

# Martha's Monthly

Feminist analysis of public policy in Alberta



Martha's Monthly March/April 2009 - test



## I Want You to Sit Down for This One

**Martha had the great pleasure of witnessing a baby's birth not long ago and the experience moved her. Old Martha got a wee tear in her eye, if the truth be told.**

But it won't be a surprise to any of you that Martha's warm and fuzzy feeling turned to an outraged and slightly violent feeling when she read the fine print on the birth certificate form. This is the part where I think it best that you sit down, put your coffee cup down, and swallow the coffee that you have in your mouth (we would not want you to spray coffee all over your monitor!)

Martha read the following lines on the birth certificate application and wondered if she had slipped into a time warp and been flung back to 1952:

***When a married woman's husband is not the father of the child, the mother may be eligible to complete a Statutory Declaration Re: Registration of Birth (REG 3111). If the mother can declare all following four statements to be true (on the statutory declaration) her husband's information may be left off the Registration of Birth:***

***1. My husband is not the natural father of this child***

***2. At the time of this child's conception I was living separate from my husband***

*3. During my pregnancy, I was a married woman*

*4. I am the natural mother of this child*

**Otherwise, the mother's husband is the legal father!**

(See it for yourself at: [Service AB site](#))

Is the Alberta government seriously telling me that I cannot be legally married, bear a child not fathered by my husband, and continue to live with my husband? Seriously? So, if I would like to be a surrogate mother for my sister and her partner (male or female) and continue to be married to my husband during the In-vitro fertilization process (ie. conception) then my husband must be named as the father of my sister's child. Seriously? What if my husband is infertile and we choose to use sperm donated by a friend and we wish to name him on the birth certificate as the father? The Alberta government is going to tell us we can't do that? And it is because I am married? Because marriage means ownership??



Maybe Martha teleported to 1852!?

Martha started to wonder about all the gay and lesbian couples out there and what they were doing. Surely the government of Alberta was not so 1952 as to believe that only heterosexual, married women gave birth to babies? Ah, you might be surprised. Because it does seem as though the Alberta government's Vital Statistics department stopped evolving in the 1950s. Gay and lesbian couples have to fill out form after form to get their names on the birth certificates and only two parents can be named on the birth certificate. This flies in the face of tons of court cases and many reproductive technologies.



Has the AB government not heard that 2 years ago the Ontario Court of Appeal ruled that birth certificates must be able to have more than two parents listed? ([3 parents](#)) Or another Ontario case in which a lesbian couple chose to have one donate the egg and the other carry the fetus to term making one the biological mother and the other the gestational mother? (see [2 Moms](#))

The AB government was ordered, in a 2005 court ruling to treat lesbian spouses like straight couples, allowing the non-biological parent's name on the birth registry. It is supposed to be parent and parent, not mother and father. But in order to get the form that says “parent” and “parent” the lesbian couple has to ask the government to pretty please send them the special lesbian forms. Ridiculous! Why are all parents not getting the form that is non-discriminatory without asking nicely? Why do we make lesbian couples jump through such silly hoops? The court told the Alberta government to smarten up and this is as smart as they could get, eh? Martha thinks it is not so smart to make lesbian couples ask for the special form.

In case your blood pressure is still within the normal range, Martha implores you to read the section on “legitimization” on this page and try not to gag when you read the part that says “out of wedlock”: [out of wedlock](#)

Martha is beginning to wonder if she is the only one that finds this all quite ridiculous. Why does the AB government not simply produce one set of forms for birth that does not have all these caveats and just let women register the birth of their child without being told they must be married, monogamous, and straight?

We need to put a little pressure on the premier and the Minister to see that this is changed immediately. It is simple. Copy and paste the following letter (or write your own, they are always more powerful!). Make sure to include your full name and address on the bottom of the letter.

Then email your letter to:

[premier@gov.ab.ca](mailto:premier@gov.ab.ca), [marthasmonthly@yahoo.ca](mailto:marthasmonthly@yahoo.ca), [edmonton.glenora@assembly.ab.ca](mailto:edmonton.glenora@assembly.ab.ca),  
[calgary.mccall@assembly.ab.ca](mailto:calgary.mccall@assembly.ab.ca), [edmonton.strathcona@assembly.ab.ca](mailto:edmonton.strathcona@assembly.ab.ca)

May30, 2009

Premier Stelmach

Dear Premier Stelmach

I wish to draw your attention to a matter with which you may not have had recent experience - registering a child's birth. I have recently come to learn that the Alberta forms for birth registration are antiquated and need immediate updating to bring them into compliance with court decisions. I am particularly concerned about the matter of a "mother" and a "father" being the only options for parentage. I can think of many situations when such a description of the relations of parents to their children is far too simplistic. I am also concerned that a married woman's husband is considered the father of her child unless an antiquated set of circumstances exist.

The growing possibilities of reproductive technologies make these birth certificates outdated and potentially inaccurate. Should a woman acting as a surrogate mother have to name her husband as the father when she knows full well that he is not? Should a lesbian couple, one of whom provided the egg which was fertilized and carried to term by the other not BOTH be named the parent? The simple solution to this matter is to update the forms for registering birth immediately and to comply with the 2005 court decision instructing the province to use the term "parent" and "parent" instead of "mother" and "father". I further believe that all the restrictions on a married woman's ability to name the father of her child be removed. This type of 1952 paternalism has no place in 2009.

I look forward to your resolution of these matters.

Sincerely,

**YOUR NAME AND FULL ADDRESS**