

# Frequently Asked Questions

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## Section 1: The Meaning of Marriage & Sexual Difference

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### 1. **Marriage: What's a good starting point?**

To understand what marriage is, the best place to start is with the *human person*. After all, marriage is a unique relationship between two specific persons, one man and one woman. We must ask, "What does it mean to be a human person, as a man or as a woman?" First, men and women are created in the image of God (see Gen 1:27). This means that they have great dignity and worth. Also, since "God is love," (1 Jn 4:8) each person – created in God's image - finds his or her fulfillment by loving others. Second, men and women are body-persons. The body – male or female – is an essential part of being human. Gender is not an afterthought or a mere social construct. The body shapes what it means to love as a *human person*. To sum up, when we think about marriage, we must think about who the human person is – created with great dignity, and called to love as a body-person, male or female.

### 2. **Where does marriage come from?**

"God himself is the author of marriage" (GS, no. 48). When God created human persons in his own image, as male and female, he placed in their hearts the desire, and the task, to love – to give themselves totally to another person. Marriage is one of two ways someone can make a total self-gift (the other is virginity, devoting oneself entirely to God) (see FC, no. 11). Marriage is not something thought up by human society or by any religion – rather, it springs from who the human person is, as male and female, and society and religion affirm and reinforce it. The

truth of marriage is therefore accessible to everyone, regardless of their religious beliefs or lack thereof. Both faith and reason speak to the true meaning of marriage.

### **3. What is marriage?**

Marriage is the lifelong partnership of mutual and exclusive fidelity between a man and a woman ordered by its very nature to the good of the spouses and the procreation and education of children (see CCC, no. 1601; CIC, can. 1055.1; GS, no. 48). The bond of marriage is indissoluble – that is, it lasts “until death do us part.” At the heart of married love is the total gift of self that husband and wife freely offer to each other. Because of their sexual difference, husband and wife can truly become “one flesh” and can give to each other “the reality of children, who are a living reflection of their love” (FC, no. 14).

Marriage between a baptized man and a baptized woman is a *sacrament*. This means that the bond between husband and wife is a visible sign of the sacrificial love of Christ for his Church. As a sacrament, marriage gives spouses the grace they need to love each other generously, in imitation of Christ.

### **4. Why can't marriage be “redefined” to include two men or two women?**

The word “marriage” isn’t simply a label that can be attached to different types of relationships. Instead, “marriage” reflects a deep reality – the reality of the unique, fruitful, lifelong union that is only possible between a man and a woman. Just as oxygen and hydrogen are essential to water, sexual difference is essential to marriage. The attempt to “redefine” marriage to include two persons of the same sex denies the reality of what marriage is. It is as impossible as trying to “redefine” water to include oxygen and nitrogen.

### **5. What is sexual difference?**

Sexual difference is the difference of man to woman and woman to man. It affects a person at every level of his or her existence: genetically, biologically, emotionally, psychologically, and socially. Sexual difference is an irreducible difference. It is unlike any other difference we experience, because it – and only it – allows for the total personal union between husband and wife that is at the heart of marriage. The difference between men and women is for the sake of their union with each other. It is what makes spousal union possible.

### **6. Isn't marriage just about love and commitment between two people?**

Of course love and commitment are important for marriage – as they are for many relationships. But marriage is unique because the commitment it calls for is better described as *communion*, where “the two become one flesh” (Gen 2:24). Only a man and a woman in marriage can become a “one flesh” communion. The unity of husband and wife is so intimate that from it can come a “third,” the child – a new life to be welcomed and raised in love. No

other relationship, no matter how loving or committed, can have this unique form of commitment – communion – that exists in marriage, between a husband and a wife.

## **7. Why does a person's gender matter for marriage?**

Gender matters for marriage because the body matters for love. My body is not simply “the shape of my skin.” Instead, my identity as a person (my “I”) is inseparable from the reality of my body – I am a *body-person*. As John Paul II said, the body *reveals* the person. It is a deeply *personal* reality, not just a biological fact (see TOB, sec. 9.4). The body is “taken up” into every human action, including the most important task of all: loving. Loving as a *human person* means loving as a *man or as a woman*. Marriage, the “primary form” of human love (GS, no. 12), necessarily involves the reality of men and women as body-persons. Marriage is intrinsically opposite-sex. To “write off” the body, and gender, as unimportant to marriage means treating the body as inconsequential or, at best, as an object or tool to be used according to one’s pleasure, instead of as an essential – and beautiful – aspect of being human and loving as a human person. Such a write-off would ignore the very essence of what marriage is.

