



Catholic CIVIL RIGHTS League

VOL. 12 NO. 3 September, 2009

Euthanasia would lead to abuses, League tells PM

The League has written to Prime Minister Harper, with copies to the leaders of the other major parties, to express our concerns about current pressures to liberalize our laws on euthanasia and assisted suicide. In our letter, available in English and French on our website, we state that a greater priority on palliative care is the best way to allay concerns that Canadians have about end of life issues. Some excerpts from our letter follow:

On behalf of our national membership, we have many concerns about Private Members' Bill C-384, which aims to liberalize our laws on euthanasia and assisted suicide, and about more general pressures in this regard throughout society.

While we all sympathize with patients and families who face difficult situations and decisions at the end of life, we believe a strong commitment to palliative care is the best way to allay their concerns.

Canadians need to know that they will be provided with the best pain management available, and the best comfort care available. In our opinion, some of the pressure for a more liberal euthanasia law is fueled by concerns that this standard will not be met.

On the other hand, the experience in the few jurisdictions that have made euthanasia and assisted suicide legal suggests a number of things. Notably, a very limited legalization will lead to a more widespread acceptance of the practice, significant difficulties in obtaining genuinely informed consent, and perhaps most problematic of all, problems in record keeping that make it very difficult to track abuses.

We believe that the legalization of any "mercy killing" will lead to the devaluation of the lives of the seriously ill and disabled, and pressures on them

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Catholic Women's League supports repeal of Section 13

The League was pleased to learn that The Catholic Women's League of Canada (CWL) passed a resolution on August 12th urging the Canadian government to repeal the hate speech section of the Canada Human Rights Act (CHRA). The resolution was adopted by the CWL at its 89th Annual National Convention in St. John's, where resolutions against human trafficking and in support of help for women trying to leave prostitution.

As we said in media interviews shortly after the convention, the League hopes our government will appreciate that there is very broad-based support for the repeal of Section 13, and move accordingly. We have written to Justice Minister Rob Nicholson urging him to support the repeal of Section 13, pointing out that just about everyone who has studied the matter in detail has reached a similar conclusion. We have also written to the CWL to thank them for their leadership in taking this stand.

"The prevention of discrimination in day-to-day living, especially in matters of employment and the provision of goods and services, is a laudable goal, and one toward which Canada has made significant strides in recent decades. Human rights codes, both federal and provincial, have played a role in helping

us achieve this progress. However, Section 13 is essentially an attempt to protect people from being offended or annoyed by things that they might read. As reprehensible as some such material is, it is better to let it face the well-deserved scorn of public opinion than to attempt to censor it, the League told Mr. Nicholson.

"The problems with Section 13 have already been well documented in the reports of Professor Moon (October, 2008), and indeed the commission's own report "Freedom of Expression and Freedom from Hate" released June 11. Just this month, the Catholic Women's League of Canada adopted a resolution in support of the repeal of Section 13, joining the many writers' associations, faith groups and civil rights associations that have done so."

Section 13 of the CHRA covers communications that are "likely to expose a person or persons to hatred or contempt." The clause has been criticized for limiting freedom of expression. In the past few years there have been a number of cases where Christians have been subject to commission proceedings after expressing their faith convictions. Those who have faced proceedings include Bishop Fred Henry of Calgary, League co-founder Father Alphonse De

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Mark your calendars

Symposium: Conscience and the Good of Society

Toronto: Sat., Oct. 3

Carr Hall, 100 St. Joseph Street

Edmonton, Tues., Oct. 6

Providence Renewal Centre,
3005 – 119 Street



Speakers from the fields of law, medicine and civil rights will discuss the importance of freedom of conscience for professionals. See our website for complete lists of speakers.

Registration information: Page two

League's annual general meeting

Wednesday, Oct. 28

Mass: 5:30 pm, St. Michael's
Cathedral, Toronto
in memory of Frederick W. Hill



Meeting following at Bond Place
Hotel, corner of Dundas and Bond
Streets.

