

TOOLKIT INTRODUCTION – READ ME FIRST !

Thank you so very much for your commitment to restoring marriage! The purpose of this kit is to provide you with the tools to make it easy for you to get informed and share information with others.

Our Goal: As we unite our efforts across Canada, our primary goal is to inspire and mobilize thousands of supporters of traditional marriage into making meaningful contact with their MPs in support of marriage, prior to the vote this fall. Our secondary goal is to inform Canadians and MPs who are undecided, or supportive of same-gender marriage, about the impact of the re-definition of marriage on the rights and best interests of children. These child-centred arguments may give them sufficient reason to change their position.

What’s in the Kit? “Toolkit Introduction” - How to use this toolkit (page 1)

2 Page Flyer to be shared with supporters of Traditional Marriage:
“Same-sex Marriage: What about the Rights of Children?”/ “Urgent – You Can Make a Difference” (pages 2-3)

2 Page Flyer to be shared with those who are undecided or in favour of same-gender marriage: “Emily - A Child's Perspective on Same-Sex Marriage” (p. 4-5)

Executive Summary of France's profound “Report on the Family and the Rights of Children” (pages 6-7)

Petition on Marriage and Children's Rights and instructions on how to use the petition for presentation in Parliament (pages 8-9)

STEPS TO SUCCESS

- 1) **Research:** Familiarize yourself with the arguments in the two flyers (above) and the Summary of the French Report. We highly recommend that you read the article “How Heterosexual Marriage Protects Children’s Rights & Best Interests” available at the “Resources and Links” section of www.PreserveMarriage.ca.
- 2) **Inform Others:** Discuss the issue with others and share the flyer (above) that best suits your audience. (Please print the flyers back to back onto one sheet, if possible.)
- 3) **Mobilize:** Invite supporters of traditional marriage to contact their MP. Emphasize the three most effective means of communicating with MPs: a personal visit, phone call, or handwritten letter. For those supporters who would like to be more involved, invite them to download or order a toolkit so they can share this information with their friends and colleagues.
- 4) **Petition (Optional):** If you wish, the petition may be used as a means of raising the children’s rights issue with others and collecting signatures to present to Parliament.

If you run out of material, feel free to make additional copies of our materials. They can be downloaded www.PreserveMarriage.ca/eng/posters.htm. You can also Email us at Kits@UnitedMothers.ca to order additional flyers. Simply let us know how many additional copies of each you require and we’d be happy to send you more!

United Mothers, Fathers & Friends
www.UnitedMothers.ca

URGENT - YOU CAN MAKE A DIFFERENCE !

3 STEPS TO WINNING THE VOTE TO RE-VISIT & RESTORE MARRIAGE

Prime Minister Stephen Harper has promised a free vote in Parliament on a motion to re-visit the marriage issue this fall, likely mid-October to mid-November. Canadians must be informed about the impact of the re-definition of marriage on the rights and best interests of children, and encouraged to communicate these concerns to their MPs this summer and fall.

It is critical that you contact your MP whether he is supportive of traditional marriage, undecided, or voted previously in favour of same-sex marriage.

Our Goal: Before parliament resumes, every MP will have been contacted in meaningful ways by hundreds of their constituents about the need to restore marriage to protect children's rights. If your MP is supportive of traditional marriage your words of encouragement will strengthen his resolve. If your MP is undecided, or voted previously for same-sex marriage, these child-centred arguments may give him sufficient reason to change his position.

CHECKLIST TO SUCCESS

Step 1: Get Informed! - In addition to the children's rights information in this flyer, read more detailed information and scholarly articles available from www.PreserveMarriage.ca

Step 2: Personally Contact Your MP!

Who do you think gets your MP's attention most easily? You, the voters in his riding!

The 3 Most Effective Ways of Communicating with your MP are:

- Personally visit with him in his office, or at a public event.
- Call his office and speak directly with him, not his assistant.
- Mail a short, legible handwritten note to your MP, postage free. (Yes! In this age of technology the handwritten word still holds more sway than typewritten, or Email letters!)

