

Whose Law?: Queer Mennonites and Same-Sex Marriage

Jan Guenther Braun, *Toronto*

Introduction

Every other week when my denominational newspaper, *The Canadian Mennonite*, comes to my door, I make a decision about whether I will open it up and read it or whether it will go immediately into the recycling bin. This was especially true around 2004 when the debate around same-sex marriage was heating up. As an out queer person, there are few things that rival the feeling of isolation than flipping through the pages of your church's national newspaper and finding yourself demeaned on a bi-weekly basis.

I want to be clear about my parameters while I undertake a topic as contentious as same-sex marriage. While it may seem logical to begin with a history of marriage, it begs the question of where exactly in time do I start with this history? On which continent do I start? Amongst which cultures and people? What to include in a survey of Gay, Lesbian, Bisexual, Transgender, Two-Spirit, Queer (GLBTQ) rights in Canada?¹ Where does the narrative of same-sex marriage legislation in Canada begin? For this reason, any discussion of the history of marriage will be necessarily narrow.

I will start with a story, a true-life tale from the trenches somewhere within the territory of queer and Mennonite. I remember very clearly in late 2003 my brother told me that he was getting married. I responded poorly to this news – I was angry, upset, and hurt. It wasn't that I didn't like his choice of whom to marry – she and I had been friends for many years, and I knew that they were a good match. It wasn't that I thought they weren't ready to get married – they knew exactly what they were getting into, or as much as anyone really can. It wasn't that they were over the top with their wedding plans – the ceremony happened during the Sunday morning worship service at our church followed by a potluck lunch in the gym afterwards. It was that I wanted my brother – one of my best friends in the world, and one of the best people that I know in the world – to be in solidarity with me, his queer, Mennonite, younger sister who neither had the legal nor religious rights to get married. Had I decided to get married at the time, there would have been no guarantee of community support, or that my family would have supported the wedding or attended the ceremony. At the time, it weighed heavily on me; I wanted to belong.

Well, in a twist, or maybe a blatant act of solidarity, my brother and sister-in-law told our minister that they wanted to forgo getting a marriage license from the provincial government and simply have the banns read aloud in church. The minister responded by saying that he didn't want to 'go to jail'. Consequently, they got a license, and were 'legally' married.

I think that not having the right to be married in Canada made the issue important in my life, but as time has gone on, I find myself turning to my Mennonite/Anabaptist roots more and more to consider the question of same-sex marriage. In another ironic twist, as changes to same-sex marriage legislation enticed me to become licensed as an officiant first in the province of Manitoba, and now in the province of Ontario, the appeal of actually getting legally married has become less and less important for me.

This issue is about people and their lived experience. I aim to locate this particular experience within the context of legislation within Canada; notions of intersectionality and how this affects a reading of history – particularly Mennonite history – and how that history is located within the terms of 'human rights'.

As a queer person, I most certainly cede that same-sex marriage rights in Canada are a privilege that I am happy to live with. A rethinking of (a version of) Mennonite history and our historic relationships with governments in terms of the protection of values and lived doctrine can show, however, that there are pitfalls in my reliance. Why is it that Mennonites even consider the power of the state when it comes to the ritual of marriage? For Canadian Mennonites, the times during which

Canadian governments have refused to legalize same-sex marriage has meant an alignment of a desired outcome, but often for divergent reasons. In other words, Mennonites have, at times, gotten the results they wanted, without necessarily being in agreement with governments about motivations. What, if anything, is instructive about Mennonite history when it comes to negotiating relationships with governments?

I aim to question what we mean by ‘human rights’ and any so-called ‘unifying’ force or set of values, who are the actors dictating the terms of what ‘universal’ might mean, and what are the truths that are assumed. I find that using a post-colonial lens is instructive in asking these types of questions.

Marriage in Context

A complete history of marriage and weddings is not possible in this limited space, but a brief review of the changes marriage has undergone historically will help contextualize this discussion. John Gillis asserts in the *Journal of Marriage and Family*, that we can view the one hundred years between 1870 and 1970 as “something of an aberration” in terms of “making formal marriage mandatory” (990):

Our ancestors knew better than to seek perfection in this world, especially in domestic life. They reserved purity for otherworldly existence, projecting it either to the heavens above or to some distant terrestrial paradise (Gillis 990).

