



Catholic CIVIL RIGHTS League

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League urges legislation on human rights commissions, unborn victims of crime

The League has asked the federal government to introduce legislation in support of ending the investigation of free speech cases by the federal human rights commission, and additional charges in cases of violence against pregnant women.

In a letter Nov. 20 to Prime Minister Harper, we stated that while all Canadians appreciate the need to focus on economic issues in the upcoming parliamentary session, we also hope that two policy resolutions passed by the Conservative party at its convention Nov. 14 – 16 will be followed up by legislation supported by all parties.

“Far too many people have faced drawn-out and costly human rights proceedings for the peaceable expression of controversial opinions based on their religious beliefs. Some of these cases have hit directly at freedom of the press as we have understood it historically. While few rights are absolute, fundamental Charter rights such as freedom of expression and freedom of religion should be challenged only rarely, and only within our court system where both sides are on an equal footing in terms of costs and rules of evidence.

“While Section 13 is not the only cause of the current injustices – some provincial tribunals also hear so-called hate speech cases – its repeal or significant reinterpretation would go a long way to solving them at the federal level, and would show some leadership.

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Paul Klotz, executive director of Toronto Right to Life Association, with Joanne McGarry, League executive director, and Bill French, League vice president, at CCRL's recent annual meeting. Report, page 4.

Morgentaler: Court review challenged

A hearing has been set for January 8 in federal court in the application of Frank Chauvin to put the decision to award Henry Morgentaler the Order of Canada to judicial review.

Mr. Chauvin, a retired police detective from Windsor, Ontario and an Order of Canada recipient, is basing his legal challenge on irregularities in the decision process regarding Morgentaler's appointment. He has charged, in particular, that Chief Justice of Canada Beverley McLachlin, who chairs the council, should have removed herself from the process because Morgentaler is a litigant in a court case against the government of New Brunswick.

Federal Attorney General Rob Nicholson's department has filed a motion to quash the application. The motion cites a number of grounds, including mootness (i.e. the fact that Morgentaler has already received the award) and confidentiality. The attorney general is also arguing that there is no precedent for allowing a judicial review of the decisions of the Order of Canada advisory committee.

The appointment, undoubtedly the most controversial in the award's history, has already been the subject of unprecedented protest in the

form of vigils, petitions, letters, e-mails and phone calls.

League President Philip Horgan, a member of Chauvin's legal team, said that in moving to quash Chauvin's application the attorney general and the Department of Justice were taking an "aggressive position," adding that "it's an unusual step that is being taken" that indicates "they do not perceive that the case has merit to proceed."

Mr. Horgan explained, however, that while it is true that a judicial review of an Order of Canada advisory committee decision is unprecedented, Chauvin's legal team would argue that a similar judicial review has been permitted in the past, albeit with a different award committee. Several years ago the Federal Court of Appeals permitted a judicial review of the deliberations surrounding a particular Cross of Valour award. The court, said Horgan, argued "that if you've set up a process for reviewing and awarding these awards, that process can be judicially reviewed." The same, said Horgan, should apply to the Order of Canada committee's process.

Mr. Chauvin's lead lawyer, Gerard Charette, told LifeSiteNews that in his view the attorney general is "wrong" to attempt to put the kibosh on

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EDITOR'S MESSAGE

By *Joanne McGarry*, Executive Director and Editor

2008
D E C E M B E R

When so much of the League's work is discouraging, it's a real boost to have some good news, especially when it concerns two of our longest-serving friends. This past Fall, our co-founder and President Emeritus Tom Langan was honoured with a day-long philosophy symposium, while his wife, Janine Langan, received an honorary Doctor of Sacred Letters degree at the Fall convocation of the University of St. Michael's College. Both the Langans worked at St. Mike's for many years.

Janine developed and taught many of the core courses in the university's Christianity and Culture programme, of which she was coordinator from 1979 to 1987. She was also the first person named to the William J. Bennett Chair in Christianity and Culture, which was established in 1999. She continues to teach several courses, and her students greatly appreciate her ability to make the course content relevant and timely. At the League we know her best as the inspirational and supportive wife of our co-founder and President Emeritus Tom Langan, and loving mother and grandmother to their five children and 11 grandchildren. She has been a real friend and support to the League from its inception, contributing in countless ways. Congratulations, Janine, from all of us.

