

IMFC REVIEW

A Publication of the Institute of Marriage and Family Canada

Spring/Summer 2008

FEDERAL FAMILY POLICY

Getting children out of the House

Why we should remove the federal government from the child care business

page 10

Taxing families: Does the system need an overhaul?

Tax expert Jack Mintz discusses Canada's ambiguous approach to families

page 15

Youth criminal justice: The Good, The Bad and The Ugly

What should Canadians expect from the Youth Criminal Justice Act?

page 22

The wired world of families

Youth, the media and the parents and rules that guide them

page 24

Is it getting cold in here?

With fertility rates tumbling below replacement globally, a new documentary discusses the coming demographic winter

page 29



WHAT'S AT THE HEART OF THE CANADIAN FAMILY?

A new report, released on September 20, 2007, examines the internal struggle to find a successful formula for relationships, answering questions about relationship problems, family finances, raising kids and more.

Visit www.imfcanada.org to download the report.

features

GETTING CHILDREN OUT OF THE HOUSE 10
 Removing the federal government from the business of child care is tricky – but it can and should be done
by Andrea Mrozek

TAXING FAMILIES: DOES THE SYSTEM NEED AN OVERHAUL? 15
 Canada has maintained an ambiguous approach to family taxation for decades. It's time to address the problem
by Jack Mintz

ASKING THE EXPERTS ABOUT REPRODUCTIVE AND GENETIC TECHNOLOGIES IN CANADA 18
 RTG rules and regulations need to be balanced by scientific expertise and a strong ethical framework
by Kate Fraher

YOUTH CRIMINAL JUSTICE: THE GOOD, THE BAD AND THE UGLY 22
 It's time to saddle up – the youth criminal justice act will come under review this year. How is the act responding to young offenders and what should Canadians expect from youth justice legislation?
by Peter Jon Mitchell

THE WIRED WORLD OF FAMILIES: YOUTH, THEIR PARENTS AND THE MEDIA 24
 Youth, media and the parents and rules that guide them
by Nicole Whitefield and Kelly Schwartz

IS IT GETTING COLD IN HERE? 29
 Still think the globe is overpopulated? Think again. With fertility rates tumbling below replacement, a new documentary discusses the coming demographic winter
by Tyler Chamberlain

A TIME TO LIVE AND A TIME TO DIE – WHO DECIDES? 30
 Can “the good death” be achieved without the negative repercussions of legalizing euthanasia and assisted suicide for Canada?
by Dave Quist

departments

FROM THE IMFC EXECUTIVE DIRECTOR 4

CONTRIBUTORS 5

NEWS 6

RESEARCH ROUNDUP 7

Q&A 8

One on one with author *William Gairdner, PhD*

REVIEWS 36

It Takes a Family by Rick Santorum. • *Gang Leader for a Day by Sudhir Venkatesh.* • *The Case against Perfection by Michael Sandel*

CLOSING WORDS 38

Bill C-484 respects women's wishes. So why are pro-choicers against it?

FROM THE IMFC EXECUTIVE DIRECTOR



As Canadians, we all look forward to the transition to spring and summer. The changes to flora and fauna, the late evening sunshine and my personal favourite – the BBQ!

We would like to see other transitions as well. For over the past year, the Institute of Marriage and Family Canada has called for a Royal Commission on the Family. Every part of the political spectrum, advertising world and marketing technique refers to the family – we regularly hear terms like working

family, family values, and family time. Advertisers ask us to join their family and corporations tell us that they want to be an extension of our family.

And yet what does that all mean? While there once was commonality in how we defined the family, much has changed and not necessarily for the better. In recent years, Canada has legalized same-sex marriage and the Ontario Superior Court gave its consent for three-parent families. Federal legislation has changed terminology significantly: Natural parents became legal parents – meaning the state decides who parents are. Our tax structure makes life harder for families and a recent IMFC survey showed, perhaps not surprisingly, the single biggest challenge parents identified are financial constraints.

Our birth rate is currently at 1.5, while replacement rate is 2.1 children per woman. Without immigration, Canada's population would be decreasing. Statistics Canada reported that on average, 17 per cent of couples are co-habiting (35 per cent in the province of Quebec), and the divorce rate has skyrocketed since no-fault divorce was introduced.

We have an aging population, getting closer to retirement and therefore not paying as much tax, yet wanting to draw on their pensions and live life to the fullest. We potentially have a smaller workforce, paying less taxes overall that will be used to pay for social services.

The effects of changes to social policy are not immediately felt. That's why a Royal Commission on the Family is so vital. If we want to see long-term stable solutions to these important matters, we need to call on the experts, who can collectively show the way.

We need to draw on experts from all fields; economics, sociology and demography, among others and explore fully the repercussions of the issues mentioned above. There is no one single answer that can address these many problems. Rather we need to be sure of the long-term consequences that are before us and plan accordingly.

We think it's time to move forward and determine what the family will look like for the next generation and beyond. What do you think?

Until next time,

Dave Quist

publisher

Institute of Marriage and Family Canada, an initiative of
Focus on the Family Canada
Box 9800 Stn Terminal
Vancouver, BC V6B 4G3

editor-in-chief

Dave Quist

managing editor

Andrea Mrozek

copy editor

Brigitte Pellerin

art director

Vivek Sarin

notice of disclaimer of liability

Although care has been taken in preparing the information contained in this document, the publisher is not responsible for or liable for errors, misinformation, misprints or typographical errors.

The opinions cited herein are solely those of the authors and do not necessarily constitute those of the IMFC, Focus on the Family Canada, or its board of directors.
© 2008 Focus on the Family Canada

All rights reserved. International copyright secured.
Printed in Canada. No material in this publication may be reproduced in whole or in part without the prior written consent of the Institute of Marriage and Family Canada.

permissions/syndication

Institute of Marriage and Family Canada
130 Albert, Suite 2001
Ottawa, ON K1P 5G4
IMFC Review is published semi-annually
ISSN 1715-5711

subscription info

www.imfcanada.org
IMFC Review
130 Albert St. Suite 2001
Ottawa, ON K1P 5G4
tel. 613.565.3832
fax. 613.565.3803
toll free. 1.866.373.IMFC (4632)
email. info@imfcanada.org
www.imfcanada.org

CONTRIBUTORS



DR. JACK M. MINTZ was appointed the Palmer Chair in Public Policy at the University of Calgary in January 2008. Prior positions include Professor of Business Economics at the Rotman School of Business from 1989-2007 and President and CEO of the C. D. Howe Institute from 1999-2006. Widely published in the field of public economics, he was touted in a 2004 UK magazine publication as one of the world's most influential tax experts. He serves as an Associate Editor of *International Tax and Public Finance* and the *Canadian Tax Journal*, and is a research fellow of CESifo, Munich, Germany, and the Centre for Business Taxation Institute, Oxford University. He is a regular contributor to *Canadian Business* and the *National Post*, and has frequently published articles in other print media.

ANDREA MROZEK is Manager of Research and Communications at the Institute of Marriage and Family Canada. Prior to joining the Institute she was associate editor at *The Western Standard*, an independent news magazine in Calgary. She has also worked on education and health policy at The Fraser Institute, where she co-authored "Let the Funding Follow the Children: A Solution for Special Education in Ontario." Her prior experience includes time at *Toronto Life* magazine and two political journals in Prague, Czech Republic, as well as corporate communications for a retirement and benefits consulting company in Toronto. She completed her Masters degree in History at the University of Toronto and her articles have been published in newspapers across Canada.

KELLY DEAN SCHWARTZ is Associate Professor of Psychology and Program Head of Behavioural Science at Ambrose University College in Calgary, Alberta, where he has taught for more than 10 years. Prior to this, he was a psychologist with a Calgary school board and worked with children who had severe learning and/or social/emotional needs. Dr. Schwartz has a Ph.D. in Social Psychology from the University of Calgary, and his research and teaching interests include the psychosocial factors contributing to adolescent and family development, particularly identity, moral and faith development. He is also a husband and proud father of three school-age children.

PETER JON MITCHELL is Research Analyst at the Institute of Marriage and Family Canada. A former youth worker and speaker, Peter Jon has been involved with several youth focused non-profit organizations. Beyond his interest in youth issues, he has studied culture, society and public policy issues at the Focus on the Family Institute in Colorado. In addition to his academic background in history and political science, as well as a graduate degree in theology, Peter Jon is currently completing an advanced Masters degree.

KATE FRAHER is currently working for the Department of Human Resources and Social Development Canada for Minister Monte Solberg. She was a researcher at the Institute of Marriage and Family Canada, and is a past graduate of Trinity Western University's Laurentian Leadership program in Ottawa, where she also completed an internship at the Canadian Centre on Substance Abuse. She is finishing a degree in political science from Trinity Western University in Langley, British Columbia.

DAVE QUIST is Executive Director at the Institute of Marriage and Family Canada. He has held various positions with Members of Parliament, and was a candidate in the 2004 federal election. He has had many years of experience in municipal administration, including the managing and administration of leisure pools, arenas, senior's centres, art galleries and museums. Dave has been interviewed for many local and national media outlets including the *Globe and Mail* and *National Post*, CBC radio "The House", "The New 980 (Montreal)", "Mike Duffy Live" and CTV national news among others. Dave has a Bachelor of Science from the University of Oregon and a Master of Public Administration from Queen's University in Kingston, ON.

NIKI WHITEFIELD lives in Calgary, Alberta, and has just completed her BA (Honours) in psychology at the University of Calgary. This paper was the beginning of her Honours thesis which explored parental and youth reports of parental monitoring. For the next year Niki plans to be involved in community-level intervention programs for at-risk youth as well as working on a research project looking at cyber-bullying among undergraduate populations. She will be attending graduate school in psychology with a special focus on intervention/prevention programs for youth.

TYLER CHAMBERLAIN hails from Abbotsford, British Columbia, where he is completing his Bachelor of Arts in Political Studies at Trinity Western University. He was an intern at the Institute of Marriage and Family Canada in the winter of 2008, as he was completing a semester at the Ottawa-based Laurentian Leadership program. He is also a frequent contributor to the Trinity Western student newspaper and has worked as a camp director and youth leader. He has travelled across Canada as well as in Nicaragua and Thailand.

THE IMFC IS ALWAYS BUSY: HERE'S A SAMPLING OF THINGS WE'VE DONE SINCE THE LAST MAGAZINE. THESE AND OTHER EVENTS ARE AVAILABLE AT WWW.IMFCANADA.ORG

In October 2007 Andrea Mrozek was a guest on TVO's *The Agenda*, discussing child care

November 14-15, 2007: Dave Quist and Andrea attended a Conservatives for Social Justice conference in Washington, D.C., to present the IMFC's work on homelessness and family structure and poverty in Canada

In December 2007, Dave was off to the Euthanasia Prevention Coalition's conference

At the end of January 2008, Andrea was on TVO's *The Agenda*, and CTV's *Canada AM* to discuss the Morgentaler decision, Dave was on Global TV for the same

In February 2008, Dave was on *100 Huntley Street* for three evenings in a row to discuss the Canadian family – divorce, separation and child welfare among other issues

In February 2008, Andrea introduced Dr. Margaret Somerville at a Manning Centre conference – as well as introducing the work of the IMFC

Peter Jon Mitchell attended the Catholic Organization for Life and Family Annual Seminar on Bioethics in Ottawa in February 2008

March 2008: Dave represented family interests at the United Nations Status of Women meetings in New York City



IMFC executive Director Dave Quist at the Manning Centre conference in February

And in March and April, Andrea gave three abortion-related talks to pro-life groups, including *The Interim* 25th anniversary dinner

CALLING FOR A ROYAL COMMISSION ON THE CANADIAN FAMILY

by Dave Quist

The body of scientific evidence on the benefits of a strong family and its importance in today's society is large and growing. When any level of government enacts legislation that either directly or indirectly affects the family without considering this evidence, it risks unintended long-term consequences.

To ensure that the best decisions are made for Canadian families we are recommending that a comprehensive Royal Commission on the Canadian Family be initiated by the federal government at the earliest opportunity. This Royal Commission should have a wide-ranging mandate set by the federal government, but then should not be overseen by Members of Parliament, thereby removing it from the political arena.

This Royal Commission should:

- Take the history of the Canadian family into account and the major social policy changes that have occurred in the past 50 years, identifying any long-term consequences;
- Examine the current state of the Canadian family and the long-term vision of where and what that state should be;
- Hear from a wide range of provincial, national and international experts that best understand the social make-up of the family;
- Hear from experts that can best describe the interaction between social and economic policy changes and how one area affects the other.

WHAT DO WOMEN WANT? THAT ELUSIVE PURSUIT OF HAPPINESS

STEVENSON, B., WOLFERS, J. (SEPTEMBER 2007). THE PARADOX OF DECLINING FEMALE HAPPINESS. THE WHARTON SCHOOL, UNIVERSITY OF PENNSYLVANIA.

Women are happier today than in the more patriarchal days of yore, right? Not so fast. Betsey Stevenson and Justin Wolfers, both from the University of Pennsylvania, compare objective data measuring quality of life – workplace freedom, reproductive rights, etc. – to subjective measures of happiness, asking questions like, “In general, how satisfied would you say you personally are with your life today?”

The result is that by objective measures, women’s lives have improved but their subjective well-being has declined, both absolutely and in relation to men’s. The researchers write that “women in the 1970s typically reported higher subjective well-being than did men.” The subjective data was taken from the General Social Survey (GSS), a nationally representative cross-sectional survey of roughly 1,500 respondents annually from 1972 to 1993, which since then has surveyed 3,000 respondents every second year, rising again to 4,500 in 2006.

The authors conclude this “raises questions about whether modern social constructs have made women worse off, or alternatively about the interpretability of subjective well-being data.” They go on: “Our findings raise provocative questions about the contribution of the women’s movement to women’s welfare.” Questioning the success of the women’s movement could result in a substantial decrease in happiness for any journalist: Not a study you’ll read about in the average newspaper, to be sure.

THE DANGERS OF THE INTERNET FOR YOUR KIDS

YBARRA, M., MITCHELL, K. (FEBRUARY 2008). HOW RISKY ARE SOCIAL NETWORKING SITES? PEDIATRICS, VOL. 121, NO. 2: 350-357.

This study examines the results of The Growing Up With Media Survey, a cross-sectional online survey of 1,588 youths ages 10 to 15 who had used the internet at least once in the previous six months. The aim was to test whether claims of sexual victimization through social networking websites such as Facebook and MySpace are justified. Though 15 per cent of the teens surveyed reported being subjected to unwanted sexual solicitation, only four per cent were in a social networking site specifically. Teens were actually much more likely to be targeted through Instant Messaging (43 per cent) and online chat rooms (32 per cent).

The general findings of this survey indicate the majority of youths who spend time online are not harassed or solicited for sex, and a majority of those who are targeted do not report it occurring on a social networking site. As a result, the authors suggest that prevention efforts are better spent elsewhere. Money and legislative efforts should be spent on anti-bullying programs, online outreach programs and mental health services. In addition, they suggest parents should be aware that a child’s psychosocial profile has more to do with the chance of unwanted harassment than the technology itself. All studies aside, a parent’s watchful eye is required to know their children, communicate effectively and keep them from harm.

BRING BACK THE DADS

LEES, D. (2007). GOING FURTHER WITH FATHERS. MAXIM INSTITUTE, NEW ZEALAND. RETRIEVED ONLINE AT [HTTP://WWW.MAXIM.ORG](http://www.maxim.org).

Sure, the television show *Father Knows Best* has fallen out of favour. But in an era where single motherhood is a growing problem, it may be time to put the show on the rerun circuit. This literature review published by New Zealand’s Maxim Institute reviews some recent studies regarding fathers’ contributions to raising children. The 24 studies involved, all of which have been published after 1990, use both cross-sectional and longitudinal research.

Twenty-one of the 24 studies conclude father involvement can make unique contributions to the raising of children. When dads are directly involved with their kids, children are less likely to be anti-social, aggressive, or have a negative self-image. Similarly, children who feel close to their fathers are more likely to show “pro-social” initiative, meaning that they will be more likely to actively make friends and comfort others in distress. In the end, the author suggests that his findings support a theory of father involvement that “stresses the importance of fathers for preparing children for life outside the home ... by challenging and stimulating children in a way that mothers tend not to, through dynamics such as rough and tumble play that encourage self-confidence and openness in children.”

The author suggests fathers must be encouraged in their unique role. Also, family law should be seen as drastically affecting the father-child relationship; the rise of no-fault divorce only makes it harder for fathers to spend quality time with their kids, which negatively affects the children. Bring back the dads – their positive contribution to children and the family cannot be replaced.

ONE ON ONE WITH AUTHOR WILLIAM GAIRDNER, PHD



William Gairdner calls himself a “true conservative.” He received his PhD in English at Stanford University and became a professor at York University; he was also a decathlete, competing in the Tokyo Olympics in 1964. He is the founder of the Canadian and World Masters Cross-Country Ski Associations; also of Civitas, a Canadian organization dedicated to discussing ideas of freedom and order in today’s world. Gairdner is a true renaissance man, an intellect and an athlete; author of literary essays, poetry and several bestselling books. His latest is *Oh, Oh, Canada!*, in which he discusses a host of Canadian current events and political topics, from Canada’s Senate to feminism.

The book is available for purchase on his website, <http://www.williamgairdner.com/>, by following the links to Amazon at the bottom of the page.

IMFC: What do you think is the most important issue facing Canadian policy-makers today?

