
Marriage and the Recognition of Same-Sex Unions



The Salvation Army
Canada and Bermuda Territory

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who we are _____

The Salvation Army is an international Christian church. Its message is based on the Bible; its ministry is motivated by love for God and the needs of humanity.

This presentation is being made by the Canada and Bermuda Territory of The Salvation Army, which provides a broad range of social services in Canada. These include family and community services, services to the homeless, services to victims of crime and abuse, services to those in conflict with the law, services to persons with addictions, emergency and disaster services, as well as health-care services through hospitals, nursing homes, hospices and other institutions.

Through these avenues of service The Salvation Army reaches out in Christian love to those who are suffering or socially disadvantaged. It does so without discrimination on any other basis than the extent of the need being met. It has declared this in its position statement on gay and lesbian sexuality, which states: “The Salvation Army upholds the dignity of all persons. For this reason, and in obedience to the example of Jesus Christ, whose compassionate love is all-embracing, The Salvation Army does not discriminate on the basis of sexual orientation in the delivery of its services.”

the question _____

We recognize that close inter-personal relationships have changed within Canadian society to the extent that present legislation may not be aligned with the interest of government in providing for the integrity and solidarity of such relationships, or for the economic interdependence as well as the emotional and physical security needs of those involved in them. For those reasons and others, government may wish to introduce new legislation, or make present legislation more inclusive to accommodate the needs of a changing world.

Within that context, and in response to the legal challenge to the constitutionality of the requirement that marriage be “between one man and one woman”, The Salvation Army understands that government has been asked to redefine the institution of marriage to include same-sex couples. As a result of this, the federal government has asked Canadians to offer their opinions on the options set out in the discussion paper “Marriage and Legal Recognition of Same-sex Unions”, promulgated by the federal Department of Justice in November, 2002.

our position _____

The Salvation Army holds the position that marriage is the covenanting together of one man and one woman for life in a voluntary union characterized by faithfulness, mutual affection, respect and support. It makes this view known in its published Position Statements (see Appendix A).

In this position statement we also recognize the social importance of marriage by stating that it must be established by an authorized public ceremony. Marriage is not just a private commitment between two people who love each other, nor is it a strictly religious ceremony, such as baptism or Bar/Bat Mitzvah. It has a public dimension that is part of the fabric of western civilization. It is solemnized in various ceremonies of deep cultural resonance that, although beautifully divergent in their religious expression, have throughout history consistently maintained that marriage is the union of a man and a woman. That belief has also been one of the areas where most notably the state’s view and that of religious institutions has been coincident.

The sexual union of male and female is inherently fundamental to the notion of marriage, and millions of people have defined their spousal relationship as one where male and female uniquely become “one flesh”. So we aver that

the publicly recognised union of male and female is not extrinsic to the common understanding of the institution of marriage, and that marriage is intrinsically heterosexual. To redefine it in terms that deny this quality will make it inauthentic and other than what it truly is, and empty the term of its fundamental meaning.

Marriage thus understood is for the common good. It has proven that it provides a socially indispensable environment for nurturing children and caring for the elderly and infirm (see Appendix B). Because of its exclusivity, and within the context of mutual respect and faithfulness, marriage provides security. We believe that the differences between the sexes make the union of each with the other in a life-long covenant a benefit to both partners, and to society as a whole. In saying this we are not advocating a return to traditional marriage roles. We recognise that gender roles have changed and diversified in terms of intimate personal relationships. The Salvation Army, with its historic commitment to the equality of men and women, has encouraged the emergence of “peer” marriage relationships, in which each person is able to develop complementary and supplementary gifts that make the worth of marriage to society greater than the sum of each spouse’s separate gifts.

Because it includes both sexes in a mutual covenantal relationship, marriage represents a model of inclusivity, within which an understanding of the differences between men and women and respect for each sex is naturally passed on to succeeding generations. Such inclusivity, understanding and respect are essential to a healthy society and are among its fundamental attributes.

Many marriages are imperfect, and many loving relationships are flawed. We ought not to infer from this that the institution of marriage itself has failed, or that governments should cease to recognize it in law and public policy. Rather, we believe that marriage must be recog-

nized in law, and that governments should support married couples through the development of public policies designed to foster the long-term commitment and stability that serves the best interests of society.



why we take this position

The Salvation Army anticipates that some will assert that the arguments advanced in this submission in support of the institution of marriage apply equally to same-sex couples. The Salvation Army maintains that for important theological, philosophical, historical, social, legal, cultural and anthropological reasons, the institution of marriage ought not to be redefined in this way

The Salvation Army’s position on marriage is based on its understanding of what the Bible and Christian tradition teach about human relationships and sexuality.

