

February, 2005

In Canada today there is a great debate over the nature and definition of marriage. This supplement explores the nature and reasons for true marriage and the perceived dangers in the proposal to redefine marriage. The issue has received enormous press and media coverage these past few years. There are many arguments for and against the concept. Proponents of the redefinition raise questions and pursue thoughts along this line:

Since marriage has changed through the centuries, wouldn't gay marriage be just another development in its ever-changing definition? Why shouldn't our definition of family be broadened and modernized? After all, what harm could possibly be done by yielding to the demands of those who say traditional notions of family are outmoded and irrelevant?

Those who defend traditional marriage fear that changing the definition would lead to grave, unforeseen consequences for individual, children, families, and society. So what are the real issues at stake? What values are in conflict? What freedoms and rights are threatened? What did the true role of Parliament? The courts? The people? Democratic processes?

This supplement serves as a primer on the issue of same-sex marriage in its political, social, moral, religious, and economic dimensions and ramifications. Reproduced in these pages are excerpts from articles and summaries of arguments commonly found in various sources: newspaper reports; columns; articles; pastoral letters; journals; editorials; books; internet sites.

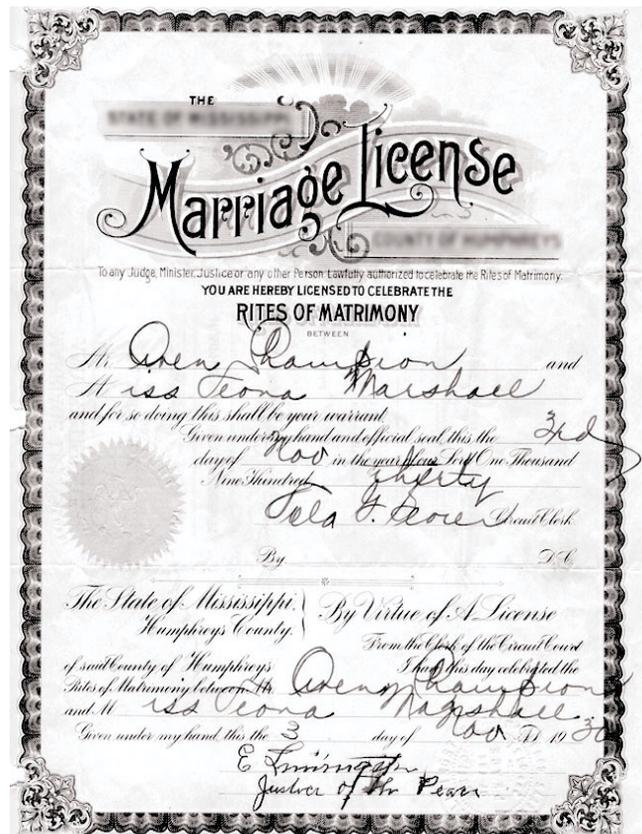
Note: The arguments presented in Part 1 draw liberally from seven articles as listed directly below:

1. **Why the rhetoric doesn't stand up under scrutiny** by Robert Benne and Gerald McDermott both of whom teach religion at Roanoke College in Virginia. Benne is a lay Lutheran theologian and McDermott is an Episcopal priest. Copyright © 2004 *Christianity Today*. September 2004, Vol. 48, No. 9, Page 51
<http://www.christianitytoday.com/ct/2004/009/18.51.html>
2. **Eleven Arguments Against Same-Sex Marriage** by Dr. James Dobson of Focus on the Family. He contends that there are very compelling arguments against marriage between homosexuals that should be considered by anyone who has not yet become familiar with the issues.
<http://www.family.org/cforum/extras/a0032427.cfm>
3. **Questions and Answers: What's Wrong With Letting Same-Sex Couples "Marry?"** by Peter Sprigg of Family Research Council of offers an excellent overview of most important arguments re the issue in the United States.

The extra complication in Canada is that the government and the Courts make an appeal to the Charter of Rights and Freedoms, as being the ultimate guide or guarantor of the right for same-sex people to marry each other.

<http://www.frc.org/index.cfm?i=IF03H01&f=WU03L06>

4. **The End of Marriage in Scandinavia** by Stanley Kurz, argues that the "conservative case" for same-sex marriage does not stand up at all. He presents the negative effects of gay marriage on traditional marriage based on Scandinavian birth, marriage and divorce statistics.
<http://www.weeklystandard.com/Content/Public/Articles/000/000/003/660zypwj.asp>
5. **The Case Against Same-Sex Marriage** by Tim Leslie A California congressman gives a politician's viewpoint in favour of traditional marriage.
<http://www.crisismagazine.com/january2004/leslie.htm>
6. **Declaration of Enshrine Marriage**
<http://www.enshrinemarriage.com/english/declaration.aspx>
7. **Truth and lies regarding same-sex 'marriage'** In the large paragraphs italicized material is taken from *The Interim* article by Paul Tuns) appearing in the February edition of that paper.





reproduction is a central (even if not obligatory) part of the social significance of marriage... ..Indeed, the facts that a child cannot reproduce, that close relatives cannot reproduce without risk, and that it only takes one man and one woman to reproduce, are among the reasons why people are barred from marrying a child, a close blood relative, or a person who is already married. Concerns about reproduction are central to those restrictions on one's choice of marriage partner—just as they are central to the restriction against “marrying” a person of the same sex. (Sprigg)

What about couples that cannot have children?

