



## From our President, Phil Horgan

First they came for Trinity  
Western...

Catholic Civil Rights League  
(CCRL) supporters will know

of our ongoing engagement in support of the proposed Trinity Western Law School in Langley, British Columbia. Two appeals will now be argued at the Supreme Court of Canada (SCC) on November 30 and December 1. We have intervened jointly with Archbishop Michael Miller of Vancouver and the Faith and Freedom Alliance (FFA), to argue that Canada is a nation where authentic pluralism is upheld, rather than some form of civic totalitarianism, where dissenting views on the traditional definition of marriage are marginalized in the “public interest”. We stand for a robust understanding of religious freedom.

If League supporters may be wondering why this case may be the most important religious freedom case to be argued for the foreseeable future, a reminder came across my desk this week. Not only does the Law Society of Upper Canada (LSUC) oppose accreditation for future TWU graduates, it has now implemented a demand for Ontario lawyers to implement an Inclusion and Diversity policy within law firms, for which they provide templates.

In other news, the federal government has proposed Bill C-51, a so-called “zombie law” to get rid of unused provisions of the Criminal Code, which includes the deletion of s. 176 regarding disrupting a religious

service. At a recent adoration service at my parish in August, a mentally suspect individual rushed the altar, and threw down the lectionary, thankfully leaving the monstrance with Our Lord alone. While the incident was quickly resolved by escorting the individual away, it was a reminder that this individual may avoid any such charge under the current s. 176, if the government has its way.

On the euthanasia battle, we submitted a brief in Ontario’s Divisional Court this past June 14 to oppose the effort by the regulating body of Ontario’s doctors to impose a mandatory referral policy on patient requests for assisted suicide, as a breach of conscience rights. Canada has already advanced to the level of such deaths that took Belgium five years to attain when it decriminalized euthanasia.

I take this opportunity to report that Charles Lewis has requested to resign from the board, due primarily to ongoing health issues, related to a myriad of back problems. Charlie has been a vigorous participant on our board over the course of his tenure, and I thank him for his many contributions as a writer and fellow warrior.

Charlie will continue to engage in the efforts to fight the current euthanasia regime, and remains a member of the CCRL. You can continue to read Charlie’s contributions in the Catholic Register, as well as other outlets.

Please remember to keep us in your prayers, as we advance a robust place for Catholic teachings in the public square. And if your circumstances allow, your donation to the ongoing work of the CCRL would be greatly appreciated.



## From our Executive Director, **Christian Elia**

For over 30 years, the CCRL has engaged in our work without the safety net of being financially secure. Perhaps it is God's will that we are provided with barely just what we need, so that we might engage with you, our gracious supporters, in asking for your assistance.

Asking for money a few times a year is not pleasant. We also know that the Lord helps those who show initiative, those who try to help themselves in a prayerful and industrious manner.

We applied to a federal government initiative, the Canada Summer Jobs Program, to get a student to help us over the summer through a partially subsidized internship. This program is available to non-profit organizations and Phil and I were hoping that we would be accepted.

In filling out the long application, I did everything to increase our chances by stating that we would gladly accept priority students, according to a list that included disabled and indigenous Canadians and newly arrived refugees.

When a civil servant emailed me a few weeks later, I was cautiously optimistic even though the purpose of his email was simply to clarify a few administrative issues regarding our application.

Then, reality hit home.

Trudeau government officials made it clear that no

funding would be allocated to prolife groups. This was widely reported in the Catholic Register and in the wider Canadian media.

While I cannot say for certain that we were not chosen due to our prolife, profamily mission, I can tell you that the League has been very vocal in opposing many of the Liberal government's laws and directives since they took office.

I can also report that as a response to our open letter to Prime Minister Trudeau in protest of his government's \$650 million aid package that included funding of abortion, contraception and sterilization overseas, we received a strongly defiant letter from the Minister of International Development and La Francophonie stating that:

The Government of Canada believes that improving the sexual and reproductive health and rights (SRHR) of women and adolescents is key to advancing gender equality and empowering women and girls to help them realize their full potential...

...Canada's support for SRHR includes investing in family planning services, including contraception, comprehensive sexuality education, safe and legal abortion services, and post-abortion care.

Did we ever stand a chance?

As you can see, this government favours sending a large amount of our tax dollars overseas to support the culture of death instead of sending even a small amount to us and other groups like the CCRL that promote a culture of life.

Again, we are called to do it alone.

Please do try to help us through a donation if you are able.