## **8. How is the love between a husband and a wife irreducibly unique?**

The love between a husband and a wife involves a free, total, and faithful mutual gift of self that not only expresses love, but also opens the spouses to receive the gift of a child. No other human interaction on earth is like this. This is why sexual intimacy is reserved for married love – marriage is the only context wherein sex between a man and a woman can speak the true language of self-gift. On the other hand, sexual behavior between two men or two women can never arrive at the oneness experienced between husband and wife, nor can these acts be life-giving. In fact, it is impossible for two persons of the same sex to make a total gift of self to each other as a husband and a wife do, bodily and personally. For this reason, such sexual behavior is harmful and always wrong, as it is incapable of authentically expressing conjugal love – love which by its nature includes the capacity to give oneself fully to the other and to receive the other precisely as gift in a total communion of mind, body and spirit. Therefore, no relationship between two persons of the same sex can ever be held up as equal or analogous to the relationship between husband and wife.

## **9. What is complementarity?**

“Complementarity” refers to the unique - and fruitful - relationship between men and women. Both men and women are created in the image of God. Both have great dignity and worth. But equality does not mean “sameness”: a man is not a woman, and a woman is not a man. Instead, “male and female are distinct bodily ways of being human, of being open to God and to one another” (LL, p. 10). Because men and women are “complementary,” they bring different gifts to a relationship. In marriage, the complementarity of husband and wife is expressed very clearly in the act of conjugal love, having children, and fathering and mothering –actions that call for the collaboration – and unique gifts – of husband and wife.

## **10. Why does the Catholic Church care so much about marriage?**

The Catholic Church cares about marriage because marriage is a fundamental good in itself and foundational to human existence and flourishing. Following the example of Jesus, the Church cares about the whole person, and all people. Marriage (or the lack thereof) affects everyone. Today, people all over the world are suffering because of the breakdown of the family – divorce, out-of-wedlock childbearing, and so on. Marriage is never just a “private” issue; it has public significance and public consequences. One only has to think of the connection between fatherless families and young men in jail to know that this is true. In addition, the proposal to “redefine” marriage to include two men or two women is really a proposal to “redefine” the human person, causing a forgetfulness of what it means to be a man or a woman. This is a basic injustice to men and women, children, and fathers and mothers. Marriage is truly one of the most important social justice issues of our time.

## **11. Where can I learn more about marriage?**

The videos in the *Marriage: Unique for a Reason* series artistically explain the essential aspects of marriage, as well as why upholding marriage contributes to the common good. Check out “Made for Each Other” and “Made for Life,” as well as their companion Viewers’ Guides and Resource Booklets. Also, please visit the Resources page to read Church documents on marriage.

## **Section 2: The Gift of Children**

- 1. What does marriage have to do with children?**
- 2. Does the Church think that marriage is a mere “instrument” for having children?**
- 3. What’s the difference between a husband and wife who can’t have children, and two persons of the same sex, who also can’t have children?**
- 4. Why is a child meant to have both a father and a mother?**
- 5. What about single parents? These families lack a father or a mother, just like households headed by two men or two women.**
- 6. Aren’t children adaptable to many different family forms?**
- 7. Don’t studies show that children do fine with two “moms” or two “dads”?**
- 8. What about adoption?**
- 9. New technology like “*in vitro* fertilization” (IVF) can enable two men or two women to have a child. Why does the Church teach that this is unacceptable?**

### **1. What does marriage have to do with children?**

Children are at the very heart of marriage. The “supreme gift” of marriage, a child (GS, no. 50), comes precisely *through* the mutual, loving self-gift exchanged between husband and wife. It is only because of their sexual difference that spouses are able to cooperate with God in the

awesome adventure of welcoming a child into the world. Marriage is not just about satisfying adult desires, but is a pro-child institution. The community of the family is built upon the communion of the spouses (see LF, no. 7).

**2. Does the Church think that marriage is a mere “instrument” for having children?**

Certainly not. The Church does teach that the “proper mission” of husband and wife is having children and raising them (GS, no. 50). But spouses should never “use” each other in order to have a child, and even marriages not blessed with children can be fruitful through loving service to others. A child is neither a product nor a trophy, but a *gift* - a human person with great dignity and worth. Spouses are not the ultimate source of their children, but are called to receive them lovingly from God by exercising responsible parenthood (which can mean welcoming many children, as well as postponing pregnancy for serious reasons).

