

Backgrounder

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Questions and Answers on “Marriage and Religious Freedom: Fundamental Goods That Stand or Fall Together” (open letter, released January 12, 2012)

1) What is the letter “Marriage and Religious Freedom” about?

“Marriage and Religious Freedom” is an open letter addressed to all Americans from religious leaders representing a diverse and significant range of faith communities throughout the United States, ultimately representing tens of millions of believing citizens. The letter speaks to the close connection between protecting the meaning of marriage as the union of one man and one woman and protecting religious freedom in the United States.

2) Why is the letter being released now?

Both marriage and religious freedom are central to a just and flourishing society. Religious freedom in particular is a hallmark of the United States, where millions of religious believers seek to live in peace and solidarity. However, both marriage and religious freedom continue to be undermined in various ways in this country. The release of the letter now is therefore timely. The release precedes the President’s yearly proclamation for Religious Freedom Day, which is January 16, 2012 and which this year is also the day in commemoration of Martin Luther King, Jr. and his courageous witness for freedom. The release also precedes World Marriage Day (Sunday, February 12, 2012) and National Marriage Week USA (February 7-14, 2012).

3) Why is it important that numerous leaders of various religious communities signed the letter?

The breadth of participation demonstrates that protecting marriage and religious freedom is a concern that transcends religious boundaries and confessional differences. Marriage is not an artifact of society, government, or religion, but rather is rooted in the essential nature of the human person as male and female. The meaning of marriage is therefore accessible to everyone, regardless of religious beliefs or lack thereof. Please also see the letter of shared commitment released December 6, 2010 and available at <http://www.usccb.org/issues-and-action/marriage-and-family/marriage/promotion-and-defense-of-marriage/ecumenical-and-interreligious-activities.cfm>.

4) What is religious freedom?

Religious freedom is the freedom to think, act, and shape one’s life according to one’s faith or religious beliefs without fear of sanction or pressure from government authority. It is a fundamental human right, derived from the inviolable dignity of the

human person (see *Catechism of the Catholic Church*, nos. 2104-2109 and Second Vatican Council, Declaration *Dignitatis Humanae*) and also guaranteed by the Constitution of the United States of America. Religious freedom includes, but is much more than, the freedom to worship. It is a mistake to reduce religious freedom to something private or lived out only within a worshipping community one day a week. Religious freedom also embraces both institutions and individuals. A government has responsibility for ensuring that the religious freedom of both institutions and individuals are protected and sustained.

5) Why does the redefinition of marriage pose a serious threat to religious freedom?

Marriage is fundamental to a just and flourishing society. As the union of one man and one woman, it is the foundation of the family, which is the first and vital cell of society (see *Compendium of the Social Doctrine of the Church*, no. 211 and *Catechism*, no. 2207). When marriages suffer, society suffers, as has been seen especially through the effects of divorce and fatherlessness on men, women and children. The legal redefinition of marriage poses a multi-faceted threat to the common good, and one facet is the threat to religious freedom. In general, the legal redefinition of marriage threatens religious liberty by forcing religious individuals and groups that adhere to the authentic definition of marriage to provide same-sex sexual relationships the same special treatment legally due to actual marriages. When those religious groups resist, the result would be various forms of government sanction, ranging from court orders compelling action against conscience, to awards of money damages and other financial penalties, to marginalization in public life. And because the legal redefinition changes not one law but hundreds at once, the full range of consequences for religious liberty will be widespread and difficult if not impossible to anticipate.

6) Let's say religious freedom could be fully or mostly protected by an exemption ... would that then justify the redefinition of marriage?

In legislation to redefine marriage (including legislation for civil unions, domestic partnerships, and similar arrangements), language is sometimes inserted which claims to protect religious institutions and/or individuals from government coercion or pressure to act against their consciences. This language is commonly called a religious exemption. In practice, such exemptions either address genuine concerns but do so inadequately, or address "red herring" concerns that are unlikely ever to arise. However, no religious exemption—no matter how broadly worded—can justify a supportive or neutral position on legislation to redefine legal marriage. Such "redefinition" is always fundamentally unjust, and indeed, religious exemptions may even facilitate the passage of such unjust laws. Protecting marriage protects religious liberty; the two are inseparable.

7) What about civil rights? Isn't the debate today over marriage a civil rights issue?

Respecting everyone's civil rights is unmistakably important. And yes, today's debate over marriage's definition does implicate civil rights, but not those that commonly come to mind. First, children's civil rights are at stake. Children have a basic human right to be

welcomed and raised by both their mother and father together in a loving home. The proposal to redefine marriage ignores that basic human and civil right and not only encourages and privileges fatherless and motherless situations, but also teaches that fathers and mothers are dispensable.

Furthermore, the right to marry, which itself is a civil right, is the right to enter into a very particular kind of relationship having distinct characteristics that serve important social purposes; the “right to marry” is not the right to enter a relationship that is not a marriage, and then to force others by law to treat that relationship as if it were a marriage. Advocates for so-called same-sex “marriage” ignore this distinction. Far from serving the cause of civil rights, redefining marriage would also threaten the civil right of religious freedom: it would compel everyone—even those opposed in conscience to same-sex sexual conduct—to treat same-sex relationships as if they represented the same moral good as marital relationships.

8) But what about persons who experience same-sex attraction?

Every human person has inviolable dignity and must be accepted with respect, compassion, and love. The Catholic Church teaches clearly that unjust discrimination against any person is wrong and cannot be tolerated. The Church also offers pastoral outreach to persons who experience same-sex attraction and calls every person to a life of holiness and happiness. But the authentic definition of marriage is not a form of unjust discrimination—far from it. That definition serves—like no other—the good of children and parents, as well as the common good of society. Indeed, characterizing the authentic definition of marriage as a form of bigotry is itself a form of injustice. The redefinition of marriage ultimately serves the good of no one and contradicts basic human rights.

9) Isn't the redefinition of marriage inevitable?

No. The fact that so many people and states have voted to protect the meaning of marriage as the union of one man and one woman (everywhere marriage has been put to a direct vote by the electorate—31 out of 31 states in the U.S.), even reversing unjust laws in California and Maine, dispels this myth. But even more importantly, the beauty of the meaning of marriage as the faithful, lifelong and life-giving union of one man and one woman, though ignored in many ways, cannot be lost to the human heart. The truth of marriage is indelible; no law, no matter the force behind it, can erase it, and so attempts to do so instead create only systemic conflict between law and conscience. Especially at a time when marriages, families, wives, husbands, and children have suffered much hardship and brokenness, leaders in this country have a responsibility to work to strengthen marriage, not redefine it.

10) Why is this concern about marriage and religious freedom being raised when there are other pressing issues in this country, like the state of the economy?

Marriage and religious freedom are not minor issues but are tied to the fundamental health and well-being of any society. Proper attention to the economy and other

pressing issues should not be used as an excuse to overlook matters of fundamental importance. Government leaders are entrusted with caring for the common good and should be concerned with all matters that bear essentially upon the well-being of society.

11) Where can one learn more about why marriage should be preserved, protected, and strengthened?

Please visit www.marriageuniqueforareason.org for resources and links to Catholic teaching. The USCCB also has dedicated websites for strengthening marriages, entitled www.foryourmarriage.org and www.portumatrimonio.org.