

The Law as It Is Written

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CHP Canada has long stood for requiring judges to judge miscreants on the laws “as they were written.” But now, we have to question the laws “as they are being written.”

The powerful socialists of our time have discovered what people knew before the Magna Carta was signed, before Common Law protected us, before our Christian heritage gave us the freedoms for which people long to live in our country. They’ve discovered the rich benefits of tyranny, which rob many people of their rights and freedoms, but make them easy to govern, while elevating the elite to positions above the law.

Whether laws are righteous or unrighteous, the socialistic drift of our country yokes citizens and makes them submissive before those who subjugate them with unclear and unevenly applied laws.

Application after application across our nation shows the capricious way that our laws are being applied. You may gather in the thousands for Black Lives Matter, but you may not gather in the tens for worship. You must not travel during the pandemic, but your superiors may take grand vacations abroad. The government will tell you that you may not steal, but it can take \$9.5 million in privately donated assets, such as Delta Hospice Society’s¹ unique palliative care facility—built with the donations of private citizens—if the Society refuses to comply with the government requirement to offer doctor assisted suicide to their patrons.

Law after law increases the requirement that we perform like trained monkeys in an effort to convince ourselves that we are free, while our government barely bothers to hide the increasing tyranny they impose.

Recently, a new need was identified for our lawmakers; our broadcasting laws were written before the internet made so much content available to the masses. The advent of the internet required the protection of people and organizations from having their material taken and passed around without allowing for them to receive benefit of their creations. Under Canadian law,² broadcasting must reflect Canada’s multi-cultural mosaic.

Our government was of the opinion that organizations like Netflix, Crave, etc. should be bound by the same laws and taxes as other broadcasters, like CBC. There was a need for updating our Communications laws to make them useful in the internet age. There are differing opinions as to whether that need was real or not.

Bill C-10 initially protected individual Canadians’ rights to upload, as free citizens, their own materials onto Facebook, Twitter, YouTube, etc. These were protected in section 4.1 of Bill C-10, entitled “Non-application - certain programs.”

“4.1 (1) This Act does not apply in respect of:

(a) programs that are uploaded to an online undertaking that provides a social media service by a user of the service—who is not the provider of the service or the provider’s affiliate, or the agent or mandatary of either of them—for transmission over the Internet and reception by other users of the service....”²

But then things changed. This spring, section 4.1 was removed from Bill C-10 by the Liberals on the Committee. This section exempted you and me from the requirement to jump through the broadcaster’s legal hoops to upload our vacation videos.

We've seen unclear laws before, and ones that infringe upon our freedoms. Bill C-6 with its reference to "conversion therapy," for instance. Is that a reference to electric shock therapy or some other invasive intervention? That's what has been inferred. No, it refers to something as innocuous as talking to somebody about gender detransitioning, even if that person wishes to have the conversation. If C-6 passes, a person struggling with his or her sexuality will have no right to talk about it with a counsellor, pastor or parent. A law that is unclear leaves a very clear path to abuse of rights.

We saw a similar use of the 'undefined term' with the discussion about "sexual orientation." The term was read into our Charter a few years ago, yet at no point was a definition provided. The drafters of the Constitution chose not to put "sexual orientation" in the Charter, but our courts read it into our Charter nonetheless.³

Oops! Did that sound a bit like what could happen with the discussion of Bill C-10? The government wants to leave it up to the CRTC to regulate private citizens.

According to Martin Shields, the Member of Parliament for Bow River, "If this bill passes in its current amended form, the CRTC will have the power to censor and remove posts the government deems to be 'wrong think.' This path to censorship is one seen in authoritarian regimes, not free democracies like Canada."⁴

Columnist Lorne Gunter, from the Toronto Sun says: "For the first time, the law would give the Canadian Radio-television and Telecommunications Commission (the CRTC) the power to judge the content of every user video, every podcast and every website to determine whether it is free of misinformation and full (enough) of Canadian content."

He continues, "The bigger problem is if government censors start thinking they should determine what political content on YouTube (or any other platform) is acceptable—and, by extension, what is not."⁵

This is where Bill C-10 could become very scary. When our government or government organizations have the legal right to choose what opinions we hear and what opinions we are not allowed to hear, then we are bordering on a tyranny.

It's time for us all to wake up and claim our freedom . . . call or email your Liberal (or NDP or Bloc) MP. Call them to oppose Bill C-10. Use #StopBillC10 to help make your point.

CHP Canada would require laws to be clear and their application to be just. We have always been clear about our position on the issues and we urge you to require that same quality in other political parties.

Join CHP Canada today.⁶ It only makes sense to protect the heritage that spawned the freedoms that we enjoy.

Footnotes

¹ www.delta-optimist.com/local-news/delta-hospice-society-tells-its-side-to-canadian-senate-3439919

² parl.ca/DocumentViewer/en/43-2/bill/C-10/first-reading

³ policyoptions.irpp.org/magazines/who-decides-the-courts-or-parliament/what-the-framers-of-the-charter-intended/

⁴ www.airdrietoday.com/opinion/column-bill-c-10-must-be-stopped-3755611

⁵ torontosun.com/opinion/columnists/gunter-heres-why-bill-c-10-is-such-a-big-problem

⁶ www.chp.ca/get-involved/