



# Catholic CIVIL RIGHTS League

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## Frank Chauvin receives CCRL honour

Frank Chauvin of Windsor, Ontario is this year's winner of the League's Archbishop Adam Exner Award for Catholic Excellence in Public Life. He received the award at the League's annual dinner Wednesday June 3. The evening included a talk by author and broadcaster Michael Coren, probably Canada's most knowledgeable and most entertaining voice about media biases concerning religious faith.

Mr. Chauvin, a retired police detective, is the founder of the Holy Name of Mary Food Fund, which operates one of Haiti's few orphanages for girls. He has also provided extensive hands-on support to other charities, including Madonna House and Canadian Food for Children.

A member of the Order of Canada since 1987, Mr. Chauvin brought a legal challenge in July, 2008 to request judicial review of the process by which the Order was given to Henry Morgentaler.

"Frank's leadership in charity, especially in one of the most disadvantaged countries in the hemisphere, is a true inspiration for putting our faith into action where the needs are greatest," said League President Phil Horgan. "His initiative in challenging the most controversial appointment in the



Phil Horgan, Joanne McGarry and Frank Chauvin

Order of Canada's history has engaged a more focused analysis on the process and recent history of how our nation's highest civilian honour is awarded.

"It is ironic that a man who through his charitable work has assisted girls in Haiti is engaged in a challenge of the work of the advisory council that serves a woman originally from Haiti, the current Governor General, in an effort to demand accountability. Frank questions how those responsible have allowed the unifying purpose of the Order to be so tragically diminished."

Mr. Chauvin thanked the League for the honour, and said that all the charitable work he has undertaken has been motivated by his faith, and a desire to do what is right.

"A great many people have supported this work, starting with my wife Lorraine. Without her help, and that of countless others, none of these projects would have happened."

### Background of Holy Name of Mary Food Fund

Mr. Chauvin began his charity work in the 70s, making the long trip from Windsor to Madonna House in Barry's Bay to deliver toys and used clothing

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## Morgentaler granted standing in New Brunswick funding challenge

FREDERICTON, NB - One of the concerns raised by the award of the Order of Canada to Henry Morgentaler last year was the propriety of the Chief Justice of Canada continuing to sit as Chair of the Order's Advisory Council, especially in circumstances where Morgentaler was before a lower court pursuing constitutional claims.

That proposition may soon be put to the test.

Morgentaler sued the province of New Brunswick to generate public funding for his for-profit clinics in that province. The New Brunswick government has so far opposed the action.

The New Brunswick Court of Appeal in late May dismissed the province's appeal of a Court of Queen's Bench ruling that gave Morgentaler "standing" to bring a lawsuit on behalf of women in New Brunswick.

The province is now reviewing whether it will appeal the decision. If leave to appeal is sought, and/or granted, the case would be argued at the Supreme Court of Canada.

It should be remembered that Chief Justice Beverley McLachlin serves as Chair of the Advisory Council of the Order of Canada, according to its letters patent. She acknowledged acting as chair of the Advisory Council meeting in 2008 that recommended that Morgentaler receive the Order of Canada. The possibility of Morgentaler's legal challenge reaching the

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## Alberta enshrines parental rights in human rights code

The Alberta government recently ushered in controversial changes to the province's human rights laws, bringing to a close a five-week battle based in part on the inclusion of parental rights in education in the human rights code.

Bill 44 introduced to Alberta's Human Rights Act the right for parents to remove their children without academic penalty from classes in which teachers discuss sexual orientation, sexuality, or religion. The parental rights amendment was included with a motion to enshrine gay rights in the province, an inclusion that most observers say was already being observed in practice. The amendment requires teachers to notify parents if the sensitive topics are scheduled for inclusion in formal lessons. An amendment protects informal or "incidental" classroom discussion.

The League was part of an informal five-member coalition that had encouraged the government to include parental rights in the human rights code updates. Other coalition members were REAL Women of Canada, United Families Canada, REAL Women of Canada Alberta Chapter, and United Mothers & Fathers.

"As the primary educators of their children, parents have the right to choose the education that they believe is in the best interests of their children," said Michele Dow of Calgary, President of United Mothers and Fathers Canada.

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## EDITOR'S MESSAGE

By *Joanne McGarry*, Executive Director and Editor

### *Tiller shooting provokes unfair commentary*

The killing May 31 in Kansas of George Tiller, one of the busiest providers of late-term abortions in the U.S., attracted commentary across the continent, much of it focused on whether the pro-life movement bears some of the responsibility. In Canada, the opinion that it does was put forth by Colby Cosh in the National Post, and Antonia Zerbisias in the Toronto Star. The latter, in particular, was festooned with irrational comments about pro-lifers being woman haters and the movement itself being male-dominated. The League's response was published in the Post soon afterward, with a selection of other letters of varying viewpoints. The Star, however, which printed two articles from Zerbisias on the same topic, has published very little response despite receiving one from the League, and doubtless others that were respectful and credible in tone.