Mail letters to your MP: (Name), MP/ House of Commons/ Ottawa, ON/ K1A 0A6

Keys to Success - Remember: Research, plan and rehearse the points you wish to make. Express gratitude for his service. Be respectful and courteous. Keep discussions/letters short and focused on one issue. Ask your MP to vote "Yes" to re-open the marriage issue. Remind him that you are a voter and his action on this issue will influence your next vote.

Step 3: Inform Others and Invite Them to Take Action!

- Discuss and share this information with others. Feel free to make additional copies.
- Order our free "Marriage and Children's Rights" toolkit from kits@UnitedMothers.ca or download it at www.PreserveMarriage.ca/eng/posters.htm (The kit includes copies of this and another flyer to share with your friends and colleagues, and other helpful resources.)
- Visit our on-line poll after August 25 at www.VoteMarriage.ca; cast your vote for Marriage and Children's Rights and then invite others to visit the website and cast their votes as well.
- Write a Letter to the Editor of your local paper about Marriage and Children's Rights.
- Print a petition on Marriage and Children's Rights (suitable for presentation in Parliament) downloadable from www.PreserveMarriage.ca/eng/posters.htm. Invite others to sign.

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www.UnitedMothers.ca

Same-sex Marriage: What about the Rights of Children?

The redefinition of marriage has been framed exclusively as an equality issue for adults. Unfortunately, Parliament gave little to no consideration to the implications of this new definition of marriage on the rights and best interests of children.

1- The *U.N. Convention on the Rights of the Child* (1989) states that in all decisions concerning children taken by courts of law and legislative bodies, "the best interests of the child shall be a primary consideration" (Section 3).

2- Canada is a signatory to this convention. Furthermore, Section 7 of the same convention affirms that a child has a right to know and be raised by his father and his mother.

3- **Marriage between same-sex partners violates the right of a child to have both a father and a mother, to know who they are, and to be raised by them and places his/her rights and interests behind those of adults.**

4- **The laws of Canada should protect children and not be complicit in creating fatherless or motherless children, in violation of equality guarantees found in Section 15 of the *Canadian Charter of Rights and Freedoms, 1982.***

5- Adults can represent themselves, but children cannot promote or defend their own interests. They need legal protection. Marriage between one man and one woman naturally protects their rights.

6- In redefining marriage, Parliament also eliminated, in law, the natural ties that bind a child to his mother and his father, and replaced them with the term "legal" parent. The power of the state over our children has taken a quantum leap. The oft-repeated assertion that redefining marriage is harmless is simply false. This affects all children and all parents.

Questions and answers:

Q: Some heterosexual couples mistreat children. Why not allow same-sex couples to marry and love their children?

A: The right to marry includes the right, but not the obligation, to form a family and bear children. Among different family structures, man-woman marriage remains the gold standard for protecting children's rights and best interests. For these reasons, France continues to reject same-sex marriage. France also denies access to medically assisted reproduction and adoption to all same sex couples in civil unions and common-law relationships in order to further protect children's rights and best interests. (Report on the Family and the Rights of Children, National Assembly, France, January 25, 2006)

Q: Some same-sex couples already have children without being married. Why is marriage so important?

A: Marriage protects children. Yet, in same-sex marriage, gays need a surrogate mother and lesbians a sperm donor (usually anonymous) to create children. This other parent is non-existent for the child. With same-sex marriage, the state is complicit in denying children the right to one of their parents and robs them of their genetic/medical heritage, extended biological family network and their intergenerational sense of identity.

Q: Isn't love all that is needed to form a couple and marry?

