

AlbertMohler.com

Canadians Brace for Same-Sex Marriage

Thursday, June 30, 2005

The Canadian House of Commons passed legislation legalizing same-sex marriage on Tuesday. The 158-133 vote puts Canada in line to become only the third country to legalize homosexual marriage, joining Belgium and the Netherlands. According to press reports, the bill needs only to be passed by the Canadian Senate (where it is supported by a wide margin) and to receive royal assent (which is considered a formality).

The Vancouver Sun celebrated the passage of the bill with an editorial claiming that the move would “enhance Canada’s reputation as a human rights leader.”

Take a look at how the paper addressed the issue of religious liberty:

Indeed, there’s reason to believe the new law will be beneficial, not just for gays and lesbians, but for their children and for society, as it recognizes and formalizes the commitment of gays to take care of each other and their families.

And though it might not be readily apparent, the law will also enhance religious freedom. Although not all religious groups oppose the law — in fact, the United Church, the second largest religious body in Canada, supports same-sex unions — many were among its most vociferous opponents.

In addition to their belief that the government shouldn’t formally recognize what they regard as sinful behaviour, many religious people fear that their churches will eventually be forced to perform gay marriages against their will.

These opponents proposed a variety of amendments to the bill to protect religious officials’ right to refuse to perform gay marriages. But as the Supreme Court of Canada made clear in Reference re Same-Sex Marriage, those amendments are generally beyond the jurisdiction of Parliament, since the provinces have authority over the solemnization of marriage.

Nevertheless, the court also maintained that “the guarantee of religious freedom in s. 2(a) of the Charter is broad enough to protect religious officials from being compelled by the state to perform civil or religious same-sex marriages that are contrary to their religious beliefs.”

The court further stated that churches could not be compelled to permit the use of church buildings for gay marriages or to otherwise assist in such unions.

Consequently, the new law actually broadens religious freedom because, while not infringing on the right of religions to refuse to perform gay marriages, it will make it possible for them to choose to sanctify same-sex marriages that are, for the first time, fully recognized in law.

Will these protections last? There is very real reason to believe that they may not last for long. Canadian “hate speech” laws have already been used to intimidate churches and Christian organizations from teaching that homosexuality is a sin. In a now-infamous exchange before the Canadian Parliament, the nation’s attorney general once refused to answer when asked if the Bible would be considered hate speech. There is big trouble up north.

SEE ALSO: [Gay Marriage Around the Globe](#), BBC News; [Gay Marriage Cements Canada’s Liberal Reputation](#), Reuters; [A Landmark Win for Gay Couples](#), The Toronto Star.

