

**A Brief to the Parliamentary Standing Committee on Justice and  
Human Rights  
regarding Same-Sex Marriage**

**For Unitarians, the choice is clear.  
Justice requires this of us.**

presented  
Wednesday, February 26, 2003  
by:  
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## ***Introductions***

I am Mary Bennett, the executive director of the Canadian Unitarian Council, the national office of the Unitarian church in Canada.

With me is the Rev. Fred Cappuccino who will celebrate 50 years in the ministry this June. He and his wife will celebrate 50 years of marriage this July. They are the parents of 21 children: two born to them and 19 adopted. They have worked with children all their adult lives, both in a church milieu, and in two charitable organizations they founded:

1) Families for Children, which brought hundreds of overseas children to Canadian adoptive homes, and

2) Child Haven International, which currently operates homes for children in India, Nepal, Tibet, and Bangladesh - caring for a total of some 700 formerly destitute children.

Rev. and Mrs Cappuccino received numerous awards, the most important being the Order of Canada in 1996, and an Award from UNESCO (United Nations Economic and Social Council) for the Teaching of Human Rights in 1989.

We are pleased to be able to present the position of the Canadian Unitarian Council.

## ***The Canadian Unitarian Council***

We have 50 congregations or groups in Canada, and number 5200 members among these groups. We are affiliated continentally with the Unitarian Universalist Association based in Boston; and internationally with both the International Council of Unitarians and Universalists based in Prague and the International Association for Religious Freedom based in Oxford.

## ***Our Principles***

While proud to be creedless—no doctrine or statement of belief exists nor is required to be a member—since 1984 a statement of seven principles has articulated what we covenant with each other to “affirm and promote”. The phrases from our statement of principles that speak most loudly to this issue are:

- o the inherent worth and dignity of every person
- o justice, compassion and equity in human relations
- o acceptance of one another
- o a free and responsible search for truth and meaning
- o the right of conscience and belief in the democratic process

We have appended the seven principles and six sources of our religious faith to our brief as Appendix D.

## ***A Living Tradition***

Arising out of the work of outspoken reformers and dissenters within the Christian tradition five centuries ago, the Unitarian movement today includes Universalists and flows in a broad religious stream augmented by Humanist, earth-centred, Buddhist and other progressive beliefs. The book of hymns and readings that most congregations use during Sunday worship services is called “Singing the Living Tradition” and includes passages from all of the six sources listed in Appendix D.

## ***Our position***

The Canadian Unitarian Council strongly supports the position of EGALÉ that “the federal government pass legislation to remove the opposite-sex restriction on legal marriage, thereby extending the freedom to marry to same-sex couples.”

As an organization we have repeatedly advocated for gay and lesbian rights including a resolution at our annual meeting in 1984, which supported “religious leaders in the performance of lesbian and gay partnership services.” The full text of this resolution, as well as the resolution from the then continental body, the Unitarian Universalist Association are appended as Appendices A and B.

### ***Welcoming Congregations***

The Unitarian Universalist Association created a Welcoming Congregation program that requires a congregation to undertake an educational program and also to do various tasks such as examining by-laws to ensure they specifically note that gay, lesbian, bisexual and transgender persons are included. On completion of the program, a congregation can be certified a Welcoming Congregation and usually posts their certificate and often a rainbow flag near their entrance. 64% of Unitarians in Canada belong to congregations who have completed this program.

### ***Gender and Sexual Diversity Monitoring Group***

The CUC has a volunteer social responsibility monitoring group for seven different social responsibility areas where we have passed significant resolutions.

The Gender and Sexual Diversity Monitoring group has been very active over the past year or more and has been supported by the CUC Board of Trustees, including the Rev. Dr. Mark Morrison-Reed.

You will see as Appendix C, a brochure which was created by this group and distributed to our congregations. We have received nothing but positive feedback on the brochure and on speaking out on this issue.

### ***Services of Union***

Unitarians have been officiating at same-sex services of union (or “commitment ceremonies”) since the mid-70s when Rev. Rob Brownlie, minister at the Unitarian Church of Edmonton, performed the first same-sex union in our denomination in Canada.

Most of the 28 Unitarian ministers and 71 lay chaplains have performed same-sex commitment ceremonies, and I believe that all would be prepared to perform marriages of same-sex couples.

At the time of writing, 18/28 of our ministers and 14/71 of our lay chaplains have signed the Equal Marriage Clergy Endorsement Statement on EGALÉ's web site at <http://www.egale.ca/clergyendorse.asp>. I expect that by next week, the number will have increased.