Opposite-sex couples past the age of fecundity, or who otherwise cannot have children, are not akin to same-sex couples. It is impossible that the sexual relationship of homosexuals be able to produce children. Therefore, such unions mock the ideal of marriage in the first place. As Christianity Today noted in an article entitled, “13 Bad Arguments for Same-Sex Marriage,” “In all cultures, even if some couples are childless, marriage is an institution principally concerned with children, and therefore society’s future.” In fact, most married couples, the article notes, “either have had, or will have, children.”

Shouldn't the state just get out of the 'marriage business'?

No. Marriage is recognized and sanctioned by the state because it has recognized the unique and historical role of the two-parent family as the ideal way to bring children into this world and raise them. That is, the continuation of the nation is contingent on healthy families, an issue on which the state cannot be indifferent.

PART 1

Basic Questions Posed in this Public Debate

Why defend the traditional definition of marriage?

It is the foundational institution of society and civilization. Marriage is a public good created by God and sanctioned by church and state. As Maggie Gallagher, an American author and expert on marriage, says, “What every human society calls marriage shares certain basic, recognizable features, including most especially the privileges accorded to the reproductive couple in order to protect both the interests of children and the interests of society.” The union of one man and one woman is given sanction in order to give it special protection, rights and responsibilities to each other and those in the couple’s care. As Gallagher says, “Successful societies support and prefer marriage not only because children need mothers and fathers, but also because societies need babies ... Only societies that reproduce survive.” Marriage channels the erotic energy of the man and woman to a productive and useful personal and public good.

What is marriage and what is it not?

Marriage is not merely a private contract between two people who love each other. That is a selfish view of marriage that degrades it into a relationship of a purely private, individual nature pursued for personal reasons for one’s own well-being, usually defined as one’s own happiness. But that is not what marriage is. If it were, what compelling reason would there be for the state (or the church, for that matter) to officially recognize and sanction the relationship. It would be, in the derogatory diminishment of marriage popular in the 1960s, “a license to have sex.”

As for the purpose(s) of marriage, instead of asking whether actual reproduction is essential to marriage, why not ask this: If marriage *never* had *anything* to do with reproduction, would there be any reason for the government to be involved in regulating or rewarding it? Would we even *tolerate* the government intervening in such an intimate relationship, any more than if government defined the terms of who may be your “best friend?” The answer is undoubtedly “no” – which reinforces the conclusion that

Questions

- 1.What are the two main purposes of marriage? Can one exist without the other?
- 2.What public good does marriage serve?
- 3.In what important ways is marriage more than a private contract?
- 4.How and why is reproduction a central concern of marriage?
- 5.Does childlessness negate the argument concerning reproduction?
- 6.Why should the State take a vital interest in the issue of marriage?

Will gay marriage affect ordinary people?

If same-sex marriage becomes law, then homosexual activity would be officially approved and that would practically invite schools to teach the equal value of heterosexual and homosexual activity, regardless of what the parents of students might think. (this concern regarding classroom education appears to have some validity because in British Columbia the Human Rights Commission addressed the problem of textbooks in favour of the homosexual lobby in its appeal against the Surrey School Board’s decision to not allow placement of three children’s books promoting homosexuality into primary classrooms.)

Furthermore, because law affects the culture, mass entertainment and other aspects, society will begin to treat homosexual behaviour as normative. There will then be tremendous pressure on churches and individuals to accept homosexual behaviour. Families will be bombarded by messages that contradict traditional moral beliefs, straining familial relationships and causing confusion among our children. Furthermore, as the Hoover Institute's Stanley Kurtz has noted, countries that legally recognize same-sex relationships witness further deterioration of traditional marriage. The rest of society, as taxpayers and citizens, will have to compensate for an increasingly dysfunctional society riddled with more crime, illiteracy, illegitimacy, and anti-social behaviour.

not inherently closed to providing both models in the way that homosexual parents are.

Is same-sex marriage bad for kids?

Children require both male and female nurturing when growing up. Children, especially boys, need both male and female influences. Boys learn how to be men from their fathers and how to interact with women from their mothers. Homosexual couples cannot provide this. Furthermore, numerous studies demonstrate the beneficial effects of having two parents and that children who do not come from intact families are at greater risk of serious personal and social problems including illiteracy, criminality, drug and alcohol abuse, broken relationships and social maladjustment. Also, as the contributors to *Different Mothers: Sons and Daughters of Lesbians Talk About Their Lives* demonstrate, the "emotional and public lives" of children of homosexual parents are indelibly marked by the experience of their particular upbringing. The daughters of lesbians distrusted men and both sons and daughters resented being denied a father. Many of the contributors reported partaking in sexually deviant or unhealthy lifestyles themselves and blamed the lack of proper modeling for their regrettable sexual choices.