**3. What’s the difference between a husband and wife who can’t have children, and two persons of the same sex, who also can’t have children?**

Only a man and a woman, as husband and wife, can enter into the two-in-one-flesh communion of persons. Only a man and a woman are able to conceive a child *through each other*. That is to say, only a man and a woman can be joined so intimately that their bodies work together in the common task of procreation. Even when a husband and wife do not *in fact* conceive a child (due to infertility, age, and so on), their sexual acts are still the *kind of acts* by which children are naturally conceived. In contrast, two persons of the same sex may be perfectly healthy, but will *never* be able to enter a one-flesh communion and thus unite in such a way that a child is conceived.

**4. Why is a child meant to have both a father and a mother?**

The fact is, every single child, without exception, does have a mother and a father. Sexual difference between a husband and wife is necessary to conceive a child. But its importance does not end there. Men and women bring unique gifts to the shared task of parenting, that is, of fathering and mothering. Only a woman can be a mother. Only a man can be a father. Each contributes in a distinct and unique way to the formation of children, helping them to understand their identity as male or female. Respecting a child’s dignity means affirming his or her need for – and right to – a mother and a father.

**5. What about single parents? These families lack a father or a mother, just like households headed by two men or two women.**

A child is meant to be raised by his or her own, married father and mother. But there are times when, due to family tragedies or other unfortunate circumstances, this ideal cannot be realized. The Church acknowledges the difficulties faced by single parents and seeks to support them in their often heroic response to meet the needs of their children. There is a big difference, however, between dealing with the unintended reality of single parenthood and approving the

formation of “alternative families” that deliberately deprive a child of a father or a mother, such as arrangements headed by two men or two women. Undesired single parenthood can still witness to the importance of sexual difference by acknowledging the challenges faced by single parents and their children due to the lack of a father or mother. In contrast, arrangements of two men or two women are incapable of such witness and present motherhood and fatherhood as disposable. These arrangements of themselves contradict the conjugal and generative reality of marriage and are never acceptable. Children deserve to have their need for a father and a mother respected and protected in law.

## **6. Aren’t children adaptable to many different family forms?**

While children can be strong and resilient, it is false to pretend that they are unaffected by their family’s structure. Various studies have demonstrated that children suffer from divorce and from lacking a father or a mother. The push for “new family arrangements” overlooks or denies the child’s fundamental need for a mother and a father. Moms and dads matter, and the needs of children must not take a backseat to the satisfaction of adult desires.

## **7. Don’t studies show that children do fine with two “moms” or two “dads”?**

Actually, the conclusions of studies that look at children raised by two men or two women are mixed, at best. For example, some of the studies suffer from small sample sizes or view traits such as “flexible gender identity” as positive. It is also important to remember that social science is not equipped to capture the whole of reality. The truths of human nature should be illumined by good science (and the Church enthusiastically encourages this), but such truths do not stand trial to social science, as if they will be disproved. At the end of the day, no study should ignore the dignity of the child and the right of every child to a mother and a father.

## **8. What about adoption?**

Adoption is a generous response to a child who is in need or abandoned. Mothers and fathers who adopt children witness to the truth that every child is a gift. However, keep in mind that adoption, guardianship, and foster care take their form from natural generation (a father and a mother conceiving, giving birth to, and raising a child) and should never contradict the conjugal and generative reality of marriage. In other words, fathers and mothers matter to adopted kids, too. Placing a child in the care of two men or two women may be well-intentioned, but ultimately deprives the child of that which best serves his or her interests – a mother and a father.

## **9. New technology like “*in vitro* fertilization” (IVF) can enable two men or two women to have a child. Why does the Church teach that this is unacceptable?**

No matter how powerful reproductive technology becomes, the fact will always remain that two men or two women can never become parents *through each other*. They will always depend on the “donation” of someone else’s sperm or egg in order to bring about the birth of a

child. Children “conceived” in this way are thus always and intentionally separated from either their father or their mother – sometimes even both. Furthermore, using technologies such as IVF means that conception does not take place within the loving embrace of husband and wife, but instead is a dehumanized act of *production*, a mere “putting together” of the parents’ genetic material. No child should be treated as a product. A child deserves to be an act of love, the fruit of his or her parents’ mutual, loving self-gift.

