

Religious Freedom in Canada

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Canada is a country which prides itself on religious freedom and religious tolerance. And in many respects that is true. Citizens are free to practice their faiths according to their traditions, generally without interference from the government. And even when someone's religious beliefs conflicts with a long established Canadian tradition, great tolerance can be shown, as was the case with the first Sikh Royal Canadian Mounted Police officer permitted to wear a turban instead of the regulation hat. That constable started his career in my home town of Quesnel, and he was accepted and appreciated by the community.

Unfortunately, there are two primary areas of conflict between religious freedoms and government policy in Canada: abortion and homosexuality. A group of eight Christians, members of a group called Operation Rescue protesting abortion were arrested and sentenced to jail terms for peacefully protesting outside an abortion clinic. I met one of the men, Donald Spratt, who was incarcerated in British Columbia's maximum security Oakalla prison for his crime--he was holding a sign outside an abortion clinic. Currently, he is awaiting trial in the BC Court of Appeal for violating the "bubble zone" of an abortion clinic. Once again, he was simply holding a sign with a Bible verse on it—Thou shalt not kill.

A man by the name of Bill Whatcott, an evangelical Christian who is a licensed practical nurse, was fined \$15,000 by his professional association, for protesting against abortion on his own time, and also fined \$20,000 by the Saskatchewan Human Rights Commission for

speaking out against homosexuality. There is a great deal of intolerance shown towards religious people who express their views in public.

In May 2002, a Catholic high school in Whitby, Ontario, was forced by the Ontario Supreme Court to allow a homosexual student, Marc Hall, to take his boyfriend to the graduation prom, even though the church-run school has strict prohibitions against condoning any kind of homosexual behaviour. And marriage commissioners, who are public employees licensed to perform civil marriages, were told by Frank Quennell, the Saskatchewan Minister of Justice, to resign if they intend to refuse to perform same sex marriages. Several have already. The new legislation currently being considered by the Canadian government provides no protection for civic officials who for reasons of conscience or religious belief will not perform a same sex marriage. Just a few months ago, a lesbian couple in the Vancouver suburb of Coquitlam arranged to rent a hall for their wedding reception from the Knights of Columbus, a Catholics men's service group. When the group discovered that the marriage was going to be between two women, they cancelled the rental agreement, stating that their religious beliefs prevented them from accommodating a same sex wedding. Even though they paid to reprint the wedding invitations and for the rental of a new hall, the couple is still suing the group in the BC Human Rights Tribunal.

Camp Arnes is a camp operated by the Mennonite Church, located on Lake Winnipeg in Manitoba. A homosexual choir called the Rainbow Harmony Project booked the camp for a weekend retreat. The Mennonites cancelled the booking after discovering that the choir was homosexual in nature, citing their faith, their mission statement and their code of conduct conflicted with the choir's purpose. The choir filed a discrimination suit with the

Manitoba Human Rights commission, where the decision is pending. The Winnipeg school district has now forbidden all school groups from using Camp Arnes as well as three other Christian camps.

My dictionary says that tolerance is "the disposition to adopt a liberal attitude towards the opinions or acts of others, especially those of other religions or ethnic backgrounds." One would think that tolerance would mean that social liberals would be tolerant about our religious beliefs. In the Newspeak of today, however, tolerance means everyone is obliged to take a liberal attitude towards immoral sexual behaviour, but those who practice that immoral behaviour do not have to tolerate Christian beliefs which oppose such behaviour.

Then there's the term "hate". If Christians say publicly that they disapprove of homosexual behaviour because the Bible declares it to be immoral, then that is "promoting hatred". If they quote medical statistics about the HIV infection rates of homosexual men, that is "promoting hatred". If they object to their children being indoctrinated in kindergarten class with information about homosexuality, they are hateful people. Apparently Canadians can hold religious beliefs, but if they tell anyone else in a public forum, such as a newspaper, they are "promoting hatred".

How about "homophobia". It literally means an irrational fear, even terror, of homosexual persons. A phobia is a mental illness, which can be successfully treated. In Communist Russia, dissidents were sentenced to forced treatment in psychiatric hospitals, not because they were mentally ill, but because they had wrong thoughts. I believe it is no accident that the Gay Rights term for disapproval of homosexual behaviour is a mental illness term. In all my years as a mental health professional, however, I have never encountered anyone with

an irrational fear of homosexuals. But the definition of homophobia, as defined by gay activists, is the unwillingness to approve of homosexuality. Even toleration without approval is defined as homophobic. So if you have a moral objection to homosexuality, you are "mentally ill" and require re-education. One homosexual activist, John McKellar, who opposes the Gay Pride movement, calls the use of the word homophobia, "a contrived slander" against religiously conservative people. But activists realize that religious people are unlikely to change, which is why they are focusing a tremendous amount of attention on re-educating children in public schools.

