

# Wait, Canada Is Waging a Free Speech War Using Pronouns? Not Quite

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Canada has the reputation of being America's calm, cool neighbor. The politics are saner. Their general demeanor is friendlier. Between the free healthcare and their progressive stances, it's the top country many Americans cite they'd move to if their apocalyptic dreams come true. Unless it's a little controversy over a **crack-smoking mayor**, they tend to fly under the radar.

Except for when the country isn't trying to squash free speech by enforcing "silly little grammar preferences." At least, that has been the **impression** many in the media have given over Canada's new additions to their Human Rights Code and Criminal Code.

Bill C-16 adds gender pronouns to the law as protected categories from discrimination, which protects individuals with different gender identities. Opponents have long characterized the bill as an attack on free speech. The general perception is this change now criminalizes the misuse of gender pronouns.

Accidentally call someone by the wrong pronoun? Jail time!

Is this true? Has Canada become some free speech police state under the guise of being... well, Canada?

## The Reality of the Law

We'll skip the complicated legalese on why critics have been wrong with this characterization of the bill. The short answer is simply: Canadians won't be thrown into jail if they don't use someone's preferred pronoun.

C-16 made **three simple changes** to existing law. It added "gender identity and expression" to sections dealing with federal discrimination, "advocating genocide" and "the public incitement of hatred," and the definition/sentencing of hate crimes. The first section deals with the federal government's actions. The second section won't send anyone to jail unless they're trying to incite actual genocide against a protected group.

The final section deals with the classification of hate speech. Canada's law often requires the speech to be extreme, on the verge of threatening, to count. Forgetting to use the proper pronoun won't be enough.

## The Impact on Free Speech

It's easy to say that such laws are harming free speech. Even if you aren't Canadian, similar laws exist elsewhere. For example, New York City **passed their own version**. This type of legislation always brings up the question: is this restricting free speech? Is hate speech still free speech?

Most people, regardless of political affiliation, agree on some level that free speech protection has limitations. Any hardcore supporter of the concept will have exceptions, whether it's threatening a public leader, yelling fire in a theater, etc. This change is no different. Gender identity has joined other protected categories like race, religion, and sex.

These types of laws are meant to apply in very specific situations. That is why these laws exist in the first place. Without them, hate speech might go unchecked or the laws would go too far and censor protected speech. Sometimes, the law needs to draw the line.

Don't agree with a law? Great! Open disagreement and debate are two fundamental components to challenging new ideas and policies. But it helps to know how a new law actually affects people. It's easy to criticize a law because you don't agree with it. But when your lack of understanding informs your position, it might be time to hit the books again. The brain cells will thank you for it.