Homosexual couples, unlike a single or divorced parent, simply cannot impart male and female virtues. As *The Interim* wrote in 2003, homosexual parents are a form of dual single parenthood, providing two fathers or two mothers, neither of who are adequate replacements for a mother and a father. Furthermore, considering the necessarily complimentary nature of opposite-sex parents in providing male and female care (for the sexes do provide different kinds of care), growing up in a dual-father or dual-mother household could be psychologically and emotionally damaging to children. And while single and divorced parents do not always provide both male and female care and models of behaviour, they are



Questions

1. According to Tuns and others how would gay marriage affect ordinary people?
2. How would it impact on the raising of children?
3. What serious limitations and negative impact does Tuns point out with respect to gay parenting?
4. Do statistics presented by social science studies support the claims of negative impact of gay parenting?

How will 'expanding' the definition of marriage change the institution?

The truth is, we don't know. But numerous "mainstream" advocates of gay marriage laud the fact that homosexuals will bring a new understanding of what marriage is. Michael Signorile said in his 1997 book, *Life Outside*, that once homosexuals have successfully convinced society to redefine marriage to sanction their relationships, then, "once granted, redefine the institution of marriage completely ... (to) radically alter an archaic institution." He suggested that heterosexuals may benefit from an understanding of marriage that unleashes it from its historic connotation with monogamy ... It is clear that, by some of the leading advocates of same-sex marriage, merely changing who is eligible to marry is not the end game when it comes to altering the institution of marriage.

If marriage is only or primarily about fulfilling human desires and not parenting then the objections to gay marriage do not hold much water some argue. Recent experience in Scandinavia suggests that when a society reduces marriage to this minimalist definition, however, families dissolve more quickly and society reaps the consequences of increased social instability. British demographer Kathleen Kiernan has shown that since gay marriage came to Scandinavia in the early '90s, the out-of-wedlock birthrate has leaped significantly, and the family dissolution rate has risen... The statistics for Belgium and the Netherlands show the same downward spiral for marriage and the same upward spiral for illegitimate births and the practice of cohabitation... One must also remember that when the State sanctions homosexual relationships and gives them its blessing, the younger generation becomes confused about sexual identity and quickly loses its understanding of life-long commitments, emotional bonding, sexual purity, the role of children in a family, and from a spiritual perspective, the "sanctity" of marriage.

In light of this perhaps the real intention of gay activists is to create an entirely different legal structure in which everyone would enjoy all the legal benefits of marriage (custody rights, tax-free inheritance, joint ownership of property, health care and spousal citizenship, and much more) without limiting the number of partners or their gender. Nor would “couples” be bound to each other in the eyes of the law as a new word would replace the outmoded terms infidelity, adultery, cheating and promiscuity. James Dobson of Focus on the Family says that the homosexual agenda is not marriage for gays, but rather, marriage for no one. (Dobson)

Questions

1. What does James Dobson fear?
3. What do homosexual activists themselves say about their ultimate goals?

Will churches/religions continue to enjoy freedom or will that freedom be jeopardized?

Legal experts have explained that it will probably take several test cases to determine whose rights are paramount when conflicts arise: churches that want to defend their historical moral teachings or homosexual couples seeking to get married in churches. Despite Justice Minister Irwin Cotler’s repeated declarations that the conscience rights of clergy, rabbis and imams will be protected, many religious organizations are worried that even if the legislation provides such protection, activist courts will set it aside.

Events in the last few years raise doubts about how much protection there is for religious freedom in Canada. On April 28, 2004, Parliament passed bill C-250, which effectively criminalized speech or writings that “incite hatred” for homosexuals. Will a new Bible be mandated that is bereft of “hate speech”? Then there was the Scott Brockie case, a man who owned a printing company in Toronto and was fined \$5000 for refusing to print stationery for a homosexual activist organization. His claim that his conscience informed by his religious convictions would not permit him to carry out that request was rejected by the Ontario Human Rights Commission. Another incident involved Marc Hall, a student attending a Catholic school, who wished to take his gay partner to a school graduation dance. The school and the school board were not successful in upholding their denominational right to conduct school dances according to their religious teachings. (Dobson)

Once homosexual marriage is legalized, laws based on what will be considered “equality” will bring many changes in the law. It is likely that non-profit organizations that refuse to hire homosexuals on religious grounds may lose their tax exemptions. To give fresh evidence as to this eventuality, currently in British Columbia, two lesbians are suing the Knights of Columbus, a Catholic men’s charitable organization, for not allowing them to rent their hall for their wedding reception. In an unusually strong editorial on January 26 (*Freedom of religion under threat*), the *National Post* warned that a victory by the lesbian couple

“would set the province – and indeed, the entire country – down a very dangerous path.” The editorial noted that: “Those who seek to humble traditional religion in this country in the name of radical identity politics know just what they are doing.” That “doing”, explained the *Post*, is to deny religious organizations the freedom to discriminate and choose what they believe to be moral or immoral. The editorial concluded, “for that right to be taken away even before gay marriage has been enshrined in federal law would be an immensely dark omen”.

