

Marriage Initiative Homily - October 4, 2009

“From the beginning of creation, God made them male and female. For this reason, a man shall leave his father and mother and be joined to his wife, and the two shall become one.”

It is very important to take some time to address the current public debate regarding the citizen initiative to repeal the so-called Gay Marriage law. Some would prefer to ignore the issue but to do so would be to neglect the Church's responsibility as a teacher of Catholic belief. Some mean-spirited things have been said about the Church in this debate which are simply false and demand clarifying. The following is a summary of the Church's involvement in protecting genuine civil rights:

Beginning in 1989, despite resistance from more conservative Catholics, the Catholic Church in Maine (the Diocese of Portland) supported the extension of hate crimes legislation to include crimes against homosexual persons. This was the first in a series of our steps toward recognition of the legitimate civil rights of homosexual persons.

Soon after, there were a series of legislative efforts and citizen's initiatives over a decade, to alternatively either pass or repeal a Gay Rights bill. Throughout that entire period, the Diocese of Portland never once opposed any Gay Rights bill.

In 1999, a small group of diocesan-appointed Church representatives and homosexual rights advocates quietly worked together to write a gay rights bill. This may never have been stated publicly before now. Together the group produced a gay rights bill that passed the legislature soon after. Ironically, that particular law was repealed through a citizen initiative like the one we are now having, a People's Veto, *despite the Church's opposition to its repeal*.

More recently, the Diocese helped shape a bill proposing the establishment of legally recognized domestic partnerships allowing certain rights and prerogatives traditionally associated with marriage, including employer provided health care, to be extended to homosexual couples and others.

These are hardly the marks of an institution bent on the suppression of the legitimate civil rights of homosexual persons. This is not the kind of position people take who hate gays. Quite the opposite! The Church clearly teaches we are to love homosexual persons and afford them every genuine natural, human right and respect their dignity as persons created in the image of God. Instead of throwing bricks at the Church, gay rights advocates should be thanking us for the support we given them for more than 2 decades.

The current public debate is not, despite the efforts of some to so spin it, about civil rights. If it were about civil rights we would be opposing this repeal effort. It is not about who is a family: gay persons in committed relationships with or without children are a family. It is not about who you can love. It is about marriage and the definition of marriage: nothing more, nothing less, nothing other.

So what is marriage? First of all, it is not a creation of the state. The state did not invent marriage or define marriage. The state doesn't own marriage. Marriage pre-exists the state. It pre-exists every government on earth. Incidentally, it also pre-exists the Church. It exists and has existed in virtually every human society for millennia. While there are minor exceptions in isolated cultures, marriage consistently has certain characteristics in its definition. The few exceptions prove the rule.

Marriage has always been a bond between men and women. It is normally seen as a permanent state. It has required faithfulness. Marriage has always had two objects. One of these is the good of the spouses themselves, that is: mutual assistance; emotional, spiritual, physical support; a sharing of resources and property. Marriage also has, as one of its objects, acts which are apt for the procreation of children. Now, of course, there can be unintended obstacles which frustrate the achievement of that purpose, including age and health reasons, but marriage should be open to this creative impulse and then open to following through with the formation and

education of any children that might be born. In that regard, marriage is a unique state because marriage makes children, and children are necessary for the survival of any society.

What is marriage in the light of the gay marriage law before us? What is the state's new definition of marriage? Well, certainly the state's definition no longer includes permanence. With the advent of easy divorce for virtually any reason proposed by the couple, many couples understand permanence merely to mean they will stay together as long as their love lasts or as long as they find the relationship to be contributing to their personal fulfillment. Many couples in America today marry with the desire for a permanent relationship but with the escape clause understood, however unexpressed, to be available to them.

Certainly marriage according to the state no longer includes faithfulness. Most people would agree that whether or not couples are faithful to each other is no business of the state. Couples can decide to have an "open" marriage if they so choose. If one of them were to be unfaithful, that is purely a private matter between themselves and not subject in any way to the scrutiny of the law.

As for marriage and procreation, regrettably we all know that that connection was ruptured some decades ago. Today about 40% of children in America are born outside of marriage; and in some groups that percentage rises to about two-thirds of all births. Single-motherhood is the leading cause of poverty in America.

Now the state tells us that even being male and female has nothing to do with marriage. So if you eliminate permanence, fidelity, openness to children, and male and female, what is left of marriage? It becomes no more than a relationship for mutual assistance and sharing of property; and since the state cannot legislate emotional and spiritual support and assistance, it ends up little more than a contract regarding property rights. Marriage has been reduced to the least common denominator.

Without sounding like a hopeless romantic, this sounds like a frightening reduction in the marriage most parents had and that couples who have been or are prepared for marriage desire. At this point you can see that what the state legislates is never more than civil unions. Indeed, the state truly sees no difference between marriage and civil unions. Is this much reduced definition of marriage -- the lowest common denominator definition of marriage -- is this really the "marriage" we want as a society, and, for that matter, as voters?

As for the civil rights and obligations that have been attached by civil law to marriage, for example, inheritance or other property rights, rights regarding medical care, or the right to certain employment benefits, all of those things, without exception, could simply and easily be made equally available by law to the unions of two homosexual persons without calling these unions marriage. Marriage can remain what marriage has been and another name (pick one) can be given to unions of homosexual persons. The civil rights issues, in so far as there are any, can be easily solved without further reducing the definition of marriage.

This is not discrimination. It is not discrimination to call things by their own names. We have different names for different things. A cat is not a dog; an oak tree is not a rose. It is not discrimination to call one person a man and another person a woman. It is not discrimination to call one person a father and another person a mother. It is not discrimination to call one person a husband and another person a wife. It is not discrimination to say that one person is heterosexual and another person is homosexual. It is not discrimination to call the union of a man and a woman marriage and to call the committed relationship of homosexual persons something else -- you pick the word. It is difficult to believe that Maine people, much less Christian people, see no difference between marriage and homosexual unions, even when homosexual unions are perceived as desirable. There remains a difference and the difference should have its own name.

Marriage is an absolutely unique and irreplaceable relationship. Other relationships can be loving; other relationships can be committed; other relationships can even be permanent, but still not be marriage, but something else. Marriage is the miracle of the coming together to a man and a woman whose love and commitment is open to overflow to create the new life of a new person.