

CANADA

THE TRADITION OF RESPECT FOR FREEDOMS REMAINS STRONG

Executive Summary

In the period studied, a growing political and ideological polarization is observed in Canada that affects the perception, attitude and, sometimes, the behavior of groups and individuals towards the media, which has translated into threats to journalists and some acts of aggression against them. It is also a period in which the lobbying actions of the large digital corporations, Meta and Google, against the approval of Law C-18, which provides for Canadian media to be compensated for the dissemination of content in the large platforms such as Facebook, Instagram and Google search engines. The law was passed by the Canadian Parliament, and both Meta and Google have limited access to Canadian content produced by other media in their apps.

Introduction

In what can be described as the post-Covid-19 era, it is observed that political polarization and debates about the objectivity of the media and journalists continue in Canada. As professional associations of journalists have noted, hate speech and online attacks against journalists continue to occur in a climate of ideological tensions and radicalization of groups on both the right and left of the political spectrum (Canadian Association of Journalists , CAJ, 2022).

However, the independence of powers, and especially the actions of the Judiciary, guarantees the principles of freedom of expression that are protected in Canada, as illustrated by several cases during the period studied (Raycraft, 2023; CAJ, 2023). Although, in general, freedom of expression and media is respected in the country, some cases were observed in which direct or indirect limitations were imposed on the coverage of events of public interest, both by the actions of security forces and by the decision of authorities of higher education institutions.

There has also been a worrying trend of the disappearance of local newspapers in an economic context of drastic decline in advertising revenue, which restricts access to news and content that affects specific communities (Canadian Association of Journalists, 2023). And, as a measure of pressure against the approval of the so-called Online News Act in Canada (Canada's Online News Act in English), large digital corporations such as Meta and Google have decided to limit access to content produced by Canadian media, because they refuse to pay for the use of news and other types of materials produced by them (Coletta, 2023).

Regarding the environments: challenges in a multicultural society

Although the tradition of respect for freedoms remains solid in Canada, some phenomena are observed that point to possible social, political, cultural and economic developments that can

weaken what until now has been a democratic system, quite decentralized due to the federal model, with an independent Judiciary and other institutions committed to the rule of law. There is growing criticism of the public media consortium, both in English (the Canadian Broadcasting Corporation-CBC) and in French (the Société Radio-Canada – SRC), for adopting restrictions on freedom of expression following guidelines of political correctness or even for promote radical views (Fournier, 2023).

The demographics of Canadian society are changing. As a country dependent on immigration, Canada has integrated people from different cultural, religious, and ethnic backgrounds, with varied expectations regarding issues such as freedom of expression, gender diversity and the country's position in a world of conflict. and conflicting interests (Statistics Canada, 2022). Although no relevant impacts have been observed in terms of freedom of expression and dissemination due to demographic changes, we can confirm that the professional field of journalism increasingly reflects the ethnic and cultural diversity of the Canadian population (Cukier , Jackson and Gagnon, 2019). From the point of view of public opinion, demographic changes also influence political and social debates, especially in the so-called “culture wars” (Nahon-Serfaty, 2023).

The other aspect that presents challenges to Canadian society is the rapid transformation of the media ecosystem that exists in the world, with the predominance of large corporations such as Meta, Google, Microsoft, among others. The recent approval of a new Online Broadcasting Law in April 2023 is intended, according to the federal government, to respond to new demographic, cultural and technological realities. In short, the law wants to protect the production of Canadian content in English, French and the languages of indigenous peoples; expand access to Canadian content through various communication platforms; create a more inclusive broadcasting system, with an emphasis on public and community media; strengthen the means of indigenous communities; contribute to the implementation of a more diverse broadcasting system for “racial” (sic) communities, cultural and linguistic minorities, 2ELGBTQI+ (sic) communities and people with disabilities (Gouvernement du Canada, 2023).

Realm A: post-Covid-19 trauma

The perception that citizens are not as well informed due to limitations that occur in the access and dissemination of information is probably one of the elements that stand out in the new indicators about Canada. Objectively, according to the incidents reported for this report, there has been no increase in restrictions on the coverage of events or situations of public interest in the country. However, there have been situations recorded which can strengthen the perception that access to news and content is restricted, especially in the debate with Meta and Google over the approval of the online broadcasting law (Djuric, 2023). Another point that could have affected this perception is that institutions such as universities and colleges pretended to restrict the work of journalists: the University of Ottawa with regards to the presence of the Chinese ambassador on campus (National Post, 2022), also the case of the College of General and Professional Education – Cégep – in the town of Saint-Hyacinthe (pre-university) that tried to prohibit the publication of a report (Charland, 2023).

Realm B: free practice, despite tensions

This index reveals that the journalism practice is generally free and without restrictions in Canada. This does not mean that limitations such as those mentioned in realm A do not occur, or that there are cases of police force interventions to restrict coverage of some situation of public

interest, as occurred in Montreal (Canada Press Freedom Project, 2023) and in the province of New-Brunswick (Canada Press Freedom Project, 2022).

Realm C: hatred against media and journalists

The post-Covid-19 era registers a noticeable improvement with respect to attacks against media outlets and journalists in Canada, who were the subject of accusations and intimidation during the protests by the “freedom convoy” in Ottawa. However, expressions of hate against journalists continue to be observed, as reported by several media outlets: several journalists who received threats online (Star Editorial Board, 2022); the case of the damage caused to vehicles of the TVA television network in the province of Quebec (Desmeules, 2022); or that of a Radio-Canada journalist who was attacked by municipal officials and citizens during a local government session (FPJQ, 2023).

Realm D: the moderating role of the Judiciary

This realm maintains a level similar to the previous period. It is confirmed that the control of the media and journalistic work by power entities is very limited in Canada. In recent situations, it has been the Judiciary that has guaranteed freedom of expression and dissemination, as reflected in some emblematic cases: in March 2023, the Supreme Court of Canada agreed to hear the petition of several journalistic organizations to ensure the access to sources of information in a criminal investigation in the province of Quebec (Larouche, 2023); A federal court has ruled against a resolution by the Canadian Broadcasting and Telecommunications Commission (CRTC) to call out public media company Radio-Canada for its on-air use of the word that begins “ N” (Raycraft, 2023); an Ethics Committee found two police officers guilty of having arrested a journalist in 2018, violating the Gatineau city police force's own code of ethics (Mercier, 2022); or the resource introduced by the Canadian Association of Journalists to defend journalistic independence in court (CAJ, 2023).

Conclusions

Demographic, social, cultural, and technological changes are creating tensions in Canadian society that may impact freedom of expression and the exercise of journalism. The post-pandemic left some psychological traces and tensions that are still reflected in the behavior of radicalized people and groups against journalists and the media. However, despite these tensions, Canada is a country in which fundamental rights are still guaranteed, including the free exercise of journalism, especially due to the moderating role played by the Judiciary and other instances of ethical and legal control.

However, expressions of hate against journalists, the growing polarization due to the so-called “cultural war” and the adoption of “politically correct” points of view by media outlets, especially public service media, are trends that deserve attention since they can translate into restrictions on freedom of expression. This is already observed in some information platforms or academic associations that censor content, professors, or decide not to publish opinion articles because, according to them, they could offend certain people (Tribune collective, 2023).

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