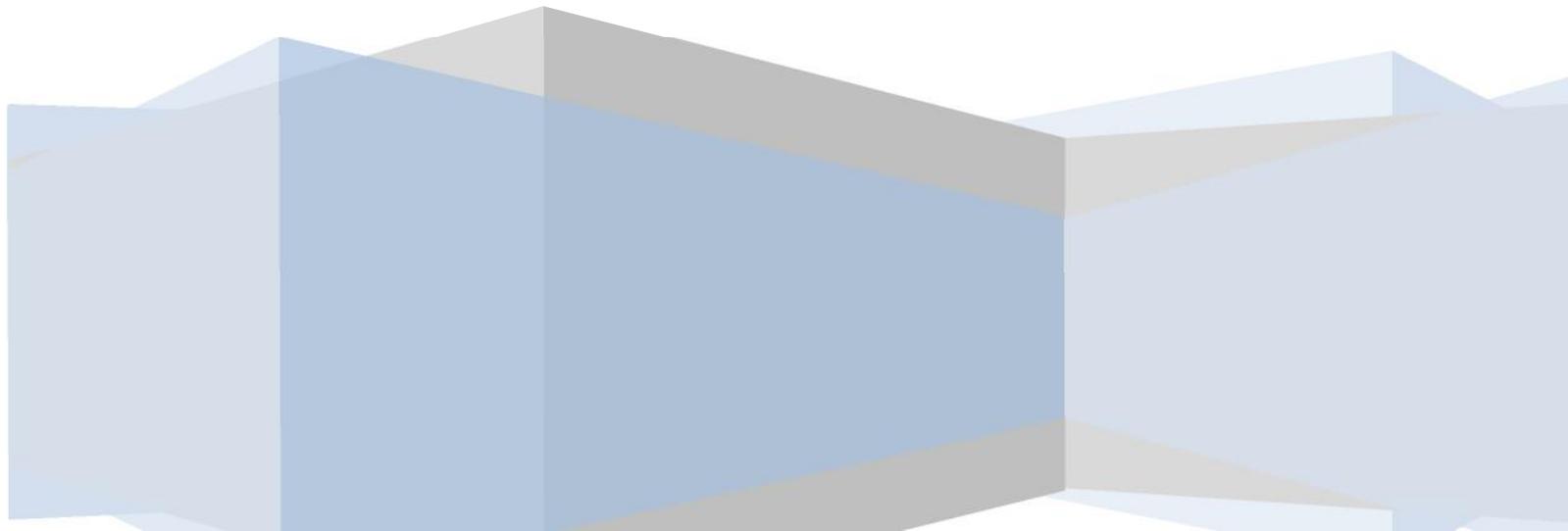




Lesson Plan: Human Rights and HRCs

For Christian schools and home schools in Canada
(Grades 10 – 12)





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Human Rights and Human Rights Commissions

Length: One or two 50 minute lessons

Level: Grades 8 - 12

Applicable Courses: Law, Social Studies, Worldview Studies

Overview for Teachers: What are rights? What happens when they conflict? Who determines the winner? This lesson introduces students to these questions by looking at one example of a Christian pastor who has been silenced by a human rights commission for speaking up about his beliefs. Pastor Buisson's story follows this introduction.

Upholding human rights is essential for a just society. In Canada, we are blessed with the protection of many rights, allowing us to live our lives in peace and security. But this is changing. The language of rights is being manipulated to privilege particular worldviews, choices, and lifestyles. Our courts and so-called human rights commissions are increasingly being used to promote an agenda in which basic rights (life, freedom of religion etc.) are being squashed by new "rights" (unregulated abortion, celebration of homosexuality etc.).

As valuable as rights are, there is a lot of confusion about them. What exactly is a right? A right is an entitlement. It is something that we can take hold of, something that we naturally possess simply by being human. This means that rights come from outside of ourselves and our abilities. They have to be given to us by someone else who has the authority to give us these rights. That authority is God. Without belief in God, rights get reduced to a mere fiction or social agreement. They lose all authority and moral reason to compel us to recognize the rights of others.

