

**Title:** Terrorist Babble and the Limits of the Law: Assessing a Prospective Canadian Terrorism Glorification Offence

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**Research Question:**

Since 2007, the Canadian government has repeatedly expressed interest in a terrorism “glorification” offence, responding to internet materials regarded by officials as terrorist propaganda and as promoting “radicalization”. In the wake of the October 2014 attacks, this idea clearly remains on the government’s shortlist of responses. This article addresses the merits of such a criminal offence.

**Importance:**

The United Kingdom and France have enacted sometimes-controversial glorification offences. These measures are attracting renewed attention in the wake of the terrorist incidents in late 2014 and early 2015. Before considering such measures for Canada, it is important to have a clear sense of whether these laws are suitable from a legal, operational and sociological perspective.

**Research Findings:**

This article includes analyses of: the sociological data concerning radicalization and “radicalization to violence”; existing offences that apply to speech associated with terrorism; comparative experience with glorification crimes; and, the restraints that the Charter would place on any similar Canadian law. We conclude that a glorification offence would be ill-suited to Canada’s social and legal environment. This is especially true for Charter purposes, given the less restrictive alternative of applying existing terrorism and other criminal offences to hate speech and speech that incites, threatens or facilitates terrorism. We are also concerned that new glorification offences could have counter-productive practical public safety effects. Instead, we recommend modest amendments to the existing criminal law allowing the government to respond effectively to speech that is already criminal under existing Canadian terrorism or other criminal offences. Specifically, we favour a carefully constructed means of deleting (or at least “hiding”) the most dangerous forms of already criminal internet speech.