



Gay and lesbian awareness

Bill C-212: legislating equality

by Greg Ip and John Gushue (CUP)

The Roman Emperor Justinian thought there was a simple explanation for earthquakes — homosexuality. Activists in Ontario say another kind of earthquake shook the province in December when the legislature enshrined gay and lesbian rights in the provincial Human Rights Code. The passage of the amendment to Bill 7 makes Ontario the second province, following Quebec, to prohibit discrimination on the basis of sexual orientation.

Now, activists are trying to create an even bigger earthquake: an amendment to the Canadian Human Rights Act which would protect gays and lesbians against discrimination in all areas of federal law, from banks to the Canadian Armed Forces. If passed, it could spur similar amendments to other provincial human rights codes.

But supporters of the federal amendment face fierce and widespread opposition, especially from fundamentalist church groups and other conservative organizations, such as REAL Women, that defend "family values". British Columbia MP Svend Robinson has introduced an amendment to the Canadian Human Rights Act, known as Bill C-212, while the Department of Justice contemplates introducing legislation of its own; either way, Parliament has already been inundated with mail condemning the proposed amendment.

"We had a taste in the Ontario legislature of the kind of hostility and the arguments that would be used against this amendment," Robinson told a gathering of gay and lesbian activists in Ottawa Jan. 19. He was referring to the concerted efforts of the Ontario Conference of Catholic Bishops, the National Citizens Coalition, REAL Women and others to block the amendment to Bill 7. It eventually passed Dec. 2, 64 to 45.

Robinson's motion involves just two words, "sexual orientation", but its implications are far-reaching. With his amendment, the Act would read: "Every individual should have an equal opportunity with other individuals to make for himself or herself the life that he or she is able and wishes to have . . . without being hindered in or prevented from doing so by discriminatory practices based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital status . . ."

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The amended act would prohibit discrimination based on sexual orientation in all federally regulated industries and agencies, including airlines, banks, most transportation companies, all crown corporations, and, as Robinson calls them, "two of the most homophobic employers in Canada": the RCMP and the Canadian Armed Forces. Discrimination would be banned in both employment practices and provision of services.

Whether Bill C-212 passes depends on how willing and able the Conservative government is to keep the promise then-Justice Minister John Crosbie made in the House last March 4: "The government will take whatever mea-

asures are necessary to insure that sexual orientation is a prohibited ground of discrimination in relation to all areas of federal jurisdiction."

The government's promise was helped along by a strong kick in the pants — first from the Canadian Human Rights Commission, then by the Parliamentary Committee on Equality Rights. Both recommended the CHRA be amended to make sexual orientation prohibited grounds for discrimination. The committee's tripartisan report, released in March, was unanimously approved by its members.

But activists fear pressure from the "dinosaur wing" of the Conservative caucus and well-organized lobby groups will force the government to back down on its commitment. Even without a bill on the floor, some Tory backbenchers have shown hostility to any sort of protection for gays.

"Can you feature a fairy RCMP constable trying to arrest a lumberjack with a powder puff?" Alberta Conservative Gordon Taylor asked the Commons Oct. 20. "Can you imagine a lesbian RCMP fairy at the scene of an armed robbery screaming: 'Stop, surrender, or I will hit you over the head with my purse?'"

Taylor, responding to the NDP's support for bringing RCMP hiring policies in line with Robinson's amendment, surprised many of his colleagues with outspoken attacks against gays and lesbians. However, he is not alone; other Conservatives have been equally if not more strident in condemning gays.

Ron Stewart, Parliamentary Secretary to the Minister of Supply and Services, attacked Robinson's bill Dec. 1. "This is not an amendment on sexual orientation. This is an amendment on sexual deviation," Stewart said. "Homosexual is anti-biological, it is anti-medical, anti-biblical . . . it is anti-family, and it is anti-social. It is pro-deviate and it is absolutely disgusting to most Canadians."

In fact, a 1985 national Gallup poll showed

about 70 per cent of Canadians polled supported the prohibition of discrimination based on sexual orientation.

However, such polls and the passage of Bill 7 in Ontario only appear to have intensified the anti-gay lobby's fight. At the forefront of the

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latest campaign is the Toronto area-based fundamentalist coalition Evangelical Fellowship of Canada, Canadian University Press has determined.

The Evangelical Fellowship of Canada has already started coordinating the anti-gay and lesbian effort by sending information to its member churches on who to write to in Parliament, and what to tell them. Justice Minister Ray Hnatyshyn, Liberal justice critic Robert Kaplan and NDP justice critic Robinson are all receiving a steady flow of letters protesting the proposed amendment.

Brian Stiller, director of the Fellowship, which claims to represent between two and 2.5 million Canadians, is deeply worried by the implications of amending the federal Act.

"We are for justice and rights for homosexuals — that's not our contention," Stiller said. "Our contention is that there is no need to

group homosexuals into special categories. You wouldn't put obese people into a special group, so why should you put homosexuals into a special group?"

Stiller said the Fellowship will soon issue a "National Alert" to its members, further warning of advances made by the gay rights movement. The Fellowship, he said, has already come out strongly against Robinson's amendment with a pamphlet, *Uncharted Waters*, which describes hazards the amendment might entail.

"Our first concern is that a volunteer agency (such as Big Brothers) could lose its right to define its own code of conduct," Stiller said. "Private and religious schools would also be forced to teach homosexuality as an acceptable alternative lifestyle."

The letters have already begun to arrive en masse, attacking proposed government legislation.

"Just today, we received 22 letters opposed to this legislation, although it hasn't even been introduced," Dave Pepper, a researcher in Robinson's office, said in an interview. "Obviously there is an organized campaign out there, which has begun its work." But Pepper adds, "There has also been a very concerted letter-writing campaign in support of this legislation."

Some anti-gay and lesbian letters, obtained by Canadian University Press but without signatures of authors, are remarkably similar although they originate from different provinces. Writers call on Hnatyshyn to not "let our people go to the dogs, so to speak, by opening up this Pandora's box of evil" or "give undue protection to the 'rights' of select groups of people at the expense of the rights of those who live in the mainstream of our society."

"Why single out for special favour what is possibly the most anti-social behaviour, short of pre-meditated murder, known to mankind?" one letter reads. "Please consider and promote the health of our nation!" implores

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