁷⁶ Freeman, Chas W. Jr. 'China's challenge to American Hegemony'. *Middle East Policy Council*. <https://mepc.org/speeches/chinas-challenge-american-hegemony>

²⁷⁷ Gerstel, Dylan. 2018. 'It's a (Dept) Trap! Managing China-IMF cooperation across the Belt and Road'. *New Perspectives In Foreign Policy, Fall 2018*(16). <https://www.csis.org/npfp/its-debt-trap-managing-china-imf-cooperation-across-belt-and-road>

²⁷⁸ Kafkadesk Prague Office. 2019. 'Czech Republic and China clash over Prague Philharmonic tour'. <https://kafkadesk.org/2019/06/21/czech-republic-and-china-clash-over-prague-philharmonic-tour/>

²⁷⁹ <https://www.theguardian.com/politics/2021/sep/16/what-is-the-aukus-alliance-and-what-are-its-implications>

²⁸⁰ <https://www.publicsafety.gc.ca/cnt/ntnl-scrnt/fv-cntry-mnstrl-en.aspx>

²⁸¹ Charon, Paul. and Jeangene Vilmer, Jean-Baptiste. 2021. Chinese Influence Operations—A Machiavellian Moment. *The Institute for Strategic Research*.

these communities via surveillance, intimidation, and other operation of clandestine nature like Operation Fox Hunt²⁸² is rather common.

The following three cases illustrate how the Chinese government employs four strategies in foreign interference—disinformation and electoral interference, transnational repression, foreign interference, and hostage diplomacy—against Canada.

MP Kenny Chiu: Chinese disinformation targeting former conservative MP Kenny Chiu’s private member’s bill—The Foreign Influence Registry Act²⁸³—took place in 2021. A fake news piece falsified the original content and intention of the bill, portraying it as an “anti-China bill that discriminates against all Chinese and threatens their freedom, cultural, and economic development.”²⁸⁴ The disinformation was quickly spread throughout the Chinese communities in Canada via social media (primarily on We-Chat) as the community tends to “stick to themselves and form distinct diaspora communities within their settling countries.”²⁸⁵ This strategy exploits vulnerabilities of human psychology, for example, the “the feelings of familiarity”;²⁸⁶ when fake news is tailored to the Chinese and disseminated through their communication channels, particularly via their own social networks, it increases the acceptance of such disinformation.²⁸⁷

Fake news does not only undermine support for Chiu and the Conservative Party (there was also disinformation targeting the Conservative Party and its leader Erin O’Toole at that time²⁸⁸), it also conveys the message that any countermeasures against foreign interference correspond to discrimination against all Chinese.²⁸⁷ In short, huge impacts—including impacts on electoral results²⁸⁹ and the disruptions of our democratic system—have resulted. According to intelligence sources up to seven ridings were swung to Liberals and two to the Conservatives.

Unfortunately, Canada still lacks an integrated institution that has both the mandate and capacity to coordinate all intelligence and foreign interference analysis, while planning and executing efforts to counter disinformation, as the Global Engagement Centre (GEC) does in the U.S., which leaves Canada vulnerable to continued attacks from foreign adversaries like China. The CCP publicly boasts about its own efforts through community associations in

²⁸² https://en.wikipedia.org/wiki/Operation_Fox_Hunt

²⁸³ <https://www.parl.ca/legisinfo/en/bill/43-2/C-282>

²⁸⁴ Today Commercial News. 2021. ‘Please spread the message: Conservative MP Kenny Chiu proposed <The Foreign Influence Registry Act> to suppress the Chinese community’. <https://todaycommercialnews.com/canada/49207#> (〈請廣傳！保守黨國會議員趙錦榮提「外國勢力註冊」法案打壓華人社區〉，加拿大商報，2021年09月09日)

²⁸⁵ Forsby, Andreas. 2011. ‘The Non-Western Challenger? The Rise of Sino-Centric China’. *Danish Institute For International Studies Report*.

²⁸⁶ Greifeneder, Rainer., Jaffé, Mariela., Newman, Eryn. and Schwarz, Norbert. *The Psychology of Fake News*. New York: Routledge. 2021

²⁸⁷ Lee, Sze-Fung. and Fung, Benjamin. 2022.. “Misinformation and Chinese interference in Canada affairs”. *Policy Option*. <https://policyoptions.irpp.org/fr/magazines/january-2022/misinformation-and-chinese-interference-in-canadas-affairs/>

²⁸⁸ Bramham, Daphne. 2021. ‘Daphne Bramham: Conservatives face ugly barrage over party’s China policy’. *Vancouver Sun*. Available at <https://vancouversun.com/opinion/columnists/daphne-bramham-conservatives-face-ugly-barrage-over-partys-china-policy>

²⁸⁹ Conservatives may have lost eight seats in the 2021 election due to Chinese misinformation, see <https://tnc.news/2022/06/23/ccp-election-conservatives/>

Canada to get its preferred candidates elected.²⁹⁰ CSIS has reported that it anticipates more, not less, election interference in the future.

The Huawei crisis—Two Michaels and Karen Wood: On December 1, 2018, Huawei Chief financial officer Meng Wanzhou was arrested in Vancouver and later placed under house arrest. A U.S. extradition request was issued as she was accused of fraud and conspiracy in New York, including allegations that she lied to an HSBC executive in Hong Kong in August 2013 about Huawei's control of a subsidiary accused of violating U.S. economic sanctions against Iran.^{291,292}

Shortly after her arrest, Beijing retaliated by detaining Canadians Michael Kovrig and Michael Spavor (the “Two Michaels”), accusing them of “committing espionage in China.”²⁹⁴ This move meant to force Ottawa to release Meng and thus, undermine US-Canada relations. The two Michaels were held in unacceptable conditions without consular access.²⁹⁵

Even though Beijing has repeatedly argued that the two Michaels’ case has nothing to do with Huawei or Meng’s incident, prime minister Justin Trudeau confirmed the release of the two Canadians only hours after Meng cut a deal with the U.S. prosecutors and was granted release to return to China on September 24, 2021.²⁹⁶

While Canada-China relations deteriorated quickly during the Huawei incident, Karen Woods—co-founder of the Canadian Chinese Political Affairs Committee (CCPAC)—argued that the Huawei incident “constituted a dark cloud shrouding the psyche of many Chinese Canadians” and warned of “a new wave of Sino-Phobia” in a commentary she wrote for the Toronto Star.²⁹⁷ The article,²⁹⁸ however, left out a critical piece of information, i.e. her affiliation (employer) with Solstice Public Affairs, a lobbying firm hired by the Chinese

A Quote

“There are elected officials at all levels whether it’s municipal, provincial or federal who are being paid by foreign governments and who are not necessarily acting in the interests of Canada.”²⁹³

Michel Juneau-Katsura,
formerly Chief, Asia Pacific Desk, CSIS

²⁹⁰ <https://www.westernstandard.news/news/ccp-says-it-interfered-with-41-candidates-in-canadian-2019-election-claims-20-success-rate/59387>

²⁹¹ United States Department of Justice. 2021. ‘Huawei CFO Wanzhou Meng Admits to Misleading Global Financial Institution’.