Tom, whose book "The Human Being" is scheduled for release next Spring through the University of St. Louis Press, was a member of the faculty of philosophy at St. Mike's for many years, and many of those attending and presenting at the September symposium were former students. The event was organized by League member Nick Zunic, a member of the faculty of philosophy at St. Jerome's College and a former student of Tom. The day included panels and the presentation of papers by Tony Calcagno of Western, reading a

paper by Kenneth L. Schmitz, who was unable to attend due to illness; Jude Dougherty of Catholic University of America, Ralph McNerny of Notre Dame, and Iain Benson, who many of you know from his work with the League. Other panel participants were Giuseppe Butera, Frank Cunningham, Bruce Stewart, Peter Lauwers and Ingrid Stefanovic. Many of the speakers discussed the philosophical underpinnings of personal and collective responsibility in light of the impact of the global financial crisis, the extent of our duty to aboriginal communities, and corporate and personal responsibility for our impact on the environment. People of good faith reach different conclusions on these matters, but the reasoning skills we use to reach them have been developing since the time of Plato, and probably before that. ■



Congratulations to Tom and Janine!

* * *

The League extends best wishes for a most Blessed Christmas and Happy New Year to all our members and their families.



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Basic freedoms in question at some universities

With the school year not even at the half-way point, we have already seen official club status of pro-life clubs denied or under review at several universities, including the University of Guelph and University of Victoria. They join a list of clubs at other institutions that have faced similar hurdles over the past few years.

Perhaps even more disturbing, a pro-life club at the University of Calgary has been threatened with fines and academic sanctions for the placement of a graphic photo display. Its "Genocide Awareness Project" includes images from the Holocaust alongside those of aborted fetuses. It has been shown at the university in the past, but the club has now been told to place the images inward at their display, so that they can be seen only by those who wish to see them.

The problems that some pro-life groups face in getting official standing relate to a resolution passed by the Canadian Federation of Students several years ago that encourages a "pro-choice" policy for all student clubs recognized by campus student unions. The League wrote extensively about these denials of status as they occurred, and we were happy to provide some advice and financial support to a Toronto group when a debate they had already paid for was cancelled and then re-scheduled following public outcry. The attempt to silence one side of what continues to be a very contentious social issue is a basic free speech issue. No university should allow such one-sidedness.

Those decisions were made by students about the clubs of other students. The threat of sanctions in Calgary, however, is coming from administration. To be sure, the use of graphic images is a divisive issue even within the pro-life movement. Those who use them are deeply convinced that it is important to portray the end result of abortions, and some of them believe that analogies with the Holocaust are appropriate because both involve the dehumanization of life. Others, just as opposed to abortion, believe that these images are as off-putting to the pro-life cause as they are distressing to view, and that the analogy to the Holocaust is inaccurate and insensitive.

Regardless of one's viewpoint about the use of this imagery, as a free speech issue such displays should be allowed to go ahead on an equal footing with the displays of other groups. The threat of fines and academic sanctions is particularly inappropriate. The university is a tax-funded institution that should be committed to the equal expression of all views. Pro-life clubs that meet all other requirements for accreditation are entitled to their share of student activity fees and meeting space.

The mindset that allows this type of censorship to go on is certainly not inconsistent with what we have seen in the application of human rights codes in free speech cases (Report, page one.). The League hopes that the repeal or significant re-interpretation of Section 13, which so many support, will help create a climate where all viewpoints are treated equally, especially in schools and other tax-funded institutions. ■

REGIONAL ROUNDUP

Windsor-Essex chapter

Moira McQueen, executive director of the Canadian Catholic Bioethics Institute, was guest speaker at the Fall meeting of the League's Windsor-Essex chapter. She discussed the importance of Church teaching on the value of all human life as it applies to various current debates, including euthanasia and stem cell research. The chapter also heard a presentation from Gerard Charette, lead lawyer in the federal court challenge to how Henry Morgentaler got the Order of Canada, which has been brought by Frank Chauvin of Windsor. The chapter meets quarterly. For further information, contact Bob Baksi at Robert@baksi.com ■

Antigonish chapter

At its November meeting, the chapter reviewed its strategies during the recent public school board elections. The chapter encouraged candidates to run for office, in the hope that the new board would give priority to parental rights in education. The chapter participated in the recent 40 Days for Life campaign through a peaceful protest at a local hospital. The chapter meets on the second Tuesday of each month from September to June. Contact Don MacLellan (don_maclellan@hotmail.com) for further information. For information about establishing a chapter in your area, contact Joanne McGarry at 416-466-8244 or ccl@ccr1.ca. For updates on League initiatives in BC, visit ccl.ca/chapters/British Columbia. ■

A lasting gift

Your bequest to the League will help us continue our apostolate for future generations. Our legal name for this purpose is "Catholic Civil Rights League, Toronto, Ontario." Feel free to contact us at any time for assistance in arranging this type of gift.