Let's take a look at some of the people who have been targeted by homosexual activists.

Mr. Hugh Owen is an evangelical Christian employed as a prison guard. He placed an ad in the Saskatchewan Star Phoenix. The ad was a picture of two stick men holding hands, with a red circle with a bar across, superimposed on them. Below were four scripture references, but not the actual Bible verses. In 2001 he was convicted of a hate crime by the Saskatchewan Human Rights Tribunal and forced to pay his three accusers \$1500 each. The judge in the Saskatchewan Court of Queen's Bench suggested that using Bible verses in a newspaper ad like this, could be construed as hate literature. So there is now legal precedent in Canada that the Holy Bible is hate literature.

Dagmar and Arnost Cepica, a Christian couple in Prince Edward Island who operated a bed and breakfast in their own home, refused to rent their bedroom to two homosexual men. In 2001, they were charged and convicted of discrimination, and rather than fight the matter in court, they closed their business down. Then there was the 1996 high profile case of professional printer Scott Brockie, who refused to print material for the Canadian Gay

and Lesbian Archives, because he felt doing so would violate his religious beliefs. He was fined \$5000 on February 24, 2000, and ordered to print the material anyway. Mr. Brockie took his case to the Ontario Supreme Court, then to the Ontario Court of Appeal and lost both times. The court has ordered Mr. Brockie to pay his opponents legal costs of \$40,000. His total legal bills surpass \$170,000. Like myself, he has set up a trust fund to help him with this burden, as he cannot afford it himself. A few years ago, Evangelist Rev. Ken Campbell of Hamilton, placed ads in a Toronto newspaper objecting to the promotion of homosexuality by governments and public schools. He had two complaints laid against him in the Ontario and BC Human Rights Tribunals by homosexual activists. He went to the tribunals, without any legal representation, and basically preached the gospel, outlining in detail what the Bible says about homosexuality. He was acquitted by both tribunals, one of the few victories Christians have had in disputes with homosexual activists.

Stephen Boissoin of Calgary, is an evangelical pastor who wrote a letter to the editor questioning the promotion of homosexuality in the public school system. A University of Calgary professor has charged him with discrimination under the Alberta Human Rights act. Last May, at a fund-raising dinner for him held in a Calgary hotel, masked homosexual thugs burst into the dining room and disrupted the meeting, chanting "Right wing bigots go away, Gay Militia is here to stay". They carried a banner saying "Liberation: Queer Invasion". Their tactics remind me of the Nazi Brownshirts of the 1930's.

Several mayors of Canadian cities have been taken to Human Rights Tribunals for refusing to declare Gay Pride Days in their cities. The most prominent one was Diane Haskett, mayor of London, Ontario. She was found guilty of discrimination in 1997 and fined \$10,000. Her sentence was issued during her re-election campaign, and she stopped

campaigning. She won re-election by an overwhelming margin anyway. Also targeted were the mayors of Fredericton, New Brunswick, Hamilton, Ontario, (Brad Woodard and Bob Morrow), Kelowna, BC and Oliver, BC, as well as Ernie Reine, the Chief of Police of Regina, Saskatchewan. In the year 2000 every city in British Columbia was threatened with a Human Rights Tribunal lawsuit if they did not proclaim a Gay Pride Day by a group called the Rainbow Coalition. Many cities did, but some cities stopped making proclamations of any kind just to avoid the whole controversy. The Mayor of my town, who is a devout Catholic, refused to sign the proclamation after the city council passed the Gay Pride Day resolution over his objection.

Another concern by religious Canadians who belong to unions is their inability to prevent the unions from using their union dues to support homosexual or abortion causes.

Although some labour laws allow union dues to be redirected to a charity for reasons of conscience, the process is difficult and expensive, and some people chose to quit their jobs rather than hire a lawyer to make sure they don't have to support causes they find morally offensive. My own union, the BC Teachers Federation, is an active supporter of the gay rights movement and has published their materials. One of the materials they published states that King David and Jonathan were gay lovers, and that all those who are morally opposed to homosexuality are homophobic and require re-education. Just last month the Ontario Elementary School Teachers Association publicly endorsed same sex marriage, even though many of their members are personally opposed to the concept.

