



# The Catholic Civil Rights League

[www.ccrl.ca](http://www.ccrl.ca)

*Quarterly highlights, March 2013*

(Volume 4, Number One)

## CCRL welcomes Pope Francis

TORONTO ON March 14, 2013 – The Catholic Civil Rights League congratulates Pope Francis I on his election to the papacy, and pledges its prayerful support.

“Pope Francis’ strong commitment to the poor, to simple living and to evangelization recall both the charisms of St. Francis of Assisi, and the Jesuit missionary St. Francis Xavier. These commitments will serve the Church well at this stage in our history,” said League President Philip Horgan, who was part of the Canadian delegation to attend Pope Francis’ inauguration ceremonies March 19. “Pope Francis’ life of service and leadership in Buenos Aires express the richness of the deposit of faith and will allow the world to develop a renewed appreciation of the faith.

“The selection of a pontiff from Latin America helps emphasize that ours is a global Church providing spiritual leadership to a truly multi-cultural congregation. We wish Pope Francis all the best as he undertakes his new responsibilities.”

### Media Watch

#### League leads protest of CBC skit

TORONTO, ON February 25, 2013 – The CBC program “This Hour has 22 Minutes” featured a short skit February 19 satirizing the possibilities of a Canadian becoming pope. During a spoof of parishioners receiving Holy Communion, Tim Bits and Tim Hortons Coffee were substituted for the bread and wine.

We have protested the offensiveness of satirizing the Blessed Sacrament to the CBC, and also to Tim Hortons, and encouraged our membership to do likewise. While Tim Hortons would have played no part in creating the skit, viewers associated it with their product and the association

may not be a welcome one for the company. We asked executives to discourage “This Hour” producers from using their products in portrayals that are deeply offensive to Catholics and many others. The League gave interviews to several radio stations to protest this outrageous skit.

Visit our Facebook page ([www.facebook.com/catholiccivilrightsleague](https://www.facebook.com/catholiccivilrightsleague)) for links to this and other problem content in the media, and ways to respond.

#### Media coverage of papacy found wanting

TORONTO, ON February 21, 2013 – Media coverage of Pope Benedict’s resignation (or as it is formally known, renunciation of the papacy), has included a real mixture of good articles along with some needlessly negative, sometimes downright anti-Catholic vitriol, particularly from columnists and message board posts. To help improve balance, we have written to The Toronto Star, twice, regarding separate Rosie Di Manno columns, the Globe and Mail once regarding a news story, and later regarding a column by Gerald Caplan, CBC twice, once regarding a longish news story and again regarding This Hour has 22 Minutes (see separate article in this edition). Several regional newspapers were also contacted by our local directors.

We also provided an article for The Ottawa Citizen, by our Ottawa director Richard Bastien. Media interviews were given by League President Phil Horgan, and directors Richard Bastien and Christian Elia, with CHCH and Sun Media respectively.

**Let the League know:** If you see articles, notices of TV programs or other media content that you believe have serious anti-Catholic content, please contact us at [ccrl@ccrl.ca](mailto:ccrl@ccrl.ca) to help us evaluate and respond in a timely way.

## **League comments on free speech ruling**

OTTAWA, ON February 27, 2013 – The Catholic Civil Rights League today commented upon the Supreme Court of Canada (SCC) decision in the [free speech case between William Whatcott and the Saskatchewan Human Rights Commission](#). The court allowed the Commission's appeal in part, and restored two of four fines against Mr. Whatcott, plus awarded costs to the Commission.

Mr. Whatcott, formerly of Regina and now of Weyburn, SK was fined \$17,500 in 2002 by the Saskatchewan Human Rights Commission (HRC) under Section 14 for distributing a series of pamphlets objecting to what he judged to be homosexual values being taught to children in Saskatoon Public schools. As a result of today's ruling, the penalty is upheld for two of the pamphlets but dismissed for two others. The fines have been upheld for pamphlets which used strong language to complain about the adoption of same-sex friendly curricula by the Saskatoon school system, while complaints based on advertisements for intergenerational sex partners were allowed.

The Court held that a minor revision to the law, by a deletion of eight words, would allow the underlying statute to be maintained. The Court further ruled that such hate speech provisions were an acceptable legislative approach to dealing with the issue of hate speech. While the actual provisions in the Saskatchewan legislation infringed on protections of freedom of speech and freedom of conscience and religion, the Court found that the provisions, as amended, were reasonably and demonstrably justified, using Section 1 of the Charter.