League AGM held in Toronto

The League welcomed one new director and approved its activity and financial reports at its annual general meeting Oct. 25 in Toronto.

The meeting began with a Mass for the repose of the soul of Frederick W. Hill, long-time director of the League who died July 13, with remembrance of all League supporters who have died over the past year. The Mass was celebrated by Father Andrew Macbeth, pastor of St. Margaret of Scotland parish, where the meeting was held.

Following a luncheon at the parish hall, the meeting included the presentation of financial and activity reports, election of directors, and a presentation by Paul Klotz, executive director of the Right to Life Association of Toronto and Area.

Elected to the board for 2008-2009 are: Richard Bastien, Michael Connell, C. William French, Edward De Vita, Patrick Hanlon, Philip Horgan, Thomas Langan, Francine Lee, C. Joseph MacLellan, Jean Morse-Chevrier, Sean Murphy, Nicholas Newman, MD, John B. Shea, MD and John Sidle. Mrs. Lee, a lawyer based in Carmen, MB, joins the board for the first time.

The League's annual report is available to members upon request, in hard copy or pdf format. Presented at the meeting by President Philip Horgan, the financial report included a modest surplus for 2007. He cautioned that the League should not become complacent about these results because the contributions of major donors are always subject to change, and some benefactor revenue has already been reduced. To offset the impact of this, we have substantially increased our budget allotment for promotion and fund raising. Clearly growth is something the League is going to have to concentrate on in the future if we are going to be able to carry out our aims and mandate.

In discussion of the League's financial needs, Mr. Horgan mentioned some of the legal engagements in which the League is involved, including the Spratt ("bubble zone") case involving pickets near abortion clinics in BC, which may be appealed, and the current application for federal court review of the decision to award the Order of Canada to Henry Morgentaler. He also discussed the League's work on the Ontario College of Physicians and Surgeons attempt to limit freedom of religion for doctors who choose not to refer patients for abortion and other controversial procedures, citing the League's attendance at the council meeting where the guidelines were amended to improve respect for religious freedom, albeit with troubling areas still remaining.

Joanne McGarry, League executive director, presented the annual activity report. She noted that much of it concerned threats to freedom of religion and freedom of speech as they have been historically understood in Canada, and that the League must continue to combat them as much as possible. Several of the incidents recorded in the media section of the report point to the need to learn and use new media as much as we can, since while such interactive forums are impossible to control they are also where the need for dialogue is becoming most acute. Along these lines, she noted that the League has established a group on Facebook and puts strong emphasis on electronic communications with its membership. Ms. McGarry thanked all members for their encouragement and financial support, adding that donations are particularly appreciated given today's very challenging fiscal environment.

Guest speaker Paul Klotz discussed the need for collaboration among organizations with complementary goals. With respect to life issues, he cited the many challenges and demoralizing events that have occurred in recent years, such as the defeat of Bill C-484 and the awarding of

the Order of Canada to Henry Morgentaler. He noted that much of what has occurred, such as unlimited abortion on demand and same sex marriage, was unthinkable only several decades ago, which should make us wonder where we might be several decades from now.

Mr. Klotz said that while anti-life forces usually enjoy support from the media and often from the judiciary, they also have numerous weaknesses that we can exploit, particularly in the fact that scientific evidence favours pro-life. He proposed that the many organizations sharing a pro-life agenda hold a meeting at the 2009 March for Life in an effort to identify and unite on a single, common project. In general discussion, it was noted that there are always difficulties in getting many groups to work in common, and that it is particularly unfortunate that a great many Catholics, including those who attend Mass regularly, are not involved with these issues.

To request your copy of our annual report, call 416-466-8244, or e-mail ccrl@ccrl.ca, specifying whether you would like hard copy or pdf. ■

Expect pro-life legal battles to continue, conference told

The freedom of doctors to exercise conscientious freedom, as well as the right of everyone to peaceful protest, will continue to come under fire, those attending the International Pro-Life conference Oct. 4 were told.