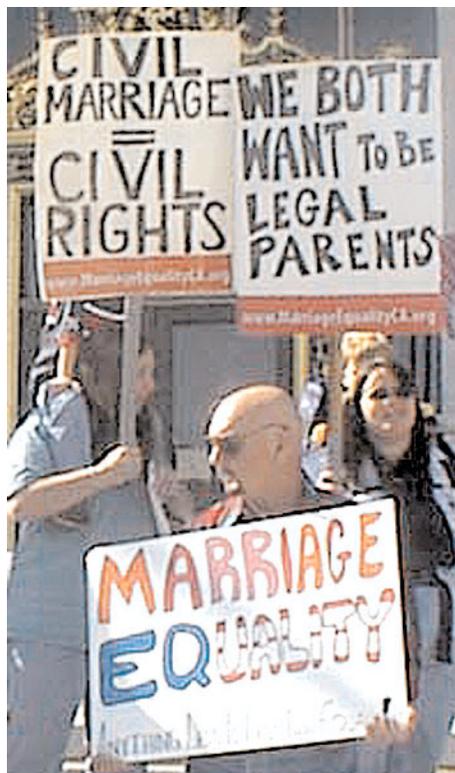
Questions

1. What does the Charter of Rights and Freedoms actually guarantee regarding freedom of religion and “sexual orientation” rights?
2. Is there any evidence of efforts to constrain freedom of religion?(the teacher may wish to assign specific cases as the subjects of reports by individual or groups to the class)
3. What did the *National Post* editorial warn about?

Why not settle for same-sex civil unions as an appropriate compromise?

Same-sex civil unions are akin to common-law relationships from a sociological and practical level, and marriage (without the word) from a legal perspective. Permitting unions as a compromise makes the same-sex marriage fight a debate over a word, rather than a fight to defend the most basic and vital institution in society. Furthermore, it is unimaginable that the courts would permit same-sex civil unions to stand constitutional muster; courts would rightly view granting marriage rights to heterosexuals, but merely unions to homosexuals, as akin to separate drinking fountains for blacks and whites.

According to the Hoover Institute’s Stanley Kurtz, several Scandinavian countries have union-like registered partnerships that had numerous restrictions (no adoption or artificial insemination rights, no registered partnership ceremonies in state-sanctioned churches, etc.) that are slowly being repealed. That is, there is evidence that whatever walls will be erected to differentiate gay marriage and



civil unions will be impossible to maintain.

Why all these concerns anyway? Haven't heterosexual couples already damaged and debased marriage?

It is true that divorce rates are too high, that there are adulterous heterosexuals and dysfunctional marriages. But one shouldn't permit further damage to the institution of marriage simply because of the damage heterosexuals have done to it by failing to live up to the ideal. The fact is, though, few people enter marriage expecting to be adulterous or for the relationship to end in divorce. That the state of marriage is less than perfect in modern society is no reason to further attack it. What marriage needs is not redefinition or "expanding," but support and strengthening.

Would same-sex marriage open the door to other legally sanctioned relationships?

Those in favour of redefinition dismiss the notion that gay marriage will lead to legal recognition of other relationships, including polygamous and incestuous ones. Indeed, the National Post featured a front-page story on Jan. 20 that reported the federal government is studying the impact of polygamous relationships on women and children to prepare for anticipated challenges to laws that prevent individuals from having multiple spouses.

The legalization of gay marriages will lead inexorably to polygamy and other alternatives to one man/one woman unions. (Dobson) In a January 26 article (*The broken windows theory of marriage*) in the *National Post*, Barbara Kay pointed out that many ideas or "rights" previously dismissed as "un-Canadian" and never going to happen, in fact have become reality just like the unthinkable gay marriage, and she asks with worry "Why shouldn't other marriage-minded entities in Canada, however outlandish in concept today, take heart from that rush to judgment?" She uses the broken windows analogy to make the point that once a car or a house has broken windows it becomes an easier target for vandalism and destruction, just like chipping away at the broken window in marriage created by no-fault divorce and gay marriage. She concludes that "continuing vandalism will cause the institution to be abolished altogether, exactly what radical gays and feminists want".

Questions

1. Why would same-sex civil unions be unacceptable? What are the legal and moral obstacles?
2. Given the high rate of divorce among married people, is marriage really worth all this hassle?
3. Would gay marriage inevitably lead to other experiments in unconventional relationships?
4. Is Barbara Kay correct in her "broken windows" analogy?

Aren't opponents of same-sex marriage bigots?

The real issue is not preventing same-sex "marriage," but retaining the unique and special status of marriage in society.... To defend the opposite-sex definition of marriage is not to be anti-gay, but to be pro-marriage. Furthermore, those who wish to conserve the traditional definition of marriage are showing compassion toward homosexuals by preventing legal sanction for a lifestyle that is inherently physically, emotionally and spiritually dangerous, if not outright destructive.

Resistance to gay marriage is not motivated by fear and loathing for homosexuals. The vast majority resist because they strongly believe in the positive features of traditional marriage. They have experienced the benefits of the lifelong union of two persons who are complementary in many important ways—biological, psychological, temperamental, and spiritual—and who, because of this complementarity, have a unique capacity to bear and nurture children. It is appreciation for the unparalleled success of this complementarity—not fear or hatred for gays—that motivates most people to oppose gay marriage. Many opponents of gay marriage are willing to tolerate the homosexual lifestyle even if they do not approve of it morally speaking. Gay activists want gay marriage as a sign of society's good faith, that society not only accepts but also approves of their lifestyle. One ought to remember that the gay marriage movement is only a few years old. Billions of people for millennia have upheld traditional marriage because they believe it flows from and respects a common-sense understanding of life. Defenders of traditional marriage do not want this basic human institution reduced into contracts between persons who make whatever they want of them, to the detriment of children and society. (Sprigg)

Questions

1. How and why do opponents of gay marriage get painted as reactionaries?
2. What difficulties do defenders of the status quo experience in fighting for what they believe in?
3. Is defense of marriage bigoted self-interest or enlightened defense of the common good for society? What does all past human history suggest?

