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HOW THE COURTS HAVE BETRAYED RELIGIOUS FAITHS IN CANADA*

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The Charter of Rights has brought confusion and chaos to Canadians because of its conflicting and seemingly irreconcilable provisions between the protection of religious freedom, included in S.2 and S.15 of the Charter, and homosexual rights which were devised, created and written into the Charter by the courts.

One might assume that the protection of religion written in the two sections of the Charter would strengthen religious freedoms in Canada. This, however, has not been the case. The guarantees for religious freedom have, in fact, most often been used by the courts to restrict or narrow religious freedom rather than expand it, and especially so when it comes in conflict with the "equality" rights of homosexuals. These latter rights written into the Charter by the courts have increased and been strengthened step by step by the courts until homosexual rights are now, for the most part, trumping religious rights.

This development is extraordinary, considering that homosexual rights were deliberately excluded from the Charter in 1980-81 in a 22 to 2 vote by the Joint Committee of the Senate and House of Commons, which reviewed the Charter. However, the Supreme Court of Canada clearly believed this was a grievous error and, to correct this omission, "read-in" protection for homosexuals in the equality provision, (S.15) of the Charter in Egan v Canada [1995]. The court did so on the grounds that "sexual orientation" was supposedly analogous to the other protected groups set out in S.15 of the Charter. Once this provision was written into the Charter by the courts, homosexual rights have been steadily increased and recognized so that their relationships are now regarded in law as equivalent in every way to those of heterosexuals.

No Proof of Discrimination Against Homosexuals

It is significant that actual proof of discrimination against homosexuals has never been introduced at any time in evidence in any court in Canada. The courts have, instead, based their decisions for the advancement of the homosexual agenda solely on the assertion by the homosexual litigants themselves that they experienced discrimination in Canadian society. That is, evidence, such as credible data or documentation, have never been introduced to support their claim of discrimination. Instead, the Canadian courts have accepted, as fact, that homosexuals experience disadvantages in Canadian society because of supposed stereotyping and prejudice against them. This unproven presumption by the courts is an indication of their lack of impartiality on the homosexual issue.

Supreme Court's Groundbreaking Decision on Homosexual Rights

In the M v H [1999] 2 S.C.R. 3 decision, the Supreme Court of Canada made the groundbreaking decision that recognized in law the legitimacy and equality of same-sex relationships to heterosexual relationships. In that case, the court concluded that same-sex partners were entitled to the same family benefits as opposite sex couples. The M v H decision set the stage for the court decisions in favour of same-sex marriage, which was to be the culmination of the Canadian courts' step-by-step support, protection, promotion and legitimization of homosexual relationships in Canada.

Religious freedom, although written precisely and clearly into two sections of the Charter, was then squared off against homosexual rights, which had been devised, promoted and written into the Charter by the courts. While Canadian Courts were busy providing protection and legal recognition to homosexual relationships by way of the equality provisions in S.15 of the Charter, they were chipping away at religious rights in S.2 and S.15 of the Charter.

Diminished Religious Freedoms

The chipping away of religious freedom began almost immediately after S.15 of the Charter came into effect in 1985 in the decision R v Big M Drug Mart Ltd. [1985]. In that case, the Supreme Court of Canada decided that the Lord's Day Act, which required the closing of businesses on Sunday, infringed on religious freedom because religious freedom meant not only freedom of worship, practice, and teaching, but also included freedom from coercion, e.g., that the government could not coerce individuals to affirm specific religious belief, such as, in this case, coercing non-believers to observe the Christian Sabbath. That is, the Court held that non-religious individuals have a right to be free from religious observance. This interpretation departed considerably from the long established interpretation of freedom of religion, which, heretofore, had meant that one was free to practice one's religion without interference from the state. In short, the court emphasized the individual conscience and the rights of non-Christians at the expense of the religious rights of communities of believers.

It is obvious that Sunday shop-closing legislation simply respected the Sabbath observed by the majority of people in society, and protected both shop owners and retail workers from being compelled to work on their day of rest. It did not require anyone to observe the Christian Sabbath as a holy day or adapt to Christian precepts, but merely restricted retail activity on that day. This obvious conclusion, however, was lost on a court intent on exercising its newly acquired powers under the Charter to change the traditional understanding of human rights.

Based on the Big M Drug Mart decision, the Courts then proceeded to eliminate Christian religious exercises and the Lord's Prayer from the public school system in Zylberberg v Sudbury Board of Education [1988] and Canadian Civil Liberties v Elgin County [1990]. In effect, these two cases, Zylberberg and Elgin County, eliminated the Christian character of education in public schools in Canada.

Courts Curtail Religious Belief in the Public Square

The court's next move was to eliminate the practice of religious beliefs in the public square.

In Trinity Western University (TWU) v British Columbia College of Teachers (BCCT) [2001] which dealt with religious beliefs in the classroom, the Supreme Court of Canada held that although there was a freedom to believe, this was broader than the freedom to act on this belief [in a classroom] and that the freedom to exercise genuine religious belief did not include the right to interfere with the rights of others (i.e., homosexuals) in the public square.

A similar conclusion was reached by the Divisional Court in Brillinger v Ontario (Human Rights Commission) [2002] 222 D.L.R. (4th) 174. In that case, a Christian printer, Scott Brockie was obliged to print the letterhead for a homosexual organization even though the court acknowledged he had a right to his religious belief, just so long as he didn't bring it to the public square. In Chamberlain v Surrey School Board [2002] 4 S.C.R. 710, the Supreme Court ruled that although religious parents have the right to participate in public decision-making in the schools, their views must be overridden by the necessity to provide "tolerance" and "diversity" in the public school system, which includes recognizing homosexual rights in the public school system.