Many of the comments I received after sending out the information about the Egale statement expressed the feeling that our ministers and lay chaplains are “honored to be planning a same sex marriage with an obviously committed couple. When couples care for one another gender is a non issue.”

Rev. Wendy McNiven wrote: “I have performed several same-sex ceremonies of union in both Vancouver and Kelowna. Particularly here in Kelowna, where the religious (and political) climate tends to be conservative, it is a service that has been greatly appreciated by the couples whom I have served, and their friends.

All relationships need outside support from time to time. If there is no formal way to recognize certain long-term relationships, then there is less community support available to same-sex couples, to help them keep their relationships stable and healthy. It is my belief that "the state" should be finding ways to offer support to stable and committed partnerships, because this is one way to provide for healthier communities in general. Healthy communities contribute to a better country, a better world.

Where there are children involved, stability and publicly recognized status are also helpful, as opposed to the shame and ridicule that sometimes accompanies having same-sex "parents."

I see no reason to exclude certain people from the state's sanctioning of their relationships, on the sole basis of whom they love.”

Rev. Brian Kiely, Unitarian Church of Edmonton wrote a letter that was published in the Edmonton Journal on February 19, 2003:

“Attitudes are changing with times – Key for marriage a loving commitment”

Re: “Polygamy the next step if same-sex marriages proceed, pastor tells MPs,” Journal Feb. 14

“An Evangelical Fellowship of Canada minister tells a Commons committee that gay marriage will lead to polygamy. Alliance MP Vic Toews is worried the Charter of Rights will reduce the institution of marriage based as it is on history and religion.

But gentlemen, doesn't the Old Testament condone polygamy, along with slavery and the stoning of adulterers? And wasn't marriage historically a contract between families where consent of the bride and groom was not necessarily required? And even in the last 100 years wasn't the marriage between people of mixed religions or races scorned and in some cases forbidden by law?

Times change, institutions change and blessedly, our understanding of human rights has expanded. Marriage today is about making a commitment to another person to love and honour them and be faithful to them.

As a minister I am honoured to officiate at any service where I find people in love willing to share those vows no matter what their sexual orientation.

The courts are right: It's time our laws caught up to our promise of equal rights.”

### ***Ontario***

The following is from the affidavit of the Rev. Dr. Mark Morrison-Reed, President of the CUC.

“From my work with my parishioners and with the larger community, I am aware that legal marriage remains a very important institution for Canadians and Canadian society. The recognition of a couple's union by the law and by society in general is viewed by many couples and others in society as sanctioning and legitimizing their relationship.

From my work in the church, and particularly from my work with same sex couples, I have formed the belief that withholding state sanction of same sex marriage results in a strongly negative message to the larger society. This message is that the love that couples who are gay or lesbian share is wrong, and that their relationships are not worthy of the respect and protection that Canadian society accords to those of heterosexual couples.

It is my belief that same-sex unions are to be valued no less than those of heterosexual couples. Homosexual unions, like heterosexual ones, should be recognized as sacred and worthy of protection and respect.”

### ***The First Unitarian Congregation of Toronto***

The First Unitarian Congregation of Toronto is the congregation where Mark, with wife, Donna Morrison-Reed are co-minister. At a general meeting of members passed the statement at the annual general meeting of the First Unitarian Congregation of Toronto - May 28, 2001.

“We welcome same-sex couples to our congregation. We recognize, affirm and support the same-sex relationships in our congregation and community. We offer congregational support and ministerial support for services of rights of passage for bisexual, gay, lesbian, and transgender persons. Rights of passage for same-sex couples conducted by our ministers and chaplains are recorded in the marriage registers entrusted to the congregation by the province of Ontario. We accord same-sex rights of passage the same worth as we do opposite-sex rights of passage. We therefore declare the following:

1. The First Unitarian Congregation of Toronto supports the legal recognition of same-sex relationships within the institution of marriage.
2. The First Unitarian Congregation of Toronto supports the Metropolitan Community Church in its use of banns to officiate same-sex marriages.
3. The First Unitarian Congregation of Toronto supports its ministers should they choose to use banns as a means to officiate same-sex marriages.”

I was present at this meeting and after the positive vote, I spoke on behalf of the CUC expressing my pride in the work they had done. I said, and believe, that all of our congregations would come to the same decision, if the issue was brought forward; information shared; discussion encouraged and a vote taken after due process. Their courage and commitment of time and energy was notable nonetheless for choosing to work through the process required.