Isn't the current definition of marriage discriminatory?

No one is denying homosexuals their right to marry.



Is legalized polygamy next?

Homosexuals have the same right to marry as heterosexuals – both can marry a member of the opposite sex. But even if it was discriminatory, the law does not discriminate; for example, on the basis of number, age or familial relations.



In Canada the proponents of gay marriage assert that it is a question of equality before the law, that it is therefore a human right. Various courts and human rights commissions treat it that way. However, critics of gay marriage point out that sexual orientation is nowhere mentioned in Canada's Charter of Rights and Freedoms.

In reality everyone's "rights" have some restrictions placed on them. The right to marry is one of these "rights" that is accompanied by clear qualifications. There is no universal access to the right. Not everyone has the right to drive a vehicle, drink alcohol, work, vote in elections, serve in the armed forces, etc. One must be of the proper age, physical condition, and citizenship, for example.. It is agreed that certain persons do not have the right to marriage—children, multiple partners, family members, and those already married. Since these restrictions apply equally to every individual there is no discrimination under the law. (Sprigg)

Furthermore, the fundamental "right to marry" is a right that rests with *individuals*, not with *couples*. Homosexual *individuals* already have exactly the same "right" to marry as anyone else.... However, while every individual person is free to get married, *no* person, whether heterosexual or homosexual, has ever had a legal right to marry simply any willing partner. Every person, whether heterosexual or homosexual, is subject to legal restrictions as to whom they may marry. To be specific, every person, regardless of sexual preference, is legally barred from marrying a child, a close blood relative, a person who is already married, or a person of the same sex. The fact that a tiny but vocal minority desire to have someone of the same sex as a partner does not mean that they have a "right" to do so, any more than the desires of other tiny (but less vocal) minorities give them a "right" to choose a child, their own brother or sister, or a group of two or more as their marital partners. (Sprigg)

As to the red herring of miscegenation, allowing a woman of one race to marry a man of another race does not change the definition of marriage, which requires one man and one woman. Allowing two men or two women to marry would change that fundamental definition. Banning the "marriage" of same-sex couples is therefore essential to preserve the nature and purpose of marriage itself. (Sprigg)

Isn't marriage necessary for gays to gain important legal benefits?

Actually homosexuals don't need marriage to gain significant legal benefits. For example, hospital visitation depends on the wishes of the patient. If families disagree about medical treatment, even marriage won't solve the problem. The answer to such freedom of access is medical power of attorney, which is open to anyone regardless of sexual orientation. Another example is pension and survivor benefits. But why should a sexual relationship be favoured with extra benefits not available to other relationships based on blood relations, friendship, dependency or other legitimate domestic consideration?

Should the issue be settled by a referendum?

Put aside the issue that there is no law that easily allows for a binding referendum in Canada. Contrary to public opinion that moral issues should be decided by a vote of the people, it is precisely moral issues that must stand outside the purview of a popular vote. Indeed, for Christians, neither the voting public, their representatives or the courts have the power to tinker with morality.

Surely, to try to settle this thorny issue by referendum, parliamentary vote, or decision of judges is akin to submitting a law of nature to popular opinion. Does gravity exist? Let's have the public decide. Obviously gravity is part of the very make-up of nature. Marriage as the union of one man and one woman is likewise an expression of the reality of the natural world, and to tamper with it will lead to no good.

Questions

1. What is discrimination?
2. Is discrimination permitted in certain circumstances?
3. Is the limitation on who can get married a reasonable limitation?
4. Is racial intermarriage the same as same-sex marriage? Is the analogy true?
5. Are there any economic benefits denied to gays because they are not permitted to marry?
6. Should such benefits be restricted to heterosexuals as they have been in the past? If so on what basis?
7. Do the tax policies of Canada favour married couples and families?

Part 2

A Declaration on Marriage – A secular view

A Secular Defense of Traditional Marriage by an organization devoted to preserving marriage as it has existed. The aim of the organization is to achieve their goal through a constitutional amendment. Their declaration on marriage

sets out several important principles which clarify their understanding of what marriage means.

<http://www.enshrinemarriage.com/english/declaration.aspx>

Article 1 *Marriage and the family are universal*

All human beings are born of a mother and begotten by a father. This is a universal biological reality and the common experience of all people. The state supports the institution of marriage because it promotes and protects the father-mother-child relationship as the only natural means of creating and continuing human life and society

Article 2 *Marriage means one man and one woman*

Marriage in Canada has always been defined as "the union of one man and one woman," the chief function of which is to promote the biological unity of sexual opposites as the basis for family formation. Governments may want to support other relationships, but these should not be called "marriage," or confused with it.

Article 3 *Marriage is centred on children*

Marriage is a child-centred, not an adult-centred, institution. No one has the right to redefine marriage so as intentionally to impose a fatherless or motherless home on a child as a matter of state policy.

