

CANADA'S SOCIAL CHARTER

The Dundas Valley Foundation was founded in 1990 "to promote creative participation of Christian principles and values in the debate about Canadian cultural and social policy issues." On Saturday, March 28, it sponsored a conference with the intriguing topic: A Social Charter. Does Canada Need It? Should Christians Support It? Dr. Tony Careless, Acting Director of Constitutional Policy in Ontario's Ministry of the Attorney General and Adjunct Professor of Political Science at the University of Toronto, lectured on What Is A Social Charter? Dr. Ian Hunter, professor of law at the University of Western Ontario, London and author of eight books and numerous articles in law journals, newspapers, and magazines on law and human rights, gave an incisive yet witty lecture on Issues And Implications of a Social Charter. The last speaker was Mr. Michael Cromartie, research fellow in Protestant Studies and the director of the Evangelical Studies Project with the Ethics and Public Policy Center in Washington, D.C., formerly with the U.S. department of Justice and for four years a special assistant to Chuck Colson at Prison Fellowship Ministries. His topic was Up to Our Steeples in Politics: Christians & Public Policy.

The conference was attended by approximately fifty people from a variety of backgrounds and expertise. Among them were professors of law, religion and theology, businessmen, Christian labour movement leaders, the executive director of the Ontario Alliance of Christian Schools, a public policy analyst from Ottawa, the national president of REAL women and college students. This variety contributed to the probing questions raised and lively discussion. Since I had attended last year's conference I had a wonderful opportunity during dinner to meet old acquaintances and discuss with them mutual concerns.

Why do we need a social charter? This is not just a question for a Saturday conference of academics. If a social charter becomes enshrined in the Canadian constitution, it will affect all of us. That's why Christians should get into the fray and evaluate it. Will the Charter benefit us or lead to further erosion of Christian values and liberties? What is the thinking behind the Charter?

Dr. Careless pointed out that Canada is one of the last Western nations without some kind of social charter. He believes that this call for one gives Canadians the opportunity to discuss their social responsibilities. But why the debate now? It is a natural result of the 1982 Charter of Rights and freedoms and the 1984 Canadian Health Care Act.

To understand why a social charter could become a serious problem for Canada, we must remember the function of a constitution. A constitution is supposed to limit the power of the state over the Individual. Its aim is not to tell the government what it should do, but to clarify what it may not do. Until recently Canada's constitution embodies British legal traditions. The British North America Act of 1867 provided the ideal of a society under the rule of law with respect for the rights of the Individual. If a Social Charter would be enshrined in the constitution, it would mean a commitment to liberal Individualism, an imperialism of rights, the guarantee of social or economic benefits. For

example, federal NDP leader Audrey McLaughlin proposed that the Charter should include the right to full employment, food, clothing housing. Dr. Tony Careless observed that no government can enforce or afford it. No charter can safeguard a social safety net. And if the charter falls into the wrong hands, it will become a gag law which will prevent democratic choice. It will also tie the hands of legislators. A constitution is an enabling document, it does not guarantee results.

Dr. Ian Hunter analyzed The Ministry of Inter-government Affairs' (Toronto) discussion paper A Canadian Social Charter Making Our Shared Values Stronger. His critique was devastating. The paper claims that "national norms and principles exist in Canada in all areas of public policy including the economy, social policy, transportation, telecommunications, culture, justice, the environment, and consumer protection. Dr. Hunter calls this statement "grand sweeping lies." In our pluralistic society we no longer have absolute, transcendent norms. (These are norms based on the belief in the existence of a personal, infinite God.) Our country no longer shares any notion of divine authority. It has become totally secularized. (Secularization is the removal of Christian influence over political, social and educational institutions). Dr. Hunter noted that once a social charter has become part of the constitution it is difficult to eliminate it. This would require an amendment. The charter would also diminish the power of parliament and increase the power of civil servants. It is a contempt of democracy. And if a government must commit itself to enshrined social programs, it will slide into bankruptcy. The charter also elevates the protection of the individual over community protection. But in the area of labour relations the individual is not protected.