The man accused of Tiller's murder is said to have suffered from mental illness and to have developed strong anti-government and anti-abortion opinions. Dr. Tiller was one of a handful of physicians who perform late term abortions, something that most doctors in North America, including Henry Morgentaler, will not do.

Cosh's column (Post, June 2) "Don't-blame-the-shooter" - reflects the theme of all too many columns. He blames the murder on pro-life organizations including Campaign Life Coalition, Operation Rescue and the Genocide Awareness Project. Both Cosh and Zerbisias imply that anti-abortion rhetoric and arguments from such groups encourage violence and murder.

Given the venomous contempt for pro-life groups evinced particularly in Zerbisias' column, it would seem that on her own principles, she should be blamed if a reader takes her seriously and shoots a "Christofacist." Again, if we are to follow the logic of such columnists, perhaps they should be denied the freedom to express their opinions to prevent that from happening.

Fortunately, these principles are not yet the law of the land. Columnists will not be blamed for crimes committed by someone else. One hopes that a human rights inquisition will not punish and gag them for "spreading hate." Even columns like these have something to offer.

Take, for example, Cosh's assertion that he is puzzled that pro-life groups reacted to news of the murder "with indignation and dismay." In his view, anti-abortionists should celebrate the murder, since the killing would save the lives of countless infants. He concludes that anti-abortionists who do not celebrate Dr. Tiller's murder do not really take their own beliefs seriously.

On the other hand, if pro-life groups were to act as Cosh would have them act, Zerbisias stands ready to charge them with "domestic terrorism."

Hypocrites or terrorists: Cosh and Zerbisias can think of no other alternatives, because both share the moral outlook of people who shoot abortionists.

We don't know why people shoot abortionists, but presumably part of the reason is they believe that abortion is a grave injustice that can be rectified by killing. Cosh and Zerbisias believe that "unplanned pregnancy," the conception of badly malformed children and the status of women in society are grave injustices that can be rectified by killing. People who kill abortionists claim that the killing is justified to save the lives of the unborn. Zerbisias claims that killing infants in utero is justified to save the lives of women, or to defend what she calls women's rights.

However, pro-life groups do not believe that grave social problems or injustice are rectified by killing. They do not believe that killing infants is a morally acceptable solution to unexpected pregnancy, and they do not believe that killing abortionists is a morally acceptable solution to the scourge of abortion. Pro-life groups see other alternatives, all of them peaceful, and pursue them steadily.

Cosh and Zerbisias could see this too. But first, they have to stop thinking like people who shoot abortionists. ■

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Supreme Court should have been addressed. It may have been. However, the Chief Justice did not recuse herself from those deliberations.

Morgentaler is suing the province of New Brunswick, arguing on behalf of women that the government should have to pay for abortions performed at his clinic in Fredericton. New Brunswick is the only province in Canada that doesn't provide any funding for abortions in private clinics. The government had argued that Morgentaler didn't have standing to represent the interests of women of the province. Justice Paulette Garnett disagreed and ruled that Morgentaler did have "public-interest standing" to proceed, a judgment that allowed the lawsuit to continue.

Morgentaler is male, not a resident of the province, and hardly a disinterested party. It is believed that his income from his chain of abortion clinics is about \$11 million per year. Procedures at the Fredericton Clinic are believed to cost \$500 to \$700 each depending on the developmental stage of the unborn child.

The province's highest court, in a decision issued May 21, upheld Garnett's ruling. "The decision to grant public interest standing to Dr. Morgentaler was made in the exercise of a judicial discretion," Court of Appeal Chief Justice Ernest Drapeau wrote in the decision. "As such, intervention by this Court is not appropriate unless the decision is founded upon an error of law, an error in the application of the governing principles or a palpable and overriding error in the assessment of the evidence, or the decision is unreasonable, in the sense that nothing in the record can justify it." The appeals tribunal was unable to find "even a hint of reversible error" and dismissed the appeal. Furthermore, it ordered the province to pay costs of \$5,000 to Morgentaler.

In the original Court of Queen's Bench decision, Garnett ruled it made sense for Morgentaler to represent a public interest with the lawsuit because women who have had or could have abortions couldn't mount such a legal challenge or would be reluctant to take such a stand publicly.

