

Political Science 305. Part I: The Family in Late Liberalism

Scenario: You are a provincial government committee of public servants (not party political representatives) charged by the Minister with revisiting Alberta's Adult Interdependent Relationships Act (2003). The basic text of the Act is linked on the course website for you to review. Imagine that your discussion is entirely confidential and that you are free to express your own views, whether they are values-driven or pragmatic.

- You have **10 minutes if necessary** to quickly review materials (this worksheet, Harder's article, the legislation).
- Your group has a **further 40 minutes** to discuss together your answers to the questions below, and then to formulate a short policy statement to the rest of the class.
- In your statement the only things we *really* need to know are: **do you support continuing the AIRA in any form?** If you would like to make changes, what are they? If you want to get rid of it, do you see any needs that would then go unmet?

Questions for the committee:

1. The preamble to the Act states:

“WHEREAS there are Albertans in interdependent relationships outside marriage; and WHEREAS it is appropriate to define a legal context for the nature of those interdependent relationships and to set out the applicability of Alberta laws to them.” What is, and should be, the government's interest in regulating “adult interdependent relationships” outside marriage? What makes it “appropriate” for the government you serve to be defining rights and responsibilities in relationships?

2. What is the meaning of the very first line of the Act's preamble that “marriage is an institution that has traditional religious, social and cultural meaning for many Albertans”? Do you agree?

3. It is a central part of the consequences of the AIRA that citizens should be able to rely on those with whom they are “interdependent” for various kinds of support (including financial support), and that if the relationship ends they will have certain rights (including possibly financial support or a financial settlement). In what circumstances do you think it is appropriate for the state to impose a financial obligation on an adult because he or she is or has been in an “interdependent” relationship, as defined by the Act?

4. Since this legislation was enacted, the right to marry someone of the same sex has become a part of federal law in Canada. Do you think it's time to repeal the AIRA now that *any* two unmarried unrelated adults can marry each other?

5. Existing marriage norms (whether same-sex *or* opposite-sex) assume that the couple are sexually involved, only (or, at least, primarily) with each other. The AIRA, on the other hand, doesn't require that the relationships it governs are “conjugal” in this sense. Do you support the idea that there is something distinctive about sexual relationships and the law? How does your answer affect your views on marriage and the AIRA?