

## Of Course Canada Is a “Secular” State—Just Not Secularist and Only Partly Secularized

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According to the so-called secularization thesis, pre-eminent in sociological theory by the middle of the twentieth century, the process of modernization included several sub-processes each of which was understood to be a “carrier” of secularization. As societies became more modern, so the theory went, they would inexorably become more secular. Religions were understood to be constitutive of the pre-modern world and would inevitably decay and disappear in the light of modern progress.<sup>1</sup>

As the modern world has turned out to be not nearly so secular as theorists had expected, however, this thesis has come under serious scrutiny – even certain forms of retraction. It is difficult to maintain that religion is ebbing in the face of resurgent Islamic and Hindu movements; floods of converts to Christianity and Islam in Africa and Asia; evangelical revivals in Latin America and Southeast Asia; a burgeoning church in China as that country modernizes—not to mention the “Great Exception” already noticed a half-century ago, namely, the United States, which is arguably the most modern nation on earth and still one of the most religious by at least most sociological measures of religious observance and influence.

The question, then, for Canada is first analytical and then normative: Is Canada a secular state and, whether or not it is, ought it to be? I will proceed by defining some of the key terms: the word-group around “secular”; Confederation, and thus “Canada,” as a secular enterprise; and then “Canada” understood both as a “state” and as more than a state. I will conclude that Canada is a secular state, but also a partially secularized society even as it is not a secularist one. I will conclude also that Canada is more than a state,

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<sup>1</sup> Classic introductions to secularization history and theory include the following: Peter Berger, *The Sacred Canopy: Elements of a Sociological Theory of Religion* (New York: Doubleday, 1969); David Lyon, *The Steeple's Shadow: On the Myths and Realities of Secularization* (Grand Rapids, MI: Eerdmans, 1987); David Martin, *A General Theory of Secularization* (San Francisco: Harper & Row, 1978); Martin E. Marty, *The Modern Schism: Three Paths to the Secular* (London: SCM, 1969). More recent works of note include the following: Peter L. Berger, ed., *The Deseccularization of the World: Resurgent Religion and World Politics* (Washington, D.C.: Ethics and Public Policy Center/Grand Rapids, MI: Eerdmans, 1999); José Casanova, *Public Religions in the Modern World* (Chicago: U of Chicago P, 1994); David Martin, *On Secularization: Towards a Revised General Theory* (Aldershot, UK: Ashgate, 2005); Charles Taylor, *A Secular Age* (Cambridge, MA: Belknap, 2007).

and that this understanding of Canada is important for matters arising from this conversation in regard to human rights, freedoms, responsibilities, and the like. I will conclude, finally, by gesturing toward several very large implications that must be considered along the way to a full conception of Canadian society in terms of religion and the secular.

### *Secular, Secularization, Secularism, and Secularity*

The word *secular* refers simply to “the world” and has no immediately anti-religious connotation. Indeed, in the history of the Christian Church, some clergy, such as the local priest, were called “secular” because they served parishioners out in “the world” while others remained cloistered.

*Secularization* in its earliest and most fundamental sense, however, is the process by which something that was previously held to be sacred is rendered profane, or “worldly,” or merely ordinary. Among the early uses of the term was the seizure of properties belonging to religious orders by monarchs such as Henry VIII of England in the early modern period. The monasteries and their estates were secularized. The word now applies to any process by which something once seen in religious terms is re-constructed or reconfigured or redeployed in secular terms. In this sort of conversation it is almost always a social process, and on the largest level it means the process by which a society becomes decreasingly influenced by the institutions, values, and symbols of religion—usually a particular religion. Where once the Christian Church, for example, played a central role in Europe, it now is reduced to mostly ceremonial and charitable functions on the edges of contemporary life.

