



# The Catholic Civil Rights League

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Quarterly highlights, December 2013  
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## League applies to intervene in Loyola appeal

TORONTO, ON November 27, 2013 – The League has filed an application to intervene in the Supreme Court of Canada (SCC) appeal of Montreal's Loyola High School, which is seeking to modify Quebec's Ethics and Religious Culture (ECR) course to teach it from a Catholic standpoint.

The League, in a joint application with the Association of Catholic Parents of Quebec, Faith and Freedom Alliance and The Association of Coptic Christians of Montreal, emphasized the religious freedom aspects of the case, and the role of the state in encouraging religious diversity in its application.

"If granted leave to intervene in this appeal, the Moving Parties intend to focus their submissions, on some or all of the issues concerning corporate or collective freedom of religion, multiculturalism and parental rights under the *Charter*, as well as parental rights under Québec civil law," the memorandum of argument states.

The League was an intervener at the SCC in the case of SL and DJ vs. Commission scolaire des Chênes, in which par-

ents had sought unsuccessfully to exempt their children from the ECR course. Loyola High School had asked to cover the ECR 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.

The Court of Appeal decision, issued December 4, 2012, declared that because Loyola's course is Catholic in orientation, it could not be considered equivalent to the ECR program, because the ECR course was specifically designed to be religiously "neutral".

The court of appeal's decision created a dilemma for Catholic parents in Quebec, who may seek to send their children to a private Catholic school to avail their children of an authentic moral and religious upbringing in accordance with their faith, a right recognized and guaranteed by several international treaties to which Canada is a party, and to which a robust understanding of the Charter of Rights would normally recognize.



## Tom Langan book released

The Catholic Civil Rights League memorial tribute "*An Anthology of Witness*," a collection of writings by the late Tom Langan, League co-founder and long-time president, has been released and can be delivered in time for Christmas within Canada if ordered before December 14. The suggested donation is \$10 per copy. All donors to our Fall Development appeal are receiving a copy as a thank-you gift.

The writings were selected from columns, speeches and articles Professor Langan wrote for the League, primarily

between 1995 and 2007. They cover a wide range of topics, including issues such as anti-Catholic defamation, Catholic school rights, re-definition of marriage and the ethics of stem cell research. There are also reflections on the re-organization of the League as a national advocacy organization.

The League was founded in Toronto in 1985 by a small group of clergy and academics, including Professor Langan, who later served as president until 2004. It was substantially re-organized in the mid-90s to include directors and members from across Canada.

“As I read these articles, I realized how much the Catholic Civil Rights League still follows the direction and philosophy that Tom set during his many years of leadership,” said League Executive Director Joanne McGarry. “His emphasis on defending the civil rights of Catholics with insistence but also with civility remains our guiding principle.”

The book can be ordered separately, for a suggested donation of \$10 per copy, by contacting the League by e-mail at [ccrl@ccrl.ca](mailto:ccrl@ccrl.ca) or by surface mail at 1000 – 120 Eglinton Ave. East, Toronto ON M4P 1E2.

### **League welcomes BC euthanasia decision**

VANCOUVER, BC October 11, 2013 – The Catholic Civil Rights League is pleased with the October 10 decision of the B.C. Court of Appeal (BCCA) in the assisted suicide and euthanasia case Carter vs. Canada. The court ruled that only Parliament is constitutionally empowered to consider changes to Canada’s law prohibiting assisted suicide and euthanasia, overturning a 2012 trial judge’s ruling which had carved out exceptions to the existing Criminal Code suicide provision.

“The 2012 decision allowing exceptions to the law was particularly troubling, given its activist reasoning and its express repudiation of a House of Commons vote from the year before the argument in court. The Court of Appeal has recognized the importance of broad consultation, and the risks to disabled, terminally ill and other vulnerable patients,” said League President Philip Horgan. “By upholding the right to life and recognizing Parliament’s final authority as lawmaker, this decision helps protect the rights of patients, as well as the religious and conscientious rights of doctors and other health care providers who would be af-

ected by any change to our laws against euthanasia and assisted suicide.”

In the majority opinion, the court wrote “The societal consequences of permitting physician-assisted suicide in Canada – and indeed enshrining it as a constitutional right – are a matter of serious concern to many Canadians.”

The plaintiffs in the case have announced their intention to seek leave to appeal the decision to the Supreme Court of Canada. Assisted suicide would be permitted under certain circumstances in a law the Quebec government has introduced in the current legislative session.

When Parliament last voted on this issue (on Bill C-384, in April, 2010), the proposal for liberalization was defeated by a vote of 228 to 59 due to concerns about the potential for abuse of seniors and people with disabilities, the lack of an effective national suicide prevention strategy, and the lack of access to good palliative care in Canada. The League is an institutional member of the Euthanasia Prevention Coalition, which intervened in the Carter case and appeal. The League also submitted a brief to the legislative committee that studied Bill C-384. We remain active in the deliberations currently under way in Quebec.

### **CCRL comments on Rasouli case**

OTTAWA, ON October 19, 2013 - The Supreme Court of Canada ruled October 18 that Hasan Rasouli cannot be removed from life support without the consent of his family or legal substitute decision maker. The Ontario man has been comatose since 2010 and his doctors believed further life support was futile.

