What's Mine is Hers: A Solution to Common Law Property Woes

By Claire Himsl

Abstract: As more and more Canadians elect not to get married and opt instead for a common law relationship, the matter of division of property has grown ever more relevant. This essay explores possible remedies to reducing gendered inequalities that result from the division of common law property.

"Couples might have wanted to keep the state out of their relationships at the point of getting together, but they discovered that they needed to get the state back in as an adjudicator when these relationships fell apart."

For much of Canadian history the only form of conjugal adult relationship that was given any sort legal or social recognition was the traditional legal marriage between a man and a woman.[1] Indeed, many continue to see conventional monogamous marriage as the foundation of society and any movements away from this standard are perceived as an affront to nature, to what is right and to what is common sense.[2] Those who were in alternative relationship formations, specifically those in common law relationships, were subsequently denied recognition by the state as well as the ability to make claims against former partners for support in the event that the relationship broke down. However, due to the proliferation of common law relationships, partners now have many of the rights and entitlements previously only afforded to married couples.

In 2003 the province of Alberta passed the *Family Law Act* governing, among other things, what would happen in regards to custody of children and corollary relief upon the breakdown of a conjugal relationship. Although common law partners have received more rights and entitlements over the years, there is one fundamental aspect of the relationship breakdown that has yet to be settled: property division. Most recently on February 18, 2011, the Supreme Court of Canada (SCC) ruled in *Kerr v. Baranow* that couples in a domestic relationship are expected to equitably deal with the division of property upon the break down of the relationship, though the court made it clear that the breakdown of such a relationship does not automatically entitle either party to the property of their former spouse. Instead, division of property would be determined on the basis of the circumstances, notably the opportunities forgone by one partner in order to allow the other to acquire property. However, the SCC has insisted that when it comes to property

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[1] Bala, N. 2003. "Controversy Over Couples in Canada: The Evolution of Marriage and Other Adult Interdependent Relationships." *Queens Law Journal* 29: 41-102, 43.

[2] Carter, Sarah. 2008. "*The Importance of Being Monogamous: Marriage and Nation Building in Western Canada in 1915."* Edmonton, AB: University of Alberta Press, 1.

division, common law relationships should not be entitled to the same assumptions made with statutory marriages regarding income and wealth sharing.

In my view there are two opposing feminist perspectives that could bring an end to this debate. This first perspective advocates against the strengthening of property rights in common law relationships as this would effectively make cohabitation analogous to marriage, an institution that many feminists see as problematic and deliberately avoid participation in it, discussed in brief later. The other perspective advocates for the strengthening of property rights to ensure that women are protected by law since they are often disproportionately disadvantaged by the break-down of non-marital relationships. Since women are less likely than their partners to be high-income earners and are more likely to forego a career to care for children they are therefore less likely to own property.[3]

The following paper will argue that one of the necessary steps towards achieving gender equality is to make it easier for former common-law couples to seek an equitable division of property. Rather than advocating for a threshold for *entitlement* (as there is for corollary relief), I propose that the requirements needed to be an adult interdependent partner under the Alberta *Adult Interdependent Relationships Act (2002)* should also apply to establish a threshold at which people can be *eligible* to receive portions of property if they are then able to meet further criteria. I shall first engage in a brief discussion on the history of common-law relationships, followed by another detailing the recent developments in Canadian case law and legislation specifically in regards to common-law property division in Alberta. I shall ultimately conclude that legislation that requires individuals to meet various requirements, similar to those set out in s. 8 of the *Matrimonial Property Act (2000)*, before being eligible to receive a division of property is the appropriate course of action. This discussion shall mainly centre on different-sex domestic partnerships where many women face imbalances of power.

A Conceptual Understanding of Marriage and Domestic Partnership

In Canada there are two types of formal law that govern the actions of individuals: statute law and common law. Statute law is legislation created through the parliamentary process by lawmakers and interpreted by the courts. It is nearly impossible for lawmakers to anticipate every possible circumstance in which the law might apply and therefore the courts are required to make certain interpretations based on what it feels is reasonable, just and in line with societal values. Common law refers to 'court-made law' - law established through the application of *stare decisis* – and the principles established through the application of various *ratio decidendi* to particular factual contexts.[4] The common law thus

[3] Statistics Canada. 2007. "High Income Canadians." Statistics Canada- Catalogue no 75- 001-XIE: 1-17, 9.