"Once again the court has struggled with the difficult problem of balancing the right to freedom of expression with the goal of preventing discrimination against identifiable groups," said League President Philip Horgan. "The SCC upheld its previous jurisprudence on such hate speech provisions, and has provided clarification which should limit such applications to the most severe cases."

The Catholic Civil Rights League was an intervenor in the case, represented by Ryan Dalziel of Bull, Housser and Tupper LLP in Vancouver. Mr. Whatcott's lawyer, Thomas A. Schuck of Saskatchewan, is a member of the League. The appeal was heard October 12, 2011. The court stated subsection (b) of Section 14 of the Saskatchewan code must be amended to remove "ridicules, belittles or otherwise affronts the dignity of" while the prohibition on exposing or tending to expose to hatred will remain.

The Supreme Court's ruling may not solve the League's concerns. In its effort to maintain the underlying provision, by excising eight words, the Court allows a provision which is acknowledged to restrain speech or religious freedoms, in circumstances where the words of the following section expressly intend to disallow. The Court has effectively invited a new interpretation of section 14 (2), where it reads "Nothing in subsection (1) restricts the right to freedom of expression..." The new interpretation can only be understood to mean "Sometimes subsection (1) restricts the right to freedom of expression..."

The problem of individuals having to face such applications when engaging in public debate is shown by the process faced by Mr. Whatcott. The original human rights tribunal ordered Whatcott to pay \$17,500 in compensation to four people who had complained his flyers exposed them to hatred. A Queen's Bench judge upheld the ruling. In 2010, the Saskatchewan Court of Appeal found that while the pamphlets attacking teaching schoolchildren about homosexuality used crude and offensive language, they were protected by the right to freedom of expression.

Such hate speech provisions have been used in the prosecution of others, including Bishop Fred Henry of Calgary, Rev. Stephen Boissoin, an Evangelical minister in Red Deer, and Father Alphonse DeValk, former editor of Catholic Insight, for criticizing same sex behaviour. Mr. Whatcott has faced at least nine human rights tribunal or court charges for his pamphleteering.

**Visit our web page ([www.ccrl.ca](http://www.ccrl.ca)) for a complete analysis of this court decision.**

## **Loyola High School applies to SCC to appeal ERC decision**

MONTREAL, QC February 8, 2013 (CCRL) - Loyola High School of Montreal has announced that it will apply to the Supreme Court of Canada to appeal the decision of the Quebec Court of Appeal that required it to offer the province's Ethics and Religious Culture course without modification to meet the school's goals as a Catholic institution. Because this case raises questions that are pivotal to Catholic education as well as to religious freedom, the League plans to apply to intervene if the appeal is allowed.

The school had asked to cover the course material in a world religions' course based on its Catholic perspective, which it had already been offering for a number of years, a request which was upheld by the Quebec Superior Court but appealed by the province.

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The Court of Appeal decision, issued December 4, declared that because Loyola's course is Catholic in orientation, it could not be considered equivalent to the ERC program, because the ERC course was specifically designed to be religiously "neutral". This decision has serious implications for parental rights in directing the religious education of their children.

### **Reject call for liberalized euthanasia law, CCRL tells legislature**

MONTREAL, QC January 16, 2013 – The Catholic Civil Rights League today expressed its opposition to the Quebec government's plan to introduce legislation permitting euthanasia in specified, limited circumstances.

A "select" panel of three lawyers has recommended the change in cases where a patient is close to death and unable to endure the physical or psychological pain, and makes the request clearly in writing. Euthanasia and assisted suicide are illegal in Canada under the Criminal Code, but Quebec junior health minister Veronique Hivon said January 15 the panel determined that provinces have the legal jurisdiction to legislate in matters of health and that the legislation, which she hopes to present in this legislative session, would clarify how acts to end a life could be lawful.

"It is interesting that this announcement coincides with news from Belgium that that country's euthanasia law has just been used to end the lives of two twin brothers who were not terminally ill but feared going blind. In the League's opinion, any liberalization of euthanasia and assisted suicide laws leads inevitably to the abuse of such laws, targeting the ill and the disabled," said Joanne McGarry, League executive director.

The Quebec Select Committee on Dying with Dignity received 427 submissions in hearings across Quebec during 2011. About 60 per cent of the presenters opposed euthanasia, while 99 per cent supported improvements to palliative care. At the time of its report in March, 2012, many pro-life groups expressed concerns that the report's euthanasia recommendations were not in keeping with the views of many of the presenters (Anti-euthanasia groups reject report calling for legalization, Catholic Register, March 28, 2012).