In addition to the complex area of public interest standing, recognized within the wider area of the inherent jurisdiction of the court, there is now the prospect that the Supreme Court, under the leadership of its Chief Justice, may be called upon to make determinations on constitutional or other public law issues, in respect of the claims of a recently appointed member of the Order of Canada, whose appointment was recommended by the Council she chairs. ■

### League to participate in conscience symposium

The League is co-hosting a symposium "Conscience and the Good of Society" this fall, in cooperation with Canadian Catholic Bioethics Institute and (in Edmonton) with the Archdiocese of Edmonton. Keynote speaker will be Iain Benson, a lawyer experienced in the area of religion and public policy and former director of the League. Also presenting will be League director Sean Murphy, administrator of the Protection of Conscience Project. The event will focus on the importance of freedom of conscience in society, and current challenges to this principle. We will have more news about speakers and panelists in our e-bulletins, but for now please mark your calendars: Oct. 3 in Toronto and Oct. 6 in Edmonton. ■

## REGIONAL ROUNDUP

*Western region updates:* League director Sean Murphy gave a presentation in Prince George May 29 to the Catholic Women's League BC-Yukon convention. It is now on line at <http://www.ccrcl.ca/index.php?id=5047>. The talk included the home-schooling situation in Germany (where a Nazi era law is being used to suppress parental authority), the Ethics and Religion curriculum in Quebec (which resulted in Mennonites leaving the province), and the Corren Agreement in BC schools. The presentation also included discussion of why religious believers, acting on their beliefs, are encouraged to participate in public life and politics.

*Antigonish Chapter:* CCRL Antigonish has set the date of Saturday July 25th for its annual barbecue. Guest speaker will be Dr. Steven Baldner, Dean of Arts at St. Francis Xavier University. Dr. Baldner is a former philosophy professor at the university & connected to the Catholic Studies Dept. there. Many chapter members attended the ordination of Dennis Lamey to the priesthood on May 15th in our Lady of Lourdes Parish in Stellarton. On June 24th, Fr. Lamey will become the Associate of St. Ninian's Cathedral Parish in Antigonish. The chapter also participated in the Halifax March for Life May 14. Antigonish chapter meets the second Tuesday of each month from September to June. For more information, contact Don MacLellan, president, at [don\\_maclellan@hotmail.com](mailto:don_maclellan@hotmail.com).

*Windsor-Essex Chapter:* Windsor-Essex chapter meets quarterly. For more information, contact Bob Baksi, president, at [robert@baksi.com](mailto:robert@baksi.com).

For information about establishing a chapter in your area, contact Joanne McGarry at 416-466-8244 or [ccrl@ccrl.ca](mailto:ccrl@ccrl.ca). ■



*Continued from p. 1* ►► **FRANK CHAUVIN RECEIVES CCRL HONOUR**

at Christmas time so that the apostolate could help needy families. He has often joked that it was an unusual start for him since he doesn't like driving at the best of times and that first trip was "16 hours in the dark, on winter roads. It was a case of Lord, I love you, but send someone who likes driving. But I was back six weeks later with more donations." He used his lunch hours to collect donations and his off hours for delivery, and his activities later expanded to other countries.

It was during his trips delivering food and medicine to Haiti that Mr. Chauvin noticed the serious lack of services for girls in that country. Orphanages were only taking in orphans and unwanted children up to age of six. After that, they were herded into detention compounds. What few services existed offered nothing for girls.

In 1987, Mr. Chauvin located a vacant building in Port-au-Prince with the capacity to house 50 girls and some local workers prepared to serve as administrators. He began a series of regular fundraising drives, including monthly donations from police colleagues, to bring the dream to reality, establishing the Holy Name of Mary Food Fund. The orphanage continues to serve 56 girls.

Mr. Chauvin and his wife, Lorraine, have 10 children and have sponsored refugees in their home through their church. He retired from the Windsor Police Service in 1988.

He received the Benemerenti papal medal on May 17. The medal was instituted by Pope Gregory XVI in 1832 and is conferred on those who have exhibited long and exceptional service to the Church, their families and community

He has also received the I.O.D.E. Police Community Relations Award, Ontario Medal for Good Citizenship, Law Enforcement Award (Optimist Club of Riverside), Family of the Year Award (Knights of Columbus 4924),

and Gordon Preston Memorial Award as well as the Order of Canada.

**Update on legal challenge**

The legal challenge to the Order of Canada going to Dr. Morgentaler began last July, with an application for federal court review of the process by which the award was granted.

Nominations for the Order are reviewed by the Advisory Council for the Order of Canada, which then gives their recommendations to the Governor General for approval. The challenge is based on the fact that most government boards and tribunals are subject to court review if their decisions are challenged. (Typically, decisions of the Governor-General are exempt from review under the custom of royal prerogative.)

"I have been quoted in the media as intending to return my award," said Mr. Chauvin. "I may yet do so, but I first want Canadians to have a chance to take a close look at what can happen when an advisory council abandons a consensus model and uses the award to advance a highly divisive view, in this case the tragedy of abortion in Canada."