<https://www.justice.gov/opa/pr/huawei-cfo-wanzhou-meng-admits-misleading-global-financial-institution>

²⁹² Proctor, Jason. 2021. ‘Defense claim no proof Meng Wanzhou is tied to any loss suffered by bank’. *CBC News*. <https://www.cbc.ca/news/canada/british-columbia/meng-wanzhou-hsbc-loss-link-1.6142764>

²⁹³ <https://torontosun.com/opinion/editorials/editorial-canadian-politicians-as-foreign-agents>

²⁹⁴ Gordon, Nicholas. 2022. “Canada is banning Huawei from its 5G network, forcing telecom operators to scrap over \$500 million of Chinese hardware”. *The Fortune*. <https://fortune.com/2022/05/20/canada-bans-huawei-5g-national-security-china-meng-wanzhou/>

²⁹⁵ Charon, Paul and Jeangene Vilmer, Jean-Baptiste. 2021. Chinese Influence Operations—A Machiavellian Moment. *The Institute for Strategic Research*.

²⁹⁶ Agence France-Presse. 2021. “Meng Wanzhou and the two Michaels: a timeline”. *The Guardian*. Available at <https://www.theguardian.com/world/2021/sep/25/meng-wanzhou-and-the-two-michaels-a-timeline>

²⁹⁷ Young, Ian. 2019. “How China’s Canadian Lobbyists blurred the lines of PR, Journalism and Political Activism”. *South China morning post*. <https://www.scmp.com/news/china/society/article/3006638/how-chinas-canadian-lobbyists-blurred-lines-pr-journalism-and>

²⁹⁸ The Toronto Star added a “clarification” note on her article, of which her linkage with the Chinese General Consulate is being disclosed following the controversies.

consulate “to promote Sino-Canada economic and cultural relations.”²⁹⁵ Her “commentary” can thus be seen as another political propaganda piece produced by Beijing in an attempt to shift public opinion during the Huawei crisis. She has been quoted recently as criticizing the regime and this tactic is seen more to cover her tracks and help reframe Beijing’s narrative to be more palatable to Canadians.

Transnational Repression: According to the Human Rights Watch’s World Report 2020, there are indications of a deepening repression by the CCP over “sectors of society it found threatening.” It has also “strengthened ideological control” and the “government censorship now extends far beyond its borders”; it is, in fact, “a mix of typically financial incentives and intimidation a way of manipulating discourse about China around the world.”²⁹⁹ Indeed, the situation in Canada is especially alarming because pro-democracy activists, students, and members of diaspora communities (Hong Kongers, Taiwanese, Uyghurs, Tibetans, etc.), are severely undermined by transnational repression used by Beijing. For instance, the Chinese consulate in Toronto urged McMaster University students to “notify the consulate of the academics present at an event on repression in Xinjiang;” and pro-Beijing Chinese students and citizens have been constantly trying to silence other students’ support of Hong Kong’s democratic movement in demonstration and assemblies overseas.³⁰⁰ These attempts to silence protestors and supporters of the movement involve harassment and actions interrupting peaceful rallies, but also death threats to demonstration organisers and outspoken individuals. Cherie Wong, the executive director of Alliance Canada Hong Kong, received threats of rape and murder on social media, and even a threatening phone call at a hotel room she did not book under her name³⁰¹—this transnational repression has severely undermined individual security, as well as Canada’s liberal democracy. The China Democracy Fund reports attacks on a Chinese Canadian in Vancouver, BC and a well-known journalist living in Atlanta.³⁰²

C. THE UNITED NATIONS

The United Nations (UN) is first a collaboration of sovereign states in the interest of world peace, but increasingly also to align various policies, including development aid, health and pandemic measures, and various social and environmental policies. As such, it is a forum to find international consensus but can be used by powerful influencers to advance their political agenda. In principle, Canada remains sovereign and can opt in or out of any UN initiatives whenever it sees fit. Impacts on our democratic process can nevertheless occur in at least two ways: through UN treaties and conventions that require giving up national sovereignty on certain issues, and through UN negotiations where lobby groups try pushing agendas, and modify wording, in a way that may run counter to Canadian interests, resulting in binding agreements that were arrived at without Canadian voter input or mandates.

²⁹⁹ Human Rights Watch. 2020. ‘World Report 2020’. <https://www.hrw.org/world-report/2020/country-chapters/china-and-tibet>

³⁰⁰ Ibid.

³⁰¹ Dyer, Evan. 2020. “‘We know where your parents live’ Hong Kong activists say Canadian police helpless against online threats’. *The CBC News*. <https://www.cbc.ca/news/politics/china-hong-kong-democracy-protests-chinese-embassy-canada-1.5717288>

³⁰² <https://chinadem.org/general-1>

The first concern has become more acute in recent years due to the UN Global Compact on Migration,³⁰⁴ the Declaration on the Rights of Indigenous Peoples,³⁰⁵ and the attempts to create an international treaty on pandemic management. The Migration Compact essentially tells signatory states to accommodate and integrate illegal immigrants without refugee status, and offer them social services. Large-scale migration is taken to be desirable and its curtailment is presented as a negative force in the world.³⁰⁶ Accepting the provisions in the Compact then means giving up control

over immigration to a considerable degree, creating “open borders” for economic migrants. UN Compacts are not legally binding on signatories, yet they will serve as references for lawmakers and for Canadian judges, to inform their decisions on immigration cases, which in turn creates legal precedence that may bypass democratic processes.

The World Health Organisation’s (WHO) Global Pandemic Treaty would give the WHO, a non-elected body, wide-ranging powers over nation states upon declaring a pandemic. The WHO could dictate how doctors in Canada can respond, which drugs can and cannot be used, and which vaccines are approved, and possibly even who may or may not travel or whether vaccine passports should be reinstated. With the WHO’s funding coming to a large part from private donors, such as the Gates Foundation,³⁰⁷ there are obvious conflicts of interest with such an arrangement. The Canadian government has been actively pushing for this treaty.³⁰⁸

UN membership itself risks importing the values promoted by the organisation. Yet, with many totalitarian states being members, their take on free speech and their ideas on using the state to control public discourse and aspirations to “social engineer” society has found its way into many UN documents. The above-mentioned Immigration Compact, for example, claims to approve of “open” debate on migration, yet also instructs signatories that anything interfering with its goal of large-scale, frictionless migration ought to be condemned and

The UN—Benign or Diabolic?

Strong opinions about the UN are not in short supply: “The UN is like a giant octopus with uncoordinated tentacles pushing everywhere. It lacks proper management, oversight, ethical standards, accountability and transparency ... Until management and administrative reforms are implemented and existing mandates and activities are reviewed for their relevance, and, very importantly, financial management and proper business practices are installed, the UN must be regarded for what it is—an unregulated, unaccountable, and corrupt instrument attempting to control human destiny.”³⁰³

³⁰³ REALity March/April 2010 Volume XXIX Issue No. 2 WHAT SHOULD BE DONE ABOUT THE UN? Real Women of Canada, 2010, <http://www.realwomenofcanada.ca/wp-content/uploads/2013/02/REALity-March-April-2010.pdf>

³⁰⁴ <https://refugeesmigrants.un.org/migration-compact>

³⁰⁵ <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>

³⁰⁶ <https://c2cjournal.ca/2019/09/talk-about-immigration-while-you-still-can/>

³⁰⁷ In 2017 Gates requested, due to his contributions, that he be on WHO’s executive board—to be considered as if he were a member state or country. The board voted “no” but Gates unofficially holds the status as if he were. See <https://expose-news.com/2021/09/30/the-gates-foundation-has-funded-swiss-institutions-us13-billion-with-us4-billion-going-to-who/>

³⁰⁸ <https://www.canada.ca/en/public-health/services/emergency-preparedness-response/canada-role-international-pandemic-instrument.html> (accessed February 11, 2024)

countered:³⁰⁹ discussion is fine as long as it leads to the proper conclusion. The Compact also includes provisions to train journalists so they report on immigration issues in a “sensitive way” compatible with its intentions, while defunding media outlets that are deemed xenophobic or insensitive. The closely related Compact on Refugees³¹⁰ aims to create a biased global academic research network on refugees, displaced and stateless issues, to ease research, training, and scholarship in support of its goals. This suggests that research resulting in findings contrary to the Compact’s goals would be sidelined.

