

Questions and Answers on Same Sex “Marriage”

Why should the Church care about the state’s definition of marriage?

Marriage as a union of man and woman existed long before any nation, religion, or law was established. The marital union is the human and social institution upon which civilization has always been structured. Governments, therefore, have a duty to reinforce and protect this permanent institution and to pass it on to future generations, rather than attempt to redefine it arbitrarily for transitory political or social reasons.

The Church asks Catholics to care about the government’s treatment of marriage because civil authorities are charged with protecting children and the common good, and marriage is indispensable to both purposes. As citizens, Catholics have the right and the responsibility to hold civil authorities accountable for their stewardship of the institution of marriage.

Catholics also have the right and responsibility to oppose laws and policies that unjustly target people as bigots or that subject them to charges of unlawful discrimination simply because they believe and teach that marriage is the union of man and a woman.

Why must marriages be treated differently than other voluntary relationships?

The marital union between a man and a woman is the foundation of the family and the family is the foundation of society. Marriage is singular in its importance as a public institution. No other voluntary relationship can be regarded as the equivalent of marriage, which is unique in its stability, the environment it provides for the development of families, and the protection it accords spouses and children. Marriage is not merely an article of the Catholic faith, but a foundational element of the common good.

Why should two individuals of the same sex be treated any differently than married couples who cannot conceive children?

Marriage benefits society by bringing men and women – the two complementary “halves” of the human race – together. Regardless of whether they can conceive children, a man and a woman united in marriage reinforce the importance of this ideal. By contrast, if the government insists that same-sex unions are “equal” to unions of husband and wife, the government will be teaching not only that mothers and fathers are no longer necessary for children, but also that uniting the sexes is no longer an important ideal. Persons of same-sex orientation have the right to live as they choose but they do not have the right to redefine marriage for everyone by altering the civil law.

Don’t single parents make a valuable contribution to family life?

If so, why should same-sex partners not be viewed the same way?

All children are gifts from God and deserve our care and protection. The stable, life long loving relationship of a mother and father, found only in marriage, provides the ideal conditions for raising and socializing children. Marriage represents the way we teach and reinforce this ideal.

Of course, some children are raised in situations other than the traditional two-parent family, and responsible loving single parents, and other family members make important and valuable contributions to the welfare of these children. But supporting single-parent families, as a just and compassionate society must do, is far different than deliberately creating motherless and fatherless families and holding them out to be the same as marriages.

But isn't prohibiting same-sex "marriage" unjust discrimination?

No. We must always remember that every person has an inherent dignity because he or she is created in the image and likeness of God, and that God loves every person as a unique individual. Like all other human beings, our homosexual brothers and sisters are beloved children of God. As a result, the Catholic Church affirms that they "must be accepted with respect, compassion and sensitivity. Every sign of unjust discrimination in this regard should be avoided" [Catechism of the Catholic Church no. 2358].

Thus the teachings of the Church make it clear that the fundamental human rights of homosexual persons must be defended, and that all of us must strive to eliminate any forms of injustice, oppression, or violence against homosexual persons.

But it is not "unjust discrimination" to treat different things differently. Same-sex unions are not, in fact, the same thing as the union of one man and one woman in marriage. One type of union may ever generate children, the other may never; one type of union respects and expresses the inherent complementarity of man and woman; the other does not. Therefore, treating one type of union as "marriage," and the other not, is not only permitted, but required. Indeed, it is treating this differentiation as bigotry that constitutes an injustice.

Is same sex "marriage" a civil right?

In the Church's view same-sex "marriage" is not a civil right. A strong desire does not make a civil right. Every man and every woman has a right to enter into marriage, but marriage as an institution can only be between a man and a woman. Governments do not have the power to define marriage otherwise, because it is a permanent human institution that does not owe its existence to governments. Same-sex "marriage" is not a civil right because same-sex couples cannot fulfill the core public purpose of marriage: protecting children by bringing men and women into the only kind of union that can make new life and give children mothers and fathers.

This is not only the Church's view. Throughout all of human history marriage has been held to be a union of man and woman. Marriage has its roots in natural law, which transcends all man-made law. Marriage as a union of a man and a woman is a natural, universal human institution that unites mothers and fathers in the work of childrearing and family life. Same sex unions may represent a new and a different type of institution – but it is not marriage and should not be treated as marriage.

Would maintaining the definition of marriage as a union solely of one man and one woman deny hospital visitation privileges to civil union partners? Would defining marriage as a union of one man and one woman take away any benefits currently provided to civil union partners by employers?

No. In New Jersey, the Civil Union Act already provides practical rights, benefits, and protections for persons who choose to establish non-marital unions. As clearly stated in the Act:

Civil union couples shall have all of the same benefits, protections and responsibilities under law, whether they derive from statute, administrative or court rule, public policy, common law or any other source of civil law, as are granted to spouses in a marriage. [N.J. Statutes 37:1-31(a)]

The Act also provides that civil union couples are entitled to the benefits and protections of "laws relating to insurance, health and pension benefits." [N.J. Statutes 37:1-32(e)] In addition, the Act prohibits an array of unlawful employment practices by employers who do not fully implement the Act.

This document was prepared by the New Jersey Catholic Conference, August 22, 2009.