[4] *Stare decisis* is latin for "to stand by what is established" referring to the precedent established by a ruling. *Ratio decidendi*

includes those things that are not explicitly governed by statute but rather by court decisions. Until quite recently there was no legislation regarding the affairs of conjugal relationships between cohabiting couples who were not married, hence the term 'common law couple.'

Marriage and property have historically gone hand in hand in that one could not marry unless property was involved. This was not because property was a necessary prerequisite, but rather there was no purpose to enter into an agreement that was specifically intended to protect the interests of the proprietary class. As Coontz puts it, "marriage became a way through which elites could hoard or accumulate resources" as each marriage was strategic and involved not only the accumulation of real property but also the "exchange of dowry, bridewealth, or tribute" amounting to a major economic transaction between the families.[5]

As for the rest of society, "states did not generally get involved in validating marriage or regulating divorces unless substantial property or political privileges were involved.[6] In these instances a marriage was recognized simply when a man and woman began to live together as husband and wife.[7] Historically the doctrine of common law marriage "explicitly functioned by relying on a set of social judgments (did a couple act as though they were married?) to articulate a legal rule (if they did act as though they were married then they were legally married)."[8] Although their relationship was not state recognized, as the marriages of the proprietary class were, they were still viewed as legitimate within society. Over time the legal marriage, once exclusively associated with the proprietary upper class, became *de regeur* as more and more individuals owned property and legal marriage was propagated as the right form of intimate relationship and a symbol of the family and tradition. Today contractual, statutory marriage continues to be the norm, regardless of property ownership, though cohabitation is on the rise.[9]

Bearing in mind the historical development of marriage, the marriage/ common law marriage relationship is somewhat paradoxical: one becomes 'married' by entering into a legal contract with another person; that couple then acts in a certain manner which characterizes their relationship. Common-law couples do not enter into such legal contracts, but they act as though they are married, and are therefore recognized as such.[10] A

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means the 'principle in which the case establishes;' and refers to actual policy or methods of interpretation established by common law.

[5] Coontz, Stephanie. 2005. *Marriage, a History: From Obedience to Intimacy; or, How Love Conquered Marriage.* New York: Viking, 66.

[6] Ibid.

[7] Ibid.

[8] Dubler, Ariela R. 2000. "Wifely Behavior: A Legal History of Acting Married." *Columbia Law Review* 100(May): 957-1021, 963.

[9] CBC. 2005. "Marriage by the numbers." http://www.cbc.ca/news/background/marriage/.

[10] Dubler, Ariela R. 2000. "Wifely Behavior: A Legal History of Acting Married."

common law couple may act in the exact same manner as those who are legally married or perhaps even integrate the sharing of finances and responsibilities to a greater degree, but until they have signed that marriage license society has a tendency to view their actions as rather inconsequential. Especially for the purposes of property division, the state privileges the presence of a marital contract over the actions of the couple. The state, perhaps optimistically, assumes that those entering into a marriage are aware of the obligations associated with it and see the wedding (or more specifically, the signing of the marriage license) itself as a signifier that those individuals are agreeing to these obligations regardless of whether they actually feel this way. Differing dynamics within each marriage suddenly become immaterial; each couple is now seen as identical, regardless of whether their relationship is unconventional.[11] In fact, unless a married couple makes a pre-nuptial agreement prior to marriage outlining the way assets shall be divided and support shall be allocated, the state specifies how corollary support and property shall be allocated.[12]

Feminists have historically had many problems with the institution of marriage. Marriage has long been recognized as a tool of patriarchy to further the subjugation of women, signified a lack of sexual autonomy, the denial of property rights under coverture laws, and more recently for being heteronormative and consumerist.[13] Cohabitation and common-law marriage has provided another option for feminists and others who believed that the institution of marriage was too intrusive, exclusionary, and presumptive. As such, for some individuals the state's reluctance to equate marriage and common law marriage in regards to property is not necessarily a bad thing; after all, what would be the point in protesting the institution of marriage if the alternative institution is exactly the same. 'Choice,' as in 'choice to marry or not marry' and whether or not to have obligations towards another becomes paramount, both in the eyes of those in a common law relationships as well as the state. As evidenced in the following judicial decisions the courts have been unwilling to equate *de jure* and *de facto* relationships when it comes to proprietary entitlement primarily because they feel it is inappropriate for those who make a conscious decision not to marry to have certain responsibilities ascribed to them without their consent.