# Dr. Robert Walley, Winner of CCRL's Exner Award,

The Catholic Civil Rights League (CCRL) was pleased to announce founder of MaterCare International, Dr. Robert Walley as winner of this year's Archbishop Adam Exner Award for Catholic Excellence in Public Life. The award was presented at the CCRL's annual Spring Dinner on June 19 in Toronto, which featured a keynote address by Dr. Andrew Bennett, Canada's first Ambassador for Religious Freedom and Head of the Office of Religious Freedom from 2013 to 2016.

*CCRL President Phil Horgan confirmed the League's selection:*

In the many years of the work of MaterCare International, Dr. Robert Walley has been a shining light, and a true ambassador for Christ and His Church. MaterCare International has developed maternal and infant care projects in numerous developing nations, building hospitals and maternal care centres. The work has provided valuable and essential on the ground training for pregnant mothers and caregivers with assistance in high risk pregnancies. Matercare's work has resulted in remarkable success in the reduction of maternal and infant mortality.

At a time when Canada's foreign policy has deviated from this important international work, we are proud to recognize one of Canada's truly remarkable public outreach exports, so perfectly exemplified in the work of Dr. Robert Walley, with the support of his wife, Susan, and his beautiful family. He is a true inspiration to us all!

On receiving the Exner award, Dr. Walley said:

I will be most honoured to receive the Archbishop Adam Exner Award but do so on behalf of all those associated with the work for the Church done by MaterCare International. I will also be most happy to join the previous distinguished recipients.

## About Dr. Robert Walley



Dr. Robert Walley was born in Malta of British military parents and was educated in London England by the Missionary Sisters of the Sacred Heart of Jesus (Cabrini Sisters) and by the De La Salle Brothers, and also in Pune, India for two years.

He qualified in medicine at London University in 1964. His residency training in obstetrics and gynecology began in London and continued at the University of Toronto. Dr. Walley is a Fellow of the Royal College of Physicians and Surgeons of Canada, a Fellow of the Royal College of Obstetrics and Gynecologists of England. He has a Masters degree in Population, Maternal and International Health from the Harvard School of Public Health. Dr. Walley was a professor in the Department of Obstetrics and Gynecology at Memorial University of Newfoundland Medical School from 1973 to 2003. In May 2009 Dr. Walley was appointed as the first Emeritus Professor of Obstetrics and Gynecology by Memorial University of Newfoundland.

In 1985 Dr. Walley was appointed as a Consultor to the Pontifical Council for Health Pastoral Care by Pope John Paul II and served on the Council until 2002. Dr. Walley founded MaterCare International in 1997.

Dr. Walley has had a particular concern for the unacceptable levels of maternal and perinatal mortality and of obstetric and gynecological fistulae and the failure of the International Safe Motherhood initiative. His firsthand experience in western Africa, beginning in 1981, prompted him to initiate the formation of MaterCare International. This non-governmental organization is interdisciplinary and made up of obstetricians, gynecologists, midwives, bioethicists, administrators and many supporters around the world. MaterCare International is dedicated to improving maternal health care worldwide through new initiatives of service, training, research and advocacy based on the ethic that all mothers and babies matter.

Following a request from the west African bishops, Dr. Walley developed new approaches to the delivery of maternal health care in Nigeria, and Ghana, where he established an obstetric fistula hospital. He has conducted maternal needs assessments in Albania, Sierra Leone, East Timor and in Haiti. Dr. Walley developed a rural maternal health project in the Apostolic Vicariate of Isiolo, Kenya.

Dr. Walley has been invited to testify at hearings, at the Foreign Affairs Sub-Committee on Africa and Global Health of the US Congress, the Polish Parliament (the Sejm), the United Nations, to members of the Canadian and European Parliaments, the Republic of Georgia, the NGO Forum of the Holy See and most recently prior to the 2010 G8/G20 he was asked to meet with the Prime Minister's senior policy advisor regarding the Canadian Government's initiative to reduce maternal mortality and MaterCare International projects in Sub-Saharan Africa.

Dr. Walley has published on obstetrical and gynecological practice, conducted research into the treatment of post-partum hemorrhage in developing countries, produced educational training CDs on obstetric fistula and other public information videos on maternal health in developing countries. He has lectured widely internationally and participated in many media interviews.

Dr. Walley has received many awards for his work. On December 9, 2012, he was presented with the award Pro Ecclesia et Pontifice by the Archbishop of St. John's on behalf of Pope Benedict XVI. This is the highest award given to a lay Catholic. On September 20, 2014, he was admitted to the Award of Honorary Doctor of Philosophy by the John Paul II Institute for Marriage and Family, Melbourne, Australia.