Rights are accompanied by corresponding responsibilities. For example, we have a right to life but that can only be upheld if we are responsible to protecting the lives of other people. Rights are different than privileges. We are not owed privileges nor do we possess them simply by being human. Many people confuse rights with privileges. For example, we talk about a right to vote when in fact being allowed to vote is a privilege. Being human does not mean that we should be given the ability to be part of determining the government of our nation. Universal human rights are possessed by all humans equally.

Canada's *Charter of Rights and Freedoms* has ushered in a rights revolution in this country. The problem is not as much with the actual document as with the power given to the courts of this land to interpret it in a way that furthers a particular humanist agenda. The vague language of the *Charter*, combined with the denial of any religious grounding for human rights, has ushered in an era in which our judges use rights language to further particular social and political causes.

In recent years it has been this country's commissions and tribunals that have done the most harm with this rights revolution. The article below explains this in more detail. These commissions and tribunals have taken on the role of censorship, punishing those who publicly voice a worldview contrary to theirs. Unfortunately, many Christians are now afraid of speaking up in public because of the threat of a human rights complaint by someone who claims to be offended.

For Further Study:

ARPA Canada's website (www.HumanRightsCommissions.ca) has a wealth of information on this topic.

Procedure

- 1) Show students a copy of the [Canadian Charter of Human Rights](http://laws.justice.gc.ca/en/charter/) (<http://laws.justice.gc.ca/en/charter/>) and read sections 1-3, 7, and 15.
- 2) Distribute the article about Pastor Stephen Boissoin and read his story together as a class.
- 3) Split the class into three or four groups and give each of the groups two of the following questions:
 - a. Should Pastor Boissoin have publicly stated his views like this?
 - b. Does it matter if somebody is offended by what they read in the newspaper?
 - c. Should there be legal penalties for people who offend others with what they write? How extreme does something have to be for it to be a criminal offense?
 - d. Pastor Boissoin had been ordered to never write or say something like this again. Should he obey or disobey this? (Update: Boissoin appealed this in court and won a solid victory which overturned the human rights commission decision).
 - e. Find examples in the Old Testament that could be considered hateful. Should the religious books like the Bible be subject to courts?
 - f. What should we do if a church member is brought to court for refusing to provide a business service that he or she believes is against their faith?
 - g. Is it a right to have Christian schools? Or a privilege?
 - h. Should Christians be using human right commissions to advance our own objectives or concerns?
- 4) Have the students jot down their answers and appoint one person in the group to introduce the question and answer to the entire class.

Pastor Boissoin vs. Goliath

While Alberta's Human Rights Commission is acting the party of the big bully, Pastor Stephen Boissoin is honouring God as a modern-day David

by Mark Penninga (first published in Reformed Perspective Magazine, July/Aug 2008)

2014 Update: Stephen Boissoin appealed the HRC decision to the Alberta Court of Queens Bench (a real court!) and won a decisive victory in 2009. The case was appealed and Boissoin won once more in the Alberta Court of Appeal in 2012. Although this was a big victory for free speech, it came with a huge cost to Boissoin. Sadly, Alberta, BC, and SK all still have these "hate-speech" provisions in their human rights codes.

Most of us know the Biblical story of David and Goliath very well. It is a story of courage, strength, and justice. Most of all, it is a story of how God used David, a shepherd boy, to defeat the giant Goliath.

We are in our own David and Goliath situation today with Christians throughout the country being charged by Canada's human rights commissions (HRC's). Alberta Pastor Stephen Boissoin is one example – and his story needs to be told. His ordeal with the Alberta HRC forces us to question how we will respond. Are we going to be like the men of Israel who shook in their boots whenever Goliath came out to challenge them? Even worse, will we just shrug our shoulders and not care? Or will we be like David, who courageously fought back with the Lord's strength because he realized it was God's Name that was being dishonoured?

The context:

If you follow the news, you've probably heard at least a bit about two high profile cases involving *Western Standard* magazine publisher Ezra Levant and *Maclean's* columnist Mark Steyn. These two were brought before human rights commissions because of things they had published and written.

But while these two journalists have gotten most of the media attention there are many lesser-known cases involving people who do not have a lot of money or a media empire behind them to help fight their case. Canada's HRC's have been carrying out their persecution for years and few people seemed to care. I know of at least two cases involving businessmen from Reformed churches in Canada who have been brought before these commissions for refusing to do work which was not in keeping with their faith.