Article 4 *Marriage rests on four conditions*

Marriage is a solid social structure resting on four conditions concerning number, gender, age, and incest. We are permitted to marry only one person at a time. They must be someone of the opposite sex. They must not be below a certain age. They must not be a close blood relative. Those who satisfy all these conditions – each of which safeguards the well-being of children, the family, and society - have a right to marry. The removal of any of them threatens the stability of the whole structure.

Article 5 *Marriage is about more than equality*

All government policies are intentionally preferential. If we want welfare or veterans' benefits, or child-support, or marital benefits, we have to qualify for them. Such policies are ordinary forms of distributive justice through which, for its own good, the state discriminates in favour of some people, and some relationships, and not others. So an absence of "equality" is not a good argument against such policies. As same-sex partnerships already receive the same benefits as marriages, however, something else is at issue: an attempt to persuade the public that such partnerships are of the same value to society as marriages. But they can only be made so by denying the unique contribution of marriage as a biologically-unique, child-centred institution.

Article 6 *Marriage is about more than love*

The fact that two people say they love each other does not, in itself, justify a right to the benefits conferred by the state on married couples. The only justification for a state interest in the privacy of love flows from the connection between the political fact that the state has a fundamental concern for its own survival and well-being, the biological fact that all human beings require someone of the opposite sex to create life, and the social fact that children have

a natural claim to the love and support of their own mothers and fathers. Accordingly, the only kind of private love that is of justifiable public concern is the love that occurs between two people who qualify for marriage according to the four conditions in Article 4.

Article 7 *Marriage belongs to the people*

Marriage is an institution that has arisen from long-held beliefs and customs of the people that are prior to all states and all courts, and are essential to the very fabric of society. Any attempt by un-elected officials of the courts or by any other branch of government to claim ownership of marriage, to alter it without the support of a significant majority of the people, or to diminish the father-mother-child relationship in favour of the state-citizen relation, usurps the natural rights and freedoms of the people and constitutes a serious breach of the public trust.

Questions

1. Summarize the seven basic principles in this declaration.
2. What is the natural connection between marriage and the family?
3. How is marriage child-centered?
4. What are the four essential qualifying/limiting conditions of marriage?
5. How is marriage more than physical or romantic love?
6. How does the effort to redefine marriage constitute a "serious breach of the public trust"?

Part 3

The Views of Churchmen

Much of the opposition to gay marriage and the defense of true marriage is led by leaders of the Roman Catholic Church. Other Christian as well as non-Christian denominations have taken strong positions in favour of traditional marriage. See the website of the Evangelical Fellowship of Canada that believes "marriage is a lifelong covenant between a man and a woman and forms the foundation of families. The family is to provide physical, emotional and spiritual care for its members as it enables them to serve God, other persons and creation. Parents have the privilege and unique responsibility of leading their children to know God and his ways as well as the world around them." See the EFC paper on **Marriage and Family** for a fuller discussion of the evangelical Christian view of marriage and its role in raising families. See the **Marriage Statement** signed by many academic, political and religious leaders supporting marriage.

<http://www.evangelicalfellowship.ca/social/marriage.asp>

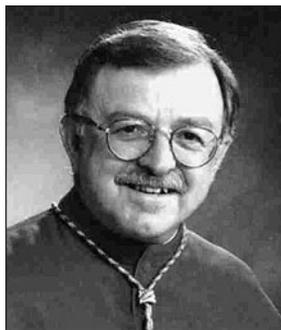
Here are presented excerpts from two of the many recent pastoral letters issued by Catholic bishops that can be found in their entirety on

<http://www.lifesite.net/ldn/2005/jan/050123A.html>

Pastoral Letter Released January 15/16 by

Calgary Bishop Fred Henry

My Dear Brothers and Sisters in Christ



... Many assume that we are powerless, the Charter of Rights and Freedoms has been invoked and the Supreme Court has spoken and settled the same-sex issue. However, such an assumption is erroneous. The Supreme Court has said that Parliament may redefine marriage, it has not said that it must redefine marriage to include same-sex couples. The Supreme Court Justices talk about reading the Constitution “expansively,” and that it is like a “living tree which by way of progressive interpretation, accommodates and addresses the realities of modern life.”

Nevertheless, I would suggest that there are more roots to the tree than simply the Charter of Rights and Freedom. There are also historical, cultural, philosophical, moral, and anthropological roots. The failure to attend to the health of all the roots runs the risk of killing the tree and destroying the public good.

Contrary to what is normally alleged, the primary goals in seeking legalization of same-sex “marriage” are not the financial or health or inheritance or pension benefits associated with marriage. The search for stability and exclusivity in a homosexual relationship is not the driving force. The principal objective in seeking same-sex “marriage” is not really even about equality rights. The goal is to acquire a powerful psychological weapon to change society’s rejection of homosexual activity and lifestyle into gradual, even if reluctant, acceptance.

It is significant to note that 18 months after same-sex “marriage” arrived in Canada (principally as a result of court decisions in Ontario and British Columbia), more than 95% of adult Canadian gays have chosen to ignore their new legal right.

...As Catholics we hold marriage to be a sacrament, a sacred covenant in which husband and wife express their mutual love, and join with God in the creation of a new human person, destined for eternal life.

Marriage and the family are the foundations of society, through which children are brought into this world and nurtured as they grow to adulthood. As such, the family is a more fundamental social institution than the state, and the strength of the family is vital for the well-being of our whole society.