**About the award**

The Archbishop Adam Exner Award was established by the League to honour Archbishop Exner upon his retirement as Archbishop of Vancouver in 2004. The award recognizes outstanding achievement in a variety of fields, including education, philanthropy, life issues and other concerns of interest to Catholics. Previous recipients include the late Regina business leader Frederick W. Hill for services to philanthropy, Campaign Life Coalition President Jim Hughes for services to the pro-life movement, J. Fraser Field, founder of Catholic Educators' Resource Centre, for services to education, and Dr. and Mrs. Andrew and Joan Simone, co-founders of Canadian Food for Children, for services to philanthropy. ■

**Alberta physicians poised to adopt revised standards of practice**

The College of Physicians and Surgeons of Alberta has adopted in principle its revised Standards of Practice. The college will now send the document for legal advice on its content before council approves it to replace its existing policies and guidelines. Some ambiguous language around protection of conscience in abortion referral could mean that doctors who oppose abortion will be required to "ensure that the patient has access to information and assistance in making an informed decision and access to available medical options." The complete document is available at the college's website, cpsa.ab.ca. ■

**Coren enlivens CCRL annual dinner**



In a wide-ranging address that touched on several topical social issues as well as his personal re-conversion to Catholic Christianity, Michael Coren delighted a full-house at the annual CCRL dinner held June 3 at The Charbonneau Lounge at St. Michael's College, U of T.

Following his emigration to Canada from England, Coren fell away from the Catholic church of his baptism to embrace evangelical Christianity, citing his inability to accommodate the trend at the time to "sloppy liberalism, parading as Roman Catholicism," adding, "I should have stayed firm but I drifted away..."

Although impressed by the sincerity of his fellow evangelical worshippers and realizing that they possessed much of the fullness of the truth, in time, Coren said, he realized that he was not worshipping "...in the Church founded by Jesus Christ." It was while visiting Caesarea Philippi in Israel, that the enormity of Christ's selection of Peter struck him, leading him back. "There he was, giving authority and teaching [power] to a very simple man, a fisherman, whose direct descendent is now in Rome; thank God!."

Acknowledging that "what unites us is enormous and what divides us is quite small," Coren reaffirmed that Christ left us a Magisterium, and "salvation by faith alone" and "only by scripture can you be saved" are myths.

In his prepared text and later in a lively question and answer period, Coren addressed mis-information and misconceptions about the Church over the centuries, using the same logical arguments and factual information that he brings to his media engagements, which include hosting The Michael Coren Show on CTS and a 'talk radio' show on CFRB, as well as occasional pieces for the National Post and other Canadian media outlets.

We will carry an abridged yet comprehensive text of Mr. Coren's speech on our website [www.ccrl.ca](http://www.ccrl.ca) with a link to a video. ■

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## ***Two bills relating to euthanasia introduced***

As thousands of Canadians marched on Parliament Hill May 13 to give witness to respect for life, a Bloc-Quebecois MP introduced a private members' motion for the liberalization euthanasia and assisted suicide. The League noted that the road that led to complete legalization of abortion now threatens to extend to care at the end of life.

"We find it particularly ironic that Francine Lalonde's (BQ-La-Pointe-de-L'Île) Private Members' Bill to permit assisted suicide had its first reading during Respect for Life week," said League Executive Director Joanne McGarry. "While the issues of abortion and end-of-life care are by no means identical, there are many parallels between how the "right-to-die" lobby is making its case now, and how abortion was promoted prior to its liberalization in 1969, notably in the appeals to compassion and the suggestion that it would decriminalize something that goes on a lot already."

Ms. Lalonde has introduced a private members' motion on this subject several times in the past, and had indicated her intention to do so again in this Parliament. In her introduction this week, she said "the time has come for this Parliament to find a way to decriminalize medical assistance in dying, which is of such vital importance to those whose suffering can no longer be relieved except by this ultimate compassion." She also said that "serious research" has found no evidence of abuse of similar laws in the few jurisdictions in the U.S. and Europe where they have been passed.

In fact, some researchers have found suggestions that there is abuse, including deaths that do not follow the request process that such laws usually require, and also some significant problems in compiling meaningful data. (See Euthanasia Prevention Coalition website.)

However, as the League has noted in the past, the problem with euthanasia and assisted suicide proposals is not in how or whether they can be implemented as intended. More fundamentally, such proposals tell us that sanctity of life has become, at best, a relative value for some people, and also that we are failing to provide appropriate palliative care and other support to patients and their families. The interest in some legalization of euthanasia is motivated in large measure by the fear of unrelieved pain and of being a burden to families.

The League calls on legislators to reject proposals for euthanasia and assisted suicide, and focus instead on improvements in health care that will support a full range of care for those facing terminal illness, including improvements in home-based care and family support.

Later in May, Harold Albrecht, Conservative MP from Kitchener, Ontario proposed a private member's motion that would make it a criminal offense to use the Internet to counsel a person to commit suicide. The motion follows the well-publicized case of Nadia Kajouji, the 18 year-old Carleton University student who committed suicide in 2008 after allegedly being coaxed to do so in an online chat room.

