



Z. Wu #1
June 4, 2010

No. S-097767
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

IN THE MATTER OF:

THE CONSTITUTIONAL QUESTION ACT, R.S.B.C. 1986, c. 68

AND IN THE MATTER OF:

THE CANADIAN CHARTER OF RIGHTS AND FREEDOMS

AND IN THE MATTER OF:

A REFERENCE BY THE LIEUTENANT GOVERNOR IN COUNCIL SET OUT IN
ORDER IN COUNCIL NO. 533 DATED OCTOBER 22, 2009 CONCERNING
THE CONSTITUTIONALITY OF S. 293 OF THE *CRIMINAL CODE OF CANADA*,
R.S.C. 1985, c. C-46

AFFIDAVIT #1 OF ZHENG WU

I, Zheng Wu, Professor and Chair of the Department of Sociology at the University of Victoria, 3800 Finnerty Road, Victoria, British Columbia, V8W 3P5, MAKE OATH AND SAY AS FOLLOWS:

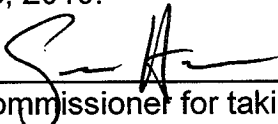
1. I am a professional Sociologist and Demographer, and as such have personal knowledge of the facts and matters hereinafter deposed to, except where same are stated to be on information and belief, and where so stated, I verily believe them to be true.
2. I have been a Professor of Sociology at the University of Victoria in British Columbia since 1992 and have served as the Chair of the Department of Sociology since 2006. I have been the Director of the University of Victoria Population Research Group since 2008 and have been a Research Affiliate with the Centre on Aging and the University of Washington Centre for Studies in Demography and Ecology since 2003. I have also served as an Adjunct Professor, School of Public Administration and Policy, Xi'an Jiaotong University, Xi'an, China since 2009. Additionally, I have


held a number of elected positions with the Canadian Population Society and am the current President, with my term being from 2008 to 2010.

3. I received my B.A. in English from the Beijing Second Foreign Language Institute in Beijing, China in 1983. I received my M.A. in Sociology from the University of Victoria in 1988. I received my Ph.D. in Social Demography from the University of Western Ontario in London, Ontario in 1992.
4. My research interests reach across numerous socio-demographic topics, with long-standing expertise in family demography. My research monograph, *Cohabitation: An Alternative Form of Family Living* (Don Mills, ON: Oxford University Press, 2000) stands as one of the leading comprehensive investigations into cohabitation in Canada. Building upon this work, I have completed multi-year funded research programs on post-cohabitation (union dissolution) experiences, concentrating on several integrated topics, including union dissolution, post-union dissolution re-partnering processes, and parental union dissolution effects on children's behavioral and educational life chances. I am particularly interested in Canadian trends in regional patterns in conjugal union formation, focusing on the dramatic growth and regional divergence in the choice of nonmarital cohabitation instead of marriage in the first union formation process.
5. A true copy of my curriculum vitae is attached as **Exhibit "A"** to this affidavit.
6. In 2010, I was retained by George Macintosh, Q.C., to provide an expert opinion regarding the increasing rates of non-marital cohabitation and decreasing rates of marital cohabitation in Canada as well as co-residential unions that a Canadian person enters into in his or her lifetime.
7. A true copy of my June 2010 report to Mr. Macintosh is attached as **Exhibit "B"** to this affidavit wherein I gave the opinion, which I now confirm, that there has been a shift in the meaning of marriage (conjugal) in Canada and most other Western societies over the past several decades. This shift corresponds to social and

demographic trends that have de-centered the predominance of marriage, and increased variation in conjugal relationships.

SWORN BEFORE ME at Victoria,)
British Columbia, this 4th day of)
June, 2010.)


_____)
A Commissioner for taking Affidavits)
for British Columbia.)


_____)
Zheng Wu)

SEAN HEARN
Barrister & Solicitor
FARRIS, VAUGHAN, WILLS & MURPHY LLP
1100 - 1175 Douglas Street
Victoria, BC
V8W 2E1