We believe that marriage is for mutual comfort, where sexual intimacy, the most vulnerable of intimacies, may be expressed within a secure and trusting environment.

We also believe that its potential for procreation embodies the natural order for creation as ordained by God. The typical (though not necessary) connection between marriage and the possibility of children speaks to us of God's desire that the love of a man and a woman for each other naturally flow over into love for others, too. For us, therefore, marriage is a gift of God providing for the covenantal union of one man and one woman in an exclusive, life-long relationship characterized by mutual affection, love, respect and faithfulness towards each other, and a gracious attitude towards larger society. As such, marriage stands as an icon of the relationship of God with the people of this world, and of Christ with his Church.

As the union of a man and a woman, marriage has been embedded in the culture and tradition of the western world since the beginning of its recorded history. Redefining it to include same-sex couples may appear to be a simple solution to a perceived present-day inequality, but the notion of marriage as an opposite-sex relationship is so deeply rooted in our society that its redefinition may have far-reaching effects on the future development of our society that cannot be predicted, while to do so will offend the conscience-driven position of the vast majority of married persons.



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We believe that marriage is a public relationship, entered into not only for benefit of the partners to it and the potential children of it, but also for the sake of the families thus united, and the wider community surrounding and embracing the married couple. This enables the full and rich development of the gifts of all who commit themselves to each other in this way, which is to the benefit of society.

The importance of long-term, committed and stable relationships to the well-being of our society is supported by the experience of The Salvation Army in its social services and in its daily work providing support to families and individuals in need. It is also documented by statistical evidence that indicates a strong correlation of positive social outcomes with marriage (see Appendix B).

The state did not create the heterosexual institution of marriage, but it did recognize it as such and gave it status in law. In doing so, it did not remain neutral, but chose to affirm that marriage is a heterosexual union. This common-law understanding has been regularly confirmed by the courts, until its constitutional challenge in recent times.

The state's contribution to our society's understanding of the inherent nature of marriage is important, but its interest is not exclusive. Ministers of religion who solemnize marriages do not do so merely as instruments of the state. The state has become their adjunct and has thereby validated and upheld the marriage institution by its presence at the exchange of vows, but religious bodies represent ancient traditions that have great importance for most of those who marry.

The majority of marriages in this country are solemnized by religious leaders. People who do not regularly attend worship services will approach religious leaders to perform their wedding ceremony. The importance to many Canadians of making solemn vows, especially when the

couple anticipates having children, cannot be overestimated.

The continuing religious significance of marriage means that religious institutions will have a role to play in counseling, educating and supporting couples who are engaged, and in solemnizing marriages and supporting married couples in the fulfillment of their vows. The pre-marriage counselling that customarily takes place before a marriage is solemnized in a religious service also increases the probability of permanency in the marriage relationship.

The Salvation Army would therefore expect that any redefinition of marriage to include same-sex couples would be accompanied by appropriate measures to ensure that religious institutions are not required to solemnize unions not in accordance with their doctrine and teachings.

are we being unfair?

We do not accept that it is unfair to deny the state of marriage to those who do not qualify for it because they are of the same sex, just as we do not believe it is unfair to deny it on the basis of consanguinity. Equity does not require uniformity, and redefining marriage to create uniformity will not hide true and abiding differences. We



Equity does not require uniformity

anticipate that new vocabulary will emerge to describe types of intimate personal relationships that are akin to, but not the same as, marriage. This enriches the language, recognises the pluralism of our society, and does not devalue the definition of marriage by applying it uniformly to relationships that were never understood to be included in it.

Nor do we believe that by wishing to deny the use of the word “marriage” to describe same-sex relationships we are advancing a proposal that violates any human or Charter equality rights of gays and lesbians who cohabit. The Salvation Army believes it is healthy and a public good for people to be in loving and faithful relationships, but that not all loving and faithful relationships, of however deep a commitment, have the necessary qualities to be called marriage.

We fail to see how an opposite-sex understanding of marriage necessarily entails arbitrary discrimination. Over time governments rethink the grounds on which they accord various legal benefits and burdens. As we know, parental responsibilities that at one time fell only to married persons with children were extended to unmarried cohabiting couples too, because it was seen that the proper ground of the legal duties were not marriage per se but protection of children. More recently governments have extended pension survivor benefits to some same-sex couples that applied previously only to those who were married. The way we interpret this is that governments came to believe that economic dependency, not marriage, was the rational basis on which to say people were eligible for these pension benefits. This is not a bad evolution, and may well lead to further extensions in pension entitlements when the same rational bases obtain. The point is that the opposite-sex nature of marriage does not preclude government from making any decisions about the distribution of legal benefits and burdens that it finds itself justified in making.