Addressing the conference, League President Phil Horgan said that rulings such as the "Bubble Zone" law in BC, which bans any form of protest around abortion clinics, show that even the most peaceful of protests is being restricted. The drafting of the human rights policy by the Ontario College of Physicians and Surgeons, which involved a first draft stating that doctors should "check their beliefs at the door" when it comes to religious and moral conflicts, involved an effort to restrict freedom of religion and conscience for doctors. (As a result of the draft process, some of the most problematic aspects were toned down in the final policy.)

"In spite of all the talk about the importance of conscientious freedom, the doctors assembled at CPSO continued to ignore the scientific reality of the separate personhood of the unborn child, and seemed to be persuaded more by public opinion polls," said Mr. Horgan, who attended the CPSO meeting where the final policy was adopted. "And the fact remains that many medical organizations were quite happy with the draft in its earlier form."

Mr. Horgan also discussed the League's efforts to assist pro-life protesters, including student pro-life clubs who are being denied official club status or funding on some Canadian campuses. He presented some of the steps the League had taken to protest the Order of Canada going to Henry Morgentaler, including the court challenge of Frank Chauvin of Windsor, Ont., which the League is supporting.

On the issue of free speech, Father Alphonse de Valk, CSB, editor of Catholic Insight and a League co-founder, said this Charter right has come under attack by provincial and federal human rights commissions. Catholic Insight faced a human rights complaint from Rob Wells, an Edmonton-based homosexual rights activist, on the strength of a string of unrelated, out-of-context passages from the magazine's website. The commission dismissed the complaint, made under hate speech provisions, but Wells has appealed it. The magazine has already faced substantial legal fees from the case and is likely to face more.

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"It was important to defend the magazine's right to uphold Catholic teaching," said Father de Valk. "People think secularism is neutral. It is not neutral. It is aggressively anti-Christian."

Dr. Jack Wilke, president of the US-based International Right to Life Federation, told the conference that the struggle of the pro-life movement is similar to the anti-slavery movement because of the hostility and opposition that both groups have faced. The conference included the playing of a trailer from the movie *Amazing Grace*, which dramatized the movement in the British Parliament to end slavery.

Other speakers at the conference included Richard Thompson, president and chief counsel of the Michigan-based Thomas More Law Centre and Alex Schadenberg of the Euthanasia Prevention Coalition and Georgette Forney of the Silent No More awareness campaign. ■

Continued from p. 1 ►► **MORGENTALER: COURT REVIEW CHALLENGED**

Chauvin's order, and said "we don't think that they'll be successful."

Mr. Charette emphasized that Chauvin is determined to see the case through to the end, and that the advisory council should be made to answer for the Morgentaler decision. "The granting of the award has not found validity in the eyes of Canadians," said Mr. Charette. "We think the council ought to be made accountable for what it did and how it operated.

"Frank is a determined guy. He's not about to roll over. He is not going to be cowed into having the decision forced upon Canadians that is, in many ways, contrary to what the Order stands for."

"It's an uphill battle," concluded Mr. Charette "but it's a fight worth fighting. It's a fight that pro-life Canadians ought to find worthwhile in supporting."

In an op-ed piece published in October, Mr. Chauvin said that the Morgentaler decision "crosses the line" and that "even a governor general has to account for her actions. This is even truer for an advisory council."

The governor general and the advisory council, said Mr. Chauvin, "are hoping that many Canadians will just roll over and accept the appointment. I can't allow that to happen."

- with a report from LifeSite News ■

Continued from p. 1 ►► **LEAGUE URGES LEGISLATION ON HUMAN RIGHTS COMMISSIONS, UNBORN VICTIMS**

"Cases of murder or deliberate violence where the offender knows the victim is pregnant plainly involve two victims and should be punished accordingly. The League has always supported legislative initiatives in this regard, and we hope you will take steps to address this legal void in the upcoming session."

The League has supported Canadians who have faced human rights complaints for the peaceable expression or exercise of freedom of religion in publication or workplace issues since the late 90s, and has provided assistance in individual cases. It has repeatedly called on governments at the provincial and federal level to end the use of human rights tribunals in free speech cases.