Before explaining Pastor Boissoin's case, it is helpful to know a few things about the Human Rights Commissions. Long-time Calgary newspaperman Nigel Hanniford has written a policy paper entitled "the Commission of Human Wrongs." In it he explains that the commissions were established across the country in the 1960's and 1970's "to provide quick, inexpensive remedies outside of the regular court system for victims of discrimination in the areas of employment and accommodation." But by the 1980's the commissions began to be used by activists as an easy tool for censorship. The reason why these commissions are so effective in the hands of these activists is because they do not follow the standard proceedings of justice. Here are some examples of how HRC's are open to exploitation:

- If a case is accepted, the complainant does not have to pay any of the costs, even if they lose the case. On the other hand, *the defendant must cover all of their own legal expenses, even if they win*. Therefore, simply being brought before a HRC is a penalty, even if you are not guilty.
- It doesn't matter if any harm *actually* occurs. It's enough that something is *likely* to occur, regardless of whether it ever does.
- Regular legal defences of truth, fair comment, and lack of intent to harm don't apply in the HRC's. In other words, you can be convicted for simply saying the truth, and nothing but the truth, if someone finds that truth offensive.
- The regular rules of evidence that apply in courts are lax and even neglected completely. For example, in the BC Human Rights Commission trial involving Mark Steyn and *Maclean's* magazine, the "prosecutor" was allowed to use quotes from Internet bloggers

as evidence against Steyn. How can anybody defend themselves against every random thing some person might blog about them?

- Pastor Boissoin has also reported that at least one HRC (Alberta) is also in a conflict of interest because it hands out grants to groups that it thinks promote equality and diversity (including Alberta Parents Families & Friends of Lesbians and Gays). Is it possible for them to be impartial and objective?

Pastor Boissoin's case

Stephen Boissoin lives in Red Deer, Alberta. He is the director of a Christian drop-in centre for youth in the city. Back in 2002, in the midst of the public debate about the definition of marriage, Boissoin wrote a letter to the *Red Deer Advocate* in which he argued that there is a "militant homosexual agenda" to teach children that same-sex acts are "normal, natural and even productive."

One of the readers of this letter was offended. Darren Lund, who was then a local school teacher and is now a University of Calgary professor, filed a complaint with the Alberta Human Rights Commission (HRC), arguing that Boissoin's letter was "hate-mongering." He also claimed that the letter to the editor led to an assault on a homosexual youth that happened two weeks later.

Given the points made about the HRC proceedings it was not too much of a surprise that Pastor Boissoin was found guilty by the Alberta HRC. The weak standard of justice meant that Boissoin could not do much to defend himself. A regular court could have considered how Boissoin actually lived a life that was very respectful of everyone. As a *Today's Family News* story reported, the young people who attend Boissoin's drop-in centre strongly defended his character. "Over half the kids here are gay or bisexual - for a fact - and Steve has never said, 'You can't come in.' He treats everyone equally, blind, deaf, black, gay," Maggie, a 17-year-old volunteer who calls herself 'very gay,' told the *Herald*." A regular court would have also thrown out the argument that this letter led to an assault on a homosexual youth. The only evidence that Lund gave for that was that the victim of the assault claimed to have read the letter and felt unsafe. It did not matter whether the actual assailant was motivated, or even read, the letter by Boissoin.

Feelings were enough to subject Boissoin to a lengthy trial and huge expenses. But that was not the end of it. On May 30, 2008, he was given his fine. He has to pay \$7,000 (including \$5,000 to Lund, for the "ridicule and harassment" he endured), write a letter of apology, and he was ordered to never again publish "disparaging remarks" about homosexuals in "newspapers, by email, on the radio, in public speeches, or on the Internet." *In other words, this pastor is not allowed to preach what the Bible says about homosexuality.*

Thankfully, Boissoin is not backing down. He is appealing the decision and rallying support for his cause. He is an example to us all that being persecuted for standing up for our faith is not something to become angry or cynical about. In an article on his website he writes "As hard as this persecution has been I publicly praise God for giving me the convictions that put me in this troubling position. I would rather be here and suffering tenfold worse than to be one that does not know or trust in Him!!!"