Guest speaker: Gwen Landolt, Vice
President, REAL Women of Canada



**Please call 416-466-8244 or e-mail
ccrl@ccrl.ca to confirm your
attendance.**

Guests welcome



EDITOR'S MESSAGE

By *Joanne McGarry*, Executive Director and Editor

Conscientious freedom an ongoing challenge

When the Saskatchewan Court of Queen's Bench on July 22 denied the appeal of marriage commissioner Orville Nichols, the decision was in keeping with a disturbing trend to deny the exercise of conscientious freedom to those whose religious or other moral beliefs are in conflict with a service or activity that is legal. (Mr. Nichols had been fined by the human rights tribunal for refusing to perform a marriage ceremony for two men, who then filed a formal complaint. Story, page 5.) Canada has a tradition of accommodating religious and conscientious belief to the point of undue hardship. In practice, this would presumably mean that as long as the objector offers no interference, and the requested service goes ahead as planned, there isn't a problem. But in this instance the right to object was denied.

The League has supported freedom of religion and freedom of conscience for marriage commissioners within the tradition of reasonable accommodation. In all the cases of religious and conscientious objection by marriage commissioners of which we are aware, the ceremonies went ahead as planned, so there was no denial of service. The Saskatchewan government is now going to its Court of Appeal with proposals to accommodate conscientious objection for marriage commissioners, as some other provinces provide.

However, the solemnization of marriage is only the latest in a series of challenges to freedom of religion and conscience in day-to-day living. There have been several cases of union members attempting to have their mandatory dues diverted to charity in protest of union advocacy on socially contentious topics, but unions and human rights tribunals have taken a very narrow view of the possibility for exemption, generally permitting it only to those whose religions forbid unionization.

From the time abortion was legalized, nurses, health care workers and medical students have been under pressure to participate directly or indirectly in abortion and have sometimes been forced to do so. Health care professionals are confronted by expectations that they will prescribe or dispense contraceptives or potentially embryocidal or abortifacient drugs. Physicians have been better placed to avoid or resist those pressures, and various medical associations have been supportive in that respect. However, demands that objecting medical professionals facilitate morally controversial procedures seem to be on the increase, and a trend favouring euthanasia and assisted suicide makes this especially worrisome.

These are some of the pressures we will explore during the symposium: Conscience and the Good of Society, in Toronto Oct. 3 and in Edmonton Oct. 6. A certain amount of tension is inevitable when activities that some people find objectionable are legal. For those whose work brings them into regular contact with such questions, it's important to know what the law provides and how it might apply in individual situations. We hope that as many people as possible will join us for these discussions. ■

To Register: In Toronto, the symposium will take place at Carr Hall, beginning at 9:00 a.m. Fee for the day is \$100. Call 416-926-2335 or e-mail bioethics.usmc@utoronto.ca

In Edmonton, the symposium will take place Oct. 6 at Providence Renewal Centre beginning at 9:00 a.m. Registration fee is \$125. To register, call Gloria Pigat or Sandra Carrette at 780-469-1010, or e-mail pastoralservices@caedm.ca

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Civil Rights is the official newsletter of the Catholic Civil Rights League. For reprints or additional copies of this newsletter, please contact the League's Toronto office at (416) 466-8244. To join the Catholic Civil Rights League see membership form in newsletter (pg. 7).

Peterborough case not an OHRT matter, says League

The League is deeply concerned about the filing of a complaint with the Ontario Human Rights Commission against the Bishop of Peterborough for discontinuing the service of two homosexual men as altar servers at a parish church in the diocese.

According to news reports, Jim Corcoran brought the complaint in late June after he was asked to give up his position as an altar server at Sunday Masses. The complaint names the bishop and 12 parishioners who had complained about the situation at the parish. Mr. Corcoran, who has acknowledged that he is homosexual, was relieved from altar duties at St. Michael's parish in Cobourg, Ontario. He is seeking \$20,000 from each of the 12, \$25,000 from the bishop as well as legal costs.

Without commenting on any details or personalities that are involved in this case, the relationship between the Church and altar servers has none of the attributes that would make it a subject for a complaint to the Ontario Human Rights Tribunal. No one serves on the altar as a right; it is at the discretion of the pastor, who in turn is at the service of his bishop. Mr. Corcoran's role was not unlike that of other liturgical servers, who are part of the overall presentation of the Mass.

The decision about who can serve on the altar is a matter of Church governance. It is not a matter of employment or the delivery of public services, or any other concept that would make it subject to human rights law. The League hopes the Human Rights Tribunal will avoid an interference with the Church's governance in this matter. It should not place itself as an arbiter of canonical precepts.