Andrew Cherlin argues that we are experiencing a shift in what has been seen as the age of companionship marriages but that shift is subtle: “[marriage] used to be the foundation of adult personal life; now it is sometimes the capstone. It is something to be achieved through one’s own efforts rather than something to which one routinely accedes” (855). This language is oddly reminiscent of medieval views of marriage that David d’Avray (2005) outlines in his discussion of early Christian sermons regarding marriage and how the symbolism of Christ as the bridegroom, or the story of the marriage feast of Cana, did not necessarily serve an instructive purpose for marriage relationships, but as stories about how to achieve one’s own salvation. While a deeper discussion around utopian ideas of marriage, as they relate to the emergence of same-sex marriage, would be fascinating, my focus will remain on the topic of human rights.

Perhaps a wider question remains: is companionship marriage a human right? In the past, marriage was often seen as a way to solidify relationships between different families, a way to secure wealth,

power and land, and in some cases a way to ensure that children received the benefits of a legacy. Within the North American context that I live, women are generally seen as equal partners in marriage, no longer simply the commodities of a marriage transaction. However, I think that, while old notions of marriage as a form of securing capital through the exchange of women no longer dominate our society, capitalism still very much plays a part in getting married. As Cherlin documents in the United States in 2004, and as I have witnessed amongst my generation, couples waiting until they are financially secure before they get married is much more prevalent today than in the past. In “The Deinstitutionalization of American Marriage”, Cherlin states: “[t]he wedding, it seems, has become an important symbol of the partners’ personal achievements and a stage in their self-development” (856). This begs the question: is same-sex marriage part of the project of self-development and personal achievement for members of the GLBTQ communities? What are the implications of wanting ‘in’?

The Evolution of Same-Sex Marriage Laws in Canada

In early 2004, the Supreme Court of Canada held that it is constitutional to have a same-sex marriage definition and they declined to answer the question of whether it was unconstitutional to have a definition of marriage limited to opposite-sex marriage (“Reference re Same-Sex Marriage”). Same-sex marriage advocates collectively held their breath: was this some sort of political game or stalling tactic? People were skeptical, but in hindsight, now that we have all of the information in hand, it’s clear that it was the best decision they could have made.

It was clear that the Supreme Court of Canada wanted to give the federal government a chance to legislate, as opposed to ordering a change to the law. The decision of the Court of Appeal for Ontario in 2003 (*Halpern v. Canada*), which confirmed that the current definition of marriage was a violation of the Canadian Charter of Rights and Freedoms, began a long domino effect across the country. Soon after, high courts in other provinces followed with similar decisions regarding marriage equality: British Columbia, also in 2003 (*Barbeau v. British Columbia*); Quebec (*Catholic Civil Rights League v. Hendricks*), Manitoba (*S.C. v. A.I.F.*), Nova Scotia (*Boutilier v. Nova Scotia*), Saskatchewan (*N.W. v. Canada*), and Newfoundland in 2004 (*Pottle v. Canada*). While the federal government has the right to define marriage itself, each province is charged with issuing licenses and administering all the legalities relating to marriages. As numerous

jurisdictions within Canada continued to rule in a similar way on this issue, the federal government began to recognize that it would become untenable to not have uniformity across the country in cases of such national importance. While it is undeniable that there was public opposition to same-sex marriage, Canada seemed to be at a tipping point socially, legally, and legislatively. It was becoming increasingly difficult for the federal government to ignore these lower court decisions while complying with the Human Rights Act. It knew that it had no choice but to examine the issue and act.

Which History?

The culmination of all these provincial decisions was not the beginning of the marriage equality story in Canada. This story has taken quite a winding path. If we are to talk of a history of marriage equality, particularly one that relates to queer Mennonites in Canada (which is also my history), I find it important to think about what we mean by “history.” Gilles Deleuze speaks about moments and happenings, as opposed to definitive events in time. He writes:

Movement always happens behind the thinker’s back, or in the moment when he blinks. Getting out is already achieved, or else it never will be. Questions are generally aimed at a future (or past). The future of women, the future of the revolution, the future of philosophy, etc. But during this time, while you turn in circles among the questions, there are becomings which are silently at work, which are almost imperceptible. We think too much in terms of history, whether personal or universal. Becomings belong to geography, they are orientations, directions, entries and exits (2).