WG: A lot of the things that are facing Canada as an evolving civilization are not even on [policy-makers’] minds, such as the centrality of the family – just to bring it back to my interest and yours during this conversation. ... Since the beginning of the Pearson/Trudeau era, Canada has worked hard to keep these major issues off the table, in other words to dispose of them through policy. That was done with abortion, it was done with capital punishment, and now it’s been done with marriage. And most Canadians feel that once these forces of legislation begin to behave in this way that these topics are in fact dealt with and done, because they enter into legislation and Charter cases are used in the courts to defend the silencing of the issues. We saw this most recently, and I think embarrassingly, in the York University situation where students wanted to debate abortion. The issue has not really been discussed freely on university campuses for about 25 years. ... The woman who defended nuking the event at York University basically said, “It’s dealt with; it’s done.” ... So that’s my answer to your question, “what’s on policy-makers’ minds.” It’s not these things, and these are the things that I think ought to be on their minds; they ought all to be brought back onto the table. They should never have gotten off the table, actually.

IMFC: Could you expand on your views of gender equality?

WG: In *Oh, Oh, Canada!* I have an item talking about the differences between men and women; I also have a book coming out this summer called *The Book of Absolutes*,

But what they couldn’t get rid of was the plain fact that men and women are different. ... Any parent knows that, unless they’ve spent too much time in a university, in which case they end up sort of de-learning it and replacing it with the social mythology of the Blank Slate.

THERE’S THE PLAIN FACT THAT MEN AND WOMEN ARE DIFFERENT. ...
ANY PARENT KNOWS THAT, UNLESS THEY’VE SPENT TOO MUCH
TIME IN A UNIVERSITY, IN WHICH CASE THEY END UP SORT
OF DE-LEARNING IT AND REPLACING IT WITH THE SOCIAL
MYTHOLOGY OF THE BLANK SLATE

which has a whole chapter on biology, and I notice in the newspapers that other people are approaching this topic as well. It’s kind of been off the table for about 50 years, really, since B.F. Skinner and all the social science researchers who accepted the Blank Slate model of the human mind infected almost every social science class in North America. What they were arguing is that human beings are the same until social experience makes them different. The idea there was that if you want a perfect society you have to get involved with social engineering and make people this way rather than that way by manipulating society. Of course this takes a lot of money and a lot of taxes and a lot of government programs. That was behind the thrust of the Blank Slate theory for the last half century.

This comes right back to the kind of struggles which I outlined in *The War Against the Family* some years ago. Modern North American feminism is fairly different from European feminism; for the most part it’s equality feminism. Women were outraged that the facts of their biology, being the child-bearing member of the human species, prevented them from equality with men in terms of income-earning, the whole glass-ceiling problem, and social/professional status and all the rest of it, and so what they set about doing is basically denying biological differences. ... And it turns out that the other type of feminists, what Europeans call the difference feminists, who emphasize the natural differences between the male and female sexes, are the ones who have been telling the truth. What those feminists have

being arguing for is, “look, we are different from men, and we want different types of laws and different types of privileges and protections than the ones you provide for men, because we’re not the same.”

IMFC: Quite a few social scientists attribute the undermining of the family in the 1960s to the overpopulation scare. Now that demographers are predicting the opposite – population decline – do you see an increased appreciation and encouragement of traditional families?

WG: I actually have gone on record in a few of my books by saying that what is going to bring all this phony egalitarianism, especially in anti-family feminism, which has been so strident in our history in the past few decades, what’s going to bring it all to an end is what I call the great die-off. ... The demographic diagram used to be a pyramid, with the very old people at the top and kids at the bottom. Now it’s more like a cylinder, it goes straight up and down. When it becomes an inverted pyramid, and that’s going to happen if we keep this up, you’re going to have what I call a great die-off. I would say over the next 20 to 30 years there’s going to be millions of Canadians dying rather rapidly, and they’re not being replaced through natural childbirth.

Countries that have this experience will start to get desperate; when they get desperate, what are they going to do? ... They are going to panic. It will start when they realize they are closing more schools because we don’t have enough children. And then demographers are going to be publishing all sorts of books predicting the end of Canadian civilization because over the next 30 years we’re going to be 1-2 million people shy of where we thought we would be. And then business people are going to say, “Hey, what about my leases? Nobody is leasing my office space,” and that kind of thing. So there will be panic in the land, and all this will turn around; not for the reasons I think it should, which are that it’s been plainly and simply unnatural. It will be turned around for reasons of panic and economic reasons.

IMFC: It’s interesting that you’re not in favour of an elected Senate – which is something that many conservatives seem to advocate. Could you expand on this?

WG: Historically speaking, in the Western world, in democratic systems, senates have usually been populated with wiser, more experienced people; at least that was the idea. And of course they were supposed to be chambers of sober second thought.

And all this came about because people who put democratic, what we would call “mixed-democratic” parliamentary systems together, realized that people can become passionate, they can get carried away with their emotions; congresses and parliaments can do crazy things, and make stupid laws because of the emotion of the moment. So, in a sense, it was like saying that the

and the party machinery getting involved, and electing senators directly. That’s kind of a compromise.

IMFC: Is there anything you absolutely want our readers to know about your book?

WG: I wish as many Canadians as possible would read this book, and you know, give it to their friends, shake up their liberal friends in particular, and then I could say a little something has been done; that’s all I hope for.

PEOPLE CAN BECOME PASSIONATE, THEY CAN GET CARRIED AWAY WITH THEIR EMOTIONS; CONGRESSES AND PARLIAMENTS CAN DO CRAZY THINGS, AND MAKE STUPID LAWS BECAUSE OF THE EMOTION OF THE MOMENT

Commons represents the emotional aspect of the political body, and the Senate represents the coolness of the mind, reflecting on the emotions afterwards. ... Once you introduce party or faction into the Senate, the faction becomes just as emotional, and potentially biased, as the Commons, and is likely to run off making crazy laws. So in a sense you lose the brake, which is supposed to help you get around the corner without going off the road.

That’s why I don’t think we should be looking at a directly elected Senate. It wouldn’t bother me if, when the prime minister appoints them (and by the way, you could do this without changing the Constitution), you allowed the provinces, if you like, to elect a slate of potential senators, and then the prime minister could pick the people he wanted from that slate. That’s different than the people marching around,

GETTING CHILDREN OUT OF THE HOUSE

REMOVING THE FEDERAL GOVERNMENT FROM THE BUSINESS OF CHILD CARE IS TRICKY – BUT IT CAN AND SHOULD BE DONE

by *Andrea Mrozek*

Child care: The perfect policy storm

Child care is the perfect policy storm. It involves economic factors and social policy. Above all, it involves a parent's most intimate concern: His or her own children. Good governance on this issue should work to maximize familial stability, cooperation between family members, and decrease dependence on government. All parents – including working parents and single parents – should be free to make decisions with the best interests of their children in mind.

Since the October 5, 2004, speech from the Throne, when then-Governor General Adrienne Clarkson announced a national system of early learning and child care, the child care debate has rotated around a national universal child care plan, as if such a centralized system were the sun and families the planets. In this position piece we turn that vision on its head: Parents are the sun, and the planets represent different child care choices.

SUMMARY POSITION

This paper asks – and answers – one question: What is appropriate federal child care policy? Ours is one possible solution among many, with one caveat: We maintain that a national universal system would bring more problems than solutions for Canadian families. It is unrealistic to expect the federal government to be a universal, high-quality daycare provider, a “creator of spaces;” an educator to infants and toddlers. Parents’ concerns are real; they demand a real, workable solution.

We suggest:

All current federal child care monies should bypass the provinces and go directly to parents, which would increase the universal child care benefit (UCCB).

In addition to this, taxes should be substantially lowered for families with children so that their own money would not leave their hands in the first place.

The Institute of Marriage and Family Canada bases its position on four criteria:

- Parental desires
- Social science research
- Federal government jurisdiction
- Sound economic principles

Child care means the care of a child, and research shows there are a number of different ways to care for children well. Ultimately, this can – and should – be done without the direct involvement of the federal government in the child's life.

It's time we got children out of the House.

Canadian federal child care:
Where we are today

Prior to the 2004 Throne Speech, no federal government, whether Liberal or Conservative, seriously entertained the prospect of a national, universal system.¹ The same might be said today, yet due to a minority government, Bill C-303 ("Early Learning and Child Care Act")² teeters on the brink of passing, awaiting a final reading before the House of Commons. (The Act's preamble states: "Whereas the primary objective of Canadian child care policy is to promote early childhood development and well-being and support the participation of parents in employment or training and community life by providing accessible, universal and high-quality early learning and child care programs and services...")

An Organization for Economic Cooperation and Development (OECD) report published in 2006 ranked Canada last of 14 nations for child care funding at 0.2 per cent of GDP.³ The OECD figures, however, calculated expenditures only on junior and senior kindergarten, thereby underestimating Canadian federal involvement in child care.⁴

Federal child care funding levels by 2007-2008 reached \$2.2 billion through various agreements.⁵ The Conservative govern-

ment also announced the Universal Child Care Plan in the 2006 federal budget, which amounts to an additional \$2.4 billion annually.⁶

Federal funds are transferred to the provinces through the Canada Social Transfer. Each province spends the money

as it chooses. The reporting mechanism for how those funds are spent is weak, because the federal government relies on provincial accountability to their own populations, not to the federal government.⁷

Canada's federal child care policy also includes tax-based incentives and there are

THE SEVEN Ps OF DIMINISHING FEDERAL INVOLVEMENT IN CHILD CARE

By Andrea Mrozek

POLITICIZED RESEARCH – AVOID IT

Voices in favour of a national daycare system highlight research showing either better outcomes for children in care, or neutral outcomes as the result of institutional care. Research exists showing negative outcomes for children in centre-based care.¹² All research must be considered.¹³

PARENTAL PREFERENCE – RESPECT IT

There is sufficient evidence to suggest few parents desire a national daycare plan.¹⁴

PROHIBITIVE COSTS – DON'T IGNORE THEM

Advocates for a national daycare system cry out for "free" daycare, alternatively they say the high costs to governments now are actually savings down the road for society at large. Cost estimates for such a national system have varied from \$11 billion to \$18.5 billion annually.¹⁵ The Quebec example shows that costs have a tendency to skyrocket beyond initial estimates. That province began in 1997 with a \$250-million budget, but now spends \$5 billion annually on family-oriented policy.¹⁶

PROVINCIAL JURISDICTION – FEDERAL VERSUS PROVINCIAL

Federal involvement in child care means an immediate incursion into provincial jurisdiction. This accounts for the provincial backlash against Bill C-303, which had stringent rules attached to how money must be spent by the provinces.¹⁷

PUBLIC INSTITUTION-BUILDING ERA OVER?

The author of *Standardized Childhood*, sociologist Bruce Fuller, worries that the push to institutionalize early learning will affect families. "I do worry that the push to universalize and standardize preschooling in America will disempower parents from the most essential human task of all: raising young children."¹⁸ Canada has not discussed this angle.

"POLYMORPHOUS" CANADA

Canada faces unique policy conditions because of the size and diversity – urban, rural, aboriginal, immigrant – of the country. Imitating Europe, as universal daycare advocates sometimes desire, will not always be feasible; France would fit with room to spare in Ontario alone.

PUNITIVE AND COUNTER-PRODUCTIVE PROVINCIAL REGULATIONS

Some provinces enact worrisome (and changing) child care regulations and increased federal transfers in effect reward bad behaviour. Says Kathy Graham, an independent child care consultant in Ontario: "The problem is there are 47 different regions and 47 different ways of doing business... There are 47 child care managers that are responsible for the delivery of the fee assistance of parents and to determine what that system looks like in their region. ... The federal money would be helpful if the provinces would be willing to pull off a few band-aids and take a few steps back and start to look at how we can make this better instead of just piling more money into a bad system."¹⁹

TROUBLESHOOTING CRITICISMS

IF YOU ARE AGAINST A NATIONAL DAYCARE PLAN, YOU HAVE TO BE PREPARED TO COMBAT CERTAIN ASSERTIONS—BELOW ARE SOME OF THE MOST COMMON ONES

By Andrea Mrozek

BUT EARLY CHILD DEVELOPMENT SETS CHILDREN ON A PATH OF LIFELONG LEARNING. IT SHOULD THEREFORE HAVE PRIORITY IN FEDERAL FINANCES

“Early child development” is a new catchphrase which professionalizes parenthood. Parents are the true experts on their own children, and were long before such expressions were invented.

BUT CHILD CARE IS EDUCATION AND SHOULD BE PART OF OUR PUBLIC SCHOOL SYSTEM

Ontario is moving toward this model.²¹ For an in-depth discussion of how and why this might not work universally for our infants and toddlers, see *Standardized Childhood*.²² In Canada, however, education is an area of provincial jurisdiction. So even if child care were attached to the public school system, this would be an argument against federal involvement.

BUT UNIVERSAL CHILD CARE SYSTEMS WORK WELL IN EUROPE

Universal systems do not work well in Europe. A recent report from Sweden mentions extremely high class sizes. “In the current evaluation, the municipal questionnaire shows that the average group size for younger children (1-3 years old) is 14.6, for groups with older children (3-5 years old) 19.7 and for mixed age groups 18.4.”²³ Other problems include a lack of choice for parents, the inability of women to achieve high-ranking positions in the workplace and a high tax burden to pay for the universal system.

BUT PARENTS WANT FEDERALLY FUNDED DAYCARE INSTITUTIONS

No. Parents may feel strain and want help, but there is no evidence they desire a federally-funded, universal system.²⁴

BUT IT'S WORKING IN QUEBEC

Quebec is experiencing waiting lists, lawsuits, high and rising costs and a mediocre quality of care.²⁵ It's not the success story advocates would lead us to believe.

BUT PARENTS MUST WORK, THEREFORE THE FEDERAL GOVERNMENT SHOULD PROVIDE CARE

Many parents must work, this is true. Canada may have created a context in which it is difficult and expensive for one parent to stay home through poor public policy and high tax rates (see for instance the discussion, on page 15 of this magazine, of the ways Canada's tax system is unfair to single-earner families). The admirable course is to reverse this trend before we reach the point where only the very highest income earners can afford to raise their own children as they desire.

BUT WHAT ABOUT SINGLE MOTHERS?

In this case, we ought to discuss policy that would uniquely help those single parents. The idea behind universal “early child development” is that the plans not target any needy group, but rather be available to everyone. There is some evidence from Quebec that low income earners are not accessing the universal system at the same rate as high income earners.²⁶ This might mean that lower income single moms are in as difficult a position with a “universal” system as they are now.

BUT UNIVERSAL CHILD CARE INCREASES A COUNTRY'S BIRTH RATE

The assertion that child care increases a country's birth rate is as difficult to prove as it is to disprove. Quebec has a universal provincial daycare system and the province had a baby “boomlet.” But so did Alberta, without a universal child care system.²⁷

Denmark and Sweden are ranked well by the OECD for child care, and their fertility rates are 1.74 and 1.66 respectively. Italy, which has limited child care programs, has a fertility rate of 1.29; lower to be sure, but none of these countries achieve replacement fertility. Gains in this regard are infinitesimally small when compared with the amount of money spent.

BUT GOOD QUALITY CHILD CARE IS ALWAYS BENEFICIAL

This claim, cited by those in favour of a universal system, is true.²⁸ But the definition of child care includes parents and family members, too, and is not limited to professional staff in day-care centres.

ARE YOU SAYING PUTTING A CHILD IN A CENTRE IS WRONG?

No. However, when the government puts its resources toward a particular program, it sends the message not that this is a choice among many, but that this is the preferred course of action. And since our tax dollars pay for those new programs, not participating means parents who sacrifice to stay home are paying to care for their own kids – and everyone else's.

BUT TAX CUTS AND MONEY FOR PARENTS DOES NOTHING TO CREATE SPACES

Some communities have a surplus of child care spaces, and others have waiting lists.²⁹ A child care plan at the federal level cannot reasonably account for these differences. If the government enters the market as a child care provider, the possibility of other choices will be removed because a government monopoly will dominate the market.

BUT IF THERE IS NO FEDERAL SYSTEM PRIVATE ENTERPRISE – “BIG BOX” CARE – WILL ENTER CANADA

There is always the risk that poor-quality care will be offered, whether by government or private entrepreneurs. This is precisely why parents must be afforded choices and the responsibility of discerning what is best for their child at every turn.

federal government programs that assist families with children. There's the Canada Child Tax Benefit and a supplemental benefit for low-income families.⁸

Together, these items make up Canada's federal child care policy.

If federal funds given to the provinces were given directly to parents with the UCCB, it would increase the amount of that subsidy, and send the important signal that parents are the arbiters of their child's care and education.

The critics: Is federal funding too high or too low?

The pro-national daycare lobby cites the aforementioned lack of funding accountability as a call to strengthen the regulations at the federal level.⁹ Those advocating for increased government involvement in child care also say money alone does not a child care policy make.

Other critics are disgruntled with what they see as high funding levels of which they never see a penny. They are personally funding care for their own children and others through their taxes.¹⁰

That child care activists – those in favour of a national daycare system and those against – are unhappy with the current situation may be the only area of consensus on child care provisions in Canada. That's not likely to change: The creation of a national system will not result in a sudden, magical disappearance of problems, as the provincial example of Quebec clearly demonstrates.¹¹

Ultimately, good governance on child care means elevating parents to a position of power and autonomy in choosing how to care for their kids.

EARLY CHILD DEVELOPMENT IS A NEW CATCHPHRASE WHICH PROFESSIONALIZES PARENTHOOD. PARENTS ARE THE TRUE EXPERTS ON THEIR OWN CHILDREN, AND WERE LONG BEFORE SUCH EXPRESSIONS WERE INVENTED

How to get there

Child care policy in Canada is a combination of tax credits, tax incentives and government funding for provincial child care plans. Substantial tax relief, either through income splitting or a flat tax,²⁰ is

necessary to encourage parental choices, whether those are to stay home or work, part or full-time.