Dr. Walley has been married to Susan Mary, a nurse from Guernsey, Channel Islands, and they will celebrate their 51st wedding anniversary on June 30, 2017. They have seven children and 13 grandchildren. They have lived in St John's, Newfoundland since 1973.

### **About the Archbishop Exner Award**

The CCRL established the Archbishop Exner Award in 2004 to honour Archbishop Adam Exner, OMI, Archbishop Emeritus of Vancouver, upon his retirement and to recognize outstanding achievement in advocacy, education, life issues, media and culture, and philanthropy. Previous recipients include:

Alex Schadenberg, anti-euthanasia/assisted suicide activist (2016)

Dr. Donald DeMarco, scholar, writer, seminary professor, and pro-life activist (2015)

Gwen Landolt, long time national Vice-President of REAL Women of Canada, pro-life advocate, promotor of the family in national and international circles (2014)

Fr. Alphonse de Valk, CSB, pro-life activist, writer and editor (2013)

Michael D. O'Brien, artist and author, for creative work incorporating authentic Catholicism and Catholic teaching (2012)

Michael Coren, author and broadcaster, for his outspoken defense of Catholicism in media (2011)

Suzanne LaVallee of Quebec for leadership in education (2010)

The late Frank Chauvin of Windsor, Ontario, founder of Haiti's first orphanage for girls and initiator of an application for review of the process by which Henry Morgentaler was awarded the Order of Canada (2009)

Dr. and Mrs. Andrew and Joan Simone of Toronto, co-founders of Canadian Food for Children, for services to philanthropy and international aid (2008)

Campaign Life Coalition President Jim Hughes of Toronto for service to the pro-life movement (2007)

J. Fraser Field of Vancouver, founder of Catholic Educators' Resource Centre, for service to education (2006)

The late Regina business leader Frederick W. Hill for philanthropy and community service (2005)

## C-16, Gender Identity and Gender Expression

On June 19, royal assent was given to Bill C-16 and it is now law.

The Canadian Human Rights Act has been amended with the addition of gender identity and gender expression to the list of prohibited grounds of discrimination.

The Criminal Code has been amended “to protect people who are distinguished by gender identity or expression and require judges to consider motivation by bias, prejudice or hate based on gender identity and expression as aggravating factors at sentencing hearings.”

It is perhaps the Criminal Code amendment that is of greater concern to Catholics as, we believe that gender is and never can be a mere social construct because we are born male and female. Because Catholics also believe that there is no conflict between faith and reason, we look to science and medicine as well to help

us get a better understanding of the world in which we live. Catholics understand the reality that there are people who experience gender dysphoria.

Catholics understand that violence against others, bullying, and denial of fundamental rights shared by every human being is evil. The problem with C-16 is that it could be used as a means of applying force of law against millions of Canadians who deplore discrimination against those experiencing gender dysphoria, but nonetheless believe that every person is born male or female.

Whereas this threat may not be apparent in C-16 itself, these amendments will no doubt serve as guidance for human rights commissions and tribunals along with other governing bodies to decide against those who believe that the two genders are male and female.

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## The CCRL Initially Denied, then Granted Leave to Intervene in Trinity Western at the Supreme Court of Canada

On Friday, July 28 the CCRL received news that our application for leave to intervene at the Supreme Court of Canada (SCC) in the Trinity Western University (TWU) case was dismissed by the decision of Justice Wagner, dated July 27.

Most of the other religious groups, including the Canadian Conference of Catholic Bishops (CCCB), the Roman Catholic Archdiocese of Vancouver (RCAV), the Evangelical Fellowship of Canada (EFC), as well as a number of LGBT groups, were also denied leave.

It marked the first time that the League was denied intervenor status at the SCC.

The case largely concerns TWU’s institutional religious freedom and decisions by the provincial law societies

in Ontario and British Columbia that have voted not to accredit future TWU law school graduates.

The point of contention is the TWU Community Covenant, which requires that students commit themselves to a set of behaviours, including a shared understanding that sexual relations be reserved to a man and woman within the confines of a biblical understanding of marriage.

In an unprecedented move, on Monday, July 31 the CCRL received notice that the SCC had varied their order, thus allowing leave for the CCRL and all of the previously denied groups.

It appears that the Chief Justice intervened herself to allow for the interventions from religious or other

groups, by adding a further day to the scheduled appeal. The change in the court's position is certainly a recognition of the significance of the importance of the case.

The CCRL and Faith and Freedom Alliance (FFA), in conjunction with the Archdiocese of Vancouver, have proposed to make submissions on the importance of, and recognition of, authentic pluralism, meaning that Canadian law and society is comprised of differing viewpoints, and dissentient views should not be excluded from participation in the public square.