However, in a decision earlier this year, the Anglican Diocese of Toronto was unsuccessful when it argued that the tribunal had no jurisdiction to hear a complaint of racism brought by a Sri Lankan man who was denied ordination to the priesthood. Postulancy prior to ordination is not an employment relationship or commercial service, said the Anglicans, and therefore it is outside of the tribunal's mandate. But tribunal vice chair Leslie Reaume ruled that postulancy constituted a "service relationship," and that the tribunal could hear the complaint. The case has not yet proceeded to a hearing.

The next stage in the procedure in the Peterborough case is for a mediation hearing. No date has been set for mediation, but the usual timeline would place it four to six months after the July 28 deadline for responses to Corcoran's complaint.

Despite the value that rights commissions and tribunals may have in matters of employment, housing and the delivery of public services, they should not try to determine how churches interpret matters of doctrine.

There are currently just under 3,000 applications before the Ontario Human Rights Tribunal. Approximately 60 to 70 per cent of tribunal cases are resolved through mediation. For the remainder, some are resolved privately between the parties, or abandoned by the complainant, before coming to a hearing.

- Documents and decisions referred to in this story can be found on our website (ccrl.ca) through links from our July 10 press release about this case. ■

REGIONAL ROUNDUP

The Antigonish Chapter of CCRL held its annual BBQ on July 25th with Dr. Steven Baldner, Dean of Arts at St. Francis Xavier University as guest speaker. Dr. Baldner discussed getting a "Catholic Education in a Secular World" using St. Francis Xavier University as an example. Dr. Baldner answered questions for almost an hour after his talk from the 80 members present. Dr. Baldner was introduced by Dr. Al Balawyder, retired professor at St. Francis Xavier University and vice president of the Antigonish Chapter of CCRL. Sandy MacDonald, LL.B., now a seminarian studying in Rome and former president of CCRL Antigonish Chapter, thanked Dr. Baldner and presented him with a gift on behalf of CCRL.

Chapter members were also involved in the third annual Steubenville Atlantic Youth Conference held on the campus of St. Francis Xavier University on July 31/ August 01st & August 02nd. Over 800 youth from Atlantic Canada and as far away as Ontario attended the event along with priests, religious and the Atlantic Bishops. As in past years, this event is very well received by all who participate. A highlight of the weekend is to see at the closing Mass the numbers of young men and young women who because of the weekend experience are considering a religious vocation.

The Antigonish Chapter of CCRL began its fall schedule on Tuesday (2nd Tuesday of the month) September 08th at 7.30pm. For more info, please contact Don MacLellan, president at don_maclellan@hotmail.com Windsor-Essex chapter meets quarterly. For further information, contact President Bob Baksi at robert@baksi.com

For information about starting a chapter in your area, contact Joanne McGarry at ccrl@ccrl.ca, or 416-466-8244. ■



Challenge to prostitution laws: Group seeks appeal

The League, and co-applicants Christian Legal Fellowship and REAL Women of Canada, have filed an appeal in the denial of their application for intervenor status in the constitutional challenge to Canada's prostitution laws. The application was heard Sept 10, and the judge reserved his decision.

The challenge, originally commenced in Ontario and British Columbia, seeks to strike down sections of the Criminal Code dealing with keeping a common bawdy house, living off the avails of prostitution, and communicating for the purpose of prostitution, on the grounds that the provisions violate the Charter's guarantees of life, liberty and security of the person (Section 7), and freedom of expression, including freedom of the press and other media of communication (Section 2).

The group applied to intervene as a "friend of the court", citing its individual and collective experience of active involvement in matters of public policy and law, especially Charter cases that have had an impact on family, marriage, children and the impact of social change on families.

Had friend of the court status been granted, their participation would have consisted of filing a factum and making oral submissions. The application noted: "In this proceeding, this Court is being asked to consider matters which will have a profound effect on the civil liberties and morality of people with religious views on controversial moral questions. This application involves important issues that transcend the immediate interests of the parties. The Intervenors believe that they can provide the Court with a unique perspective that would be useful to it in considering the constitutionality of the laws regulating prostitution."

Their application pointed out that they have intervened, collectively or separately, in 14 other court cases. In addition, Gwen Landolt of REAL Women made submissions before the Subcommittee on Solicitation Laws, of the House of Commons Standing Committee on Justice, human Rights, Public Safety and Emergency Preparedness. That hearing canvassed many

of the issues raised by this case.

