

A Christian Lawyer Walks Into a Bar...

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It sounds like the beginning of a cheesy joke, but after last week's court ruling in Ontario, a Christian lawyer might not be allowed entry to Ontario's bar association (the Law Society of Upper Canada, the body which accredits Ontario's lawyers). And that is no joking matter.

Trinity Western University (TWU) is Canada's largest Christian university. It has applied for, and been granted permission to start a law school. But after working their way through law school, graduates will need provincial accreditation to practice law. For TWU, the Law Societies in three provinces have tried to close the door to their potential graduates.

At issue is TWU's code of sexual conduct which asks students to promise to abstain from sexual activity outside of marriage—true marriage. This biblical code of conduct should not be controversial for an openly Christian institution. TWU even has gay students who have agreed to live by the code while they pursue their studies. It should also be noted that this University is not publicly funded, so it should not be beholden to the government's recently-embraced political correctness nor the whims of the Law Societies. Their focus should be on the academic excellence of TWU courses, something that has never been in doubt.

TWU has a rule, and those who do not wish to follow it may choose to attend another university.

The Law Society of Upper Canada, however, does not follow this simple rationale. They see this code of conduct as being counter to their values and therefore they will not allow TWU graduates entry to their closed club.

While this ruling might only affect Ontario in the short-term, the same battle is also playing out in Nova Scotia and British Columbia. Charles Lewis called the situation a "travesty of discrimination" in the National Post, noting that "Seven provinces have already approved TWU law graduates..."¹. But Ontario is Canada's most populous province, and its decision may cause other provinces to re-consider or sway BC and NS. According to John Carpay of the Justice Centre for Constitutional Freedoms², "The Law Societies admit³, in all three court actions, that TWU's law program meets academic and professional standards. It's TWU's 'traditionalist' view of human sexuality that the Law Societies can't stand."⁴

Hopefully the Ontario Court of Appeals' anti-Christian ruling will be appealed to a higher court and may that court demonstrate a return to the rule of law.

Several notable Christian organizations including the Association for Reformed Political Action (ARPA), Christian Higher Education Canada, Christian Legal Fellowship, the Evangelical Fellowship of Canada, and the Seventh Day Adventist Church in Canada intervened in this case which called for religious liberty to extend to a Christian University. Mr. Carpay's Justice Centre for Constitutional Freedoms was also an intervenor, as they have been on behalf of Christians and pro-life activists in the past.⁵

May each of them have the strength and courage to continue the fight on behalf of all Canadians who value freedom. May each of us also have the courage to speak up for religious freedoms.

Consider these words by André Schutten, who intervened in this case as counsel for ARPA Canada: “To find that religious freedom was infringed, as the court did, but then to rule that the infringement was justified despite evidence that the infringement was not necessary, is very troubling. The Law Society is a State actor, and as such, should not discriminate against minority Christian groups simply because their faith commitments may be unpopular. This decision endorses a false dilemma, that to protect religious rights is to undermine LGBTQ rights. If this decision holds, this case marks a serious decline in religious freedom.”⁵

The CHP salutes all who have stood up for TWU and other religious freedom cases. Christians and Christian institutions have provided much for this country, and these contributions are being taken for granted. Bruce Clemenger, president of the Evangelical Fellowship of Canada said about this decision: “Freedom of religion is an enduring component of Canadian society and faith based institutions continue to make significant contributions to the public good...”⁶

CHP is another Christian institution that is willing to take a stand for freedom, even though the policies we endorse may become unpopular. “Popular” stands in 2016 seem to include marching in parades that promote sexual deviance, as all of the declared leadership candidates for the Conservative Party did this weekend.⁷ Our leadership and candidates will never do that. The CHP is not seeking popularity based on false premises. If society continues to deteriorate, there may come a day when citizens of strong Christian principles and values may be shut out of the political process; until then, we must not give up. We must boldly speak the truth. Our nation and all that we hold dear hangs in the balance.

Footnotes

¹ news.nationalpost.com/full-comment/charles-lewis-the-ontario-court-decision-over-trinity-western-law-school-is-a-travesty-of-discrimination

² www.jccf.ca

³ www.jccf.ca/our-cases/

⁴ www.huffingtonpost.ca/john-carpay/trinity-western-law_b_10734546.html

⁵ arpacanada.ca/news/2016/06/29/disappointing-ruling-twu-ontario-case/

⁶ www.evangelicalfellowship.ca/ef.ca/mc/twu_v_lsuc_decision

⁷ www.huffingtonpost.ca/2016/07/02/conservative-leadership-contenders-to-join-toronto-pride-parade_n_10782384.html