Enhanced parental leave is another area of consideration. However, enhanced government parental leave does not always benefit those who are self-employed and may prove to be a difficult burden for small businesses to bear. However, the implicit assumption behind such policy – that parents are good people to raise their own kids – is better than the government message sent by building child care institutions.

Communicating the ideas

Communicating tax reductions and money in parents' pockets should be easy – and in

our high tax environment, very welcome. It's communicating this as the right child care policy that is more difficult. Those looking for a European-style system will never be convinced that parental empowerment constitutes child care.

Into a vacuum, bad policy will grow. So communications are therefore critical to ensure Canadians understand what and why the federal government is pursuing – no matter the course of action.

Parental empowerment is the idea behind our kind of plan. Parents, not child care stakeholders (the bureaucracy, activist lobby groups, educators or unions) are the target audience.

The end is nigh

Those in favour of a national daycare plan tend to see "one system" as a fix-all – the lack thereof is viewed as a sign of the coming apocalypse. To be fair, those on the parents' rights side of the debate tend to view the presence of a universal system as a sign of end times, too. There are any number of solutions between a universal system and the total non-involvement of the federal government. Ours is one reasonable proposition among many.

The emphasis of those advocating for universal systems tends to be on encouraging parental employment and on improved cognitive outcomes for kids. But social/

WHEN THE GOVERNMENT PUTS ITS RESOURCES TOWARD A PARTICULAR PROGRAM, IT SENDS THE MESSAGE NOT THAT THIS IS A CHOICE AMONG MANY, BUT THAT THIS IS THE PREFERRED COURSE OF ACTION

behavioural outcomes are just as important for Canada's future as are improved vocabularies, and poor behavioural outcomes may be the result of too much time in non-parental care.³⁰

In a paper unrelated to child care, The Vanier Institute of the Family speaks of a need to "strengthen parental moral authority."³¹ It is this strengthening of parental moral authority that the Institute of Marriage and Family Canada aims to promote. This idea is an essential but neglected component of the child care debate.

The empowerment of parents to love and care for their children should be the goal of a responsible, fair-minded government. Good governance for Canadian families today means prioritizing parental choice and freedom in child care, in word and deed.

endnotes

- 1 Back in 1999, the then-Liberal majority Parliament held committee hearings and released a report discussing families, tax structure and child benefits in a more nuanced fashion than discussions today, which revolve around a universal child care plan. Sub-Committee on Tax Equity for Canadian Families with Dependent Children. (1999). For the Benefit of Improving Our Children: Improving Tax Fairness. Retrieved online: <http://cmte.parl.gc.ca/cmte/CommitteePublication.aspx?COM=105&Lang=1&SourceId=36250>.
- 2 House of Commons. 1st Session, 39th Parliament. Bill C-303 can be accessed online at http://www2.parl.gc.ca/content/hoc/Bills/391/Private/C-303/C-303_2/C-303_2.PDF.
- 3 Organization for Economic Cooperation and Development. (2006). *Starting Strong II: Early Childhood Education and Care*. OECD Publishing. Retrieved online: http://www.oecd.org/document/63/0,3343,en_2649_39263231_37416703_1_1_1_00.html#HTO.
- 4 Proceedings of the Standing Senate Committee on Social Affairs, Science and Technology, Issue no. 24, June 7, 2007. Retrieved online: http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/soci-e/24evb-e.htm?Language=E&Parl=39&Ses=1&comm_id=47.
- 5 Early Learning and Child Care Initiative (2005), Early Learning and Child Care Framework Agreement (2003), Early Childhood Development Agreement (2000). See <http://www.parl.gc.ca/information/library/PRBpubs/prb0420-e.htm#theearlyand> and http://socialunion.gc.ca/ecd/ch1_e.html for more.
- 6 Information on the Universal Child Care Plan can be found at <http://www.universalchildcare.ca/>.
- 7 Lynne Westlake. Special Advisor, Social Policy Development, Human Resources and Social Development Canada. E-mail communication, Feb. 18, 2008; Proceedings of the Standing Senate Committee on Social Affairs, Science and Technology, Issue no. 24.
- 8 Taylor, P.S. (2005). Comparing Canada's family policy to other nations. *IMFC Review*, Vol. 1, No. 1, p. 11. "... a means-tested, refundable tax credit with a maximum value of 1,471 per year for a child under the age of seven. This basic benefit is received by 82 per cent of all Canadian families with children.... [and a] supplemental benefit for low-income families, worth an additional 1,722 per year, is provided to 40 per cent of households."
- 9 Friendly, M. (2007, March 27). Is child-care money earmarked or not? *The Toronto Star*, p. A19.
- 10 Taylor, P.S., Comparing Canada's family policy to other nations, p. 12.
- 11 The Quebec government is only meeting demand for the subsidized system by half. Canadian Press. (2008, April 23). Les nouvelles places en garderie créées par Québec ne combleront pas la demande. Retrieved online April 26, 2008 at <http://www.canoe.com/infos/quebeccanada/archives/2008/04/20080423-220257.html>. Parents are also suing the government to be allowed to spend more than \$7 per day on child care. Hamilton, G. (2008, February 28). Daycare ruling 'victory for parents'; Quebec to Appeal; Judge rules extra fees do not contravene laws. *National Post*, p. A8. Retrieved online: <http://www.nationalpost.com/news/Story.html?id=339207>.
- 12 National Institute of Child Health and Human Development, Early Child Care Research Network. (2003). Does Amount of Time Spent in Child Care Predict Socioemotional Adjustment During the Transition to Kindergarten? *Child Development*, Vol. 74, No. 4, p. 969-1226; Watanura, S., Donzella, B., Alwin, J., Gunnar, M. (2003). Morning-to-Afternoon Increases in Cortisol Concentrations for Infants and Toddlers at Child Care: *Age Differences and Behavioral Correlates*. *Child Development*, Vol. 74, No. 4, p. 1006-1020; Pagani, L., Larocque, D., Tremblay, R., Lapointe, P. (2003). The impact of junior kindergarten on behavior in elementary school children. *International Journal of Behavioral Development*, Vol. 27, No. 5, p. 423-427; Tremblay, R., Nagin, D. et al. (2004). Physical Aggression During Early Childhood: Trajectories and Predictors. *Pediatrics*, Vol. 114, No. 1. Retrieved online: <http://pediatrics.aappublications.org/cgi/reprint/114/1/e43>; Borge, A., Rutter, M. et al. (2004). Early childcare and physical aggression: differentiating social selection and social causation. *Journal of Child Psychology and Psychiatry*, Vol. 45, No. 2, p. 367-376; Belsky, J. et al. (2007). Are There Long-Term Effects of Early Child Care? *Child Development*, Vol. 78, No. 2, p.681-701; Buckingham, J. (2007). Child Care: Who Benefits? *The Center for Independent Studies*, No. 89. Retrieved online: http://www.cis.org.au/issue_analysis/IA89/ia89.pdf; Loeb, S., Bridges, M., Bassok, D., Fuller, B., Rumberger, R. (2007). How much is too much? The influence of preschool centers on children's social and cognitive development. *Economics of Education Review*, Vol. 26, No. 1, p. 52-66; National Institute of Child Health & Human Development. (2007, March 26). Early Child Care Linked to Increases in Vocabulary, Some Problem Behaviors in Fifth and Sixth Grades. Press release. Retrieved online: http://www.nichd.nih.gov/news/releases/child_care_linked_to_vocabulary_032607.cfm; Paton, G. (2007, April 5). Children left in nursery care 'turning into yobs.' *Telegraph*. Retrieved online at <http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2007/04/05/ntoddlers05.xml>; Leonhardt, D. (2006, June 14). The Price of Day Care Can be High, *New York Times*. Retrieved online: http://www.nytimes.com/2006/06/14/business/14leonhardt.html?_r=3&adxn1=1&oref=slogin&adxnlx=1150331753-7qOzmmKghKLBVYzflavDw&oref=slogin&oref=slogin
- 13 Two studies were released on March 26, 2007, but only one received attention in the Canadian media. Early Years Study 2 received attention – it's a paper which advises strongly for a universal system of early child development and is published by the Council for Early Child Development. McCain, M.N., Mustard, J.F. Shanker, S. (March 2007). Early Years Study 2: Putting Science into Action. Toronto: Council for Early Child Development. The other study received little attention and was a longitudinal look at how child care affects children in grades three and six; Belsky, J. et al. (2007). Are There Long-Term Effects of Early Child Care?; Taylor, P.S. (2005). Don't Get Fooled By Child Care Research. *IMFC Review*, Vol. 1, No. 1, p. 18-19.
- 14 Institute of Marriage and Family Canada. (2006, April 1). Canadians Make Choices on Child Care. *Canadian Family Views*, No. 1, p. 3. Retrieved online: http://www.imfcanada.org/article_files/CanadiansMakeChoicesAboutChildcare.pdf; Ipsos Reid, Focus Groups on Issues Surrounding Child Care. (2006, May 23). Final Report V9863-060001/001/CY, submitted to Human Resources and Social Development, May 23, 2006. Retrieved online: <http://www.hrsdc.gc.ca/en/cs/comm/reports/por/childcare/20060523.shtml#ChoiceinChildCare>; Bibby, R. (2005, February 10). Press Release: Child Care Aspirations. University of Lethbridge. Retrieved online: http://www.vifamily.ca/newsroom/press_feb_10_05_c.html; Compas. (2003, May). Ontario provincial election report for Global TV, *National Post*, *Ottawa Citizen* and *Windsor Star*, p. 18. Retrieved online: <http://www.compas.ca/data/030521-GlobalOnProvElection-E.pdf>; Michalski, J.H. (1999). Values and preferences for the "best policy mix" for Canadian children. Ottawa: Canadian Policy Research Networks.
- 15 Cleveland, G., Krashinsky, M. (2003). Fact and fantasy: Eight myths about early childhood education and care. University of Toronto. Retrieved online: <http://www.childcarecanada.org/pubs/other/FF/index.html> (see Chapter 8: The "It costs too much" argument); Proceedings of the Standing Senate Committee on Social Affairs, Science and Technology, February 14, 2008.
- 16 Gauthier, P. (2008, March 13). Budget Analysis: The 2008 Quebec's Budget. Toronto-Dominion Bank. Retrieved online: <http://www.td.com/economics/budgets/qu08.jsp>.
- 17 MacAulay, J. (2007, April 26). Statement to House of Commons Standing Committee on Human Resources, Social Development and the Status of Persons with Disabilities: Bill C 303. Available online: <http://cmte.parl.gc.ca/Content/HOC/committee/391/huma/evidence/ev2876827/humaev69-e.htm#Int-2034110>; Hansard Verbatim Report. (2007, May 7). Proceedings of the Standing Committee on Human Services. Legislative Assembly of Saskatchewan. 25th Legislature. Issue No. 58; Dent, C., Minister of Education, Culture and Employment, Northwest Territories. (2007, March 22). Correspondence to Allison, D., chair of the House of Commons Standing committee on Human Resources, Social Development and Status of Persons with Disabilities; Gillian, J., Minister of Social Services and Seniors, PEL. (2007, February 5). Correspondence to Federal Minister and Deputy Office, Department of Social Services and Seniors.
- 18 Fuller, B. (2007). *Standardized Childhood: The Political and Cultural Struggle over Early Education*. Stanford: Stanford University Press, p xxii.
- 19 K. Graham, Personal Communication, February 28, 2008.
- 20 Milke, M., Williamson, J. (2008, January). Lower, Simpler & Flatter: Towards a single tax rate for Canada. Canadian Taxpayers Federation. Retrieved online: http://www.taxpayer.com/pdf/flat_tax_2008.pdf; see also Jack Mintz's article on page 15 of this magazine.
- 21 Office of the Premier (2007, November 27). McGuinty Government moves forward on full-day learning for four- and five-year-olds. Retrieved online: <http://www.premier.gov.on.ca/news/Product.asp?ProductID=1782>; Canadian Press. (2007, November 27). Ontario to bring in full-day learning for 4 and 5-year-olds. *Globe and Mail*. Retrieved online: <http://www.theglobeandmail.com/servlet/story/RT-GAM.20071127.wlearning1127/BNStory/National/?page=rss&id=RTGAM.20071127.wlearning1127>.
- 22 Fuller, B. (2007). *Standardized Childhood: The Political and Cultural Struggle over Early Education*.
- 23 Olsson, L., Åsen, G. (2004). Pre-school in transition: A national evaluation of the Swedish pre-school. Stockholm: Swedish National Agency for Education. Note that class size is an indicator of quality; see http://www.excellence-earlychildhood.ca/documents/Gillian_Doherty_ANG.pdf. For more on the Swedish child care system, see Morgan, P. (2006, March). *Family Policy, Family Changes: Sweden, Italy and Britain compared*. London: Civitas.
- 24 Please see note 14.
- 25 See footnote 11. In addition, the OECD did not visit Quebec in assessing Canada: OECD Directorate for Education, Early Childhood Education and Care Policy. (2004). Canada Country Note, p. 84. Retrieved online: <http://www.oecd.org/dataoecd/42/34/33850725.pdf>; Lefebvre, P. (2004, March). Quebec's Innovative Early Childhood Education and Care Policy and its Weaknesses. *Policy Options*; Kozhaya, N. (2006, October). \$7-a-day childcare: Are parents getting what they need? Montreal Economic Institute, Economic Note; Japel, C., Tremblay, R., Côté, S. (2005, December). Quality Counts! Assessing the Quality of Daycare Services Based on the Quebec Longitudinal Study of Child Development. Institute for Research on Public Policy. Vol. 11, No. 5.
- 26 Lefebvre, P. (March 2004). Quebec's Innovative Early Childhood Education and Care Policy and its Weaknesses. *Policy Options*, 52-57.
- 27 "Alberta and Quebec led with increases of 3.3 per cent and 3.1 per cent, respectively. These two provinces alone accounted for almost three-quarters (71 per cent) of the net increase in births." Statistics Canada. (2007, September 21). The Daily. Retrieved online: <http://www.statcan.ca/Daily/English/070921/d070921b.htm>.
- 28 "The best single investment Canada can make for social justice and the optimal development of our children is to get them off to a good early start by building a high quality, evidence-based early child development system." McCain, M. (2008, February 14). Proceedings of the Standing Senate Committee on Social Affairs, Science and Technology. Retrieved online: http://www.parl.gc.ca/39/2/parlbus/commbus/senate/Com-e/soci-e/45189-e.htm?Language=E&Parl=39&Ses=2&comm_id=47
- 29 See footnote 13 for the manner in which Quebec's "universal" system is not meeting demand. Elsewhere in Canada, there are areas with waiting lists, and areas with surpluses. <http://www.kidsfirstcanada.org/child-caredata.htm> reveals some problem with wait list data: "Surplus of daycare spaces but a shortage of children in them: despite all the talk of full waiting lists, Canada-wide 53.7% of daycares reported vacancies averaging 16.3%."
- 30 Belsky, J. et al. (2007). Are There Long-Term Effects of Early Child Care?
- 31 Amber, A. (2007). The Rise in the Number of Children and Adolescents Who Exhibit Problematic Behaviors: Multiple Causes. Retrieved online: http://www.vifamily.ca/library/cft/behavior.html#What_changed

TAXING FAMILIES: DOES THE SYSTEM NEED AN OVERHAUL?

CANADA HAS MAINTAINED AN AMBIGUOUS APPROACH TO FAMILY TAXATION FOR DECADES. IT'S TIME TO ADDRESS THE PROBLEM

by Jack Mintz

Springtime is tax time. It is at this time of year that Canadians watch the federal and provincial governments deplete their bank accounts. There has been some progress in the past decade to reduce personal income taxes, yet there is much more that needs to be done to correct for the high taxes raised to fight the deficit during the 1980s and early 1990s.

The issue is not just one of high taxes, however. Canada has an ambiguous approach to family taxation and no clear application of principle has evolved over time. This has resulted in inequitable tax treatment for families with the same earning power. Raised 40 years ago by the famous 1966 Carter Report, which argued for equal treatment for families, still today, a single-earner family pays much more tax than two-earner families. This is an issue that should be corrected, and this can best be achieved by providing opportunities for families to split income more readily.

Income splitting (or family taxation, as it is known), alongside correcting for structural inequality, would help families immensely. It makes a simple point, though the method by which we attain fair family taxation is complex. Problems arise because we have a graduated tax structure – individuals or families with higher incomes pay a greater portion of their income in tax than those with lower income. Under the existing Canadian tax system, two-earner families pay less tax than a single-earner family with the same income.

Consider two Ontario families, each with two children – one with two working parents earning \$35,000 each and the other with one working parent earning \$70,000. Assume the only credits used are for basic personal and child exemptions: The two-earner family pays \$10,364 in 2007 federal and Ontario tax while the one-earner family pays \$14,165 in tax, or 37 per cent more. With rents, mortgage payments, car lease obligations, food, clothing and other demands, the additional \$315 monthly penalty is a burden on the single-earner family.

It makes it much more difficult for one of the parents to stay at home to raise children or spend time doing voluntary work. Ultimately, high taxes imposed on single-earner families drive people to make choices that they may not wish to make. It is an important social issue, too, given Canada's falling birthrate and aging society; recent empirical work, especially by Kevin Milligan at the University of British Columbia, has shown that tax policy has a significant impact on fertility rates. Effectively, all industrialized countries are struggling to achieve equal treatment of families and Canada should be no exception.