The respondent, the office of the Attorney-General for Ontario, did not oppose the motion, noting that the groups may have a perspective that is different from the respondent and may be of assistance to the court. The sex trade applicants, however, maintained that since they intended to focus on the safety and security of those working as prostitutes, the group would not be able to make a useful contribution. The applicants' lawyer also asserted that the group's intention to address "spiritual and moral values underlying the prohibition on prostitution is both irrelevant and distracting because the Supreme Court of Canada has already held that legal moralism is not a proper foundation to justify the enactment of a criminal prohibition."

In denying the application, the judge wrote that he was not satisfied that the group understood the role of an intervenor under friend-of-the-court provisions, and how it differs from appearing before Parliamentary committees, despite a long history of such court engagements. He also said they had not given enough description of the arguments they had planned to put forward in their submissions (despite the summary that had been provided), and that they had not shown any expertise or special knowledge that would entitle them to advance any arguments on issues that might be ruled relevant at the hearing.

The judgment also stated, "I am concerned that the participation of the moving parties at the hearing of the application "as a friend of the court" might reasonably create the appearance that the Court had, without justification, entered into a special relationship with the moving parties and had provided them with a public platform to advance certain principles which they support, some of which would undoubtedly be very controversial and would reflect the views of only small segments on Canadian society."

This statement ignores the fact that previous interventions have occurred without any confusion as to the fact that intervenors were deemed to be "friends" of the court. The balance of the statement is an awkward if premature presumption as to what constitutes public opinion. ■

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and their families to hasten their demise. This is very much against our Canadian tradition of caring for the ill and the needy in a life-enhancing way.

MP Francine Lalonde (BQ-La-Pointe-de-L'Île) 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. 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 claimed 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, there is credible evidence of abuse in those jurisdictions, and also reports of significant problems in compiling meaningful data. (See Euthanasia Prevention Coalition website.)

In July, a report of the Quebec College of Physicians recommended that the college pass a motion to recommend some liberalization of euthanasia laws. It is expected to introduce a formal proposal in this regard this Fall.

The League urges all members to contact their own MPs to oppose the liberalization of euthanasia laws.

One of the challenges in any debate about end of life care is to be precise in definitions. In any communication, it is important to stress that we are referring to the intentional, deliberate taking of life, not to the administration of adequate pain relief that may have an indirect effect of shortening life, or to the discontinuance of treatment in cases where there is no realistic hope of survival. Neither of those practices are euthanasia, nor are they illegal now, but some factions of the "right to die" lobby are using language and appeals to emotion to suggest that they are.

The distinction was ably drawn by Dr. Will Johnston, president of Canadian Physicians for Life, in a July 20 letter to the Ottawa Citizen in response to the Quebec College's proposal.

"The plain truth is no change in Canadian law is required to let doctors and nurses deliver good palliative care—no change at all. This does not sit well with those who want death on demand to be available to anyone for any reason. Their agenda can almost stay hidden if they can continue to pretend that heavy-handed laws are breathing down the necks of Canadian physicians who are trying to help the dying. The Quebec College is in questionable company." ■

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.

Marriage commissioner denied appeal

REGINA, Sask. – The Saskatchewan Court of Queen's Bench on July 22 denied the appeal of marriage commissioner Orville Nichols, who was fined by the provincial human rights tribunal for refusing to perform a marriage ceremony for two homosexual men. Justice Janet McMurtry found that, when acting in his official capacity, Mr. Nichols has no right to claim a religious accommodation and, therefore, must marry same-sex couples. It is not yet clear whether Mr. Nichols will appeal the decision to the Saskatchewan Court of Appeal. (Nichols v. M.J. & Saskatchewan Human Rights Commission, 2009 SKQB 299).

In 2008, following a complaint by the pair, the Saskatchewan Human Rights Tribunal upheld the complaint and levied the \$2,500 fine, ruling he had violated the province's human rights code by refusing to marry a gay couple for religious reasons.

Justice Minister Don Morgan announced earlier in July that the government would refer two versions of new legislation containing a religious exemption for marriage commissioners to the Saskatchewan Court of Appeal to rule on their constitutionality. At the same time, it will ensure that there are commissioners available to perform same-sex marriages.