## ***British Columbia***

One of the eight couples challenging the courts in British Columbia, are members of the Unitarian Church of Vancouver. Here is part of a "love story from a queer perspective" presented by Dawn Barbeau as part of the Sunday worship service just prior to Valentine's Day.

"To me, an important part of living in a queer relationship is educating others about homophobia. One time over dinner Elizabeth told her cousin, who had just become a new mother, that we wanted to raise children together. Her cousin asked who was going to get pregnant. Elizabeth said we hoped we both would. Her cousin, dismayed, said, "So the children really wouldn't be related to each other, would they?" "Well," Elizabeth replied, "they would be as much related to each other as you are to your husband." It still comes as a surprise to realize that for many people, even those who love us and support us, our relationship is not seen in the same way, as a committed straight relationship would be. I am always ready to encounter confusion or even hostility.

I have a number of "safety bubbles" in my life - places where I know I am welcome and accepted as a lesbian. ... Elizabeth and I began attending the Unitarian Church of Vancouver 8 months ago and we quickly learned what a comfortable fit we had found for our beliefs - both spiritual and political. I can't tell you how many times I have felt tears in my eyes at the realization that I am finally at home. I have this community as another wonderful safety bubble - a place where I like to be and I feel liked for being who I am. Many of you know that Elizabeth and I are one of eight same sex couples in British Columbia petitioning the federal government for the right to be legally married. A year and a half ago we went to court, and were not successful that time. Tomorrow morning is the beginning of our appeal. I can feel the support of this congregation as we prepare to face the media and our opponents.

There are public ways to be politically active and there are private ways. Many of you have supported us in public ways by signing the petition I circulated some weeks ago, by offering to take part in the Parliamentary Hearings on same sex marriage, and by attending the hearing with us tomorrow at the Court of Appeal.

Many more of you have supported us in private ways, through your acknowledgement and acceptance of us, and the queer relationships around you, and within this community. These actions are no less political for being private.

I want to thank you on behalf of Elizabeth and me and also on behalf of all the gay and lesbian, bisexual and transgender people whom you welcome. This is the kind of community I wish for my future children to grow up in. The love we share here is my idea of what Valentine's Day is all about.”

Dawn’s statement in an affidavit in the BC court explains their relationship in this way:

“We are monogamous. We own a house together with a picket fence. We drive a Volvo sedan. We have a variety of friends who are male, female, young, old, deaf, hearing, queer and heterosexual. Some of our friends have children and we are often asked to babysit for them. We play soccer and have coached together at a preschool soccer league at the local community centre. We both work and volunteer at non-profit societies. We are members of our local Block Watch community. We pay taxes. We have a domestic partnership agreement and have named each other as power of attorney and executor in our wills. We have been to “premarital” couples counseling. We read books about parenting, child development and health. We have home insurance. We share the same surname. Every part of our relationship is already “as if” we are married.

I believe that there is nothing exceptional or necessarily outstanding about our romance and our relationship. It seems odd to me that our love is an “issue”. To me we are a couple in love, and we both just happen to be women. We want to be able to get married just like any other couple.

I would like to go a step further from common law status to marriage, so that I can emulate the role models I grew up with by having my commitment recognized and sanctioned by my community, and so that our children will have married parents. I want our family to embody the family values I learned as a child.”

Vancouver Unitarian minister, Rev. Dr. Steven Epperson was also present for the first day's hearings at the BC Court of Appeal. Recently from Salt Lake City, Utah, Steven said: “I performed about a half a dozen ceremonies of union for same sex couples in the States and considered them to be among the most important and moving events in my ministry. After having migrated out of a religious community with a homophobic power elite—one of the most significant reasons for our having left the Mormon church—it was liberating for me to participate in celebrating an event in the lives of loving adults that should be just taken for granted and a natural part of a culture that has come of age.”

## ***Lay Chaplains***

Lay Chaplains are members of Unitarian churches who receive training and are appointed to perform marriages, and other rites of passages. The following is from Joy Silver, who is President of the Canadian Unitarian Universalist Lay Chaplains Association:

“The Unitarians and Universalists across Canada have repeatedly affirmed the rights of Gay, Lesbian, and Transgendered people to be treated in every respect like people of heterosexual orientation.

Consistent with this affirmation, the Lay Chaplains of Canada wish it to be made known that we offer rites of passage including same sex unions to interested couples. We are also prepared to offer marriage ceremonies in any jurisdiction in Canada where this rite of passage would be legally permitted.”

