

Alberta unions say they will not stand for UCP attempts to “take civil society out of our democracy”

AFL raises the alarm about the UCP’s authoritarian Bill 81

The following statement was written by Alberta Federation of Labour president Gil McGowan and endorsed unanimously by the leaders of the AFL’s affiliate unions, who represent more than 175,000 working Albertans in both the public and private sectors.

Earlier this week, with news that Alberta is finally signing on to Canada’s new national child care program, Albertans were reminded of the power of civil society.

Once fully implemented, the program will be the first truly national and universal social program introduced in Canada since Medicare. Quite rightly, public and media attention has focused on the details of the new program and all the positive impacts it will have for parents, kids, early-childhood educators and the economy.

But while it’s important to understand what we’re getting with our country’s new and exciting child care program, it’s also important to understand how we got it. In a nutshell, it’s a story of the importance of civil society.

Politicians like Justin Trudeau and Jason Kenney may have been there at the signing ceremonies, but the real heavy lifting that brought us to this point was done over the course of decades by countless parents, activists and civil society groups – including unions and worker associations.

In many ways, this victory for kids and families was won not because of politicians, but in spite of them.

That’s why what the Kenney government is currently attempting to do in the Alberta Legislature with its proposed Bill 81 is particularly alarming and egregious.

If passed, the Bill would place unprecedented – and we would argue undemocratic and unconstitutional – restrictions on the ability of civil society groups to run public advocacy campaigns, like the ones that brought us universal \$10-a-day child care.

If laws like this had been in place decades ago, they would have constrained the civil society campaigns that brought us things like Medicare, workplace health and safety protections and the Canada Pension Plan (CPP), to name just a few.

Would we even have those things now if civil society had been gagged and restrained in the ways currently contemplated by Bill 81? Probably not.

So, let’s do a thought experiment.

Imagine a world in which child care groups are prohibited by law from running public advocacy campaigns in favour of child care. Or environmental groups are constrained in their ability to run campaigns to protect the environment. Or worker groups are disallowed from launching campaigns to defend workers issues.

At the same time, imagine a world where the only voices that are heard regularly on the public stage are the voices of political parties, governments and the wealthy corporations and individuals who fund them.

Sadly, that's exactly the world we'll be living in if the UCP is successful in passing Bill 81 into law.

The UCP's main target with this outrageous piece of legislation is, of course, Alberta's labour movement, which includes all of our unions and the Alberta Federation of Labour – our province's oldest, largest and most vocal worker advocacy group.

One of our core jobs as democratically-elected worker advocates is to hold governments accountable on issues of concern to working people. And we're good at it. That's why the UCP wants to shut us up and shut us down.

But Bill 81 isn't only about muzzling unions. And it's not really about stopping the Alberta Federation of Labour from running partisan ads during election campaigns (which, for the record, we have rarely done). Instead, the impact of the Bill is much broader. It will constrain ALL civil society groups (potentially from all points on the political spectrum). And it will impact ALL advocacy and issue campaigns, not just those aimed at supporting particular candidates or parties during elections.

Consider the rules contained in the Bill.

- It says that all groups who want to spend more than \$1,000 on campaigns that criticize the provincial government, political leaders and/or political parties must register as so-called "Third-Party Advertisers" (TPAs) with the Elections Commissioner.
- Only groups that are approved by the Election Commissioner as TPAs can raise money or spend money on advocacy campaigns that criticize the government, political leaders and/or political parties.
- Groups that get any of their campaign money from outside of Canada will not be allowed to register as TPAs, or if they're already registered, they'll have their status revoked.
- Groups that have previously criticized the government will not be allowed to register as TPAs.
- Groups that are "affiliated" with a political party or are "under the control" of a political party will not be allowed to register as a TPA.
- A third party will be "deemed" to be affiliated with political party if they are named in the party's "founding documents" (as the AFL is in the Alberta NDP's constitution) or if any of their officers also hold positions within a political party.
- Groups will also be prohibited from establishing TPAs if they have made statements "in support or in opposition to the registered party" or if the group's "political programs, advertising materials and policy statements" are critical of a registered party.
- Even if groups manage to jump through all of these hoops and water down their messages to avoid any explicit criticism of the government or a political party, they won't be allowed to run advocacy campaigns during the "election period" (which will now be defined as January 1 to the

last Monday in May during an election year) because, during that period, only individuals, not groups, will be allowed to register as TPAs.

As a result of these new rules, the Chief Electoral Officer and Elections Commissioner will explicitly be required to act as political speech commissars and gatekeepers – allowing individuals and groups to exercise their free speech rights only if what they say is watered down enough to pass the authoritarian tests set out in Bill 81.

The Bill also means that people who are passionate about issues – eg. workers rights, climate change, and even stopping abortions – will have to choose between being active on their issues within non-partisan groups or being active in the political parties of their choice: they won't be able to do both without risking their advocacy groups' ability to register as a TPA.

All of this is a clear and disturbing attack on civil society which – as the example of our new national child care program shows – is a vibrant and vital pillar of our democracy.

We believe it's also a clear contravention of Section 2(b) of the Constitution, which guarantees freedom of speech, and Section 2(d) which guarantees freedom of association (we would argue that freedom of association is meaningless if the groups that people associate in are denied the right to speak up and stand up for the collective interests that brought the group together in the first place).

The bottom line is that true democracies don't implement laws like Bill 81.

Instead, this is the stuff of the new breed of right-wing authoritarian governments that have been subverting civil society and democracy in countries like Hungary, India and Brazil (all of which, perhaps not coincidentally, are led by leaders who Jason Kenney describes as his friends).

For years now, the Economist magazine has been publishing a widely-followed and respected "Democracy Index" that lists countries as full democracies, flawed democracies or non-democracies.

Canada is listed as the fifth most democratic country in the world (following Norway, Iceland, Sweden and New Zealand) and one of the only 23 "full democracies" in the world. Laws like Bill 81 are exactly the kind of things that led many countries ruled by authoritarian populists to be down-graded to flawed democracies or non-democracies. We can't let that happen here.

With that in mind, the leaders of Alberta's labour movement pledge to fight Bill 81 on the political stage, in the courts and on the streets if necessary. This is not just about us. It's about the kind of province and country we want to live in.

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