

March 18, 2009

Testimony in Support of Traditional Marriage

Honorable Members of the Judiciary Committee:

Thank you for the opportunity to address you this morning about a very important, yet very divisive legislative issue, namely, the present initiative in the Vermont legislature to alter the definition of marriage. Not only within the Catholic Church, but throughout this country and the world, both believers and non-believers in God have recognized marriage as the “legal union of one man and one woman as husband and wife.” (*Black’s Law Dictionary*, Fifth Edition, p. 876). Marriage, the anthropologists have discovered, is a virtually universal human social institution. Everywhere in the course of human history human beings have recognized a special need to bring together male and female into a lasting union, so that children have the protection and care of their mother and their father, two very beautiful vocations in this life.

Thus, those united as husband and wife have the right to have their marriage recognized as a distinct relationship. This unique relationship, marriage, has its own dignity and purpose. It is not rooted in hatred, bigotry, a lack of compassion or understanding, or discrimination. The union of husband and wife is a distinct vocation and using the law to alter or to

redefine marriage is an injustice to those who have embraced this state in life and negates the long history of benefit and the justified acknowledgment that it has received from the very beginning of history.

Desiring the good for all people and not wishing harm to anyone and respecting the rights of our fellow citizens to seek the truth and pursue the common good, we, nonetheless, have the duty to uphold and to defend the traditional definition of marriage as it has been upheld and revered over the ages.

Within the Catholic Church, we believe that “the vocation to marriage is written in the very nature of man and woman as they came from the hand of the Creator. Marriage is not a purely human institution despite the many variations it may have undergone through the centuries in different cultures, social structures and spiritual attitudes,” while always maintaining that it is the union of man and woman. (*Catechism of the Catholic Church*, no. 1603). For this reason, we profess that “the love of husband and wife reflects the love between Christ and the Church. By Christ’s will, marriage is one of the Seven Sacraments.” (*United States Catholic Catechism for Adults*, p. 281).

It is our firm belief that: “The matrimonial covenant, by which a man and a woman establish between themselves a partnership of the whole life, is

by its nature ordered toward the good of the spouse and the procreation and education of offspring...” (*Catechism of the Catholic Church*, no. 1601).

This core teaching, which we believe to be rooted in God, does not allow the Church to give an alternate definition of marriage. “ ‘The intimate community of life and love which constitutes the married state has been established by the Creator and endowed by Him with its own proper laws...God himself is the author of marriage.’ The vocation to marriage is written in the very nature of man and woman as they came from the hand of the Creator.” (*Catechism of the Catholic Church*, no. 1603).

Thus, it has been and continues to be the consistent teaching of the Catholic Church that marriage is the union of man and woman. As already noted, it was not so long ago that this was a commonly held definition by peoples of different cultures and creeds, believers and nonbelievers. This recognition of marriage’s unique, understood and appreciated purpose is why the supreme courts of Maryland, New York and Washington, to name just three, have recently rejected the notion that the definition of marriage as one man and one woman could be construed as or even constitute discrimination. This fundamental principle is why Americans in more than 30 states, from Florida to Michigan, from Oregon to Wisconsin, have voted to declare marriage as the union of husband and wife.

Unfortunately, the Church's defense of traditional marriage in many cases is interpreted in a negative way. Yet those who are united as husband and wife in marriage have the right to have their state in life properly identified and unaltered. The Church and this Diocese must support these married couples who properly understand their union as existing only between a man and a woman. Thus, it is unjust to assert that it is the intent of the Catholic Church to deprive people of their natural and God-given rights.

There is also the very real fear that if our government here in Vermont adopts the opposite view – that our historic marriage tradition is just bigotry and discrimination – this will in the end have very far reaching and perhaps legal consequences that will fall disproportionately on those Vermont citizens and faith communities who try to sustain and transmit the very marriage ideal that this law is attempting to supplant. When our own civil government wrongly and unjustly decides that our views of marriage are discriminatory, bigoted, rooted in hatred, we can expect severe consequences. Even though exemptions are proposed today, will they be taken away tomorrow? How can one declare a right and then grant an exception to the right? Isn't this a contradiction in terms? Will we be denied access to common benefits because of our affirmation of traditional marriage? Will faith communities be penalized for adhering to their beliefs

and creed? If civil unions have given way to a demand for marriage recognition, what other demands will be placed upon those who continue to uphold traditional marriage in imitation of those more than thirty states? Is that sacrosanct principle of separation of Church and State now being removed to allow government to intrude into religious matters and even mandate that citizens, especially those in public office and civil servants, act against their consciences and creedal beliefs? Is a self-determined, self-defined right being advanced at the risk of denying the rights of others?

