

Options Paper—Working Group On Domestic Partnerships— November 2006

French Government Report Says No to Homosexual “Marriage”

Decisive factor was concern for children - "two fathers, or two mothers" – "biologically neither real nor plausible"

By John-Henry Westen

PARIS, February 16, 2006 (LifeSiteNews.com) – A government commission set up at the request of the President of the French National Assembly has concluded that homosexual ‘marriage’ and adoption by homosexual couples, and medically assisted procreation for homosexual couples should not be permitted by law. The decisive factor to the report's conclusions, after an investigation of more than a year, was the commission’s decision to act “to affirm and protect children’s rights and the primacy of those rights over adults’ aspirations.”

The Information Mission, as the commission was called, was to propose any change to the law and to administrative practices that were necessary to better protect the rights of the child and to reflect changes in the French family. The commission’s report, the *Parliamentary Report on the Family and the Rights of Children*, released January 27, 2006 did acknowledge that the French family has altered significantly, becoming “more diverse and less institutionalized”, but recommended nonetheless that in the best interests of children homosexual ‘marriage’ should remain prohibited.

The Information Mission made every effort to hear all views on the subject. It organized 14 round tables and heard 130 people from the diversity of French society. It travelled to Spain, the United Kingdom, Belgium, the Netherlands and Canada to assess the reforms that have been undertaken in other countries.

The report sets out 100 proposals that require amendments to existing statutory or regulatory provisions.

The Mission considered demands for marriage to be made available to same-sex couples, and was of the view that it “is not possible to think about marriage separately from filiation: the two questions are closely connected, in that marriage is organized around the child.” Said the report: “Marriage is not merely the contractual recognition of the love between a couple; it is a framework that imposes rights and duties, and that is designed to provide for the care and harmonious development of the child. Foreign examples demonstrate this: countries that have made marriage available to same-sex couples have all, simultaneously or subsequently, authorized adoption by those couples and developed systems for assisted procreation or surrogate gestation, to enable those couples to have children.”

The report stated: “It would in fact be incoherent, if couples were regarded as equal, to remove the prohibition on marriage and preserve it for filiation.”

Summing up its decision process on the matter, the Information Mission says, “Making marriage available to same-sex couples therefore presupposes that they will also be given the right to adopt and receive medical assistance for procreation, and even the right to use surrogate mothers, because such couples are not fertile. The Mission is divided on this subject. It considered the consequences for the child’s development and the construction of his or her identity of creating a fictitious filiation by law – two fathers, or two mothers – which is biologically neither real nor plausible. Diametrically opposed representations were made by the people heard on this point, and they failed to persuade a majority of the Mission to support recognizing a right to a child or a right to marriage, for same-sex couples. A majority of the Mission does not wish to question the fundamental principles of the law of filiation, which are based on the tripartite unit of ‘a father, a mother, a child’, citing the principle of caution. For that reason, that majority also, logically, chose to deny access to marriage to same-sex couples.”

See the full French Parliamentary Report (in French):

http://www.assemblee-nationale.fr/12/dossiers/mission_famill...

See the Family and Media Association's submission to the working group on domestic partnerships

http://www.familyandmedia.ie/submission_to_the_working_group_on_domestic_partnerships.pdf

Web flyer on French Government commission's decision

<http://www.whythefrenchsaidnon.com/>

Home page of the Family and Media Association

<http://www.familyandmedia.ie/>

Opinion poll on public attitudes to marriage and the family – January 2007

[Opinion poll on public attitudes to marriage and the family.](#)

<http://www.ionainstitute.ie/pdfs/7chartsIonaMktResearch.pdf>

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http://www.ionainstitute.ie/pdfs/Poll_commentary.pdf

The National Men's Council of Ireland

<http://www.family-men.com/>