In Canada, we have vacillated between using individual and family taxation.

On the positive side, the current system gives some advantages to Canadian families. They can split investment income between spouses under certain circumstances. A spouse can contribute to the other's RRSPs (this is limited by the contribution limits that apply to the single

earner). Canada/Quebec Pension Plan benefits and pension income may be split between spouses. Self-employment income can be split among members of the household to some extent, especially when the business activity is incorporated. The assets of a spouse upon death can be rolled over to another on a tax-free basis to defer deemed realization of capital gains and

retirement savings plans, and spousal testamentary trusts may be created to provide opportunities of splitting income from estates passed onto children. Transfers of unused credits and deductions are permitted in several cases (such as pension income, child, disability and tuition fee and education cost tax credits).

ASSUME THE ONLY CREDITS USED ARE FOR BASIC PERSONAL AND CHILD EXEMPTIONS: THE TWO-EARNER FAMILY PAYS \$10,364 IN 2007 FEDERAL AND ONTARIO TAX WHILE THE ONE-EARNER FAMILY PAYS \$14,165 IN TAX, OR 37 PER CENT MORE

On the negative side, refundable tax credits to low-income households such as the GST credit and child tax benefits are reduced when family income exceeds a threshold, in contrast to old age security payments that are clawed back on an individual basis. The medical expense credit is limited to three per cent of income earned by the spouse with the lowest income. And of course, income splitting or family taxation is not on the books.

Family taxation offers fairness

The main tax policy argument that is given to support family taxation is based on efficiency and fairness. Taxation should not interfere with decisions to stay at home or work. Further, fairness is achieved by horizontal equity – the equal treatment of equals. Under both objectives, families with similar economic circumstances should be taxed similarly.

Other advantages are achieved with family taxation. Rules for attributing income to different spouses are less complex and costly since income can be aggregated. Tax credits are easily transferable and other provisions such as clawback rates for income-tested benefits and medical expense deductions can be applied on an averaged basis or at reduced rates.

The general lack of clarity on tax policy means the issue has been subject to much debate. In a recent paper, Professor Jonathan Kesselman of Simon Fraser University argued that it would be wrong to split labour income as opposed to investment income because it would create unfairness given that families with a stay-at-home spouse have certain economic advantages. While it is difficult to develop a perfect system, it makes little sense

Overcoming the difficulties

So what makes family taxation difficult? It is the application of efficiency and horizontal-equity principles. Three specific issues arise:

- Overhead costs in running a household are lower per person for larger compared to smaller households.
- A spouse staying at home earns untaxed leisure or production income. In households with two working parents, the working spouses incur costs to earn a living and so are tax-disadvantaged when entering the labour force.
- Under family taxation, a spouse who chooses to work faces a much higher rate of tax compared to individual taxation. It might be more difficult for a spouse to be financially independent.

On the first point, it is correct to claim that people who live together are able to share costs in running a household so that they should pay somewhat more tax per person than an individual taxpayer. While this point makes sense when comparing two- or more member households with a single-member household, the principle is difficult to apply when comparing three types of households – a single person, two living together, both working and two living together with one not working. Like a family with one single earner, two earners living together should also pay more per capita tax than a single individual living on their own. In other words, to achieve equal treatment, some adjustment to the tax base is needed. This is best accommodated by adjusting personal income exemption levels in recognition that some income

person on their own compared to earners in multiple member families. This would apply to all income, including pension, investment or labour income.

As for the second criticism, a spouse who stays home may be engaged in untaxed activities such as voluntary work, raising children or maintaining the household. Couples both working might need to pay contract labour to look after household needs. None of these issues detract from the value of applying the principle that families should be taxed equitably. With regard to untaxed home production – one could adjust the personal exemption downwards for the spouse staying at home when designing the tax base. In the case of voluntary work, it might be viewed that such efforts are socially desirable and hence should not be taxed. As for the need to recognized costs incurred to earn money income, the appropriate approach is to provide some deduction for these costs for both efficiency and fairness reasons. The Canadian tax system already provides for a deduction for child care expenses and an employment income credit. Perhaps these costs need better recognition but we already have the ability to provide tax relief for costs incurred to earn a living. Penalizing families with stay-at-home spouses is not the way to ensure that costs incurred to earn a living are deductible from income.

The final criticism is that a spouse who chooses to work is taxed heavily given the graduated tax structure applied to family income. The additional family income earned is assessed at high marginal tax rates compared to individual income taxation earned by the second earner. Further, a spouse might want to be independent of another, thereby making individual taxation more desirable. Again, alternative approaches under family taxation can ameliorate these effects. For example, families might be given an option to choose between individual and family taxation and exemption levels can be adjusted, as discussed above, so that there is greater incentive for the second spouse to work.

Family taxation around the globe

None of the problems associated with family taxation are insurmountable. The basic aim is to achieve efficiency and fairness under the tax system. It is impossible to see how limiting taxation to individual taxation supports these principles.

TAXATION SHOULD NOT INTERFERE WITH DECISIONS TO STAY AT HOME OR WORK. FURTHER, FAIRNESS IS ACHIEVED BY HORIZONTAL EQUITY – THE EQUAL TREATMENT OF EQUALS. UNDER BOTH OBJECTIVES, FAMILIES WITH SIMILAR ECONOMIC CIRCUMSTANCES SHOULD BE TAXED SIMILARLY

to argue that individual taxation is a superior principle simply because it may be complex to incorporate certain limitations to the family taxation approach.

should not be taxed in order to cover minimum costs of living. To provide for a better treatment of different types of families, a higher exemption should be given to a single

Nine industrial countries apply the family taxation principle. The French and Portuguese systems aggregate family income but explicitly allow for family size to reduce tax payments. The Czech Republic, Germany, Ireland, Luxembourg, Poland, Switzerland and the United States allow family members to file jointly and split income. Other industrialized countries rely primarily on individual taxation but often allow for family tax principles such as the transferability of deductions and credits or joint filing or splitting of income of some sort.

Canadian possibilities

In the Canadian context, three approaches could be used to achieve greater equality among families.

The first approach would be a simple one, similar to the recently-adopted method for pension income splitting, whereby the high-income spouse transfers income to the low-income spouse. While this approach is simplest to apply and amounts could be limited, it would not deal with some of the criticisms related to the equitable treatment of stay-at-home and working spouses, which would require adjustments to exemption levels and tax brackets. Rules would need to be maintained for the transferability of credits, estate planning and attribution of investment income with respect to children. Further, tax planning opportunities may be created in that splitting investment and business income is achieved on a different basis than income splitting for labour income. Nonetheless, income splitting is the simplest approach to apply, because it minimizes disruptions to other parts of the tax system.

The second approach is to follow the German and U.S. models by providing an option for the joint filing of returns. Tax brackets under joint filing would be doubled (or multiplied by a somewhat smaller factor) and exemptions could be adjusted to provide greater relief for those families with two earners. The aggregation of income among family members would greatly reduce compliance and administrative costs. An option could be given to allow families to file jointly or separately, thereby minimizing impacts on existing two-earner families although at the cost of creating more calculations for families.

The third approach would be similar to the French system whereby family income is aggregated and divided by a quotient. The French quotient is based on the number of parents (each given a weight of one) and children (0.5 each for the first two children and a weight of one applied to each additional children; in the case of a single parent, the first child is given a weight of one). Family income is divided by the quotient and the graduated rate structure is applied to the averaged income. The total tax payment is calculated by the averaged individual tax multiplied by the quotient (a limit is imposed on the maximum tax reduction related to the child component). This system provides for all the advantages of pooling although, if mandatory, can lead to high levels of tax on a spouse choosing to work unless ameliorated by the exemption/credit system.

Overall, the federal and provincial governments would face a reduction in tax collections if family taxation principles were broadened today using any of the above approaches. While some experts might call for reductions in marginal tax rates instead, it would be better to address horizontal inequities to give families greater choices in terms of working and voluntary careers and methods by which to raise families. Family taxation, albeit imperfect, makes sense.

Jack M. Mintz is the Palmer Professor of Public Policy at University of Calgary.

NINE INDUSTRIAL COUNTRIES APPLY THE FAMILY TAXATION PRINCIPLE. THE FRENCH AND PORTUGUESE SYSTEMS AGGREGATE FAMILY INCOME BUT EXPLICITLY ALLOW FOR FAMILY SIZE TO REDUCE TAX PAYMENTS. THE CZECH REPUBLIC, GERMANY, IRELAND, LUXEMBOURG, POLAND, SWITZERLAND AND THE UNITED STATES ALLOW FAMILY MEMBERS TO FILE JOINTLY AND SPLIT INCOME

ASKING THE EXPERTS ABOUT REPRODUCTIVE AND GENETIC TECHNOLOGIES IN CANADA

RULES AND REGULATIONS NEEDS TO BE BALANCED BY SCIENTIFIC EXPERTISE AND A STRONG ETHICAL FRAMEWORK

by *Kate Fraher*

In 2009, Parliament will be called upon to conduct a comprehensive review of Canada's Act on Assisted Human Reproduction. The Act, which governs reproductive and genetic technologies (RGTs) in Canada, came into force on March 29, 2004.¹ Coming up with this Act was a struggle – and if history repeats itself, parliamentarians can look forward to a long line of Canadians coming to committee, each with a separate list of demands.

The IMFC talked to veterans of Canada's Act on Assisted Human Reproduction about what the upcoming process will require. Those involved with the Act's review will need an ethical framework, scientific expertise and an understanding of how Canadians are affected by this issue.² That, and a whole lot of patience.

Between 1989 and 1993, the Royal Commission on New Reproductive Technologies heard 40,000 witnesses.³ Today, four years after the Act on Assisted Human Reproduction came into force, Health Canada is still trying to write regulations outlining how it will be enforced. For instance, the Act legislated a national donor registry to keep a record of Canadians who donate gametes (sperm or eggs) to fertility clinics for infertile Canadians.⁴ Using donated eggs or sperm is effectively having another Canadian's baby. For those children, a donor registry is like a family tree. This helps understand genetically transmitted disease through access to information about your genetic history. It also helps to prevent incestuous relationships.⁵ In any case, the registry does not yet exist and many Canadians are wondering why the whole process is taking so long.

Dr. Abby Lippman

Meet Dr. Abby Lippman, Professor in the Department of Epidemiology, Biostatistics, and Occupational Health at McGill University and a member of the Canadian Women's

Health Network. The IMFC asked her why the government's regulations have been so slow in coming. "I don't know why. You'd have to ask them why it's taking so long. They'll tell you the government works slowly."⁶

One of her main concerns is that while Health Canada is busy deliberating on how illegal activities will be regulated, illegal shenanigans could be going on unchecked.

"MUCH IS GOING ON, CONTINUING TO BE UNREGULATED, AND TO THE EXTENT THAT THINGS [ARE] PRACTICED, IT'S GOING TO BE HARDER TO PUT THEM UNDER REGULATION WHEN THE REGULATIONS ARE FINALLY WRITTEN" – DR. ABBY LIPPMAN, PROFESSOR IN THE DEPARTMENT OF EPIDEMIOLOGY, BIOSTATISTICS, MCGILL UNIVERSITY

She says even though the law exists, "much is going on, continuing to be unregulated, and to the extent that things [are] practiced, it's going to be harder to put them under regulation when the regulations are finally written."⁷

What sort of shenanigans is she talking about? Well, there are a number of scenarios – people selling eggs, renting wombs and making embryos for scientific experimentation.

And for an Act that has been around for four years, Lippman continues to ask why it still cannot be enforced. "We don't have a lot of regulations on the books and my main concern is that there is still a lot of growth happening in this area that is not being controlled sufficiently," she says.⁸

"THERE'S A DANGER IN TRYING TO ACHIEVE EVERYTHING BY REGULATION. ...YOU HAVE TO COUNT ON THE MORALITY AND THE RESPONSIBILITY OF THE PEOPLE DOING THE WORK BECAUSE YOU JUST CANNOT REGULATE EVERY SINGLE THING – YOU CAN'T EVEN CONCEIVE OF ALL THE SITUATIONS" –PRESTON MANNING, FORMER LEADER OF THE OPPOSITION AND PART OF THE HEALTH COMMITTEE FOR THE SECOND ATTEMPT AT AN RGT BILL

Preston Manning

Enter Preston Manning, a retired Member of Parliament who sat on the Health Committee in 2001 when Canada's second draft bill on RGTs tried to make it through the House. We talk about how quickly reproductive and genetic science is moving. Can Health Canada's regulations ever catch up to the science? He raises this point: "There's a

danger in trying to achieve everything by regulation. At the end of the day, you have to count on the morality and the responsibility of the people doing the work because you just cannot regulate every single thing – you can't even conceive of all the situations."⁹

In reproductive technology, as with any science, every new innovation comes with multiple uses. Not to mention the creativity of the "user" who has his own idea of how he can apply the technology to his situation. Take egg freezing, for example. The Act doesn't talk about egg freezing because it is a relatively new innovation. Egg freezing was originally marketed to women wishing to delay motherhood, but last year a woman in Montreal froze her eggs for her young daughter who may be infertile

ASSISTED HUMAN REPRODUCTION – SO YOU WANT TO LEARN MORE...

by **Kate Fraher**

Learning about assisted human reproduction is a bit like buying a new computer: the information may be obsolete by the time you bring it home. Still, there are principles and issues that help lay a good framework. Here are some suggestions for further learning that should stand the test of time – or at least the next couple of years

Everything Conceivable: How Assisted Reproduction is Changing Our World, by Liza Mundy. (2007). New York: Knopf. An inside look at the struggles and sometimes far-reaching consequences of fertility treatment.

The Revolution in Parenthood: The Emerging Global Clash Between Adult Rights and Children's Needs, by Elizabeth Marquardt. (2006). Retrieved March 30, 2008 from the IMFC's website: http://www.imfcanada.org/article_files/Revolution%20in%20Parenthood.pdf. Provides an understanding of how reproductive technologies are transforming parenthood and children's lives.

Embryo: A Defense of Human Life, by Robert P. George and Christopher Tollefsen. (2008). New York: Doubleday. A readable look at the science of where we came from.

The Case against Perfection: Ethics in the Age of Genetic Engineering, by Michael J. Sandel. (2007). Cambridge: Belknap Press of Harvard University Press. Reviewed on page 36 of this magazine.

Other sources include:

Eichler, M. Royal Commission on New Reproductive Technologies. The Canadian Encyclopedia Histor!ca.

King, S. (2007). Designer Babies, Stem Cells, and the Market for Genetics: The Limits of the Assisted Human Reproduction Act. *Canadian Journal of Communication*, 32(3 & 4).

Lippman, A., Nisker, J. (2006, June 1). June 2006: Health Canada Delay Endangers Women: Agency to Regulate Human Reproduction Act Still Not Set Up. The Canadian Centre for Policy Alternatives Monitor.

Pratten, O. A Canadian Advocate for the Rights of Donor-Conceived Children. The Institute of Marriage and Family Inaugural Family Policy Conference, September 26, 2006. An audio recording of her presentation can be retrieved online at: <http://www.imfcanada.org/Default.aspx?go=article&aid=118&tid=8>.

The Royal Commission on Reproductive Technologies. (1993). *Proceed with Care: Final Report of the Royal Commission on New Reproductive Technologies*.

Somerville, M. (2006). *The Ethical Imagination: Journeys of the Human Spirit*. Toronto: House of Anansi Press.

The IMFC did a series of articles, too. These summaries can be found at www.imfcanada.org under Issues, Assisted Reproduction:

- Which Comes First – The Agency or the Egg?
- Women's Health and Freedom of Information
- Test-tube babies – they do grow up
- Life in the Balance: the Ethics of Assisted Human Reproduction

when she matures due to Turner's Syndrome.¹⁰ If this girl decides to use her mother's eggs, she will give birth to her own genetic half-sister.

It's also hard to anticipate what scientists will discover next. In a recent issue of *New Scientist*, scientists announced that "male eggs" and "female sperm" may be coming soon.¹¹ Known as "artificial gametes," these reproductive cells would be created from bone marrow stem cells.¹² How might this be used? Homosexual partners may want to create a child with their same-sex partner using their own biological material.

So can Health Canada micro-manage innovations like egg freezing and artificial gametes at the rate science is pushing them forward? Will they need to write a set of regulations for each individual innovation? What about all the other sets of regulations still on their "to-do" list? Should we be putting more stock in the "responsibility and morality of the people" as Manning suggests? In the four years since the Act was passed, only one set of regulations has been published to flesh out the Act.¹³ Health Canada's track record might leave us wondering if they should just throw in the towel.