M-388, tabled in the House of Commons on May 26th, proposes that the government should ensure that counseling, aiding or abetting a person to commit suicide is a Criminal Code offence "regardless of the means used to counsel or aid or abet including via telecommunications, the Internet or a computer system."

Alex Schadenberg, executive director of the Euthanasia Prevention Coalition (EPC) welcome the Motion and said there are serious concerns that people who suffer from depression could become victims of "suicide predators" who use the Internet. Mr. Schadenberg, told LifeSite News that the Kajouji case illustrates "how the law needs to be clarified in order to ensure that justice is served."

"Suicide predators take advantage of chat-rooms or Internet sites to encourage suicide. The twisted thinking of a suicide predator can only be stopped by the law ensuring that suicide predators can be convicted of assisted suicide," said Mr. Schadenberg.

The law could affect pro-assisted suicide organizations that maintain websites, give interviews and post videos and instructional books to the Internet that promote their pro-suicide philosophy.

The Euthanasia Research and Guidance Organization (ERGO), formerly known by the name the Hemlock Society, maintains a website that includes links to

sites where a reader can purchase the notorious suicide instruction manual Final Exit, including electronic and DVD versions. ERGO's suicide manifesto is also posted to the website and says, "Every competent adult has the incontestable right to humankind's ultimate civil and personal liberty -- the right to die in a manner and at a time of their own choosing."

The Switzerland-based organization Dignitas also maintains a website which publicizes the lobbying efforts of its founder, Ludwig Minelli. Minelli has advocated that assisted suicide be made legal everywhere for anyone who wants to die, including those who do not suffer from any terminal illness, including the severely depressed.

- Visit our website for links to the text of legislation referred to in this article. ■

## ***Respect religious freedom for parents and students, says League***

The League supports the right of parents to direct the education of their children, and in particular to choose the religious education of their children. Both rights were the subject of a court hearing in Quebec Superior Court the week of May 13, in which a group of parents is seeking exemption from the Ethics and Religious Culture course recently made mandatory in all Quebec schools. The course replaces Catholic, Protestant and non-sectarian moral instruction in elementary and secondary schools.

The case, being heard in Drummondville, was brought by two local parents, who argue that the compulsory school course titled Ethics and Religious Culture violates their religious convictions. The case highlights many of the concerns Catholic and other parents have been expressing since the course was announced several years ago. (It was launched in September, 2008.) There have been applications for exemptions on behalf of more than 1,700 students. All were refused. At that point some parents removed their children from the class, but faced various sanctions including suspension of the students.

At one high school in Granby, six students were suspended from all classes for boycotting the course. Opposition to the course is being spearheaded by the Coalition for Freedom in Education, with Richard Décarie as its spokesman and about 100,000 members. The Quebec Association of Catholic Parents, headed by League director Jean Morse-Chevrier, is a founding member of the coalition, which has conducted numerous seminars, marches and press conferences to raise awareness of the implementation of the course.

Objections centre around the introduction at a young age of material that may contradict parents' religious teachings, the lack of choice, and the denial of parental rights, explains Mrs. Morse-Chevrier. "It is the state deciding what religious content will be learned, and at what ages, which totally usurps the parents' authority and role."

By refusing to allow exemptions or make the course optional, the state is essentially foisting one belief system on students and their families, said Mrs. Morse-Chevrier.

Comments League President Phil Horgan, "Freedom of religion is a fundamental right both in the federal and Quebec Charters of Rights and Freedoms. Church teaching and tradition is that parents are the first educators of their children. This right is also spelled out in Article 26 of the UN's Universal Declaration of Human Rights. By insisting that this new course replace religious training in public schools, and not even allowing exemptions or other accommodations, the Ministry of Education is denying an essential aspect of religious freedom and parental rights in its public schools."

According to a Leger Marketing poll in October, 2008, 72 per cent of parents believe parents should have a choice between denominational religious education, and the ethics and culture course. In the 25 to 34 age bracket, 80 per cent said they support giving parents the choice. In the last school year (2007-2008), 73 per cent of children in Quebec primary schools and 57 per cent in high schools took Catholic religious education.

The course has been imposed on all schools, including private denominational ones. The only difference is that the private religious schools may also teach religious education of their choice in addition to the course in Ethics and Religious Culture. English-language Loyola High School in Montreal has begun a court challenge to be exempt from the required course. ■

## ***Pope's observation about AIDS crisis and the media backlash***

The Pope's March trip to Africa brought out a powerful backlash in the media when, during a press conference en route, he confirmed the Church's belief that condoms are not the answer to stemming the AIDS crisis, and in fact could make it worse. Reacting immediately, the Toronto Star quoted Stephen Lewis, chairman of the Stephen Lewis Foundation, who said the Pope must be "living on the moon" to reject such sound science as condoms as an AIDS preventive. The Halifax Chronicle Herald was perhaps more balanced, stating that condoms are not the complete solution, but editorializing that "Personal responsibility, as the Pope says, is the key. That, however, includes condom use." In the Edmonton Sun, Lynn Cockburn advises that "the Pope's attitude toward condoms, abortion and women has got to be significant in the field of paleontology." Similar comment was available in most newspapers. The League contributed several letters and articles by way of response.