Linda Thomson, now a staff person for the CUC delivered the following in her home congregation, the First Unitarian Congregation of Hamilton. At the time, she was a lay chaplain and with her husband Gary Hicks, co-chair of the Welcoming Congregation Committee.

“In my role as lay chaplain, I’ve had many conversations with same sex couples about the possibility of a Service of Union. In talking to these couples, there has been two common threads....

They feel the need somehow to have a public, formal and ritualized ceremony that recognizes their relationship as sacred, and life sustaining. They want a wedding, with supportive family and friends present, saying, we support you, we love you and we recognize yours as a new family.

The second common element is that until recently they didn't think anybody would help them make that statement about their relationship. And in each case, some member of their family, has said to them, "Right, a wedding? huh, no church will do that for you!" And I am proud and happy that I can say, "My church will!"

## ***Summary***

I am proud of the stance my religion has consistently taken on affirming rights of all peoples, regardless of gender identity and sexual preference.

I am also proud that my country is opening up this dialogue.

And I will be very proud when Canada finally affirms marriage for same-sex couples. I expect that will happen, and the sooner it happens, the prouder I will be.

To me it is very clear. Same sex couples now enjoy most of the same legal rights as heterosexual couples. What our government cannot give them is the kind of easy acceptance that heterosexual couples enjoy in our society. What can be given is the affirmation that that ought to be the case.

## ***Being an Ally***

I will close by again quoting Linda Thomson:

“Being an ally means I’ve been given an opportunity – an opportunity to deepen my understanding of the issues and to witness to my beliefs.

I know I can’t wave a wand and change the thinking of people. But I do know I can challenge their assumptions. I can challenge the assumption that most people will be silent, I can challenge assumptions about entitlement, I can challenge their assumption that the church (all churches) supports the status quo. I believe that as a straight, married, mother of two...I can make an impact. I hope I can challenge some ‘us and them’ thinking.

I know how important my life as a member of a church has been. By being a queer-positive church-lady, I hope I’m able to make the point that our congregations are places where whole people (you don’t have to check big parts of yourself at the door) where whole people - can come to explore their spirituality, where they can join others in a thoughtful reflection on the deep questions we all face and where they can know the joy of a diverse affirming religious community.”

*For Unitarians, the choice is clear.*

*Justice requires this of us.*

*submitted by:*

*Mary Bennett*

*Rev. Fred Cappuccino*

*Wednesday, February 26, 2003*

**Appendix A**  
**Canadian Unitarian Council**  
**Resolutions**

The following are resolutions passed at Annual Meetings of the Canadian Unitarian Council.

1978

THAT the 17th annual meeting of the Canadian Unitarian Council encourages all societies and individual members to support all efforts to modify federal and provincial codes of human rights to bar discrimination based on sexual orientation.

1984

Whereas a principle of Unitarian Universalism is to “affirm, defend and promote the supreme worth and dignity of every human personality”, and

Whereas some models of human relationships arising from religious myths, historical materials and other teaching still create and perpetuate attitudes that cause gay people to be overlooked and undervalued, and

Whereas although both the Unitarian Universalist Association and the Canadian Unitarian Council have passed resolutions affirming gay and lesbian rights, actual changes in attitudes and programming in most Unitarian Universalist societies have been minimal.  
BE IT RESOLVED:

THAT the delegates in attendance at the 23rd Annual meeting of the Canadian Unitarian Council call on the CUC to:

- a) urge member societies to establish guidelines for the effective inclusion and support of, and programming for, lesbian and gay people; and
- b) encourage and support its member societies to consider actively the candidacy of qualified religious leaders regardless of sexual orientation; and
- c) support religious leaders in the performance of lesbian and gay partnership services.

**Appendix B**  
**Unitarian Universalist Association**

1984

WHEREAS, the Unitarian Universalist Association has repeatedly taken stands to affirm the rights of gay and lesbian persons over the past decade; and WHEREAS, legal marriages are currently denied gay and lesbian couples by state and provincial governments of North America; and

WHEREAS, freedom of the pulpit is a historic tradition in Unitarian Universalist societies;

BE IT RESOLVED: That the 1984 General Assembly of the Unitarian Universalist Association:

Affirms the growing practice of some of its ministers of conducting services of union of gay and lesbian couples and urges member societies to support their ministers in this important aspect of our movement's ministry to the gay and lesbian community; and

Requests that the Department of Ministerial and Congregational Services:

- o distribute this information to Unitarian Universalist religious professionals and member societies;
- o develop printed material for ministers to assist them in planning and conducting services of union for gay and lesbian couples;
- o develop a pamphlet intended for laypersons which describes services of union for gay and lesbian couples and is distributed to member societies.