The UN is very much a forum where states can vote and discuss how to improve the world, but the UN, with its many stakeholders, also has considerably influence on how national governments run their affairs. It does not just carry out the mandate given it by member states but also develops its own internal dynamics and policy preferences which it then tries to promote among its members. With its Agenda 2030, the UN openly advocates the use of schools to indoctrinate humanity into a new set of values, attitudes, and beliefs, including issues like sexuality or other moral subjects that are highly controversial or scientifically uncertain. It is important to understand these dynamics and the UN’s impact on Canada, since the UN has substantial influence over how political decisions are made here, and what political direction the country is taking. This is combined with Canadian bureaucrats working with the UN throughout their careers, also pushing an agenda that the North Western Research Institute³¹¹ and many others³¹² have called socialist or Marxist and that may not be in line with governments’, never mind, popular, preferences.³⁰³

D. THE WORLD ECONOMIC FORUM

Led by German economist Klaus Schwab, the World Economic Forum (WEF) is an organisation regrouping more than 1,000 of the world’s largest corporations and burdens itself with training the “leaders of tomorrow.” WEF says it engages the foremost political, business, cultural and other leaders of society to shape global, regional and industry agendas—a clear statement that it wants to exert political influence. Its ideology borrows largely from socialist ideas, where entities such as the WEF “use the regulatory state (government) to control businesses for their own political and special-interest ends.”³¹³ About half of the Liberal government in 2021 were graduates of Klaus Schwab’s leadership training,³¹⁴ as well as many senate, opposition and provincial representatives, and academic and business people from Canada.³¹⁵ Many see the Trudeau regime’s policies in line with Schwab’s agenda³¹⁶ outlined in his book, *The Great Reset*, which has made headlines because of Schwab’s slogan, “you will own nothing but you will be happy”. This concept is

³⁰⁹ UN resolution 16/18 that serves to restrict criticism of Islam is another example of this.

³¹⁰ <https://www.unhcr.org/the-global-compact-on-refugees.html>

³¹¹ <https://nwri.org/build-back-better-a-buzz-phrase-for-more-agenda-21-2030-control/>

³¹² <https://www.stridentconservative.com/agenda-2030-the-un-plan-for-global-socialism/>;

<https://www.investors.com/politics/editorials/climate-change-a-back-door-to-communism-and-the-united-nations-admits-it/>

³¹³ <https://www.fraserinstitute.org/article/stakeholder-capitalism-and-esg-the-road-to-socialism>

³¹⁴ <https://www.armstrongeconomics.com/world-news/wef/schwab-admits-he-controls-trudeau-cabinet-of-canada-now-the-world/>

³¹⁵ <https://action4canada.com/canadians-with-wef-ties/>

³¹⁶ <https://financialpost.com/opinion/terence-corcoran-in-canada-follow-the-money-the-ideas>

dubbed “neo-feudalism” by Joel Kotkin, fellow at the University of California, reflecting the concentration of property in the hands of a billionaire oligarchy.³¹⁷

The ideas of the WEF are laid out plainly in Klaus Schwab’s book and other documents, such as the outcome report of its Global Redesign Initiative. According to that report, the WEF seems to have great ambitions towards forming a world government:

“In its view, the World Economic Forum is the body best suited to develop a new framework for a post-United Nations-based system of international governance... In the case of the multi-national corporations, their effective reach as de facto global governance institutions has long surpassed the functioning of the UN system ... multi-national corporations and international civil society organisations³¹⁹ need to be recognized in their own right as full Actors in the global governance system, not just as lobbyists to nation-states or international proponents of specific positions or solutions ... The United Nation system has a role—albeit one not envisaged in the UN Charter—in WEF’s redesign of global governance.”³²⁰

UN-WEF Collaboration

A memorandum of understanding signed by the UN and the World Economic Forum in 2019 gives multinational corporations influence over matters of global governance.³¹⁸ No such agreement exists with other sectors of society, such as religious or academic institutions. The agreement announces new multistakeholder partnerships to deliver public goods in the fields of education, women, financing, climate change, and health. The WEF promotes multistakeholder-led initiatives for global governance that allow for corporate influence and that would make national government decisions secondary. As a result, these relationships without any formal democratic basis would be given substantial weight at the expense of the traditional UN one-state-one-vote process.

As shown in the text box above, WEF is already in close cooperation with the UN, organising meetings and conferences and actively promoting its ideas with UN personnel. It is difficult to overlook that the aims of the WEF not only want to reduce the UN’s role but also that of nation states, which are so far sovereign and, in Canada, accountable to their electorate. WEF openly discusses its goals to get towards a “private non-state world”,³²⁰ where “private” appears to refer to corporations. As Canadian writer David Solvay words it, “Given the close co-operation between Big Government, Big Tech and Big Entertainment, the Great Reset could prove even more rigid, archaic and undemocratic than the Middle Ages.”³¹⁷ With such extremist and anti-democratic goals, any involvement of the Canadian government, Canadian companies and other organisations with WEF must be viewed with suspicion. Conservative MPs Pierre Poilievre announced in 2022 he would shun the WEF if elected prime minister.³²¹

³¹⁷ <https://c2journal.ca/2021/01/how-climate-covid-19-and-the-great-reset-are-taking-us-back-to-the-middle-ages/>

³¹⁸ <https://www.opendemocracy.net/en/oureconomy/how-united-nations-quietly-being-turned-public-private-partnership/>

³¹⁹ Civil society organisations may include the Bill & Melinda Gates Foundation or other such institutions active at the international level, further agglomerating corporate power within this proposed system.

³²⁰ <https://norberthaering.de/en/power-control/wef-un-2/>

³²¹ <https://tnc.news/2022/05/04/pierre-poilievre-says-he-and-his-cabinet-would-boycott-world-economic-forum/>

How Sovereign Are Our Governments?

The international consulting firm McKinsey advises both government and the private sector at the boardroom level. According to authors Walt Bogdanich and Michael Forsythe,³²² the firm’s “values” are very results-oriented and its consultants won’t ask important questions such as “why am I doing this?” and, “Is this right, is this good for society?” They conclude that “Americans and, increasingly, people the world over are largely unaware of the profound influence McKinsey exerts over their lives, from the cost and quality of their medical care [or] their children’s education.”³²³ For example, McKinsey has advised most major pharmaceutical companies—but also their government regulators. This apparent conflict of interest is amplified by staff exchanges, where McKinsey consultants either come from government or the industries they advise, or move from the firm to positions in government. McKinsey is also a “strategic partner” of the World Economic Forum.³²⁴

The CBC reports on McKinsey’s involvement with Quebec’s COVID response in 2020.³²⁵ The firm made crucial recommendations and “coordinated decision teams and convened whichever government executives it deemed fit,” addressing even the highest executive of the Quebec government using the familiar form. Several internal documents and reports produced by the firm carried the government logo, as if they came from the Quebec government itself. The company was also advising drug company Pfizer during the pandemic, creating a conflict of interest when also advising governments and health services. Several government employees were reportedly irritated by McKinsey’s strong presence during the pandemic response, accusing the government of passing off its responsibilities to the consultant instead of having recourse to its own, very capable, crisis management resources (as a matter of fact, existing crisis management plans were largely ignored in the pandemic response).