Human Rights Commissions

Human Rights Commissions have been given wide latitude to carry out their mandate. Unfortunately, there is no requirement that they apply the standard rules of evidence required by our courts in making their decisions. That is, their tribunals are not bound by the traditional legal standards of procedural fairness, such as the presumption of innocence, the rules of evidence and the rule of law. Without these safeguards, the Commissions are free to act on their own prejudices, instead of the principles of law.

The volume of cases which these Commissions have dealt with on the conflict between religious rights and homosexual rights is too large to list here. However, in nearly every case, the Human Rights Tribunals have ruled in support of homosexual rights over religious rights.

It is fair to say that justice, fairness or logic are not the strengths of Human Rights Commissions. Neither the facts nor the law impede them in their promotion of homosexual rights over religious freedoms. Striving for a balance in these competing rights is apparently not their concern. Where the Problem Lies

Religious belief does not restrict or regulate homosexuals in the public square. Yet the secular values protecting homosexuals are now infringing on the religious sphere, as witnessed in the Brockie, Trinity Western and the Chamberlain v Surrey School Board cases.

The right of protection for sexual orientation is very recent: its legal genesis began in 1995 in the Egan case. It is certainly unreasonable that law, culture and religions must now change to adapt to homosexual demands or, otherwise, face unpleasant legal consequences, exercised by the arbitrary power of the state. This situation has an adverse effect on the practice of religion in Canada, and it impedes religious individuals from attaining true equality.

Maintaining a "just society" while balancing these two competing rights is obviously difficult. It is true that some of the churches, such as the United Church and some jurisdictions of the Anglican Church have adapted their doctrine to fit the homosexual agenda. The reality is, however, that many other faith institutions have not done so, and likely never will. These include the Catholic Church, Conservative Judaism, and Evangelical Churches, Muslims, etc. In effect, the belief of traditional religions on homosexuality is not going to go away. These beliefs have stood the test of time over the centuries and should not be required to adapt to homosexual lifestyle choices, which are currently being promoted and protected by the courts. Citizens are required to tolerate these homosexual lifestyle choices in a just society, but those who raise objections on the basis of their religious faith should not have to face penalties for failing to conform to these demands.

That is, the current position of the courts – that homosexuality is equal to heterosexuality – trespasses substantially on the long held beliefs of traditional religions. A just society has a responsibility, within reason, to protect the freedoms of those who hold traditional religious beliefs. Otherwise, traditional religions will be fatally wounded and ultimately destroyed by the secular state. Further, religious belief is an integral part of a believer's life and influences that person's behaviour. For the courts to demand that a believer's actions in the public square be adapted to the secular interpretation of homosexuality is untenable, since it directly interferes with that person's belief by forcing him or her to ignore it. This is an intolerable infringement on Canadians' equality rights under the Charter.

Toleration: A One-way Street

The problem lies in the fact that the courts are giving preference and recognition to homosexual precepts and behaviour in the public square, while, at the same time, denying this right of recognition to those holding religious beliefs. That is, the courts are demanding that those holding a religious belief opposing homosexuality be denied recognition and the right to act on their beliefs in the public square, but they do not require a concomitant response by homosexuals in the public square towards religious believers. This was made clear in the Trinity Western University case when the Supreme Court of Canada held that religious belief does not include the right to interfere with the rights of others, i.e., homosexuals in the public square. Why shouldn't homosexuals also be required not to interfere with the rights of religious believers in the public square? In short, why is "toleration" only a one-way street? Shouldn't homosexuals also be required to be tolerant of religious belief in the public square? To allow otherwise altogether contradicts the Supreme Court of Canada decision in Dagenais v Canadian Broadcasting Corporation, [1994] in which Chief Justice Lamer made it clear that no right under the Charter could trump another. He stated at page 877:

> A hierarchical approach to rights, which places some over others, must be avoided, both when interpreting the Charter and when developing the common law. When the protected rights of two individuals come into conflict … Charter principles require a balance be achieved that fully respects the importance of both sets of rights.

This position was confirmed in the Trinity Western University case, which explicitly stated, at paragraph 31, that there was no hierarchy of rights under the Charter.

It would appear, therefore, in order to prohibit this discrimination from continuing and in order to provide genuine equality under the Charter, both beliefs systems (homosexual and religious) must be permitted to operate freely and be accommodated in the public square in a free and democratic society i.e. on a "to live and let live" basis. This would lead to a fair, reasonable and genuine balancing of rights and would provide true equality under Canadian law, as well as a reconciliation of the two opposing provisions in the Charter.

Unfortunately, however, homosexual activists are intimidating and harassing certain religious believers by their continual legal challenges before the courts and human rights commissions, demanding that the moral beliefs of religion be negated by submitting to their lifestyle standards in the public square. The courts, for the most part, and the Human Rights tribunals have enthusiastically supported homosexual activists in their intimidation of those holding a religious faith. Has this made Canada a "just society"? No.

Egan v Canada [1995] 2 S.C.R. 513.
M v H [1999] 2 S.C.R. 3
R v Big M Drug Mart Ltd. [1985] 1 S.C.R. 295.
Zylberberg v Sudbury Board of Education [1988] 65 O.R. (2d) 641.
Canadian Civil Liberties v Elgin County [1990] 71 O.R. 2d 341.
Trinity Western University TWU v British Columbia College of Teachers (BCCT) [2001] 1 S.C.R. 722.
Ontario (Human Rights Commission) v Brillinger [2002] 222 D.L.R. (4th) 174.
Chamberlain v Surrey School Board [2002] 4 S.C.R. 710.
Dagenais v Canadian Broadcasting Corporation, [1994] 3 S.C.R. 835

POLITICS AND MORE POLITICS: PUSHING HPV VACCINE

To the surprise of just about everyone, the March 2007 federal budget included a provision to provide $300 million to the provinces to distribute, on a per capita basis, a vaccine for HPV (Human Papillomavirus), called Gardasil, manufactured by the US drug company Merck Frosst. The drug has been loudly touted by the manufacturers as having the potential to eradicate cervical cancer.