Because of the pervasive impact of the media and especially American media our Canadian society has been reshaped. Many of the ruling elite have been converted to an "ideology" of liberalism, which is predominant in the U.S. It has as goal to increase individual rights and freedoms at the expense of the community. Our society has been Americanized, including the judicial system. Until April 17, 1982, Parliament was the supreme legislative body in Canada. Dr. Ian Hunter said that with the adoption of the Charter of Rights and freedoms we are no longer governed by the British parliamentary system but by the supreme court judges. These non elected judges are accountable to no one. But they put their own subjectively formed opinion over the opinion of the duly elected members of parliament. They have now become the most powerful men and women in Canada. Our nation has been reorganized without any public involvement. This is anti democratic. Our parliamentarians were once the protectors of our civil liberties and the makers of our laws. Now the Charter has become the supreme law, superior over parliaments. Using the authority of the charter, laws or provisions have been struck down. For example, since Confederation abortion has been a criminal offence. On January 28, 1988, the supreme court struck down the law from the criminal code. This action was based on the personal views held by the judges. Justice Bertha Wilson, a strident feminist, even seemed to doubt whether any males could really understand the abortion dilemma. Dr. Hunter observed that we are confronted with a dramatic clash of world views. Do we sacrifice individual liberties to the state? A social charter will even further erode our civil liberties. Such a charter will elevate the power of the state. With it the state will become more interventionist with the subsequent loss of

personal freedom. So on the one hand we have a Charter of Rights which is individualistic to the extreme and on the other hand a proposed social charter which will undermine civil liberties. It allows judges to make decisions not on the basis of law but on what is reasonable. This means that only those who are politically correct will receive rights and protection. REAL WOMEN, a prominent prolife and pro family movement, will be left out. Therefore, since the social charter presents a real threat to the public exercise of our Christian faith, we should speak out while we can still do so.

This is not a time for complacency. God calls us to be responsible citizens. Mr. Michael Cromartie called for Christian political involvement. Our faith is not a private affair. He showed that Christianity has always intermingled with American history. Evangelical Christians should be in the political arena. Love for neighbours and political involvement go hand in hand. We are pilgrims and strangers on this earth. We live in exile (Jeremiah 29). Yet this is also our Father's world. We must be Just and promote righteousness.

Mr. Cromartie spoke from his American experience. He shared many insights in how Christians can make a difference in their society. I appreciated his contribution. However, it seems a peculiar habit of Canadians to get a speaker from across the border to help us address our issues. Canada's culture and political landscape was once strongly influenced by evangelical Christianity. We should study in-depth where it went off track and let the secular world set the agenda for moral and social issues.

Mr. Cromartie warned against over emphasizing the importance of politics. Politics should never enter the pulpit. Pastors should not give political stones for bread. Our best political efforts do not reconcile us to God the father. Many Christians believe that only Christians can generate justice in society. But sincere Christians don't always have political acumen. Can Christians work together with non Christians in parliament? Because of common grace (This has been defined as the goodness and kindness of God "to all people everywhere in terms of natural blessing." (Matthew 5:45) It can be done. Unfortunately the doctrine of common grace is almost unknown among evangelical political activists. Yet Christians can join hands also with non-Christian proliferators in working for justice for the unborn.

Do we still have time to make a difference? Our Christian civilization is in a state of collapse. It acts like the prodigal son, squandering the heritage of the Father. But it is not too late to become politically active.

At the conclusion of the conference we learned that in Christian political involvement and influence we are light years behind the U.S. How do we get our political act together? Some stressed the importance of political journalism. The Dundas Valley Foundation has recognized right from the beginning the utter necessity of Christian Journalism. It has come out with the first edition of Priorities: Christian Analysis of Canadian Public Affairs. We must never underestimate the power of good ideas written in language the average reader can understand. I pray that as a Christian community we will act before it is too late.