A: Although love is important, it is not the only issue. The Civil Marriage Act authorizing same sex couples to marry was enacted in the name of equality for adults - as ordered by lower courts (not the Supreme Court) without consideration for the rights and interests of children. Yet, if one child has a mother and a father, and another child has two fathers and no mother, the motherless child will not feel equal. Love should not be an excuse for trumping the equality rights of children.

Q: There are very few children who will be affected by same-sex marriage. Why should we be concerned?

A: The first court case mandating same-sex marriage in Canada (Ontario) was based on the complaint of a single couple. The court has already recognized that it is not the numbers that are important but the principle. Furthermore, promoting and legalizing same-sex marriage will lead to an increase in the number of fatherless or motherless children. Already in the U.S., the number of same-sex couples wanting children has more than doubled since 2002.

Q: If a same-sex couple wants to adopt, wouldn't it be in the child's best interest for the couple to be married?

A: Society has traditionally exercised great care in providing orphans and other abandoned children with competent and loving parents. Adoption is an exception that serves the best interest of a child. It should not be used to justify changing the definition of marriage that will in turn result in other children's rights and best interests being ignored.

Q: Isn't it being homophobic to want to prevent same-sex couples from marrying?

A: The highest court in another jurisdiction recently stated: "Until a few decades ago, it was an accepted truth for almost everyone who ever lived, in any society in which marriage existed, that there could be marriages only between participants of different sex. A court should not lightly conclude that everyone who held this belief was irrational, ignorant or bigoted. We do not so conclude." They added that "there are at least two grounds that rationally support the limitation of marriage that the Legislature has enacted... both of which are derived from the undisputed assumption that marriage is important to the welfare of children." (New York Appellate Court, July 6, 2006). Furthermore, France forbids marriage and assisted reproduction for same-sex couples based on recognized children's rights and best interests.

For additional information on Marriage and Children's Rights, visit: www.preservemarriage.ca

EMILY

A child's perspective on Same-sex Marriage

Is there a more natural and self evident birth right for a child than to have a mother and a father? How is it possible that, in the name of equality, our marriage institution can now create fatherless or motherless children?

Let us illustrate with a fictionalized example based on two caring married gay men who decide they want a child of their own, a child they can love and cherish. With outside help, a woman in another locality agrees to act as a surrogate mother.

Emily is born nine months later and is taken away from her mother. The bond Emily established while in her mother's womb is broken. She will miss the reassuring sound of her mother's heartbeat that she became used to while in the womb. She won't know the joys of being breast fed, nor reap the health benefits thereof.

Emily is in kindergarten now. She can't help but notice that most of her classmates have moms. Although everyone is perfectly respectful of her different family situation, Emily wonders why she doesn't have a mother and feels rejected, wondering why her mother did not want her. Otherwise, why did she abandon her? Emily keeps her pain to herself.

One day, Emily asks: Daddy, where do babies come from? When her dad explains about the birds and the bees, Emily asks a question that has been on her mind for a long time: Where is my mother? Why don't I have one? I want my mom. He then explains that she was brought into the world by a surrogate mother and given to him and his partner at birth. He explains that the woman was really very generous to allow them to have such a sweet little girl.

Emily then counters: Why doesn't my mother live with me? He then tells Emily that he is gay and that he loves men, not women. He tries to reassure Emily and hopes she understands, but Emily is upset by this. Emily thinks to herself, but doesn't dare say anything: Does this mean he doesn't love me, because I am a girl?

When she reaches puberty, Emily starts to notice changes in her body, but is too embarrassed to talk about it. Emily's girlfriends talk to their mothers, but who can she talk to? Who will understand her? Her dad which one? Neither, they are both men! They can't possibly understand! How embarrassing! How frustrating!

Emily might ask: I thought politicians were supposed to protect me. Why did they let two men who are sexually attracted to each other deprive me of my birth right to a mother? Did they ever ask themselves how I might feel?

While gays and lesbians have various recourses against discrimination, what recourse does Emily have? None! Can the law offer any remedy for her loss? Ever?

