

DOES MARRIAGE HAVE TO BE REDEFINED IN CANADA?

Good Reasons for Challenging Bill C-38 and Defending the Natural Definition of Marriage

Everyone now knows that the federal government wants to redefine marriage by June to include unions between same-sex partners. In order to do this, the government tabled Bill C-38 in the House of Commons on February 1, 2005.

There are many reasons for people of faith to say NO to this bill which, if passed, will radically change the institution of marriage to the point where its very nature, its meaning and its reason for existing will be lost. It will be replaced by something different.

But faith alone is not the only basis for marriage remaining what it has traditionally been. Whether they believe in God or not, Canadians have many human and natural reasons for not opening the door to same-sex marriages.

The issue here is not preventing same-sex partners from being together. The issue is whether the definition of marriage should be changed to include same-sex unions. What millions of Canadians – for whom the word “marriage” reflects a reality that is intrinsic to our nature as humans – are refusing to do is to accept that this word be redefined to include a whole other reality.

Refusing to accept same-sex marriage has nothing to do with egotism, discrimination, bigotry, intolerance or homophobia. It's a matter of common sense. The heterosexual definition of marriage must be preserved for the simple reason that it is based on the way things are.

Because the relationship of a man and woman committed in a marriage is the strongest core of the family, and because the family is the most vital unit in society, we run great risks in tinkering with the definition of marriage and the family.

It is important and urgent to reflect in depth on this question, to inform our family and friends, and to contact our Members of Parliament to express clearly and politely our concerns, our opinions and our convictions on Bill C-38. (Write to them at: Name of MP, House of Commons, Ottawa, Ontario, K1A 0A6; telephone them at their local riding offices.) It is our right and our responsibility as citizens to do so. The well-being of our children and grandchildren and of future generations is at stake.

Listed below in MARRIAGE MEMOS are some short answers to the main arguments being put forward by supporters of same-sex marriage.



MARRIAGE MEMO # 1

IN ORDER TO REDEFINE MARRIAGE, THEY TELL US...

That the government has no choice but to follow the decisions of the courts.

BUT WE CAN ANSWER THAT...

- Parliament's decisions must not be forced on it by the courts. It is free to adopt the legislation it wishes. It may even use the notwithstanding clause to protect a law for five years.
- We do not define something according to the way we'd like it to be. We define it objectively, after studying it carefully. That is the only way to avoid creating false definitions.
- Since the beginning of humankind, there has existed a natural institution composed of a man and a woman that served the needs of society by producing new citizens and educating them.
- It is this reality that states have recognized by calling it "marriage". Marriage and families are realities that are indelibly inscribed in nature. They existed before states, before societies, before governments, before courts, before charters and before all laws.
- If the government wants to recognize as a new social reality the existence of gay and lesbian unions, and wants to improve the social condition of homosexual persons, it can do so without redefining marriage.
- If states give rights and privileges to married couples, it is not simply because the spouses love each other, but also and above all because they provide an essential service to society by assuring its survival

- The government has the responsibility of encouraging, promoting and supporting heterosexual unions. The conjugal relationship between a man and a woman must remain the social norm because it is a unique and irreplaceable good for the couple and for society. Marriage is a fundamental element of human reality.

- The government did not institute marriage. How can the government claim it can redefine marriage?



MARRIAGE MEMO # 2

IN ORDER TO REDEFINE MARRIAGE, THEY TELL US...

That the government must respect, and encourage others to respect, the Canadian Charter of Rights and Freedoms.

BUT WE CAN ANSWER THAT...

- The Charter recognizes “the supremacy of God,” even if there is no mention of Jesus Christ, the Lord, or Allah. The Charter simply refers to a Supreme being (in whom 85 per cent of Canadians say they believe) who is responsible for the order that exists in the universe.
- Human beings are part of the universe and have certain characteristics that reveal the order written into their *nature* as humans. This is why we say that they have *natural rights*, which are part of *natural law*.
- The right to marriage – recognized for man and woman by the Universal Declaration of Human Rights (art. 16) – is based on natural law. Natural law respects the order established in the universe and does not change as societal attitudes change.
- Laws established by governments are part of *positive law*. They constitute progress for the society when they are in agreement with natural law. Otherwise, they are a sign of society’s regression.
- The Canadian Charter of Rights and Freedoms is not the ultimate moral point of reference that should guide our choices and decisions as a community.