Secularization, furthermore, must be distinguished from two other closely-related terms. The first of these, *secularism*, is not a process but an ideology: an idea and a preference. It comes, however, in three degrees. Most generally, secularism denotes any ideology that is opposed to religion, particularly religion as understood in the everyday Western sense of “dealing with the supernatural, with God or the gods.” Marxism, Social Darwinism, and secular humanism, and thus are all—or strongly tend to be—secularist ideologies. Religion is for them not merely an alternative outlook, but importantly deficient in rationality or morality or both. Humanity is simply better off without religion.<sup>2</sup>

A second use of *secularism* is more restricted and refers to social life in pluralistic societies. Secularism now denotes a preference for religion to play no part in public life, but instead to be relegated strictly to the private sphere. The enduring resistance to “organized religion” in France since the Revolution, often referred to as *laïcité*, is secularism on a national scale in this second sense—often, but not invariably, animated by the first.

A third use is more restricted still: a preference for political life to grant no privileges to religious individuals or organizations. This position is sometimes summarized as the “separation of church and state”—or perhaps the “disestablishment”

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<sup>2</sup> Nikki R. Keddie, “Secularism and Its Discontents,” *Daedalus*, 132 (Summer, 2003): 14-16.

of a previous privileging of a particular religion—and the concomitant neutrality of the state toward religions and toward any claims they make beyond the secular horizon.

It should be emphasized that religious people themselves might endorse secularism in the third sense and even in some cases the second (this is the main position of Jews in the West, for example). At the same time, those who have no formal religious affiliation and may in fact be atheistic might still not be secularist in *any* of these three respects.<sup>3</sup>

*Secularity*, to come to our fourth term in this word group, is neither a process nor an ideology but a situation. It is the social situation in which religion plays no (important) part. Everything that matters is transacted on a horizontal plane with no reference to the supernatural or spiritual. Secularity therefore characterizes society in Britain and Scandinavia today and increasingly also in Australia, New Zealand, the Netherlands, and other countries once much more observantly Christian.<sup>4</sup>

What, then, of Canada? In what respects, if any, is it secular?

### Confederation: A Secular Enterprise

The birth of the Canadian state was, in crude terms, basically a business deal or, at best, a kind of social compact. Canada was not conceived as a sacred project, a light to the nations. There was no cry of “Liberté! Egalité! Fraternité!” Nor was there any (trumped-up) accusation of tyranny against good old King George III. (I pause to note that the Stackhouses were United Empire Loyalists.) Instead, some sensible people took a few meetings to form a country that could accomplish three pressing tasks:

(1) to let Britain off the colonial hook, since running a colony is expensive and with fish and furs no longer paying the bills, especially as the fashion in men’s hats had changed to the ruin of the fur trade, and Britain was glad to be rid of us;

(2) to keep out the predatory and unruly Americans, who had invaded Canada twice in the previous century (1775 and 1812) and then later turned their considerable energies to invading each other, catastrophically, in a Civil War (1861-65) to which Canadians had a front row seat; and

(3) to find a way to make a living in a vast, resource-full, cold, and forbidding land. I daresay the Fathers of Confederation aimed higher than Margaret Atwood’s terse summary of Canadian literary culture as *Survival*, but not a lot higher.<sup>5</sup> Canada was formed to help Canadians live as best we could.

Yes, the motto of the country came from Psalm 72 (“He shall have dominion from sea to sea”) and in a country as well-churched as Canada was—with the vast majority

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<sup>3</sup> Along these lines, see Alain de Botton, *Religion for Atheists: A Non-Believer's Guide to the Uses of Religion* (New York, Pantheon, 2012).

<sup>4</sup> John G. Stackhouse, Jr., “Where Religion Matters,” *American Outlook* 5 (Fall 2002): 40-44.

<sup>5</sup> Margaret Atwood, *Survival: A Thematic Guide to Canadian Literature* (Toronto: McClelland & Stewart, 1972).

attending church regularly, as they would for about another century—Christianity was the accepted outlook for all that was said and done in Canada. But what *was* said and done in the British North America Act (1867) was entirely secular. God isn't mentioned, nor the Bible, nor Christian doctrine, clergy, or institutions. The formation Canada was about getting about the business of life as safely and prosperously as possible.