On Nov. 24, Professor Richard Moon released his independent review of the operations of hate speech provisions in the Canadian Human Rights Code. He reached substantially the same conclusion. Section 13, he said, should be repealed so that hate speech, narrowly defined, is a criminal matter for the courts, not the human rights tribunals. (This report is available at the CHRC's website (<http://www.chrc-ccdp.ca>) or through links from the League's site.

In his report, Prof. Moon recommends that the use of censorship by government should be confined to a narrow category of extreme expression, "that which threatens, advocates or justifies violence against the members of an identifiable group, even if the violence that is supported or threatened is not imminent."

Professor Moon has reached the same conclusion about Section 13 as everyone else who has studied the matter in depth. His main recommendation is the repeal of Section 13, with a second set of recommendations geared to its substantial change if it is not repealed.

From a policy standpoint, the important thing now is that this report, like the policy resolutions and parliamentary motions before it, be followed with legislation to repeal Section 13. We encourage all our supporters to contact their MPs and ask them to support legislation in this regard.

With several other Catholic organizations focused on public policy, the League was invited to comment in *The Catholic Register* on the results of the federal election Oct. 15. In the article, we noted that life and other human rights' issues appeared to have had little impact on the campaign, despite efforts by many voters to engage their candidates on these topics.

"Given public statements by all party leaders, there is very little chance abortion will come before Parliament in the foreseeable future. Many MPs said they oppose the admission of Henry Morgentaler to the Order of Canada. But few, if any indicated any willingness to re-open the debate. The legalization of euthanasia was the topic of two private member's bills in the past five years, and will quite likely be proposed again. We need a strong commitment to compassionate palliative and other end-of-life care as an alternative to the so-called right-to-die movement.

"All faith groups hope that elected officials will develop policies in health care, education, taxation, family law and labour law, among other areas, that give priority to the needs of the disadvantaged, especially the unemployed and working poor, families with children, the elderly and others least equipped to survive downturns in the economy," our article stated.

As Civil Rights went to press, Parliament had been prorogued until late January. The League encourages its members to continue to raise important issues with their MPs throughout this break, when many will be available in their ridings. ■

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- James Hitchcock, Professor of History, St. Louis University

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Update on YouTube videos

Over the Fall the League was part of a concerted campaign to remove or age segregate a series of videos showing a Quebec teenager (Dominique, with the screen name FSM Dude) going to Mass, receiving Communion and then proceeding to film a range of apparent desecrations of the Host. It was made clear at the time that the youth was taking his lead from Professor Paul Myers of the University of Minnesota, and it was probably predictable that more copy cats would follow. (The Quebec videos were finally taken down by the account holder himself, following an anonymous letter to his father.) Later in November, a new series of videos with a similar theme appeared on the site, and appeared to involve a host and pages of the Bible.

You Tube's guidelines state that videos are inappropriate and can be removed when they attack or demean a group based on race or ethnic origin, religion, disability, gender, age, veteran status, and sexual orientation/gender identity; and also if they are made only for shock value. These videos would certainly qualify as demeaning to a religion and made for shock value.

The company's response was somewhat inconsistent. At first, Dominique's videos were removed with a notation that they violated terms of use, but they were reinstated within the day. Following considerable public protest, they were age-gated (made available only to those over 18) before they were removed.

CCRL acknowledged that the "age-gating" was a step in the right direction. However, in the interest of respect for religion and to prevent endless copycatting we have urged YouTube's executive to show the same respect for Catholics as they have shown other faiths in the past and remove videos that purport to show deliberate desecration of the Eucharist. We're not asking for special treatment, just equal consideration. As we pointed out in our communication with them, recent videos showing desecration of a Holocaust memorial were quite properly removed from the site.

Given the nature of online file sharing, it's unlikely that this story is over, though as of this writing the most offensive videos have been removed. We can only suggest continued vigilance, and further dialogue if similar videos re-appear. If you are a You Tube user, or have family members who are, please do your part by flagging questionable videos. ■

Advertisement modified in Newfoundland

Thanks to some correspondence by League director Patrick Hanlon, the workers' safety office of the provincial government has agreed to modify an advertisement appearing to feature religious profanity. In his letter, Mr. Hanlon pointed to the need for sensitivity to religious believers in public advertising. "The government should promote understanding and respect for society's religious minorities. It is rather obvious that government would not use the name of Mohamed in such derogatory fashion. Christians, while on a census may be a majority, are a minority if one looks at the numbers of those who are practicing Christians instead of mere cultural Christians. Therefore, Christians should not be treated improperly. We respectfully ask that you pull the "Ladder" advertisement and issue an updated version." In response, the

communications' officer said that while the actual word used was not "Jesus", on review they agreed it sounded like it and therefore the commercial would be revised with a new wording.