And while there are those, even many, who find the practice of any religion useless or even odious, and find it offensive that any clergy should dare to speak about this issue, let us recall the principles upon which this country was founded. Contemplate for a moment the words of Samuel Adams: “The right to freedom is the gift of God Almighty...the rights of colonists as Christians may best be understood by reading and carefully studying the institutes of The Great Law Giver, which are to be found clearly written and promulgated in the New Testament.” (*“The Rights of the Colonists,”* 1772). Alexis de Tocqueville, considered by many to be a keen analyst of American life, came from France in 1831 to study the penal system in the United States. Among his many thoughts, we find the following: “Despotism may be able to do without faith, but freedom

cannot.” (Sanford Kessler, *Tocqueville’s Civil Religion, American Christianity and the Prospects for Freedom*, 1994). It appears that de Tocqueville may have realized that faith gives birth to and sustains freedom.

If the proposed legislation is enacted, will the Church and other communities of faith be denied the privilege of practicing their faith without fear of repudiation, scorn or retaliation? Will we become the objects of hatred and unjust discrimination? These are serious, grave questions, which cause one to ask why this legislation is being advanced with such expediency that does not allow the population at large to grasp the magnitude of this issue. Would we move so very quickly if we were lowering the age of marriage not requiring parental consent? These questions need more in-depth attention and further study. Realizing the imminent need to seek resolutions to address the grave economic situation of our state and country, we still cannot allow ourselves to make rapid decisions in other matters which will have serious consequences in the future and leave unresolved a whole series of moral, ethical and legal questions.

In giving this testimony, we also acknowledge the struggles and hardships endured by so many to protect and to support the beauty and dignity of marriage, even in the midst of personal challenges while remaining conscious of the common good. We also are fully conscious that

the Church is called to demonstrate true concern for all peoples, especially those who suffer and face great challenges in life. So many people in different circumstances carry heavy crosses. The Church, in imitation of its cornerstone, Jesus Christ, seeks to be compassionate and empathetic to all in need of support and encouragement in this life's journey. Likewise, also in imitation of Jesus, the Church must defend and uphold His teachings which do not originate from human uncertainty but rather are of divine origin. For the Church to be ambiguous or vague about its creed would be a grave injustice to those whom it seeks to serve in fidelity to the Gospel. Clarity in teaching is not meant to be harsh or threatening, but to place before us the message of Jesus, which challenges us to follow Him even in the very difficult moments of our life.

Any legislation concerning marriage has become a highly charged emotional issue which has divided families, friends, neighborhoods and communities and even ecclesial bodies. This sad reality causes pain and suffering for everyone and touches upon a very sensitive and intimate part of a person's life. The Catholic Church must be concerned for all these people, while always mindful that it serves no one if it denies the truths of her creed. Yet we speak this truth in charity as "we all work for unity among God's people, 'with all humility and gentleness, with patience, bearing with one

another through love, striving to preserve the unity of the spirit through the bond of peace...(Eph. 4:2-4)” (*Ministry to Persons with a Homosexual Inclination, Guidelines for Pastoral Care*, United States Catholic Conference of Bishops, December 2006, pp. 23-24). In these discussions, let us avoid hostility and anger which make of us enemies when God has called us to live as sisters and brothers as we support each other in the search for the Truth. Anger and hostility only will cause further division and negate our dignity as the sons and daughters of God. We hope that reason and prudential judgment will guide our emotions and permit realistic and sound solutions.

In concluding, I wish to recall that the early architects of these United States saw our nation as being “one nation under God” where the City of God was not in conflict with the City of Man. In his Farewell Address to the Nation (Published in *The Independent Chronicle* on September 26, 1796), George Washington proclaimed:

“Of all the dispositions and habits, which lead to political prosperity, Religion and Morality are indispensable supports. In vain would that man claim the tribute of Patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of Men and Citizens...”