The use of this drug, however, has raised many unanswered questions about its safety and effectiveness. Unfortunately, these concerns have been drowned out by backroom lobbying and a massive marketing campaign on behalf of Gardasil by its manufacturers. They are trying to get their drug accepted before their rival, GlaxoSmithKline, completes its clinical trials on its own cervical cancer vaccine, Cervarix.

Politicians as well as organizations have also been heavily pushing the drug. In March, 2007, the Liberal dominated House of Commons Finance Committee recommended that the vaccine be distributed as a national priority. The Federation of Medical Women (which, by the way, receives funding from Merck Frosst) is also promoting the drug, as is the feminist, pro-abortion Society of Obstetricians and Gynecologists, and the National Advisory on Immunization.

The Story Behind the Push for Gardasil

Health Canada approved Gardasil in July, 2006. The federal, provincial, and territorial body, called the Canadian Immunization Committee, then set to work to determine whether the drug was effective and cost efficient for distribution in school-based immunization programmes.

However, the Committee's work was short-circuited by the Minister of Finance Jim Flaherty's announcement of his $300 million kick-start on promotion of the drug. The federal interest in providing this drug is due to the advocacy of a lobbyist, who had previously been an advisor to Prime Minister Harper when he was the opposition leader, but who is now a lobbyist for Merck Frosst.

The provinces were thrilled by the money offer, but public health officials were concerned by the break-neck speed at which this drug was being offered without proper scientific, pharmacological and economic research. Also, all the

clinical trials on the drug have been carried out solely by the manufacturer on only 1,200 girls in the targeted group of 9 – 15 year olds. As well, these latter trials have been monitored only for a mere 18 months.

Doubts About the Drug

The Canadian Medical Association Journal, in its August 28, 2007 issue, raised concerns about the safety, effectiveness and cost of the drug, which is the most expensive childhood vaccine proposed for mass use. (It costs $404 for the three required doses.) The Journal stated that the use of the drug raises more questions than answers and that the information base on the drug is, at present, too narrow to merit a policy of mass vaccination.

REAL Women is also concerned about the politically driven advocacy of this drug, and on July 5, 2007, wrote to each of the provincial and territorial Ministers of Health to request that the distribution of the drug be delayed until such time as its effectiveness and safety are confirmed. In our letter, we set out our concerns, as follows:

There are only limited data on the effects of the drug on pre-teen and early teen-age girls. The drug has been tested on fewer than 1,200 girls, ages 9 to 15 years, and the research has been done almost exclusively on young women 16 to 23 years of age. This raises questions about the drug's efficacy, safety, and long-term effects. It would appear that any young girl, to whom Gardasil is to be administered, will be the unwitting subject of a massive research experiment.

There is uncertainty as to the length of time the vaccine will provide protection; as well, if and when booster shots will be required. What is known is that Gardasil is a prophylactic vaccine that targets the viruses that lead to cancer, rather than cancer itself, and that cervical cancer is a slow developing disease. Cancer data show that the average cervical cancer patient is 47 years of age and that HPV incubates for up to 15 years before becoming cancerous. That is, the virus manifests itself when the woman is in her thirties – decades after young girls may have been administered the vaccine. There are no data available as to the actual effectiveness of this drug over this long intervening period of time.

There are more than 100 types of HPV, about 40 of which can cause cancer – but the HPV vaccine protects against only 4.

There are known side effects to Gardasil, mostly neurological symptoms, which include severe headaches, dizziness, temporary loss of vision, slurred speech, fainting (seizures), joint pain, muscle weakness, and involuntary contraction of the limbs.

In the United States, the Vaccine Adverse Event Reporting System (VAERS) has reported 1,261 such incidents. Several deaths have also been reported. Moreover, the long term neurological or immune system complications caused by the drug are completely unknown. It is uncertain if any of those vaccinated will go on to develop fertility problems, cancer, or genetic damage: the drug manufacturer, Merck Frosst, admits, in its product insert, that these possibilities have not been studied.

According to Statistics Canada, there are approximately 400 deaths a year in Canada caused by cervical cancer, whereas there are 5,400 deaths from breast cancer. The cause(s) of breast cancer are not yet known. It is known, however, that HPV is contracted only through sexual activity and is the most common sexually transmitted disease. Most HPVs are harmless, while others are self-limited infections, i.e., they typically disappear within two years, and most infected individuals do not even realize they have the virus.

Provinces Quick to Take the Money Offer

Some provinces, however, despite the major concerns expressed by REAL Women and others, found the cash offered by the federal government too hard to pass up – especially since this cash may not be available three years from now when the federal money runs out. Also, the provinces are not immune to the fact that they will gain political points

with the public by distributing the drug. The public demand for this drug has been created by the media mindlessly and uncritically parroting the claims of the manufacturers in their hard driving marketing campaign. According to Anne Rochon, Federal Co-Ordinator of Women and Health Protection, which is a coalition of community groups, unions, researchers, journalists and activists concerned about the safety of pharmaceutical drugs:

What has happened here is a milking of public sentiment around the fear of cancer; and politicians, along with some other well-meaning people have bought into it. Consequently, thousands of young Canadian girls will be administered, at great expense, a questionable drug and in doing so, will be the subject of a massive research experiment on behalf of the manufacturer.