Pius XII video available

Salt and Light Television has begun a documentary series examining the record of Pope Pius XII in combating the Holocaust. This subject is often debated in the media, sometimes heatedly and occasionally with hostility, especially now as the possibility of beatification of the World War II pontiff is being explored. The program is sure to be interesting as well as timely. Here is further information about the documentary from Salt and Light:

A Hand of Peace: Pope Pius XII and the Holocaust explores the debate over the wartime pope and his alleged silence during the Nazi Holocaust. Featuring interviews with leading historical scholars, leaders in the Jewish community and those who personally knew Pius XII, the film details the efforts to assist Jews and other victims of Nazi atrocities. This gripping documentary looks at the difficult choices Pius XII faced during the Second World War, and provides convincing proof that his bold, yet discreet, prophetic actions saved tens of thousands of Jewish lives.

DVDs can be ordered from the television network. For further information, contact info@saltandlighttv.org. ■

Teen pregnancies tied to TV viewing

New research presented in the November edition of the magazine "Pediatrics" suggests that pregnancy rates are much higher among teens who watch a lot of TV with sexual dialogue and behavior than among those who have tamer viewing tastes.

"Sex and the City," anyone? That was one of the shows used in the research. The new study is the first to link those viewing habits with teen pregnancy, said lead author Anita Chandra, a Rand Corp. behavioural scientist. Teens who watched the raciest shows were twice as likely to become pregnant over the next three years as those who watched few such programs.

Previous research by some of the same scientists had already found that watching lots of sex on TV can influence teens to have sex at earlier ages.

Shows that highlight only the positive aspects of sexual behavior without the risks can lead teens to have sex "before they're ready to make responsible and informed decisions," Chandra said.

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The study involved just over 2,000 12-to 17-year-old girls and boys across the U.S. questioned by telephone about their TV viewing habits in 2001. Teens were re-interviewed twice, the last time in 2004, and asked about pregnancy. Among girls, 58 became pregnant during the follow-up, and among boys, 33 said they had gotten a girl pregnant.

Participants were asked how often they watched any of more than 20 TV shows popular among teens at the time or which were found to have lots of sexual content. The programs included "Sex and the City," "That '70s Show" and "Friends."

Pregnancies were twice as common among those who said they watched such shows regularly, compared with teens who said they hardly ever saw them. There were more pregnancies among the oldest teens interviewed, but the rate of pregnancy remained consistent across all age groups among those who watched the racy programs.

Chandra said TV-watching was strongly connected with teen pregnancy even when other factors were considered, including grades, family structure and parents' education level.

But the study didn't adequately address other issues, such as self-esteem, family values and income, contends Elizabeth Schroeder, executive director of Answer, a teen sex education program based at Rutgers University.

"The media does have an impact, but we don't know the full extent of it because there are so many other factors," Schroeder said.

But Bill Albert, chief program officer at the nonprofit National Campaign to Prevent Teen Pregnancy, praised the study and said it "catches up with common sense."

"Media helps shape the social script for teenagers. Most parents know that. This is just good research to confirm that," Albert said.

- with a report from Associated Press ■

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The League has established a Facebook page where you can get connected with events, League news and photos. To find us, search under "Friends of the CCRL" and ask to join.

News brief: Marriage commissioner sues

Regina marriage commissioner Orville Nichols is suing the provincial government over a requirement to perform same-sex marriages. As reported previously in Civil Rights, he was found guilty in May of violating the Saskatchewan Human Rights Code for refusing to perform a same-sex ceremony three years ago. He was ordered to pay \$2,500 in compensation to the pair, who were served by another commissioner on the day they had sought. Mr. Nichols, who has been a marriage commissioner for 25 years, said his refusal was based on his religious beliefs. He has filed his suit in Prince Albert. The suit claims the government is violating the charter rights of Saskatchewan marriage commissioners. A hearing is set for Prince Albert on Dec. 23. Nichols is not asking for a significant monetary award. Rather, he hopes the lawsuit will force a change to the rules. "I'm very confident," said lawyer Philip Fourie. "The law is on our side," he said.