What I appreciate so much about these thoughts from Deleuze is that they speak to the fact that history is not really a set of neat categories and boxes, but rather a field of points that are moving and becoming a lived reality. I find this particularly helpful when thinking about the social tipping point that I referred to earlier.

Though Deleuze doesn’t really speak about history, but rather ‘becomings’, I find his philosophy of ‘happenings’ and ‘moments’ valuable for my own understanding of a queer Mennonite history. As you can no doubt see, this is not, strictly speaking, a history paper, but now, through an exploration of a variety of ‘happenings’ I hope to consider, and problematize the issue of same-sex marriage within Canada for myself as a queer Mennonite. I believe that the history of Mennonites

negotiating with various governments for special exemptions and provisions informs my complicated feelings around same-sex marriage.

I want to challenge the story of same-sex marriage, which asserts that the queer community is 'just like everyone else'. This type of thinking can all too easily put two people of (presumably) the same sex into the same tired, dichotomized, and gendered roles of opposite-sex marriage, confirm the 'traditional definition of marriage' asserted by conservatives voices, and look to the government to grant same-sex partnerships legitimacy. To argue that marriage has a history of oppressing women is certainly nothing new and neither is challenging it as a vehicle for creating and reinforcing the category of 'woman'. Nor is the argument that the 'traditional' definition of marriage is hardly traditional. I would also argue that the 'traditional' definition of marriage is not biblical, as it is often claimed to be, since there are countless stories of family arrangements in the Bible that do not fit within the model of the traditional family, as that definition is now commonly held. And finally, a question that is difficult to answer: why are Mennonites – both queer and straight – looking for legitimacy from their governments? In other words, why would Mennonites want a legal marriage sanctioned by the government? I do not understand why Mennonites would be asking for the government to be involved in something that is essentially an ecclesiastical matter. Upon further consideration, I wonder if it is our radical history of 'hedging our bets', so to speak, which can inform this current discussion. In the wake of a church that will not sanctify same-sex marriage, perhaps turning to the government is part of a diversity of tactics.

Becomings

So, on to some of the moments: First, in June 1996 the Canadian Human Rights Commission ruled that the federal government must pay benefits to same-sex couples. Failure to do so was ruled to be discrimination on the basis of sexual orientation and therefore was a violation of the complainants' Charter rights. The Canadian government complied but questioned whether it was within the Commission's mandate to direct them to change the definition of 'spouse', which had been ordered in the Commission's ruling.

In February 2000, Bill C-23, the Modernization of Benefits and Obligations Act, was passed, essentially giving common-law rights and status to same-sex couples. The Act affected 68 federal statutes, including: pension benefits, old age security, income tax deductions, bankruptcy protection, and the criminal code. As the dominos started to fall and the question of the constitutionality of the then-current

definition of marriage began to be raised in multiple provinces, the government realized that there were not only significant Charter and human rights implications to this decision, but bureaucratic ones as well.

On July 20, 2005 Bill C-38, the Law on Civil Marriage, was given royal assent and made law. June 29, 2005, the *Vancouver Sun* ran an editorial entitled “Same-sex marriage law puts Canada at the forefront of human rights.” It concluded: “the new law actually broadens religious freedom because, while not infringing on the right of religions to refuse to perform gay marriages, it will make it possible for them to choose to sanctify same-sex marriages that are, for the first time, fully recognized in law” (A. 14). Indeed, many others in Canada, and across the globe, heralded this as a victory for human rights.

Alongside these national moments, my own personal responses traveled a winding path. When Bill C-38 was passed, I too, as a queer-identified person, saw this as a victory. It was a victory for the collective self-esteem of the GLBTTQ community, but also a victory in concrete, practical ways for people. The implications were, and are, not simply emotional or conceptual; they have a real impact for people involved in long-term same-sex relationships.

But I also had questions. One year after my brother’s engagement announcement had prompted my wrath, I was starting to feel differently about the issue of same-sex marriage. I started to question whether, if marriage is a religious rite, it was even the place of governments to dictate to me, as a baptized member of Mennonite Church Canada, whether I am truly married or not. To be clear, I do not see this as a universalizing concept at all. In my own context as a Mennonite, however, what does it mean?