Columbia Law Review 100(May): 957-1021, 963.

[11] Barrett, Michele and Mary McIntosh. 1982. "*The Anti-Social Family."* Norfolk, Great Britain: Thetford Press, 65.

[12] Kandoian, Ellen. 1987. "Cohabitation, common law marriage and the possibility of a shared moral life." *The Georgetown Law Journal* 75 (6): 1829-73. 1864.

[13] Jacobson, Lisa. "Fashion, Feminism, and the Pleasures and Perils of Consumer Fantasy." *Journal of Women's History.* 22(1): 178-187, 184; Shwartz, Laura. 2010. "Freethough, Free Love and Feminism: Secularist debates on marriage and sexual morality, England c. 1850-1885." *Women's History Review* 19(5): 775-793, 783.

Common-Law Rulings Regarding Domestic Partnership Property Rights in Canada

Under section 15 of the *Canadian Charter of Rights and Freedoms (1982)* individuals are considered "equal before and under the law and [have] the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability." In *Miron v. Trudel (1995)* the court established a two-step process to establish, based on the facts, whether or not such discrimination occurred and whether marriage and common-law marriage were analogous sites of discrimination. First it must be demonstrated that a "denial of equal protection or equal benefit of the law as compared to some other person" has occurred.[14] Second it must be demonstrated that this difference in treatment results from discrimination. The court ultimately decided in *Miron* that discriminating against people based on their marital status (whether they were legally married or acted as though they were married) was a violation of s. 15 of the *Charter.*

In the 2002 case of *Nova Scotia Attorney General of Nova Scotia v. Walsh* (which came on the heels of the Nova Scotia Supreme Court case of *Walsh v. Bona,* involving the same couple) the Supreme Court held that legislation pertaining to matrimonial property that excluded common law couples was not a violation of the principles set out *Miron* and therefore did not violate s. 15 of the *Charter.* The majority decision, written by Justice Bastarche, made it clear that this decision to deny common law property rights was because individuals who made the conscious choice not to get married should not have marital obligations (and benefits) placed upon them. The court reiterated that marriage (be it legal or common law) is all about choice; couples that get married do so (hopefully) knowing about the obligations they have towards one another throughout the duration of their relationship and upon its potential breakdown. Couples who choose *not* to get married should not be obligated to divide their assets in a manner that they specifically elected to escape. The court stressed that, since there are an avenues that couples can take (i.e. a cohabitation agreement) to ensure that their assets are divided equitably and child and spousal support is provided, it was not the court's position to assume how unmarried people lived their lives. In the eyes of the court, living together was not "sufficiently indicative of an intention to contribute to and share in each other's assets and liabilities."[15]

Countering the majority in *Walsh,* Justice L'Heureux Dubé felt that the case before the court was simply another example of the discrimination that common-law couples have been faced with over the years. She states that the refusal to distribute property to unmarried couples under the *Matrimonial Property Act* (MPA) constitutes a "failure to provide a fundamental benefit at a time when it is most needed" and is based on the rather arbitrary absence of a marriage

[14] *Walsh v. Bona*, *1999.*

[15] *Walsh v. Bona*, *1999.*

certificate.[16] When one is married and the relationship breaks down it is assumed, unless a pre-nuptial agreement was signed, that the former spouses will divide the wealth and property accumulated during the marriage in an equitable manner. In many divorces, as Justice L'Heureux Dubé notes, people are unaware of their rights and responsibilities towards their former partners so to say that there is an assumption that married couples are aware of what they are getting into holds little truth.[17]

The *Walsh* decision brings to light an interesting point: Justice Bastarche indicates in his decision that domestic partners can enter into a cohabitation agreement to ensure that the breakdown of the relationship, should it occur, will proceed as smoothly as possible. However, even a cohabitation agreement requires both parties to come to an agreement, meaning that those people who refuse to get married and intend to refuse support or property to their former common-law spouse would not enter into these agreements anyways, rendering Justice Bastarche's suggestion rather moot. Ironically, entering into a cohabitation agreement seems much more contractual in nature that marital contracts are, whose legality has often been downplayed in favor of romanticized notions of commitment, loyalty, and family. In reality all one needs to get married is a valid driver's license (or other photo ID) and knowledge of his/ her parent's names and birthplace; proof of a genuine relationship is not required.[18]

