

Senator Denise Batters Gives Riveting Speech On *Emergencies Act* Vote

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SUMMARY KEYWORDS

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SPEAKERS

Unknown, Senator Denise Batters

Unknown 00:00

You'll have to ask for funding that's fine I'll leave it it's late Believe it or sorry Senator batters

Senator Denise Batters 00:07

Honorable senators, I rise to speak to this Emergencies Act Motion. What a sad day it is, honorable senators, that it has come to this. That this Trudeau Government has invoked and employed the Emergencies Act on Canadian citizens before it could even be voted on in Parliament.

Senator Denise Batters 00:23

Tear gas and batons and lines of police to shove back protesters chanting for freedom. Truck windows smashed, bank accounts, frozen frozen, promises to hunt down even those who chose to leave the protest voluntarily.

Senator Denise Batters 00:36

And even now with the bridge blockade bridge blockades in Ottawa as protests cleared, the Prime Minister can't tell us when the Emergencies Act and its extensive government powers will be lifted - only that his government plans to make some of the features of those extensive powers permanent. The incredible division among Canadians in this moment is largely of Prime Minister Trudeau's own making. He and his government have divided Canadians among themselves: vaccinated and unvaccinated, and through his incendiary language turn them on one another.

Senator Denise Batters 01:06

From the time of the election onwards, Prime Minister Trudeau has used this public health emergency as a political wedge issue without regard for the Canadians in the middle who have become collateral damage. He has called them extremists, racists and says they are misogynist. Prime Minister Trudeau

preaches tolerance but says those who chose not to be vaccinated against COVID-19, quote, take up room and questions, quote, do we tolerate these people?

Senator Denise Batters 01:31

And when these Canadians in many cases, Canadians who have lost much or have lost everything as a result of COVID-19 mandates, land on Parliament's doorstep to have their voices heard. What does the Prime Minister do? Instead of hearing them out or empathizing with the frustration they are feeling he doubles down and calls them a quote fringe minority with unacceptable views.

Senator Denise Batters 01:50

And so each side dug in, and we wound up with a three week protest in front of Parliament and the unnecessary overreach of the Emergencies Act by this government. Let us not forget that it was Prime Minister Trudeau who counseled Indian Prime Minister Modi to engage in dialogue when 50,000 farmers blockaded the roads to New Delhi in 2020 - a protest that went on for a year.

Senator Denise Batters 02:12

Prime Minister Trudeau boasted quote, Canada will always be there to defend the right of peaceful protest quote, yet he has refused from the get go to engage in dialogue with the blue collar working people who were demonstrating right here on Wellington Street.

Senator Denise Batters 02:25

Honorable Senators, throughout this pandemic, we have been fortunate to still collect our paychecks, to maintain access to our health plans and other benefits, to be able to work remotely from the comfort of our homes when necessary. Many of the people living in this public service city in downtown have also been fortunate.

Senator Denise Batters 02:43

But there are other Canadians who have had a very different experience during this pandemic. Many have lost their jobs, their businesses and their livelihoods. Some was the result of circumstance, others due to vaccine mandates. The financial loss, the social isolation, the vilification promoted by the government - it's all resulted in a growing frustration that has culminated in the trucker convoy and blockades we've seen across the country.

Senator Denise Batters 03:07

In Saskatchewan and Alberta where many of these truckers came from, people were already suffering economic devastation prior to this pandemic because of the anti-energy policies of the Trudeau Government. The ever ballooning carbon tax is a further burden. Meanwhile, the oil and gas industry has been vilified in this country. Only last week in BC we saw protesters violently attack the coastal gaslink pipeline work camp with axes and terrorize workers, and certainly with no discussion of invoking the emergencies act in response from the government.

Senator Denise Batters 03:37

And while the movement started from a place of resistance to vaccine mandates, it quickly expanded to become about freedom more generally. And that the more the government and the prime minister in

Ottawa spoke deviously against the protesters, demonizing them and refusing to listen, the wider and more expansive the movement became.

Senator Denise Batters 03:54

Before I go too much further, let me be clear, I empathize with the residents of downtown Ottawa who have been most acutely affected by the protest here. They have had their lives and livelihoods disrupted. Understandably they wanted it to end. This intrusion into their lives came at the tail end of having suffered through this pandemic, perhaps the most stressful traumatic two years of many of our lives. And then to have to deal with this, the blaring horns all hours, day and night, the obstruction. Who among us wouldn't be saying enough is enough?