If we turn to marriage equality’s history within Mennonite Church Canada, there was, and continues to be, certainly no shortage of commentary and discussion. A survey of the pages of the *Canadian Mennonite* between 1994 and 2012 shows that the overwhelming majority of letters to the editor decried the same-sex marriage legislation as sinful and abhorrent; it was, and certainly still is, a hot button topic.

A careful reading of the letters made it clear to me that there are roughly three categories of thought represented. The first, and smallest by far, supported same-sex marriage legislation, and questioned why Mennonite Church Canada wasn’t at the forefront of advocating on the topic as an issue of human rights. They expressed a desire to see Mennonite Church Canada lead the way on the issue, while being informed by the matrix of human rights. The second, with a slightly larger number of letters, were writers who did not support same-sex marriage for reasons of religious conviction. This second category of writers also brought to light questions of state sanctioned marriage,

wondering what role, if any, the government should have in the rite of marriage. The third category wrote to say that they were adamantly opposed to same-sex marriage legislation due to their religious conviction. They also raised the theme of human rights, expressing the fear that religious rights and freedoms would be infringed upon if the government, through the new legislation, would force them to perform same-sex marriages against their religious convictions. Such a result was likely far from reality; however, our Anabaptist/Mennonite past has demonstrated the necessity of being suspicious of government interference in religious matters.

As odd as it might seem, I identify with portions of all three categories of letter writers. Even as I read through all of the letters, many of which were condemning same-sex marriage and all queer-identified people to hell – condemning me to hell – or raging against us as the source of the downfall of marriage and of the Mennonite church, my feelings were, and remain, very complicated.

Advocates for same-sex marriage rights largely argued that the issue was one of human rights. Indeed, with the inclusion of sexual orientation as grounds of discrimination in the Canadian Human Rights Act, it is quite literally an issue of human rights, as it has been defined in this country. But what about the question of human rights to begin with? I believe it is necessary to challenge the stability of the matrix of human rights. This is certainly not a new challenge and I am not the first to challenge it. To aid in this endeavor, I will draw on Judith Butler's groundbreaking book, *Gender Trouble*, which challenged the stability of the matrix of gender:

Is the construction of the category of women as a coherent and stable subject an unwitting regulation and reification of gender relations? And is not such a reification precisely contrary to feminist aims? To what extent does the category of woman achieve stability and coherence only in the context of the heterosexual matrix (7)?

Applied to the human rights matrix in North America, this question asks: who constructs the field of human rights? My concern with appealing to a human rights dialogue is that it is believed to be a unifying force, and yet it remains the product of those that have constructed the matrix who are, for the most part, white, western, heterosexual, cis-gender² men.

My second point of consideration is the question of whether there is a tension between the paradigm of human rights and a Mennonite/Anabaptist worldview. Does a human rights paradigm have the potential to compromise a commitment to the Gospel? When we question who has

constructed the matrix of human rights, as in the previous paragraph, I am led to question the matrix of Christianity for precisely the same reasons, and with (hopefully) as much vigor. And it is at this point that I become very uncomfortable. Why is it that when a similar critical lens is applied to the Mennonite/Christian matrix and a human rights matrix, do I find myself more willing to identify with Mennonites? The simple answer is because I am one. Upon further consideration, I realize that as a white person, which carries a significant amount of privilege within my context, being rooted within a particular people (Mennonites) with their language, traditions, songs, food, etc., is a non-universalizing paradigm. That is not to say that it is better, or perfect, or always ideal, but it offers an awareness of boundaries, construction, and other elements that I think can be missing when you are working out of a self-proclaimed universalizing matrix, such as human rights. It is precisely because of the boundaries and borders of being a Mennonite that I am in tension with the universalizing concepts of human rights.