Justice Minister Don Morgan said no final decision had been made but the government would likely defend itself against Nichol's lawsuit. While in Opposition, the Saskatchewan Party called on the NDP government to allow marriage commissioners uncomfortable with performing same-sex marriages for religious reasons to decline. But Morgan said the government is bound by the May decision of the human rights commission. "We're obliged to defend these type of things. We have to support the law that exists in our province," he told reporters at the legislature.

Because Nichols's case was before the human rights commission when the Sask. Party took power after last fall's provincial election, the new government made no changes to the policy toward marriage commissioners. "Our preference certainly would have been, if that matter had not gone to the human rights commission, to adopt a policy process whereby we would have ... grandfathered the existing marriage commissioners that were opposed to performing same-sex marriages," said Morgan. "It's a balance of rights." ■

CCRL in the news...

Has been moved to our website for this edition. Follow the links under Action Items/Media Monitoring Centre.



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US election: Cardinal George sees America overcoming racism but not anti-Catholicism

In his address Nov. 11 to the fall meeting of the United States Conference of Catholic Bishops (USCCB), Cardinal Francis George of Chicago said that the election of Barack Obama is a sign of the progress American society has made against racism but noted that deeper challenges remain for faithful Catholics who take part in public life.

'This is a moment that touches more than our history,' said the USCCB president, 'when a country that once enshrined race slavery in its very constitutional order should come to elect an African American to the presidency. In this, I truly believe, we must all rejoice ... We can also be truly grateful that our country's social conscience has advanced to the point that Barack Obama was not asked to renounce his racial heritage in order to be president, as, effectively, John Kennedy was asked to promise that his Catholic faith would not influence his perspective and decisions as president a generation ago.'

'Echoes of that debate,' Cardinal George continued, 'remain in the words of those who reject universal moral propositions that have been espoused by the human race throughout history, with the excuse that they are part of Catholic moral teaching. We are, perhaps, at a moment when, with the grace of God, all races are safely within the American consensus. We are not at the point, however, when Catholics, especially in public life, can be considered full partners in the American experience unless they are willing to put aside some fundamental Catholic teachings on a just moral and political order.'

Cardinal George sees this anti-Catholicism as connected with American individualism: 'The hubris that has isolated our country politically and now economically is heard, but not usually recognized, in moral arguments based simply and solely on individual moral autonomy. This personal and social dilemma is not, of course, a matter of ultimate importance, for America is not the Kingdom of God; but it makes America herself far less than she claims to be in this world.'

Cardinal George then emphasized the importance of the defense of the unborn. 'In working for the common good of our society, racial justice is one pillar of our social doctrine. Economic justice, especially for the poor both here and abroad, is another. But the Church comes also and always and everywhere with the memory, the conviction, that the Eternal Word of God became man, took flesh in the womb of the Virgin Mary, nine months before Jesus was born in Bethlehem. This truth is celebrated in our liturgy because it is branded into our spirit. The common good can never be adequately incarnated in any society when those waiting to be born can be legally killed at choice.'

In additional comments quoted by Associated Press, Cardinal George said that the new administration's likely decision to use federal funds to destroy human embryos for stem cell research would 'alienate tens of millions of people, not just Catholics, and militates against the type of

unity the administration hopes to achieve.' President-elect Obama's opponent, Sen. John McCain, also called for federal funding of embryonic stem-cell research.

Mr. Obama probably holds the strongest pro-abortion voting record of any US president. In addition, three states cast ballots on same sex 'marriage' and one on euthanasia on election day. However, research indicates that religious and social issues, including racism, received relatively little media coverage during the campaign, suggesting that votes were won or lost primarily on economic questions.

Voters in three states (Arizona, California and Florida) voted to restrict legal marriage to opposite sex couples, while voters in Washington State passed Initiative-100, which would liberalize euthanasia and physician assisted suicide, becoming the second state (after Oregon) to do so. The votes on marriage are already being challenged, especially in California.

A study by the Pew Forum of media coverage during this year's US presidential campaign has concluded that there was relatively little in-depth discussion of religion, and that abortion and same-sex marriage were not heavily emphasized. The study seems to undermine the post-election analyses that have suggested the Republican presidential ticket was hurt by its stand on social issues.

- with a report from Catholic World News. ■

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