



CMPAC Statement on the ‘Revised Language’ in Bill C-9 and the Removal of the Religious-Text Defence

Monday February 23, 2026 - Oakville, The Canadian Muslim Public Affairs Council (CMPAC), and the broader Muslim community, is **deeply concerned** by the Standing Committee on Justice and Human Rights’ decision to **keep** the amendment (introduced by the Bloc Québécois) **removing** the “good-faith” religious-text defence under section 319(3)(b) of the Criminal Code. The committee instead has introduced a clarifying amendment (11.1) making some changes to the language. However, the proposed language fails to meaningfully address the **community’s concerns**, which are set out in detail and substantiated throughout the [CMPAC Brief on the Proposed Amendment to Remove the “Good-Faith Religious Text”](#). With the new proposed language the bill maintains the same concerns;

Lack of Demonstrated Need & Removal of Safeguards to Religious Freedom

There is no evidence that the “good-faith” religious-text defence has ever obstructed prosecution of genuine hate propaganda. Legal scholars, including [Professor Richard Moon](#), note that the clause primarily functions as a constitutional safety valve, not a tool to evade accountability. The existing high threshold for criminal hate speech, combined with mandatory Attorney General approval, already prevents misuse. Removing s.319(3)(b) is largely symbolic, while creating real-world risks for faith-based communities. The [Supreme Court](#) has repeatedly emphasized that hate-speech offences must be narrowly applied and include safeguards to avoid chilling legitimate expression. Removing this safeguard would disrupt this constitutional balance and create uncertainty for all religious traditions where scripture-based teaching is central.

The Risk of State and Police Intervention in Interpreting Religion

The removal of section 319(3)(b) would invite the state most notably police and prosecutors to assess, interpret, or evaluate religious doctrine, despite lacking both the institutional competence and constitutional mandate to do so. The exemption was expressly designed to prevent state involvement in religious interpretation. Without it, law-enforcement authorities may be placed in the position of assessing the acceptability or context of scripture, evaluating whether religious teachings are expressed in “good faith,” distinguishing theological instruction from prohibited expression, or engaging in comparative judgments across religious traditions. Allowing police or prosecutors to interpret scripture risks inconsistency, politicization and unequal application of the law across faith communities. Furthermore, removing the religious-text defence is likely to result in an increase in complaints targeting routine religious expression, including scriptural readings and traditional teachings on morality, history, discipline, or communal obligations. Even unfounded complaints may trigger investigations, undermining trust and stigmatizing faith communities.

Repealing the religious-text defence carries serious risks at multiple levels

First, it would have a chilling effect on faith leaders and communities. Pastors, imams, rabbis, priests, and chaplains may become hesitant to reference scripture or address doctrinal issues, especially those touching on sensitive or contested topics. This directly undermines the practice of religion and the free exchange of ideas within and between faith traditions.

Second, it would heighten exposure to politically motivated allegations. Public discourse around religion, particularly where it intersects with geopolitics, moral teaching, or identity, is vulnerable to misinterpretation. Faith communities, both majority and minority, may find themselves targets of malicious or ideologically motivated complaints.

While all religious communities would be affected, minority faith communities including Muslim, and Sikh communities face heightened risk due to existing patterns of scrutiny, misinterpretation, and politicization of their religious texts. In the context of rising Islamophobia and anti-Palestinian racism, the repeal of section 319(3)(b) would likely intensify surveillance of religious speech and spaces, increase exposure to malicious or politicized complaints, chill online and in-person religious education, and expand police intervention in religious life.

CMPAC urges the Standing Committee on Justice and Human Rights to remove the proposed amendment repealing the “good-faith” religious-text defence under section 319(3)(b) of the Criminal Code in its entirety. Furthermore, in light of the bill’s remaining structural deficiencies and the serious concerns raised by affected communities, CMPAC calls for the withdrawal of Bill C-9 in its current form.