### ***Appendix C***

Attached is the brochure, *Supporting Same-Sex Marriage in Canada*, produced by the Gender and Sexual Diversity Monitoring Group of the Canadian Unitarian Council and distributed to all congregations.

See: <http://www.cuc.ca/queer/index.htm>

**Appendix D**  
**Principles and Sources of our Religious Faith**

**The Principles and Sources  
of Our Religious Faith**

**Principles**

We, the member congregations of the Canadian Unitarian Council, covenant to affirm and promote:

- the inherent worth and dignity of every person;
- justice, equity, and compassion in human relations;
- acceptance of one another and encouragement to spiritual growth in our congregations;
- a free and responsible search for truth and meaning;
- the right of conscience and the use of the democratic process within our congregations and in society at large;
- the goal of world community with peace, liberty, and justice for all;
- respect for the interdependent web of all existence of which we are a part.

**Sources**

The living tradition which we share draws from many sources:

- direct experience of that transcending mystery and wonder, affirmed in all cultures, which moves us to a renewal of the spirit and an openness to the forces which create and uphold life;
- words and deeds of prophetic women and men which challenge us to confront powers and structures of evil with justice, compassion, and the transforming power of love;
- wisdom from the world's religions which inspires us in our ethical and spiritual life;
- Jewish and Christian teachings which call us to respond to God's love by loving our neighbours as ourselves;
- Humanist teachings which counsel us to heed the guidance of reason and the results of science, and warn us against idolatries of the mind and spirit;
- spiritual teachings of Earth-centred traditions which celebrate the sacred circle of life and instruct us to live in harmony with the rhythms of nature.

Grateful for the religious pluralism which enriches and ennobles our faith, we are inspired to deepen our understanding and expand our vision. As free congregations we enter into this covenant, promising to one another our mutual trust and support.

# Les principes et les sources de notre tradition religieuse

## ***Les principes***

Nous, assemblées membres du Conseil unitarien du Canada, sommes vouées à la reconnaissance et à la promotion des principes suivants:

- la valeur et la dignité intrinsèques de toute personne;
- la justice, l'équité et la compassion comme fondements des relations humaines;
- l'acceptation mutuelle et l'encouragement à la croissance spirituelle au sein de nos assemblées;
- la liberté et la responsabilité de chaque personne dans sa recherche de la vérité, du sens de la vie et de la signification des choses;
- la liberté de conscience et le recours au processus démocratique aussi bien dans l'ensemble de la société qu'au sein de nos assemblées;
- l'aspiration à une humanité où règneront la paix, la liberté et la justice pour tous;
- le respect du caractère interdépendant de toutes les formes d'existence qui constituent une trame dont nous faisons partie.

## ***Les sources***

Nous avons puisé à des sources diverses la vivante tradition que nous partageons:

- l'expérience directe du merveilleux et transcendant mystère, universellement reconnu, qui suscite un renouveau de l'âme et une attitude réceptive envers les forces qui sont à l'origine de la vie et veillent à son épanouissement;
- les paroles et les actions de visionnaires, hommes et femmes, qui nous incitent à miser sur la justice, la compassion et le pouvoir de transformation de l'amour pour affronter le mal sous toutes ses formes;
- la part de sagesse de toutes les religions qui est, pour nous, une source d'inspiration morale et spirituelle;
- les enseignements du christianisme et du judaïsme qui nous convient à aimer notre prochain comme nous-mêmes en reconnaissance de l'amour que Dieu nous manifeste;
- le message humaniste qui nous invite à utiliser notre raisonnement et à prendre en considération les résultats de la science, et qui met en garde notre âme et notre esprit contre toute forme d'endoctrinement et de fanatisme religieux;
- les enseignements spirituels des traditions qui célèbrent le cycle sacré de la vie, nous invitant à vivre en harmonie avec les rythmes de la nature.

Remplis de gratitude envers le pluralisme religieux qui enrichit et ennoblit notre foi, nous sommes animés par le désir d'approfondir notre compréhension et de développer notre perspicacité. En tant qu'assemblées autonomes, nous souscrivons à cette déclaration de principes, nous engageant à nous témoigner mutuellement soutien et confiance.