Senator Denise Batters 04:24

My office faces right on to Wellington Street, and I had a front row seat to this convoy for the past few weeks. And what I can tell you is that what I witnessed of protesters was peaceful, organized and non-threatening. I do not tolerate harassment, intimidation or destruction ever. But I can honestly say that I personally did not see any of that behavior exhibited by the protesters. I have been here in Ottawa during all three weeks of the protest. And I can say that in the last two years, I never felt safer walking home from my office at night. The protesters I met very much reminded me of the people I know in Saskatchewan - friendly, hardworking patriotic Canadians.

Senator Denise Batters 05:03

But I sensed in the discussions about the protesters in the media and among the privileged chattering classes on Parliament Hill, almost a fear of these working class people who had invaded the city. Ottawa's Mayor called them "Yahoos and idiots". Others online maligned them as Nazis and terrorists. Everyone had an opinion about them, but certainly no one was talking with them.

Senator Denise Batters 05:25

It was widely reported that I posted a photograph at the protest alongside my MP caucus colleagues from Saskatchewan during the protest's first week. There were no protesters in the photo. There was an empty truck in the background with Saskatchewan flags on it. Certainly nothing offensive.

Senator Denise Batters 05:40

But in the Ottawa media, this was considered controversial. We went to talk to some of the Saskatchewan truckers who congregated on Kent Street from towns like Stoughton. Sobey(?) Karibal (?), Carndiff (?) and Birch Hills. These truckers are our constituents, and that is our job as parliamentarians to hear them out. To engage with those who represent to listen to their concerns. They drove all the way to Ottawa from those Saskatchewan towns. Birch Hills is almost 3000 kilometers, or 32 hour drive away. To simply have a conversation, like Prime Minister Trudeau will advise other world leaders to do but which He obstinately refused to do himself when faced with the same situation here in Canada's capital.

Senator Denise Batters 06:20

Like so many other situations what this Prime Minister sanctimoniously prescribes for others, he refuses to apply for himself.

Senator Denise Batters 06:28

To be sure the Emergencies Act is intense legislation for a government to invoke. It should only be used as a last resort when no other laws can deal with a national security threatening issue effectively. I submit that this Ottawa convoy falls well short of that bar.

Senator Denise Batters 06:43

In the past when this act or more accurately its precursor, the War Measures Act was invoked, it was in relation to World War One World War Two and the FLQ crisis, which involved the murder and kidnapping of public officials and ongoing terrorist activities. These are the only times similar legislation was employed in the past.

Senator Denise Batters 07:02

What is the National Emergency this time, dance parties and loud horns? Horns that, by the way, had long since stopped honking by the time this act was invoked, due to a court injunction that the truckers complied with. Honorable Senators, just remember that when this government has long gone, and another takes its place of a strike you may not agree with.

Senator Denise Batters 07:24

The Trudeau Government has now set this as the precedent for invoking the Emergencies Act: bouncy castles, loud horns, rockus partying and illegal parking in a four block radius of downtown Ottawa. It's annoying to be sure. But is this a national emergency?

Senator Denise Batters 07:39

The federal government made no moves to resolve the Ottawa protests for three weeks while the protesters were mere feet from the front door of West Block. If the situation were truly such a grave threat to national security that it rose to the level of employing the Emergencies Act, one would expect the federal government would have acted in some way - any way - to resolve it. But they did not. Prime Minister Trudeau simply refuses to meet with protesters, then brought in the Emergencies Act as a first - not a last resort.

Senator Denise Batters 08:07

When Deputy Prime Minister Freeland spoke on the issue, she said that the government used all the tools that had prior to the invocation of the act. What tools? Name calling? The Prime Minister disappearing for days on end? More name calling? What tools? The same tools they used for the railway blockades in 2020 that went on for 19 days, and for which the government still never invoked the Emergencies Act?

Senator Denise Batters 08:29

When the Prime Minister announced that he was engaging the Emergencies Act, he told Canadians it would be in a geographically targeted way applicable only to those within the zone specified. Yet we see in reality the federal government's massive overreach in the proclamation declaring a public order emergency - which states that the public order emergency will apply quote throughout Canada.

Senator Denise Batters 08:50

Several of the Premiers oppose the use of the Emergencies Act to deal with this situation, including premier Scott Moe of my home province of Saskatchewan. Many legal experts agree this situation fails to meet the threshold for exercising the Emergencies Act. Among them are constitutional law professor Dwight Newman and the ARL - Advocates for the Rule of Law - Amnesty International, the Canadian Civil Liberties Association, the BC Civil Liberties Association, and even Paul Champ the lawyer for those who successfully sought the court injunction against the horn honking of the Ottawa protest. They all agree this situation didn't require the Emergencies Act.

