

MARRIAGE DOES NOT INCLUDE SAME-SEX COUPLES

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Marriage between a man and a woman has remained a great constant in recorded history. It crosses time, religious, cultural and ethnic divisions.

This is reflected in the *UN Universal Declaration of Human Rights*; the *UN International Covenant on Civil and Political Rights*, and the *European Convention for the Protection of Human Rights and Fundamental Freedoms*, which recognize that the legal status of marriage and spousal relationships applies exclusively to married opposite-sex couples.

There are significant reasons why traditional marriage is upheld and encouraged worldwide.

1. Only marriage between a man and a woman procreates children

The state has an interest in the institution of marriage because it procreates children necessary for the continuation and even survival of society. The state therefore is required to encourage and promote marriage as a social policy.

Same-sex couples cannot make this contribution because of biological impediments, which require them to seek reproductive material from outside their union.

Supporters of same-sex marriage, nonetheless, attempt to frame the issue of same-sex marriage as a matter of equality, ie. equal rights. There is, however, no equality issue involved, since the relationships are different in a very fundamental way.

This difference is so basic that no means exist which can equate same-sex relationships to marriage, while at the same time preserving the fundamental importance of marriage to the community.

Although same-sex relationships can provide the couple intimacy and economic support, it is not a marriage, but is another kind of relationship, since it does not make an essential contribution to the public interest. It is a private agreement or lifestyle choice but not an official public, socially valued relationship.

2. The Stability of Marriage

Traditional marriage is one of the most stable of all relationships and provides for longer lives for the partners, less illness, greater happiness and lower levels of depression and substance abuse.^{i ii iii} Same-sex relationships, on the other hand, on average, last only three years.^{iv}

Marital fidelity is not expected or even characteristic of same-sex relationships, especially among homosexual men. Even in so-called "monogamous" homosexual relationships, sexual fidelity is almost unknown. Fidelity and trust in married heterosexual couples is an essential part of their union, causing grave difficulties if it does not exist.

3. Children Thrive Best Within A Permanent Marital Union

There is a large body of social research which indicates that children flourish best when reared by their biological mothers and fathers in an intact married family. ^v

Children who do not have this advantage are far more likely to experience out-of-wedlock pregnancy, poor school performance, early school dropout and difficulties with the law etc.

Parenting by their mother and father also provides the best environment for children to acquire knowledge as to how to relate to persons of their own and the opposite sex, and to understand inter-gender relations on which society is based.

4. Protection, Security and the Status of Women

Women take the greatest risks and invest the greatest personal effort in maintaining families. Traditional marriage protects them from abuse. ^{vi} In contrast, domestic violence rates are exceptionally high among same-sex partners. ^{vii}

5. Sexual Preference not a Basis for Marriage

The characteristic that defines same-sex partners as a couple is their sexual behaviour. But, a person is more than his/her sexuality. Although sexuality is an essential part of the person, it is not the sole, defining element of that person. To argue that it is discriminatory to deny same-sex couples legal marriage based on their sexual preference is to equate their sexual inclination as being their entire personhood and value.

Moreover, sexual preference is subject to change, as there is no genetic basis for homosexuality. ^{viii} This fact undermines the very basis of such a union.

Sexual preference is not an inherent personal characteristic, such as race or gender, nor is it an exercise of conscience, like religion or speech. Homosexual behaviour is not comparable to race as a basis of marriage, since race is irrelevant to marriage.

If we accept that the guiding rule to marriage is one's sexual activity, we are led to the dangerous possibility that a brother and a sister, a father and adult daughter, or perhaps even three individuals together could also form "a marriage". Thus there can be no meaningful limits to such "marriages," which can only lead society to social and moral chaos.

Detrimental Effects to Society Caused by the Legalization of Same-Sex Marriages

It is a grave misrepresentation to claim that the legalization of same-sex marriage does not affect traditional, heterosexual marriages or harm society. It does.