In France, Senators were also concerned with the close relationship between their government and the firm. According to the CBC report, they concluded that the massive recourse to McKinsey brings up questions both with respect to the best use of government funds and to “our vision of the state and its sovereignty with respect to private consultants.” Senators fear that the administration can become dependent on consultants, especially since the latter “work to create such dependencies.”

Similar concerns were uttered in Ontario, where a 2020 report by the province’s auditor-general³²⁶ criticizes the use of external consultants to create new governance structures, thus off-loading a governmental responsibility to a private firm. In the U.S., a Congressional committee investigated McKinsey’s “consulting practices and conflicts of interest” and its “apparent failure to monitor and prevent harmful practices” in the context of the opioid crisis.³²⁷

McKinsey also regularly advises the Canadian government. According to the Globe & Mail,³²⁸ Public Works and Government Services entered into contracts with the firm, paying it \$3.4 million in 2018/19, \$9.3 million the year after that, then \$17.2 million during the COVID crisis in 2020/21. Immigration, Refugees and Citizenship Canada (IRCC) awarded McKinsey a \$16.3-million contract in 2019, increasing the value of that contract to \$24.8-million in 2021. Other government departments also use the firm, usually with fees in the millions of dollars range. Concerns around McKinsey’s influence on Canada’s economic and foreign policy arose due to the close involvement of the Trudeau government with Dominic Barton, McKinsey’s Managing Director until 2018. When he was in charge, the firm helped pharma company Purdue to increase sales of its drug OxyContin, an opioid frequently linked to overdose deaths, suggesting paying out rebates to distributors for every OxyContin overdose attributable to pills they sold.³²⁹ Around 2016-2017, he advised the Canadian government as part of the advisory council on economic growth under then finance minister Bill Morneau, and would provide “policy advice to ministers in closed-door sessions.” The council also made recommendations on increasing immigration rates, which were later adopted by government. After he left McKinsey, Barton was appointed Canada’s ambassador to China (2019-2021).

³²² <https://www.cbc.ca/listen/cbc-podcasts/209-front-burner>

³²³ <https://www.theguardian.com/books/2022/oct/31/when-mckinsey-comes-to-town-the-hidden-influence-of-the-worlds-most-powerful-consulting-firm-review>

³²⁴ <https://www.mckinsey.com/featured-insights/world-economic-forum/overview>

³²⁵ <https://ici.radio-canada.ca/nouvelle/1920666/mckinsey-quebec-covid-legault-gestion-pandemie>

³²⁶ <https://drive.google.com/file/d/10aMQevMN3wPNGVcFY6uC1H6X-fQASAEv/view>

³²⁷ <https://www.congress.gov/event/117th-congress/house-event/114669?s=1&r=33>

E. GEORGE SOROS AND U.S. MONEY

Though not the only billionaire who funds political causes, George Soros is the most prominent, often implied in conspiracy theories. In 1993, Soros started to create a network of organisations through his Open Society Foundations (OSF)—an international organisation in at least 35 countries with around 1,800 employees and a US\$ 1 billion annual budget. OSF focuses on education, public health, independent media, immigration and criminal-justice reform and other areas. (In-)famously, OSF was banned in Soros' birth country, Hungary,³³⁰ because the Hungarian government saw it as interfering with its affairs. OSF also had to close office in several other countries, was banned, or was criticized for interfering with public affairs.³³¹ Yet, attempts to measure its influence have been largely unsuccessful.³³²

Soros was associated with Canadian Maurice Strong, who was a strong advocate of environmental causes at the United Nations. Soros is said to share Strong's ideals, which is critical to understand his goals, as Strong famously said, "What if a small group of world leaders were to conclude that the principal risk to the Earth comes from the actions of the rich countries? ... So, in order to save the planet, the group decides: Isn't the only hope for the planet that the industrialized civilizations collapse? Isn't it our responsibility to bring that about?"³³³

Soros stands accused of influencing election results indirectly, through donating to left-wing organisations and parties.³³⁴ This is often concealed through funds being passed from OSF to other organisations, before arriving at the intended destination. The Calgary Herald reported that in 2015, an election year, 114 foreign groups gave \$6 million to Canadian third parties (i.e. persons or political advocacy groups registered during an election year to take part in election campaigns),³³⁵ and at least US\$1.5 million of that came from the Tides Canada Foundation (now called MakeWay). The 2018 Elections Modernization Act prohibits the use of foreign funds during election campaigns but is largely seen as ineffective since it does not prohibit foreign financing of Canadian partisan organisations.

The Tides and Rockefeller Foundation, plus indirect funding from billionaires Tom Steyer and George Soros were used in pipeline protests in Canada.³³⁶ The U.S. Tides Foundation

³²⁸ www.theglobeandmail.com/politics/article-ottawa-turns-to-mckinsey-to-fix-phoenix-doubling-spending/

³²⁹ <https://www.nytimes.com/2020/11/27/business/mckinsey-purdue-oxycontin-oids.html>

³³⁰ It is also banned in Russia, China, and Singapore, is on a watch list in India, and was criticized in the UK because of OSF's political activity against the Brexit movement; see Correa-Cabrera, Guadalupe et al.:

Assessing the International Influence of Private Philanthropy: The Case of Open Society Foundations. *Global Studies Quarterly*, Volume 1, Issue 4, December 2021

³³¹ <https://checkyourfact.com/2020/10/02/fact-check-george-soros-banned-six-countries/>

³³² <https://schar.gmu.edu/news/2022-02/study-do-george-soros-and-open-society-foundation-really-make-difference>

³³³ <https://quotepark.com/quotes/1808777-maurice-strong-what-if-a-small-group-of-world-leaders-were-to-con/>

³³⁴ <https://www.forbes.com/sites/michelatindera/2022/01/31/george-soros-pumped-125-million-into-his-super-pac-heres-whos-getting-the-money/?sh=6f91bcfd70dc>; <https://www.bbc.com/news/uk-politics-42984594>

³³⁵ <https://torontosun.com/2017/05/24/foreign-election-influence-happens-in-canada-too>

³³⁶ <https://c2journal.ca/2018/08/standing-rock-of-the-north/>

received over \$20 million from OSF between 1998 and 2018.³³⁷ In Canada, Makeway's Foundation branch has given over \$15 million of its income to other donees in 2020.³³⁸ A 2021 Deloitte report found that almost \$15 billion were received by Canadian charities (including Makeway) from foreign donors between 2010 and 2018, aimed at countering resource development projects in Canada.³³⁹ Tens of millions were transferred from the U.S. Tides Foundation to its Canadian branch during that period, to be redistributed here to indigenous groups and various environmental organisations in order to mount opposition to new pipelines.³⁴⁰ Alberta's premier Jason Kenney launched an enquiry into foreign support for groups opposing energy projects in Alberta, and the resulting report found that indeed, Canadian environmental groups received over \$1 billion from abroad, and at least \$54 million went to groups opposed to oil sands development. The report finds that currently, this foreign funding interfering with Canadian issues is not illegal but recommends to require non-profits in Canada to be more transparent about their funding sources.³⁴¹

The Tides Foundation also interferes with elections in B.C. The Victoria-based Dogwood Initiative received millions of dollars from Tides Canada to run (very successful) get-out-the-vote campaigns in the 2017 provincial election. At the federal level, Vancouver-based Leadnow received directly and through the B.C.-based Sisu Institute more than \$1 million from Tides Canada to actively work for the defeat of then-prime minister Stephen Harper's Conservative government in 2015. It was set up with the help of the U.S.-based Citizens Engagement Laboratory (CLC) to fight for progressive causes.³⁴² CLC receives much of its funding from OSF.³⁴³

Chris George, writer with senior experience in political campaigns, alleges that Soros helped decide the 2015 Canadian election.³⁴⁴ With the support of Leadnow and Dogwood through the Tides Canada Foundation, he provided support to move 40 swing ridings to the Liberals.