The League has always supported freedom of religion and freedom of conscience for marriage commissioners within the tradition of reasonable accommodation. In all the cases of religious and conscientious objection by marriage commissioners of which we are aware, the ceremonies went ahead as planned, so there was no denial of service.

The Saskatchewan Party government's plan to introduce legislation allowing provincial marriage commissioners to refuse to perform same-sex marriages for religious reasons was both praised as a defense of religious freedoms and condemned as the institutionalizing of discrimination. The plan was introduced July 3.

Two other marriage commissioners are also suing the government over the lack of a religious exemption. Commissioners in Manitoba and Newfoundland have filed complaints of religious discrimination with their provincial human rights tribunals.

Prince Albert lawyer Dale Blenner-Hassett, one of two lawyers representing the marriage commissioners suing the government, said the legislation will be a reasonable accommodation for both sides.

"It makes room for those who have religious convictions and it provides for them to be people of faith in the public service without being squashed on or forced to do things against their conscience while at the same time ensuring that those who have different views are accommodated as well," he said in an interview.

Mr. Blenner-Hassett said he would have preferred the government simply introduce the legislation and expressed confidence it would be found constitutional.

Mr. Morgan said in an interview that the government wanted to bring forward legislation that will settle the issue that is currently before the courts.

But the move also fulfills the Saskatchewan Party's original intentions to provide an exemption, he said. The party had opposed the legalization of gay marriage but Mr. Morgan said same-sex individuals have a right to such civil marriage services.

"But we also have rights of people that have deeply held religious beliefs and if we can accommodate both sets of beliefs or both views within the Charter (of Rights and Freedoms) and within our administrative framework, that would be

our preferred course," said Mr. Morgan, who acknowledged the government is already not disciplining any marriage commissioners who won't perform same-sex marriages.

Mr. Morgan said Prince Edward Island is the only province that currently has legislation providing a religious exemption for marriage commissioners although other provinces do so on an informal basis.

Mr. Morgan said it will be up to the court how long it takes to make a decision on the legislation but it could easily be six to 12 months. It is thus virtually certain that a bill will not be introduced in the fall sitting of the legislature that begins in October, said the minister.

The government will await the court's decision and commentary before deciding which of the legislative options to take, he said.

One legislative option going before the court would see a grandfather clause providing a religious exemption from performing same-sex marriages for individuals who were commissioners at the time gay marriage was legalized in 2004, while the other would provide that religious exemption for all commissioners. ■

- With a report from The Regina Leader Post

New Brunswick drops appeal to top court of Morgentaler ruling

Fredericton, NB - The province announced Aug. 19 that it will not pursue an appeal with the Supreme Court of Canada in its ongoing legal battle with Dr. Henry Morgentaler over public funding of abortions. Morgentaler is suing the province, arguing on behalf of women that the government should have to pay for abortions performed at his Fredericton clinic.

The New Brunswick government has disputed Morgentaler's right to represent women in a lawsuit, but has lost a court challenge and a subsequent appeal on the issue. A Court of Queen's Bench ruling gave Morgentaler standing to bring the lawsuit. In May, the New Brunswick Court of Appeal dismissed the province's appeal of the ruling.

"The position of the Province of New Brunswick has not changed in respect to this issue," Health Minister Mary Schryer said in a statement Tuesday. Schryer declined to comment further, saying the case was before the courts.

New Brunswick is the only province in Canada that doesn't pay for abortions in private clinics.

Court of Queens Bench Justice Paulette 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.

Hundreds of women pay out of their own pockets for procedures at Morgentaler's clinic in Fredericton at a cost believed to be between \$500 and \$750 per procedure, depending on how far along a woman is in her pregnancy.

In its decision issued in May, the Court of Appeal was unable to find "even a hint of reversible error" and dismissed the province's appeal. Furthermore, it ordered the province to pay costs of \$5,000 to Morgentaler. The province had argued in its appeal that Garnett didn't have the inherent jurisdiction to grant Morgentaler public-interest standing in the lawsuit as per the Rules of Court. Court of Appeal Chief Justice Ernest Drapeau wrote in the decision that the province's arguments were devoid of merit. (See CCRL Civil Rights, Spring, 2009.) ■

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Valk, CSB, editor of Catholic Insight, and Protestant youth pastor Stephen Boissoint of Alberta. There have also been the high profile cases against Ezra Levant, lawyer and former publisher of The Western Standard and popular columnist Mark Steyn and MacLean's magazine.