Since homosexuality, adultery, prostitution and pornography undermine the foundations of the family, the basis of society, then the State must use its coercive power to proscribe or curtail them in the interests of the common good.

It is sometimes argued that what we do in the privacy of our home is nobody’s business. While the privacy of the home is undoubtedly sacred, it is not absolute.

Furthermore, an evil act remains an evil act whether it is performed in public or in private.

Personal choice is exercised both in opting for the marital state and in the choice of one’s spouse. However, the future spouses are not free to alter marriage’s essential purpose or properties. These do not depend on the will or the sexual orientation of the contracting parties. They are rooted in natural law and do not change.

The committed union of two people of the same sex is not the same human reality as the committed union of one man and one woman. A same-sex union is not a physical union that transmits human life, producing children. A same-sex union is not the joining of two complementary natures that complete each other. Simply stated, a same sex union is not marriage. The idea that homosexuals can create same-sex “marriage” through their individual choice is false. All the packaging in the world doesn’t alter substance.

Some would allege that opposing same-sex “marriage” is pure prejudice. This contention is also false. There are human rights laws, which say: men and women must be paid the same wage for the same work; an employer may not refuse to hire someone because of the skin colour; landlords may not discriminate on the basis of sexual orientation. These decision uphold the rights of the individual and, at the same time, strengthen Canadian society. They encourage us to recognize the humanity of the other person.

Furthermore, a man and a woman wanting to marry may be completely different in their characteristics such as: colour, ethnicity, in wealth and social status, physical attributes, and educational background. None of these differences are insurmountable obstacles to marriage. The two individuals are still a man and a woman, and the requirements of nature are respected. Two individual of the same sex, regardless of their race, wealth, stature, erudition or fame, will never be able to marry because of an insurmountable biological impossibility.

The denial of the social and legal status of marriage to same-sex couples is not discrimination. It is not something opposed to justice; on the contrary, justice requires such an opposition.

It is the right and the responsibility of all citizens who are troubled by the proposal to reinvent the institution of marriage, to enter into the debate and, with clarity and charity, to make their voices heard by their fellow citizens and our political leaders.

Please take the time to write, email and/or fax government leaders and your local member of parliament registering your objection to the proposal to reinvent the institution of marriage.

Questions

1. Does the Supreme Court’s judgment have force of law”?
2. What does Bishop Henry mean when he says "there are more roots to the tree than simply the Charter of Rights and Freedom"?

3. What is the real goal for the legalization of homosexual marriage according to Bishop Henry? Do statistics support his claim?
4. How are marriage and the family the foundations of society?
5. Bishop Henry groups homosexuality, adultery, prostitution and pornography as practices that undermine the foundations of the family, the basis of society. Is this view correct? What logical step should the State take to protect the family? Why did some groups react with horror at his suggestion?
6. "The idea that homosexuals can create same sex 'marriage' through their individual choice is false. All the packaging in the world doesn't alter substance". What does he mean by this?
7. According to Bishop Henry why is denial of marriage to gays not a denial of human rights and not discrimination?
8. How does the Bishop invite/urge concerned Canadians to become involved in the public debate over same-sex marriage?

Cardinal Archbishop Aloysius Ambrozic's letter to Canadian Prime Minister Martin Re: Same-Sex Marriage Bill, January 18, 2005.



...Parliament is about to consider legislation to redefine marriage as a lawful union of two persons to the exclusion of all others, thus paving the way for same-sex marriages.

So far the debate has been among lawyers. It is time for there to be a debate in Canadian society as a whole. It is time for ordinary Canadians to be given a sufficient

opportunity to discuss the issues and to reflect on the deeper implications before a debate occurs in Parliament and a decision is made that could irrevocably change the nature of marriage and the family in Canada...

...Tampering with marriage and the family poses significant social risks. ...Can we say with certainty what the social outcome of a re-definition of marriage would be? In all humility, none of us can do so. Human sexuality is a powerful force, which society has acknowledged through many of our laws and social customs. If same-sex marriage receives the approval of Parliament, then what?

The law is a teacher. Does Canadian society as a whole, and do parents in particular, understand what the law will be teaching in this instance? It will be teaching that homosexual activity and heterosexual activity are morally equivalent. Public schools will be required to provide sex educa-

tion in that light. Many parents, religious and non-religious, would not agree, nor would many, if not the majority, of Canadians. Is it fair to put children in the position of having to reconcile the values and beliefs of their parents with a novel state-sponsored understanding of marriage that may not be truly supported by the majority of Canadians?....

Some will argue that the use of the notwithstanding clause in the Canadian Charter of Rights and Freedoms is wrong in principle. I must respectfully disagree. The notwithstanding clause was inserted into the Charter to recognize parliamentary supremacy and the need for democratic oversight for courts. No Canadian can say that courts always get things right. Judges are not elected and are ultimately not accountable for their decisions. Fundamental social change should only occur with the consent of the people through their democratic institutions. This understanding of the role of Parliament led to the inclusion of the notwithstanding clause in the Charter. Its use in the context of same-sex marriage would be most appropriate.

Finally, Prime Minister, you will no doubt agree that freedom of conscience is fundamental to our society. Members of Parliament must be free to vote in accordance with their consciences on a matter as basic to our social structure as the definition of marriage. I urge you to permit all parliamentarians, Cabinet Ministers included, to vote their consciences on any legislation that is put to a vote in Parliament on the issue of marriage.