Governments were quoted as well, including officials from France, Spain, Germany and the Netherlands. All indicated that condoms must be part of any AIDS-fighting strategy. Perhaps the most snide commentator of them all, CBC - The Hour's George Stroumboulopoulos, huffed on March 17 that the papal remarks were "not only idiotic but dangerous...I mean come on, the UN, the World HEALTH Organization, that's HEALTH, says they (condoms) work."

A review of available information about the AIDS crisis in Africa suggests that the problem is not what the Pope said, but that it was him who said it. The media tend to react predictably to any Church statement touching on sexuality, and it's usually swift, negative and sneering, sometimes without an implication that really, perhaps celibate old men should not be addressing such matters at all.

In reality, Pope Benedict's opinion is not unusual, particularly among people with front line experience in the crisis. Is there in fact something dangerous or irresponsible about promoting abstinence or monogamy as the best way to halt the spread of AIDS? What have we achieved through 20-odd years of giveaway programs, and are there any plain numbers to back up claims of success? With approximately 22 million sufferers in sub-Saharan Africa, the search for effective prevention and treatment remains urgent.

The most-cited UN study cites a 10 per cent failure rate for condoms as a method of disease prevention in conditions of correct and consistent use. The real-life failure rate may well be higher. At the same time, Edward C. Green, director of the AIDS Prevention Research Project at the Harvard Center for Population and Development Studies, says that measurable declines in transmission can be traced not to condom programs, but to programs encouraging behaviour change. "Many countries that have not seen declines in HIV have seen increases in condom use, but in every country worldwide in which HIV has declined there have been increases in levels of faithfulness and usually abstinence as well. If AIDS prevention is to be based on evidence rather than ideology or bias, then fidelity and abstinence programs need to be at the center of programs for general populations." The first ladies of Kenya and Uganda are among the African voices on record stating that behaviour change must be at the core of any AIDS-combating strategy.

A ten per cent failure rate (at best), in countries where in some cases one-quarter of citizens are infected with HIV, still leaves plenty of room for the disease to spread. Moreover, condoms have little impact on the exposure to HPV or other skin-on-skin infections. A misguided approach to public health is more "dangerous" than what the Church proposes.

There is no magic bullet that will eradicate AIDS. In the developing world, the reckless behaviour that causes most transmission of the HIV virus among adults is aggravated by poor living conditions and the inequality of women, who too often lack the power to refuse an infected partner. These are problems that Church teaching on sexuality addresses well, through its emphasis on the sanctity of marriage, the equal status of husband and wife,

and indeed the equal dignity of all people. The Christian tradition of caring for the sick is also evident in worldwide AIDS statistics. About one fourth of the world's AIDS victims are cared for directly by Catholic agencies, making the Church the largest single private institution involved in AIDS treatment. ■

## ***March for Life draws modest coverage***

This year's March for Life May 14, which was attended by many League members and for which the League provided a modest donation, marked the 40th anniversary of liberalized abortion in Canada. The League has asked the CBC why it provided no coverage at all of the event, despite advance notice and the presence of numerous public figures at the march, including most of the pro-life parliamentary caucus that so many reporters complain is "secretive."

Nevertheless, and perhaps because of the anniversary, there was some national coverage this year. There were two articles, one in the National Post by Michael Coren and one by Gloria Galloway in the Globe and Mail on the same date as the March itself, May 14.

Coren recalled some basic facts about the pre-born child and the mother (the two have different DNAs) and noted that in eleven years of the March for Life not a single act of violence had taken place, with the crowds singing and praying.

The Globe headed its article "Forty years later, abortion debate rages on," with the subtitle, "On anniversary of procedure's legalization in Canada, thousands expected to protest on Parliament Hill." It then accompanied the story with a 1984 photo of a smiling Henry Morgentaler and a dozen supporters. There were also some photos and short stories in local newspapers.

The pro-life show of strength May 14 was not just limited to the national march. Numerous regional events took place across the country, setting records for attendance. 40 people from Newfoundland, 140 from Manitoba, 350 from Nova Scotia, 400 from New Brunswick, 400 from Alberta, 400 from Saskatchewan, and a mighty 2,000 from British Columbia took part in various local marches. In total, more than 16,000 Canadians participated in pro-life demonstrations during Respect for Life Week, and the number of bishops involved totaled 25. ■

## ***Movies speak to a common bias***

Angels and Demons, which opened May 15 in North America, is the type of movie that can usually fill large theatres for weeks with people who like murder mysteries with lots of action, interesting settings and suspense to the very end. It also takes the free hand with Church history and modern-day reality that usually characterizes movies with a strong Catholic component.

