

# SHOULD GOD BE IN THE CANADIAN CONSTITUTION?

*God is currently in the Constitution, in the preamble to the Charter of Rights and Freedoms. Humanists want Him out. If the constitutional reference were to the particularist Christian God, their concern would be justified. But belief in God implies a belief in several other things that are in fact logical preconditions for a constitutional order, among them: the existence of a reality that is independent of ourselves and our desires; the objectivity of moral values; the orderedness of the world; and, finally, our inability to achieve the perfection of our visions. God should therefore stay.*

Antonio R. Gualtieri

*La Constitution canadienne contient une référence explicite à Dieu, dans le préambule de la Charte canadienne des droits et libertés. Les humanistes réclament l'abolition de cette référence. Leur requête serait certes fondée si la Constitution mentionnait en particulier le Dieu des chrétiens. Mais la croyance en Dieu implique la croyance en plusieurs autres choses qui constituent, en fait, les prémisses logiques d'un ordre constitutionnel – comme, par exemple, l'existence d'une réalité indépendante de nous-mêmes et de notre volonté; le caractère objectif des valeurs morales; l'ordre du monde; et, enfin, notre incapacité à atteindre la perfection de nos idéaux. Conclusion : la référence à Dieu doit rester dans notre Constitution.*

Should God be in the Canadian Constitution? The question was provoked by the presentation to Parliament of the Humanist petition urging that God be deleted from the Constitution. He is currently in the preamble to the *Charter of Rights and Freedoms*, which asserts that “Canada is founded upon principles which recognize the supremacy of God”. Of course, when I refer to God’s presence in the Constitution, I mean the term “God,” because God, being God, will be in or out of the Constitution as God pleases.

To ask should the term God be in the Constitution necessarily implies another question — what do you mean by “God”? In a Christian context the most obvious answer is that God is the God and Father of the Lord Jesus Christ who sent Jesus to die for humankind’s salvation and raised Him to usher in the divine victory over evil. This is the meaning of God as pertaining to salvation as perceived by Christians. In this sense, God should not be in the Constitution for it is a meaning that is too specifically defined by a particular group within the variegated Canadian population — albeit the majority group as identified by consensus. Although this particularist understanding of God may have been civi-

cally appropriate once upon a time — perhaps as recently as the childhood and even young manhood of people my age (I am a retired professor) — it is no longer fitting in the religiously pluralistic and secular society of our time.

But are there additional senses of “God” that, while of less importance to the Christian community, justify its insertion in the Constitution of a religiously plural population? My purpose is to suggest some of these other meanings that cluster around the term God and that have been examined by philosophical theology, both eastern and western. I shall propose that these do justify its inclusion in the Constitution. But first let me caution that I do not conceive it as part of my duty to ascertain what was in the minds of the drafters of the Constitution. I speak now, not as an historian, but as a theologian who asks what senses we can uncover in the word God that makes it wise to continue its use in the charter document of Canadian society.

To say I believe in the supremacy of God is to testify to a certain way of understanding ourselves and the world in which we live. I proceed now to delineate some of these more general understandings of life and the world for which the term “God” serves as a kind of shorthand.

To assert the existence and supremacy of God is to postulate an objective world that is not simply a projection of wish fulfillment, limited interests, neurosis, power and domination. There is a reality that is independent of us. The world is not just what we make it or what we wish it to be; it is given to us.

To affirm God or to believe in God means, in the first place, to believe there is a reality beyond us that is independent of us. This entails the repudiation of a privatistic view point that finds reality, truth, and value in the individual psyche or in the deliverances of one's narrow social group. Positively put, to assert the existence and supremacy of God is to postulate an objective world that is not simply a projection of wish fulfillment, limited interests, neurosis, power and domination. There is a reality that is independent of us. The world is not just what we make it or what we wish it to be; it is given to us.

The political and public policy implication of this affirmation is that public life has to be undergirded by a thrust to discover and approximate our social actions to the objective structure of existence that lies outside our mind. This conviction sets us in a wider context than our own narrow interests, desires, and trivial self-preoccupations.

Second, to affirm God is to affirm the objectivity of value. The quality of deeds that makes them good and desirable is built into the structure of the world. Not all values, of course, are objective, and therefore universal. It is a common and tragic human failing to draw the line too soon between what is universal and unconditional on the one hand, and relative and negotiable, on the other. Some ways of life are culturally specific strategies for fulfilling the drive towards fundamental and universal ideals.

A sense of responsibility for future generations, for example, may well be a universal value, embraced across all cultures and societies. The specific courses of action for realizing this value, however, may differ from one historical and cultural context to another. The stress placed on discipline, work, feeding, and emotional display may vary from culture to culture, but what is constant is the desire to embody one's care for the fate and well-being of the generations that follow us.

A further example of the interplay of the human universal and the culturally specific may be seen in the dynamics of family. Caring and supportive love for family members may well be a universal priority, but the strategies for its implementation vary. One society seeks to realize that goal through the inculcation of self-reliance and expectation of reward only in accord with merit, whereas another society may judge preferential treatment or "pull" to be the proper moral strategy for realizing the value of caring.