MARRIAGE MEMO # 3

IN ORDER TO REDEFINE MARRIAGE, THEY TELL US...

That it is discrimination to prevent two people of the same sex who love one another from getting married.

BUT WE CAN ANSWER THAT...

- Marriage is not only a matter of love. It is also a matter of the survival of humanity. The two aims of marriage are (1) the good of the spouses and the fulfilling of their love, and (2) the procreation and education of their children. If one of these two essential elements is removed from the definition, we can no longer call it marriage.
- Marriage is more than a union between two people. It is the union of two sexes. To remove one of the two sexes from marriage is like removing chocolate from a cake recipe and still insisting on calling it a “chocolate cake”. If one of the two sexes is removed from marriage, we no longer have marriage.
- If we refuse to call a union between two partners of the same sex “marriage,” it is not because of their sexual orientation, but because of the couple’s lack of physical complementarity, which prevents them from producing children together. Gay and lesbian couples do not have the biological capacity to reproduce. Assisted procreation or adoption does not change this anatomical reality. Heterosexual couples who do not have children still have the innate capacity to procreate.
- There is nothing discriminatory in naming and treating differently two realities that are so different from each other: (1) a heterosexual union, which has the capacity to transmit life and (2) a homosexual union, which is always physically sterile in its being. This avoids confusion.

- It would be unfair and discriminatory towards men and women in marriage relationships to include homosexual unions in the definition of marriage. Their special and important contribution to life in society would no longer be recognized.



MARRIAGE MEMO # 4

IN ORDER TO REDEFINE MARRIAGE, THEY TELL US...

That all citizens are equal and everyone must respect this equality.

BUT WE CAN ANSWER THAT...

- People do not have to be identical to be equal. They can be different and equal. In fact, welcoming the diversity of people is a great sign of respect and is one of the distinguishing marks of Canadian society.
- The question of marriage is not a question of equality, but of the public interest and the common good. Is there a social advantage for the government to recognize “marriage” between people of the same sex? What would this so-called marriage bring to society? The heterosexual couple has always symbolized procreation, parenthood and education, and will continue to do so.
- What a government encourages when it recognizes marriage between a man and a woman is their natural potential to become parents: children may be born from their union. By producing new citizens for society and educating them, married couples ensure a future for society, so that society may continue to exist. That is why it can be said that marriage is a matter of the common good. Homosexual unions are private relationships and do not contribute to the survival of society as male-female marriages do.



MARRIAGE MEMO # 5

IN ORDER TO REDEFINE MARRIAGE, THEY TELL US...

That creating another formula of social recognition for same-sex couples, such as civil union, for example, would be an attack on their dignity.

BUT WE CAN ANSWER THAT...

- The dignity and equality of people do not depend on their race, religion, gender, sexual orientation or civil status. Their dignity and equality are based on the simple fact that they are human.
- It is important to recognize and protect the rights of same-sex partners, but never to the detriment of the common good or the public interest.
- Many people of homosexual orientation support the historical definition of marriage and want it left alone.



MARRIAGE MEMO # 6

IN ORDER TO REDEFINE MARRIAGE, THEY TELL US...

That Bill C-38 concerns only civil marriage, and has nothing to do with religious marriage.

BUT WE CAN ANSWER THAT...

- There are not two kinds of marriage. There are simply two different doors to enter into a one and only institution anchored in human nature: marriage. There is the civil door and the religious door. The civil door is for couples who choose to get married at City Hall. The religious door is for couples such as Catholics who are asked to marry in their Church.
- In both cases, marriage is an alliance of freely given love that is legitimate, faithful and exclusive between a man and a woman – an alliance that has the potential to produce new life.
- Along with the family, marriage is *the* fundamental institution in society, and the most stable and favourable place for the growth and development of children. By changing the definition of marriage, one also changes the definition of family.
- If passed, Bill C-38 will radically modify the nature and meaning of marriage, which all cultures and religions have recognized for its vital importance for the stability of families and the future of societies.
- Only one fundamental meaning of marriage will survive and be passed on to our children and grandchildren: either marriage includes the capacity to produce new life, or it doesn't. The law will influence what will be taught.