What is left of marriage then? Are we insisting that the law retain “marriage” as an empty concept, a distinction without a difference? No. Our contention is that marriage is in its constitution a union of woman and man. That this might matter very little in the way the government distributes benefits does not mean that it matters very little in total. Government and laws are after all only a part of the total human reality. Marriage is a powerful, time-tested institution and its “symbolic” importance ought not to be underestimated. Were the state to “get out of the marriage business” — that is, were government to issue the edict that marriage no longer exists in Canadian law, which is one of the options before this Committee — we think the effect on the fabric of Canadian society would be shocking and largely deleterious.

alternatives to redefining marriage

It is possible to address the needs of unmarried cohabiting couples, and gay and lesbian couples, without redefining the institution of marriage. The law has long made a distinction between the institution of marriage and the incidents of marriage, that is, various rights and obligations conferred on each party to the marriage. Historically, ecclesiastical and civil authorities both exercised considerable jurisdiction over married couples, with ecclesiastical authorities being primarily concerned with the institution of marriage and civil authorities being primarily concerned with conferring certain rights and obligations on the married persons. Under our present constitution, civil authority with respect to the institution of marriage is divided between the federal and provincial governments. Legislative jurisdiction with respect to the institution of marriage, that is, who may and may not marry and the conditions under which a marriage may be dissolved, belongs with the federal government. Legislative jurisdiction with respect to the incidents of marriage, referred to in section 92 of the *Constitution Act*,

1867 as “property and civil rights,” belongs with the provinces.

The Salvation Army *is* concerned for those in interdependent relationships and long-term, faithful unions who face hardship because the societal and legal benefits of marriage are not available to them. Consequently it calls upon provincial legislatures to ensure that those in other forms of close personal and familial relationships are not discriminated against or unfairly treated. As the Department of Justice noted in its discussion paper, several provinces have already taken steps in this direction, and they are addressing the needs of unmarried cohabiting couples, both during the relationship and when the relationship breaks down. It is not necessary for the federal government to redefine the institution of marriage in order to address these needs.

in conclusion

It is the responsibility of government to legislate for the common good, and The Salvation Army believes governments have a role to play in promoting, fostering and encouraging long-term, committed relationships that are stable. It is the opinion of The Salvation Army that the permanent conjugal relationship of a man and a woman in marriage is the most stable and enduring relationship within society. So, The Salvation Army hopes the federal government will uphold the institution of marriage as presently defined and will continue to find ways of supporting married couples.

The Salvation Army, therefore, urges that the definition of marriage as the voluntary, life-long, covenanted union between a woman and a man to the exclusion of all others be upheld in Canadian law.

Position statements of The Salvation Army in Canada

Marriage

The Salvation Army believes marriage is the covenanting together of one man and one woman for life in a union to the exclusion of all others. This union is established by an authorized ceremony.

Marriage is a unique reflection of God's faithful love for all humankind. The relationship of husband and wife reflects the covenant of self-giving love between Christ and His church, central to a Christian understanding of marriage.

The pledge of mutual faithfulness is not tentative or conditional. The permanent nature of the marriage bond gives security and promotes the development of a trusting relationship. The Christian community has a responsibility to care for, nurture and prayerfully support the marriage relationship.

The Salvation Army affirms that marriage is the basis of sound family life and foundational to a healthy society.

Gay and Lesbian Sexuality

The Salvation Army upholds the dignity of all persons. For this reason, and in obedience to the example of Jesus Christ, whose compassionate love is all-embracing, The Salvation Army does not discriminate on the basis of sexual orientation in the delivery of its services.

The Salvation Army believes that God's will for the expression of sexual intimacy is revealed in the Bible, and that living fully in accordance with biblical standards calls for chastity outside of heterosexual mar-

riage and faithfulness within it. We do not believe that same-sex attraction is necessarily blameworthy and we oppose the vilification and mistreatment of gays and lesbians. We believe that we are accountable for the ways in which we express our sexuality. While recognizing the challenge that this presents, The Salvation Army believes firmly in the power of God's grace to enable all to live in a manner that is pleasing to Him.

In keeping with our mission, we are committed to proclaiming the good news of salvation, the forgiveness of sins, and transformation by the Holy Spirit. We welcome all seekers of faith in Christ to explore Salvation Army church life.

Identity and Mission Statements and Statement of Core Values

IDENTITY STATEMENT

The Salvation Army is an international Christian church. Its message is based on the Bible; its ministry is motivated by love for God and the needs of humanity.

MISSION STATEMENT

The Salvation Army exists to share the love of Jesus Christ, meet human needs and be a transforming influence in the communities of our world.

CORE VALUES - description

SALVATION

We proclaim the Gospel of Jesus Christ in all our ministries.