Such concerns, of course, were entirely in keeping with Christianity, so Christians—who, again, made up the vast majority of Canadians at the time—could cheerfully endorse them. So could, of course, many other people of many other convictions, hence the attractiveness of Canada as an immigration destination for people from around the world. Canada thus has had no holy vocation, no messianic purpose, no obligation to defend the faith or make the world safe for any particular ideology or religion. Canada, in sum, is a secular enterprise. As such, religious people of many sorts can participate in it, as can people of non-religious outlooks as well.

### **Yet Is "Canada" Merely a "State"?**

Canada therefore is a state, but it is not merely a state. It is also not a nation-state for, as Lord Durham famously reported, there are "two nations warring in the bosom of a single state." Those nations—English (mostly Protestant Christian) and French (almost entirely Roman Catholic Christian)—were imposing, moreover, on a wide range of nations who had gotten here earlier. Along the way, furthermore, groups of immigrants from elsewhere increasingly clustered in significant enough numbers as to form important social facts with which the so-called founding nations had to deal. The adoption of multiculturalism as an official federal policy in the 1970s meant that Canada was best understood as a "community of communities."

These communities, and their constituent individuals, participated in a variety of social institutions: governments at various levels, schools, hospitals, charities, religious groups, sports teams, musical ensembles, professions, businesses, and so on. So Canada was obviously not merely a state nor a single nation, but a congeries of groups of various shapes and sizes that mediated life between the state and the individual. The state, then, played its part in regulating the development and interaction of these various groups, but with the 1960s came an increasing participation by the state in various spheres it had heretofore generally left alone. Hospitals, previously run by charities of various sorts, became state institutions. The same happened in postsecondary education, to the virtual elimination of religious university-level education beyond tiny, satellite colleges on the edges of burgeoning secular institutions. Social work, poor relief, mental health—these and many other forms of community care became increasingly regulated and even administered by the state.

Nonetheless—and I mean to imply no value judgment on these developments—Canada has not become merely a state populated by individuals. It remains a complex society stocked with corporations, charities, advocacy organizations, leisure-time clubs, community service groups, and, yes, religious communities. Despite the pressure of a wide range of social factors to reduce this complexity to a "military-industrial complex" (Eisenhower) staffed by atomized individual producer/consumer/citizens, Canada

remains a state comprising a community of communities as well as an increasingly diverse range of individuals.<sup>6</sup>

### **"Is Canada a Secular State?"**

The first answer to give to this question, then, is the one in this article's title: "Of course it is." From the very beginning of Canada as a state in 1867, it has been a political framework designed entirely to help make the best of life for everyone living "from sea to sea (to sea)" north of the United States. We all recognize at least some of the ways in which the Canadian state has failed to facilitate the best life possible for everyone involved, but that secular ideal is the standard to which all critics can and do appeal in their very indictment of the state's shortcomings.

Canada as a society, however, has not restricted itself to the secular. Indeed, for the first century of Canada's existence, it was largely a churchgoing population whose governments, laws, and other dimensions of public life were clearly informed by Christian values—from sabbatarianism, to implicit "just war" theory in prosecuting wars, to growing recognition of universal human rights, to statutory holidays for Christian festivals, to criminal and civil codes regarding sex, marriage, and family life.<sup>7</sup> Has Canada since been secularized? Undoubtedly it has and in many respects. But the influence of religion remains and in several respects.

First, religion remains as a recognized part of the Canadian heritage, acknowledged as (mere) monotheism in the English version of "O Canada" ("God keep our land") and as actual Christianity in the French (as it makes reference to "the cross"), while the new Constitution refers to God in the Preamble. Our public calendar still—perhaps anachronistically—includes Christian holy days as public holidays.<sup>8</sup> And Canadian historians detail the effects of religion on Canadian life, from the cultures of First Nations to the motives of Samuel de Champlain (missionary concerns among them) to the faith commitments of such innovators in Canadian culture as William Aberhart and Tommy Douglas, Margaret Avison and William Kurelek.