Briefly, the movie is a prequel to The Da Vinci Code and describes a vendetta against the Catholic Church by a "centuries' old secret society," the Illuminati. Harvard symbologist Robert Langdon, played by Tom Hanks, is asked by the Vatican to crack a secret code after the Illuminati kidnap four cardinals considered front-runners to be the next pope, and threaten to kill one an hour and then explode a bomb at the Vatican.

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Angels and Demons is not the direct challenge to the foundations of Christianity that the Da Vinci Code was. (Da Vinci Code's story was based on the theory that Jesus and Mary Magdalene had children together, whose descendants live today.) While there are enough errors and stereotypes in Angels and Demons that many Catholics could find the movie annoying, even the Vatican newspaper has dismissed it as "harmless entertainment," and jokingly suggested that bored moviegoers could entertain themselves by counting the mistakes.

It's true that the errors and myths in this story are numerous, but also unlikely to challenge the fundamentals of anyone's faith. However, the central myth of Angels and Demons – specifically, that the Church is the enemy of science and has always done whatever it can to suppress scientific inquiry – is at least as widely held in media and much of society as it is on the silver screen. In our press release and articles about the movie, we cited numerous examples, including the Globe and Mail's recent assertion that evangelical Christianity could make a cabinet minister unfit to hold the science portfolio, and some attempts in other newspapers to question a Christian appointment to the Immigration and Refugee Board since there could be bias against homosexual claimants.

Fortunately, the vast majority of movie-goers and critics have evaluated this movie as entertainment, not religious criticism. Our online information links ([ccrl.ca/pressreleases/angelsanddemons](http://ccrl.ca/pressreleases/angelsanddemons)) include some good articles about the historical relationship between the Church and scientific inquiry. ■

### CRTC extends exemption for new media

OTTAWA-GATINEAU - The Canadian Radio-television and Telecommunications Commission (CRTC) announced June 4 that it will maintain its approach for broadcasting content distributed over the Internet and through mobile devices. The commission will continue to exempt new media broadcasting services from its regulation and monitor trends as they evolve.

"While broadcasting in new media is growing in importance, we do not believe that regulatory intervention is necessary at this time," said Konrad von Finckenstein, Q.C., chairman of the CRTC, said in a press release. "We found that the Internet and mobile services are acting in a complementary fashion to the traditional broadcasting system. Any intervention on our part would only get in the way of innovation."

The Commission was not presented with convincing evidence that would suggest additional support, as proposed, was needed for the creation and presentation of Canadian broadcasting content in new media, said Mr. von Finckenstein. Given the dynamic nature of the new media environment, the commission expects to review its approach within the next five years.

The conclusions of the report are in keeping with what many had requested during the hearing process. Since much Canadian-produced new media broadcasting content is owned by traditional broadcasting companies, any attempt to control it would only set up another layer of regulation. The complete report is available at [crtc.ca](http://crtc.ca), Review of Broadcasting in New Media, June 4, 2009. ■

## CCRL IN THE NEWS

Selection of media engagements on our members' behalf since our last edition

*Radio Teopoli, Building a Civilization of Love, June 6,* Executive Director Joanne McGarry discusses League annual dinner and other activities.

*National Post, June 4, Who's to blame for George Tiller's murder?* Letter to the editor from Joanne McGarry.

*Catholic Register, May 31, Coalition forms to defeat latest euthanasia bill.* League quoted on the need for improvements in end-of-life care.

*National Post/ Holy Post blog: May 19, Euthanasia: At this end of the spectrum, no doubt about humanity.* Article by Joanne McGarry

*BC Catholic, May 11/09, Catholic rights group calls for more free speech protection,* League President Phil Horgan discusses opportunity for Alberta to protect speech rights in Bill 44.

*Canada Free Press, April 30,* League press release about changes to Alberta's Human Rights Code.

*Vancouver Sun, March 12, Social engineering spawns long-term consequences,* letter from League director Sean Murphy.

*Inside Catholic, March 26, Condoms and the Pope: The Facts,* article by League director Richard Bastien.

*Catholic Register columns by Joanne McGarry on the League's behalf: May 31, Movies speak to a common bias; May 10, No silencing the March for Life; April 5, Pope Benedict not the enemy of AIDS prevention.* ■



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## CHRC findings inadequate, says League

The League has characterized as inadequate the recommendations contained in the Canadian Human Rights Commission (CHRC) report "Freedom of Expression and Freedom from Hate" released June 11. It is mainly focused on Section 13, which allows the CHRC to hear complaints about hate speech published on the Internet and in other telecommunications.