Early in the Liberals' mandate, it announced Canada had entered a partnership with the U.N. and with George Soros to implement refugee sponsorship programs around the world. Chrystia Freeland, deputy prime minister in the Trudeau regime after the 2021 election, is close friends with Soros,³⁴⁵ and even wrote his biography before entering Canadian politics.³⁴⁶ With these direct and indirect links to the Liberal Party of Canada, Soros clearly has considerable influence on Canadian politics. Whereas personal friendship is not something that should be regulated, Stephen Harper tried to curtail foreign money coming

³³⁷ <https://www.influencewatch.org/non-profit/tides-foundation/>

³³⁸ https://apps.cra-arc.gc.ca/ebci/hacc/srch/pub/t3010/v25/t3010Schdl6_dsplyovrvw

³³⁹ <https://thecountersignal.com/confirmed-foreign-interests-spent-billions-to-wage-war-against-alberta-oil-industry/>

³⁴⁰ <https://c2journal.ca/2019/03/killing-the-tar-sands-with-american-money-and-canadian-saboteurs/>

³⁴¹ <https://www.cbc.ca/news/canada/edmonton/anti-alberta-energy-campaign-public-inquiry-final-report-1.6218861>

³⁴² https://fairquestions.typepad.com/rethink_campaigns/2018/01/who-is-behind-leadnow-.html

³⁴³ <https://capitalresearch.org/article/citizen-engagement-laboratory/>

³⁴⁴ <https://niagaraindependent.ca/george-soros-casts-a-long-shadow-across-canada-part-4/>

³⁴⁵ <https://hivean.com/hive-122315/@v4vapid/canada-and-the-wef-part-ii-chrystia-freeland-the-billionaire-whisperer>

³⁴⁶ <https://niagaraindependent.ca/george-soros-and-his-canadian-chess-game-part-3/>

to Canada for political causes, yet this has been stymied by the Trudeau regime, which refused to limit foreign-based charities funding political causes in Canada.

F. CONCLUSION

The average citizen will likely feel helpless in the face of overwhelming international monetary and structural power. With respect to DFI, long-term citizen and democratic resilience depends on developing broad fundamental awareness of it, and the ability among all members of society to recognize and filter out bad information.²⁵⁷ Yet, according to Canada's Communications Security Establishment, deepfake videos,³⁴⁹ audio, and texts deliberately created to deceive on-line users can be impossible to detect.²⁴⁷ Whereas measures are being taken at the government level to protect elections and the country against digital threats, much of the responsibility, especially with respect to sharing on-line content and judging the veracity of information found on-line remains with the individual. One resource that can help the reader become more discerning is a video series that identifies some of the cyber threats one may encounter and how to identify them.³⁵⁰

U.S. Meddling?

Vancouver journalist Vivian Krause and others have alerted Canadians that wealthy Americans are financing anti-conservative campaigns, particularly those promoting environmental issues such as global warming. They argue such efforts are intended to keep Canada's energy resources landlocked and dependent on the United States as its only customer, against Canada's economic interests.³⁴⁷ U.S. groups involved include the Tides, Rockefeller and Hewlett Foundation. Environmental non-government organisations received over \$11 billion between 2000 and 2018, whereas Canadian parties received about \$1.5 billion over the same period. The revenue received by Tides Canada alone is more than the combined revenues of the Liberal and Conservative parties combined.³⁴⁸

As to the UN, WEF, and other foreign actors, we need to hold our elected representatives accountable and move them towards stricter laws on foreign campaign financing, and to stay away from openly antidemocratic organisations like WEF. Educating ourselves is the first step, educating others should follow.

³⁴⁷ <https://calgaryherald.com/opinion/editorials/editorial-no-swaying-our-votes>

³⁴⁸ Lyman, Robert: Money matters: The ENGO Political Advantage. Friends of Science, February 2019

³⁴⁹ Video (or audio) forgeries that appear to make people say or do things they never did. With enough photo or video images of a person, facial recognition algorithms can unpack every minute detail and create a replica of the person's face. Add fabricated audio and you have a [convincing video of a person engaged in a scenario that never took place](https://www.macleans.ca/society/technology/what-you-should-know-about-digital-foreign-interference/). See <https://www.macleans.ca/society/technology/what-you-should-know-about-digital-foreign-interference/>

³⁵⁰ <https://www.canada.ca/en/democratic-institutions/services/protecting-democracy/video-series.html>

Further-going material:

On China:

Manthorpe, Jonathan: [Claws of the Panda](#). Cormorant Books Inc., Toronto, 2019

Al-Jizawi, Noura *et al.*: [Psychological and Emotional War](#). The Citizen Lab, March 2022

Cooper, Sam: [Willful Blindness](#). Optimum Publishing, Toronto, 2021

On George Soros:

Palumbo, Matt: The Man Behind the Curtain. Liberatio Protocol (December 2021)

On the World Economic Forum:

Jones, Alex: The Great Reset: And the War for the World. Skyhorse (August 2022)

Goodman, Peter S.: Davos Man—How the Billionaires Devoured the World. Mariner Books (January 2023)

On McKinsey & Company:

Bogdanich & Forsythe: [What Happens When McKinsey Comes to Town?](#)

On foreign foundations: Reports by Vivian Krause on foreign funding for Canadian groups can be found here:

[The Tar Sands Campaign Against Overseas Export of Canadian Oil: Activism or Economic Sabotage?](#)

Dogwood: [Election Activism: Who Is The Dogwood Initiative & Who Funds It?](#)

[Vivian Krause Who Is Behind Leadnow?](#)

See also: Harding, Lee: [THE TIDES FOUNDATION WASHES OVER CANADA](#). Frontier Centre fo Public Policy, Policy Series No 230, July 2020

On corporate influence:

Dobbin, Murray: The Myth of the Good Corporate Citizen. Lorimer (April 2003)

X. How to Make Your Voice Count

By Stephen Woodworth

In view of the information provided in this guide, readers might well despair. Clearly, voting every few years is not enough to positively affect Canada's future. Many ways should be explored to influence the political decision-making beyond the four-year election cycle. The alert citizen should use several principles and take a variety of practical actions. Since we cannot all dedicate the same amount of time to political issues, readers need not pursue every suggestion found here. Instead, do what suits your resources and talents!

