

Centre for Cultural Renewal - Posted May 12, 2008 * Vol. 158

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Christian Horizons, Secularist Sunsets and the Nature of the "Public"

The Ontario Human Rights Commission recently issued a decision that is prompting various people to utter some of the most interesting and nutty commentary seen in Canada in many a year. I plan on commenting on this in some detail in future posts. Before I do, however, I want to clear some brush.

Some suggest that public funding entails the requirement to be atheistic and agnostic - of course they don't say it in exactly that way, but when you boil it down that is what it amounts to. They use euphemisms for it; they don't speak bluntly. They use words like "secular" which act like novocaine on the minds of contemporary men and women - those who have been numbed by repetition of such phrases as "religion AND the secular." Sooner or later it is all too easy to come to believe the confusions repeated in our own time which we inherited from earlier generations. But scrape the rhetoric and soon it amounts to "atheist/agnostic beliefs good, religious beliefs bad."

Is there something in the water coolers at Queens Park that precludes so many Ontario politicians from any intelligent understanding of what it means to live in a pluralistic and free and democratic society? Someone should do tests. And, sadly, it is not limited just to the coolers at Queens Park. Much of what one reads is just thigh-slapping good fun until you realize the writers are serious. Then it makes one very worried indeed for the future of the country.

[Christian Horizons](#) is an evangelical Christian organization that runs long-term care facilities in Ontario. It has over a thousand employees and gets many millions of dollars from provincial coffers. All their employees had to sign, until recently, what is known as a "Christian conduct clause" the validity of which was established, if legal precedent was needed, in the Trinity Western University decision of the Supreme Court of Canada some years ago.

One of the many varieties of employee at Christian Horizon, one Ms. Heinz, signed the "no adultery, no pornography, no lying and no homosexual sex" clause (to boil it down a bit) since dropped by the organization and then, some years later, decided she was (or was born) a lesbian. She resigned and took her case to the Ontario Human Rights Commission, which decided that Christian Horizon was not Christian or not "religious" because it was serving people in the public. You can view the decision [here](#).

Enter the privatizers.

Is the OHRC saying that if I take money for something and serve people other than my creed I am not religious or that my work has no place in the public sphere? That is what the decision holds. Yet to decide the matter in this way has vast and disastrous consequences for education and health care where religious projects are funded from public coffers (and so they should be) - the very kind of consequences religious privatizers would love.

The tactic of privatizing religion and limiting it to the private sphere has been tried over and over again and is the main thrust of the anti-religious ideology of secularism.

Some years ago I had the privilege of being co-counsel for the appeal of Toronto printer Scott [Brockie](#) against another lamentable decision of the OHRC. Before the Ontario Divisional Court (where appeals of administrative tribunals go) the OHRC argued that Scott [Brockie](#) was entitled to his views "in his home and in his church" but, and this is key, when he entered the "public square" it was argued by the OHRC that his views must give way to the public policy of something dreamed up by vivid fantasy - "the advancement of gays and lesbians" which, it was argued, meant that Mr. [Brockie's](#) views opposing gay and lesbian advocacy groups, had no place

in the public sphere. Wrong. He won on that point, was allowed his public beliefs (but not for "letterhead" or "ordinary business materials which he still had to print). The decision should be a landmark victory and well known by those who wish to run religious projects in the public. It isn't. Here again we see the ghost of the OHRC arguments, once killed in [Brockie](#), rehired, given new clothes and now walking amongst us clothed as the Christian Horizons decision. You can read a review of the Brockie case [here](#): Lex View No. 51.

We should not be fooled again by similar approaches to attack religious beliefs in the public sphere.

The court ruled that there was no such bright line between Mr. [Brockie](#) beliefs, his printing shop and the public world of Queen Street in Toronto. When there were materials that (other than ordinary business materials such as letterhead) offended his core religious beliefs Mr. [Brockie](#) could tell those seeking his printing services to "go fish" even though he operated in the public sphere. Is that clear? He was "in the public"; he objected to certain lesbian and homosexual activities and therefore their organizations and his right to do so was allowed to do so by the court. The public sphere had to, so the logic went, tolerate divergent views even if they singled out homosexual and lesbian projects for his criticism. The Ontario Human Rights Commission was (or should have been) humiliated by the outcome. No such luck.

Judging by the Christian Horizons decision, it appears that the OHRC has forgotten about the plural and varied nature of the public sphere. Once again the courts will have to intervene on review to remind citizens (and the OHRC itself) that "yes, Virginia, there is a public place for varied views and practical projects based upon differing belief systems." Some suggest that it is the giving of money that changes the principles of fairness. Why should that be? All that money does is allow the provision of services that people want and that "the common good" deems necessary within political spending criteria and rules of fairness.

He who pays the piper cannot always call the tune or must, to put it another way, have a variety of tunes in mind when the party includes all sorts of participants (as does our society). Sometimes the musicians don't know the tune that the state asks for or hate it and don't want to play it. So it is with Christian Horizons, and they are well within their rights to dance to the tunes in which they believe. The tunes of atheists and secularists (and their beliefs) are not those shared by many sorts of Christians, Jews, Muslims or other religions and neither should we expect them to be.

Much will be written, and some of it here and from the Centre generally, about how this recent decision shows a secularistic anti-religious view of the public sphere in which religion is narrowed and squeezed and religious believers and their communities are threatened by government action or statement.

It takes conviction and a certain strength of character to oppose bullies. Ask any kid in a school ground, ask Scott [Brockie](#) and, now, ask Christian Horizons. One hopes they will not be cowed and, like some Christian groups in the past, run away, afraid to assert their rights. I remember when the Salvation Army caved in relation to Grace Hospital in Vancouver years ago and how disappointed many people were and also how many admired the strength of character shown by the Roman Catholic Archdiocese of Vancouver (and its Archbishop of the day James Carney) in shutting down (and never re-opening) Marian Regional High School when a "Catholicity" clause was at issue in a labour relations case many years ago. The Archdiocese, like Trinity Western University, insisted, against the bullies (in this case a trade union as well) that it was their right to have just such a "religious conduct clause." Both the Catholic Archdiocese of Vancouver and Trinity Western University won their cases, but only after court battles and hard slogging on the front pages of newspapers.

When groups have actually drawn lines in the sand and banded together and refused to cow-tow to the new inquisitors they have often been successful. However, it takeschutzpah to do so when

your organization is being ridiculed and threatened on the front pages of newspapers. Christian Horizons should nail its flag of courage to the mast. They should tell the bureaucrats and their secularist (and just plain confused) political allies to "go fish"; they should stand up for their principles. At the end of the day the distinctive Christian ethos of the work Christian Horizons is supported by those who use the service whether or not they or their loved ones are Christians. They can and should get public monies for what they do - the majority of taxpayers are, after all, religious (as census data clearly shows).

Bullies and their organizations will, sooner or later, back down or be ordered to do so by courts when they see there is a real fight, but they are very adept at searching for weaklings to kill off in the process. Backing down to them is the first sign of weakness and no religious group in Canada should be doing that these days. All who recognize what is really going on here should be supporting this important organization in its hour of need.

We shall be following and commentating on this decision each step of the way. I do not think this is the sunset of Christian Horizons - not yet at any rate.

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May 8, 2008