Despite the outcome in *Walsh,* common law couples were not completely out of luck when it came to property. In the 1986 SCC case *Sorochan v. Sorochan* the court allowed for the remedial constructive trust to be used if an instance of unjust enrichment resulted from the breakdown of the relationship. The couple in *Sorochan* lived together for over forty years during which they had six children together. He worked as a travelling salesman while she tended to the farm. The relationship eventually broke down and, since the farm was titled in his name rather than jointly, Mrs. Sorochan was not entitled to any of the property that she had taken care of for the previous four decades. On appeal to the SCC the court indicated that in circumstances where an unjust enrichment has occurred the court may impose a remedial measure to transfer some of that property to the deprived party if they can establish that they were instrumental to the survival of the property or its acquisition.[19] Unjust enrichment refers to a situation where one party is enriched at the expense of the other party, who suffers a deprivation, and there is no juristic reason for the enrichment/ deprivation. Constructive trust principles correct this unjust enrichment by declaring that, based on the effort that the deprived individual devoted towards the acquisition or maintenance of the property, the party who holds the title to

[16] *Nova Scotia Attorney General v. Walsh, 2002.*

[17] *Nova Scotia Attorney General v. Walsh, 2002.*

[18] Service Alberta. 2011. " Getting Married."www.programs.alberta.ca/Living/5962.aspx?Ns=364&N=770.

[19] *Sorochan v. Sorochan, 1987.*

the property, for all intents and purposes also holds a portion of that property in trust for his/ her common-law spouse, should the relationship break down (Hunter, 1989, 76).[20] Rather than compensating the individual for losses "as in a tort case, or to substitute damages for an unfulfilled expectancy, as in contract case" the physical property itself is given up (Hunter, 1989, 76).[21]

Division of Property: A Proposal for Policy Reform

In light of this rather confusing system the question we must ask ourselves is this: is it problematic that the courts refuse to allow former partners to make claims to property in light of the concerns voiced surrounding assumption of obligation and choice?

The Alberta *Family Law Act (2005)* (FLA) allows individuals who have been disadvantaged by the break down of the marriage (common law or legal) to seek support provided they meet certain conditions outlined in the *Adult Interdependent Relationships Act.*[22] If a couple has been living conjugally together for a period of three years or more, or have a child together and are living together, or have entered into an agreement declaring themselves as interdependent partners they are eligible to apply for support in the event the relationship breaks down. Currently the *Matrimonial Property Act* of Alberta does not provide an avenue, other than cohabitation agreements, for common-law couples to seek property that is not titled in their name; while former common-law spouses may be entitled to spousal and child support there is no entitlement to property registered to the other spouse unless a cohabitation agreement was signed at some point during the period of cohabitation.

The lack of knowledge regarding the rights and entitlements common law spouses have towards one another is exacerbated by unequal distributions of power within intimate relationships that tend to favor the individual who is the higher earner, who more often than not it is the male.[23] "Despite the contemporary rhetoric of the "equalitarian family" and the "sharing marriage, despite the disappearance of the more obvious formalized manifestations of paternal power and manly authority, modern families are still

[20] Hunter, Howard. 1989. "Measuring the Unjust Enrichment in a Restitution Case." *Sydney Law Review.*(12): 77-95, 76.

[21] Ibid.

[22] This legislation not only applies to conjugal heterosexual relationships but also to conjugal same-sex relationships and non-conjugal relationships of an interdependent nature (so long as it is not between blood relatives). In her article 'The State and the Friendships of the Nation: The Case of Non-conjugal relationships in the United States and Canada" Harder details the way in which the state has become more involved in all interdependent relationships, not merely those of conjugal partners; Alberta. 2002. Alberta Interdependent Relationships Act. Canada.

[23] QMI Agency. 2010. "Canada gender pay gap among worst in OECD." *Toronto Sun Online.* www.torontosun.com/money/2010/03/08/13155136.html.

deeply unequal affairs."[24] The reality of today's economy means that couples quite often feel that it makes more sense financially to combine incomes and live together, especially if there are children involved. Despite the continued efforts of the women's movement, women continue to only make between 75-80% of what men make, due in part to the work foregone to care for children and to care for the home.[25] More money and property means more power and thus a better bargaining position. Women who request a share of their former spouses' wealth may be given an ultimatum: take the property or the kids, not both.