At the time of writing, the decisions of the provinces concerning their participation in the distribution of the drug Gardasil, were as follows:

Newfoundland and Labrador	Fall 2007;	Grade 6 (2,800 girls);	$1.5 million a year
Prince Edward Island	Fall 2007; Grade 6		
New Brunswick	No Decision		
Nova Scotia	Fall, 2007;	Grade 7 (6,000 girls)	
Quebec	No Decision		
Ontario	Fall 2007;	Grade 8 (84,000 girls) no catch-up;	$39 million a year
Manitoba	No Decision		
Saskatchewan	No Decision		
Alberta	No Decision		
British Columbia	Fall 2008; catch-up in Grade 9 for 3 years (50,000 girls); $18 million a year		
Yukon	No Decision		
Northwest Territories	No Decision		
Nunavut	No Decision		

The tragedy is that pap smears still remain the best tool available for preventing cervical cancer. If all women received a regular pap smear, cervical cancer would be virtually eliminated. Unfortunately, marginalized women, such as those who are poor, immigrant or of minority status, as well as others who lack access to health care programs that include pap smears, are greatly disadvantaged. It is they who should be targeted, not pre-pubescent girls.

PRESIDENT'S MESSAGE

I am writing this just before our family's annual trek to holiday country. This year we are going to an idyllically named place, "Veranda Beach". Each house in this vacation community has – guess what – a veranda. It sounds so old fashioned and removed from the busy-ness of everyday life. I plan to focus totally on my husband and the three of our four children who have decided to accompany us.

There are good things happening around us! In Calgary, the Canadian Centre for Bio-ethical Reform, CCBR, has begun a campaign to educate Canadians to the reality of abortion being the death of a human being. A large white cube truck comes out only on weekday mornings, its sides and back adorned with an image of a hand holding the remnants of an 11 week old fetus after abortion. A delicate arm and hand with fingers and thumb, and a tiny foot with toes are obvious on the palm of the rubber-gloved hand holding the mass of dark red tissue. At this time of day, people are on their way to work and have less time to cause trouble. Behind the truck, CCBR volunteers follow in a late-model Crown Victoria (the same kind used by police, a volunteer points out) with a camcorder mounted to the dashboard, filming every move the lead vehicle makes.

"We just want to make sure we get our message out and that nobody's going to do anything violent," says Ms. Stephanie Gray, 27, executive director of the CCBR. The National Post reported that Ms. Gray understands that her tactics will upset some people, but she insists she isn't interested in popularity. "Social reformers are never liked," she says. "They always make society angry."

The more outraged and angry Calgarians get at Ms. Gray and her truck, the more certain she is that she is on the right side of history. While the CCBR's project does not meet with all pro-lifers' approval, it comes to Canada just after the CBC Facebook Wishlist for Canada's 140th "Birthday" concluded with Abolish Abortion being the number one wish by a very healthy margin. The controversial issue of abortion seems to be making a comeback as a topic of debate in Canada. What a healthy change!

Also this summer, Truro, Nova Scotia Mayor, Bill Mills, and town council voted almost unanimously against allowing the homosexual pride flag to be flown on the town's flag pole. Hurrah for Mayor Mills and council! Mayor Mills was quoted saying he based his decision on his beliefs, which happen to be Christian.

And in another act of courage, Fort Lauderdale Mayor Jim Naugle called a press conference at City Hall Tuesday, July 24th, telling reporters that he intended to make an "apology." Reporters and homosexual activists expected the Mayor to retract comments published earlier in a local paper in which the mayor said that a proposed self-cleaning, automatic toilet the city was going to buy for the beach would have an added benefit of deterring "homosexual activity.'' The Mayor did apologize at the press conference, but to the citizens of Fort Lauderdale — for failing to do more to put an end to the public homosexual activity taking place in Fort Lauderdale's parks, beaches and public restrooms. He stated "I was not aware how serious the problem was of the sexual activity that is taking place in the bathrooms in public places and parks around Broward County, particularly in the city of Fort Lauderdale. I've been educated on that and I want to apologize to the children and to the parents of our community for not being aware of the problem."

Interestingly, I understand that the Mayor of Vancouver, Sam Sullivan, is considering putting those same toilets in downtown Vancouver before the 2010 Olympics. Will Mayor Sullivan also apologize to the children and parents of Vancouver and the surrounding communities for failing to do more to put an end to the public homosexual activity taking place on Vancouver's beaches, and in Vancouver’s parks and public restrooms?

I am enjoying hearing from those of you who have sent notes and letters to me. It is wonderful to have a connection with Canadians from across our country — Canadians whose values and beliefs I understand and share. Thank you for your kind words, prayers, and words of encouragement. Across the country all of us desire the same rights to life, liberty and health. Our organization continues to respect all human life from conception to natural death, and the liberty to publicly promote the traditional Judeo-Christian values on which this country was founded.

Until next time!
Laurie

A MESSAGE TO VOTERS IN ONTARIO

A provincial election will be held in Ontario on October 10, 2007. The ballot will also include a referendum question on a proposed new voting method to be used in the province.

As important as is the election determining who will run the province for another four years, perhaps the referendum question is of even greater importance because of its long lasting impact on both democracy and the pro-life/pro-family cause.

The referendum question will ask: which electoral system should Ontario use to elect members to the provincial legislature?

The existing electoral system (first past the post) i.e. the party which receives a simple majority forms the government, or An alternative electoral system, called the Mixed Member Proportional Vote (MMP).

The MMP system is used in Germany and, more recently, in New Zealand. (See REALity March/April, 2007 “Voters

Beware Manipulating the Voting System").

It is the proposed MMP procedure that causes us grave concern because if implemented it will not only undermine the democratic process, but will also negatively impact the pro-life/pro-family cause.

What is the Mixed Member Proportional Vote?