Same sex marriage takes away the rights of children who cannot possibly defend themselves. Don't children deserve our protection?

The U.N. Convention on the Rights of the Child (1989) can serve as a good starting point, since Canada is a signatory to the convention: *In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration'* (article 3).

Taking inspiration from this Convention, France, confronted with the same pressures to allow gays and lesbians to marry, recently reaffirmed the right of children to both a mother and a father, thus maintaining its prohibition against same sex marriage. *The best interests of the child must prevail over adult freedoms even including the lifestyle choices of parents.* (Report on the Family and the Rights of Children, French National Assembly, January 25, 2006).

Highlighting the growing international recognition for children's rights, the French report then adds: *"to systematically give preference to adult aspirations over respect for these rights is not possible any more."*

Courageous men and women have led and won epic human rights battles in the past: the abolition of slavery, voting rights for women, and civil rights for afro-Americans. Today, we continue to address discrimination against all minorities. However, is legalizing same-sex marriage an appropriate remedy for gays and lesbians, given that it can only be accomplished by sacrificing the human rights of defenseless children?

Can human rights activists credibly claim that children don't have rights and thereby allow discrimination against them? In Canada, our former Prime Minister who pressed for same-sex marriage often claimed that one cannot pick and choose whose rights we will defend. His silence about the rights of children was deafening.

Isn't the essence of human rights about protecting the weak and disadvantaged against injustice? Children have the right to a father and a mother. Traditional marriage between one man and one woman naturally protects children's rights.

Louis DeSerres is the Director of Preserve Marriage Protect Children's Rights

www.preservemarriage.ca

Report on the Family and the Rights of Children

French National Assembly, Paris, January 25, 2006

Executive summary prepared by Louis DeSerres,
Preserve Marriage - Protect Children's Rights
Montréal, March 8, 2006
www.preservemarriage.ca

After a year of work and travel to various countries, listening to and discussing all points of view, a 30 member multi party commission of the French National Assembly recently submitted its report on the evolution of the family and the need to adapt family law to changes in the family and the rights of children.

"The family is the natural and fundamental group unit of society and is entitled to protection by society and the State". (United Nations Declaration of Human Rights, article 16.) Faced with the desire by individuals to choose their own family structure models, increasing family breakup and new scientific possibilities, the report attempts to protect the basic unit of the family while taking into account these societal changes.

The commission believes that laws should set norms in order to "allow individuals to build their lives around stable, sure and understandable criteria." Laws should not simply validate changing mores.

Articles 3, 7, 9, 18, and 21 of the New York U.N. Convention on the Rights of the Child (1989) set out the rights of children. The commission stresses that "to systematically give preference to adult aspirations over respect for these rights is not possible any more." The commission deems it essential to enshrine article 3 - *"In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration."* - into French law to help guide judges, individuals and other institutions.

Children represent the future of society. They "must not suffer from conditions imposed upon them by adults". "The best interests of the child must prevail over adult freedoms... even including the lifestyle choices of parents". The legislator is not obligated to adopt the most permissive foreign legislation.

Marriage, adoption and medically assisted reproduction are inseparable. "Countries that have opened up marriage to same sex couples have all authorized adoption by these couples and developed systems to assist procreation, including surrogate motherhood, in order to allow these couples to have children."

French law allows for three forms of organization for couples: common law, civil unions (PACS) and marriage, each with its own set of proportionate rights and obligations. Because of its higher level of commitment, permanence and judicial support for children (in divorce), marriage offers the greatest protection and benefits for children and society. "Marriage is not merely the contractual recognition of the love within a couple. It is a framework with rights and obligations conceived in order to welcome the child and provide for his harmonious development." Thus, marriage is the only structure reserved strictly for heterosexual couples. The commission renews its support for this tiered system and recommends that the various rights and obligations of each type of union be clearly explained to couples when they register for a common law certificate, a PACS, marry or have a child.

