



The Evangelical Fellowship
of Canada

CANADA WATCH

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Marriage: What Now? Legal and Political Developments

Since early spring 2003, Canadians have witnessed very disturbing and rapid developments in the marriage issue. In May, the BC Court of Appeal overturned a 2001 BC Supreme Court ruling that upheld marriage as a union between a man and a woman and called on Parliament to pass legislation to allow same-sex marriage by July 2004. In June, the Ontario Court of Appeal ruled unanimously that the definition of marriage as the “union of one man and one woman” is discriminatory and not justifiable in a free and democratic society. Unlike the BC Court of Appeal, the Ontario Court ordered that marriage be immediately redefined to include same-sex couples.

That day marriage licenses were granted in Ontario to same-sex couples, and the country’s first same-sex ‘marriages’ were performed. Despite objections of nearly half of Canadians, and the fact that the House of Commons Justice Committee had not yet reported to Parliament on their extensive study of the issue, the government announced late in June that they would not appeal the Ontario Court of Appeal decision. Instead, they would release draft legislation legalizing same-sex unions that would be referred directly to the Supreme Court of Canada.

On July 7th, the Evangelical Fellowship of Canada (EFC), and its partners in the Interfaith Coalition on Marriage, announced that they would seek leave to

appeal the Ontario Court decision to the Supreme Court of Canada. The following day the BC Court of Appeal revoked the restriction to suspend the redefinition of marriage until July 2004, allowing same-sex couples in British Columbia to marry.

On July 17, Minister of Justice Martin Cauchon filed a reference (draft bill) with the Supreme Court of Canada to legalize same-sex marriage by defining marriage as: “Marriage, for civil purposes, is the lawful union of two persons to the exclusion of all others.” The second part of the bill states: “Nothing in this Act affects the freedom of officials of religious groups to refuse to perform marriages that are not in accordance with their religious beliefs.”

The government referenced three questions to the Supreme Court:

- whether the draft bill is within the exclusive jurisdiction of the federal government;
- whether it is consistent with the Charter of Rights and Freedoms;
- and whether freedom of religion guarantees in the Charter are sufficient to protect churches and religious groups from being compelled to perform a marriage between two persons of the same-sex that is contrary to their religious beliefs.

Once the reference process is complete and the Supreme Court has given its opinion on the draft bill and the reference questions, the government will introduce legislation in the House of Commons. The Bill will then be subject to the usual legislative process, likely including hearings before the Justice Committee and full debate in the House of Commons. The Prime Minister has promised a free vote in Parliament on the Bill. These rapid developments are unprecedented, and it is vital that Canadians respond speedily.

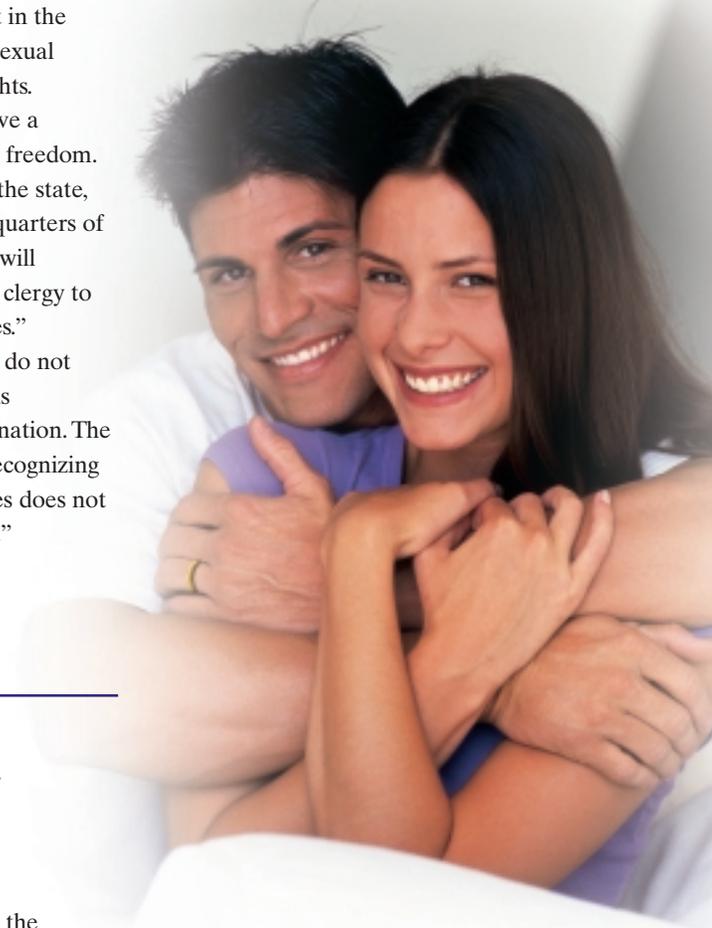
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Why Marriage Must be Defended