Second, religion continues to play a part not only in the private lives of many Canadians but also in public life as well. Orthodox Jews, conservative Muslims, and some native communities seek their own courts to adjudicate at least relatively minor matters according to their distinctive norms and customs. The legal definition of marriage has been changed due to one set of ideological commitments to include same-sex unions

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<sup>6</sup> David Lyon and Marguerite Van Die, eds., *Rethinking Church, State, and Modernity: Canada Between Europe and the USA* (Toronto: U of Toronto P, 2000).

<sup>7</sup> George A. Rawlyk, ed., *The Protestant Experience in Canada 1760-1990* (Kingston and Montreal: McGill-Queen's UP, 1990); Terrence Murphy and Roberto Perin, eds., *A Concise History of Christianity in Canada* (Toronto: Oxford UP, 1996).

<sup>8</sup> I happen to think that the references to God in both the Constitution and the national anthem no longer make sense in a Canada that is not in any important sense universally and operationally monotheistic, let alone Christian. But that is an argument for another day.

and may well change again in our lifetime to include freely undertaken polygamous ones—among certain Mormons and Muslims in particular. Canadians still provide tax support for particular religious schools and even school systems, from kindergartens to universities, while religious colleges participate substantially in the lives of secular universities in every province. And Canadian religious organizations both receive government assistance in various forms of social service while other religious organizations freely interact with governments over a wide range of public policy matters. Even as Canadian public life today is almost completely shorn of explicit religious commitments and symbols—although significant exceptions remain—religious ideas, persons, and institutions remain conspicuous and influential.

Third, most Canadians seem to agree that the disestablishment of particular Canadian Christian denominations and the resulting separation of church and state is a good thing. Given the wide range of state involvements nowadays, however, we might more carefully say that Canadians generally approve at least of the separation of governments and courts from the privileged influence of any religious leaders, organizations, and values. For Canadians are divided about other questions of church-state separation, such as government-funded chaplains in the armed forces or health-care systems, tax support for religious schools and social service agencies, religious practices (especially invocations) at public events, and so on. Thus secularism in any absolute sense—whether the complete evacuation of religion from public life (definition two) or a sustained campaign against religion in any form (definition one)—is an ideological extreme frequently encountered only in Quebec and, one senses, among elites in both Francophone and Anglophone cultures.

So, yes, Canada is a secular state—but *Canada* is not *only a state*, and as a society it has been only partly secularized and certainly has not become beholden or committed to secularism.

### Some Remaining Questions—and Implications

Scholars of religion define religion in two different ways. The first way is perhaps the more typical. A religion is a particular system of beliefs, practices, and (for want of a better term) passions—what is sometimes referred to as “affections.” We normally identify such systems with names such as Judaism, Shinto, and Buddhism. Islam, for example, teaches particular ideas to be true (“There is no god but God, and Muhammad is his prophet”), prescribes certain actions (such as the Five Pillars of Islam), and encourages the cultivation of particular concerns and emotions (especially submission to God: the word “muslim” means “submitted one”). Religions thus are described in terms of what they *are*, and so this is called the *substantive* definition of religions.

The *functional* definition instead considers what religions *do*. A religion, in this view, is what orients, motivates, and structures the central zone of life. Our religion is our fundamental beliefs and values. It is whatever functions as some individual's, or some group's, ultimate concern, the core of one's existence around which everything else is wound.

Clearly Christianity, Hinduism, and Daoism function in this way and are recognized as religions. But so do Marxism, secular humanism, and pragmatism. So do hedonism, status-seeking, and other forms of egotism. Some objects of devotion are unusual: "He looks after that car religiously," we might say. More comprehensively, Richard Dawkins clearly intends his brand of atheism to function fully in place of the Christianity he has discarded and now opposes. Whatever it is that gives meaning, and purpose, and direction, and intensity to life; whatever gets us going in the morning; whatever drives us forward; whatever consoles us in misery; whatever stands at the center of our lives—functionally speaking, that is our religion.

Religions therefore are not matters merely of private concern, much less matters merely of private *belief*. It has been convenient for political liberalism to restrict religion to a matter of belief. The public sphere thus is preserved from the violent clashes of religious absolutists—exactly the situation that encouraged liberal thinking in the likes of John Locke under the shadow of the English Civil War—while preserving the core liberal value of, well, liberty. People thereby are free to practice their religion privately—in their own heads, which is "privately" indeed—but not in public.