Trinity Western University is a private Christian University in British Columbia which had permission to train elementary school teachers for the first four years of a five year program. As a Christian institution, they require all students to sign a pledge that they will

not engage in immoral sexual conduct including homosexual behaviour, while on campus. In 1995, Trinity applied for permission to have their fifth year certified. The College of Teachers sent two committees to investigate, and both of them recommended approval of the program. But the College of Teachers overruled their own committees, and denied approval of the University's fifth year education program, arguing that the University's morality clause would produce discriminatory teachers. They presented no evidence of that position and lost all three court cases. Trinity had to spend \$1.5 million on the case and only was able to recoup \$168,000 from the College of Teachers. Trinity still has to prove to the College that they provide "anti-oppression pedagogy" courses to maintain certification of their education program.

Christians writing to Senator Laurier Lapierre to protest Svend Robinson's hate crime bill, Bill C-250 got this response on February 24th 2004. "You should be ashamed of yourself for reading such books" referring to the Bible. He continued, "If your god teaches you to hate and judge, then get another god. You people are sick. God should strike you dead." And in response to one writer who signed her letter, "in God's service", he said, "This letter is more in the devil's service." Senator Lapierre later apologized after receiving a storm of criticism over his hate filled comments. Just recently, Pierre Pettigrew, Canada's minister of foreign affairs, suggested that churches had no business commenting publicly on the government's same sex marriage law. Prior to the last election, Revenue Canada officials, the tax department, called in representatives of the Catholic and Evangelical Christian churches to warn them that they could lose their charitable status if they tried to influence their members to vote for parties which oppose same sex marriage. One of the most offensive incidents of anti-Christian discrimination was when officials from the Prime

Minister's office told two Christian ministers not to make any references to Jesus Christ, the cross, or the New Testament in their memorial prayers during the Swissair memorial in Nova Scotia in September, 1998. At first the Prime Minister's office denied forcing the two ministers to delete references to Jesus from their prayers, but later admitted they did so because they thought that other religious leaders would be offended. Muslim and Jewish religious leaders were free to say whatever they wished, and were able to quote freely from the Torah and the Koran.

And last month, CBC Radio, the government's broadcasting company, refused to accept a paid ad from the Maritime Christian College, because it was advertising a lecture that was going to discuss family issues from a Christian perspective. No private broadcaster refused the ad.

The largest school district in the province of British Columbia in the Vancouver suburb of Surrey was sued by one of its own employees, a homosexual kindergarten teacher, so that he could use books promoting same sex families in his classroom. The Supreme Court of Canada eventually ruled that the school district's decision to forbid use of the books was influenced by the religious beliefs of some trustees and parents, and ordered the school board to re-evaluate the books without any religious criteria. The gay kindergarten teacher was furious when the school board rejected the books again because two were out of print and the third had a grammatical error in it. But two lesbian women are now suing the school board again, because the board had allowed religious parents from Christian, Sikh and Hindu religions to explain their concerns about the books in a public meeting, and the lesbians didn't like their statements. That case will be before the BC Human Rights Tribunal this summer.

Also before the BC Human Rights Tribunal at this time is a suit filed by another homosexual teacher. He is trying to force the British Columbia Ministry of Education to change the entire British Columbia school curriculum for all grades and subject areas to include "queer studies" and "queer role models". If he is successful, even students in religious schools may be affected, as all private religious schools which accept government funding must prove that they are using the BC Curriculum.

Three children on Vancouver Island being home schooled, recently failed to graduate from high school, because their parents refused to teach them a small mandatory course which included sex education, on religious grounds. They regarded the course, called Personal Planning, as an attempt at social engineering and promoting immorality. The mother, Cheryl Howard of Courtenay, took the case to the BC Human Rights Tribunal but lost. Her children had straight A's in every other course.

Then there's my case. On May 9th of 2002 I was convicted of conduct unbecoming a member of the BC College of Teachers. The reason was because I expressed my opinion in my local newspaper. Between April 1997 and July, 2000, I wrote one freelance column and six letters to the editor of my town's newspaper, which questioned the wisdom of promoting the homosexual agenda. I provided factual information on rates of promiscuity and disease infection which had been previously published in scholarly journals. I said that many religions consider homosexuality to be immoral, that it may be caused by negative psycho-social influences, and that it was nothing to be applauded. I said that I would refuse to be a false teacher, compromising my faith to teach information which the Bible clearly says is immoral. I said this not in my classroom, or my staff room, but on the editorial pages of my local newspaper. I had thought that the editorial page was a place where all

Canadians have the right to express their points of view, whether other people like them or not. I highly value the freedom of the press, and all points of view should be represented in our newspapers, including those opposed to ours. But a man by the name of Hayward Broun once said, "Everyone favours free speech in the slack moments when no axes are being ground." And how true that is.

