



## **CMPAC Secondary Analysis of Bill C-9: Focused Issues for Faith-Based Communities and Emerging Concerns from Committee Proceedings**

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This secondary analysis of [Bill C-9: Combatting Hate Act](#) builds on [CMPAC's initial submission](#) to the House of Commons Justice Committee. It focuses on emerging issues identified during recent committee proceedings, with a particular emphasis on risks for faith-based communities.

The analysis highlights two areas of immediate concern: the potential reinterpretation of the Criminal Code's good-faith religious-text defence and the possible extension of the Bill's offences to digital and faith-based speech. These developments raise significant implications for religious freedom, expression, and assembly. CMPAC's review finds that the Bill's provisions are drafted in overly broad terms that risk curtailing legitimate faith-based discourse and instruction, both in physical and digital spaces, under the pretext of addressing hate-motivated activity.

These issues affect all faith communities, as similar forms of expression, worship, and education occur across religious traditions in Canada.

### **1. Remarks by Marc Miller on Religious Texts**

During hearings of the House of Commons Standing Committee on Justice and Human Rights, Committee Chair Marc Miller questioned whether the existing "good-faith" defence in the Criminal Code remains adequate to protect the discussion of religious texts.<sup>1</sup> He cited specific passages from the Bible, including verses from Leviticus, Deuteronomy, and Romans, which he described as "clearly hateful," and asked whether the defence could apply in such cases.<sup>2</sup>

These remarks have raised serious concerns among faith-based communities because they suggest a possible narrowing or reinterpretation of the protection currently provided under section 319(3)(b) of the Criminal Code. This provision explicitly allows individuals, "*if, in good faith, [to have] expressed or attempted to establish by an argument an opinion on a religious subject or an opinion based on a belief in a religious text.*"<sup>3</sup> During the same committee proceedings, a Bloc Québécois representative questioned why Bill C-9 did not include an amendment to reaffirm or clarify this long-standing religious-text exception.

Although the discussion focused on scriptural content, the implications extend to sermons, religious instruction, and worship gatherings where sacred texts are cited or interpreted. Any narrowing of the good-faith defence could affect faith leaders' ability to teach or comment on scripture within their places of worship, community halls, or educational settings. This creates



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uncertainty for religious organizations that rely on open theological discussion as part of their internal governance and community education.

For CMPAC and allied faith-based communities, the concern is that Bill C-9 may extend beyond its stated purpose of protecting worshippers from hate-motivated obstruction and could instead place religious texts, sermons, duas/supplcations, and doctrinal commentary under scrutiny. If the good-faith defence were interpreted more narrowly or curtailed, the right to impart and publish religious teaching, fundamental to Canada's constitutional protections for freedom of religion, would be placed at risk.

### **2. Scope Extension to Online and Digital Faith Speech**

Another area of concern relates to the potential application of Bill C-9 to online and digital religious content. According to the Department of Justice, Bill C-9 proposes to create offences for "*willfully promoting hatred ... by publicly displaying certain terrorism or hate symbols in a public place*" and includes a codified definition of "*hatred*."<sup>4</sup>

While the statutory language initially suggests a focus on physical locations, committee discussions indicate that the Bill may extend to online platforms. Chair Marc Miller's comments on religious texts and the nature of "hate" underscore the possibility that digital publications, streamed sermons, online duas/supplcations, or webinars organized by faith communities could fall within the Bill's regulatory scope.

Without explicit clarification, the Bill's definition of "*public place*" could extend to digital environments, raising potential conflicts with Charter-protected freedoms of religion, expression, and assembly. Much contemporary religious outreach and education now occurs online, meaning that the ambiguity surrounding what constitutes "public promotion" of hatred could create a chilling effect.

Bill C-9's overbroad and ambiguous language threatens to suppress lawful faith-based communication, whether in a mosque, church, synagogue, gurdwara, or digital space, under the guise of combating hate. CMPAC urges Parliament to provide explicit legal safeguards clarifying that faith-based expression, online or in person, remains protected under the good-faith religious-text defence. Without such clarity, Bill C-9 risks undermining the very freedoms it purports to defend, affecting not only Muslim communities but all people of faith across Canada.



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**Footnotes:**

1. <https://www.ourcommons.ca/documentviewer/en/45-1/JUST/meeting-7/evidence>
2. <https://www.lifesitenews.com/blogs/if-this-canadian-liberal-mp-gets-the-chance-hes-comi>  
[ng-for-your-bibles/?utm\\_campaign=canada;](https://www.junonews.com/p/miller-moves-to-muzzle-hateful-religious)  
<https://www.junonews.com/p/miller-moves-to-muzzle-hateful-religious>
3. <https://www.ourcommons.ca/documentviewer/en/45-1/JUST/meeting-7/evidence>
4. <https://www.justice.gc.ca/eng/csj-sjc/pl/c9/index.html>