

An Open Letter to Premier Dalton McGuinty

An important tenet of Canadian democracy hangs in the balance of your response to the matter of religious arbitration in the province of Ontario.

While many Canadians may assume that we are all governed by one system of laws, created by publicly elected officials who are accountable to the electorate, your government is poised to shift the ground under this cornerstone of liberal democracy.

While our public system of law is not always perfect, it is designed to recognize the realities of all citizens and is open to public scrutiny and improvement. Such is not the case with private systems of law, such as religious laws.

The public may identify this issue from media reports as “Sharia law in Ontario”, but they, and you, need to understand that this is a matter of the formal separation of all religious matters from the business of the state. This is in no way an infringement on religious freedom, which we endorse as an equally important tenet of Canadian democracy. Religion should simply remain an important part of the lives of citizens but not of public law.

Surely the separation of church and state is understood by today’s politicians to be the fertile ground upon which modern rights-based democracies like that in Canada have flourished. Arbitrariness, petty theocracies and selective –rather than universal—access to public law await us if we simply treat this issue as a detail in the daily business of government.

Ontario’s commitment to religious freedom, anti-racism and multiculturalism are very important to us and to all Ontarians. Some have argued that to deny arbitration based on religious laws is a breach of these commitments. We do not agree. Allowing the use of religious arbitration will lead to divisiveness, the ghettoization of members of religious communities as well as human rights abuses, particularly for those who hold the least institutional power within the community, namely women and children.

We urge you to speak strongly in favour of Ontario’s commitment to one system of laws for all as well as for freedom of religion and anti-racism. Prohibit the use of religion in the arbitration of family law disputes through appropriate amendments to the Arbitration Act.

The eyes of the world are quite literally watching Ontario at this time to see if we have the courage to move forward on this issue in a way that preserves our common bond and is inclusive and respectful of all.

Sincerely,

Margaret Atwood
Maude Barlow
June Callwood
Shirley Douglas
Michele Landsberg

The Hon. Flora MacDonald
Maureen McTeer
Margaret Norrie McCain
Sonja Smits
The Very Rev. Lois Wilson

In support of the No Religious Arbitration Coalition
http://ywcatoronto.org/get_involved/arbitration_intro.htm