This voting system will produce two classes of politicians: those elected by the voters (90 MPP's) and those appointed by the political parties (39 MPP's). That is, the 129 seats in the province of Ontario legislature will be divided between those elected by the 90 individual ridings, while 39 seats will be chosen by the political parties, according to the percentage of votes each party obtains in the election. Those appointed by the parties will obviously adhere to the party's ideology because their appointment will be dependent on it. Consequently, these MPP's will not be interested in the views of the public or any of their lobbying efforts because such concerns will be irrelevant to them as their role will be to support their party's policies only.

The political partys' lists are expected to alternate male and female candidates and provide a "balance" based on such attributes as gender, ethnicity, religion, sexual orientation, etc. As a result, even though there may be a superficial diversity such as in appearance, i.e. gender or colour, creed, etc., among the appointed MPP's, there will be no diversity in regard to the political views of these appointees.

The MMP system is the dream of the small parties, which is why the NDP and Green parties are pushing it. Any party with 3% of the popular vote will get a chance to be part of a coalition with the larger parties. Not surprisingly, the MMP system usually leads to more political parties. For example, before MMP was introduced, New Zealand had two parties, it now has six parties.

In the MMP system, political elections are usually followed by weeks of closed-door deal making among parties to form a government – exactly the reverse of what happens after the first past the post elections, where the results are immediately announced.

A result of this secret deal making is that it creates unstable coalitions to form a minority government – inevitable with this voting system, often with a brief shelf life. The latter is one of the reasons why Italy, which has had proportional representation since World War II, has just experienced its 62nd government and is now looking at ways to return to the more stable first past the post voting system.

The greatest beneficiaries of MMP, apart from the small parties, will be feminists, homosexuals and other special interest groups, as the major parties will certainly place them at the top of their list for appointments to the legislature. For example, parties constantly bemoan the lack of women in the legislature. However, it is not the gender of a candidate that matters to the voters, but rather, his/her perspective on issues. Feminists, as part of a special interest group, have worked long and hard for the introduction of the MMP voting system, knowing that it will strengthen their voice in government since they will be assured of appointments to the legislature by the major parties. The MMP system neatly by-passes the inconvenient fact that voters base their votes on the candidate's views and platform, rather than on gender.

Ontario Premier Dalton McGuinty has stated that in order for the referendum to pass, it must have 60% approval from the votes cast. Therefore, it is very important to the pro-life/pro-family cause that the referendum NOT receive the required 60% approval rate.

Please make copies of this article and distribute it among your family, your neighbours, and church and social groups in order to prevent this referendum from passing.

THE CHILD CARE ISSUE STILL HAUNTS US

The Liberals, together with the opposition NDP and Bloc Quebecois parties, dominate the House of Commons because the Conservatives have only 124 seats in a 305 seat Parliament. The dominant opposition are determined that Canada will have a national child care plan, even if Canadians don't want one. That is, when Canadians voted in the Conservative government in January 2006, they made it clear that they preferred the approach taken by the Conservatives on child care of direct payments to parents, rather than the establishment of a national child care program. However, the opposition parties in the House of Commons apparently believe that Canadians don't know what's good for them and are, instead, determinedly pushing through Parliament a national child care program.

House of Commons and Child Care

The NDP brought in Bill C-303 for a national child care program, which is euphemistically referred to as an "early childhood education program." Bill C-303 has now been reviewed by committee and it will have third and final reading and, undoubtedly, be quickly passed by the opposition, who will gang up on the Conservatives when Parliament resumes sitting in the fall.

The Senate and Child Care

Meanwhile, the Liberal dominated Senate has not been idle on the issue of a national child care plan. It decided that it shouldn't wait for Bill C-303 to wind its tedious way through the House of Commons and, instead, initiated its own study of the issue through the Senate Social Affairs Committee.

The Senate Committee Hearings

The Senate Committee had its first sitting on a national child care program on April 20, 2007 and, naturally, its first witnesses were representatives from the feminist lobby group, the Child Care Advocacy Association of Canada (CCAC). The latter association clearly enjoyed testifying before the sympathetic committee. It was reminiscent of the good times when the association was "top dog", i.e., the authority on all matters relating to child care in Canada. It acquired this influential position because of the fact that since 1983 it was heavily funded by the Liberal Government to the tune of millions of dollars in order to lobby for a national child care program. The Conservative government stopped this funding in 2006. It didn't take the witnesses from CCAC long into their testimony to point out the tragedy experienced by child care in Canada because of the "uncaring" Conservative government cutting off their funding, which, they declared, was "cruel". As a result of these cuts, the CCAC "research" on child care, which it had been duly feeding the child care industry over the years, was no longer available. This, they claimed, was a tremendous loss to the nation, not to mention the child care industry itself.

The testimony of the CCAC was followed by that of several professors who had researched the child care issue. For example, Professor Kevin Milligan, Professor of Economics, University of British Columbia testified on his recent research on Quebec's universal subsidized child care. Regarding the Quebec $7.00 per day system, he stated that studies of this system proved that children's behaviour was more aggressive, that children experienced more anxiety, and were more hyperactive than children reared at home. Also, the children's motor development and health were worse than that of at home children. Further, parenting became less consistent and even hostile, as the quality of the relationship between the parents worsened. (See Reality March April 2006, page 10.) This was bad news for the Committee and was information they didn't want to hear.

Professor Douglas Willms from the University of New Brunswick then provided testimony before the Committee which was more to its liking in that he stated that there must be a substantial increase in public funding of child care services. But Professor Willms didn't look to a universal child care program as a cure-all. Rather, he stated there are several different kinds of interventions to help children, such as specific targeting of children who fall off-track, helping families with low social-economic status, providing parenting training, etc. Again, it was not exactly what the Committee was looking for.

Further Feminist Testimony

The Committee was considerably cheered, however, by the testimony of feminist activist, Martha Friendly, Co-coordinator, Child Care Resources and Research Unit, University of Toronto. The latter institute had also been generously funded by the former Liberal government since 1985, but is no longer, as its funding, too, was cut off by the Conservatives in 2006. As a result, it has been forced to become attached to the University of Guelph, minus all the generous financial backing of the federal taxpayer that it had previously enjoyed.

