

Sunday closing blamed on Christian intolerance

By William Walker Toronto Star

LONDON, Ont. — Christian intolerance is behind the "legislated criminality" of Ontario's Sunday closing law, an irate bookstore owner has told MPPs.

Marc Emery, who has operated downtown London's City Lights Bookstore for 13 years, said yesterday he has been charged numerous times for opening Sundays, "and I'm proud to say that I'm a law-breaker."

In a strong attack, Emery blamed churches and the religious community for pressuring government to uphold the law requiring Sunday store closings.

Four separate church groups also made submissions yesterday to the select committee on retail store hours, urging the government to protect Sunday as a day of rest and to close loopholes that allow some businesses to open.

Deny choices

Current law prohibits Sunday store openings with a long list of exemptions, including a Saturday closing option to allow Sunday openings, a formula allowing municipalities to designate tourist areas where stores can open, and a general exemption for corner stores that sell convenience items.

"Show me a Christian who claims never to have enjoyed the productive work or service of others on a Sunday and I'll show you either a fool, liar or a hypocrite," Emery said.

He said "organized religions are the most ardent supporters of this legislated criminality" because they want to protect the status quo "by denying free choices to sup-

posedly free citizens in a supposedly free nation.

"Many disciples of Christ have abandoned the task of saving souls with moral suasion and have instead opted for the tyranny of government legislation to save, or more accurately, to coerce a man's soul," he said.

"It is ironic, that while stripping businessmen of their right to their property, these same churches enjoy a tax-free status subsidized in part by the taxes of the victims of their Christian intolerance."

Some members of the small audience at yesterday's hearing gasped noticeably during Emery's testimony, while MPPs looked on impassively.

One MPP, Robert Mitchell (PC-Carleton), later said he also sees "a

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great hypocrisy" in the Sunday closing law.

"I saw a man come out a grocery store one Sunday with his cart loaded with groceries and he had a priest's collar on," Mitchell said. "I have a great problem with this, if this is their position."

Emery opened his bookstore the first Sunday in December after the Supreme Court of Canada upheld the law.

No growth

He gave away about \$1,500 worth of books in an attempt to prove there was a demand for Sunday shopping but was still charged by police for opening his store illegally.

He argued that customers are "always right," and if there is a demand for Sunday shopping, retail-

ers should have the right to fill that demand.

Emery's views were mirrored by a submission from the Freedom Party of Ontario, a London-based registered political party with about 200 members.

Robert Metz, party president, said Sunday shopping is a basic issue of freedom of choice, both for the retailer and the consumer.

"Retailers who choose to open their doors to the public on Sundays are not forcing their customers to shop, they are not forcing their competitors to open and they are not forcing their employees to work Sundays," Metz said.

Earlier, Tim James, manager of the Marks and Spencer chain of department stores, contradicted previous testimony by Barry Agnew, vice-president of the Bay.

James said Sunday openings would not create growth in the re-

tail market, no new jobs would be created and prices would inevitably rise — each prediction directly opposite that of the Bay.

In British Columbia and Alberta, where Sunday shopping is legal, the Bay reported sales growth of 11 per cent, but James said Marks and Spencer stores in those provinces have experienced increase.

Sunday pay

"There is only so much to be spent and our experience has indicated that in the long run, Sunday shopping simply spreads the dollars over a longer period," James said.

Another submission against Sunday openings came from Bill Reno, president of the provincial council of the 70,000-member United Food and Commercial Workers Union.

Reno said his members fear the negative effect Sunday openings

would have on family life. He also warned MPPs that part-time workers, who number 75 per cent of the union's membership, would inevitably be forced to work Sundays.

"Those (part-time workers) who legally refuse to work Sundays may well regret doing so," he said.

"Their hours can be reduced and their shifts can be altered in retaliation for their unwillingness to cooperate with their employer's needs and no legislation can prevent this."

Reno said that if some form of more liberalized shopping law is created, the union would urge legislation guaranteeing 50 per cent premium pay on Sundays for workers in essential services and 100 per cent premiums for workers in non-essential jobs.

The hearing continues today in Windsor.