Dr. Margaret Somerville

Dr. Margaret Somerville, internationally renowned ethicist and Founding Director, McGill Centre for Medicine, Ethics and Law, has a completely different take on the regulations jam-up at Health Canada's workshop. "This has always been a hugely delayed process," she says, "...but I don't necessarily think that's a bad thing."¹³ After all, she says, technologies like genetic engineering are now capable of changing 4.8 million years of human evolution in the blink of an eye.¹⁵ We should be slow, in other words, to erase things like genetic engineering from the Act's list of prohibited activities, and consider the ramifications. Making ethical decisions can take time, she says.¹⁶

An ethical toolbox for a compassionate Canada

When it comes to strapping ethical frameworks, Somerville's work is impressive. One of the questions Somerville asks is this: "can the future trust us?"¹⁷ This question assumes the decisions we make today will either strengthen or dilute what she calls our most important human values.¹⁸ One of our most important human values is the value of human life. "If you think that we are all ex-embryos," Somerville says, "and that it is the first stage of every human life and that it deserves respect as any other human life does then the use of embryos for embryonic stem cell research... I think we shouldn't have done that."¹⁹ While some may not see embryonic stem cell research as harmful, she says, others believe there is something more at stake – like our humanness.²⁰ "We've got to be very careful to maintain values that make us a moral human society," Somerville says. "You can say 'well, why be moral if there's no deep reason for it?' and the answer is: 'Because otherwise we'd have societies that none of us as reasonable people would want to live in.'"²¹

Another tool she uses is a principle she calls "a presumption in favour of nature, the natural, and life."²² This presumption doesn't mean that you can't change nature, she says, "but what it means is the person who wants to do that has the burden of justifying it."²³ Helping a woman with blocked fallopian tubes to have a baby is a wonderful thing, she says, "it's what I call repairing nature when it fails."²⁴ But certain situations such as engineering people to live for 120-150 years or helping two males give birth to a baby, those are what she calls "impossible in nature possibilities" and she thinks that they are wrong.²⁵ Identifying whether an activity is "possible in nature" or "impossible in nature" may help some people evaluate whether an activity should be permitted or prohibited.

Another basic ethical principle Somerville uses is this: "You don't do something more ethically sensitive if something less ethically sensitive will give you the same advantages."²⁶ Embryonic stem cells, for example, were hailed years ago for their advantages over adult stem cells. Recently, however, scientists are discovering that adult stem cells are providing the same benefits as embryonic stem cells.²⁷

Somerville admits that this is still an area of contention. Nevertheless, the situation illustrates how less ethically sensitive options such as adult stem cell research should be fully exhausted before more ethically sensitive options like embryonic stem cell research are considered.²⁸

Know the science and the stories

Lastly, parliamentarians who want to make a real contribution to this debate will need a good understanding of the science behind it, says Preston Manning.²⁹ There are those, for example, who wish to discuss the ethical concerns of RGTs without understanding the science. Says Manning: "A lot of MPs are not up on the science. It's pretty hard to deal with a bill that has a lot of science and technical definitions in it unless you get up to speed on it." He goes on: "In fact, if you don't get up to speed on it ... you may end up in a debate with somebody who does know a lot about it and you are discredited. This includes ethical concerns which might be the real reason you want to talk about it."³⁰

Besides knowing the science, Manning believes MPs should also know the situations and people involved, and be familiar with their stories. He says: "[T]o be sensitive to the suffering and the pain that may be behind the positions of different people that are engaged in this area is important ... [t]here is human suffering in this area between couples desperate to have children. Even the doctors who want to do embryonic stem cell research – most of them say their reason is because they've got patients with genetically-rooted diseases they are desperately trying to find some way of curing," he says. These are tough moral and ethical issues that Manning hopes MPs won't shy away from. "I don't think it's responsible for Parliament to hand these things off to the courts because they are politically difficult," he says, "but I'd say that accepting this responsibility requires wisdom and graciousness."³¹

"IF YOU THINK THAT WE ARE ALL EX-EMBRYOS AND THAT IT IS
THE FIRST STAGE OF EVERY HUMAN LIFE AND THAT IT DESERVES
RESPECT AS ANY OTHER HUMAN LIFE DOES THEN THE USE
OF EMBRYOS FOR EMBRYONIC STEM CELL RESEARCH...
I THINK WE SHOULDN'T HAVE DONE THAT"
—DR. MARGARET SOMERVILLE, ETHICIST, MCGILL UNIVERSITY

Policy recommendations

Canada's Act on Assisted Human Reproduction should recognize the human embryo as a human life.³² This means that every embryo created in-vitro (outside of the mother's body) deserves a chance at full development and should be implanted in its mother's uterus – not wasted and not used for experimentation. No human life, no matter what stage it is in, should be tossed in the garbage, experimented on, or used for parts.

The law should prohibit what Margaret Somerville calls “impossible in nature possibilities.”³³ These possibilities include, but are not limited to: genetic engineering, human cloning, “male eggs,” and “female sperm.”

When Canada's Act on Assisted Human Reproduction is opened for review, parliamentarians will receive many conflicting requests; unfortunately, not everyone will get what they want. There will be winners and there will be losers. First and foremost, we hope decision makers will have the courage to outlaw procedures that destroy human life in its earliest stages. It is also our hope that they will treat all sides with compassion. It is inevitable that some form of human suffering will continue after the review process is over. Where there is suffering, a little compassion can go a long way.

endnotes

- 1 To read Canada's Act on Assisted Human Reproduction, visit the Department of Justice's website: <http://laws.justice.gc.ca/en/ShowFull-Doc/cs/A-13.4/en>.
- 2 Preston Manning, personal communication, March 4, 2008.
- 3 CBC News. (2007, July 3). In Depth: Genetics and reproduction: Regulating 'assisted human reproduction.' Retrieved online April 8, 2008 from http://www.cbc.ca/news/background/genetics_reproduction/rgtech.html.
- 4 See Sections 17 and 18 of Canada's Act on Assisted Human Reproduction: <http://laws.justice.gc.ca/en/ShowFullDoc/cs/A-13.4/en>.
- 5 See Section 18(4) of Canada's Act on Assisted Human Reproduction: <http://laws.justice.gc.ca/en/ShowFullDoc/cs/A-13.4/en>.
- 6 A. Lippman, personal communication, February 28, 2008.
- 7 Ibid.
- 8 Ibid.
- 9 P. Manning, personal communication, March 4, 2008.
- 10 CBC News. (2007, April 17) Woman freezes eggs for daughter's future use. Retrieved online March 28, 2008 from <http://www.cbc.ca/health/story/2007/04/17/eggs-boivin.html>.
- 11 Aldhous, P. (2008, February 2). Are male eggs and female sperm on the horizon? *New Scientist*. Retrieved online March 28, 2008 from <http://www.newscientist.com/channel/sex/mg19726414.000-are-male-eggs-and-female-sperm-on-the-horizon.html>.
- 12 MacRae, F. (2008, January 31). Death of the father: British scientists discover how to turn women's bone marrow into sperm. *Daily Mail*. Retrieved online March 28, 2008 from http://www.dailymail.co.uk/pages/live/articles/technology/technology.html?in_article_id=511391&in_page_id=1965.
- 13 Regulations for Section 8 of Canada's Assisted Human Reproduction Act came into effect in December 2007. To view Health Canada's progress to date on this issue, visit their website on Assisted Human Reproduction at http://www.hc-sc.gc.ca/hl-vs/reprod/index_e.html.
- 14 M. Somerville, personal communication, February 25, 2008.
- 15-21 Ibid.
- 22 Dr. Somerville developed this principle for her CBC Massey Lecture Series in 2006. M. Somerville, personal communication, February 25, 2008.
- 23 M. Somerville, personal communication, February 25, 2008.
- 24-26 Ibid.
- 27 McLroy, Anne. (2007, November 21). Stem-cell method hailed as 'massive breakthrough.' *The Globe and Mail*. Retrieved online March 28, 2008 from <http://www.theglobeandmail.com/servlet/story/RTGAM.20071121.wstemcells21/BNStory/Science/home>.
- 28 Ibid.
- 29 P. Manning, personal communication, March 4, 2008.
- 30 Ibid.
- 31 Ibid.
- 32 Preston Manning says he would have liked to see the Act clearly recognize the human embryo as a human life.
- 33 M. Somerville, personal communication, February 25, 2008.

YOUTH CRIMINAL JUSTICE: THE GOOD, THE BAD AND THE UGLY

IT'S TIME TO SADDLE UP – THE YOUTH CRIMINAL JUSTICE ACT WILL COME UNDER REVIEW THIS YEAR. HOW IS THE ACT RESPONDING TO YOUNG OFFENDERS AND WHAT SHOULD CANADIANS EXPECT FROM YOUTH JUSTICE LEGISLATION?

by Peter Jon Mitchell

The climax of a good western is when the cowboy in the white hat finally comes face to face with the villain – the bad guy who has terrorized the town. Few audiences would leave the theatre satisfied if the hero gave the bad guy a stern talking to and sent him off into the sunset with a social worker riding side-saddle behind. But in real-life Canada, what does serving justice mean, especially when it comes to our young offenders?

Historically, Canada has separated young offenders from the adult justice system. And historically, many have argued that too many young cowboys have ridden off into the sunset without paying for their crimes. Is the youth criminal justice system too easy on young offenders? What's really going on with our youth and how is our justice system responding to youth crime?

If our youth justice system were a spaghetti western, it might borrow its title from the Clint Eastwood film, *The Good, the Bad and the Ugly*. There are aspects of the Canadian youth justice system that are working well. The system also has shortcomings that have had ugly consequences for Canadians. But unlike the plot of a classic western picture, youth justice legislation is complex, and requires nuanced reforms rather than dramatic change.

It has been five years since Canada replaced the maligned Young Offenders Act with the Youth Criminal Justice Act. The government promises a review of the YCJA this year. The YOA intended to create a youth justice system that balanced legal processes and penalties with welfare-based interventions. But without clear principles, courts issued inconsistent penalties and sentences. Under the YOA, the incarceration rate for young offenders was higher than many other western countries.¹

Prominent Queen's University professor of law, Nicolas Bala summarized the YCJA's improvements over the YOA, writing in

the early days of the legislation, "the YCJA has a large number of relatively small changes, which cumulatively should result in significant change in the youth justice system."² One of the significant changes was the directive to correct the YOA's over-reliance on custodial sentences and pre-trial detainment. Policy-makers pursued this aim while underscoring the need for meaningful consequences, rehabilitative measures and consideration for the interests of victims.³

The Good

Reducing the use of incarceration is good for young offenders and Canadian society. Studies suggest that incarceration can have a negative impact on youth. There is a risk that teens can be immersed in custody environments that socialize them toward further criminal behaviour.⁴

Teen incarceration also has little impact on reducing and preventing youth crime. Young people frequently behave with a sense of immortality and immunity, engaging in risky behaviour that would invoke second sober thought among mature adults. This does not excuse criminal behaviour, but it might explain why numerous studies suggest incarceration does little to deter young people.⁵

IN SPITE OF THE HIGH-PROFILE VIOLENT CRIME CASES, YOUTH CRIME HAS GENERALLY BEEN DECLINING

Reducing the use of incarceration has been coupled with an increased emphasis on engaging alternative measures for minor crime. These measures encourage community resolution through police warnings and restorative initiatives that invite victims to participate in the process. Family group conferencing allows offenders and their families to meet with victims to discuss the impact of the crime and the actions needed

to restore the damage done. This process requires offenders to willingly admit their mistakes and take ownership for their actions. Studies have indicated that conferencing can be an effective way to prevent young people from continuing in a life of crime,⁶ and can often be a positive experience for victims.⁷

The Bad

When an innocent girl is gunned down on Yonge Street in Toronto; when a teen is assaulted and beaten to death on a golf course in Edmonton;⁸ the tender age of the victims and some of the accused magnifies the shock. It's not hard to argue that criminal activity is bad for teens, bad for communities and bad for society, especially serious violent offenses. However, the truth is that in spite of the high-profile cases, youth crime has generally been declining with the exception of a three-per-cent increase in 2006.⁹ It is too early to tell if this is the beginning of a trend or just a statistical blip. According to Canadian criminologists Anthony Doob and Carla Cesaroni, most youth crime involves minor offenses¹⁰ including property crime and breaches of court orders.

For some young people, criminal behaviour becomes a pattern. Professor Bala states, "not all young offenders can be rehabilitated.

Some youth lack the motivation, at least at some points in their lives, to engage in rehabilitation."¹¹ A couple of summers ago two 16-year-olds led London, Ontario, police on a wild car chase, undeterred by their previous encounters with the law – all 430 of them.¹² A similar incident in Nova Scotia ended in the death of an innocent woman when a teen facing multiple charges crashed a stolen car. The offender had been

criminally charged and released two days before the collision. The incident compelled the province to form a commission of inquiry headed by retired justice D. Merlin Nunn to explore the collision and the events leading to the fateful event.¹³

The Ugly

Nunn's report suggests that the wording of the Act that directs the court to consider pre-trial detention unnecessary except when narrow conditions are satisfied, have led to the quick return of repeat offenders to the street, jeopardizing public safety.¹⁴ This has been an ugly, unintended consequence of the provisions reducing the use of incarceration.

The Act currently deters courts from pre-trial custody if the offender could not be committed to custody if found guilty. Like custodial sentences, pre-trial detention is discouraged unless a young person has committed a violent offence, been in compliance with non-custodial sentences in the past or has a history of guilt under the Act. As the Nunn commission demonstrated, the court considers a history of guilt, not previous pending charges when determining the appropriateness of pre-trial custody.¹⁵ Nunn also noted that the court's understanding of a "violent offence" precludes actions that place the public at risk like high-speed chases.¹⁶

THE YCJA MUST BE REFORMED, BUT RATHER THAN RUSHING THE LEGISLATION WITH GUNS A-BLAZIN', POLICY-MAKERS SHOULD FOCUS ON NUANCED ADJUSTMENTS

In short, Nunn's report establishes that restrictive custody provisions have allowed repeat offenders to continue to put the public at risk.

Holster the six-shooter

The YCJA must be reformed, but rather than rushing the legislation with guns a-blazin', policy-makers should focus on nuanced adjustments. The pre-trial provisions of the Act should be revisited. Bill C-25, an amendment to the YCJA proposed in November 2007, would grant the court wider discretion in applying pre-trial detainment. The proposed amendment directs the court to consider the substantial likelihood of serious bodily harm to another person if the accused were to be released. The bill also proposes to enhance the consideration of previous violations of non-custodial measures in determining pre-trial detention.¹⁷

The bill also addresses sentencing provisions within the YCJA by introducing the principle of deterrence. The architects of the YCJA omitted this principle as many young offenders give little thought to the consequences of being caught. Curiously, the bill neglects to add the principle of deterrence to the declaration of principles found at the beginning of the Act. Though this provision will likely not deter young people from crime, it will result in stricter sentencing. Rather than introducing the principle of deterrence in sentencing, policy-makers

might consider strengthening the principle of public safety throughout the Act. An explicit statement on public safety would provide a more reasonable principle for sentencing and would be in keeping with the nature of the YCJA.

Further amendments should enhance a balance between alternative measures and court proceedings. The Supreme Court is expected to hand down a ruling on the

constitutionality of the adult sentencing provision of the YCJA. This provision allows prosecutors to seek adult sentences for offenders ages 14 and older once a youth has been convicted of a serious crime. Should the court rule against this provision, policy-makers will need to carefully consider sentencing provisions that adequately respond to serious crime and effectively protect the public without hindering the intended balance within the YCJA.

The youth criminal justice system values rehabilitation along with meaningful sanctions. It aims to assist young offenders in making amends and maturing into productive members of society. The alternative measures provisions of the YCJA allow for this process to occur within the community where the offence has taken place. Yes, some offenders require more intervention in the courts.

But in general, the YCJA provides principles and directives for processing youth through the court system in a fair and effective way. Certainly, the YCJA is a complicated piece of legislation that has both strengths and weaknesses. But the Act will serve Canadians well in the years ahead if future amendments provide nuanced adjustments in keeping with the nature of youth justice in Canada.

THE YOUTH CRIMINAL JUSTICE SYSTEM VALUES REHABILITATION ALONG WITH MEANINGFUL SANCTIONS. IT AIMS TO ASSIST YOUNG OFFENDERS IN MAKING AMENDS AND MATURING INTO PRODUCTIVE MEMBERS OF SOCIETY

endnotes

- 1 Department of Justice Canada. (2002, May 27). YCJA Explained: Overview. Retrieved April 11, 2008 from <http://www.justice.gc.ca/eng/pi/yj-jj/repos-depot/over-aper/2010001g.html>.
- 2 Bala, N. (2003). Youth Criminal Justice Law. Toronto: Irwin Law, p. 27.
- 3 Department of Justice Canada, retrieved April 15, 2008 from <http://www.justice.gc.ca/eng/pi/yj-jj/repos-depot/over-aper/2010001g.html>.
- 4 Taylor, C.S. (1996). Growing up behind bars: confinement, youth development, and crime. 1996 Oklahoma Criminal Justice Research Consortium Journal. Oklahoma City: Department of Corrections Oklahoma, p. 2. Retrieved online April 11, 2008 from <http://www.doc.state.ok.us/offenders/ocjrc/96/Growing%20Up%20Behind%20Bars.pdf>.
- 5 Bala, Youth Criminal Justice Law, pp. 84-85.
- 6 Australian Institute of Criminology. (2002). What works in reducing young people's involvement in crime? Retrieved January 14, 2008 from <http://www.aic.gov.au/publications/reports/2002-12-whatworks.pdf>, p. 6.
- 7 Bala, N., Hornick, J.P., Snyder, H.N., Paetsch, J.J. eds. (2002). Juvenile Justice Systems: An International Comparison of Problems and Solutions. Toronto: Thompson Educational Publishing, p. 189.
- 8 CBC News. (2006, June 13). Eight arrested in Jane Creba shooting death. Retrieved March 25, 2008 from <http://www.cbc.ca/canada/toronto/story/2006/06/13/to-creba20060613.html>; and CBC News. (2007, January 16). Golf course owner recalls shock at finding teen's body. Retrieved March 25, 2008 from <http://www.cbc.ca/canada/edmonton/story/2007/01/23/trail-ninates.html>.
- 9 Statistics Canada. (2007, July 18). Crime statistics 2006 (correction). The Daily. Retrieved January 9, 2008 from <http://www.statcan.ca/Daily/English/070718/d070718b.htm>.
- 10 Doob, A.N., Cesaroni, C. (2004). Responding to Youth Crime in Canada. Toronto: University of Toronto Press, pp. 94-95.
- 11 Bala, Youth Criminal Justice Law, p. 105.
- 12 Kirwin, S. (2006, August 17). 430 times later, youths in trouble. The London Free Press. A.1.
- 13 Nunn, D.M. (2006). Spiralling Out of Control: Lessons Learned from a Boy in Trouble. Report of the Nunn Commission Inquiry. Province of Nova Scotia, p. 15. Retrieved November 19, 2007 from http://www.nunncommission.ca/media_uploads/pdf/109.pdf
- 14 Ibid., p. 241.
- 15 Ibid., p. 289.
- 16 Ibid., pp. 239, 289.
- 17 Bill C-25: An Act to amend the Youth Criminal Justice Act. Retrieved November 20, 2007 from <http://www2.parl.gc.ca/HousePublications/Publication.aspx?DocId=3114354&file=4>

THE WIRED WORLD OF FAMILIES: YOUTH, THEIR PARENTS AND THE MEDIA

A SURVEY OF MEDIA, YOUTH, AND THE PARENTS AND RULES THAT GUIDE THEM

by Nicole Whitefield and Kelly Schwartz

Our kids – and parents, too – are exposed to more and more media: Radio, television, games, and the Internet. It’s everywhere: At work, in schools, in our cars, and in our pockets. Our homes are no exception – when’s the last time you recall not turning on the radio, CD player, or TV, to “fill the silence” if nothing else? In the United States, it is estimated that youth aged eight to 18 are spending at least eight hours each day with media.¹ And never forget the ability to multi-task: Your teen may listen to that MP3 player while surfing the Internet, too. This paper chronicles media use and how parents attempt to monitor their kids’ media lives. If the battle appears difficult, take heart: There is evidence that vigilant, intentional efforts on the part of parents do lead to more responsible media use.