Because of the filiative nature of marriage (the fact of being the child of certain parents), it is essential that the male-female nature of marriage be preserved. "This corresponds to a biological reality, that same-sex couples are naturally infertile, and to an imperative, that of helping the child develop his/her identity as necessarily coming from the union of a man and a woman."

"The purpose of adoption is not to provide a child to a family but rather provide a family to a child ... Given the original trauma of his personal history, the adopted child requires the judicial and emotional security that only married parents can provide." Furthermore, same sex parenting introduces additional discontinuity for the adopted child, "namely the loss of the analogy between the original couple and the couple educating him/her". Favoring equality for adults would bring about a greater inequality towards

children. For both adoption and medically assisted reproduction, the report rejects the notion of a right to a child.

Adoption either replaces previous filial links (plenary adoption) or potentially multiplies them (simple adoption). The report expresses concern about how to limit the potential "uncontrollable multiplication of filial links created as adults change partners over time, thus confusing children." The commission does not support adoption by single parents or same sex couples. With same sex parents, a child would find himself with two fathers or two mothers. Opening up adoption in these circumstances would open the door to "circumventing existing restrictions, lead to abuse and jeopardize children's filiative rights."

The commission was presented with "research on children raised by same sex couples concluding in the absence of any ill effects on the children. Their scientific nature and the representation of the samples of the populations studied were broadly criticized and contested during the hearings... the lack of objectivity in this area was flagrant." The commission endorses the statement of an expert witness on adoption: "inasmuch as there is absolutely no reason to doubt the educative and emotional qualities of homosexual parents, we do not yet know all the effects on the construction of the adopted child's psychological identity. As long as there is uncertainty, however small, is it not in the best interest of the child to apply the precautionary principle, as is done in other domains?"

Under current law, and in the best interests of the child, medically assisted reproduction is limited to heterosexual couples who are either married or who can prove a minimum of two years of common law relationship. Because these procedures involve a third party donor, a judge must grant permission in a process akin to an adoption (of a fetus).

While medically assisted reproduction now makes it possible for sterile couples, including same sex couples, to have children, the process opens the door to the breakdown between the three dimensions of parenting: the biological (progenitor), the judicial (parental authority) and the social (day to day care). It would also lead to science creating fatherless children. The report cites Québec, where some children have two mothers listed on their birth certificates and no father. The report rejects assisted reproduction for single women and same sex couples. It states that "the child needs the judicial and emotional security which is best assured when the biological and the legal ties are aligned."

"Preserving the prohibition on surrogate motherhood is justified ... for two crucial reasons based on the protection of human dignity: first, the fact that the human body cannot be made available for trade; and second, the fact that filiation also cannot be made available for trade. Revisiting those values would amount to denying the bond that grows between mother and child during pregnancy and opening the door to a wide range of abuses. In California, for instance, the birth of a child might involve as many as five people: a sperm donor, an egg donor, a gestator and the couple who are the legal parents."

The report rejects claims of discrimination in the case of assisted reproduction, noting that "the difference in situation between couples of different sexes and those of the same sex are so obviously different in terms of reproduction." It highlights that allowing such "would create discrimination between male and female homosexual couples, unless access to surrogate motherhood is granted to male couples". (see above).

Finally, the report stresses the need, in the medium term, to lift the veil of secrecy in the case of children born from anonymous mothers and allow children to know the identity of their mother when they reach their majority. It recommends aligning the minimum age for marriage to 18 years for both men and women in order to fight forced marriages. It also recommends the creation of a "delegation of parental authority" in order to provide more flexibility to judges "regarding the education of the three million French children who do not live with both parents". Finally, the report delves extensively into child protection, detection of abuse, care, and coordination between various institutions.

www.preservemarriage.ca

PETITION TO THE HOUSE OF COMMONS IN PARLIAMENT ASSEMBLED

We, the undersigned residents of Canada draw the attention of the House to the following:

THAT a child has a natural right to know and be raised by his father and his mother, a right that is recognized in the United Nations Convention on the Rights of the Child (1989), Section 7, convention to which Canada is a signatory.

