



Catholic Conference  
of Illinois

65 E. Wacker Place  
Suite 1620  
Chicago, IL 60601  
Ph. 312-368-1066  
Fx. 312-368-1090

108 E. Cook St.  
Springfield, IL 62704  
Ph. 217-528-9200  
Fx. 217-528-7214

[www.ilcatholic.org](http://www.ilcatholic.org)  
Diocese of Belleville  
Archdiocese of Chicago  
Diocese of Joliet  
Diocese of Peoria  
Diocese of Rockford  
Diocese of Springfield-in-IL

## Testimony of Bishop Thomas John Paprocki of Springfield against redefinition of marriage legislation

### Illinois Senate Executive Committee

Jan. 3, 2013

Mr. Chairman, I am Bishop Thomas John Paprocki. I am here representing the Catholic Conference of Illinois, the public policy arm of the six Bishops in Illinois. I am also a lawyer and adjunct professor the Loyola University School of Law. Thank you for the opportunity to offer some comments on this very important piece of legislation. I also join the leaders of 1700 faith communities that yesterday wrote you a letter opposing the bill before you.

The proposal you have before you would re-define marriage. I ask that you vote against this bill because the legislation fails to recognize certain truths. Neither two men nor two women can possibly form a marriage. Our law would be wrong if it said that they could.

The basic structure of marriage as the exclusive and lasting relationship of a man and a woman, committed to a life with the potential of having children, is given to us in human nature, and thus by nature's God.

Some have said that this bill would simply extend marriage to some people who have long been arbitrarily excluded from it. They are wrong. The pending bill would not expand the eligibility roster for marriage. *It would radically redefine what marriage is for everybody.*

It would enshrine in our law – and thus in public opinion and practice – three harmful ideas:

1. What essentially makes a marriage is romantic-emotional union.
2. Children do not need both a mother and a father.
3. The main purpose of marriage is adult satisfactions unrelated to procreation or the rearing of children.

This proposed legislation will have long term consequences because laws teach; they tell us what is socially acceptable and what is not, and most people conform to the dictates of their respective society. So what happens next? If we ignore in law the natural complementarity of man and woman in creation, then the natural family is undermined. As Cardinal George has stated - when the ways of nature and nature's God conflict with civil law, society is in danger.

There is also an important question of religious freedom. As you know, there is a wide variety of ministry and assistance the church engages in through our institutions and employees, and we serve everyone who comes to

us because that is what Christ showed us to do. However, the law can be used in ways that violate religious freedom, and we want to call our concerns to your attention.

Some claim that as long as religious ministers are not forced to preside over same sex “marriages” the principle of religious freedom is protected. This is not true. The notion that the exercise of religious freedom is confined to the interior of churches, synagogues, temples or mosques or what one does on Holy Days is wrong and dangerous. The freedom of religion also extends to the ministries of religious organizations and the individual conscience. So if marriage is redefined in civil law, without proper conscience protections, individuals and religious organizations – regardless of deeply held beliefs – will be compelled to treat same sex unions as the equivalent of marriage in their lives, ministries and operations.

In this legislation, there is no protection in the law for a religious organization if it refuses to rent a parish hall if it had charged rent or a small stipend to an entity outside the church community. These spaces, that are used most often to promote our religious beliefs, could become subject to recognizing conduct contrary to those same beliefs. A small, private stipend to defray the costs for facility use should not erase conscience rights. And should the Knights of Columbus, who may charge for use of their halls, now be subject to violating their mission by not being able to say no to a request they believe violates their belief?

In addition, there is still grave concern on our part concerning the employment provisions. The language of this bill, which seeks to maintain the ministerial exemption found in state law, court precedent and the recently decided U.S. Supreme Court Hosanna-Tabor case falls significantly short of what the law already provides. The phrase “that require a significant degree of religious training” is in contravention to what the courts have decided and should be replaced with actual language from the Hosanna-Tabor case. After all, what is religious training and how much would be required? We have been recommending changes to that language.

We have worked with the sponsors of this legislation to provide appropriate protections of religious freedom and do appreciate their efforts. The conscience protections in this bill are an improvement over previous versions, but more work needs to be done. We still have concerns that religious liberty is not being given enough respect here, and we will push for appropriate protections. This radical departure from traditional belief and practices should not be used to compromise or erase the freedom of religion.

We ask that you carefully consider these concerns and vote NO on HB 4963.