Reports show the following approximate usages of different media for kids in the United States between eight and 19 years of age:

Considered separately, the numbers are not that daunting, but when combined the range of media use is somewhere between five and over nine hours daily. And as if that was not enough: At least one report indicates that about one quarter of children and youth wish they could spend more time playing, surfing, and watching.¹⁰ In short, if your teen says he doesn’t have time to do his homework, consider turning off even one of the multiple media sources.

Home wired home

Naturally, kids don’t come to this kind of life all by themselves. In addition to providing their children with an environment that is saturated with media, parents are modelling heavy media consumption; they themselves watch at least two hours of television daily.¹¹ In a 2005 study, half of households surveyed reported that the television was “usually on” and was on during mealtimes in about 60 per cent of family homes.¹² They found further that only one per cent of Americans do not have a television in the home, 83 per cent had one or more video game consoles, and 86 per cent had one or more computers in the home. Sixty-six per cent of youth reported having a television set in their bedroom while 59 per cent said that their bedroom contained a video game console. When the television was “always on” a positive correlation was found with increased overall media use.

The Modern Family and Media

Television viewing	Between 1.5 and 3 hours daily ^{2,3}
Computer time	Between one and 2 hours daily ^{4,5}
Internet use	About one hour daily ⁶
Radio, CDs, general audio media	Between 42 minutes and three ^{7,8} hours daily
Video games (differs greatly by age and gender)	On average, just under one hour daily ⁹

The approximate amount of time spent with various media. Compiled from multiple sources.

Studies show that when youth have access to the mass media in the bedroom, media use increases by about five hours per week.¹³ In spite of the fact that parents probably purchased the additional set for their kids' bedroom, they are troubled both by the amount of time spent as well as the content. A 1999 study looked at Dutch parents' greatest concerns regarding the effects of their children's exposure to television content.¹⁴ They found that parents were most worried about television content that was violent or scary, and further reported feeling concerned that this content could induce aggression and fright in their children. Similarly, a 2007 study revealed that parents in the United States were most concerned over the sexual content of the media that their children were exposed to, but were also concerned about exposure to violence, adult language, and the influence of advertising. In fact, about half said that they were "very concerned" about the inappropriate content of the mass media. Twenty percent of parents felt that their children were exposed to "a lot" of inappropriate content and three quarters said that this exposure was either a big concern or their top concern as a parent.¹⁵

Parents also perceive a causal link between media exposure and their child's behaviour; that is, that media content is singularly contributing to changes in their child's behaviour. For example, between 44 per cent and 53 per cent felt that their child's media exposure contributed "a lot" to their child's sexual and aggressive behaviour. When it came to the Internet, parents were concerned about the sites their children were on, the giving out of personal information, and the sheer volume of time spent online. Similarly, video game content and the amount of time spent playing have been reported as being an issue for parents.¹⁶ Thus, parents appear to feel that there are detrimental effects to media use and a great deal of research suggests that their concerns are justified.

The media rules

Of course parents regulate their children's media use – at least so they say. One form of regulation is to restrict their children's access to media. This involves having rules in place regarding content, time, and so on. Other parents may discuss the media with their children, while still others watch with their children. One study found that parents will preview some movies prior to allowing their children to view them.¹⁷ A 2002 study found that 15 per cent of parents said they "always" use the television ratings as a guide for their children's viewing content, while 55 per cent reported "always" watching with their children.¹⁸

Parents also report restricting how much time is spent with the media. Fifty-five percent of parents reported having household rules regarding the amount of time spent playing computer or video games, 58 per cent said that they had time limits on television viewing, while rules about when television viewing could take place were reported by 74 per cent of parents.¹⁹ Another study found that 88 per cent of parents said that they had programming rules in place at home for their children.²⁰ Based on parental reports of house media rules, it appears that parents are more concerned over the content of the media than they are about the amount of exposure.

Parental monitoring vigilance, however, might be specific to the sources of media and/or familiarity with third-party rating systems. For example, only a quarter of parents said that they always checked the video game ratings, a similar percentage could name any of the television ratings, while another 21 per cent reported that they had never heard of the rating system.²¹ Even those who use rating systems are not convinced of their utility. Of those who had used video game ratings, only 58 per cent found them "very useful." Movie ratings and music advisories were reported as being useful by 53 per cent and 56 per cent of parents, respectively, while 49 per cent reported television ratings as being useful.²²

Just checking the ratings, however, is not enough – media monitoring requires an active and intentional parental role. For example, in January 2000, U.S. television manufacturers

STUDIES SHOW THAT WHEN YOUTH HAVE ACCESS TO THE MASS MEDIA
IN THE BEDROOM, MEDIA USE INCREASES BY ABOUT FIVE
HOURS PER WEEK

were required to install V-Chips, a little bit of technology that allows parents to block programs based on ratings as they see fit, in all new television sets larger than 13 inches. But less than half (46 per cent) of parents who acknowledged their TV was equipped with this device said they had ever used it. Excuses for parents who had not used it included saying there was always an adult nearby (50 per cent), their children would likely find a way around it (20 per cent), or that they felt that their children would make appropriate choices (14 per cent).²³

Watching our children watch

Interestingly, several studies are now finding children's reports of parental restrictions to be much lower than the parents' reports. In one 2006 study of children aged eight or older, 61 per cent said they did not have rules about television viewing. These children kept diaries of their media consumption and also reported that 95 per cent of the time their parents were not watching television with them. Some parents have even reported that they do not have any media rules.²⁴

Parental reports of monitoring differ from children's reports as well. David Walsh and colleagues highlighted the fact that two-thirds of parents reported limiting how much time could be spent playing video games but only one-third of their children reported any such restriction. The use of ratings for video games was also found to differ between parents and their children. Only 30 per cent of children reported that their parents regularly checked the ratings on their video games, but 72 per cent of parents reported doing so. Twenty-five per cent of children reported that their parents never helped them decide which video games to play whereas only one percent of parents said that they never did. This discrepancy was found again when parents and their kids were asked whether they engaged in discussions about video games. Five percent of parents said that they never engaged in these discussions versus 51 per cent of children saying the same.²⁵

SEVERAL STUDIES FIND CHILDREN'S REPORTS OF PARENTAL RESTRICTIONS TO BE MUCH LOWER THAN THEIR PARENTS

Keeping up online

Compared to television, computers and the Internet are relative newcomers on the home media scene. In one study, half of British parents surveyed reported regulating when the computer could be used – only one-third of youth reported the same. Most parents (88 per cent) said that they asked their children what they were doing online, but only 25 per cent of children reported that they were ever monitored. Similarly, reports of parents being in the same room when the Internet is being used were discrepant, 50 per cent of parents versus 22 per cent of youth.²⁶

Monitoring computers and Internet is qualitatively different than any other media source. Parents report checking their children's Internet history, keeping an eye on the screen, having the computer in a public place within the home, filtering systems, and monitoring software. Parents also use Internet filters, especially if they themselves are frequent Internet users. But even these attempts may be thwarted by youth, as they also report still playing video games of which their parents would disapprove and many of them report that they have ways to get around the rules. They hide their Internet activity through renaming files, deleting their computer history, or minimizing windows when parents are present. Thus, even the best intentioned parents may be up against both technological and secretive prowess of their adolescent media consumers.

PARENTS REPORT CHECKING THEIR CHILDREN'S INTERNET HISTORY, KEEPING AN EYE ON THE SCREEN, HAVING THE COMPUTER IN A PUBLIC PLACE WITHIN THE HOME, FILTERING SYSTEMS, MONITORING SOFTWARE AND USING INTERNET FILTERS. BUT EVEN THESE ATTEMPTS MAY BE THWARTED BY YOUTH, WHO REPORT PLAYING VIDEO GAMES OF WHICH THEIR PARENTS WOULD DISAPPROVE

Parental monitoring: Who, what, and how well?

Many factors influence media monitoring by parents. Homes are more likely to have program rules when children personally own fewer media sources, when parents earn more, when there is a higher level of education among parents and where there are older children in the house.²⁷ Parents who have positive attitudes towards television are also more likely to make rules than parents who report that their children have imitated aggressive behaviour previously seen on television. Additionally, parents who have program rules are more likely to co-view with their children.²⁸ Co-viewing tends to be more common than both restrictive and evaluative mediation. In homes where the families are altogether more careful about electronic and print media use, the tendency to monitor children's media use carefully is more common. These parents are also more knowledgeable about media, more likely to participate in alternative activities, and more likely to be consistent with media rules.

Research suggests responsible parental monitoring leads to responsible media use. For example, youth who self-reported less overall media exposure also indicated that the media rules were highly enforced.²⁹ This is important to consider in relation to the low reports of media rules by youth. In this same study, Donald Roberts and colleagues found that children and adolescents with parents who intentionally and regularly enforced the household rules with respect to media, watched less television, played fewer video games, were on the computer less, and perhaps not surprisingly, engaged in more reading and viewed more movies and DVDs. Television rules, of all other media-related rules, seemed to be the most important predictor of less overall media exposure.

A 2007 study looked at the mediating styles of parents and the relationship to school performance and media use.³⁰ Results showed that the higher achieving students typically had parents who were more likely to use content ratings and who engaged in evaluative mediation regarding media content. That is, these parents were more likely to discuss the media content with their children. These youth consumed less media relative to lower achieving children whose parents used a more restrictive style of mediation. The lower achieving students tended to have rules in place governing the time and content of their media use. Due to the fact that these children were heavier consumers of media, one may question how well the rules were being enforced.

Do we know what we don't know?

While we know a great deal about media use in general, there is very little research detailing how youth feel about their parents' media habits. How do youths' perspectives of their parents' media use influence their own media behaviour, especially if there is media hypocrisy at

work in the home? For example, if youth think their parents are heavy media consumers this may serve as a lifestyle model. Further, if parents are restrictive in their children's media content but are perceived by their children as not following those same content rules, the children may be more likely to seek the restricted content. Finally, we might ask if parents simply assume the rules are being

followed, the consequence of which is either deceit or minimally creative concealment on the part of their adolescents? If so, we should ask how parents are monitoring or regulating their children's media use.

The discrepancy found between reports on the amount of time children spend using media and home regulations surrounding this use also requires further study. In particular, self-reporting may mean parents say what they think they should do rather than what really is happening. And since there's been a great deal of discussion surrounding the negative impact that media use can have, especially on youth, parents may feel pressure to restrict and monitor their children's media use. This may lead to less accurate reports of youth media use and parental regulation.

VIGILANT, INTENTIONAL EFFORTS ON THE PART OF PARENTS DO LEAD TO MORE RESPONSIBLE MEDIA USE

Ultimately, however, it's clear that vigilant, intentional efforts on the part of parents do lead to more responsible media use. More reciprocal media engagement – parents monitoring youth and youth holding parents accountable for their media use – on the part of the whole family may serve to reduce both the effects of that media and the overall tenor of media management within a household. Families today are stressed for time, to be sure. But maybe turning off the television, the radio, the computer and the iPod might bring back a culture of family communication – even if only for one or two of those nine media hours per day.

Research for this paper was supported by a Program for Undergraduate Research Experience (PURE) grant from the University of Calgary.

endnotes

- 1 Roberts, D., Foehr, U., Rideout, V. (2005). Generation M: Media in the Lives of 8-18 Year-olds. The Kaiser Family Foundation. Retrieved May 13, 2007: <http://www.kff.org/entmedia/upload/Generation-M-Media-in-the-Lives-of-8-18-Year-olds-Report.pdf>.
- 2 Vandewater, E., Park, S., Huang, X., Wartella, E. (2005). "No-You can't watch that": Parental rules and young children's media use. *American Behavioral Scientist*, 48, 608-623.
- 3 Livingstone, S., Bober, M. (2005). UK children go online: Final report of key project findings. London School of Economics and Political Science. Retrieved online April 25, 2008: http://eprints.lse.ac.uk/3991/UKCGO_Final_report.pdf.
- 4 Gentile, D., Walsh, D. (2002). A normative study of family media habits. *Applied Developmental Psychology*, 23, 157-178. Available online: http://www.mediafamily.org/research/report_g_w2002.pdf.
- 5 Rainie, L. (2006). Life online: The growth and impact of the Internet (and related technologies). Pew Internet & American Life Project. Paper presented at CTCNet conference in Washington DC, July 2006.
- 6 Livingstone, S., Bober, M. (2005). UK children go online.
- 7 Livingstone, S. (2007). Strategies of parental regulation in the media-rich home. *Computers in Human Behavior*, 23, 920-941. Available online: <http://eprints.lse.ac.uk/10191/1/STRATEGIESFORPARENTALREG.pdf>.
- 8 Schwartz, K.D., Fouts, G.T. (2003). Music preferences, personality style, and developmental issues of adolescents. *Journal of Youth and Adolescence*, 32(3), 205-213.
- 9 Rainie, L. (2006). Life online; Roberts et al. (2005). Generation M.
- 10 Walsh, D., Gentile, D., Walsh, E., Bennett, N. (2006). MediaWise Video Game Report Card. National Institute on Media and Family. Available online: http://www.mediafamily.org/research/report_vgrc_2006.shtml.
- 11 Livingstone, S. (2007). Strategies of parental regulation in the media-rich home.
- 12 Roberts et al. (2005). Generation M.
- 13 Gentile, D., Walsh, D. (2002). A normative study of family media habits.
- 14 Valkenburg, P., Krcmar, M., Peeters, A., Marseille, N. (1999). Developing a scale to assess three different styles of television mediation: "Instructive mediation", "restrictive mediation", and "social coviewing". *Journal of Broadcasting and Electronic Media*, 43, 52-66.
- 15 Rideout, V. (2007). Parents, children, and media: A Kaiser family foundation survey. Retrieved online May 13, 2007: <http://www.kff.org/entmedia/upload/7638.pdf>.
- 16 Walsh et al. (2006). MediaWise Video Game Report Card.
- 17 Kim, W., Baran, S., Massey, K. (1988). Impact of the VCR on control of television viewing. *Journal of Broadcasting and Electronic Media*, 32, 351-358.
- 18 Gentile and Walsh. (2002). A normative study of family media habits.
- 19 Ibid.
- 20 Roberts, D., Foehr, U., Rideout, V., Brodie, M. (1999). Kids & media @ the new millennium: A Kaiser family foundation survey. Retrieved March 18, 2007, from <http://www.kff.org/entmedia/upload/Kids-Media-The-New-Millennium-Report.pdf>.
- 21 Gentile and Walsh. (2002). A normative study of family media habits.
- 22 Roberts et al. (1999). Kids & media @ the new millennium.
- 23 Ibid.
- 24 Walsh et al. (2006). MediaWise Video Game Report Card.
- 25 Walsh et al. (2006). MediaWise Video Game Report Card.
- 26 Livingstone, S. (2007). Strategies of parental regulation in the media-rich home.
- 27 Lin, C., Atkin, D. (1989). Parental mediation and rulemaking for adolescent use of television and VCRs. *Journal of Broadcasting & Electronic Media*, 33, 53-67.
- 28 Vandewater et al. (2005). "No-You can't watch that".
- 29 Roberts et al. (2005). Generation M.
- 30 Abelman, R. (2007). Fighting the war on indecency: Mediating TV, Internet, and videogame usage among achieving and underachieving gifted children. *Roeper Review*, 29.

IS IT GETTING COLD IN HERE?

STILL THINK THE GLOBE IS OVERPOPULATED? THINK AGAIN. WITH FERTILITY RATES TUMBLING BELOW REPLACEMENT, A NEW DOCUMENTARY DISCUSSES THE COMING DEMOGRAPHIC WINTER

by Tyler Chamberlain

If you aren't concerned about population decline now, you will be after watching *Demographic Winter: The Decline of the Human Family*. The documentary opens on renowned demographer Phillip Longman, Schwartz Senior Fellow at the New America Foundation, a Washington D.C. public policy think tank, describing the dire nature of our waning numbers. Overpopulation? "The population bomb was popularized by non-demographers and by the press back in the 1970s, and real demographers – even back then – knew [depopulation] was coming," he says.

