

NEWS

Newfoundland controversy

Government says O.K. to discrimination

BY DAWN MITCHELL

HALIFAX (CUP)—Discrimination on the basis of sexual orientation is enshrined in Newfoundland's Terms of Union with Canada. And provincial justice minister Paul Dicks has used this argument to partially defend his government's unwillingness to protect sexual orientation in Newfoundland's human rights code, says a St. John's gay activist.

Dicks said changing the code would contravene the constitution's guarantee of a discriminatory educational system for the province, according to Padraic Brake, a member of Gays and Lesbians Together.

Newfoundland's schools are administered by three school boards—Protestant, Roman Catholic, and Pentecostal. Each board's responsibilities include hiring and firing teachers.

"The minister argues that the Terms of the Union created a school system which is unique in Canada and for that reason itself the government is not willing to change the code," Brake said.

If the code were to change, school boards could no longer discriminate on the basis of sexual orientation when hiring teachers, he added.

The 1949 agreement reached by the two governments protected the existing school structures. Teachers were traditionally hired with the understanding that they adhere to the religious faith of the board.

The school boards can fire anyone for any so-called breach of this

understanding, which includes sexual orientation.

The section of the Canadian

"changing the code would contravene the constitution"

constitution which covers the Terms of Union would have to be amended to force the boards to adhere to the human rights code.

"By refusing to move on this issue the government has implied that it's okay to discriminate,"

Brake said. "We find this disgusting."

The organization has presented the government with a brief outlining some of the difficulties faced by gays, lesbians and bisexuals in Newfoundland.

According to the results of a mail-in poll, 87 per cent of the respondents said they had experienced some form of anti-gay or anti-lesbian discrimination. Over one third had been threatened with physical violence and 20 per cent said they felt they were discriminated against by the police.

The Nova Scotia government is expected to announce changes to its human rights act within months.

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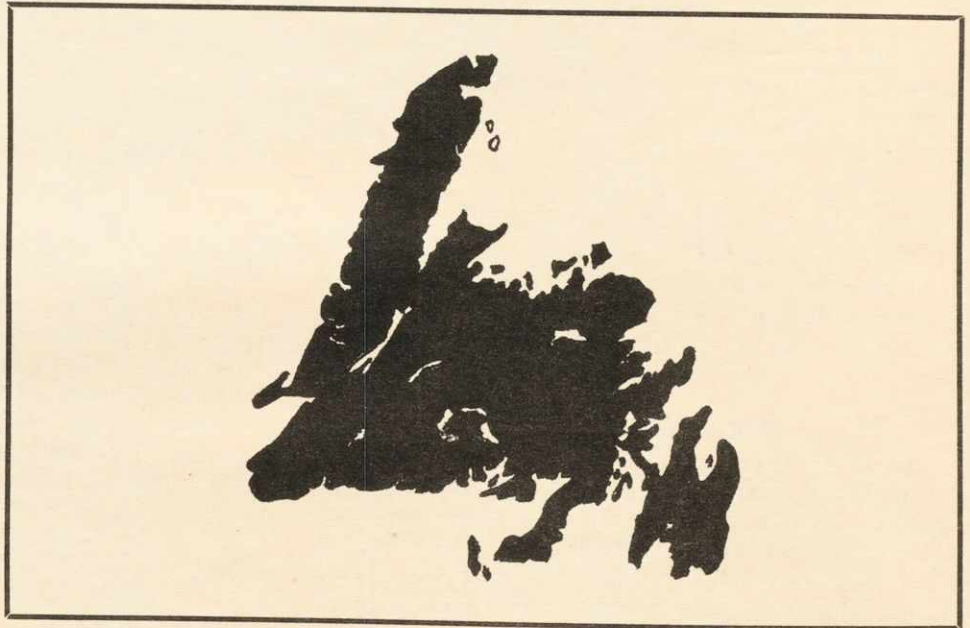
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