

Is this the End of Press Freedom in Canada?

Ottawa's Internet offensive puts at risk the free speech rights of all Canadians

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Canada remarkably blipped up slightly in this year's [press freedom rankings](#) released by Paris-based Reporters Sans Frontières (RSF) last week to celebrate World Press Freedom Day. We still languish in RSF's yellow "Satisfactory" category with a score of 83.53, however, while the green "Good" category starts at 85/100. That puts us 15th in the world, behind such nations as Lithuania, Estonia and East Timor, but at least we're doing better than the UK (26) and the US (45). The rankings as usual were dominated by the Scandinavian nations, with Norway again taking top spot with a score of 95.18, far surpassing second-place Ireland, which has shot up in recent years to 89.91.

One category that drags down Canada's ranking is our sky-high level of media ownership concentration. "More than 80% of Canadian media is owned by just 5 corporations," [noted the report](#), to which I contributed as a survey respondent. The good news for now is its finding that direct press interference here is negligible. "Media outlets in Canada are generally free of pressure from politicians, political parties, and political movements." That may soon be changing, however, as ongoing events threaten to soon send Canada tumbling down the rankings.

The broadcasting regulator Canadian Radio-television and Telecommunications Commission (CRTC) has just been given authority over online video under Bill C-11, which [has YouTubers up in arms](#). The CRTC is currently considering a request to ban Fox News from our cable systems for the "[false and horrifying claims](#)" made about transgendered people by its recently-ousted host Tucker Carlson. That would set a dangerous precedent, not to mention fly in the face of Voltaire's [oft-quoted defence of free speech](#). "I disapprove of what you say," the French philosopher is supposed to have said, "but I will defend to the death your right to say it."

The ruling Liberals are seemingly doing all they can to bring the Internet under their thumb. Next up is Bill C-18, the *Online News Act*, which after years of Ottawa subsidizing our

country's news media would force Google and Facebook to do it instead. The CRTC would be put in charge of negotiations between the digital platforms and media outlets, expanding its authority from audio and video to written news content online.

Bill C-18 is currently before the Senate, having passed third reading in Parliament late last year. Senators have been hearing testimony, including from University of Ottawa law professor Michael Geist, who [told them](#) last week that the proposed law “raises significant concerns involving the free flow of information online [and] freedom of expression.” Instead of improving journalism in Canada, Geist warned that Bill C-18 “is likely to cause far more harm than good including the possibility of blocked news sharing” if Google and Facebook decide not to pay up and instead drop Canadian news, as they have threatened.

Most disturbing of all is a new initiative coming from the Liberal Party's BC branch, which is calling for the government to “hold on-line information services accountable for the veracity of material published on their platforms and to limit publication only to material whose sources can be traced.” The proposal [passed](#) by the party's biennial policy convention in Ottawa is designed to combat disinformation, but it takes the elephant gun approach to fly swatting and so makes the cure worse than the disease. Limiting publication would of course entail censorship, while “material whose sources can be traced” would require official vetting. As for veracity, who's to say what is true? The government itself is one of the biggest purveyors of disinformation these days. The Orwellian implication would require the censoring of all but government-approved information.

“This resolution has no meaning unless it means I would be required to clear my posts through the federal government, before publication, so the ‘traceability’ of my sources could be verified,” [reasoned online journalist Paul Wells](#), a former columnist for *Maclean's* and the *Toronto Star* who now enterprisingly posts his scribblings on Substack. Much of what he writes, Wells points out, is based on what he hears from sources who would prefer not to be named, much less to the government. “This resolution, if adopted as policy would send me straight to court or out of business.”

The highly illiberal Liberal impulse to regulate what is posted online has been ongoing since a 2020 report commissioned by the Department of Innovation, Science and Economic Development proposed measures the Internet Society of Canada described as “[insane regulatory hubris](#).” The report called for expanding the scope of the CRTC from broadcasting to also include online media and renaming it the Canadian Communications Commission. The ISC [warned](#) it would be “nothing less than a statist counter-revolution against the internet” and “a wholesale transformation of a system of free expression into a government-directed system of licensees.” Unfortunately, it seems to be the Liberal Party blueprint for the future of the Internet in Canada.

The Liberal initiatives to regulate the Internet keep going from bad to worse. While enabling the CRTC to regulate streaming video under Bill C-11 is arguably needed to update the *Broadcasting Act* in the Internet Age, giving it oversight of written news online under Bill C-18 promises to be a slippery slope indeed if the future of journalism is digital. The third leg in the Liberal offensive—planned legislation to deal with so-called “online harms” such as hate speech and cyber-bullying—may go even farther in limiting free speech. It was first introduced as Bill C-36 in 2021 but died on the order paper with an election call and has yet to be re-introduced because the prospect of government censoring otherwise lawful speech [has civil libertarians aghast](#).

The bill seems to be a *fait accompli*, however, as then-Heritage Minister Steven Guilbeault [told](#) the House of Commons in 2021 that the government was planning a new regulatory framework. “There will be a new regulator, and their task will be to implement the new rules and also to monitor work carried out by platforms,” said Guilbeault. “The regulator will be able to impose financial penalties for non-compliance.” The government has apparently been doing its best to muster favourable polling for the initiative, including [censoring survey respondents](#). This way [researchers at Toronto Metropolitan University](#) can find that more than 80 percent of Canadians support requiring platforms to quickly remove reported illegal content despite [90 percent of Canadians finding it unnecessary](#).

All this recently earned Prime Minister Justin Trudeau a satirical nomination for a Break the Internet Award in recognition of his government’s efforts to “[destroy the free and decentralized world wide web](#).” Individually, argues blogger [Justin Ling](#), all of Ottawa’s online initiatives are bad. “Taken together, they’re worse. Mr. Trudeau’s plans amount to a Rube Goldberg machine, shaking down Silicon Valley companies for cash while subjecting them to a gauntlet of Ottawa-based Star Chambers every time the platforms’ users act badly.”

More seriously, Ottawa’s Internet offensive puts at risk the free speech rights of all Canadians, and most worryingly opens the door to online censorship. The possibility of Ottawa requiring all information posted online to be government-approved should be concerning to all citizens, as it would severely limit free expression and even press freedom.

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