A. FIRST PRINCIPLES FOR MAKING YOUR VOICE HEARD

1. *Inform yourself.*

Choose Your Focus. The first thing is to be informed about what is going on at the federal, provincial, and local levels. Depending on where your interests lie and how much you can take on, you might focus your efforts on specific issues. Sign up with related organisations to get on their mailing lists. Concerned about taxes? Consider joining the Canadian Taxpayers Federation. Concerned about social-conservative issues? Consider joining Campaign Life Coalition or some other such organization (religious or non-religious). Concerned about civil liberties? Go to Canadian Citizens for Charter Rights and Freedoms. Such organisations (see the appendix for some that may be of interest) will send you regular updates and you will remain informed of important new bills or other developments. They will often also start petitions or suggest other action, such as writing to your MP or MLA, on specific topics. One good way to “learn the ropes” of political action is to sign up to Doug Sharpe’s Leadership Training webinars.³⁵¹ These take place every first Friday of the month and serve to train individuals to be effective in political activities.

Be Balanced. Try and obtain the two or more sides of each story. As explained in Chapter VI, many mainstream news outlets are biased. But alternative on-line and other news outlets also have bias or may spread misinformation. Learning to navigate these media requires time and discernment. It is best to follow more than one news outlet, maybe one more left-leaning and one more conservative publisher, then make up your own mind. Look for the common threads in these articles—the rest is likely opinion. The same applies to “hot topics” and contentious issues—rather than jumping to easy conclusions and taking up popular positions, try to be balanced and try to understand the arguments of opposing groups, whether this is about news stories or what policies are best for Canada, your province or territory, and your community.

Be Internet-savvy.³⁵² When using Google or other search engines, be aware that they also introduce bias. The results you see on the first pages come from search algorithms and programming that gives preference to certain information sources over others. Not only will they give preference to renowned academic or government-backed sources but they

³⁵¹ National Leadership Briefing—<https://nlbcanada.ca/>

³⁵² Some general advice is given on LinkedIn: <https://www.linkedin.com/advice/0/how-do-you-manage-search-engine-algorithm-biases> and QUODE Magazine: <https://qodeinteractive.com/magazine/what-is-search-engine-bias-and-how-to-overcome-it/>

will also suppress certain views that are deemed undesirable to maintain narratives pushed by powerful interest groups.³⁵³ Google will not show certain conservative organizations on the first page even if you look for their name. It is therefore good to use different search engines and go beyond just the first one or two pages when looking for information on contentious topics. This bias also affects sites like Wikipedia or artificial intelligence sites.

Be Considerate When You Speak. We all know that social media can provoke unthinking reactions, and we are tempted to write and say things that we might later regret. If we want to inform and influence others, we need to be cautious in how we express our views. This does not mean being politically correct, but it means controlling our language and remaining calm and focused on the facts. Sometimes, asking questions is better than attacking an argument. If we are well informed, the next thing we need to learn is how to communicate effectively and in a winsome way. Rather than seeing everyone who disagrees with us as enemies, we need to see them as people who may one day become our allies. Often, we can find some common ground from which to start a conversation.

2. Get to know the people you want to influence.

Decide Who. This requires some thought. Most political change is created by many people working together, so it is helpful to find allies you need. Your list could include political participants from the Prime Minister through Cabinet Ministers to MPs and local politicians. Don't forget other members of the public, including interest groups and your own friends, neighbours, and family. Then narrow down the group you can influence according to the resources you and your allies can dedicate to this effort. For example, an email or phone call to an elected representative or meeting nearby representatives to put your point across in person is pretty easy.

Know Where. Identify what each person on your list can offer. For example, your federal Member of Parliament (MP) cannot influence policy on highway traffic because it is a provincial responsibility. Conversely, a provincial legislative representative cannot change the Income Tax Act, which is a federal responsibility. That is not to say creative stretches are out of the question. A local municipal council's letter to a federal Cabinet Minister will carry more weight than a letter from a single individual. Still, as a minimum, try to understand the authority of each level of government (see also Chapter II).

Communicate Why. Most importantly, identify your cause with what matters to the people you want to influence. See the issue through their eyes. If you are dealing with elected representatives, for example, pitch your proposal as a "ballot-box" issue. That means letting an elected politician know that your vote, and therefore their election, depends upon the changes you have identified. Knowing what matters to people allows you to speak their language, whether they are politicians or not. If you don't speak their language, you will not be listened to.

3. Become known to the people you want to influence.

Build Relationships. People will listen more carefully and willingly to people they know and those with whom they have developed positive relationships. That won't surprise you—it's human nature. What might surprise you is that the same dynamic is at work in

³⁵³ <https://www.weforum.org/stories/2022/09/tackling-disinformation-agenda-dialogues/>

political decision-making. In an ideal rational policy world, all ideas would be judged solely on their relative merits. In the real world many people filter ideas through the lens of their relationships. The implication of that is that your voice will be heard more clearly if you develop a positive relationship with those you are trying to reach.

Try Dialogue. In the currently polarized world of political discourse, this lesson has been lost to many people. It does not have to be that way. While partisan affiliation in politics is inescapable, personal insult or attack and “us versus them” thinking diminishes your effective influence. Finding common ground to work together with an opponent maximizes the possibility that they will at least listen to your ideas for change. That is actually how democracy works!

4. Demonstrate the depth of your passion—your concern and commitment—to those who you want to influence.

Devote Resources. While every feather adds weight to the scale, greater weight produces greater effect, and the degree of resources you invest in your efforts will add weight to your efforts to produce positive change.

Manifest Commitment. In the age of electronic communications, for example, MPs receive hundreds of emailed letters every day. Similarly, petitions carry hundreds of signatures. There is collective value in such efforts, and they should be pursued. Yet, a signature on a petition does not necessarily get interpreted as a deep commitment, so petitions will often be ignored up to an uncertain and unknown tipping point. The author once saw a politician entirely disregard over 3000 signatures from her constituents imploring her to support an initiative in Parliament. A personal and hard copy letter communicates more passion than an email or petition, a phone call even more, a visit to meet in person an even greater degree, and a street demonstration even more.

Keep Priorities. This is a difficult lesson to accept. The more time, resources, and talent you invest into your efforts, the more likely it is that you will be heard. It is often better to at least send an email or sign a petition if we can do nothing else.

5. Enlist allies.

Develop Collective Strength. There really is strength in numbers! People are encouraged and strengthened if surrounded by like-minded partners. Your voice is amplified if others join in unison and public attention. The benefits of joining with others should always be a priority. You may want to join existing groups or create your own, such as a Citizen Action Group,³⁵⁴ a Facebook group, or a regional or national organisation.

Locate Existing Efforts. At the very least, it is helpful to look for others who share your concerns and might even have already begun to work on them. If possible, engage with existing grassroots organizations. The appendix lists some of the many groups one can support or become a member of. But never become complacent that others are doing the job; every grassroots group depends on pooled resources from people like you!

³⁵⁴ <https://nlbcanada.ca/cag-ministry/>

6. Plan your work and work your plan.

Plan Logistics. Every endeavour involves details. Even making a phone call requires that we first find the right number to call. You want to call the local (constituency) office on weeks when the House of Commons isn't sitting and the parliamentary office on weeks when the House is sitting. Our voices will be heard more effectively if we carefully plan and follow our plan.

Visualize Goals. Among other things, identify your goals. You can do that by thinking about what success will look like. Do that for every activity you undertake, to focus your efforts. Keep in mind that you might have both end goals and intermediate goals for each step along the way. For example, if you plan to hold a meeting, consider what will help make it a success.