Religions, however, involve beliefs, affections, and practices. Furthermore, they typically (not invariably, but typically) have public entailments: dress, speech, kinds and protocols of contact with others, civic obligations or refusals, and the like. Moreover, since most religions teach that what they assert is true for everyone, not just for members, then followers believe that their teachings will benefit the common good by being observed by everyone—at least partially, if not entirely, and at least voluntarily, if not legally, depending on the religion in question.<sup>9</sup>

Religion therefore cannot be confined to the private sphere of life, much less to the shadowy existence of mere belief. It also is not merely an individual matter, but a matter that shapes and motivates communities—communities with which the Canadian state has been willing to deal as such since the BNA Act itself, even as the individualism of more recent law and jurisprudence, particularly since the arrival of the Charter, has rendered communities legally more shadowy, even insubstantial.<sup>10</sup> Indeed, a pressing category in contemporary Canadian law has been the matter of community or group rights as deserving of respect alongside individual rights—whether issues of aboriginal self-government, Hutterite communal ownership, the restriction of leadership in Christian student groups to those who endorse the stated values of the group, and so on. Religion, furthermore, is literally everybody's business, since (functionally speaking)

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<sup>9</sup> The pervasiveness of this modern liberal reductionist outlook means that this point must be made over and over again. See Beverley McLachlin (who herein cites her predecessor Chief Justice Dickson still earlier making the same point), "Freedom of Religion and the Rule of Law: A Canadian Perspective," in *Recognizing Religion in a Secular Society: Essays in Pluralism, Religion and Public Policy*, ed. Douglas Farrow (Montreal and Kingston: McGill-Queen's UP, 2004), 12-34.

<sup>10</sup> Benjamin L. Berger, "Law's Religion: Rendering Culture," 45 Osgoode Hall L.J. 277 (2007). For a vigorous defense of individualism particularly in terms of the "trump card" of human rights in Canada, see Michael Ignatieff, *The Rights Revolution* (Toronto: Anansi, 2000).

everybody has one and lives according to its precepts, more or less consistently, all the time.<sup>11</sup>

Many Canadians, including those in senior positions in law, might assume that it is a basic principle of Canadian life nowadays that all religions/philosophies/worldviews (to which I will refer hereafter as “religions”—in the functional sense) should be treated the same by the state. The state should play no favourites and instead remain resolutely neutral toward all religions.

That principle, however, must be heavily qualified and the challenge of our time is to both articulate and apply the right qualifications. For religions differ in ways that matter to Canadian society. The distinction between protection of religion and of support for religion, furthermore, also requires further attention.

In the first place, while most religions encourage at least a certain amount of charity among their respective fellowships, some religions motivate and even require their members to engage in charitable work toward outsiders as well. Canadians understandably, but mistakenly, take Christianity to be typical of “religion in general” in this respect, but Christianity actually has a unique history of investing resources in a wide range of services to others. It is simply a matter of fact that Christians have engaged in medical care, education, disaster relief, political advocacy, resistance to human trafficking, and many other modes of “loving one’s neighbour” that are unparalleled in scope and investment. So the Canadian state might well recognize that Christian organizations have been engaged in a wide range of services that Canadian society can affirm *on secular grounds*. Thus the Canadian state might well *protect* all religions equally, but *support* some religions more than others *in fact* because some religions serve the public good more than do others—even as *in theory* the state would support *any* religious group involved in such service.

What, then, of state support for religious institutions in regard to sacred purposes, rather than secular? What of the Canadian tradition of granting tax exemptions particularly for places of worship (or other explorations of ultimate meaning) and the clergy who lead activities there? What of the charitable status of organizations primarily aimed at proselytizing and spiritual instruction? Does religious activity need to be reduced to some form of secular activity to receive public support, construing churches, mosques, gurdwaras, and so on as social service centres rather than as what they primarily are, places of religious worship and community? Religious people might band together to produce a majority vote to perpetuate these tax breaks, but is there a coherent rationale for Canadian state support for activities that transcend the secular plane?