Among the many organizations that have called for the repeal of Section 13, the Conservative Party adopted a policy resolution in support of the move last November (Follow resolutions with legislation, League press releases, Nov. 20, 2008).

The CCRL 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.

We urge our members to support reform of Section 13 through letters and meetings with their MPs. ■

League comments on media coverage of LeBlanc funeral

The controversy over Prime Minister Stephen Harper receiving Communion at the July 3 funeral of former Governor General Romeo LeBlanc in Memramcook, New Brunswick, caused much concern among Catholics, and much commentary in the media. In the course of a number of media interviews, the League provided several explanations of Church teaching and sacramental protocol regarding the participation of non-Catholics in Catholic ceremonies.

Some of the cartoons and more flippant commentary tried to make light of the incident. In the ensuing weeks we have seen an editor and publisher at the Saint John, Telegraph-Journal, which broke the story originally, relieved of their duties for their role in stirring the controversy, through the suggestion that Mr. Harper had not in fact consumed the Eucharist, which he insisted he did. Now there are suggestions among political analysts that the story was exploited for political gain.

Leaving aside the machinations of politics and the potential for controversy swirling out of control during a slow news period, the underlying issues should not be ignored. As some of the better articles have explained well, the main issue raised by this story is respect for the Eucharist, and for Catholic teaching governing its reception.

Until fairly recently, the protocols of various religions were well-enough known that very few people, if any, would have expected to receive Communion within any denomination but their own. On the positive side, the barriers of suspicion and prejudice that once separated the various branches of Christianity have been greatly lessened. Unfortunately, this may have contributed to the loss of recognition that doctrinal differences remain and should be respected. In fact, many Catholics do not present themselves for communion, either because they are too young, or for other reasons of doctrine or good conscience.

No one viewing the tape or reading the accounts of Mr. Harper's participation at Mr. LeBlanc's funeral Mass would find any suggestion of wilful disrespect for the Eucharist. If Catholics sometimes seem over-sensitive in the matter of respect for the sacrament, it is because much more serious incidents sometimes occur. For example, in just the past few years we have seen someone try to sell a consecrated host on e-Bay, and a Quebec teenager film a series of purported desecrations on YouTube.

One of the reasons the League exists is to help all Catholics be vigilant in how the media portray the sacraments and the church in general, and engage in dialogue to encourage respect for religion in a free speech society. As this incident suggests, it's a dialogue that continues to be greatly needed. ■

Transit advertising challenged

Thanks to the many League members who alerted us to some particularly offensive advertising in Toronto subway stations, and helped by writing letters and e-mails in protest. At the time of the Toronto Pride parade, posters with explicit references to homosexual intimacy were placed in several downtown stations. In our note to TTC Chairman Adam Giambrone, we stated that the ads were beneath any standard of good taste, especially for a general audience that has no choice about being exposed to them.

"While there is other advertising in the transit system directed at the gay community, I can't recall any that are as tasteless or crude as this one. When I was there, it was rather depressing to see the looks of distaste and irritation on the face of commuters as they walked by, particularly families with children," said Joanne McGarry, League executive director.

Mr. Giambrone assured us that the ad agency involved would take our concerns into account. "They review all advertising submissions and ensure they uphold certain advertising standards before posting them on

the system. The TTC recognizes that system users are a diverse group of people and does its best to accommodate that diversity without infringing on others rights." As of press time, some of the posters were still in evidence on TTC property. ■

Hamilton to allow pro-life ads

The city of Hamilton Ontario has decided to lift a ban on pro-life posters on its buses and transit shelters. The decision follows a human rights complaint file by Hamilton Right to Life last year, stating that the city violated the right to freedom of expression and denied equal treatment and the right to contract on equal terms because of discrimination against its position on abortion.

Hamilton Right to Life intends to drop its human rights complaint, which was scheduled for a hearing in July, now that the city of Hamilton has revised its rules so as to allow pro-life advertisements to be displayed in city buses, transit shelters and other similar city-owned advertising spots, according to a Hamilton Spectator report.

The original ads, which were part of a nation-wide pro-life campaign coordinated by Life Canada, depicted a pregnant woman. At the top of the ad were the words, "Nine months: the length of time abortion is allowed in Canada. No medical reason needed." At the bottom of the ad is the question, "Abortion, have we gone too far?"