THAT in all decisions concerning children taken by courts of law and legislative bodies, "the best interests of the child shall be a primary consideration", in accordance with Section 3 of the U.N. Convention on the Rights of the Child.

THAT the proclamation of the Marriage for Civil Purposes Act, tabled as Bill C-38 in the 38th Parliament of Canada, giving recognition in Canadian law that "marriage, for civil purposes, as the lawful union of two persons to the exclusion of all others" (Section 2), violates the right of a child to have both a father and a mother, to know who they are, and to be raised by them in cases of marriage by two same-gender partners, and places their rights and interests behind those of adults.

THAT the laws of Canada should protect children and not be complicit in creating fatherless or motherless children, in violation of equality guarantees found in Section 15 of the Canadian Charter of Rights and Freedoms.

THEREFORE, your petitioners call upon Parliament to reopen the issue of marriage in this Parliament in order to repeal or to amend the Marriage for Civil Purposes Act in order to promote and defend marriage as the lawful union of one man and one woman to the exclusion of all others.

Signatures

(Sign your name IN INK. Do not print)

Addresses

(Give your full home address)

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PUTTING THE PETITION TO WORK

The Power of Petitions: Informing & Mobilizing

To win the vote to re-visit and restore marriage we need to inform and mobilize thousands of Canadians. Although petitions are not the most effective way of reaching your MP, they have the potential to be a very powerful means of informing others about a specific issue and mobilizing them to take meaningful action. For these reasons we have included a petition in our toolkit for those who wish to put it to work.

Suggestions for Maximum Effectiveness: Give a copy of our informative 2 page flyer “Same-sex Marriage: What About the Rights of Children? / “Urgent: You Can Make a Difference!” flyer to those who are supportive of traditional marriage. Encourage them to personally meet with, call or write their MP.

For those who are undecided, or in favour of same-sex marriage, share a copy of the Emily letter for their consideration.

Guidelines: In order for petitions to be presentable in the House of Commons, both the petition and its signatures must follow strict guidelines as established by Parliament.

Firstly, the petition must be certified by the House of Commons Clerk of Petitions, as our petition on marriage and children’s rights has been.

Secondly, each sheet of the petition must include the “prayer” at the top. Thus, in order to collect additional signatures, make photocopies of the ENTIRE non-signed petition.

Additional copies of the petition are available for printing at

www.PreserveMarriage.ca/eng/posters.htm

- **How should it be signed?** Each petitioner must sign his or her own name directly on the petition and must not sign for anyone else. Names should be signed, not printed. Signatures cannot be attached to a sheet (taped or pasted on) or photocopied onto it.
- **Who can sign?** Canadian citizens.
- **Should I just collect signatures from one constituency?** Yes! Do not collect signatures from people in different ridings on the same petition.
- **What is the minimum number of signatures needed to be presentable in the House?** 25 valid signatures, each with the address of the petitioner. (Over 100 signatures is desirable, though not necessary.)
- **What do you mean by petitioner’s address?** The petitioner may give his or her full home address or simply the city and province. (The petitioner’s address must be written directly on the petition and not pasted on or reproduced.)
- **Should I make a copy of the petition before giving it to an MP?** Yes, photocopy your signed petitions before giving it to your MP, and send the photo-copy to Vote Marriage Canada/ 46-509 Commissioners Rd./ W, London, ON/ N6J 1Y5
- **What if my MP, or members of his staff, are hostile to traditional marriage?** Ask a “friendly” Member of Parliament to table the petition on your behalf.
- **Can I change the prayer (petition) at the top by adding a phrase, or deleting?** The text of the petition must NOT be altered either by erasing or crossing out words or by adding words.
- **For any additional questions please write info@unitedmothers.ca**

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