
Canada's Supreme Court and Liberal Government Are 'Spineless Cowards'!

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As a former Leader of Canada's only pro-life federal political party from 1995 to 2008, I'm not prone to name-calling. However, a recent decision of Canada's highest court has caused me to verbalize my utter disgust at the cowardice I see being displayed by the current justices of the Supreme Court of Canada and—not so surprisingly—our sitting Prime Minister and his government. 'Spineless cowards' fits them well and is the kindest description I can find for them.

The SCoC Justices refused (Feb. 18, 2021)¹ to hear the appeal of Mary Wagner, who had been convicted in the lower courts of trying to give roses to women seeking an abortion, offering to pray for them and appealing to their maternal instincts in the hope of saving their babies. The charges brought against her included "interfering with the lawful operation or enjoyment of a business," since she would hand out roses and offer a loving choice to these women in the waiting room of an abortion clinic. And of course, abortion is a bloody business, raking in money for the one performing the grisly deed but leaving women childless.

Miss Wagner's Supreme Court appeal—the one the Court was afraid to hear—was based on the reasonable understanding that the word 'everyone' in Section 37 of the *Criminal Code* includes human beings waiting to be born. Pro-abortion activists and politicians have long relied on the feeble excuse that Canada's criminal code declares (by unscientific whim) that the unborn child does not become a human being until it has "...completely proceeded, in a living state, from the body of its mother..."² Any two-year old child could see the transparent foolishness of this definition, but the nine judges entrusted with the most complex legal issues in Canada were unwilling to have their mental capacities and consciences challenged by any new thoughts or evidence that Miss Wagner was prepared to present.

Miss Wagner's defence counsel, Dr. Charles Lugosi, intended to call expert witnesses to testify what science says about pre-born children. By refusing even to hear the case, the Court denied Miss Wagner and her lawyer the right to furnish the critical evidence needed to establish the factual foundation for her constitutional defence.

The *Charter of Rights and Freedoms* states in Section 7 that 'everyone'—a term which common sense and science would both apply to all human beings—has the right to life; and Section 15 also gives equality rights to 'every individual.' Together with the s. 37 reference to 'anyone,' it appears the law places a high value on the protection of innocent human life.

Dr. Lugosi's defence was brilliant, and Mary Wagner's actions were kind and loving. The "solons" of the high court simply pre-judged the case without hearing the evidence . . . a dereliction of their duty to Canadians. Perhaps they knew that if they actually heard the evidence, they would have had to rule in favour of the pre-born child and to dismiss the charges against Mary.

The case began on August 15, 2012, when Miss Wagner acted in an attempt to save the lives of pre-born children at a Toronto abortion clinic. Her actions would have to be considered lawful, insists Dr. Lugosi, if her contention is correct: that every not-yet-born human child fits the definition of 'anyone' in s. 37 of the *Criminal Code*. At that time, s. 37 permitted the use of 'force' to protect 'anyone' from imminent fatal assault; abortion certainly amounts to an imminent fatal assault.

But the legal minds at the top of the federal justice ministry blocked Dr. Lugosi's attempt to submit the evidence of scientific experts. "Science conclusively answers the question, 'Who is a human being?'," said Lugosi, who has successfully appeared several times before the Supreme Court of Canada. "From the time of successful fertilization, a human being exists, whose stages of development are classified before birth as zygote, embryo, and fetus; and after birth, as an infant, child and adolescent, before maturing into an adult. All human beings, at every stage of existence, are unquestionably human beings. The prosecution did not introduce evidence to the contrary... no such evidence exists."³

Unable to counter the logical arguments in Miss Wagner's favour, our oligarchy of ermine-clad 'masters' took the coward's way out, and declined to even hear the facts of the case. When the highest court in the land refuses to hear whether these important legal principles apply to a Canadian citizen acting on the convictions of her conscience, the once-noble 'majesty of the law' is reduced to a laughing-stock.

And Parliament is equally culpable, because they've become a gaggle of politically-correct cowards who won't uphold the rule of law. If the rule of law were properly upheld, 'everyone'—including the pre-born—would be protected from imminent assault. Citizens like Mary Wagner, who feel so deeply their responsibility to defend innocent human life, would not have to contend with a spineless Supreme Court and a Parliament hiding behind its own deceptive phrases. Decisions like this make Canada appear less like a constitutional monarchy and more like a banana republic, ruled by conceited fools who make up the rules as they go along to suit their own agenda. There is no 'majesty of the law' left, when the government and courts lack the courage to defend the rights of the most helpless members of the human family.

We in the CHP⁴ want to thank Mary Wagner and Dr. Charles Lugosi for their sacrificial and diligent efforts to bring this important case to the courts. There is a Judge who is Supreme over the Supreme Court and over every institution of man. The Charter of Rights acknowledges the supremacy of God (in the Preamble)⁵ (PDF) and we appeal to Him, the Lawgiver and Judge, to justify the righteous and defend the innocent.

More Information

"It Cuts Like a Knife": The Dismissal of Mary Wagner's case by the Supreme Court of Canada⁶ (PDF) by Dr. Charles I M Lugosi, SJD

Condensed Appellant's Factum (PDF)⁷

Application for Leave to Appeal (PDF)⁸

Response to Application for Leave to Appeal (PDF)⁹

Reply to Response to Application for Leave to Appeal (PDF)¹⁰

Footnotes

¹ www.lifesitenews.com/news/canadas-top-court-wont-hear-mary-wagners-challenge-to-law-denying-preborn-babies-humanity

² laws-lois.justice.gc.ca/eng/acts/C-46/section-223.html

³ www.lifesitenews.com/opinion/it-cuts-like-a-knife-the-dismissal-of-mary-wagners-case-by-the-supreme-court-of-canada

⁴ www.chp.ca

⁵ www.canada.ca/content/dam/pch/documents/services/download-order-charter-bill/canadian-charter-rights-freedoms-eng.pdf

⁶ www.chp.ca/images/uploads/It-Cuts-Like-a-Knife.pdf

⁷ www.chp.ca/images/uploads/Condensed-Factum.pdf

⁸ www.chp.ca/images/uploads/Application-for-Leave-to-Appeal.pdf

⁹ www.chp.ca/images/uploads/Response-to-Application-for-Leave-to-Appeal.pdf

¹⁰ www.chp.ca/images/uploads/Reply-to-Response-to-Application-for-Leave-to-Appeal.pdf

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