A last point of consideration, and very much related to the previous, is a concern that what really emerges out of a discourse involving human rights is political correctness. Political correctness is not the same as the paradigm from which we perform a Christian ethic. It is, perhaps, akin to what Dr. Jan Love, Dean of the Chandler School of Theology, refers to as “polite parallelism” (Love 2012) – essentially the place where tolerance happens, but not Christian love. It is not a desire to seek *shalom*, but rather, a desire to know which words are ‘okay’ to say and which are not, so that one can continue to hold private beliefs without being challenged. Though there are cases where people genuinely desire not to hurt those around them and so choose to reference a commonly held narrative or set of words, political correctness is all too often a cloak used to thinly veil bigotry and hatred. I do not believe that we can legislate the hearts and minds of people; we have to do the hard work of relationship building. At the same time, I will be the first to admit that the deterrent against violence perpetrated towards the queer community provided by the state through legislation of discrimination on the basis of sexual orientation and hate crimes legislation, and the equality experienced through same-sex marriage legislation, can save people’s lives.

Although not within the area of same-sex marriage, a good example of ‘polite parallelism’ that immediately comes to mind is the 2008 apology made by Prime Minister Stephen Harper to the victims and survivors of the horrifying project of colonialism in this country that was the residential school system. In the wake of this apology, Prime Minister Harper’s government has actively suppressed documents related to the St. Anne’s residential school survivors seeking compensation and

justice for the abuse and suffering that they experienced (Alamenciak 2014). A superficial form of political correctness, the apology contained all the right words of reconciliation and understanding; however, with the government very actively preventing these documents from being released, the words spoken in Parliament reveal political correctness at its worst: hollow words with contrary actions.

Now, I want to move on to outline an admittedly incomplete history of negotiation with governments within Mennonite/Anabaptist history. Although the history that I am about to outline is not the same as the struggle for same-sex marriage and human rights in Canada – one could say that a territory of history never can be the same from moment to moment anyway – what I want to highlight is that it speaks to an ethos of negotiation from the position of being a marginalized people. This ethos can also be partially described using a favourite Anabaptist/Mennonite phrase, “being in the world, but not of the world.”

A Brief Overview of the History of Mennonite *Privilegium*

As the years have progressed, I have become less dogmatic about my feelings towards same-sex marriage, but maybe that’s as a result of speaking out of the privilege of living in a country where same-sex marriage is a legal right. I have the privilege of sitting on high, poking holes in freedoms and privileges in a world where many are struggling to survive. Also, I recognize that there is an entire set of critiques from working class, disability, and people of colour queer communities around same-sex marriage that is being left out of my discussion. But what remains interesting to me here, both in relation to my unease around human rights discourse and to my exploration of what counts as a ‘history’ of same-sex marriage, is the way that marriage equality sits in relation to Anabaptist/Mennonite history.

I grew up thumbing through the pages of the *Martyrs’ Mirror* in our church library and the narrative was very clear to me. My ancestors were fiercely defiant, refusing to give in to the government and the Roman Catholic Church authorities. They were burned at the stake and imprisoned for their so-called ‘heretical’ beliefs. They migrated from country to country, driven out by rulers and governing bodies for their inability to conform to the government’s idea of what constituted ‘good’ citizens. They never compromised with the government in order to be afforded special privileges for their religious beliefs and practices.

That narrative is true, but I believe that it also has more complexities, which are certainly not hidden from view. In nearly every single book that I have read about Mennonite history, at the very least that of the Russian Mennonites, it is pointed out that Mennonites were valued

as immigrants because of their significant farming skills. Not only were they valued for their skills, my ancestors were savvy enough to use that as leverage while negotiating special privileges with governments. As Peter J. Klassen, in *Mennonites in Early Modern Poland and Prussia*, writes: “Religious uniformity might be highly desirable, but for the duke, a healthy economy was even more important” (11). One can see how the Canadian government, invested in a particular brand of nation building and hitched to the wagon of capitalism, would have agreed with this sentiment at the time when it was negotiating its *Privilegium* with Mennonites seeking to immigrate to Canada from Imperial Russia.