Ms. Friendly, needless to say, advocated a national, universal, not-for-profit (government controlled) child care program with the government setting national standards. Providing money to parents for child care, either by voucher or payment or subsidy, did not meet with the approval of Ms. Friendly.

REAL Women has applied to appear before the Committee, no doubt, to the chagrin of the feminists and their supporters on this Committee.

WHO IS ARROGANT?

In his column of July 12, 2007 about the verdict for fraud against National Post founder, Conrad Black, Globe and Mail columnist Lawrence Martin asserted that Canadians do not support Mr. Black because he is arrogant and also an "arch-conservative". Mr. Martin stated:

Another factor that has created distance over time has been his ideology. He stood apart from the Canadian mainstream not only because of his wealth, lifestyle and power, but because he was an arch-conservative in a land where that breed is uncommon. With his large fleet of newspapers, he gave vent to conservative voices and passions

According to Martin, Mr. Black could never find a way to Canadians' hearts since they do not view him as their own because "he was cut from a different cloth".

Obviously, a columnist for the Globe and Mail has no love for its very able competitor, the National Post, which has greatly disturbed the Globe's pride of place and financial returns in Canada's newspaper jungle.

The Globe and Mail, in which the notoriously left-wing Toronto Star has a substantial financial interest, has been lurching ever leftward since that purchase. Therefore, naturally, a Globe columnist was delighted to take a poke, albeit a juvenile one, at its competition, the National Post with its presumed conservative values, which, oh horror of horrors, gives "vent to conservative voices and passions". In other words, how dare a conservative voice exist when he, Mr. Martin and his employer, the Globe and Mail, have a completely different point of view?

However, what is really arrogant (never mind Mr. Black's perceived arrogance) is Mr. Martin's assumption that all Canadians think just like him – namely, as left-wing ideologues and that conservatives are an "uncommon breed." In short, it is galling that Mr. Martin takes for granted that Canadians fall dutifully into the politically correct, left-wing mind set, of which so he obviously approves.

Mr. Martin has spent far too much time in the closed world of left-wing Toronto political pundits. He should get out more, and learn about Canadians before he makes further ignorant and biased comments about them.

INSURANCE — A GOVERNMENT SLUSH FUND

REAL Women has written about the misuse of the Employment Insurance Fund under the Liberal government (see REALity, March/April 2002 "Tossing Taxpayers Dollars into the Garbage Bin", p.3) and REALity March/April 2004 "Maternity and Compassionate Leave at Risk", p. 4).

The problem with the fund is that it was supposed to be an insurance fund to provide short-term income when an employee lost his job. This fund is derived from contributions from both the employer, who pays 60%, and the employee – the latter paying by way of a payroll tax deduction. The government does not financially contribute to this fund at all. The difficulty is that only 56% of the fund is actually used for its intended purpose, i.e., for employment insurance, and the remaining 44% of the fund is used by the government as a slush fund to provide other government social services such as financial benefits for new parents, benefits for those caring for family members, maternity leave benefits, etc. All those programs are beneficial – no question about it – but they should not be paid from a fund comprised solely from compulsory contributions paid by employees and employers, which funds were intended for another purpose. That is, the government should not be transferring the surpluses from the fund into its general revenues to distribute them at its own discretion.

The government, however, is happily doing so and the funds it is collecting in this regard are enormous. In the last fiscal year, the EI fund grew by $2.4 billion to more then $53 billion – quite a gift for the government to use as a slush fund, even though derived entirely from the compulsory contributions of employers and employees. Auditor General Sheila Fraser pointed out in her report in December 1, 2001, that a surplus of $15 billion was only necessary to keep the EI fund operational, and that the remainder of the surplus was a huge overpayment by the employees and employers.

What is necessary is that the government should stop using the compulsory contributions paid by employers and employees as a fund to finance its own social programs. Further, the current EI contributions should be substantially reduced to halt the huge accumulation of contributions in the fund. If the government wants to provide other social services for Canadians – fine – but not on the backs of the workers and employers. The excess surplus should be returned to the employers and employees who have been greatly overcharged.

There are further problems with the EI. One of its major problems is that it's a 20th century social program struggling to assist workers in a rapidly changing 21st century labour force. Immigrants who are looking for their first jobs, or who have little labour experience, and the self-employed cannot qualify for benefits, even though the self-employed constitute 15.7% of the work force and its numbers increased by 7% in the past eight months whereas the number of employees rose by only 0.7%. The work world has changed but EI has not. It just continues on as a great government slush fund more than a help to those in the labour force. It is time for the entire programme to be revamped.

It is necessary in fact that the whole issue of EI be reviewed. There must be a public debate, with the public providing input into any amended programme since they are the ones who are so dramatically affected by it.

BOOK REVIEW: STATE VS. CHURCH: WHAT CHRISTIANS CAN DO TO SAVE CANADA FROM LIBERAL TYRANNY

By Timothy Bloedow, Available from www.christiangovernment.ca, Paperback $20 Hardcover $25, 189 Pages

State, Church and Family are Distinct

This book addresses state intervention into church and family in Canada. It describes the true meaning of "separation of church and state" originating in Christianity, and compares it to Secularism's false use of the term. The author explains the traditional teaching that the state, church and family are distinct and have their own sovereignty, and that it is not the role of the state to usurp the legitimate authority of church or family.

Secularists, on the other hand, misrepresent the principle of "separation of church and state" by distorting the term to mean a complete separation of politics and religion. This is convenient for those who want to impose a socialist ideology on society, give god-like powers to the state and the judiciary, and substitute the state for the family. The imposition of this false interpretation disenfranchises citizens who base their morality on religion and severely limits the freedom of Christian politicians, according to the author.

