

## A Wedding in Canada

Gay Couples Follow a Trail North  
Blazed by Slaves and War Resisters

By CLIFFORD KRAUSS

**H**AVEN was the word for Canada and the Negro sang of the hope that his escape on the Underground Railroad would carry him there," the Rev. Dr. Martin Luther King Jr. once noted in describing the codes American slaves used in their spirituals to fool their masters before taking flight.

Canada is heaven again for Lance W. Bateman and William E. Woods, two American men who were married here recently.

The wedding on Aug. 31 looked like a typical Hawaiian wedding, with the grooms wearing tropical ceremonial shirts made of pineapple fiber woven to look like fine silk and every guest wearing at least one orchid lei. Except the affair was in Canada, because the two men could not legally be married in Hawaii, where they live and to which they have returned.

As untraditional as the affair might seem, the men were actually following a long tradition of Americans coming here to break the conventions of the day, do something illegal, or simply live as they wished. The tradition goes back to the American Revolution, when 30,000 Loyalists flooded into Ontario and Nova Scotia to remain in the paternal embrace of King George III.

Mr. Woods, a 54-year-old public health administrator, and other gay-rights advocates are campaigning to encourage American gay couples to marry in Canada and then take their Canadian marriage licenses back home to press for the kind of pension, medical and other benefits that heterosexual married couples have.

"It is clear that when Americans are denied justice we can just cross the border, where the culture and language are relatively equivalent and achieve the sense of freedom we cannot achieve at home," Mr. Woods said. He noted that even now that the Massachusetts Supreme Judicial Court has ruled in favor of gay marriage — just as Hawaii's Supreme Court did in the early 1990's, before the state's constitution was amended to exclude homosexual marriages — the fight in the United States is not over and that those who are not willing to wait to marry will keep coming north.

"There is an escape now, and that escape is Canada," he said. "As in the time of slavery, we can learn from the experience in Canada that the world does not collapse on us when we achieve justice."

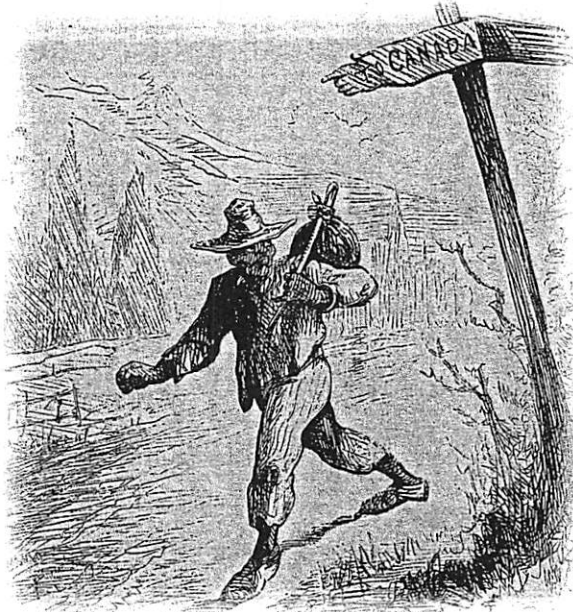
That Mr. Woods would draw a connection between his experience in Canada and the 30,000 blacks who escaped here before the American Civil War is not at all far-fetched, Canadian and American historians say.

"Canada from time to time functions as the great outpatient clinic for disaffected Americans," noted Gil Troy, an American historian who teaches at McGill University in Montreal.

Like the gay couples of 2003, many of the fugitive slaves of 150 years ago did not stay long. They went home to fight in the Union army. In the 1870's, Sitting Bull and his Sioux nation escaped the American cavalry and made Saskatchewan home for a few years before returning south with



Sheltered in Toronto from the Vietnam draft.



Culver Pictures

In an 1862 lithograph, a slave is depicted fleeing toward Canada before the Civil War.

Canadian encouragement.

Neither group found Canada particularly friendly, but their presence helped solidify among Canadians a lasting notion of moral superiority in the way they treat minorities.

"We have always prided ourselves as being the northern terminus of the Underground Railroad, so we never stop enjoying embarrassing America as inferior in race relations," said Austin Clarke, an acclaimed Canadian novelist who was born in Barbados.

The exoduses have also had a surprisingly strong impact on the Canadian psyche.

"Canadians need to know they are different from Americans," said Christopher Moore, a historian who has studied the American Loyalists who came north in the Revolutionary War. "Any time we take a stand and actually attract Americans to come here it reassures us that we have something unique."

That was particularly the case when more than 120,000 Vietnam War draft resisters came north in the 1960's and 1970's. At the time, Prime Minister Pierre Trudeau said their presence proved that Canada was "a refuge from militarism" in a speech that did not please Washington.

"The decision of Canada to allow American Vietnam War resisters to take refuge here was an opportunity for Canada to stake out its new autonomy," said John Hagan, a draft resister in 1969 who now is a dual citizen and teaches sociology and law at Northwestern University and the University of Toronto.

The sense of autonomy developed more fully when Canada adopted independent policies toward Cuba, and more recently when it supported the International Criminal Court (which the United States opposes) and declined to send troops to Iraq. Canadian divergence was carved more sharply over the last year by the willingness of Prime Minister Jean Chrétien to push ahead with plans to extend marriage rights and decriminalize possession of small amounts of marijuana.

Last spring, two provincial courts made Canada the third country to legalize same-sex mar-

riage, and now 1,500 or so gay and lesbian couples have exchanged vows. Of those, more than one-third are American.

That trend is not likely to change much until it is clear whether Massachusetts will accept its court's new ruling or try to amend its constitution. But even if the decision stands, gay activists will have to overturn the federal Defense of Marriage Act to assure that a Massachusetts marriage is recognized in all states.

Once Canada's House of Commons makes same-sex marriage legal across Canada, as it is expected to do next year, the Canadian marriage license could be an effective weapon. American gay advocates say they could argue in court that a Canadian license should be recognized in the United States as one of many contracts whose reciprocal acceptance is required by treaty.

Several hundred other Americans have crossed the border in recent years as the Bush administration has cracked down on medical marijuana growers and "compassion clubs" that distribute pot to the sick as a painkiller. "For me Canada is a way of life and a chance for freedom away from the nightmare that awaits me in the United States," said Renee Boje, who fled to Canada in 1998 from charges of cultivating marijuana — a crop she said a colleague had planted for medicinal purposes. She and a few other marijuana fugitives are seeking refugee status in Canada, and if they succeed, they could be joined by many others.

Or, with the war in Iraq dragging on, Canadians half-jokingly say American deserters might be the next wave.

"Canadians think about the Iraq war the way they did about Vietnam," said Neil Bissoondath, a Trinidadian-born Canadian novelist and social critic. "And accepting a new generation of dodgers would fit right in with our sense of ourselves."