

## HOUSE OF COMMONS

Tuesday, June 19, 1990

The House met at 11 a.m.

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*Prayers*

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[*English*]

### POINT OF ORDER

#### HOUSE OF COMMONS—PRAYERS

**Mr. Howard Crosby (Halifax West):** Mr. Speaker, for reasons that I will briefly outline, I want to challenge the validity of the Standing Orders and the practice of reading prayers in the House of Commons.

During the course of the great debate on the Meech Lake Accord, those who would destroy this constitutional achievement claimed that the distinct society clause would deny Canadians the protection of the Canadian Charter of Rights and Freedoms. The Charter must govern and dominate in all circumstances. It is the paramount law, a kind of legal sacred cow displacing the creator.

This legislative body approved the Canadian Charter of Rights and Freedoms and made it law. I, like others, added my vote to the concurrence but not without grave doubt. The Charter is a two-edged sword. To protect society, the guilty may go unpunished and subversives may walk free.

The Charter was intended to enhance the law, not render it sterile. I believe the distinct society clause will enable the Charter to be applied in a sensible and constructive way so that Quebec society can maintain its character and not regress under the burden of restrictive laws.

That is why I challenge the right or obligation to say prayers in the House of Commons. Had the Charter proclaimed Canada to be a society that acknowledged the Almighty, the courts would not have ruled school

prayers illegal. Here is the judicial reality stated by the Chief Justice of Canada:

In an earlier time, when people believed in the collective responsibility of the community toward some deity, the enforcement of religious conformity may have been a legitimate object of government, but since the Charter, it is no longer legitimate. With the Charter, it has become the right of every Canadian to work out for himself or herself what his or her religious obligations, if any, should be and it is not for the State to dictate otherwise.

• (1110)

Having passed the Charter, a constitutional law that denies school children the right to seek the intervention and assistance of the Almighty, how can we possibly claim the benefit of prayers in this House of Commons, the most public and democratic forum in Canada?

I believe in God. I acknowledge the power of prayer and I seek divine intervention, but I cannot claim a right I have denied to school children, because I helped enact a law that purports to enhance Canadian society by excluding the Almighty.

Accordingly I ask you, Mr. Speaker, to rule that section 30(1) of the Standing Orders and the practice of saying prayers in the House of Commons, particularly the Lord's Prayer, violates the provisions of the Canadian Charter of Rights and Freedoms. Canadians can better judge the law that governs all of us.

**Mr. Don Boudria (Glengarry—Prescott—Russell):** Mr. Speaker, the hon. member may have a point which he obviously feels is important, and I am not diminishing the heartfelt conviction that he has in this regard. However, I do not believe, Sir, that Mr. Speaker should be unilaterally scratching out one of our Standing Orders.

If the member feels that one of our Standing Orders is inappropriate, he should perhaps stand on a question of privilege instead and ask that the matter be referred to the standing committee responsible so that that committee could look at the issue.

Similarly, Mr. Speaker, when we reform the Standing Orders of this House, if the member feels that this