Perhaps there is, as Canadian society continues to recognize the worthiness of the quest for ultimate meaning by individuals and communities. But the protection of freedom of religion does not entail public financial support for religion. Reasonable

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<sup>11</sup> On the challenges of religious diversity, see Paul J. Griffiths, *Problems of Religious Diversity* (Oxford: Blackwell, 2001); and Chad Meister, ed., *The Oxford Handbook of Religious Diversity* (New York and Oxford: Oxford University Press, 2010).

accommodation of parking lots in residential neighbourhoods and the attendant extra traffic at worship times is one thing; actually subvention of the costs of worship is another. Canadians therefore will keep having to discuss what sorts of religious activity are in the public interest.

In the second place, some religions not only fail to serve the public good, but they actually militate against it. To the extent, then, that militant and totalitarian forms of religion seek to submerge or even terminate the rights of those who differ from them, Canadian society and thus the Canadian state ought *not* to protect all religions equally. Indeed, particularly since 9/11, Canadians have had to consider the hard fact that some forms of religion preach and practice what amounts to sedition. Canadian society cannot harbor significant populations harmful to the general welfare, and multiculturalism must be articulated and practiced in ways that take realistically the facts of religious extremism—whether among the usual suspects of Islamism or in the also dangerous forces of absolutist Christianity or intolerant atheism. Freedom of religion therefore must be considered in the same frame as possible treason and insurrection, with implications for immigration policy (for those not yet in Canada) and criminal investigation (for those already here).<sup>12</sup>

A related zone of concern regards the protection of both individuals and communities, not just Canadian society as a whole, from what many Canadians would regard as the dark side of certain religions. Whether female genital mutilation for certain African girls, polygamy for certain underage Mormon teenagers, or *sati* as the fate of Hindu widows, Canadian law currently forbids practices justified by traditions from other countries. Moreover, the tradition of potlatch among West Coast native peoples was outlawed by British colonial powers as chiefs devastated their communities by competing for status in a cycle of unaffordable gift-giving.<sup>13</sup> Not just any practice can, or should, be justified at law merely because it comes draped in religion. It remains to be seen whether our Constitution and judicial patrimony provide adequate grounds for consistently and justly accepting some and not others, rather than reducing all such matters to sheer majority votes among the legislators or jurists involved in a given case.

Thirdly, Canada has changed since 1867 in ways that are not reflected in significant areas of Canadian public policy. The continued support for an entire school system in Ontario run by just one denomination of one religion—Roman Catholic Christianity—without similar support for others' schools becomes a more and more egregious anachronism every year. Ontario's public school system has not been culturally "Protestant" since the 1960s, and it therefore is no longer the great "other" over against which Roman Catholics could justify public support for their schools. It is

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<sup>12</sup> It's not as if no one noticed this problem before 9/11, of course. For a discussion aware of these concerns well before the attacks, see Charles Taylor et al., *Multiculturalism: Examining the Politics of Recognition*, ed. Amy Gutmann (Princeton, NJ: Princeton University Press, 1994).

<sup>13</sup> Jared Diamond points to similarly ruinous practices as key to the explanation of the mysteries of Easter Island in *Collapse: How Societies Choose to Fail or Succeed* (Harmondsworth, England: Penguin, 2006), ch. 2.

long since time to rectify this bizarre asymmetry in public support for one religion over all others.

At the same time, Canadian society has not simply converted *en masse* to atheism, even as many Canadians manifest a milder agnosticism that spends most of its time in the condition of secularity (notwithstanding the occasional episode of spiritual reflection).<sup>14</sup> Religiously grounded arguments, therefore, ought not to be ruled out of order in public debate. Indeed, in a democracy if one can appeal to the unquestionable authority of the Qur'an, or the Torah, or the Pali Canon, or *The Origin of Species* and get fifty-one per cent of the vote, one legitimately wins the contest.