Currently, 70 nations are at below replacement levels of 2.1 children per woman and still many others are falling. Fewer bambini means the ratio of retirees to workers is shifting. The population pyramid on which our public health care, Canada Pension Plan and other assorted benefits are based, with many workers at the bottom supporting relatively few retirees, is gradually flipping.

The concern is that our economies will be nothing more than small workforces supporting our massive public pension and health care plans for the elderly. For private enterprise, there's the concern of not having enough workers – which could correct itself over time, but the economy would have to downsize first.

So what? Aren't fewer kids better for families? They can attend Harvard, where families with 10 kids have to ration who gets to play hockey. Not really: The film looks at Italy and Spain, and argues that the effects of population decline there are already apparent; youth

rate for Quebecers 15 to 24 years old was 13.6 per cent, compared to the national average of 11.6 per cent.¹

Come population crunch time, the wrong policies could hinder, instead of helping. But today, most decision makers just avoid the problem. Some still live in a Malthusian dreamland. And the solutions, which include strengthening the family and having more kids, aren't exactly politically correct. Longman actually goes so far as to say this in the film: "[We need] a return to traditional values. And specifically to patriarchy, properly understood, which was a value system that, at the end of the day, persuaded both men and women, not only to have children, but to take responsibility for them." Those words aren't exactly a vote winner.

When *The Nation*, a left-wing American journal, recently ran a piece about demographics, it was to mock those concerned about the decline as xenophobic misogynists with an irrational fear of losing Western civilization at the hands (or was it knives) of swarthy migrants.² But *Demographic Winter* highlights the global nature of the freeze; many Middle Eastern countries are experiencing plummeting fertility rates, too. Iran's has fallen to 2.0 from 2.8 since 1996, and Egypt's has dropped from 7.0 in 1960 to a predicted 3.0 in 2010.

It's interesting that women are having fewer children, but in many countries, they actually want to have more. Ian Dowbiggin, author of *Where Have All the Babies Gone? The Sterilization Movement in the Cold War Era*,³ cites a 1997 Gallup poll of 16 countries on four continents indicating that "people would be happy to have more children if their societies validated bigger families." Dowbiggin writes, "[o]ne in three Canadians said the ideal family size was three or more children."⁴

Part two of the documentary is forthcoming; they ought to explore the idea that government's social safety net might be at least partly to blame for the breakdown of the family in the first place. Children and families were the social safety net prior to interventionist social policies and the welfare state. Still, *The Demographic Winter* does an admirable job of highlighting the consequences of family breakdown and depopulation. When it starts to get cold, don't say you weren't warned: There is much we can do to decrease the chill, if we are at least aware of the realities of the situation.

SO WHAT? AREN'T FEWER KIDS BETTER FOR FAMILIES? THEY CAN ATTEND HARVARD, WHERE FAMILIES WITH 10 KIDS HAVE TO RATION WHO GETS TO PLAY HOCKEY

unemployment is in double digits, despite the smaller demographic. And higher taxes can be one result of smaller populations, which in turn creates unique burdens on individuals, business and the labour force. In Canada, Quebec has lower than average fertility rates, high taxes and a high unemployment rate, to boot. In 2005, consistent with previous years, Quebec's fertility rate was 1.52 compared to Canada's 1.54; Quebecers are notoriously heavily taxed and the unemployment

endnotes

- 1 National fertility and unemployment rates can be found on the Statistics Canada website: <http://cansim2.statcan.ca/>
- 2 Joyce, K. (2008, March 3). Missing: The "Right" Babies. *The Nation*. Retrieved online: <http://www.thenation.com/doc/20080303/joyce>.
- 3 Ian Dowbiggin. (2008). *Where Have All the Babies Gone?: The Sterilization Movement in the Cold War Era*. Oxford University Press.
- 4 Ian Dowbiggin. (2006). Where Have All the Babies Gone?: The "Birth Dearth" and what to do about it. Presented on September 26, 2006 at the IMFC Family Policy Conference. Retrieved online: http://www.imfcanada.org/article_files/Dr_Ian_Dowbiggin_Birth_Dearth_FINAL.pdf.

A TIME TO LIVE AND A TIME TO DIE – WHO DECIDES?

CAN “THE GOOD DEATH” BE ACHIEVED WITHOUT THE NEGATIVE REPERCUSSIONS OF LEGALIZING EUTHANASIA AND ASSISTED SUICIDE FOR CANADA?

by **Dave Quist**

The 1973 science fiction movie *Soylent Green* is set in New York City in 2022. Policeman Sol Roth (played by Edward G. Robinson) decides he cannot live with his knowledge about the Soylent Corporation (he discovers they are turning human remains into food and deceiving the people, to boot) and opts to “go home” – he registers at a clinic for his own death.¹

A far-fetched sci-fi flick to be sure, but end-of-life decisions today are most assuredly not confined to the silver screen. There is noise to allow for more choices in public policy – even in death. From the Sue Rodriguez² and Robert Latimer³ cases in Canada, Terri Schiavo⁴ in the U.S., legalized euthanasia in Holland⁵ and the state of Oregon⁶ as well as a series of private member’s bills in the House of Commons, euthanasia is a topic under discussion.⁷ Must legalization of euthanasia and assisted suicide be part of Canada’s future or is there a better way?

Canada and euthanasia today

Currently, the Criminal Code of Canada devotes two sections to euthanasia and physician-assisted suicide:⁸

14. *No person is entitled to consent to have death inflicted on him, and such consent does not affect the criminal responsibility of any person by whom death may be inflicted on the person by whom consent is given.*
241. *Everyone who counsels a person to commit suicide or aids or abets a person to commit suicide, whether suicide ensues or not, is guilty of an indictable offence and liable to imprisonment for a term not exceeding fourteen years.*

The Canadian Medical Association is not in favour of allowing physician-assisted suicide or euthanasia. A statement posted on their website in 2007 reads that “Canadian physicians should not participate in euthanasia or assisted suicide” and furthermore that:

*The 1994 CMA General Council unanimously approved a motion that Canadian physicians should uphold the principles of palliative care. The public has clearly demonstrated its concern with our care of the dying. The provision of palliative care for all who are in need is a mandatory precondition to the contemplation of permissive legislative change. Efforts to broaden the availability of palliative care in Canada should be intensified.*⁹

Changing the laws – why and why now?

Those in favour of legalizing euthanasia and assisted suicide often base their arguments on some very real challenges, a few of which are addressed here:

We are living longer

Statistics tell us that we are living longer and this, coupled with higher expectations for a high quality of life, could fuel demands for euthanasia.

Canadian Life Expectancy (years)¹⁰

	1986	2002
Women	80.0	82.1
Man	73.3	77.2

Source: Statistics Canada

We expect a high quality of life

Medical diagnosis and technologies have made quantum leaps forward in past decades. The first heart transplant took place in Cape Town, South Africa, in 1967, under the guidance of Dr. Christiaan Barnard,¹¹ and today the list of medical advances goes on and on. Longer life spans coupled with the seemingly endless capabilities of doctors to provide a high quality of life may have led people to believe that quality of life should supersede life itself. This may also partner with the fear of “being a burden” on society, family and friends.

Rising cost of health care

Financial considerations: Living longer costs more

There are also financial costs to living longer. As we age we make greater use of the health care services available to us. According to the Canadian Institute for Health Information, the vast majority of our health care expenses occur during the second half of our life.¹² The financial burden of health care has risen substantially. The cost of health care has outpaced the Consumer Price Index by over a 4:1 margin and the overall Federal Budget by over 7:1.

Higher costs of care lead some euthanasia advocates to push for legalized euthanasia on economic grounds.¹⁵

	1995/1996	2004/2005	\$ Change	% Change
Federal Healthcare Budget ¹³	\$ 1,608,777,000	\$ 3,166,300,000	\$ 1,557,523,000	97%
Total Federal Budget	\$ 164,821,771,000	\$ 186,054,850,000	\$ 21,233,079,000	13%
Consumer Price Index ¹⁴	(April 1995) \$ 87.5	(March 2005) \$ 106.3	\$ 18.8	21.5%

Source: 2004 – 2005 Main Estimates from the Government of Canada and Consumer Price Index from the Bank of Canada

Canada's ailing health care system: Can we provide good palliative care?

An unfortunate recent reality is that medical waiting lists are growing.¹⁶ Successive federal governments have attempted to deal with this issue, in concert with provincial governments, and yet the wait continues for many people to see specialists or even a general practitioner.¹⁷ If Canadians can't get health care at many points in life, some may wonder how we can expect good palliative care at the end of life.

The problem of pain and how to eradicate it

Some who campaign for legalized euthanasia do so because they say it eradicates pain in a manner that nothing else can. The recent case of Robert Latimer, convicted of killing his daughter who had cerebral palsy, highlights this angle. Latimer told the media he does not believe any pain medication was available to his daughter. “One of the answers he’s seeking relates to assertions by the courts that he and his wife could have used other medication to manage their daughter’s pain more effectively,” read newspaper reports. “I want the identification

of that pain medication,” he said, adding that he believes no such alternatives were available. “Let’s face it, it’s a fraud. And they know that.”¹⁸

Personal autonomy

Euthanasia advocates play up the personal choice angle, without accounting for scenarios where the decision will be made by others: doctors, family members, lawyers. They desire the choice of “hastened death” amongst other options, for the sake of choice and control alone.¹⁹ It’s easier to advocate for personal choice in our increasingly atomized (read lonely) society. This also raises the image of aging or elderly folks, who have lived a full life and are still fully competent, who decide to end it. But actually much of the euthanasia/physician-assisted suicide debate today focuses on those whose lives have just begun – in the neo-natal wards or young people with complex and life-threatening illnesses and disabilities.

IF CANADIANS CAN'T GET HEALTH CARE AT MANY POINTS IN LIFE, HOW CAN WE EXPECT GOOD PALLIATIVE CARE AT THE END OF LIFE?

THE “GOOD DEATH” FROM A TO Z

by Tyler Chamberlain

To understand the debate one must know the terms and use them well. Below is a short list of standard definitions taken from medical dictionaries relating to “the good death”, otherwise known as euthanasia

Assisted suicide

The act of intentionally killing oneself with the assistance of another who provides the knowledge, means or both.¹ Also referred to as Physician-Assisted Suicide (PAS) where a physician helps.

Brain death

Total cessation of brain function for 24 hours as manifested by absence of spontaneous movement, absence of spontaneous respiration, and absence of all brainstem reflexes.²

Competency

The capacity to understand the nature and consequences of a medical decision and ability to communicate this decision.³

Persistent vegetative state

A persistent loss of upper cortical function. The patient is bedridden but does not require respiratory support or circulatory assistance for survival and is in a state of chronic wakefulness without awareness, which may be accompanied by some spontaneous eye openings, grunts or screams, brief smiles, sporadic movement of facial muscles and limbs.⁴ Also known as Cortical Brain Death.

Euthanasia

The deliberate act undertaken by one person with the intention of ending the life of another in order to relieve suffering.⁵

Living will

An authorization permitting another to give consent to medical treatment at any time when the person giving the authorization is no longer capable.⁶

endnotes

- 1 Dunsmuir, M., Smith, M., Alter, S., Harder, S. (1998). Euthanasia and Assisted Suicide, Government of Canada: Depository Services Program. Retrieved online: <http://dsp-psd.pwgsc.gc.ca/Collection-R/LoPBdP/CIR/919-e.htm#8.%20Report>.
- 2 Online Medical Dictionary. Department of Medical Oncology, University of Newcastle upon Tyne. Retrieved online: <http://cancerweb.ncl.ac.uk/cgi-bin/omd?query=brain+death>
- 3 Dunsmuir, M., Smith, M., Alter, S., Harder, S. Euthanasia and Assisted Suicide.
- 4 Online Medical Dictionary. University of Newcastle upon Tyne. Retrieved online: <http://cancerweb.ncl.ac.uk/cgi-bin/omd?query=persistent+vegetative+state>
- 5 Dunsmuir, M., Smith, M., Alter, S., Harder, S. Euthanasia and Assisted Suicide.
- 6 Yogis. J.A. (2003). *Canadian Law Dictionary, 5th edition*. New York: Barron's Educational Series.

Learn by example

Canada can and should look to other nations already engaged in legal euthanasia to ascertain its efficacy. Euthanasia was legalized in Holland in 1973. Some claim theirs is a success story, with doctors and patients playing by the new rules of death. But when they laid out a framework for infant euthanasia with the Groningen Protocol in 2002 even the toughest critics of the slippery slope took a second look.

In a September 2005 study, Dutch researchers published a paper, “Euthanasia and Depression: A Prospective Cohort Study Among Terminally Ill Cancer Patients” and determined that:

*Of 138 patients, 32 patients had depressed mood at inclusion. Thirty patients (22 per cent) made an explicit request for euthanasia. The risk to request euthanasia for patients with depressed mood was 4.1 times higher than that of patients without depressed mood at inclusion.*²⁰

There also remains a great deal of controversy in the Netherlands over whether Dutch physicians really are playing by the rules. They might be “side-stepping the country’s year-old euthanasia law by using painkillers and sleep-inducing drugs to end patients’ lives by ‘terminal sedation’ rather than follow the new law, which requires a second opinion and formal reporting for all acts of euthanasia.”²¹

Many physicians suffer as a result of their involvement in euthanasia and PAS. Dr. Kenneth R. Stevens notes that, “Many doctors who have participated in euthanasia and/or PAS are adversely affected emotionally and psychologically by their experiences.”²²

Facing a mystery

Longer life spans and rising costs, a failing health system, pain eradication and loneliness can be overcome without turning to legalized euthanasia – the direct involvement of the state in the business of death. When we turn to the legalization of death enterprises, inevitably we contribute to what Dr. Margaret Somerville, founding director of the McGill Centre for Medicine, Ethics and Law, calls the de-mystification of death.

She refers to the loss of the mystery of death - “we don’t feel we have control when faced with mysteries”²³ and that in turn we “convert the mystery of death to the problem of death,”²⁴ hence attempting to control when we will draw our last breath. Control and choice, then, may be completely unattainable when it comes to our final moments. If we desire to guard ideas like those in the Hippocratic Oath,

IT’S EASIER TO ADVOCATE FOR EUTHANASIA AS A PERSONAL CHOICE
IN OUR INCREASINGLY ATOMIZED (READ LONELY) SOCIETY

that physicians should first do no harm, then to engage in the possibilities of euthanasia will inevitably lead to moral and personal conflicts for individuals and society as a whole, in favour of an unattainable concept.

Are there other options?

Ultimately, there is another positive alternative to euthanasia, and it is in the further support, research and funding of palliative care and hospices.

According to the Canadian Institute For Health Information, right now we don’t even know “(t)he number, types and quality of palliative care services for gravely ill and dying people across the country.”²⁵ We do know that almost every region across Canada has some level of palliative care,²⁶ but that to be more effective, much growth is necessary.

Good palliative care means we would not have to watch loved ones suffer in pain. There remains much to study and do in areas of pain management, but the case is not as futile as someone like Robert Latimer would like us to believe. In working with the Alberta Cancer Board, Dr. Neil Hagen states, “I soon realized there’s a lot that can be done for these patients, pain control being one of the most important.”²⁷ Imagine that throughout history, anaesthesia was controversial and not used universally.²⁸

Furthermore, we may be *causing* pain for patients at the suggestion of euthanasia. Dr. Margaret Cottle told an audience on Parliament Hill, “It is said that euthanasia kills the patient twice: the first time when you look at the patient’s life and say, ‘Your life really isn’t worth living.’ The second time is when you actually do it.”²⁹



Policy recommendations

Strong leadership by politicians, medical and legal practitioners alike is needed in order to address the euthanasia debate. Positive alternatives are required and must be given philosophical, moral and financial support.

Human life is valuable and should not be subject to the life-ending possibilities imposed by other people based on economics, treatable medical conditions or politics. So what can be done to shore up against the argument for euthanasia and PAS? The following four policy recommendations should be considered:

1. Canada's parliamentarians should review all legislation and the Criminal Code in order to affirm its commitment to upholding and strengthening the existing legislation. The language should be brought up to date from 1985 to reflect more recent legal developments (Rodriguez, Latimer, etc.).
2. The federal and provincial governments should encourage all Canadian medical schools to incorporate a palliative care program as a core part of their curriculum.
3. The Canadian government should work with the Canadian Medical Association and its provincial counterparts to ensure that all practicing physicians are current with the latest in palliative care developments.
4. Recognizing the current problems in the state of Canada's health system; rising costs, long waiting lists, increased workload, patients without GPs, etc. – Canada should work with the provinces to agree upon an amount within the CHST that will be allotted specifically to palliative care. This amount may differ from province to province, depending upon the current and anticipated size of the provincial demographics.

The IMFC believes that Canada's decision makers should actively pursue these recommendations, without waiting for a test case to make its way through the judicial system, pending the decision of a small group of unelected officials. Public and social policy should not be determined outside of debate in the public square.