Canada has experienced legal same-sex marriage since 2005. Since that time, Canadian society has been seriously harmed by this legislation in the following ways:

1) Children Become Tools for Social Change

a) Homosexuality Programs in the Schools

Same-sex marriage affects children in that it has led to homosexual indoctrination in the school system, encouraging children to accept the normalization of homosexuality. This indoctrination is based on the supposed fact that legalization of same same-sex marriage is equivalent to opposite-sex marriage. The programs on homosexuality in the schools are unbalanced, since they do not include any of the negative consequences of homosexuality. Instead these programs portray homosexuality in only positive terms, and ignore the facts, such as its physical and psychological harms and reduced life expectancy. This lack of balance in homosexual programs misleads and harms children.

b) Homosexual Adoption of Children

Innocent children are also being used as tools of social engineering by being adopted and placed in foster care with same-sex couples. Impartial research indicates that these arrangements are harmful to children, due to the shorter duration of same-sex relationships ^{ix}; higher rate of infidelity^x; increased health problems ^{xi}; reduced life expectancy ^{xii} a higher rate of violence in lesbian and homosexual relationships ^{xiii}; a higher incidence of children raised in homosexual households becoming homosexual ^{xiv}; and a greater risk of parental sexual interference and social or psychological problems for the children.^{xv}

2. Parents' Role in Education

Parents who hold differing social and/or religious views on homosexuality have been placed in a hostile environment by educational authorities and have been prohibited from withdrawing their children from the homosexual indoctrination programs occurring in the schools. ^{xvi}

3. Diminished Religious Liberties

Although clergy are exempt under Canadian law from performing same-sex marriages, there is no protection for the use of church facilities, e.g., church halls.

In addition, same-sex marriage affects a broad range of church activities and projects, such as church-run schools and universities, nursing homes and other housing facilities, hospitals, and adoption and counselling services, among others, which are required to provide services to same-sex couples, contrary to religious beliefs.

Moreover, even though freedom of religion is a protected right in Canada, individuals associated with marriage ceremonies, such as marriage commissioners, limousine drivers, florists, caterers, disc jockeys, and photographers are obliged to assist at same-sex ceremonies, even if it is against their conscience. Otherwise, they may lose their jobs.

4. Degeneration of Society

In 2010, a legal challenge of Canada's polygamy law was argued before the B.C. Supreme Court. During this hearing, arguments were made that same-sex marriage

legislation had extended and legalized polygamous relationships. That is, it was argued before the court, that once the walls protecting marriage as a union solely between a man and a woman were breached, then marriage encapsulated other combinations of relationships. Although the court eventually rejected this argument, it will continue to be argued before Canadian courts in the future.

Same-sex marriage has also created an opening to change the definition of marriage to cover such unacceptable arrangements as polyandry (more than one husband) and polyamory (several relationships carried on simultaneously with members of either sex). Organizations in favour of such relationships also presented arguments before the court in the polygamy case.

Since same-sex marriage was legalized in Canada, there has been an increase in political pressure to recognize other unacceptable sexual behaviours, such as those of the transgendered, child pornographers and pedophiles, on the basis that those engaged in such activities should be permitted to express their sexual inclinations legally, as is permitted for same-sex couples.

5. Immigration

Since Canada recognizes the legality of same-sex marriages, changes have been made to the immigration regulations to allow same-sex couples legally married abroad to be admitted to Canada as legal spouses.

6. Two Different Divorce Laws due to Same-sex Marriages

Private international law requires that in order for a marriage (whether heterosexual or same-sex) be legal, it is necessary that the marriage be recognized as valid in the country of the couple's domicile or residence.

Canada's same-sex marriage legislation did not confine same-sex marriage to only those persons domiciled in Canada, but was open to all same-sex partners, regardless of their place of domicile. Consequently, same-sex couples married in Canada, who subsequently wished to divorce, could not do so in their own country if their "marriage" was not recognized as valid there. Such couples have insisted that Canada amend its divorce law to accommodate their divorces.

Canada capitulated to pressures to amend its legislation to permit divorces in Canada for foreign (or non-domicile) same-sex couples who were married in Canada, if their union was not recognized in their own country. These divorces for same-sex couples, however, do not conform to the divorce law in Canada, which applies to heterosexual couples. As a result, Canada now has different laws applying to divorces granted to same-sex and heterosexual couples.

The problems listed above, arising from the legalization of same-sex marriage in Canada, are only the beginning of the many harms caused to Canadian society by this legalization.

**SAME-SEX MARRIAGES MAY BE LEGAL, BUT THEY ARE NEITHER MORAL
NOR ACCEPTABLE. THEY CAUSE GRAVE HARM TO SOCIETY.**

ENDNOTES

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