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Response to the House of Commons Standing
Committee on Justice and Human Rights

*Marriage and Legal Recognition of Same-sex
Unions: A Discussion Paper*

WINNIPEG, April 2, 2003 - The Catholic Women's League of Canada is the largest national voluntary organization of women in Canada with more than 102,000 members represented in every province, territory and in the military. On behalf of all League members across Canada, we will respond to the House of Commons Standing Committee on Justice and Human Rights on *Marriage and Legal Recognition of Same-sex Unions: A Discussion Paper*.

The League, since its inception in 1920, has called on members to exemplify the Christian ideal in home and family life and to uphold Christian values in the modern world. Every League member believes that the core teaching of the Catholic church is to love and respect every human being. It is vital, therefore, that thoughtful and sensitive conversation be taken to truly reflect the responsibilities and obligations of state and society in this complex issue. The League provides the following responses to the questions posed by the Standing Committee; responses that we believe provide a balance between upholding Christian values and respect for human dignity.

Does marriage have a continuing role in our modern society and, if so, should this be reflected in our laws?

Yes, marriages “between one man and one woman to the exclusion of all others” do continue to have a role in modern society and this role should continue to be reflected in Canadian laws.

League members are firmly committed to the strengthening and protection of marriage as an institution that we believe is fundamental to the growth and prosperity of civilization. Strong family units produce a stable, harmonious society which benefits all citizens.

If marriage has a continuing role in our society and in our laws (beyond its significance for the couple), how can parliament best act to support marriage?

Parliament can best act to support marriage by enacting a statute that

- defines marriage as between one man and one woman to the exclusion of all others
- allows for civil unions to be registered between heterosexual couples and same-sex couples, with all legal implications and responsibilities including separation, divorce, maintenance, etc.
- reinforces respect for individual church doctrines by recognizing that marriage ceremonies *may* be performed by religious faith groups according to their traditions, customs and faith laws without being considered discriminatory or with interference by the state

If marriage does not have a broader continuing societal role, should governments stop regulating relationships and leave the question of marriage to individuals and their religious institutions?

Government has the duty and responsibility to regulate society in order to avoid chaos. It also has the duty and responsibility to not discriminate against the majority who hold traditional values sacrosanct. Erosion of age-old concepts can lead to a society without principles, without ethics and a sense of what is best for the common good.

Although social norms are evolving and changing, the League is concerned about the fragile nature of a society which attempts to adapt its institutions to conform to current trends. To League members, it is not necessary to change an institution such as marriage in order to address the complex questions being considered.

Do committed conjugal relationships other than marriage have a role in our modern society? How should other committed conjugal relationships be treated in our laws?

Common law relationships have existed for some time and have a different role than that of marriage. These relationships appear to be temporary as they usually result in either separation or marriage. Most provinces have laws protecting common law relationships to some degree, as do some federal statutes. It would be best to have a uniform law that encompasses common law relationships across the country.

Now that federal laws and laws in most provinces and territories grant almost all of the same benefits and obligations of marriage to unmarried couples and their children, is there still a need for government to regulate marriage as distinct from other conjugal relationships, or should the state regulate all such relationships under the same statute?

Yes, there remains a specific need for governments to regulate marriage as distinct from other conjugal relationships. See above.

Canadian elected representatives entrusted with the task of reconciling the traditional definition of marriage and the recognition of same-sex unions have the duty to discern the historical, religious and social ramifications of their decisions, bearing in mind that every human being, including those in a same-sex union, deserve to be treated with dignity. The Catholic Women=s League of Canada urges the federal government to establish a separate legal process for recognizing same-sex unions that outlines their entitlements, benefits and responsibilities. Contracts can be made, unions can be formed, but the term “marriage” should not be extended beyond that of being between a man and a woman to the exclusion of all others.

The Catholic Women=s League of Canada believes that the role of marriage is to become the starting point of the family, the stable environment for the procreation of children and the development of a secure society. The League stands firm in its commitment to the bond of matrimony between one man and one woman to the exclusion of all others.

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