The main recommendations of the report, the result of an internal review by the Commission, are that the federal human rights tribunal no longer have the ability to issue fines to those it finds guilty of hate speech; that the Canadian Human Rights Act be amended to provide a statutory definition of "hatred" and "contempt", that the Act be amended to allow for an award of costs in exceptional circumstances where the Tribunal finds that a party has abused the Tribunal process, and that a provision be added that allows for the dismissal of Section 13 complaints when messages do not meet the narrow definition of hatred or contempt.

Independent investigators, including, as the report notes, Professor Keith Moon, have concluded that Section 13 should go. So have Liberal and Conservative MPs. So has the League. So has just about every journalists' association in Canada.

"Previous commentators, including the League and Professor Moon, identified the inadequacy and danger posed by the existing provisions of s.13 of the Canadian Human Rights Act. It now appears that after eight years of prosecutions against Internet applications under this section, the Commission acknowledges that there is a problem. The Commission now wishes to try to continue its work in this area, under new rules. We find that most of the recommendations amount to fairly superficial changes to a system that is fundamentally flawed," said League President Phil Horgan. "Cases involving limitations on a Charter right such as free speech should not be addressed by human rights commissions."

The recommendation to remove the tribunal's ability to levy fines against offenders is an improvement, but does not address the heart of the problem: Cases involving freedom of speech and freedom of religion should not be dealt with by a non-judicial tribunal. Freedom of expression and freedom of conscience and religion are fundamental values of our democratic tradition. Any judicial curtailment of them should face the standard of proof required by a court.

The League's involvement with Section 13 cases has been motivated by the Commission's investigations of expression of opinion based on religious belief. It appears that the Commission is now recommending the ability to award costs in exceptional circumstances where the Tribunal finds that a party has abused the Tribunal process, and to include a provision to allow the early dismissal of Section 13 complaints.

If the Commission itself is recommending that these amendments be made, is it also not acknowledging that abuses occurred in the past? A true recognition of the imbalanced playing field between complainants and respondents would result in the recovery of the out of pocket expenses incurred by innocent parties.

In the case of Catholic Insight magazine, for example, the publisher ended up paying over \$40,000 in legal fees to defend the right to publish views based on Catholic teaching. That case remains outstanding, as the complainant has sought judicial review of the Commission's dismissal more than a year ago.

**For our detailed analysis of this report, visit our home page ([cclrl.ca](http://cclrl.ca)). The commission's report can be viewed at its site, [chrc-ccdp.gc.ca](http://chrc-ccdp.gc.ca). ■**

## League supports Faith and Freedom Alliance conference

The League is helping to support the annual conference of the Faith and Freedom Alliance, which is to take place in New Westminster, BC Sept. 25 to 28. There is a real need for lawyers who are knowledgeable in the issues of religious and conscientious freedom and who are able to donate some time to the many cases that arise each year. Unlike our U.S. counterparts, most Canadian advocacy organizations do not have the funding base needed to supply legal services at no cost to the litigants. The FFA tries to answer this need through its education program, which provides training to lawyers and law students in exchange for some pro-bono hours. You can request further information about the FFA in any correspondence with the League or visit its website: [www.faithandfreedomalliance.ca](http://www.faithandfreedomalliance.ca). ■

## Development Appeal draws gratifying response

The executive of the League is very grateful for your generous response to our Spring development appeal. Particularly in these challenging economic times, we're pleased to see such strong support for the League's activities. In addition to our ongoing commitments, we will be able to make contributions to the court challenge against Henry Morgentaler, the Faith and Freedom Alliance conference, the Fall symposium "Conscience and the Common Good" and donations in support of religious freedom on a case-by-case basis.

A number of new subscribers joined our monthly donor program as a result of the appeal, and we do recommend this option. It allows the donor to spread out support in a series of smaller donations, rather than a single, larger one, and it reduces our administrative costs as there are no further solicitations or renewal notices for monthly donors. The program is now available through automatic debits from your bank account, as well as Visa and MasterCard.

We always need more supporters, so please feel free to send names and addresses for our mailing list even if you can't afford a further donation. We know that not everyone can afford to donate to every appeal, and your messages of prayer and support are always most welcome. ■

**Please visit our web site at [www.cclrl.ca](http://www.cclrl.ca)**

**Continued from p. 1 ►► ALBERTA ENSHRINES PARENTAL RIGHTS IN HUMAN RIGHTS CODE**

"We heartily endorse the right of parents to choose the kind of education that is given to their children - and that includes both the right to be informed about instruction regarding religion, sexuality and sexual orientation and to seek accommodation of their beliefs, including the right to opt out of such instruction," said Corry Morcos, President of REAL Women of Canada's Alberta Chapter, an Edmonton based organization.

The bill passed second reading on May 13, 2009. Amendments to the bill were passed on May 26. The bill was passed June 2.

Family and faith groups all recognize the right of parents to choose the education of their children, and this right is also spelled out in Article 26 of the UN's Universal Declaration of Human Rights. With the passage of Bill 44, Alberta becomes the only province to include parental rights in its human rights code. ■

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