- Across all cultures and religions, from time immemorial, marriage has a common meaning. A marriage is understood to be between a man and a woman.
- Marriage is the best foundation for children. It is a practical ideal. It is society's commitment to, and affirmation of, the child's right to know and experience the two individuals who created him/her, and is important for the development of the child's own identity.
- In a diverse society, the government should be able to recognize and make distinctions between different relationships, rather than redefine marriage. Marriage is a heterosexual expression and institution.
- Outside of Canada, no court in the world has ruled that heterosexual marriage violates human rights.
- Redefining marriage will have a negative impact on religious freedom. Clergy, who are licensed by the state, solemnize more than three quarters of marriages in Canada. There will undoubtedly be pressure on clergy to perform same-sex "marriages."
- Religious organizations that do not recognize same-sex unions as marriages may face discrimination. The courts have ruled that not recognizing same-sex unions as marriages does not accord with "Charter values."



What the EFC Has Done, Is Doing, Will Do...

Since the definition of spouse and marriage became a legal and political issue, the Evangelical Fellowship of Canada (EFC) has been at the forefront of the marriage issue, devoting countless hours and financial resources in fighting to preserve the definition of marriage as the union of one man and one woman to the exclusion of all others.

The EFC has intervened in Ontario, British Columbia and Quebec court cases, both at the lower court and Court of Appeal levels. The EFC is working to sustain the appeal of the Quebec lower court decision, now that the Attorney General of Canada has dropped out of the appeal. With the Interfaith Coalition the EFC is also seeking leave to appeal the Ontario Court of Appeal ruling to the Supreme Court of Canada.

The EFC has been strategically coordinating activities with other Christian and interfaith organizations and has been actively engaged with Members of Parliament on this issue over the past year, appearing before the Justice Committee and meeting personally with numerous MPs and Justice Committee members to present concerns and seek ways to uphold marriage in Canada.

In the coming months, the EFC will be pursuing the possibility of intervening in the government's reference to the Supreme Court of Canada. Once the government has heard from the Supreme Court and introduces legislation to the House of Commons, the EFC will respond and request to appear before the Justice Committee if it holds hearings on the bill.

The EFC will continue to keep you and your church informed on the issue, working to mobilize churches and individuals toward making their voices known on this important issue. Look for information on a nation-wide Marriage Week. Please read our suggestions on how you can be effective in joining us in for the defense of marriage.

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Guidelines for Action

“The focus must be on promoting opposite-sex marriage and not being anti-gay. That would be counterproductive,”

Janet Epp Buckingham, Legal Counsel,
the Evangelical Fellowship of Canada (EFC).

Pray:

Prayer is absolutely essential to any effective action on this issue.

- Pray and consult with the leaders in your church about how you and your church (and your neighbouring churches) can become socially and credibly engaged.
- Establish a prayer group or e-mail list and pray for those in your area who are speaking on behalf of marriage.
- Pray for Bruce Clemenger, the EFC team and other national groups working on this critical issue.
- Pray for your MP and members of the Justice Committee, including House research and administrative staff.

Write:

Contact your MP.

- A postal letter remains the best tool of communication though whether a letter or e-mail, you must include your return postal mailing address (spam and unidentified e-mails have no status).
- Clearly state your opposition to the proposed redefinition of marriage.
- Circulate petitions and form letters (available from the EFC at www.evangelicalfellowship.ca) in your congregation.

Speak:

Make an appointment to meet with your MP, alone or in a group (see sidebar).

- A face-to-face visit is the most effective way of conveying your concern about the issue.

Stand:

Watch for prayer vigils and demonstrations (see sidebar).

- Inform yourself about local efforts. Try contacting your local ministerial association or Christian media for information on events.
- Talk to event organizers beforehand to make sure you agree with public statements that will be made.