Advertising Standards Canada (ASC), a self-regulating body of Canada's advertising industry, ruled last year that these ads were "deceptive," despite evidence from Statistics Canada confirming the truth of the message the ad gives and a ruling from the Supreme Court, which shows that there are no laws against abortion in Canada. ■

Pro-life convictions worth risking career: Actor Jim Caviezel

Jim Caviezel, the actor who took the film world by surprise with his moving depiction of Christ in 2004, said recently week that abortion has nothing to do with helping women and that he is willing to risk his career to say so.

In an interview published in the August edition of the US magazine Catholic Digest he spoke about the challenge he received from a colleague to adopt a disabled child as a demonstration of his well-publicized pro-life stand. Earlier this year Caviezel and his wife Kerri adopted their second child - a five-year-old girl with a brain tumour from the Guangzhou region of China.

Reflecting on the 51.5 million surgical abortions to date in the US since Roe v. Wade, Caviezel began by saying, "I was listening to Johnny Mathis the other day and I said, 'What an amazing voice'. I have yet to hear another person sound like Johnny Mathis.

"Look, I am for helping women. I just don't see abortion as helping women. And I don't love my career that much to say, 'I'm going to remain silent on this'. I'm defending every single baby who has never been born. And every voice that would have been unique like Johnny Mathis's. How do we know that we didn't kill the very child who could have created a particular type of medicine that saves other lives?" ■



CCRL IN THE NEWS

A partial listing of media engagements on our members' behalf since our last edition

The Interim, August edition – Judge refuses standing to religious, socon groups. League's group application to intervene in prostitution case denied.

Catholic Register, Aug. 23 to 30 – CWL takes on censorship. League Executive Director thanks CWL for resolution in support of reform of human rights tribunals.

Ottawa Citizen, August 8, In defense of moral absolutes, article by Richard Bastien, League director for the national capital region

The John Oakley Show, AM 680, June 23, Joanne McGarry discusses implications of the league's group application to intervene in federal court challenge to prostitution laws.

CHCH Television, "Live at 5:30", July 15, League discusses concerns about human rights tribunal being called on to adjudicate Church governance

The National Post, July 14, 2009 – Gay altar server contests firing. Joanne McGarry suggests Church governance is not a matter for the human rights tribunal to adjudicate.

Catholic Register, July 12-19 Peterborough bishop faces human rights complaint. League interviewed on implications of filing

The World Tonight, AM 770, Calgary, July 8 – Joanne McGarry discusses news reports about Prime Minister Harper receiving Communion at funeral of Romeo LeBlanc.

Catholic Register, June 28, BC Catholic June 22, Human rights commission report panned. League opposition to human rights tribunals hearing free speech and freedom of religion cases.

The Catholic Register, June 21, and The Interim, July edition – CCRL honours Frank Chauvin

BC Catholic, June 15, Quebec ethics course before two courts. League President Phil Horgan on parental rights in education as challenged by Quebec's new mandatory ethics program.

BC Catholic, June 1, Movie annoying, offensive to some: Rights League. League comments on the movie "Angels and Demons"

Catholic Register columns by Joanne McGarry on League's behalf: Give men a fair hearing (July 12/19) and Parental rights in the spotlight (June 21). ■

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Search under "Friends of the CCRL".

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Quebec court rules against Drummondville parents

DRUMMONDVILLE, Quebec - The Quebec Superior Court has ruled against parents who, opposed to the compulsory Ethics and Religious Culture curriculum, had requested that their fundamental rights of freedom of conscience and religion be respected.

In a ruling issued Sept. 1 in Drummondville, Justice Jean-Guy Dubois rejected a request from parents seeking an exemption for their children from the province's new - and controversial - course in ethics and religious culture and concluded their right to freedom of religion is not being violated.

In his 42-page ruling, Dubois said he couldn't see how a Catholic child's right to freedom of religion could be violated just by following the course. And since the course teaches about all religions, there is nothing obligatory or coercive about it, he said.

The Association of Catholic Parents in Quebec (ACPQ) rejects the judgment as unacceptable, because it deprives citizens of all faiths the fundamental right of parents to guide their children in religious and moral development according to their own convictions, and interferes with the freedom of religion and conscience of our youth, the ACPQ said in a statement.