As stated previously, the way that a common law couple is identified is by the manner in which they conduct themselves and how this conduct is analogous to that of a legally married couple. Certain value is given to the way that legally married individuals act towards one another and the way that they conduct their affairs is taken to be the ultimate show of commitment. Without this, legislators (perhaps rightfully so) do not want to make assumptions about the nature of intimate relationships. Once again I would like to mention the paradox that results from the refusal to equate common law marriage and legal marriage. A common law marriage becomes *legal* when the partners act like those who are legally married. In the absence of legislation the court has stepped into fill this void has developed ways for common law partners to seek remedial measures to obtaining property, though this is often done at great expense.[26]

While the SCC decisions mentioned above have been interpreted as a signal of the state's veneration of marriage, I submit that while "lumping all…long term, monogamous domestic relationships within the rubric of marriage… denies the potential importance of a couple's choice not to formally marry," the refusal to provide avenues other than those in the common law for couples to claim stakes in their former spouse's property is ultimately detrimental to women who must cope with gendered pay gaps, power imbalances, and expectations of primary care.[27] As Bowman states in *A Feminist Proposal to Bring Back Common Law Marriage* the "institution of common law marriage has benefited women, protected their welfare when they were vulnerable, protected their reliance upon and investment in long-term relationships of trust, and recognized their contributions of labor and commitment."[28] In Canada, the legislation pertaining to common law

[24] Barrett, Michele and Mary McIntosh. 1982. "*The Anti-Social Family."* Norfolk,Great Britain: Thetford Press.
[25] QMI Agency. 2010. "Canada gender pay gap among worst in OECD." *Toronto Sun Online.* www.torontosun.com/money/2010/03/08/13155136.html.
[26] Bala, N. 2003. "Controversy Over Couples in Canada: The Evolution of Marriage and Other Adult Interdependent Relationships." *Queens Law Journal* 29: 41-102.
[27] Dubler, Ariela R. 2000. "Wifely Behavior: A Legal History of Acting Married." *Columbia Law Review* 100(May): 957-1021
[28] Bowman, Cynthia Grant.1996."A feminist proposal to bring back common law marriage." *Oregon Law Review* 75 (Fall): 709-780.

relationships has not fully taken into account the needs of women upon the breakdown of a relationship.

Rather than maintaining the 'opt in' system that exists now (a cohabitation agreement) or relying on complex constructive trusts to remedy inequality, I propose that if couples are able to meet means tested requirements, similar to those in section 8 of the Alberta *Matrimonial Property Act (2000)* and conduct themselves as a common law couple*,* the parties involved should be required to divide their assets equitably up the breakdown of the relationship. If a couple would rather remain as a cohabiting couple (or conjugal roommates) it can be up to them to sign an agreement stating their intentions. With the legislation I propose the disadvantaged individual would no longer have to satisfy the high threshold for relief under unjust enrichment principles, but rather ask the court to consider the following when making a determination:

> "(a) the contribution made by each spouse to the marriage and to the welfare of the family, including any contribution made as a homemaker or parent;
> (b) the contribution, whether financial or in some other form, made by a spouse directly or indirectly to the acquisition, conservation, improvement, operation or management of a business, farm, enterprise or undertaking owned or operated by one or both spouses or by one or both spouses and any other person;
> (c) the contribution, whether financial or in some other form, made directly or indirectly by or on behalf of a spouse to the acquisition, conservation or improvement of the property;
> (d) the income, earning capacity, liabilities, obligations, property and other financial resources
> (i) that each spouse had at the time of marriage, and
> (ii) that each spouse had at the time or trial;
> (e) the duration of the marriage;
> (f) whether the property was acquired when the spouses were living separate and apart;
> (g) the terms of an oral or written agreement between the spouses;
> (h) that a spouse has made
> (i) a substantial gift of property to a third party, or
> (ii) a transfer of property to a third party, other than a bona fide purchaser for value;
> (i) a previous distribution of property between the spouses by gift, agreement or matrimonial property order;
> (j) a prior order made by a court;
> (k) a tax liability that may be incurred by a spouse as a result of the transfer or sale of property;
> (l) that a spouse has dissipated property to the detriment of the other spouse;
> (m) any fact or circumstance is relevant." [29]

[29] Alberta. 2000. Matrimonial Property Act. Canada.

