



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
Diocese of Belleville
Archdiocese of Chicago
Diocese of Joliet
Diocese of Peoria
Diocese of Rockford
Diocese of Springfield-in-IL

Redefinition of Marriage \neq Natural Order \neq Religious Freedom

Cardinal George in his letter issued to parishioners in early January 2013 made a keen observation: “**Laws teach**; they tell us what is socially acceptable and what is not, and most people conform to the dictates of their respective society.”

Therein lies the crux of the entire redefinition of marriage issue. It would teach individuals that marriage – an institution of natural order established before the creation of any church or any state – can be redefined to anything humankind wants it to be.

The implications are more far-reaching than a simple ceremony between two people of the same sex who profess to love one another.

Consider this:

Past U.S. Supreme Court decisions have treated marriage as a fundamental right since it is needed for procreation. If marriage is redefined as the union of two persons, yet remains a fundamental right, any protection built into a redefinition law for religious organizations will soon fall. The Church would eventually have to provide accommodations – such as use of a parish hall for a same-sex wedding reception – and provide benefits to the “spouse” of a current employee who entered into a same-sex marriage.

(These ramifications of redefinition of marriage are thoughtfully explored in “Same-Sex Marriage and Religious Liberty: Emerging Conflicts,” a book of essays written and edited by religious freedom legal scholars on both sides of the issue, such as Douglas Laycock and Jonathan Turley. The book has been lauded by both conservative and liberal Catholic publications.)

Individual conscience rights and children

And what about the conscience rights of individuals who do not believe in redefinition of marriage? The public school teacher will be forced to teach students about a family with two daddies or two mommies – a topic best left to parents.

And what about the children themselves? They will learn that marriage is anything that the law defines it to be, instead of the natural order of one man and one woman uniting in love.

Fairness?

It's about fairness, say proponents of redefinition of marriage. Was it fair that Catholic Charities lost the right to state foster care and adoption contracts because they decline to place children with unmarried, civil union couples according to their beliefs? This is the same Catholic Charities that pioneered the state's child-welfare program – and the same Catholic Charities that was promised during legislative debate of civil unions that its mission of caring for children would remain intact.

The impact of redefinition of marriage stretches even further, into the operations of the private sector.

Consider the following recent examples:

- ≠ **Maine** (December 2012) – With the passage of marriage redefinition in November, the Maine Secretary of State's office has informed all notaries public – which can include clergy – that they must wed same-sex couples if they wed opposite-sex couples.
- ≠ **Maryland** (December 2012) – With the upholding of marriage redefinition in November, the owner of Discover Annapolis Tours was forced to stop offering his popular wedding trolley ride at an annual loss of \$50,000 rather than go against his beliefs and serve same-sex weddings. "The law exempts my minister from doing same-sex weddings . . . but somehow my religious convictions don't count for anything," said Matt Grubbs, owner of Discover Annapolis Tours.
- ≠ **Vermont** (August 2012) – Catholic owners of a bed and breakfast were sued for allegedly declining to host a wedding reception for a same-sex couple. The settlement required Jim and Mary O'Reilly, owners of the Wildflower Inn, to pay a \$10,000 civil penalty to the Vermont Human Rights Commission, pay \$20,000 to a charitable trust to be disbursed by the plaintiffs, and to discontinue hosting wedding receptions of any kind. "The Wildflower Inn has always served – and will continue to serve – everyone in our community. But no one can force us to abandon our deeply held beliefs about marriage," owner Jim O'Reilly said in a statement.
Vermont lawmakers in 2009 passed redefinition of marriage legislation, and overrode the governor's veto to turn it into law.
- ≠ **New York** (July 2012) – St. Joseph's Medical Center, a Catholic-affiliated institution in Yonkers, was sued by an employee because it would not register the employee's same-sex spouse for health insurance benefits. The employee and spouse were married under New York's new marriage redefinition law. St. Joseph's is self-insured, and therefore is subject to federal, not state, regulations.
- ≠ **New Mexico** (May 2012) – The owners of Elane Photography in Albuquerque were fined \$7,000 by the New Mexico Human Rights Commission for declining to take photos of a same-sex "commitment ceremony" because of their religious beliefs. (New Mexico law does not currently allow for civil unions or same-sex marriages.) A state district court and a state court of appeals upheld the Commission's decision. The owners of the photography studio have appealed the case to the state Supreme Court, which in August agreed to review the case.

Equality?

Proponents of redefinition of marriage say they want “equality” and that churches’ religious freedom will not be affected because pastors will not be forced to solemnize a same-sex marriage.

We’ve already cited several cases of severe infringement of religious freedom because of redefinition of marriage, both at an institutional level and a personal level.

As for “equality,” not all relationships are equal. We don’t allow first cousins to marry in Illinois, and we don’t allow for more than two people to marry. Same-sex couples already have equality in state benefits, hospital visits and other benefits under civil unions.

As Cardinal George noted, “Laws teach.” Do we really want to teach and sanction the redefinition of marriage? Natural order and religious freedom say we should not.