

Making a Case with a Rose

Thank you for being here and giving me the opportunity to share Mary Wagner's journey for life with you. I first met Mary at her mom's BC home in the 1990's. She is one of 12 children, 5 of them adopted. Mary's parents are foster parents, and Mary too has a big heart for caring for others. I've appreciated her quiet, gentle presence and loyal friendship while in prison.

Mary is highly thought of by all the women at the prison. She serves them with constancy of heart, making herself available for their varied needs. Previously, Mary spent time in prison in B.C. for the vigils she kept at abortuaries there. She also studied to be a nun in France for 4 years. She then felt called to stand in solidarity with the unborn and came to Ontario to join me.

Mary is known for being given to prayers and devotions and shares her faith as easily as she breathes. Her in-house pro life witness has saved half a dozen children from death since 2008.

When Mary attends the abortion clinic, she brings long-stemmed roses with her into the abortuary waiting room. Each rose has a pro-life information card attached by a ribbon. Each rose is a tangible symbol of the love she offers to both mother and child. Each rose is a plea for a mother to respond in love to the little one knocking on her womb wall.

Mary hazards her love to rescue innocent babies in jeopardy of fatal assault. Her several rescue actions have cost her a collective prison time of 2.5 years and counting. Currently, she remains in prison without bail since August of 2012. Mary objects to the bail conditions which would ban her from returning to the abortuary. She refuses to check her conscience at the door.

Mary forfeits her liberty that the unborn might recover theirs. She puts the horrific plight of the unborn on the court record.

Mary Wagner's defense counsel, Charles Legosi, will argue that the "anyone" in Section 37 of the Criminal Code of Canada includes the unborn, whom Mary was there to defend from fatal assault. Section 37 reads in part, "everyone is justified in using force to defend himself or anyone under his protection from assault, if he uses no more force than is necessary to prevent the assault or repetition of it."

Mr. Legosi, a constitutional lawyer and professor, has published a dissertation in the journal, "Issues in Law and Medicine." His article is titled, "Conforming the Rule of Law: When Person and Human Being Finally Mean the Same Thing in Fourteenth Amendment Jurisprudence." He has also argued cases before the Supreme Court both in Canada and the United States.

Another who has answered the cry of the unborn was Joe Borowski. Borowski served as a cabinet minister in Ed

Shreyer's NDP government from 1969 until 1971. He was adamantly opposed to Canadian Federal abortion policies and was incensed about the absence of provisions for the unborn in the Charter of Rights and Freedoms.

Joe spent a decade in an epic struggle to have the unborn's rights recognized in the Charter. He came closer than anyone else in challenging the laws surrounding abortion in Canada and in achieving pro life legislation.

The Supreme Court refused to hear Borowski's case in 1989 on the grounds that his motion had become irrelevant as a result of the Morgentaler Decision just one year earlier. That decision struck down of Canada's abortion laws.

With no law restricting abortion, a woman could now have the child she is carrying killed the day before birth, with impunity. As a result, killing is raised to a false right with no law proscribing acts against innocent life.

During the Borowski trial, Morris Schumiatcher, counsel for the defence, spoke of the court's reticence in putting a law into place. He said, "Failure to make a decision is a decision." Prophetically, he predicted the outcome saying, "I think the question of whether the unborn are members of the human family or not will haunt the court until it decides."

Everyone in this room started as a single fertilized egg. Each of us spent as much as nine months safely in our mothers' womb. No one interfered with our safety. How

dare we stand by idly while helpless babies are killed?
They need our voice.

On the one hand we have Mary Wagner standing tall and strong on behalf of defenseless unborn babies, while on the other the majority of parliamentarians do not even want to discuss this critical issue let alone take a stand on the rights of the unborn. While Stephen Woodworth and Mike Warawa have proposed bills to open that necessary discussion, Parliament's reticence to consider the issue is a continuation of the injustice and discrimination against our innocent unborn.

Canadian law needs to restore justice from conception on and resuscitate Canada's human rights record by assuming its responsibility toward all human life. The answer is self-evident: protection from the beginning.

In order to clear the political fog surrounding these injustices, we can gain insight from William Wilberforce's parliamentary campaign against the British Slave Trade. For 26 years Wilberforce relentlessly kept the abuses of the slave trade on parliament's agenda. He was active in supporting the Slave Trade Act of 1807 and lived to see the passage of the Slave Abolition Act of 1833. He died three days after the Slave Abolition Act passed.

I shutter to think we live in a country where we decapitate, dismember, and disembowel tiny humans. It is imperative that we persist in exposing the abuses of this country's abortion trade. The abuses are myriad:

- #1 that the unborn suffer cruel and unusual treatment.
- #2 that they are denied the right to be spoken for.
- #3 that they are denied equal protection under the law.

Alexander Solzhensitsyn, in his book *Gulag Archipelago*, described the repercussions of power exercised unjustly and without judicial restraint. He wrote, “In keeping silent about evil, in burying it so deep within us that no sign of it appears on the surface, we are implanting it and it will rise up a thousand fold in the future.”

He concludes, “We are ripping the foundation of justice from beneath new generations.” The injustice of abortion has festered for 44 years and now rises in greater social malaise. Women carry one twin to term while aborting the other. Women abort their female children because they prefer a male child. Babies born alive during abortions are killed or left to die.

Yes, the collateral damages rises to the surface. It is obvious and intolerable.

The serious legal vacuum that permits, protects and promotes the destruction of innocent unborn life must be remedied. The preamble of the Charter of Rights and Freedoms declares that, “whereas Canada is founded upon principles that recognize the supremacy of God and the rule of law.” This preamble recognizes a superior authority that favors life and the weightier matters of the law “judgment, mercy and faith.”

Mary Wagner's prayerful service to these holy principles communicates God's will for these children not yet born to live without threat. She is making her case one rose at a time. One rose offered. One baby freed. One life secured.

Mary will live out her belief with or without the support of the law. She believes the law should serve justice and justice (should) serve the good.

Shelley, who was a poet and son of a politician, wrote, "we should devote to justice the last hour of the day." The hour is late, the cause crucial, the moment not to be wasted.

Please put your support behind Mary Wagner's defense fund. Encourage others to participate and pray fervently God's will be done. God's will is life for time and eternity.