Questions

1. Why must the issue of same-sex marriage be debated freely, carefully and seriously and not rammed through Parliament?
2. What essential ends of marriage would the proposed new definition ignore? How would the change impact on the education and future of children?
3. If "every law is the expression of a commonly held value that shapes the culture of a society" as another churchman said, why is this proposed change in the law problematic in a democracy like Canada?
4. How does the proposed law threaten freedom of religion?
5. What course of action does Cardinal Ambrozic recommend to the prime minister?
6. What does the cardinal caution with respect to the use of the "notwithstanding" clause? What is his sober conclusion regarding the way to bring about social change?
7. How does the prime minister's demand for cabinet solidarity not respect freedom of conscience with respect to his MPs?

The article below cites social science findings that support the traditional teaching of the Catholic Church on the issue of marriage and contraception. It relates to the current issue of gay marriage and the likely worsening of social maladies that would follow in the wake of its legalization.

Part 4

The Facts of Life & Marriage

Social Science & the Vindication of Christian Moral Teaching by W. Bradford Wilcox

<http://www.touchstonemag.com/archives/article.php?id=18-01-038-f>

When most of the dissenting intellectuals [to *Humanae Vitae*] were in their prime, the best social science suggested that the ideal posture of the church to "family change," as it was euphemistically called, was one of acceptance and support. But contemporary social science on the contentious issues of our time—such as contraception, divorce, and cohabitation—suggests just the opposite conclusion. The shifts in sexual and familial behavior to which these dissenters would like the church to accommodate herself have been revealed in study after study to be social catastrophes.

In *Humanae Vitae*, Pope Paul VI warned that the widespread use of contraception would lead to "conjugal infidelity and the general lowering of morality"; he also warned that man would lose respect for woman and "no longer [care] for her physical and psychological equilibrium"; rather, man would treat woman as a "mere instrument of selfish enjoyment, and no longer as his respected and beloved companion." Why? By breaking the natural and divinely ordained connection between sex and procreation, women and especially men would focus on the hedonistic possibilities of sex and cease to see sex as something that was intrinsically linked to new life and to the sacrament of marriage....

...In 1996 a social scientist by the name of Akerlof began by asking why the United States witnessed such a dramatic increase in illegitimacy from 1965 to 1990—from 24 percent to 64 percent among African-Americans, and from 3 percent to 18 percent among whites. He noted that public health advocates had predicted that the widespread availability of contraception and abortion would reduce illegitimacy, not increase it. (One can make a similar case for many Western societies including Canada and European nations) So what happened?...

Using the language of economics, Akerlof pointed out that "technological innovation creates both winners and losers." In this case the introduction of widespread effective contraception – especially the pill – put traditional women with an interest in marriage and children at "competitive disadvantage" in the relationship "market" compared to modern women who took a more hedonistic approach to sex and relationships. The contraceptive revolution also reduced the costs of sex for women and men, insofar as the threat of childbearing was taken off the table, especially as abortion became widely available in the 1970s.

Many traditional women ended up having sex and having children out of wedlock, while many of the permissive women ended up having sex and contracepting or aborting so as to avoid childbearing. This explains in large part why the contraceptive revolution was associated with an increase in both abortion and illegitimacy.

In another article (*The Economic Journal* 1998) Akerlof

argued that another key outworking of the contraceptive revolution was the disappearance of marriage for men. Contraception and abortion allowed men to put off marriage, even in cases where they had fathered a child. Consequently, the fraction of young men who were married in the U. S. dropped precipitously. Between 1968 and 1993 the percentage of men 25 to 34 who were married with children fell from 66 percent to 40 percent. Accordingly, young men did not benefit from the domesticating influence of wives and children ... as substance abuse and incarceration more than doubled from 1968 to 1998. Akerlof concluded that the social pathology and poverty that the United States witnessed in the 1970s was abetted by the contraceptive revolution by fostering sexual license, poisoning the relations between men and women, and weakening the marital vows.

Questions

1. What is *Humanae Vitae*? What did it say about marriage and procreation? What did it say about contraception and abortion?
2. How have developments since the promulgation of *Humanae Vitae* in fact vindicated the Church's teaching on birth control, abortion, and contraception?
3. What do the social scientists have to say about the social catastrophes that have accompanied the "contraceptive revolution"?
4. What data does the social scientist Akerlof cite supporting his conclusion? Has Akerlof made a convincing argument?
5. How does this article by Bradford Wilcox relate to the same-sex marriage arguments?
6. How is same-sex marriage a pro-life issue?

Concluding activity

Have students review all the information cited above in the various articles. Have them prepare an effective refutation of the claims made by supporters of same-sex marriage such as the following:

- a) banning same-sex marriage discriminates against gays and lesbians
- b) legalising same-sex marriage doesn't hurt heterosexuals
- c) same-sex marriages would benefit societies in the same way that heterosexual marriages do
- d) same-sex marriage would benefit children involved
- e) allowing same-sex marriages could benefit the institution of marriage
- f) banning same-sex marriage restricts freedom of choice
- g) banning same-sex marriages labels gays and lesbians as second-class citizens
- h) banning same-sex marriage mixes Church and State in an illegitimate way