Identify the Audience that you want to reach. Find the constituency you are serving, namely, the people who share your concerns or will benefit from their resolution.

Know the Challenges. Finally, identify the challenges you must overcome and choose the means by which you will overcome them. Is lack of awareness standing in the way of public action? Is there too little perception of the importance of the issue? The time might be ripe for direct approaches to elected representatives. Alternatively, the place to begin might be with indirect efforts in motivating others or gathering information.

7. Persist!

Understand Expectations. The value of persistence is clear. We find that positive change has often taken many years. Sometimes, change requires the public contestation between ideas. At other times, good ideas may seem so indisputable that resistance to change is more enigmatic. Some political scientists explain the latter as the result of constellations of existing practices, institutions and ideas reinforcing one another in a political equilibrium that is unseen but difficult to shift, like icebergs grinding up against each other, seemingly small and movable on the surface but backed by tons of weight beneath the surface.

Keep Hopeful Realism. Either way, those who persist in applying their efforts to produce positive change ultimately achieve success. Do not be discouraged if your contribution seems insignificant. No one expects you to do more than you are capable of, so you should not expect that of yourself either! If the cause is just, integrity requires our continued efforts whether or not we see the results.

B. ACTION STRATEGIES TO MAKE YOUR VOICE HEARD

1. Let your voice be heard by elected representatives and candidates.

Use Forms and Petitions. As mentioned earlier, form emails and petitions circulated by others are easy to sign, do no harm, and might have some effect. Sign them if they give voice to your concerns. The House of Commons invites petitions. You can search their petition site³⁵⁵ by subject, petition number, content or Member of Parliament for federal petitions that might relate to your goals. On the same site, you can create and circulate petitions and form emails of your own if you find none that currently address your concerns. Any

³⁵⁵ <https://petitions.ourcommons.ca/>

Canadian individual or organization can also send briefs to parliamentary committees. As outlined in Chapter II, there are several stages along the legislative process where you can try to intervene either with your own senator or MP, or with an entire group or a committee that may be discussing a new bill.

Make Telephone Calls. Telephone your elected representative to briefly express your concern or proposal to them. If you meet resistance from office personnel, be as persistent as possible in requesting a brief conversation with the representative themselves. If you are trying to reach a federal representative, remember that it might be necessary to reach them in Ottawa when Parliament is in session. Always say whether or not you reside in their constituency.

Arrange Office Visits. Arrange a time to visit your elected representative in their office to introduce yourself and outline your concerns. When you meet, do your best to be non-confrontational and friendly. Maybe even go the extra mile by bringing a small but thoughtful gift like hand-picked flowers from your child or a Christmas card. That would certainly make the meeting more memorable for your representative!

Extend Social Invitations. Along similar lines, you can invite your representative to meetings or social events like a senior's birthday party. Imagine how easy it would be to host a meet-and-greet coffee party in your home for your MP, provincial representative or municipal councillor and invite your friends and neighbours for an informal discussion with their elected representative! Not every representative will respond, but many will seize the opportunity to meet with constituents. Giving them an opportunity to briefly speak will probably help.

Consider Party Membership. It's not a much of a step to join a political party, which forges another link in your relationship with elected representatives, candidates, and other politically active people you want to influence. It's important to remember that you do not have to accept every one of a party's policies to become a member! You only must sign on to the general principles a party tries to pursue. Membership is not costly and carries the benefits of voting privileges (for example, in candidate, policy, and leadership selection decisions), invitations to party conventions, and political networking. Also, party membership creates familiarity, which helps you to make your voice heard by the people you want to hear it. It will also allow you to take part in meetings of your riding association, help select the best candidates, and suggest good policies for the party to adopt through the work within your riding association. Some parties allow people as young as fourteen to become voting members of riding associations, so consider asking your own children whether they'd like to get involved!

In today's digital world, parties measure your support by tracking your participation. Those opportunities include financial contributions, volunteering on election campaigns, serving as Board members, attending conferences, and even running for office. The more you participate, the more you will distinguish yourself, and the more your voice will be heard.

Start at the Local Level. Be involved at the municipal level and in school board elections. Consider becoming a candidate for school board or a municipal election. These are important platforms to affect political decisions at the local level.

Use Collective Amplification. Remember—whether it is petitions and letter-writing, telephone calls, office visits, or Party activities, your impact will be amplified if you involve others who share your concerns.

2. Let your voice heard by allies!

Build Consensus. Even the closest friends have diverse aspirations and perspectives. Our challenge is to encourage support for collective action. The process begins with you sharing information that motivates you to others. One way to begin, for example, might be to distribute to your neighbours, church members, family, friends, and others with whom you associate, a “Fact Sheet” about the issue that concerns you, including a request for ideas, suggestions, feedback, and opinions. Another important aspect is to have a statement about why the issue is important. In fact, posing that question will often excite interest. Not everyone will respond positively, but the responses will help shape your message.

Socialize. The personal touch adds power to your voice. Telephoning people to follow up your request is an important step, and meeting with people is even better. Such contacts should be more to get together than to problem-solve. Offering an activity like watching a relevant film or listening to an interesting speaker can combine group socializing with issue-oriented interest-building.

Compete. We live in a busy world, with multiple demands on our time. People have become adept at screening phone calls, resisting telemarketers, and limiting their social engagements. This means that you will succeed best when you show the importance of your project to the people you are trying to reach. Do not give up! Leave messages. Make coming together easy with ample notice and optional dates. Bring the coffee and donuts!

Brainstorm. The Association for Reformed Political Action (ARPA Canada), has compiled a helpful guide with specific ideas about interesting activities you can use to bring like-minded people together. You will find a link to their guide “How to Speak Up!” and other helpful publications in the list at the end of this chapter.

Help Others. Look around for existing groups that might share your interests and investigate their activities. Participating and financially supporting the efforts of others will amplify your voice. Tapping into existing resources will help keep you informed of relevant information. At the end of this Guide, you will find a partial list of some other groups of interest.

Ten Easy Things Everyone Can Do

1. Regularly meet with your MP or MLA to discuss policy issues they are facing. Call them on urgent issues.
2. Sign petitions.
3. Start a petition on <https://petitions.ourcommons.ca>, [Citizenengo.org](https://citizenengo.org), or [Change.org](https://change.org).
4. Start a Citizen Action Group at your church or community.
5. Become a party member and join the work in your Riding Association.
6. Volunteer with a candidate you can support, to help with an election campaign.
7. Take part in party conventions to define policies that party should adopt.
8. Join and support grassroots organisations that fight for causes you care about.
9. Write letters to the editor to present alternative views.
10. Use social media to spread reliable information to counter false narratives.

3. Let your voice heard by your community

Understand Information Overload. We live in an information-rich society! Paradoxically, this has led many to limit the information sources to which they devote attention. Despite unprecedented technological means of verifying information, others retreat to complete mistrust of all public information at merely “fake news”! Even communications experts have not found the magic bullet that will guarantee public attention. We can suggest four strategies which will help your voice to be heard: novelty, legitimacy, variety, and repetition.

Use Novelty. Unusual circumstances and events attract attention. Mass demonstrations, protests, disruptions, parades, competitions, visually arresting displays, stunts, etc. are newsworthy. Whatever you do, your message should feature prominently.