Senator Denise Batters 09:26

Last week, the Canadian Civil Liberties Association announced that it is taking the Government of Canada to court over the invocation of this act. The CCLA's Executive Director Noa Mendelsohn Aviv, called the use of the Emergencies Act in the situation unprecedented and a serious infringement of the Charter Rights of Canadians. She stated that by invoking the Emergencies Act, the government would be giving itself quote, enormous powers to bypass the ordinary accountable democratic process, quote, Mendelsohn went on to call peaceful assembly, which by any measure this protest has been, quote, a critical democratic tool.

Senator Denise Batters 10:03

The BCCLA organization has further pointed out that the Emergencies Act should not be a stopgap measure to address the inaction of municipal police forces and provincial authorities. To be clear, they stated governments have ample legal authority authorities without using the Emergencies Act.

Senator Denise Batters 10:18

Even Paul Champ, who I indicated was the Ottawa lawyer who went to court to put a halt to the incessant honking of horns by the truckers, agrees that the use of the Emergencies Act in this situation was government overreach. Quote, although I am acutely aware of the trauma experienced by Ottawa residents, I fully agree that the emergencies act is a dangerous tool that was not required, quote.

Senator Denise Batters 10:39

Many legal experts shared a concern that by invoking the Emergencies Act for the Ottawa protest, the Trudeau Government is normalizing the extraordinary law's usage. The BCCLA warns that the invocation of the act in this instance, sets a dangerous precedent if our elected officials become comfortable with using excessive powers to target dissent in Canada. It becomes easier to use again, they argue, to stifle other movements such as Black Lives Matter, or indigenous land or water defenders.

Senator Denise Batters 11:06

The Advocates for the Rule of Law or al ARL, agree that this situation sets a dangerous precedent, quote, normalizing declaration of emergencies, especially before other less intrusive but still significant measures have been attempted, threatens to render hollow the rights and freedoms guarantee to all Canadians. It risks the gradual erosion of Parliament's role in favour of executive power, and it amounts to a damning admission of a failure of state capacity quote.

Senator Denise Batters 11:32

But there is some evidence that normalizing emergencies may be the Trudeau Government's intention. Deputy Prime Minister Freeland has recently spoke of making some tools in the act permanent. We should all be worried about that Honorable Senators. For all its raucousness and disruption of traffic in downtown Ottawa, can anyone seriously believe this protest was a threat to Canada's national security?

Senator Denise Batters 11:52

Some will say it spawned blockades at the Ambassador Bridge disrupting one of our main trade routes with the United States. But that blockade and similarly the one in Alberta were dispersed peacefully and non violently - and most importantly, without recourse to the Emergencies Act. Meanwhile, both houses of parliament were able to meet for weeks mere steps away from the protesters. Prime Minister Trudeau and his senior cabinet ministers attended several question periods and House of Commons sittings in the West Block in person. If there were a true public order emergency, surely none of that would have been allowed to have occurred.

Senator Denise Batters 12:26

Honorable Senators consider all of the moments of crisis in Canada since 1988. And yet the Emergencies Act was not invoked for any of those occasions. Not for the standoff at Oka, not for 9-11 in which 25 Canadians were killed, not even during the October 2014 Parliament Hill shooting. And I remember that well, because I was locked in a caucus room for 10 hours with my colleagues throughout.

Senator Denise Batters 12:48

None of those situations required the use of the Emergencies Act. I fear that with this invocation we are embarking on a slippery slope away from what Canada is famous for - its unwavering adherence to the principles of freedom and justice. These principles are why immigrants from around the world long to come to Canada. That is the reason so many of our ancestors came here - to escape tyranny. That is why my grandparents came to Canada from Ukraine 100 years ago.

Senator Denise Batters 13:14

This country, this parliamentary system, this Westminster system was founded out of the rejection of tyranny. The Fathers of Confederation feared not just the tyranny of the monarch, but the tyranny of the majority. And we in the Senate are a key part of that system to stand up for the minority to be their voice.

Senator Denise Batters 13:31

It has not been lost on me, nor should it be on any of you, that this building now the Senate of Canada building where I delivered this speech today is the very building where our Charter of Rights and Freedoms was negotiated. Think of that history Honorable Senators, when you consider whether to allow this federal government to trample all over that charter.

Senator Denise Batters 13:50

People on both sides of the political spectrum have expressed the view that the Trudeau government's invocation of the Emergencies Act in this situation is considerable government overreach. And at this time, I'm reminded of the words of William F. Buckley Jr. Quote, The best defense against usurpatory government is an assertive citizenry. Quote.

Senator Denise Batters 14:09

We need to assert ourselves Honorable Senators and reject this unprecedented authoritarian overreach by the federal government. Please join me in voting no to this Emergencies Act Motion. Thank you.

Unknown 14:25

Debate Senator beam