Certainly, the context of the *Privilegium* that Klassen refers to above is different than the context under which Mennonites were negotiating with the Canadian government. In reaching through history and drawing threads together, I see another moment where the end result – in this case, Mennonites coming to Canada to farm – was a desired outcome for the Canadian government and for the Mennonite people, but for vastly different reasons. The consequence of immigration, including that of the Mennonites, to the Canadian prairies in the late nineteenth to the early twentieth century was participation in the colonization of Canada, which resulted in the cultural genocide of Indigenous peoples. This is a part of Mennonite history in Canada that many Mennonites would prefer not to acknowledge. It gets messy, to say the least, when people escaping persecution and who are pacifists become participants in erasing entire other nations of people. It is easy for me to see that if it were not for my ancestors’ farming skills, and the desire of the Canadian government to use those skills in an effort to ‘tame the West’, I would not be sitting here writing this paper. In seeking justice for ourselves, there can be unforeseen consequences that can disrupt and impair justice for others. I believe this can be a lesson in moving forward, with whatever form of *Privilegium*, when we find ourselves negotiating with governments for other rights and privileges.

While I will not map out an in-depth history of Mennonite negotiations for selected privileges with various governments throughout their history, I do wish to highlight a few of these instances. When Mennonites were negotiating with the Danzig City Council during the late 1540s and 1550s, there was an expectation that the Mennonites would drain the land and farm. “In return,” as Klassen explains, “they could have local self-government, would be required to pay only reasonable dues, and would have rights to inheritance. They were assured that their rights would be maintained ‘forever’” (20). Likewise, when negotiations were finally completed in March 1788 with the Russian authorities representing Katherine die Grosse, the plans to migrate from Prussia were sealed with the agreement of a twenty point

Privilegium. That agreement included complete religious freedom, affirmation instead of swearing oaths, and exemption of military service forever and for all Mennonites (Ens 12).

Nearly one hundred years later, when William Hespeler, a special representative of the Canadian government, sought assurances of military exemption on behalf of the Mennonites in Russia who were considering immigration to Canada, the Governor General in Council wrote that Canada “cannot prescribe any conditions or regulations under which, under any circumstances, the persons referred to...can be compelled to render any military service” (Ens 13-14). Thus, on August 13, 1873 the new statement of agreement, or *Privilegium*, was signed with the Canadian government. Mennonites were allowed to settle in villages, to administer their own schools, were exempt from military service, and would not be compelled to take an oath (17).

By 1890, the special hamlet privileges in Manitoba of not having to live directly on the farmland in order to claim ownership of it were abolished. In 1915, the Manitoba government passed an education reform that threatened the autonomy of Mennonite education in that province (Dyck 241). There was a feeling that, like their experiences in Prussia and Russia before, words like ‘forever’ could be erased in a heartbeat by the ruling government of the day, and privileges could easily be taken away.

In spite of this, Mennonites in Canada continued to hope that somewhere else would be better and started negotiations with the Mexican government. They received a personal guarantee from the president of Mexico, Álvaro Obregón that all religious freedoms would be granted. In response to this new *Privilegium*, thousands of Old Colony and Sommerfelder congregants moved from Manitoba and Saskatchewan to Mexico between 1922 and 1926 (Dyck 241).

In 1921, the Paraguayan Congress passed a law with similar guarantees for full religious freedom. The passing of this law had Canadian Mennonites moving there starting in 1926, which was good timing for Mennonites fleeing from the violence of the Russian revolution and who found the doors to Canada and the U. S. shut to German-speaking immigrants in 1929.

I recount these events not to provide an exhaustive discussion of special privileges and negotiations in Mennonite history, but rather to remind us of that history. Its relevance to me is that, in struggling with the question of same-sex marriage as a queer Mennonite, I have encountered attitudes in my own GLBTTQ community, that emphasize the idea that, now that the right to same-sex marriage has been won, everything is fine. Once you have what you want, it’s all too easy to forget past examples that demonstrate that the winning of certain rights has not always been the end of the story.

Concluding Thoughts

I will, once again, borrow from the words of Judith Butler, this time from a collection of essays about religion in the public sphere:

One time breaks into another precisely when the former time was to remain forgotten for all time. This is not the same as the temporality of trauma. In trauma the past is never over; in historical amnesia the past never was, and that ‘never was’ becomes the condition of the present (8).

With this in mind, how do we move forward into this new chapter that human rights has afforded us in terms of same-sex marriage in Canada, without succumbing to historical amnesia? How do queer Mennonites walk away from the cycle of trauma that so easily entraps us, making the past seem so very present, and the present, for many of us, seem equally inescapable?

