

Church and Government in Canada

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Introduction

Canada is a country which takes pride in its commitment to religious freedom and tolerance. Citizens are, for the most part, free to practice their own faiths according to their own traditions without fear of interference from the government. Even in cases of conflict between religious observance and Canadian traditions, there is great effort on the part of Canadians to be tolerant. An example of this is the treatment of a Sikh officer in the Royal Canadian Mountain Police. This officer was granted permission to wear his turban, instead of the traditional Stetson hat for which the RCMP has long been known.

The freedom to worship God according to one's faith and conscience has been a recognized as a cornerstone of Canadian society since its beginning. More recently, as of 1984, religious freedom has been assured by our Charter of Rights and Freedoms. The church acknowledges this freedom and give thanks for it.

We in the church also enjoy the status of charitable organization under the Canadian tax laws. This status gives substantial tax benefits for clergy and means that gifts and offerings to the church are tax deductible. In this way, the government of Canada encourages its citizens to support the work of the church.

Although there is a widely accepted view that church and state are separate in Canada, in the area of marriage, the church and state have traditionally worked in cooperation. The government of Canada recognizes the church as an agent in the performing of civil marriages. Ordained clergy are granted authority from the state to solemnize marriages.

Along with the authority to solemnize marriages, the church holds the responsibility of determining whether or not a marriage is Christ honouring. Marriages, therefore, which do not fall into what the church would consider Christ honouring are not performed by the church and those wishing to marry are referred to a non-church civil servant, such as a justice of the peace.

It is in this area, however, that we now find ourselves entering into a new chapter of church and state relationships. Due to several recent court decisions declaring it unconstitutional to refuse homosexuals the right to be married, the Canadian government has become is embroiled in a debate over the meaning of the word "marriage." As a result of this debate, on June 28th 2005, new legislation was adopted by the Canadian Parliament which has redefined marriage in Canada. No longer is marriage an exclusive union between a man and a woman in a lifelong committed relationship. Instead,

marriage is now defined in Canada as any exclusive union between *two persons*, regardless of gender, in a committed life long relationship.

While this debate was going on, the Christian Reformed Church in North America made efforts to communicate with the government to express our concerns.

The Church Communicates with Our Government

There are several ways for the church to communicate with the government in Canada. Each church member, as a citizen of Canada, may express his or her personal opinion, by phone, e-mail or letter, to their local Member of Parliament (MP) or any elected parliamentarian. This includes the Cabinet Ministers and the Prime Minister' although it is highly unlikely that the Ministers would deal personally with communications from individual citizens.

During the same-sex marriage debate, many church members expressed their personal concerns to the government. Christians from across Canada wrote their MP's and the Cabinet Ministers, asking them not to redefine marriage. The concern for the church is that our role in solemnizing marriage will be affected. If the Government decides that same-sex marriages are legal, the church may one day be penalized for not solemnizing such unions.

The Christian Reformed Church, also has a more formal method of communicating with our government. The Canadian Trustees of the CRCNA communicate with the government through a standing committee appointed specifically for this task. The Committee for Contact with the Government, (CCG) which has served as the Christian Reformed Church's voice in Canada since 1968, presents the official position of the CRCNA to the government of Canada.

This Committee for Contact with the Government submitted a detailed document to the Canadian Government, outlining the Christian Reformed Church's position on marriage and proposing a possible solution to the perceived need for legal recognition of same-sex unions.

In their brief, *Same-sex Unions: A Case for a Just Pluralism*, the CCG recognized the "plurality in value systems, culture and interdependent relationships" in Canadian society. They also gave recognition to the task of the government to balance the diversities within society. However, with respect to marriage the CCG called upon to Government of Canada not to try to redefine the term marriage. The CCG argued that there are "socially, culturally and spiritually ascribed understandings of marriage that go beyond the jurisdiction of the state." They pointed out that the "uniqueness of marriage is closely related to the dual and complementary nature of humans."

The CCG recommended that Canada and the church would be better served if the traditional definition of marriage were maintained and a new legal recognition of same-sex unions was adopted.

The Response of the Government of Canada

As this debate unfolded, there were various responses from representatives of the Canadian Government. Although no formal response was sent to the CCG, general responses were made publicly for all citizens who had expressed concerns about same-sex marriage. Not all of these responses were positive.

One Cabinet Minister, the Honourable Pierre Pettigrew, grew impatient with what he considered to be interference from the church. He stated in an interview that he believed in the principles of the separation of church and state. He said that “the church should butt out of the government’s business.”

In other statements from the Federal Government of Canada, however, it was repeatedly expressed that, churches had nothing to fear from this new legislation. Assurances were given that the purpose of the legislation was to defend the rights of gay and lesbian individuals and not to infringe on religious freedom. Government officials made promises that certain provisions were being written into the legislation that would protect the church from ever being forced to perform marriages to which it could not consent because of religious conviction.

The government was somewhat more personal in responding to the private letters that were sent. I received a letter from my Member of Parliament assuring me that he was opposed to the proposed legislation. I also received a letter from the Prime Minister’s office assuring me that the church would be protected by the Charter of Rights and Freedoms. This letter promised that “no church, temple, mosque or synagogue can be compelled to perform a marriage ceremony contrary to their beliefs and traditions.”

Based on the official responses to our concerns, it would appear that the church has nothing to fear from the Government of Canada. Yet as assuring as the government has tried to be, the reality in Canada is beginning to suggest something else. In several cases across the country, the freedom of religious conviction of Canadians has been challenged.

Even before the legislation was passed, the form used by religious organizations for legally recording marriage had been changed to represent the new inclusiveness. Formerly these forms provided places for the names of the “Bridegroom” and the “Bride.” According to the current form the names of “Applicant” and “Joint Applicant” are to be recorded. Since these forms are only used for marriages within various religious communities, it seems presumptuous to make the change.

There have also been examples of legal challenges to religious leaders and organizations for their refusal to endorse same-sex marriage. Roman Catholic Bishop Fred Henry, of Alberta, Canada, is facing charges before the Alberta Human Rights Commission for his views on homosexuality. Bishop Henry wrote his views in a letter to his parishioners, making reference to homosexuality, adultery, prostitution and pornography, as things which “undermine the foundations of the family, [and] the basis of society.”

In another case, a Roman Catholic group in British Columbia, Canada, refused to rent of one of their halls to a same-sex couple for their wedding reception. The couple took the Christian group to court and won the “right” to use the facility for their reception.

Conclusion

There are many other examples of the slow deterioration of religious freedom in this area of life. In Canada, a nation priding itself on religious freedom and tolerance, there exists today, the beginnings of religious intolerance. It is an intolerance that may eventually lead to church leaders being taken to court, fined and perhaps jailed, for refusing to perform certain marriages.

Another possibility is that the church may lose its status within our nation’s society. Some have suggested that charitable status of the church should be revoked if they do not comply with the new definition of marriage. This would mean increased costs for the church as well as individual members who support the church financially.

How this will be resolved is still not clear. Perhaps a further separation of church and state is in the future for Canada. The provincial government of Alberta has already suggested that they may make marriage the sole responsibility of the state. This could conceivably remove the challenge to the church but it may also decrease the church’s influence in our society.

Christians in Canada may be faced with some challenges to their freedom in the future. Thankfully, we maintain the freedom to communicate with our government and to express our concerns. We are also blessed with the promise that has been the theme of this REC Assembly, the Lord is on his throne and he has promised us, “I will be with you always.”