

## Sedition and Free Discussion

The Canadian law relating to **sedition** is to be amended. The Solicitor-General of Canada says that many people in Canada do not understand the meaning of the word **sedition**. In Great Britain a seditious intention has been defined as

"One to bring into hatred or contempt or to establish discontent against the person of His Majesty or the Government and constitution of the United Kingdom, or of any part of it as by law established, or either House of Parliament, or the administration of justice, or to incite any of His Majesty's subjects to attempt to procure by unlawful means any alteration in Church or State, or to promote feelings of ill-will or dissension amongst them."

Evidently this definition needs to be defined. It might be interpreted so as to prevent the free criticism of a Government or of the Senate or House of Commons. Many persons are now exceedingly dissatisfied with the Senate, and would like to see it reformed or abolished. Such criticism is perfectly legitimate, and should be allowed. Governments have also been fiercely attacked as corrupt or incompetent. Adverse criticism is sometimes rough, unjust, or exaggerated, but it is generally felt that it is best to allow perfect freedom. Unfair or untrue statements may be answered, and exaggeration discredits those who are guilty of it.

It ought also to be open to anyone to propose alterations in the constitution, so long as there is no incitement to use "unlawful means." In other words, it must be made clear that **sedition** means rebellion, and that no one will be allowed to propose rebellion or the use of force or violence. More than once the constitution and Government of Canada have been changed—as when Upper and Lower Canada were separated in 1791, and united again half a century later; when responsible government was granted—as when the Provinces were confederated in 1867.

It probably never was intended to forbid the free discussion of such changes as these. But the law should be made clear, and the distinction between violence and peaceful methods clearly drawn. In Great Britain during the Napoleonic wars and for some time afterwards men were prosecuted and severely punished for advocating such measures as the reform and extension of the franchise. Reactionary or panic-stricken judges interpreted the law so as to prevent the free and wholesome expression of public opinion and the advocacy of reform. The law should be so clear and definite that **sedition** cannot be confused with vigorous criticism and advocacy of reform.