Moral discussion in a religious context has often been carried on in terms of God as divine Legislator. Such traditional language is, no doubt, unintelligible or unconvincing to many moderns. But it can be translated to disclose its practical cash value: There is an objective moral structure embedded in the way things really are — with the consequence that some actions are intrinsically evil, for instance, slavery, the reduction of persons to things or commodities, the killing of the innocent. It is on the basis of such a shared conviction that we have a *Universal Declaration of Human Rights*.

To believe in God means, thirdly, that one is resolved to view the world as an ordered place. The practical ramifications are of enormous significance, even if obvious. To live in a disorganized, chaotic world is nigh impossible psychologically. How can we plan if we cannot presuppose certain regularities in life?

To be sure, we can play with the possibility of existence as brute chaos and randomness. Thus Nietzsche said that science is not a true description of the constancies in the natural world, but an interpretation that serves the will to power of those who have a stake in science. David Hume claimed that we do not perceive causality in the world, but only the constant conjunction of events upon which we impose a causal connection for practical purposes. There are some important insights in these arguments which cannot be pursued here. But on the practical level of life where we must judge and decide and act, we do so on the basis of the conviction that at root there are certain ordered regularities on which we can count and to which we ought to conform.

Note that this constancy of reality applies not only to the natural world but also to moral experience. The cause and effect process of the moral order is not always evident or immediate. The wicked do flourish as the green bay tree. Nevertheless, there will be a day of reckoning. We sow the wind and reap the whirlwind. There is a principle of recompense built into the world. In the meantime, to believe in God is to resolve to make personal and social life conform to reality, that is, to the way natural and moral events are, in their objective nature.

Finally, to believe in God means to recognize that the ideals to which we aspire always lie beyond our full realization. We are always on the way in our social life together. We are always

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of all international organizations — the WTO, naturally, but also the World Bank and the IMF — and also of independent research firms. Indeed, the WTO will be the minor player since it has very little independent capacity to gather country data. That co-ordination will not be easy and may be resisted by the organizations themselves.

A number of critical areas are obvious targets for monitoring and surveillance, including: the reform of state-owned enterprises (SOEs); the evolution of the macro-economy; and the reform of administration and the judiciary in trade-related areas, in other words the development of the rule of law. In the case of SOEs, the examination could include tracking the reduction in government and bank lending and corresponding increases in private sector lending. In the macro-economy, the committee could examine the amount of non-social public spending as a percentage of GDP. In the rule of law area, tracking could include the number and result of complaints by foreign firms with respect to trade-related matters — as well as a large number of other things.

Quantitative and qualitative data should be gathered in each area, using a number of indicators, and should then form the basis of a report that can be examined by whatever committee is assigned the task in the WTO. If such reports were made every two years or so, material progress could be rewarded with a reduction in safeguard actions against Chinese products. On the other hand, a persistent pattern of failure could lead member countries to withdraw benefits. Though it would be best to require WTO action in such cases, the reality of Geneva politics is that some countries would be unwilling to act or would be pressured not to. Thus as a condition of accession, individual countries would have to be given the right to eliminate benefits, though a “reasonable response” test would govern. Such a “carrot-and-stick” approach would provide the right incentives for the Chinese leadership to encourage continued economic reform.

Not surprisingly, Chinese negotiators have been cool, if not downright hostile to our proposals — notwithstanding that such steps would facilitate China’s integration into the world economy. But current trade negotiators from the chief trading parties have been equally skeptical and in some cases flat-out dismissive. And of course the later these discussions, if any, are put off and delayed, the less likelihood that in the final scramble to complete the *Protocol* for China that anything serious can be included, other than superficial mechanisms of little consequence. The result may be a China that cannot reform and a WTO that cannot ensure the integration of China into the global economy. That’s the trouble with China.

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benefits are only acting logically, given the way the rules are currently written. The market controls costs, and it pursues quality of care much more effectively than most commentators acknowledge. But the free market will never look after everyone. That is not its incentive structure.

Insuring that everyone is cared for is the natural role of government. Perhaps that means helping people buy into the federal employees’ health care system, as Bill Bradley proposes. Perhaps it means creating new health-coverage tax credits and allowing younger people to buy into Medicare, as Al Gore suggests. Perhaps it means finding some other hybrid between efficient free-enterprise medicine and protection for those who falter in the market. Any solution will cost money, though some of the funds will be recovered through better health and higher productivity among those now uninsured. But the good news is that such money is available, in part because managed care helped save it.

Managed care proves that extensive reform of the medical system, often deemed impossible, can actually happen quickly and with success. Now it’s time to apply that knowledge to America’s one true health care crisis: the lack of universal care.

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under judgement. We acknowledge that our political, economic, and cultural achievements are always flawed in the light of a perfect standard that we perceive and acknowledge even if we cannot fully actualize it.

There can never be an end to history, if by this one means we have attained a perfect state of affairs in ordering our communal life, as in, for example, a liberal democratic, capitalist society. To affirm God’s supremacy is to abandon, not our striving, but our utopian delusions about our political and economic programs and achievements.

**T**hese general principles that are conveyed by the term “God,” are not the full-blown message of salvation that Christians or other religious groups might wish to promulgate. But they are enough to provide a foundation for a peaceful and humane social order and hence they justify the retention of “God” in the Constitution. The only true atheist, it has been said, is the nihilist. The alternative to “God” is therefore a much longer re-write of the Constitution.

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