MARRIAGE MEMO # 7

IN ORDER TO REDEFINE MARRIAGE, THEY TELL US...

That it is a question of rights.

BUT WE CAN ANSWER THAT...

- A minority does not have specific rights just because it is a minority. It is the people who make up that minority who have these rights.
- One must distinguish between *absolute rights* – such as the right to life – and *conditional rights* – such as the right to practise medicine on the condition of obtaining a medical degree, or the right to drive a car on the condition of obtaining a driver's licence.
- The right to marriage is reserved for those people who fulfill the inherent conditions for this right; sexual complementarity has always been recognized as an inherent condition of marriage. Same-sex partners, therefore, do not qualify for this right.
- Different charters and laws already protect the rights of homosexual persons in society. They are assured of many social and patrimonial rights.
- The right to marry is not a question of individual rights but a question of collective rights and of the common good. All of society would be affected by the redefinition of marriage.



MARRIAGE MEMO # 8

IN ORDER TO REDEFINE MARRIAGE, THEY TELL US...

That Canadian society is evolving and that the laws must reflect the new attitudes.

BUT WE CAN ANSWER THAT...

- Not all evolution is progress. Sometimes evolution can be negative – an increase in the unemployment rate, for example. For social evolution to be considered progress, it must favour the common good.
- Marriage contributes to the common good because it ensures the renewal of generations, which homosexual unions are incapable of doing.
- When 66 per cent of the Canadian population says it prefers maintaining the historical of marriage (COMPAS National Survey, February 2, 2005), one can only wonder about this so-called new mentality of Canadians.



MARRIAGE MEMO # 9

IN ORDER TO REDEFINE MARRIAGE, THEY TELL US...

That it is a sign of bigotry and homophobia to refuse to allow marriage for same-sex partners.

BUT WE CAN ANSWER THAT...

- It is easier to launch gratuitous accusations to silence the opposition than it is to agree to discuss the matter calmly with those who do not share our opinion.
- Presently, there is a great need for rational dialogue based on reality instead of emotion.
- It is possible to maintain friendly and caring relationships with homosexual persons while still opposing the redefinition of marriage.



MARRIAGE MEMO # 10

IN ORDER TO REDEFINE MARRIAGE, THEY TELL US...

That religious freedom will be protected and that religious groups will not have to bless marriages that go against their beliefs.

BUT WE CAN ANSWER THAT...

- It is the provinces, not the federal government, that determine the conditions for the celebration of marriages. The majority of provinces do not have laws protecting religious groups in this matter.
- Religious freedom is not limited to the freedom to bless or not to bless marriages between same-sex partners. Our religious beliefs, convictions and Christian values influence our entire lives: our choices, decisions, work, education of our children, etc. Our religious freedom must be respected in all areas of our daily lives.
- In addition, religious freedom goes hand in hand with the freedom of conscience and the freedom of expression. Bill C-38 mentions neither of these freedoms. What will happen to civil servants who refuse to preside over gay marriages? To preachers who proclaim the teaching of the Church on marriage and homosexuality? To teachers who cannot in good conscience present same-sex “marriage” to their students as the equivalent of traditional marriage? To parents who are opposed to their children’s school presenting a view of marriage that is contrary to their own? Already, the Montreal School Commission has set aside a date for its first Gay Day: June 1, 2005.
- One can foresee lengthy and costly legal cases to defend the freedom to teach, to preach and to educate according to our faith and conscience.

- Certain political leaders who have advised the Church to stay out of this debate seem to ignore the fact that Christians are citizens with full rights who have not only the right but the responsibility to take part in public debates. This is especially true when these debates call into question the fundamental institutions of society.



MARRIAGE MEMO # 11

IN ORDER TO REDEFINE MARRIAGE, THEY TELL US...

That the government is required to protect the rights of all Canadian citizens.

BUT WE CAN ANSWER THAT...