I think taking a page from the actions of my ancestors might be a start. Negotiate. And I mean that in the broadest sense of the word. Maintain a healthy skepticism about projects and narratives that seek to universalize, remembering that for Mennonites, ‘love’ has a particular meaning and praxis. If you’re going to engage with the world and the governing authorities, use whatever leverage you have – human rights, the law, or money – within the bounds of Christian love, while maintaining a healthy skepticism surrounding the privileges that are afforded to us by governments, knowing it can always be taken away. Problematizing privilege is a good starting point, as well as questioning who creates the matrix of universalizing concepts, such as human rights.

Don’t back down. We are part of the geography of becoming. Don’t get too comfortable or too invested in particular notions of what it means to be home. I have often quipped to non-Mennonite friends that the reason I can pack a moving van with stunning proficiency is because it is in my DNA. Especially when looking at the history of colonialism in Canada, following government rules and regulations has led to an involvement in violence that Mennonites would not normally condone or participate in. While Mennonites received choice farmland in the Canadian prairies, and found a home that offered refuge, Indigenous peoples were being violently displaced by the government. This government was simultaneously using Mennonites, who were seeking safety and religious freedom and had proven capabilities as farmers, to advanced their project of colonialism. Thinking about this time in Mennonite history, and my own history as a queer person in the context of human rights, brings to mind the quote, “No one is free while others are oppressed” (author unknown).

When I reflect on what was so upsetting to me about my brother getting married, I know now that it wasn't so much that I wanted what he had, but what I wanted was an ally. Or maybe just a group of straight and queer people willing to look at ways in which entering into marriage can be refreshed and reinvented.

In my role as an officiant, one of the questions that I ask all the couples that I marry (whether opposite or same-sex), is why they are bothering with a wedding. Most of them already live together, some of them for long enough to be considered spouses by the government for the purposes of taxes and property rights. Some of them even have children together. So why then would one bother with the fuss of getting married? The couples are pretty uniform in their responses, no matter what context they are speaking out of: a marriage ceremony simply feels like something 'more'. I stumbled on a phrase of Andrew J. Cherlin's that sums it up very well, which is: "*enforceable trust* (854)." There is something about the ritual act (however that ritual is performed), inviting people to witness your commitment to each other, which invites a sort of "*enforceable trust*." In this day of TV shows like TLC's *Say Yes to the Dress*, and *Four Weddings*, as well Slice's *Bulging Brides*, it is easy to see why people have no interest in participating in something that seems more about celebrating the accomplishments of capitalism as opposed to commitment and love. I would argue that part of the project of queering marriage is returning to the value of ritual as an antidote to the ways in which capitalism has taught us to devalue marriage. Whether I attended their wedding as an officiant or as an invited guest, I feel committed to checking in with the couple periodically to see how they are living in relation to the commitment they made to each other.

Maybe Mennonite Church Canada will never allow same-sex marriages to be performed within our denomination, and maybe that means that I will never get married, but that won't stop me from claiming my place within this history. This history has had the tenet of "in the world, but not of the world" ringing in my ears for my entire life. When the collective amnesia of both our privileged status, paralleling with the history of oppressed minority, marginalized and othered, my insertion of myself is a part of the time "that breaks into another." This is the place where intersectionality happens.

In a history that has generally been told in terms of those who are in favour of same-sex marriage and those who are against it, it's clear to me that there have been moments missing. In breaking up binaries, we can be reminded of a wider field of experience, need, thought, belief, and possibilities. Breaking up binaries can be a site of hope, and indeed a site of 'queering' marriage.

My name is Jan Guenther Braun, I am the youngest daughter of Diedrich and Katherine Braun, granddaughter of Peter and Mary Guenther and David and Marie Braun; born and raised in Saskatchewan, baptized and accepted into the membership at Osler Mennonite Church, and I joyfully, and within the history of my ancestors – for better or for worse – claim and continue a complicated becoming.

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Notes

- ¹ In this essay, the reader will find many different ways of referencing what is commonly referred to as 'GLBTTQ'. I reference GLBTTQ in different ways with the understanding that our community is a diverse mix of ideas, people and representations, and that mirroring this diversity semiotically is as important as the other ways in which this is done.
- ² The term 'cis-gender' may be unfamiliar to some. The term, in common usage, refers to someone who identifies as the same gender/sex that they were assigned at birth.