I appealed the conviction to the BC Supreme Court, but lost in February of last year. If this verdict is upheld by the courts, teachers will not be able to write privately to their own supervisors to question a new curriculum resource, or write privately their own elected officials on a matter of public policy, nor will they be able to address the topic of homosexuality in post graduate research papers. I was disciplined for doing all of these things. This is an unacceptable restriction of freedom of speech, freedom of conscience, and freedom of intellectual expression.

The College presented no complaints about what I had written publicly from teachers, none from students, none from parents, and most importantly, none from any member of the gay community. The people who did disagree with me did so by writing their own letters to the editor, and I fully support their right to do that.

The Catholic Civil Rights League, the Christian Legal Fellowship, the Evangelical Fellowship of Canada, The Christian Teachers Association have banded together to form the Canadian Religion Freedom Alliance to assist in my defence. My union is also supporting me. The case will be heard on April 21 and 22, this year. Joining the College of Teachers in opposing me is the BC Civil Liberties Association, who feel I should be suspended indefinitely unless I publicly recant, and the BC Public School Employers Association.

My school district supervisors have also decided to silence me. They have disciplined me repeatedly for speaking out, including for advertising my intention to offer orientation change therapy services through my private practice. On March 31, I must appear before a formal hearing of the Quesnel School Board to explain why I publicly criticized the government's same sex marriage legislation. I am facing a lengthy suspension without pay, even though not one homosexual person has complained about what I wrote. I've filed a Human Rights complaint against the school district for religious discrimination.

I am a Christian seven days a week, both on the job and off the job, and I will not compromise my faith to teach falsehoods to children.

As servants of the Most High God, it is our duty to speak up courageously for what is right. I do not know what may become of me, of my career. My lawyer has told me that my legal costs could reach a half a million dollars. I have a trust fund called The Christian Public School Teachers' Legal Defense Fund, but I do not currently have adequate funds to defend myself. I am trusting in God to help my defense.

Canada does have religious freedom, but that freedom is under assault. Thank you for inviting me to speak, and may God bless you all.

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Speech to the United Nations, March 4, 2005

by Dr. Chris Kempling

Early in February, 2005, I received a surprising call from Anna Marie White of Focus on the Family Canada. The United Nations Commission on Human Rights was holding a Delegates' Briefing on March 4, and she was hoping I could represent Canadian Christians by speaking on the topic of religious freedom in Canada. Anna Marie explained that UN ambassadors and NGO (non-government organizations) representatives were aware of the official Canadian government position on religious freedom, but that the delegates wanted to hear from someone who had actually been subjected to persecution because of their religious beliefs. They were preparing for a major Human Rights conference to be held in Geneva in April.

I readily agreed and started making travel arrangements. I had never been to New York City and was delighted when Anna Marie stated that Focus would be happy to cover my hotel costs for an extra day if I wanted to do a little sight-seeing.

I flew on Cathay Pacific Airlines for the five hour flight and booked into the Grand Hyatt Hotel on 42nd and Lexington Streets, just a few blocks from the United Nations. On Friday morning, I met with American Focus on the Family officials, who were the hosts of the briefing, in the Helmsley Hotel. Two of the other speakers, constitutional lawyer Gerry Chipeur of Calgary, and lawyer Pers Karlson of Sweden, also attended. We then headed as a group to get our security passes in a separate building not far from the UN. Security is very tight at public facilities in New York. Thomas Jacobson, Focus on the Family's UN representative (Focus is an accredited NGO to the UN) was pulling a small rack with a couple of boxes of hand-outs. He was stopped by security, who radioed for the bomb detection unit to check his boxes.

The UN building is situated on the riverfront, with an adjacent park holding several impressive sculptures. The building itself was crowded with school tour groups, plus 6000 delegates attending a UN Women's conference. There were many delegates in their colorful national costumes walking the hallways and speaking a cornucopia of exotic languages. The Africans and South American delegates were quite flamboyant in their flowing robes and distinctive headgear.

We peeked into the General Assembly room and saw where the Canadian delegation was sitting. It looks pretty much like it does on TV. Our guide explained that simultaneous translation is done in the six official UN languages, but all UN delegates must have a working knowledge of English to be posted to the UN.