- Children are also citizens. Bill C-38 aims to respect the individual human rights of same-sex partners by recognizing their “right” to marriage. What about the needs and rights of our most vulnerable citizens – children: their right to a mother and a father, their right to know their biological parents and to grow up with them? These rights are protected in the traditional institution of marriage.
- Children arrive in the world as a result of the special communion of love between a man and a woman, and they have the fundamental right to be educated by their father and mother.
- Research on children and divorce, and the most recent sociological studies, prove that children function better when they grow up in the company of their mother and father, who play different and complementary roles. This complementarity and educational interaction are crucial to the children’s growth, and to the formation of their personality: their emotional growth, their self-esteem and self-confidence, their capacity to love and to contribute to society.

- Should we voluntarily place some children in a situation where they will be without a mother or a father? This would be discriminatory, because children have the right to an education given by their two biological parents.
- Marriage is centred on children, and the good of the children takes precedence over the desires of adults.



MARRIAGE MEMO # 12

IN ORDER TO REDEFINE MARRIAGE, THEY TELL US...

That nothing will change for heterosexual couples who choose marriage, and that allowing same-sex marriage will only reinforce the institution of marriage.

BUT WE CAN ANSWER THAT...

- By including the union of same-sex partners in the definition of marriage, the government would no longer recognize any social or public value in civil marriage. The marriage contract will not differentiate between same-sex marriage and heterosexual marriage. The message will be clear: these marriages have the same value; they are equivalent. In this way, marriage will be weakened and young people will be discouraged from embracing it.
- There is no better way to remove value from marriage between a man and a woman than to stop publicly recognizing the key role the heterosexual couple plays in the building of society. Why would young adults choose to marry and assume collective responsibilities if the state devalues their commitment while choosing not to offer them any special privileges?
- The experience of Scandinavian countries, which for ten years have offered same-sex partners equivalent rights to those of heterosexual couples, should be examined. There has been a significant decline in the number of marriages and a significant increase in the number of children born outside of marriage.
- The *National Longitudinal Survey of Children and Youth*, conducted by Statistics Canada and Human Resources Development Canada, clearly shows that marriage is the most stable kind of union and therefore is most beneficial for children. Only 13 per cent of children born of married parents

who did not live together before marriage see their parents separate, compared to 63 per cent of children born of civil unions who see their families disintegrate. Twenty-five per cent of children whose parents lived together before marriage will face this situation.

- The enormous social costs of divorce are well known, but no one foresaw its impact (emotional instability, depression, poverty, school drop-outs, delinquency, suicide, etc.) when it was legalized. This new enterprise of same-sex “marriage” also brings risks of unpleasant surprises. It is shocking that the government is at the verge of creating new unfavourable situations that will affect the well-being of children.
- Young people need to receive a positive message from the State: that marriage is very important and that the State will support those men and women who commit themselves to marriage in a privileged manner because it is in society’s best interests.



A FAITH APPROACH

According to God's plan, marriage is the basis of the family. A man and a woman committed in a conjugal union collaborate with God. By giving birth to children, they become co-creators with God.

To help us better understand the importance of marriage, Christ elevated natural marriage to a sacrament, which would be a sign. The love between spouses – a love that is total, exclusive, faithful and open to life – is a reflection of the love of God for humanity and the love of Christ for His Church.

Marriage is one of the Christian vocations, which are paths towards sainthood. The man and woman who marry in the Church make a privileged place for God at the very heart of their union.

Day after day, thanks to the divine grace they receive in prayer, the Word of God and the sacraments of Reconciliation and the Eucharist, they can grow in love, in the gift of one another and in forgiveness. With God beside them, they find the strength, courage and faith to confront the challenges of daily life.

TO BE BETTER INFORMED, CONSULT AND ORDER:

1. The [Marriage Matters](#) leaflet produced by the Catholic Organization for Life and Family (COLF) and available from the following e-mail address: ocvfcolf@cccb.ca or by phone: (613) 241-9461, ext. 161.
2. The booklet *In Love for Life: A Reflection Paper on the Conjugal, Social and Religious Significance of Marriage* (<http://colf.cccb.ca/Publications.htm?CD=&ID=307>), produced by the Catholic Organization for Life and Family (COLF) and available from CCCB Publications (www.cccbpublications.ca) or by phone: 1-800-769-1147.

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