Our system recognizes differences of views, rather than imposing a majoritarian viewpoint when it comes to religion or religious institutions in the public square. The approach by the state actors in this case, being the Law Societies in Ontario and British Columbia, to deny accreditation of the proposed Trinity Western law

school, or its future graduates, represents a denial of dissentient religious viewpoints.

That majoritarian, or civic totalist approach, is quite illiberal in its application.

Trinity Western is entitled to maintain its religious views, including its position on a biblical understanding of marriage. That view is shared by the teachings of the Catholic Church. Are Catholic lawyers to be denied accreditation? Are Catholics going to be denied entry into professions for having such views?

The implications for Catholics and Catholic institutions such as education and healthcare are tremendous. We must not be compelled to have our teachings suppressed as a requirement for participation in the public square.

Two appeals will now be argued at the Supreme Court of Canada on November 30 and December 1.

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## **The CCRL Partners with the Evangelical Fellowship of Canada (EFC) Seeking to Intervene at the Supreme Court on Church Governance Case**

On Friday, August 4, the Catholic Civil Rights League (CCRL) applied for leave to intervene at the Supreme Court of Canada (SCC) in *Judicial Committee of the Highwood Congregation of Jehovah's Witnesses v. Wall*.

On this file, the CCRL has applied jointly with the Evangelical Fellowship of Canada (EFC).

The case addresses whether a secular court can decide and overturn a religious group's internal means of administering its own decisions regarding discipline following non-adherence to internal rules.

Mr. Wall was a member of the Highwood Congregation of Jehovah's Witnesses in Alberta, who was ultimately displaced from the congregation, within the rules of that faith community, after failing to repent sufficiently after

two episodes of being drunk and unruly.

Mr. Wall, a real estate agent, suffered financially from being shunned from his congregation and other Jehovah's Witnesses.

To Catholics, the nature of Mr. Wall's predicament is foreign, however, the question is whether the courts should stay out of intra-ecclesiastical decision making.

In the past, the courts have been deferential to internal decisions of churches. In Alberta, the majority of the judicial panel cited the leading appellate case from Ontario (Hart), but allowed the judicial review here in a 2-1 decision, on the basis of alleged breach of natural law arguments on access to justice.

The dissenting justice (Wakeling) wrote a vigorous dissent, not that far distant from the arguments in Trinity Western University (TWU), that the courts should steer clear of judicial review of non-state actors.

The SCC will hear the appeal on November 2, long before the appeals in TWU on November 30 and December 1.

Civil courts are typically deferential to the precepts of canon law, as applied by the Catholic Church, which have ample provisions for notice, for hearings, and multiple levels of appeals. But using a breach of natural law to allow civil courts to review ecclesiastical decisions may be a problem for other religious groups, or even for the Catholic Church, if it is expanded upon to be allowed to challenge core teachings.

The CCRL, with the EFC in a joint intervention, propose to make the following submissions:

a. Freedom of religion includes the right to associate with co-religionists and to preserve and maintain a community's religious character, identity and integrity.

b. The ability for a religious community to self-define and preserve its religious identity and integrity is integral to the positive manifestation of freedom of religion and freedom of association.

c. Decisions on membership and discipline, within a religious community, are private decisions based on theological and/or doctrinal interpretations and are not within the jurisdiction or purview of the state. To obligate the Highwood Congregation to re-admit the Respondent, and to obligate other members of the Highwood Congregation to associate with him is to encroach on the 2(a) and 2(d) rights of the congregation and each of its members.

d. The State ought not to interfere with the private religious decisions of religious communities. To do so would require Courts to become the arbiter of religious dogma.



Pictured from left to right: Past Ontario CCRL Director Charles Lewis, Atlantic Region Director Alexander (Sandy) MacDonald, President Phil Horgan, Ontario Director Tanya Granic Allen, Executive Director Dr. Christian Elia and Exner Award Winner Dr. Robert Walley.



The CCRL's Executive Director Christian Elia with prolife warriors  
Linda Gibbons and Mary Wagner.

**Dear CCRL Supporters,**

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We are in the midst of a 2017 mid-year appeal. If your financial situation allows, please do make a donation by placing a stamp on the return envelope provided and enclosing the donation card along with a cheque or credit card information. We no longer operate on a membership model and you will not be contacted about membership renewal. Instead, we ask that you simply donate what you can when we make our appeals at certain points throughout the year. Even donating the reasonable amount of \$15 for seniors/students/clergy/religious will ensure that as a CCRL supporter you will receive in-print mailings in addition to what we offer all of our supporters electronically.



**The Catholic Civil Rights League** [www.ccrl.ca](http://www.ccrl.ca)  
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