Equality and Freedom Diminished

State vs. Church proposes that secularists deify the state, which leads to their audacious re-definition of marriage and parenthood even though it is not within the jurisdiction of the state to redefine such basic realities. Bloedow reminds us that the state has a legitimate role in defending marriage and links the redefinition of marriage to the modern secularist's view of the state as all encompassing and as "daddy." He describes the interventionist, totalitarian tendency of secularism to reduce both equality and freedom while pretending to defend these values. Freedom and equality are features of Christian societies, not of secular humanist oppressive regimes. Church and family are mediating structures which are attacked today by those who would impose centralized, absolute state power over all facets of life, including the family hearth.

The author includes statements made by opponents of the redefinition of marriage. His quotations are essential reading: from William Gairdner, pro-family Canadian author of War Against the Family, Jennifer Roback Morse, Economist, Research Fellow at Stanford University's Hoover Institution, and Mr. Daniel Cere, who teaches ethics at McGill University and directs the Institute for the Study of Marriage, Law and Culture.

Tim Bloedow cites numerous cases where the interventionist state has encroached on our customary liberties: Robin Sharpe (child pornography), Stephen Boissoin (censorship of Christian speech), Soharwardy (freedom of religious expression), Corren (parental authority regarding the education of children in BC). He includes valuable quotations from major critics of the culture war fought by secular humanism against Christianity: Ted Byfield, Rory Leishman, Ian Hunter, Tristan Emmanuel, Allen Carlson, Alan Keyes, and many others. He identifies three areas where secularist tyranny has taken hold in Canada: "We have no property rights; the government imposes heavy censorship on consumer access to news and other media; and tax dollars are used to fund political parties."

The book also makes reference to superficial defenses of secular humanist positions from former federal MPs Pierre Pettigrew, Paul Martin, Svend Robinson, Supreme Court of Canada judge Beverley McLachlin, and former Liberal Minister of Justice, Irwin Cotler. Special mention goes to the ACLU and its "theocracy" versus the liberty and freedom experienced under Christian western democracies.

"Every law is an attempt to enforce some moral principle" and "the basis of the morality of just about everybody in the country is religious", according to the author. "Christianity's contribution to culture, political theory and public morality gave us civilization and societies that are the envy of genuinely oppressed people everywhere", he states.

Secular Humanists Reject Social Sciences

State vs. Church contends that secular humanists are not morally neutral and are, in fact, fanatical legalists who worship the law and disregard scientific evidence. They believe laws equating marriage with other forms of social grouping will magically equalize results for children, whereas the social sciences demonstrate that "some types of family structures create systematically better life chances for children than others" (Jennifer Robach Morse). Massive government resources to manufacture equality will merely decrease the economic and social freedoms of all citizens.

Re-establish Authority of Church and Family

This book exposes the true nature of secular humanism, a "dangerous ideology" according to the author. He reminds us that the distinct spheres of church and family must be protected from the all-encompassing secular state. We must seek to regain control over the legitimate authority traditionally given to church and family, according to Tim Bloedow. This book combats what Bloedow calls the "ignorance, bigotry and hostility of secularists" and promotes genuine liberty and equality as found in countries which have a Christian world view.

State vs. Church is hard hitting and may be offensive to those afflicted with liberal hyper-sensitivities. It navigates interdenominational differences quite effectively. It is a good source of pertinent Canadian commentary which combats the murky ideologies at the root of the major cultural upheavals we experience today.

FEMINISTS' FAVOURITE CHILD CARE MYTHS

Over the years, feminists have come up with their favourite myths on child care in order to support and promote one of their major fantasies – a national day care program to operate similar to our national health care program. That is to say, all paid for by the taxpayers. This program would provide permanent employment for unionized day care workers, secure on the public payroll with benefits, and would lead, according to feminists, to greater independence for women since it would free them from home and family and especially from men, as they could then enter into paid work force. Feminists never mention that a national day program back in 1986 was estimated to cost the taxpayer $11.3 billion annually, and a leaked document from the Department of Health in 1999 estimated the cost to the taxpayer of $12 - $15 billion annually for a national day care program.

Instead, feminists have honed their arguments in support of such a national child program by creating myths and misrepresentations of the true facts surrounding the child care issue in order to influence a supposedly gullible public to support their fantasy and turn it into reality. The feminists' favourite myths on child care follow:

Long Waiting Lists for Child Care Spaces

Feminists try to argue that there is a huge demand for child care spaces. They back this by releasing figures of hundreds of parents supposedly on waiting lists for spaces for their children. These figures, however, are absolutely fraudulent. They represent only the figures of parents who at some time put their names on a number of lists. They may have subsequently found a child care space elsewhere or changed their minds about needing child care, or found private care or other arrangements. But the waiting lists are never reduced, they only, relentlessly, receive additions. The lists represent only figures to trot out for propaganda purposes.

Parental Preferences

The false statistics on waiting lists for child care spaces also serve to cover up the fact that the majority of parents do not wish to use government operated child care services.

Parental preferences in child care were made public in the February 2005 study by the Vanier Institute (Reality March/April 2005) in which it was disclosed that daycare centres rank a distant fifth when Canadians are asked whom they would prefer to care for pre-school children. Having a parent provide the care came first, a grandparent second, another relative third, and home daycare fourth, followed by day care centres as the fifth choice.

Even Statistics Canada's information entitled "Child Care in Canada" 2006, Table 1b, page 45, on child care centres is misleading on this point. Statistics Canada states in its report that 66.1% of children were in child care in 1993, more than 50% in 2005, and 54% in 2006. These amazing statistics are understandable only when one reads Statistics Canada's spin on the definition of child care, which includes parental care, self-care, kindergartens, grandparents, babysitters, preschool child care facilities! This definition puts a remarkably different complexion on the statistics on the number of children in so called "child care".