In the League's view, much of Canadians' reported acceptance of euthanasia is driven by misinformation as to

what is legal now, and the absence of palliative care facilities in many parts of Canada. On the first point, it is already legal to refuse treatment, and to address pain management even if possible secondary effects could result in shortening life. A commitment to palliative care could go a long way to addressing the fears of extended, futile treatment or uncontrolled pain that often lie behind the belief that euthanasia can be acceptable.

On the other hand, to make a direct, intentional act of killing legal would change the traditional healer role of the doctor, and create serious pressures on the religious and conscientious freedoms of doctors and other health care professionals. As has been observed in the few jurisdictions that currently allow euthanasia or assisted suicide, it can also lead to diminished respect for the lives of the very ill, the frail elderly and seriously disabled.

The League remains concerned that ongoing debate and discussion about end-of-life care sometimes ignores the legitimate, if not majority, views expressed by so many groups in the past who have asserted respect for life of all Canadians, including the ill and disabled. The reliance upon certain previous reports, which have been shown to be expressions of euthanasia advocates, is an improper basis upon which to proceed.

### **News story corrected; MPs seek probe of live birth abortions**

OTTAWA, ON February 1, 2013 - Three MPs, Maurice Vellacott, Leon Benoit and Wladyslaw Lizon, have asked the RCMP to investigate a number of late-term abortions that resulted in live births, following which the aborted child died. While this story has been available on blogs for several months, the letter and related discussion in the House of Commons began to be reported January 31. Unfortunately, Canadian Press, the news service on which most Canadian newspapers and broadcast outlets rely on for some of their national coverage, claimed in its story that the letter asked the RCMP to investigate "all abortions performed after 19 weeks of pregnancy." We contacted CP immediately to express concern about the inaccurate reporting. It was corrected in a follow-up story the same day, and most of the outlets that ran the earlier story have now corrected it.

We will be following the MPS' request closely due to the important issue it raises.

## **League welcomes religious freedom office**

TORONTO ON February 20, 2013 – The Catholic Civil Rights League welcomes the establishment of Canada's Office of Religious Freedom and hopes it will play a role in extending respect for religious and conscientious freedom throughout the world. "We hope that the new Office for Religious Freedom may prove to be a beacon of Canada's high regard for religious and conscientious freedom, and that it will prove to be a source of dialogue, mutual understanding, and peace," said League President Phil Horgan, who attended the launch of the new office February 19 in Maple, Ontario on the League's behalf.

The League also attended the main planning event for the office in October 2011, and will continue to assist the Office as requested.

The League congratulates Dr. Andrew Bennett, head of the new office, on his appointment, and expresses our support for continued consultation on the important matters to be taken up by his new office.

## **League annual dinner to take place May 30**

If you live in the Toronto area, or are planning to visit in May, please set aside Thursday May 30 for our annual dinner and presentation of the Archbishop Exner Award for Catholic Excellence in Public Life. Guest speaker will be Stephen Woodworth, MP, who put forward Motion 312, which called for scientific study to support a modern legal definition of when life begins.

## **Chapter contacts**

For upcoming meetings of our *Windsor-Essex chapter* contact Bob Baksi at [robert@baksi.com](mailto:robert@baksi.com).

*Antigonish chapter:* Contact Don Maclellan, chapter president, at [maclellan\\_donald@yahoo.ca](mailto:maclellan_donald@yahoo.ca) for details. From September to June the chapter meets the first Tuesday of each month.

*St. Catharines Chapter:* Contact Justin O'Donnell at [justinodonnell@cogeco.ca](mailto:justinodonnell@cogeco.ca).

## **Development update**

The League relies completely on the support of individual members for all its initiatives. As we prepare for our annual Spring appeal, we hope you will be able to include the League as part of your Lenten and Easter giving. For your convenience, you can donate online ([ccrl.ca/supporttheleague](http://ccrl.ca/supporttheleague)) or by mail to CCRL, Suite 1000, 120 Eglinton Ave. East, Toronto M4P 1E2. Your generosity is greatly appreciated. We also rely upon your referrals of new members to the League, as we need to continue to grow our support base in order to be effective as well as to keep fundraising appeals to a reasonable level.

We're happy to address parish and school groups in regions where we have a director available. Contact Joanne at 416-466-8244 or [ccrl@ccrl.ca](mailto:ccrl@ccrl.ca) to arrange a talk. We have information and membership brochures available for parish events and literature racks, and would be happy to send you some upon request.

### **Contact us:**

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## **Join the League or renew your support**

*We rely completely on the generosity of our members to continue our work.* Gifts can be made online ([www.ccrl.ca](http://www.ccrl.ca)) or by mail to CCRL, 1000 – 120 Eglinton Ave. E., Toronto, ON M4P 1E2., using this convenient form:

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