SUBMISSION TO THE ONTARIO COLLEGE OF PHYSICIANS AND SURGEONS RE. CHANGES TO THE HUMAN RIGHTS CODE POLICY

The Canadian Charter of Rights and Freedoms states that all Canadians have the right to practice and proselytise their choice of religion. Practice means following their religious principles in their whole life including their working or professional life. Not providing services or advice which runs counter to their principles is part of practising their religion. The fact that certain services or procedures have been adopted by the secular authorities of the state does not overrule the right of physicians to practice their religious principles. A right defined by the charter cannot be a right if it can be overruled arbitrarily by state authorities. This amounts to the state enforcing another religion, a secular form, on society. Refusing professionals the right to practice a particular profession because of their religious beliefs is discrimination against those who do not accept the secular religion. The issues which have raised this question are primarily abortion and birth control. In both cases with modern medicine neither is likely to lead to loss of life. In a pluralistic society there are always physicians who will carry out these procedures. It is therefore not a hardship for a patient to apply to a physician who will do these procedures. Requiring that a condition of license to practice is acceptance of procedures which have been adopted by the secular authorities is not an acceptable solution to those who want every physician to provide every service. After all there are many specialist practices in medicine such as obstetrician, gynecologist, pediatrician, eye, ear and throat specialist, etc.. There are already specialists in abortion and contraceptives. No patient is at risk here, when they can approach an alternate physician who will provide the requested service. Forcing unacceptable procedures on all physicians regardless of their beliefs or morals amounts to clear discrimination and the imposition of a particular philosophy of life; something clearly in opposition to the charter.