Keep Legitimacy. For example, public authorities may have reasonable guidelines for public gatherings and liaising with them can ensure that a demonstration or protest is held in a responsible manner. That said, most citizens agree that peaceful civil disobedience toward unjust or unconstitutional laws remains an option.

Try Variety. Apart from novelty, attracting public attention for your voice will be more successfully achieved through the use of a variety of communication venues. These might include, for example, letters to the editor, social media posting, leaflet drops, a booth at community fairs, Op-Ed columns, speaking engagements with community groups, mall displays, billboards, advertisements, and other messaging targeted at specific community audiences. Again, your imagination is your only limit! Using more methods increases the likelihood that your voice will be heard.

Embrace Repetition. There is another benefit to using multiple communication venues. Experts agree that a message must typically be heard at least seven times before it is retained. There is no doubt that multiple exposure to a message helps people to retain it.

C. CONCLUSION

Maybe none of these suggestions surprise you. Hopefully, you realize that the path to making your voice heard is quite obvious. There is only one key you must discover: Resolve! Find your passion! That is where you will find the power to take up strategies to make a difference in the political process. That is where you will find the power to have your voice heard.

FURTHER-GOING MATERIAL:

- ARPA Canada, **Lesson Plans**, n.d. Available at https://arpacanada.ca/publications/?publication_category=lesson-plans.
- Bloedow, Timothy, **State vs. Church: What Christians Can Do To Save Canada From Liberal Tyranny**. Russell, ON: Timothy Bloedow, 2007.
- Evangelical Association of Canada, **Civic Engagement Kit: Tools and tips for interacting with MPs and Senators. 2022**. Available at <https://www.evangelicalfellowship.ca/Resources/Documents/Civic-Engagement-Kit>.
- Farris, Michael P., **Where Do I Draw the Line?** Minneapolis, MN: Bethany House Publishers, 1992.
- Focus on the Family Canada, **Citizen Action Guide**. Vancouver, BC, 2003.
- Longhurst, John, **Making the News: A Media Relations Manual for Non-profit Organisations**. Winnipeg, MB: Windflower Communication, 1996.
- McLellan, Vern, **Christians in the Political Arena: Positive Strategies for Concerned Twentieth Century Patriots!** Charlotte, NC: Associates Press, 1986.
- Postma, Colin, ARPA Canada, **How to Speak Up! A Political Action Book**, 2018. Available at [Speak Up! | ARPA Canada, https://arpacanada.ca/publication/speak-up/](https://arpacanada.ca/publication/speak-up/).
- **Christian Citizenship Guide**. ARPA Canada, 2023. Available at <https://arpacanada.ca/publication/christian-citizenship-guide-2/>
- Manning, Preston: **Do Something! 365 Ways You Can Strengthen Canada**. Southerland House, 2020

Appendix—Organisations of Interest

The following links are provided to help the reader identify useful news outlets, find relevant information on political topics, and consider supporting Canadian organisations active in the political arena. The list is not exhaustive and is merely meant as a starting point for becoming more politically involved. The inclusion of any of the organisations listed does not mean the authors or the Western Standard endorse the views presented there. Most of the listings are conservative-leaning. Just as left-leaning outlets, conservative news outlets and organisations are often biased and reader discretion is advised (see Chapter VI on media bias and detecting bias).

Media

[Blacklock's Reporter](#)
[C2C Journal](#)
[CBC](#)
[Dorchester Review](#)
[Libre Média](#)
[Lifesite News](#)
[National Post](#)
[Politics Explained](#) (Aaron Gunn)
[Québec Nouvelles](#)
[Rebel News](#)
[The Bureau](#)
[The Globe and Mail](#)
[The Epoch Times](#)
[The Hub](#)
[The Post Millennial](#)
[Toronto Star](#)
[True North](#)
[Western Standard](#)

Think Tanks

[Canadian Centre for Policy Studies](#)
[Canadian Centre for Policy Alternatives](#) (progressive)
[CARDUS](#)
[CD Howe Institute](#)
[Fraser Institute](#)
[Frontier Centre for Public Policy](#)
[Institut économique de Montréal](#)
[Institute for Liberal Studies](#)
[Institute for Research on Public Policy](#)
[McDonald-Laurier Institute](#)
[Rights Probe](#)

Advocacy, Training, Information

[4MyCanada](#)

[ARPA Canada](#)

[Campagne Quebec-Vie](#)

[Campaign Life Coalition](#)

[Canada Family Action Coalition](#)

[Canada Strong & Free Network](#) (formerly the Manning Centre)

[Canadian Centre for Bio-Ethical Reform](#)

[Canadian Citizens for Charter Rights & Freedoms](#)

[Canadian Civil Liberties Association](#)

[Canadian Constitution Foundation](#)

[Canadian Families Alliance](#)

[Canadian Taxpayers Federation](#)

[Canadian Voters Association](#)

[Catholic Civil Rights League](#)

[Christian Legal Fellowship of Canada](#)

[Democracy Watch](#)

[DisinfoWatch](#)

[Euthanasia Prevention Coalition](#)

[Evangelical Fellowship of Canada](#)

[First Freedoms](#)

[Forum for Canadian Sovereignty](#)

[Get Awake](#)—Groundsourcing the Narrative (billboard campaigns)

[It Starts Right Now](#)

[Justice Centre for Constitutional Freedoms](#)

[Parents as First Educators](#) (PAFE—Parents association in Ontario)

[Parents for Choice in Education](#) (Alberta)

[Parents Rights Day of Action](#)

[Parents United Canada](#) (Kari Simpson)

[Parents Voice BC](#)

[Power Shift to Freedom](#)

[REAL Women of Canada](#)

[SecondStreet](#)

[Solidarity Movement of Canada](#) (Arthur Pawlowski)

[SolveNow](#)

[Union Conservatrice](#) (Richard Decarie, Québec)

[UNI-T](#)—A Voice for Christian Values (Quebec)

[Taking Back Our Freedoms](#) (Brian Peckford)

The [Democracy Defense Initiative](#)

[The Wilberforce Project](#)

(See also the list at Canada Strong and Free Network [website](#))³⁵⁶

³⁵⁶ <https://canadastrongandfree.network/list-of-other-conservative-and-free-market-organisations/>

The Authors

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The Honourable **Tony Clement** P.C. is a startup entrepreneur, public affairs advisor, business strategist, and media personality. He is a former Conservative MP (Parry Sound-Muskoka) and both a federal and an Ontario cabinet minister.

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Founded in 2010, the **Justice Centre for Constitutional Freedoms** is a Canadian registered charity committed to defending the constitutional freedoms of Canadians through both education and litigation. The Centre's vision is to realize "a free society where governments uphold human dignity by respecting fundamental rights and freedoms, and where Canadians can realize their potential and fulfil their aspirations."

Sze-Fung Lee is an independent researcher specializing in Chinese warfare, including understanding China's Foreign Information Manipulation and Interference (FIMI), Grand Strategy, Nuclear Proliferation, Gray Zone Tactics, and Cognitive Warfare. Zir research focuses on Indo-Pacific security policy, challenges posed by emerging technologies, and the politics of Hong Kong.

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Martin Tampier is a German immigrant to Canada who has become increasingly concerned about the direction politics is taking, how the mistakes from Germany seem to be repeated in Canada, and how radical forces have influenced politics and public discourse in Canada. Martin wrote entries for this guide, supervised, and edited the work of others.

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