



Panel Discussion Speech  
To Nova Scotia CUPE Convention

*presented by*  
**Peter Steele, Co-Chair of Cape Breton Pride**

On behalf of the board of *Cape Breton Pride*, I wish to thank the Canadian Union of Public Employees and Canadians For Equal Marriage for this opportunity to speak to you on the issue of equal marriage rights for every Canadian. The passing of Bill C-38 is a major concern for the gay and lesbian community of Cape Breton Island, and like elsewhere throughout Canada, a hot topic for Cape Bretoners in general.

Cape Breton Island is represented federally by two representatives in Parliament, Mark Eyking for Sydney-Victoria, and Roger Cuzner for Cape Breton-Canso. Originally, MP Mark Eyking planned to vote against Bill C-38, but has since realized this is an issue of basic human rights for all Canadians, and he has changed his mind. Mr. Eyking will vote “yes” to support this Bill. Presently, Roger Cuzner plans to vote “no”, a vote he plans to cast because he feels it is the will of his constituents. For the island’s gay and lesbian community, the issue of equal marriage is a human rights issue, and this afternoon, I would like to speak to you of the efforts of *Cape Breton Pride* to convince those Members of Parliament who have expressed their intentions of voting against Bill C-38, including Mr. Cuzner, as well as those who are undecided, to vote “yes”, granting all Canadians the right of civil marriage. However, before I speak of those efforts, let me first shed some light on the gay and lesbian community here on Cape Breton Island.

Although not a huge “out” community, the gay and lesbian community of Cape Breton is like any other small tight-knit community. Our members, including those not “out”, play

an important role in our community. We are teachers, doctors and nurses, lawyers and politicians. We work in all areas of the workforce, and contribute to the economy in spending and in taxes. We are all members of a family unit, whether a brother or a sister, and in some cases, a mother and a father. Upwards to 150 “out” members meet somewhat regularly through organized social events, and everyone knows just about everyone else. This extended family of friends share in each other’s concerns, either individually or as a community, and we take pride in these close relationships. Many members of our community are in long term committed relationships, including myself. Some of these members have taken advantage of the limited access to marriage through the Metropolitan Community Church; however, these marriages have not all been legally recognized. There are community members in committed relationships that are raising children, many of whom who wish to formalize their relationship in the same legalized manner enjoyed by members of our heterosexual community. As of now, these committed couples do not share these same benefits, nor the safety nets legalized heterosexual married couples enjoy, putting their relationships and their children at risk.

This year, Cape Breton Pride will celebrate its fifth annual Pride Week festival in Cape Breton. This year’s theme is the family. Each year, our Pride Week festival has enjoyed increasing participation in its events, and each year, our community festival is welcomed and greeted with applause by our fellow Cape Bretoners, and we receive positive media attention. Large numbers of people from the heterosexual community turn out to watch our parade, and some of our activities include the participation of everyone living in Cape Breton, or visiting the island. We believe that for most Cape Bretoners, equal marriage is a right they support, or that it is a non-issue. We believe opponents to Bill C-38 are a minority on the island.

*Cape Breton Pride* is not a political organization, and our vision is to promote the well-being and unity of our gay, lesbian, bi-sexual and transgender community. However, as part of our mandate, we support the Nova Scotia Rainbow Action Project (NSRAP) and

Equality for Gays and Lesbians Everywhere (EGALE), both of which have been active in the courts to assure this basic right for all Canadians. As part of our overall support of the island's gay and lesbian community, *Cape Breton Pride* has taken an active role in the equal marriage debate. We have participated in interviews on our local CTV affiliate station, ATV's 'Live at 5', and our local CBC Radio station. In late January, our board members conducted an email and fax campaign to all Members of Parliament across the country. All community members on our email list have been encouraged to contact their local Member of Parliament, and other members have been contacted by telephone. Besides contacting their federal representative, our community members have been encouraged to write letters to our local newspapers, and to speak to family and friends about this issue. Every opportunity we have had to share our vision and our reasoning, we have taken advantage of, and have done so in a positive approach with the aspect of educating those either opposed to equal marriage, or undecided in their views. This forum today is yet another avenue to speak on behalf of the island's gay and lesbian community. This Wednesday morning, members of the board of *Cape Breton Pride* will sit with MP Roger Cuzner to present our case, and to do our best to educate and convince Mr. Cuzner to vote "yes" on Bill C-38. Following that meeting, *Cape Breton Pride* will be submitting letters to the Editors of the Cape Breton Post, and the provincial Chronicle Herald.

Although the *Canadian Charter of Rights and Freedoms* came into effect April 17, 1982, Section 15 was specifically delayed until April 17, 1985 to ensure that Canadian laws were brought in line with the equality rights in this section. Section 15 of the Charter clearing states "Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination..." *The Charter of Rights and Freedoms* guarantees non-discrimination as a fundamental human right to every Canadian. This lasting legacy of late Prime Minister Pierre Elliot Trudeau is one, which Canadians understand to be the foundation of democracy and we proudly adhere to its principals. Eight courts in this land, including Nova Scotia, have found excluding gays and lesbians from civil marriage to be discriminatory. This same Charter also protects the

right of freedom of religion; religious officials are free to choose whether or not to perform marriages for a number of circumstances, and the courts have not changed that. The issue at hand is the right for gays and lesbians to marry in a civil ceremony. The issue at hand is a fundamental human rights issue.

For those who argue that civil unions are the answer, I assure you that is not the case. Marriage and all the benefits granted to married couples is a federal responsibility; civil unions are a provincial responsibility. The Supreme Court of Canada made this distinction very clear in last year's "Marriage Reference" case.

At the very least, civil unions are only valid within the province where they originate. Couples who move to another province, would have to re-register their civil union. Different rules would apply to them in each province. For example, 'domestic partnership', which exists in Nova Scotia would not be recognized in Ontario or Alberta. Only civil marriage can guarantee gays and lesbians that right. The British Columbia Court of Appeal stated "the redefinition of marriage to include same-sex couples\* is the only road to true equality for same-sex couples. Any other form of recognition of same-sex relationships, including the parallel institution of RDP's (registered domestic partnerships), falls short of true equality. This Court should not be asked to grant a remedy which makes same-sex couples "almost equal", or to leave it to governments to choose amongst less-than-equal solutions." Cape Breton Pride is committed to continue our fight for full equal rights for all gay and lesbian Canadians.

It is time for our federal representatives to speak for all Canadians; a responsibility, which includes educating their constituents on what, is right, and when it's time to step forward. It is time for all members to join our Prime Minister and uphold the *Canadian Charter of Rights and Freedoms*. It is time for all Members of Parliament to pass into law marriage for everyone!



April 25, 2005