At the breakfast, Thomas Jacobsen said they were delighted to learn that they had received 98 confirmations of delegates wishing to attend the luncheon, three times what they were expecting. Furthermore, one-third were full rank ambassadors to the UN. They didn't invite the Canadian representatives, who are very strident in their support of abortion and gay rights causes. I spent the morning fine tuning my speech with Anna Marie White, Focus' representative for Family Policy and Community Impact, and the representative from the British Focus equivalent, which is called CARE.

I was seated next to the Korean ambassador. Sichan Siv, who just finished his term as the US ambassador to the UN, was also at the table, along with the ambassadors from Ireland, and an NGO representative from Belgium. The food was excellent and included Mesculn Salad in a basil lime vinaigrette, with Sugar Cane and Cocomanut Glazed Chilean Sea Bass, Malanga Puree with Mango Salsa as the entrée. Dessert was a Chocolate Raspberry Ganache. (They gave us a souvenir menu, which is why I have all the details.)

Ambassador Siv spoke first, and related his very impressive "rags to riches" story as a Cambodian refugee who escaped the Pol Pot's killing fields in the 70's. His first job was picking apples in Connecticut, followed by a stint as a New York City cab driver. He eventually became the first Asian American refugee to join the American administration as part of President Bush Sr.'s cabinet, and finished his career at the Ambassador to the United Nations.

Gerry Chipeur spoke next, highlighting the various constitutional cases that he has been involved with at the Supreme Court level, including the Vriend and Egan cases. He told me privately that the only way to reverse Canadian policies is to defeat the Liberals in the next election.

I spoke next, outlining my particular struggles with the BC College of Teachers and my efforts to defend freedom of speech and freedom of religion for public school teachers. My talk was well received as there was a standing ovation. Janet Parshall, who hosts a national US radio talk show, invited me to speak on her show, while another woman, a Canadian lawyer working in Manhattan, said she was so upset at my treatment she wanted to return home to practice human rights law in Canada.

Pers Karlson, the Swedish lawyer, detailed the Ake Green case. Pastor Green was arrested and sentenced to one month in prison for preaching a sermon outlining what the Bible says about homosexuality. The Swedish Court of Appeal overturned that sentence, stating that the Swedish law forbidding any criticism of homosexuality went too far in penalizing pastors who perform their religious duties by explaining what the Scriptures say about behaviours deemed to be sinful. Mr. Karlson stated that Swedish embassies around the world had been flooded with protests. Nevertheless, Swedish prosecutors have now appealed the case to the Swedish Supreme Court. Pastor Green has been invited to speak at the UN Human Rights conference in Geneva.

Overall, it was an excellent experience, and an honour to be invited to speak at the UN. The following day, I spent seven hours at the very impressive Metropolitan Museum situated in Central Park. I wasn't able to see it all, despite my best efforts, and missed the

entire Egyptian wing. The medieval armour and renaissance art was most impressive. On Sunday, I had the privilege of worshipping with the First Alliance Church congregation. This church is descended from the original Christian and Missionary Alliance Church founded in Manhattan in 1888 by A.B. Simpson (a Canadian from Prince Edward Island). They meet on the second floor of a commercial building on E26th Ave, and share space with a Messianic Jewish congregation.

Afterward, I took the bus towards Wall Street and boarded the ferry to Liberty Island. The ferry terminal is in Battery Park and houses an old fort, the original immigrant screening facility prior to the establishment of Ellis Island. It would have been the facility my great grandfather Joseph Kempling passed through in 1879. Security was intense, as all passengers were required to remove watches, belts, shoes, and jackets, plus pass through bag inspections and metal detectors. But I wanted to see the statue which is the worldwide symbol for freedom, something which we in Canada are beginning to lose a grip on. Unfortunately, it was not possible to climb up inside the interior of the statue, but it was pretty impressive just seeing it up close.

I'll close with a quote from Abraham Kuyper (1837-1920), a Dutch Christian politician who founded the Christian Democratic Party in that country: "When the principles that run against your deepest convictions begin to win the day, then the battle is your calling, and peace has become sin. You must, at the price of dearest peace, lay your convictions bare before friend and enemy with all the fire of your faith." We no longer have the luxury of assuming that our country's leadership shares Christian principles and will uphold Godly values. As is clearly obvious, they are quite prepared to make laws which run counter to the principles upon which this country was founded, and are attempting to silence or marginalize anyone who would protest against them. Kuyper's call to arms rings true for today. But who will answer? Ghandi said, "You must be the change you wish to see in the world." It means a commitment to action-and the time for action is now.

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Quesnel, British Columbia

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