VIEWPOINT
by David McGrath

A conservative view of same-sex marriage
Let me not to the marriage of true minds admit impediments

Canada's debate about same-sex marriage is largely a disagreement amongst people who in fact have a lot in common. Each side believes that federal legislation to permit gay unions would be an important expression of Canadians' views about their society and that it would have significant consequences for the way we live our lives.

For some, same-sex marriage means Canadians will have taken another step forward in accepting homosexuals. For others, legislation would amount to the imposition of an attitude not supported by the broad Canadian public and would seriously undermine an institution that has served us well for generations.

As someone who considers himself to be a small "c" conservative (and is, exactly as the cliché would have it, a middle-aged, married, white guy), I consider the question of legalizing the marriage of same-sex partners to be straightforward. Of course same-sex marriage should be legal in Canada.

This may shock people who think conservatives are anti-government, anti-gay and pro-religion. This perception arises from the fact that people who claim to be "traditionalists" (whatever that means) have appropriated the term "conservative," and while they may hold those opinions, true conservatives should be offended when government tries to set values for the rest of us.

We subscribe to the notion that the government that governs best governs least. The state's role is only to provide individuals the opportunity to pursue their own welfare as they see fit, subject to the constraint that they do not unfairly limit others from doing the same. When government is used to effect or frustrate social change, it usually denies citizens their right to take responsibility for their own lives. And marriage is nothing if not a critical personal decision.

The debate rages about what is a true marriage. Surely we can agree that, no matter who is involved, it is a consensual, intimate union set in law. The state's role is to protect marital obligations within a legal framework. That allows individuals to commit themselves knowing that their partners cannot easily walk away from their obligations. It is not the role of government to

legislate symbolic statements about homosexuality, or anything else for that matter.

The arguments on both sides tend to be self-serving and hollow, when they're not just plain silly. For those who say that same-sex unions are no different than marrying your pet, please stop before you embarrass yourself any further. That makes about as much sense as saying that I can sign a contract with a gay accountant, or with my Labrador retriever, to do my taxes. The law, not to mention simple common sense, requires that beings that enter into contracts, including marriage, have a capacity to make and keep commitments.

The religious basis for legislated opposition to gay marriage is probably the shakiest. The law requires a test of rationality and a demonstration of consequences. It's not good enough to say that "my interpretation of this religious text means that certain behaviour should be restricted, even though it's otherwise harmless." Well, Scripture does tell us that male homosexuality is an abomination (Leviticus 20:13). But if that is the reason for banning gay marriage, then why aren't the same people opposing the marriage of adulterers, who commit an equivalent abomination (Leviticus 20:10)?

Despite the fondest hopes of many in the gay community, I would bet that once press coverage of same-sex weddings subsides, the novelty will wear off. The obligations of marriage are significant and gay people must decide whether the legal commitments of same-sex unions will make their lives easier or more difficult. There is also a naïve belief that if gay marriage is legitimized, acceptance of homosexuality by the community will increase. But the government already endorses many things that do not resonate with Canadians generally (see: federal promotion of national identity and Quebec nationalism).

As for the preservation of the important institution of traditional marriage (as romantic a notion as childhood Christmases or the quality of Original Six NHL hockey), it has long since gone. Common law unions are for all intents and purposes the equivalent of marital unions. Canada's divorce rate is roughly half of its annual marriage rate. "Traditional marriage" in this country is looking more and more like serial polygamy.

I believe that society is a term for a group of individuals living and working together, but above all pursuing their individual aims, their own vision of happiness and fulfillment, and guided by their personal values. The state has no authority to preach morality. I would be pleased to see gays marrying – not because this would signal greater acceptance of homosexuals (it wouldn't), but simply because it would indicate that individuals are taking on a higher standard of personal responsibility for their partners and dependants.

Someone else's behaviour is none of my business and none of the state's business unless it causes demonstrable harm; an offence to my sensibilities or yours does not qualify as harm. The fact that you might find a sexuality different from your own to be distasteful isn't good enough. Any attempt to use the state to ban, discourage or condemn homosexuals, or any failure of the state to provide them the opportunity to make the choices that other Canadians are allowed to make, isn't "an expression of traditional Canadian values," it's simply bullying.