

Qullit Nunavut Status of Women Council
Presentation to the Standing Committee on Justice and Human Rights
on the Minister of Justice's discussion paper on
Marriage and the Legal Recognition of Same-sex Unions
April 30,2003 Iqaluit, Nunavut

Presented by
Maureen Doherty

Good morning. My name is Maureen Doherty and I am speaking today as Executive Director of Qullit Nunavut Status of Women Council. Our President Madeleine Qumuatuq was planning to present on behalf of the Council but was unable to do so due to weather in Pangnirtung. I would like to thank the Standing Committee on Human Rights and Justice for this opportunity to make a submission on behalf of the Council and I welcome you to Iqaluit.

It is laudable that the Government of Canada has chosen to consult with Canadians to hear their views on marriage and the legal recognition of same-sex unions. It is even more laudable that you have chosen to include the views of Nunavummiut in your consultations.

The mandate of Qullit Nunavut Status of Women Council is to advance the goal of equal participation of women in society and to promote changes in social, legal and economic structures to that end. The Council helps to develop awareness of issues affecting the status of women and promotes changes in attitudes within the community in order that women may enjoy equality of opportunity. The Council recently made a submission to the Standing Committee of the Legislative Assembly of Nunavut in regards to the proposed Human Rights Legislation. The Council recommends legislation, policies and practices to improve equality of opportunity for women and to improve the status of women.

Our Council advocates for the equality of all women in Nunavut, regardless of race, sexual orientation, religion, ability or age. The right to marry is a privilege that many opposite-sex couples take for granted. Marriage is a choice that opposite-sex couples can make. Many couples chose not to marry, but they do have choice. Same-sex couples in Canada do not have the right to marry their partner nor do they have legal recognition of their committed relationship. This creates two classes of Canadians: those who can marry and those who can't. The current legislation which defines marriage as the union of man and woman is clearly discriminatory and outdated.

In the 1927 five courageous Canadian women now known as 'the Famous Five' challenged the Supreme Court of Canada to have women declared 'persons' so that they could hold seats in the Senate. They knew that the legislation prohibiting women from holding public office was unjust. Their fight for justice took them to the Judicial Committee of the Privy Council in London England. "The Person's

Case” was finally won in 1929. However, none of the famous five were appointed to the Senate.

Today Provincial and Territorial Advisory Councils on the Status of Women continue to advocate for changes to discriminatory legislation which adversely affects women. The current marriage legislation which prohibits same sex couples from legal marriage is an example of the continued oppression of lesbians in our country. This must not be tolerated.

Qullit Nunavut Status of Women Council recognizes that the rights of all women, including lesbians, should be protected through Human Rights legislation. Those rights should also include the right to have their relationships formally recognized through marriage.

Sometimes, we have to do what is right in spite of the voice of opposition. The famous five proved to Canadian women that we should never give up, that we must fight for what is right and just. Discriminatory legislation is simply wrong and must be amended. A century ago women could not yet vote or own property in this country. Ongoing changes to the laws in our country are a responsibility of a democratic government. Changes in societal attitudes will follow, but the government must be proactive in protecting and granting equal rights to its citizens.

Same sex couples do not need some new lesser category of civil union anymore than women needed the creation of a special Senate. Women took their seats alongside the men. Same sex couples should have the right to marry and the laws must be amended accordingly.

Last summer I had the privilege of attending the wedding of my cousin to her same sex partner. Having been raised in a very religious family, this event was approached with a certain amount of fear and trepidation for many of my relatives. My father, a retired Anglican priest, struggled with his love for his great-niece and desire to support her yet felt torn by the teachings of the church. In the end he attended the ceremony, read a lesson from the Bible about love, and gave a wonderful grace asking Jesus to be present at our family’s wedding as he had been at the wedding at Canan. If my 86 year old father is any indication, I suggest that most Canadians are quite ready to accept the marriage of gays and lesbians.

Thank-you.