God's mission is a mission of love and restoration. Through the birth, life, death and resurrection of Jesus, God provided the way of salvation culminating in the

gift of eternal life for all who respond in faith. We value this gift of grace, believing that it has the power to liberate, heal and transform individuals and communities. We seek to embody this same grace and mission in our thoughts, words and deeds.

HOLINESS

We are shaped by the Bible and the example of Jesus through the presence and power of the Holy Spirit.

We acknowledge our total dependency on God. We pray, follow God's Word and live by faith. Our mission demands that we respond to the lordship of Jesus Christ and remain radically obedient to the leading of the Holy Spirit. We are committed to a disciplined Christian lifestyle and service in Christ's name.

INTIMACY WITH GOD

We commune with God through worship and prayer.

Intimacy with God is both our privilege and responsibility. Disciplined and persistent prayer, worship, meditation, studying God's word, solitude and self denial are essential to our faith, spiritual growth and mission.

COMPASSION

We embody God's love, reaching out to others and caring for them.

God reaches out to every person in love. Our mission is always in response to that love. We strive to meet the needs of vulnerable groups and those overlooked or ignored in our communities. When needed, we will stand for them and advocate on their behalf. We accept that showing compassion may threaten those who benefit from present arrangements of power. Our desire is for God to work through our ministries to renew broken families, empower the poor and transform neighbourhoods.

RESPECT

We promote the dignity of all persons.

We believe that all people are created in God's image. Although we are sinful creatures, we believe that Jesus was sent to restore the relationship between God and humanity. We treat people with dignity, recognizing that they are loved by God. We work to break down barriers that promote an us/them perception. We do not see only the needs and weakness of people, but also the gifts and strengths that God has given them. We work alongside people helping them to recognize their worth in Christ.

EXCELLENCE *We are innovative and effective.*

We require our ministries to establish measurable goals and objectives and to evaluate results. We measure mission effectiveness and adjust or prune as necessary. We allocate our resources to maximize the benefits to individuals and communities. We equip and empower our men and women and deploy them according to their abilities, talents, training and expertise. We plan for future leadership. We pray that God will provide highly-motivated, committed, skilled and productive people to carry out our mission.

INTEGRITY

We are honest and trustworthy, accountable to God and each other.

Everything we do is a reflection of God and the name of The Salvation Army; therefore, our actions will be transparent and hold up to scrutiny.

RELEVANCE

We seek to understand and meet the needs of people in our communities.

We adapt our methods to meet changes in those needs. We are progressive and pursue innovation and effec-

tiveness. Our ministries respond to the demographics of the people living in their communities. We undertake studies to determine how we can serve best.

CO-OPERATION

We encourage and foster teamwork and partnerships. Our ministries work cooperatively and collaboratively to fulfil our mission. We recognize that volunteers, employees, adherents, soldiers, senior recruits, and officers are our greatest assets in fulfilling our mission.

We value partnerships with individuals and groups beyond the Army.

CELEBRATION

We are thankful to God for blessing The Salvation Army.

We believe God raised up the international Salvation Army and gave it a unique identity. We celebrate our rich heritage; our people; our unity and diversity; our observance of a sacramental lifestyle; our communities; and our joyous expressions of faith.

APPENDIX B

Statistics supporting the advantage of traditional marriage **

- 30% of traditional husband-wife couples will be separated within the first 3 years of marriage. This compares with 70% of non traditional marriages which end in separation within the first 3 years
- 37% of single parent households live below the poverty line, compared to only 7% of traditional husband-wife couples
- 75% of children that come from divorced couples will divorce themselves compared to only 29% of children that come from parents who stay together .
- Children that come from divorced parents are 10 times more likely to commit suicide than children who come from parents who do not divorce.
- On a Statistics Canada survey conducted in 1999, 93% of married people stated they were content in life. Only 58% of non married people stated they were content
- The National Institutes of Health in the United States have published a document which says that divorce is the number one factor linked with suicide rates in major U.S. cities, ranking above all other physical, financial and psychological factors
- Children from divorced families drop out of school at twice the rate of children from intact families
- Married people live on average 10 years longer than non married people
- Teenagers whose parents divorce are more likely to have marital problems of their own, including physical and mental abuse, than those who come from parents who were not divorced.
- Traditional married couples are more likely to have children than non traditional couples. And with the fertility rate so low in Canada, the lack of child bearing is a concern to the Canadian economy.

*** Note that while these statistics discuss 'divorce', common law marriages were not listed as a category by Statistics Canada on the census until 1996. It is a logical assumption, however, that any "divorce" statistics would apply to breakups of any relationship whether they be traditional marriage, common-law marriage or same sex unions. And since separation rates in non traditional marriages are so much higher than in traditional marriages (see point 1), it is only logical that the negative impact of separation will be higher in non traditional marriages.*