The EFC alongside other national groups will keep churches informed about on-going national opportunities for public engagement, including the nation-wide Marriage Week. Our website (www.evangelicalfellowship.ca) has information and resources, including a video, a pastor's kit, and publications such as statistics on marriage in Canada today.

Tips for Visiting Your MP

Before you visit your Member of Parliament (MP), pray for him/her, for wisdom and think through your key talking points. When requesting a meeting, be respectful of the MP's staff who will be setting your appointment and save your talking points for your MP and his/her research staff. If possible, have people pray for you while you meet with him/her. During the meeting, do the following:

- Respectfully, tell your MP how important this issue is, and make sure that the conversation is focused on marriage, not some other issue (such as Bill C-250).
- State your concerns clearly and firmly.
- Ask your MP for his/her position on the redefinition of marriage, and ask your MP what he/she has been doing and is planning to do with this legislation.
- Know what you want your MP to do in response to your meeting. Do you want him/her to: do an SO31 (a one-minute speech in the House); table your churches petitions in the House; table your concerns at the MP's caucus meeting?
- Ask your MP how you can work with the MP's research staff and/or the MP on this issue.
- Follow through in the future concerning the MP's commitments to you.

Public Demonstrations

- Know who the organizers are and verify the information they give you – unfortunately, in recent months, some organizers have circulated false or misleading information about public endorsements they have received.
- Pray before and during the event, seeking to uphold speakers, those who attend, and those whom you seek to influence (Zech 4:6).
- Make sure the demonstration is carefully controlled – ask what the organizers have done to ensure that the event is respectful, peaceful and godly (1 Peter 3:15).
- Do not carry signs or banners – it is better to have a no-banner rule than to risk having a few protesters arrive with inappropriate or harmful signs.
- Make sure that only the official spokesperson for the event speaks to the media.

“Not by might, nor by power, but by My Spirit, says the Lord of hosts”

(Zech 4:6)



What Churches Can Do

Mobilize your church - pray, write, speak, stand

- Inform your congregation – the Evangelical Fellowship of Canada (EFC) has put together a pastor’s kit and bulletin inserts on marriage (see our web site). They communicate the benefits of marriage and offer other helpful information.
- Encourage members of your congregation to send a letter (or form letter) to the Prime Minister with copies to your MP, the Justice Minister and the Leaders of the Opposition parties.
- Encourage those who wrote letters on marriage earlier this year to write follow-up letters opposing the government’s decision to introduce legislation legalizing same-sex marriage.
- Task an individual or your social action committee to set up a petition table in your foyer.

Seek an appointment with the MP in whose riding your church is located

- Bring your petitions;
- Ask your MP to table your concerns in Parliament;
- If appropriate, consider including leaders from the youth group or your young adults minister in the meeting with your MP. This helps demonstrate that concerns for marriage cut across generational lines.



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EVENTS

Church leaders: Are you prepared for the consequences of a redefinition of marriage, hate propaganda laws, and the threat to religious freedom? Join the EFC's President, Bruce Clemenger, for an informed response. Cost: \$15 for Leaders of EFC's Affiliate Congregations & Denominations; \$25 for Non-Affiliate Leaders. Time: 11:30 AM—2:30 PM at the following locations:

Sep 16, 2003, Edmonton, AB., Mill Woods Assembly, 2225 66 St NW.
Tel: (780) 462-1515.

Sep 18, 2003, Calgary, AB., Foothills Alliance Church, 333 Edgepark Blvd NW,
Tel: (403) 241-9777.

Sep 20, 2003, Caronport, SK., Jensen Banquet Room.
Tel: (306) 756-3213.

Nov 22, 2003, Cranbrook, BC., Cranbrook Alliance Church, 1200 Kootenay Street N.
Tel: (250) 489-4704.

Register at www.evangelicalfellowship.ca. Tel (905) 479-5885, Ext 226; E-mail Linda Milke at milkel@efc-canada.com.

Feb 19-21, 2004, Leading Women Conference 2004:

Expanding Horizons – an inspirational and equipping event for Canadian Christian Women in ministry, business and leadership. Airport Marriott, Mississauga, Ontario. For details, see www.leadingwomen.ca.

A Church Takes Action

Thank you for your work on defending marriage. We have already started a prayer group (Canada Prayer Watch) at our church and we pray regularly for the EFC and the government officials.

Rev. Jim McKenzie, Agincourt Pentecostal Church, Agincourt, ON

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