

Mischaracterizing Faith As Hate Gets Us Nowhere

In a recent Huffington Post Canada blog titled "Religiously Inspired Hate Is Still Hate," Dalhousie Law professor Elaine Craig argues that Trinity Western University (TWU) hates gays and lesbians. Professor Craig hopes that TWU will lose its court actions, launched against the Law Societies of British Columbia, Ontario and Nova Scotia over their refusal to accredit TWU's law school.

TWU is a private Christian university in Langley, B.C., which has been graduating teachers, nurses and other professionals for several decades. The University's code of conduct prohibits foul language, viewing pornography, drunkenness, sex outside of the marriage of one man and one woman, and other legal activities.

In 2001, the Supreme Court of Canada rejected the arguments of the BC College of Teachers, which had claimed that TWU, through its code of conduct, discriminates against gays and lesbians. "TWU is not for everybody," said the Court, upholding the right of TWU students and staff to exercise their Charter freedoms of conscience, religion, expression and association. The Court understood that many people, for many different reasons, would not want to abide by TWU's code of conduct. The Court understood that a free society welcomes diversity, and that diversity means tolerance for universities which are actually different, like TWU.

Arguing that Law Societies should not recognize TWU's law program, Professor Craig invokes the murder of 49 people at a gay bar in Orlando in June. Craig seems to equate these cold-blooded killings in Florida with Christianity's condemnation of sexual activity outside of the marriage of one

man and one woman. For Craig, shooting gay people and disagreeing with gay sex are one and the same: both exemplify "hatred" and "homophobia" that must be eradicated.

Applying Craig's logic, if TWU hates gays, then TWU must also hate alcoholics, pornography viewers, the foul-mouthed, and millions of sexually active unmarried straight people. This allegation of "hate" is silly, in light of the sworn affidavits, filed in court, by three LGBT individuals who have themselves attended TWU: Arend Strikwerda, Iain Cook, and Austin Davies. They were welcomed and loved at TWU on the same terms and conditions as everyone else, and now speak publicly about their positive experiences at TWU.

Craig makes no mention of the fact that the Orlando shooter, Omar Mateen, professed allegiance to ISIS and to Islam, not Christianity. In the wake of the Orlando shootings, a Christian code of conduct at a private university, embraced voluntarily by those who agree with it, seems to upset Craig more than Islamic countries which impose the death penalty for gay sex. But, of course, attacking TWU is much easier and safer than publicly criticizing Islam.

Omar Mateen shot 49 people dead because he had absolutely no respect for Florida's prohibition against murder. Shootings at bars (whether gay bars or straight bars) will continue as long as there are individuals like Omar Mateen who believe themselves entitled to play God and execute judgment on fellow humans by killing them. The distinction between disapproving of a behaviour, and killing people who engage in that behaviour, appears lost on Craig.

TWU's three court actions raise the question of tolerance for those who have different opinions about human sexuality. Some Canadians believe that sexual intimacy is healthy and right only in the context of love, commitment, marriage and procreation. Other Canadians believe all manner and forms of consensual sex are OK. There is no way to reconcile these opposing views. A free society therefore allows both the "traditionalists" and the "progressives" to form and maintain their own groups, clubs, societies and associations.

In a free society, the government does not try to force the "traditionalists" or the "progressives" to abandon their beliefs and practices. A free society allows TWU to form and maintain its own religious community, with its own rules and practices, which no person is compelled to join.

The Law Societies admit, 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. Sadly, Professor Craig and three Law Societies want to impose their "progressive" view of human sexuality on TWU. They demand that TWU must change the rules, beliefs and practices of its community, or else its law program will not be recognized, even though this law program fully meets academic standards. This state coercion is the opposite of what a free and tolerant society is all about.

Calgary lawyer John Carpay is president of the Justice Centre for Constitutional Freedoms (www.jccf.ca), which intervened in support of Charter section 2(d) freedom of association in TWU's court actions in BC, Ontario and Nova Scotia.