Since marriage allows for an 'opt-out' with pre-nuptial agreements, common-law marriage, as an analogous institution, should also abide by opt-out system rather than opt-in. Once again I would like to reiterate that when speaking of common-law partners I am not referring to those individuals who are simply living together conjugally. I agree with Justice Bastarche in that living together is not "sufficiently indicative of an intention to contribute to and share in each other's assets and liabilities" but that should not preclude all couples from being eligible or entitled to support.[30]

As a remedial measure constructive trusts must be handled through the court system before property can be awarded and are therefore inherently more expensive than those which can be simply signed off by a lawyer. Since it is only the common law that binds a couple together, the legislation that I am proposing must stipulate that those who are recognized as a spouse under the *AIRA* must equitably divide their assets as per the stipulations outlined above, or be forced to do so by the courts.

Conclusion

Since the 1970's cohabitation and common law marriage has risen in popularity and become a widely accepted alternative to statutory marriage. As these forms of intimate relationships have grown in popularity common law couples have gained entitlements to spousal and child support, but have failed to receive rights to property, though remedies are in place in certain circumstances to correct these imbalances. These remedies, as creatures of the court, are inherently expensive and tend to cause more financial hardship for a person who is already deprived. As such, means-tested legislation should be added into the *Family Law Act* to make it easier so that those who are already in a vulnerable position can stake a claim in their former spouse's property. Since women, who earn less and therefore acquire less of their own property, are the ones who are primarily disadvantaged by the break down of common law relationships (and the refusal of former partners to provide for them), property division should indeed be an area where feminists focus their attention. Correcting this inequality would serve as one of many steps towards correcting gender inequality within familial structures and society as a whole.

[30] *Nova Scotia Attorney General v. Walsh, 2002.*

Bibliography:

Alberta. 2002. Alberta Interdependent Relationships Act. Canada.

_____. 2007. Family Law Act. Canada.

_____. 2000. Matrimonial Property Act. Canada.

Barrett, Michele and Mary McIntosh. 1982. "*The Anti-Social Family."* Norfolk, Great Britain: Thetford Press.

Bala, N. 2003. "Controversy Over Couples in Canada: The Evolution of Marriage and Other Adult Interdependent Relationships." *Queens Law Journal* 29: 41-102.

Bowman, Cynthia Grant.1996."A feminist proposal to bring back common law marriage." *Oregon Law Review* 75 (Fall): 709-780.

Canada. 1982. Canadian Charter of Rights and Freedoms.

_____. 1985. Divorce Act.

Carter, Sarah. 2008. "*The Importance of Being Monogamous: Marriage and Nation Building in Western Canada in 1915."* Edmonton, AB: University of Alberta Press.

CBC. 2005. "Marriage by the numbers." http://www.cbc.ca/news/background/marriage/.

Coontz, Stephanie. 2005. *Marriage, a History: From Obedience to Intimacy; or, How Love Conquered Marriage.* New York: Viking.

Dubler, Ariela R. 2000. "Wifely Behavior: A Legal History of Acting Married." *Columbia Law Review* 100(May): 957-1021.

Harder, Lois. 2009. "The State and the Friendships of the Nation: The Case of Nonconjugal Relationships in the United States and Canada." *Signs: Journal of Women in Culture & Society*. 34(3): 633-658.

Hunter, Howard. 1989. "Measuring the Unjust Enrichment in a Restitution Case." *Sydney Law Review.*(12): 77-95.

Ignatieff, Michael. 2000. "*The Rights Revolution.*" Canada: House of Anansi Press.

Jacobson, Lisa. “Fashion, Feminism, and the Pleasures and Perils of Consumer Fantasy.” *Journal of Women’s History.* 22(1): 178-187.

Kandoian, Ellen. 1987. “Cohabitation, common law marriage and the possibility of a shared moral life.” *The Georgetown Law Journal* 75 (6): 1829-73. 1864

Service Alberta. 2011. “ Getting Married.” www.programs.alberta.ca/Living/5962.aspx?Ns=364&N=770.

Shwartz, Laura. 2010. “Freethough, Free Love and Feminism: Secularist debates on marriage and sexual morality, England c. 1850-1885.” *Women’s History Review 19(5): 775-793.*

Statistics Canada. 2007. “High Income Canadians.” Statistics Canada- Catalogue no 75- 001-XIE: 1-17.

QMI Agency. 2010. “Canada gender pay gap among worst in OECD.” *Toronto Sun Online.* www.torontosun.com/money/2010/03/08/13155136.html.