Further, Statistics Canada has buried the breakdown of the percentage of children in day care centres on page 97 of the 99 pages, among dozens of un-explained charts. There we find:
2002- 2003 STATISTICS FOR CHILDREN IN DAY CARE CENTRES
BY PROVINCE IN %

British Columbia	9.74	Quebec	34.72
Alberta	7.92	New Brunswick	12.17
Saskatchewan	7.28	Nova Scotia	13.08
Manitoba	14.34	Prince Edward Island	18.26
Ontario	11.21	Newfoundland and Labrador	10.23

It is obvious that only a relatively small number of children are placed in day care centres in Canada – because that is not the parents' preference: they much prefer other alternatives of care for their children.

The Effect of Child Care on Children

The media and other child care supporters doggedly deny that day care has a detrimental effect on children despite peer-reviewed studies that indicate otherwise.

Little media coverage is given to studies that do not support this modern myth such as the study commissioned by the C.D. Howe Institute released in July 2005. This study of Quebec's $7 per day child care program found that there is "robust" evidence of negative effects on children placed in child care (See Reality March/April 2006, p.10).

Study by US National Institute of Child Health and Human Development (NICHD)

A relatively new study published in 2006 by the U.S. National Institute of Child Health and Human Development (NICHD) further disproves the myth about the so-called beneficial effects of child care. This is the only peer-reviewed longitudinal study of its kind in the world. The study was commenced in 1991 and continued up to 2004. It found that putting a child in day care for a year or more increases the chances that the child will have behavioral problems such as becoming disruptive in class – a trend that persists through the sixth grade. This tendency is evident despite the child's sex, family income, and even the quality of the day care centre. This latter finding is particularly disappointing for day care advocates who insist any negative effects are entirely contingent on the "quality" of the child care provided. Although the authors point out that these behavioral problems by no means reach pathological levels, it is nonetheless disturbing. Yet another significant finding of the NICHD study is that effects of all outside learning and care, whether good, bad or otherwise, consistently pale in comparison to the impact of parenting on the child. That is, the influence of outside experts can never be greater than the impact the parent has on a child. The home life of the child does matter. This contradicts the Canadian report "Early Years Study 2: Putting Science into Action", by Dr. Fraser Mustard, Norrie McCain and Stuart Shanker who argue that children should be placed in child care centres where government licensed "experts," who allegedly know what is best for children, can take charge of the children. It apparently has not occurred to Dr. Mustard et al that those few parents who are inadequate in their parenting skills should be encouraged in their natural abilities and interests in bettering the lives of their children by the "expert" help rather than employing the "experts" to take over control of the children.

Yet, the myth that institutional child care has no detrimental effects on children continues in order to support the drive for the establishment of a national child care plan.

70% of Mothers Are Employed and Need Child Care Spaces

This is the most frequent myth used by feminists to promote a national day care program. They argue that 70% of women are in the labour force in Canada and, therefore, are desperately seeking child care spaces. This is nonsense.

There are two sources of information to dispute this myth.

The Paris-based Organization for Economic Cooperation and Development (OECD)

Although this organization fully supports a centralized government day care system on the basis that it would encourage more mothers to enter the work force which would "broaden the tax base" and "expand the labour force," its own studies, nonetheless, expose the feminist myth of 70% of women supposedly in the work force.

According to the OECD publication, "Babies and Bosses", Volume 4, 2005, it flatly states that the 70% figure does not refer to Canadian mothers who would actually use day care, that is, mothers of babies and young children who go to work every day, but rather refers to mothers with children between the ages of 0 – 16 years. When part-time working mothers (27.4%) and mothers on maternity leave (5.4%) in this age group are factored in, this 70% decreases to a

47.4% full time employment rate for mothers with children 0 – 16 years of age. Part-time work could be for as little as a few hours a week.

For mothers with children between 0 – 3 years of age, the 70% is even less representative. The OECD cites an employment rate of 57.8% for mothers with children 0 to 3 years of age, the group whose mothers would put their children in day care if they wanted. But when mothers working part-time (30.4%) and mothers on maternity leave for this age group (22%) are factored in, this 57.8% deceases to a full-time employment rate of 28.0% for mothers with children 0 – 3 years of age.

Statistics Canada

Statistics Canada uses a very flexible definition of women "in the labour force." That is, employed persons are those who:

did any work at all at a job or business, that is, paid work in the context of an employer-employee relationship, or self-employed. It also includes unpaid family work, which is defined as unpaid work contributing directly to the operation of a farm, business or professional practice owned and operated by a related member of the same household;

had a job but were not at work due to factors such as own illness or disability, personal or family responsibilities, vacation, labour dispute or other reason (excluding persons on layoff, between casual jobs, and those with a job to start at a future date." (Report from the Ministerial Advisory Committee, 2007, footnote # 10)

Therefore, when day care advocates claim that 70% of women are "in the labour force" and need day care spaces, it does not mean that 70% of women are working and looking for substitute care for their children, or even want substitute care for their children. In fact, quite the opposite is true.

Canadian Women Know What They Want

Mothers with young children want to care for their children themselves at home and this is reflected in the employment choices they make – part-time work, long maternity leaves and fewer hours of work.

"In 2004, 27% of the total female work force were part-time employees, more than double the proportion of just 11% among employed men. Women currently account for about 70% of all part-time employees, a figure which has not changed appreciably since the mid-1970's" according to Statscan's The Daily, March 7, 2006.

Thus, even after millions of tax dollars have gone into day care lobbying, the numbers support parental choice for home care over institutional care. Upon careful analysis it is evident that Canadian mothers are independent and want to care for their own children at home, especially in the early years of development.