In a 5-2 decision, justices for Canada’s highest court ruled doctors must first obtain consent from the man’s family, or, failing that, apply for permission from Ontario’s Consent and Capacity Board, a quasi-judicial body that addresses matters of consent under Ontario’s Health Care Consent Act.

“This ruling is welcome in as much as it upholds patient rights by stating that doctors cannot act unilaterally in these circumstances,” said League President Philip Horgan. “While the case addressed a specific Ontario law, we hope the principle it upholds will guide disputes in other jurisdictions. The judgment recognizes that the patient and fami-

ly's religious beliefs are important factors to consider in these decisions.

"Nevertheless, the dissenting opinion gives cause for concern, in that it recognizes the importance of religious beliefs and personal values in these situations, but then says the doctors' professional opinions should have priority."

Writing for the majority on the bench, Chief Justice Beverley MacLachlin upheld the decision of two lower courts rejecting the doctors' position. The doctors argued withdrawing life-sustaining measures did not require consent from Rasouli's wife, his surrogate decision-maker, because they asserted that discontinuing care did not constitute "treatment" as set out under Ontario's law. For the same reason, the doctors said, they did not require permission from the province's Consent and Capacity Board to end care.

## Media Watch

### CBC documentary questioned

We have written to the CBC ombudsman and to the host of CBC television's ongoing news documentary series *The Last Right*, which explores euthanasia and assisted suicide, to express concerns about the strong one-sidedness of the first two episodes.

"(We are concerned) with the relative lack of coverage of the other side of the issue; the shows airing on October 28 and November 4 totalled almost 40 minutes, and yet I counted no more than three minutes of commentary that was opposed to legalizing assisted suicide, and perhaps 10 minutes that could be considered neutral. This would not be an issue for me if the program had been presented as a docu-drama or other standalone programming. However, the positioning of a program within a national newscast creates an expectation that all sides of an issue will be given at least roughly equal time," the League said in a letter from Executive Director Joanne McGarry.

A third episode, broadcast after the letter was written, was even more one-sided than the first two. It remains to be seen if future episodes will cover the work of the

many individuals and advocacy groups who oppose assisted suicide and euthanasia and articulate thoughtful and well-reasoned grounds for their position. We know of several who have been interviewed for the program but as of this writing none have been featured.

### Halloween costumes mock Religious

We have written to the retailer Spirit Halloween, which has numerous stores as well as online service across Canada as well as the U.S., to protest its inclusion of sexually-oriented costumes based on Catholic religious attire. "By including overtly sexual components, these costumes are insulting to Catholics and many other religious believers. It also appears that there are no similar costumes available directed at other religions, reinforcing the impression that an anti-Catholic mentality is driving this selection." We urged them to reconsider the sale of such products.

### CRTC launches television feedback page

The Canadian Radio-television and Telecommunications Commission (CRTC) has launched a website where members of the public can provide feedback about their use of television, how it is delivered and regulated, and what their preferences are now and for the future. For more information and to participate, visit the website: <http://www.crtc.gc.ca/eng/talktv-parlonstele.htm>

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Twitter updates: To receive Tweets from the League, please follow @DrChristianElia

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Like us on Facebook. Visit our page often for polls, photographs and articles of interest that aren't included on our main web page. [www.facebook.com/CatholicCivilRights](http://www.facebook.com/CatholicCivilRights).

**Let the League know: If you see articles, advertising, 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.**

## Pope comments on priority of the Gospel message

TORONTO, September 20, 2013 – There has been considerable press coverage of remarks by Pope Francis that were made during interviews in August in Rome to *La Civiltà Cattolica* magazine. The interview was published in English September 19 in *America* magazine (link is available from this article on our website).

The Associated Press report, like many follow-up commentaries, emphasized papal remarks that the fundamental teaching of the Gospel is more important than the teaching of “rules”, mistakenly suggesting that opposition to abortion, contraception or support for traditional marriage should be de-emphasized in the interest of a balanced moral teaching.

“We have to find a new balance; otherwise even the moral edifice of the Church is likely to fall like a house of cards, losing the freshness and fragrance of the Gospel,” the Pope said in the 12,000-word article, based on interviews conducted by a fellow Jesuit, the Rev. Antonio Spadaro, editor of *La Civiltà Cattolica*, a Rome journal for the religious order.

“The Church sometimes has locked itself up in small things, in small-minded rules,” Francis said. “The most important thing is the first proclamation: Jesus Christ has saved you. And the ministers of the Church must be ministers of mercy above all.”

Pope Francis made it clear that the doctrines of the Church will not change, but the emphasis on the Gospel and a more welcoming attitude could be misinterpreted as a de-emphasizing of moral teachings.

“Nevertheless, this interview reminds all Catholics, especially those advocating on social or moral issues, that the Gospel must be at the heart of what we do,” said League President Philip Horgan. “Whether we’re working on pro-life, religious and conscientious freedom, defence of family, social justice or charitable concerns, the message of love and salvation must be at the core of what we do.”

## 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 [jus-tinodonnell@cogeco.ca](mailto:jus-tinodonnell@cogeco.ca).

The League is pleased 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) for more information. We have information and membership brochures available for parish events and literature racks. We would be happy to send you some upon request.

## Contact us:

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## Support the League

*We rely completely on your generosity 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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