LONGER LIFE SPANS AND RISING COSTS, A FAILING HEALTH SYSTEM,
PAIN ERADICATION AND LONELINESS CAN BE OVERCOME WITHOUT
TURNING TO LEGALIZED EUTHANASIA – THE DIRECT INVOLVEMENT
OF THE STATE IN THE BUSINESS OF DEATH

endnotes

- 1 http://en.wikipedia.org/wiki/Soylent_Green.
- 2 Rodriguez v. British Columbia. [1993] 3 S.C.R. 519. Retrieved online: <http://csc.lexum.umontreal.ca/en/1993/1993rcs3-519/1993rcs3-519.html>.
- 3 R. v. Latimer. (1997) 1 S.C.R. 217. Retrieved online: <http://scc.lexum.umontreal.ca/en/1997/1997rcs1-217/1997rcs1-217.html>.
- 4 <http://www.imfcanada.org/default.aspx?go=article&aid=220&tid=8>.
- 5 Dunsmuir, M., Tiedemann, M. (2007). Euthanasia and Assisted Suicide: International Experiences. Retrieved online: <http://www.parl.gc.ca/information/library/PRBpubs/prb0703-e.htm#netherlands>.
- 6 Ibid., <http://www.parl.gc.ca/information/library/PRBpubs/prb0703-e.htm#boregon>.
- 7 Dunsmuir, M., Smith M., Alter, S., Harder, S. (1998, August 12). Euthanasia and Assisted Suicide. Retrieved online: <http://dsp-psd.pwgsc.gc.ca/Collection-R/LoPBdP/CIR/919-e.htm>. Private member's bill C-407 by Francine Lalonde (Bloc Québécois). Retrieved online: <http://www2.parl.gc.ca/HousePublications/Publication.aspx?DocId=2333717&Language=e&Mode=1>. (note from copyeditor: I did not think necessary to add a link to Lalonde's bio; in fact, I was confused by it...)
- 8 <http://laws.justice.gc.ca/en/ShowTdm/cs/C-46>.
- 9 Canadian Medical Association. (2007). Euthanasia and Assisted Suicide (Update 2007). Retrieved online: <http://policybase.cma.ca/dbtw-wpd/Policy/pdf/PD07-01.pdf>.
- 10 St-Arnaud, J., Beaudet, M. P., Tully, P. (2005). Life Expectancy. Health Reports, Vol. 17, No. 1, Ottawa: Statistics Canada. Retrieved online: <http://www.statcan.ca/english/studies/82-003/archive/2005/17-1-e.pdf>; see also <http://www.statcan.ca/Daily/English/991125/d991125d.htm>.
- 11 A Brief History of Heart Transplantation. Retrieved online: <http://www.cumc.columbia.edu/dept/cs/pat/hearttx/history.html>.
- 12 Canadian Institute for Health Information. (2008). The Cost of Acute Hospital Stays by Medical Condition in Canada, 2004-2005, p. 25, Figure 8.1 – Estimated share of acute care inpatient costs due to the treatment or presence of complexities, selected medical conditions, all age groups and sexes, 2004-2005, DAD reporting jurisdictions. Retrieved online: http://secure.cihi.ca/cihiweb/dispPage.jsp?cw_page=AR_1949_E.
- 13 Canadian Government Main Estimates. Retrieved online: http://www.hc-sc.gc.ca/ahc-asc/performance/estim-previs/main-princip/index_e.html.
- 14 Bank of Canada. Retrieved online: <http://www.bankofcanada.ca/en/cpi.html>.
- 15 York, J. Death with Dignity. Retrieved online: <http://www.newhumanist.com/death.html>.
- 16 Wait Times in Canada. Ottawa: Health Canada. Retrieved online: http://www.hc-sc.gc.ca/hcs-sss/qual/acces/wait-attente/index_e.html.
- 17 http://www.moredoctors.ca/learn_more/.
- 18 Butler, D. (2008, March 18). Only a jury can free me: Latimer. *National Post*, p. A5.
- 19 Right to Die Society of Canada, <http://www.righttodie.ca/>.
- 20 van der Lee, M.L., van der Bom, J.G., Swarte, N.B., Heintz, A.P.M., de Graeff, A., van den Bout, J. (2005). Euthanasia and Depression: A Prospective Cohort Study Among Terminally Ill Cancer Patients. *Journal of Clinical Oncology*, 23:27, 6607-6612. Retrieved online: <http://jco.ascopubs.org/cgi/reprint/23/27/6607>.
- 21 van Kolschooten, F. (2003, April 19). Dutch television report stirs up euthanasia controversy. *The Lancet*, Vol. 361. Retrieved online: <http://download.thelancet.com/pdfs/journals/0140-6736/PIIS0140673603130905.pdf> (link requires free registration).
- 22 The original article appeared in Stevens, K. (2006). Emotional and Psychological Effects of Physician-Assisted Suicide and Euthanasia on Participating Physicians. *Issues in Law & Med.*, 21:187. Retrieved online: <http://www.pccf.org/articles/art44.htm>.
- 23 M. Somerville, personal communication, March 15, 2008.
- 24 Ibid.
- 25 Canadian Institute for Health Information, http://secure.cihi.ca/cihiweb/dispPage.jsp?cw_page=PG_30_E&cw_topic=30&cw_rel=AR_43_E.
- 26 Government of Canada. (2007). Canada Health Act Annual Report 2006-2007. Retrieved online: http://www.hc-sc.gc.ca/hcs-sss/pubs/cha-lcs/2006-cha-lcs-ar-ra/index_e.html.
- 27 Hagen, N. Managing Pain. Retrieved online: <http://www.cancerboard.ab.ca/Research/OurResearchers/ResearchStories/Dr.+Hagen/>.
- 28 ScienceWeek. (2003, December 12). Medical Biology: History of Pain Management. Retrieved online: <http://scienceweek.com/2003/sa031212-6.htm>.
- 29 <http://www.imfcanada.org/default.aspx?go=article&aid=220&tid=8>.

THE CASE AGAINST PERFECTION: ETHICS IN THE AGE OF GENETIC ENGINEERING

SANDEL, M. (2007). CAMBRIDGE: THE BELKNAP PRESS OF HARVARD UNIVERSITY PRESS

Hunting for specific characteristics for egg and sperm donors, one couple seeks deafness for their child; another, health and intelligence. Harvard Professor of Government Michael Sandel opens his latest book with these stories, asking “What makes [designing deaf children] wrong – the deafness or the design?” The second story also makes us uneasy; even if designing for health, a positive attribute, there is still something troubling about parents ordering up a child with certain genetic traits.

The problem, Sandel writes, is that the usual terms employed in political debate – autonomy, fairness, and individual rights – fail to grasp the nature of the problem of genetic enhancement. The issue here concerns “the moral status of nature” itself, the relationship between humanity and the natural world all around us. The genetic enhancement of children, Sandel argues, is a desire to remake nature according to our own purposes, and the

result may be a loss of something bigger and intangible, a loss of “the gifted character of human powers and achievements.”

Sandel argues against genetic engineering because it undermines the way we perceive ourselves as humans. The vision of freedom it presents is tempting but, he warns, “it threatens to banish our appreciation of life as a gift, and to leave us with nothing to affirm or behold outside our own will.”

It’s an ambitious task; the attitude toward nature he argues against has been prevalent in the Western world for the greater part of 500 years. Still, he offers an insightful – and convincing – warning, filled with anecdotes to substantiate his argument that the “ethic of giftedness” is gradually being overtaken by an ethic of mastery, willfulness, and dominance. His book is a must-read for all interested in the relationship between technology and the family.

IT TAKES A FAMILY: CONSERVATISM AND THE COMMON GOOD

SANTORUM, S. (2005). WILMINGTON: INTERCOLLEGIATE STUDIES INSTITUTE

Strong families, not big governments, are the key to a healthy civil society, writes the former Republican Senator from Pennsylvania. A take-off on the title of Hillary Clinton’s book *It Takes a Village* published in 1995, this book discusses why big government funding will never get to the heart of what’s ailing American civil society – and could make some problems worse.

Rick Santorum was the author of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, welfare reform legislation passed by President Bill Clinton. A firm believer in economic independence for the poor, his book’s strongest contention is that liberal economic policies since the 1960s have kept the poor economically dependent on the state and contributed to the breakdown of the family.

For Santorum, the natural family is the key to the “common good” because of its unparalleled ability to create and replenish stores of human capital. When families function well, social, economic, moral, cultural

and intellectual capital increases. But when families are fragmented, society’s share of these goods diminishes. The state’s “experts-know-best” mentality has undermined the power of the natural family, consequently diminishing just the sort of capital it promised to create.

By far, the book’s most serious weaknesses are its gross generalizations. Statements like “liberalism is an ideology, conservatism is common sense,” only undermine Santorum’s credibility as an objective truth-seeker for policies that will help the American poor and re-establish the “common good.” He vilifies the liberal “elite” as if they were the sinister characters in a Grimm fairytale.

It’s too bad for a Republican whose ideas were adopted by Bill Clinton. There’s plenty of evidence that top-down social interventions do not work, except in the imaginations of liberals crafting such policies. Too bad Santorum didn’t focus on that evidence – apparently political cheap shots die hard, making this a book that preaches to the converted.

GANG LEADER FOR A DAY: A ROGUE SOCIOLOGIST TAKES TO THE STREETS

VENKATESH, S. (2008). NEW YORK: PENGUIN PRESS

In the fall of 1989, graduate student Sudhir Venkatesh donned his tie-dye shirt and strolled off the affluent campus of the University of Chicago to study poverty in America. Venkatesh soon found himself held at gunpoint by agitated gang members in Chicago's infamous public housing projects. The sociology student seized the opportunity to pose the first question from his well-meaning survey: "How does it feel to be black and poor?"

Stephen J. Dubner co-author of the book *Freakonomics*, which previews Venkatesh's work, argues that the now Columbia University sociologist has two abnormalities: an overdeveloped curiosity and underdeveloped sense of fear. Surviving his first encounter with the Black Kings street gang, Venkatesh's two abnormalities helped him develop a relationship with J.T., an up and coming leader in the gang. J.T. challenged the graduate student to lose the clipboard and "hang out" if he really wanted an education in the projects. The challenge launched a seven-year rogue research study into the inner workings of the Black Kings and life in Robert Taylor, the largest public housing project in America.

A gifted storyteller, Venkatesh describes the Black Kings' detailed crack cocaine enterprise and complex relationships with residents, tenant leaders and community organizations within the Robert Taylor project. To reduce police involvement in the community in order to cultivate robust drug sales, the gang dispensed law and order on behalf of residents and tenant association leaders. Venkatesh discovered an underground economy lubricated by payoffs, bribes and levies. In this complex economy, the Black Kings donate proceeds from crack sales to fund children's programs, while tenant leaders "tax" illegal business operating out of their buildings.

Throughout the book Venkatesh wrestles with the ethically murky haze hanging over the Robert Taylor complex. He is troubled at times with the community's weary acceptance of the "give and take" relationship with the Black Kings. He struggles with his own role as an observer who finds himself more than a bystander at times. In particular, Venkatesh seems troubled by the nature of his relationship with J.T. and the people of Robert Taylor. He contemplates whether his pursuit of information has led him to hustle the street hustlers he interviews.

Ironically, the Robert Taylor project, completed in 1962, was named after a former Chicago Housing Authority board member who opposed segregated neighbourhoods. Over the years public housing became less of a temporary stop for struggling families and more of an entrenched way of life. By the 1980s Robert Taylor's decaying infrastructure had become home to brothels and drug dens. Drifters took up residence in the stairwells and gangs sold crack in the lobbies. In the 1990s, the federal government began tearing down Robert Taylor and public housing projects like it across America. Large amounts of public funding were allocated to the construction of mixed income neighbourhoods thought to improve life for the urban poor. However, despite expensive programs to relocate

BY THE 1980S ROBERT TAYLOR'S DECAYING INFRASTRUCTURE HAD BECOME HOME TO BROTHELS AND DRUG DENS. DRIFTERS TOOK UP RESIDENCE IN THE STAIRWELLS AND GANGS SOLD CRACK IN THE LOBBIES

residence to better neighbourhoods using rent vouchers, most tenants migrated to other poor neighbourhoods. Fewer than 10 per cent returned to the redeveloped mixed income homes. While Venkatesh chooses to focus on the sociological dynamics of the projects and the impact of the redevelopment plan, it is hard to ignore the failure of public housing policies in North America.

Gang Leader for a Day is a colourful book – the author doesn't hesitate to print those same expletives that gang leaders might use. It combines intriguing insights into the projects with fascinating profiles of the people who opened their lives to Venkatesh. It wouldn't be a surprise if this descriptive narrative found its way to the big screen. Movie theatre or lecture hall, this rogue sociologist would have no trouble filling the seats.

PRO-ABORTION, NOT PRO-CHOICE

BILL C-484 RESPECTS WOMEN'S WISHES. SO WHY ARE PRO-CHOICERS AGAINST IT?

by *Andrea Mrozek*

It's fair to say that very few people expected this bill to go anywhere. But go somewhere it did (to the Justice and Human Rights Committee for discussion), on March 5, 2008, when Bill C-484 passed second reading. It's the Unborn Victims of Crime Act that seeks to recognize unborn victims of violence and protect mothers carrying children from violence. As the Quebec Federation of Medical Specialists and the Quebec National Assembly speak out against the bill as an attempt to recriminalize abortion, many others are left wondering: just how did this become a debate about abortion?

Even before it passed second reading, pro-abortion activists were apoplectic. A pitifully small crew marched on Parliament Hill on May 3. They are blogging – the new campaign slogan at breadnroses.ca is “One Body. One Person. One Count.” That blog reads: “While pretending to ‘protect’ pregnant women, what this bill really is is a backdoor attempt to create ‘personhood’ rights for fetuses – a necessary first step in re-criminalizing abortion.” It goes on: “We cannot allow the fetus fetishists to gain one nanometre on this.”

Pro-lifers had barely noticed said bill, because it rests on “wantedness” principles. There is a clause expressly excluding abortion and “any act or omission by the mother of the child.”

The bill is both pro-life and pro-choice. Most Canadians are somewhat chagrined to find out we don't have such a law already. Case in point: in March 2008 Angus Reid released the results of a poll asking Canadians whether they supported Bill C-484. Seventy per cent said they did, and more women (74 per cent) than men (66 per cent). Only one in four saw the bill as a “veiled attempt to recriminalize abortion.”

This is not to say there's no room for reasonable dissent. It's fair to ask, from a libertarian perspective, whether we could not simply work with the legislation we already have.

Yes, the current law allows for aggravating factors in an assault, including pregnancy – which means that additional body, the fetus, has already been identified and acknowledged by cunning people in the courts (oh, will the pro-life conspiracy never end?). But Bill C-484 would not change so much as strengthen the status quo by recognizing the obvious crime against the second victim – in many cases the very reason why a woman was attacked.

Pro-abortion forces have gone back and forth between two strategies on the abortion debate. One is to pretend that in a pregnancy there is no additional entity, whether you call that a fetus or an unborn child. But a different view within the pro-abortion camp is emerging. Shelley Gavigan, law professor at York University, told an audience gathered to mark the Morgentaler decision in January 2008 that: “If you must acknowledge the discourse of the unborn child, [if] we must reinsert the vernacular of the unborn into the discourse, the pregnant woman and the unborn child speak with one voice and that voice is hers.”

“That voice is hers” could be the line that comes back to haunt the pro-abortion side on Bill C-484. Because it is precisely “her voice” that is crying out for the bill: Victims' families are asking for it, given that their daughters and they themselves wanted these unborn children.

Given this, the strategy of belittling the victims' families might not prove fruitful. In one online open letter to Mary Talbot, a supporter of the Bill whose daughter and unborn grandson were shot to death in Edmonton in 2005, a blogger at BreadnRoses.ca writes: “The thing that confounds me is this: how could you let these groups of religious fanatics, political opportunists and fundamentalist hypocrites exploit your grief?” The blogger goes on: “Or could it really be about the redemption that you were vicariously seeking through your daughter's choice? You thought you had lost Olivia to drugs. Then she found herself pregnant, and through the possibility of motherhood, she re-created a new life for her own self, as she was giving life.”

Giving life? What's that? There's only one body, right? And one count. And it appears, for pro-abortion extremists, only one choice. The strident opposition to Bill C-484 shows those who oppose this bill are not, in fact, pro-choice. After all, these women wanted their babies. But much to the quiet amazement of the pro-life community, opponents have raised the public profile of this bill, and with it, their own insecurities and hypocrisy.

JOIN US IN BRINGING TOP NOTCH RESEARCH TO THE FOREFRONT OF CANADIAN FAMILY POLICY.

We've made it easy for you to partner with us. Visit www.imfcanda.org to learn more about our supporter categories and join today!

SUPPORTER CATEGORIES:

LEVEL	ANNUAL AMOUNT	MIN. MONTHLY GIFT	BENEFIT
Supporter	\$50-\$99	N/A	Free copy of the IMFC Review and notification of all events and research
Friend	\$100-\$349	\$10	All the benefits of Supporter level plus copies of all briefings and reports
Research Club	\$350-\$999	\$30	All the benefits of the Friend level plus a special quarterly report
Executive Club	\$1000-\$4999	\$85	All the benefits of the Research Club plus recordings of all events and invitations to exclusive pre-event receptions
Leaders Club	\$5000-\$9999	\$425	All the benefits of the Executive Club plus invitations to special events with keynote speakers and decision makers.
Visionary Club	\$10,000 or more	\$850	All the benefits of the Leaders club for up to 3 people

**IF IT WEREN'T FOR US,
HOW WOULD YOU KNOW?**

IMFC 

As a parent, elected official, government policy researcher or social agency, you need the most accurate and up-to-date information about the issues affecting families today.

Putting it in your hands is our goal.

At the IMFC, our research brings clarity and insight to the policies shaping today's families and impacting tomorrow's.

Rest assured: if it affects the Canadian family, we're looking into it.

Visit www.imfcanada.org to sign up for free updates and resources, or to refer an associate to our site.