Still, it is more neighbourly to accommodate one's arguments to the outlook of as many fellow citizens as possible. Moreover, if one believes that one's religious views are not just "true for us" but "just plain true," then one ought to be hopeful of finding a way to communicate the credibility of one's arguments in a manner intelligible to those of other worldviews. Finally, of course, arguing this way will, *ceteris paribus*, be more effective. So secular—but not *secularist*—appeals will remain the most appropriate form of public discourse for most Canadians.<sup>15</sup>

It is crucial in this respect to recognize that no form of atheistic, naturalistic, secularist, or agnostic philosophy by virtue of its anti-supernaturalism stands in a relationship with rationality superior to that of supernaturalist views, despite the claims of the so-called New Atheists that their worldview is simply the product of unencumbered, scientifically disciplined reason. More than a century of critical intellectual history and epistemology has shown that no one enjoys such a "view from nowhere," and that everyone's outlook/worldview/religion necessarily involves basic commitments one cannot prove to a certainty without arguing circularly from those commitments themselves. Some viewpoints are, to be sure, more coherent than others, correspond more fully to the available data than others, have more positive consequences than others, and so on. I carry no brief for either sheer relativism or radical skepticism. Instead, I am arguing the opposite point and its clear legal and political implication: No particular outlook can be identified immediately with reason, including (and usually especially) what presents itself as sheer universal rationality. No one's outlook, therefore, deserves to be privileged as the template for "appropriate" public discourse and consideration in Canadian life.<sup>16</sup>

The challenge upon us now, therefore, is to sort out the grounds upon which

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<sup>14</sup> Craig M. Gay, *The Way of the (Modern) World: Or, Why It's Tempting to Live as If God Doesn't Exist* (Grand Rapids, MI: Eerdmans, 1998).

<sup>15</sup> A thoughtful discussion of these issues to which my suggestions here are a response is Jonathan Chaplin, "Beyond Liberal Restraint: Defending Religiously Based Arguments in Law and Public Policy," 33 U. Brit. Colum. L. Rev. 617 1999-2000.

<sup>16</sup> On this point see, for example, Thomas Kuhn, *The Structure of Scientific Revolutions*, 2nd ed. (Chicago: U of Chicago P, 1970 [1962]); Nicholas Wolterstorff, *Reason within the Bounds of Religion*, 2nd ed. (Grand Rapids, MI: Eerdmans, 1984); and Lorraine Code, *Ecological Thinking: The Politics of Epistemic Location* (Oxford and New York: Oxford UP, 2006).

citizens of different ultimate commitments can make penultimate commitments to each other and to Canadian society as a whole. Some seem to think it best to force everyone *to act as if they were atheists* whenever they enter public conversation and *to exclude religion* from public life: discourse, institutions, symbols, the works.<sup>17</sup> But such extremism is not necessary. Instead, particular *secular* values intrinsic to Canadian culture and widely shared by Canadians of many religious stripes ought to regulate whatever else we discuss and champion in our common life. Commitment to the rule of law, commitment to private property, commitment to compassion for one's fellow human being, commitment to justice and the human rights of everyone, commitment to democracy—these are the practical, procedural, *secular* commitments that can frame, and have framed since 1867, a common life of mutual benefit among people of varying ultimate commitments.<sup>18</sup>

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<sup>17</sup> This seems, alas, to be the thinking of Saunders J. in *Chamberlain v. Surrey School District No. 36* (1998), 60 B.C.L.R. (3d) 311 (B.C.S.C)—thinking that was expressly refuted on appeal by the Supreme Court. For helpful commentary on the definitions involved, see Iain T. Benson, "Considering Secularism," in *Recognizing Religion in a Secular Society: Essays in Pluralism, Religion and Public Policy*, ed. Douglas Farrow (Montreal and Kingston: McGill-Queen's UP, 2004), 83-98.

<sup>18</sup> In this regard I am heartened by my considerable, if also critical, agreement with a book coming from a very different perspective, Paul Cliteur, *The Secular Outlook: In Defense of Moral and Political Secularism* (Chichester, UK: Wiley-Blackwell, 2010).