"The judge rejected an offer of proof of a recent statement from the Vatican which expresses and confirms the position of the Church on teaching religions in schools. This document, published by the Congregation for Catholic Education May 5, 2009, clearly says, 'If religious education is limited to an exposition of comparative religion, supposedly neutral, it will be the source of confusion, or induce belief in relativism or indifferentism.' The document recalls that such instruction violates the rights of parents when children are required to take a course of instruction which is contrary to the religious conviction of parents or imposes a form of education in which all religious instruction is excluded.

"On the other hand, if as the judgment claims, John Paul II recognized the importance of an objective knowledge of religions, he primarily affirmed the duty of public schools to make room for the presence of a true teaching of religion within its walls. As was said by the Congregation for Catholic Education: Public education "must guarantee to parents, precisely because it is open to all, not only that instruction will not endanger the religious faith of their children, but on the contrary, will complete their integral formation by providing them with an adequate religious instruction in their faith. This principle should be included in the concept of religious freedom and idea of a truly democratic state, respectful of its most profound and authentic nature, seeking to serve its citizens and respect their rights and religious convictions."

"There is no possible basis in the documents cited by the judge for him to claim that the compulsory study of other religions at a very young age is acceptable to the Vatican," said Marie Bourque, spokeswoman for the ACPQ. "Traditionally, such instruction was given toward the end of secondary school when children already understand their own religion and have attained sufficient maturity to study world religions."

Mrs. Bourque added, "This judgment diminishes the importance of parents in the education of their children. Furthermore, it creates a dangerous precedent in that a civil court has imposed its own interpretation of the teaching of a church based upon a biased viewpoint in order to deny fundamental rights of parents and their children. It is not for the government or the courts, or even churches, to replace parents in the choice of religious and moral education of their children."

Said Marie-Josée Cruteau, president of the Coalition for Freedom in Education (CLE),

"We are shocked. This judgment is based on an interpretation of Catholic doctrine whereas we claim that the rights of all the parents, whether Catholic, Protestant or Atheist, are to be respected."

According to the Coalition's spokesman, Richard Décarie, "the courts are qualified to rule on the sincerity of the religious or philosophical belief of the plaintiff. But the State is not in a position to referee between interpretations of religious faiths, nor should it do so in the future."

The Coalition questions thus the legal basis of this decision. The parents' lawyers will be analyzing the grounds of this decision, and an appeal is being considered.

Two other decisions related to the ERC course are awaited: one involving pupils in Granby who were suspended for not having attended ERC classes, and the other involving Loyola High School, a private school in Montreal which requested that it be allowed to adapt the ERC to comply with its religious mandate. ■

AIDS prevention expert backs Pope's comments

RIMINI, Italy - Once again, the director of Harvard's AIDS Prevention Research Project has publicly affirmed that the Pope was right on AIDS and condoms, Zenit reports.

Dr. Edward Green affirmed the Pope's teaching in an address Aug. 25 at the 30th Annual Rimini Meeting for Friendship Among the Peoples, sponsored by the Communion and Liberation lay movement.

"As a scientist [I] was amazed to see the closeness between what the Pope said last March in Cameroon and the results of the most recent scientific discoveries," said Dr. Green. "The condom does not prevent AIDS. Only responsible sexual behavior can address the pandemic."

"When Benedict XVI said that different sexual behavior should be adopted in Africa, because to put trust in condoms does not serve to fight against AIDS," he continued, "the international press was scandalized."

This March, Pope Benedict ignited a worldwide controversy, outraging media, world leaders and even church members (League press releases, March 23, 2009), when, on his first pastoral visit to Africa, he said that condoms only heighten the problem of AIDS. AIDS "is a tragedy that cannot be overcome by money alone, that cannot be overcome through the distribution of condoms, which even aggravates the problems," he told reporters.

In affirming the Pope, the AIDS expert also manifested a limited support for condoms, however, which is a view contrary to Catholic teaching. "The condom can work for particular individuals, but it will not serve to address the situation of a continent."

"To propose the regular use of the condom as prevention in Africa could have the opposite effect," he said.

Dr. Green pointed to the success of the Ugandan 'ABC' strategy, which says, "Abstain, Be faithful, and, as a last resource, use a condom."

"The president was able to tell the truth to his people, to young people, that on occasions some sacrifice, abstinence and fidelity are necessary," he said. "The result has been formidable." ■

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