## **Section 3: The Common Good & Human Dignity**

- 1. What does “intrinsic dignity of the human person” mean?**
- 2. What does marriage have to do with human dignity?**
- 3. Does the Church believe that people who experience same-sex attraction have equal dignity?**
- 4. What does “the common good” mean?**
- 5. Isn’t marriage a private relationship? What does it have to do with the common good?**
- 6. Isn’t marriage just a religious issue that the government should stay out of?**
- 7. What are basic human rights?**
- 8. Is marriage a basic human right?**
- 9. What’s the harm of same-sex “marriage”?**
- 10. But isn’t it unjust discrimination to not allow two men (or two women) to marry?**
- 11. What about civil rights?**
- 12. Isn’t allowing two men or two women to marry just an extension of allowing interracial couples to marry?**
- 13. What about equality and fairness?**
- 14. What about “civil unions” or “domestic partnerships” between two persons of the same sex?**

  

- 1. What does “intrinsic dignity of the human person” mean?**

The Church firmly teaches that each and every human being is a unique and irreplaceable person, created in the image of God (see Gen 1:27). Because of this, every man, woman, and child has great dignity and worth, a dignity that can never be taken away (i.e., it is intrinsic and inviolable). Respecting a person’s dignity means treating them justly. It also means helping them to flourish as a human being. The intrinsic dignity of the human person should be the starting point for all moral principles.

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- 2. What does marriage have to do with human dignity?**

Marriage protects and promotes the dignity of men and women, the dignity of children, and the dignity of all persons in society. First, the lifelong partnership of marriage is the only place where men and women can truly “speak” the language of sexual love – total, faithful, forever,

and open to children. Only within marriage can sexual relations mean what they are supposed to mean as an expression of self-giving love between a man and a woman (not selfish use). The promises of a husband and a wife speak a high level of mutual trust and invite the confidence that sex will not be exploitative but will manifest true union and life-giving love. Second, marriage provides a context within which the rights of children to a mother and a father are legally protected. Marriage also helps assure that children will be welcomed as gifts; apart from the life-long commitment of marriage, children are likely to be viewed as threats or acquired as products. Finally, the family, founded on marriage, is a place where a person can exist for his or her own sake (see LF, no. 11). Marriages teach society not to value persons only for their usefulness.

**3. Does the Church believe that people who experience same-sex attraction have equal dignity?**

Of course! *Every single human person* has great inviolable dignity and worth, including those who experience same-sex attraction. All persons should be treated with respect, sensitivity, and love. The Church calls *everyone* to a life of holiness and chastity, and to live in accord with God's will for their lives. For more information on the Church's ministry to persons with same-sex attraction, see USCCB, *Ministry to Persons with a Homosexual Inclination* (2006). [Link to <http://www.usccb.org/issues-and-action/human-life-and-dignity/homosexuality/upload/minstry-persons-homosexual-inclination-2006.pdf>]

**4. What does “the common good” mean?**

Quoting Pope Benedict XVI, the common good is “the good of ‘all of us,’” the good of every member of society (CV, no. 7). A society focused on the common good upholds the fundamental dignity of each person, and progresses “from less than human conditions to truly human ones” (PP, no. 20; cf. CV, no. 8). In short, the common good is “the sum total of social conditions which allow people, either as groups or as individuals, to reach their fulfillment more fully and more easily” (GS, no. 26).

**5. Isn’t marriage a private relationship? What does it have to do with the common good?**

Marriage is a *personal* relationship, but not a *private* one. In fact, marriages play a crucial role in society. By publicly joining hands in marriage, husband and wife enter into a unique communion and sharing of their whole lives that not only joins their distinct families into one, fostering greater connections between people, but also provides the essential context for welcoming new human life. By being open to children, each marriage is the foundation of a new family, rightly called the “key cell” of society (CCC, nos. 2207). In fact, because of its procreative aspect, marriage can be said to be the very *source* of society (see CSDC, no. 214), the “cradle of life and love” (CL, no. 40). Furthermore, both the irrevocable bond that unites husband and wife in marriage, as well as the sacrificial love that fathers and mothers show their children, create a “dynamic of love” that makes the family the “first and irreplaceable school of social life” (CSDC, no. 221; FC, no. 43). By practicing loving interdependence, husband and wife teach

society to reject individualism and seek the common good for all. In modeling love and communion by welcoming and raising new human life and by taking care of the weak, sick and old, marriages and families provide social stability and thus foster the principles of solidarity and subsidiarity.

## **6. Isn't marriage just a religious issue that the government should stay out of?**

No. The social value of marriage is great and is apparent even to those who do not share the Catholic understanding of its religious meaning. Marriage as a lifelong, faithful, and fruitful union between husband and wife serves the good of all – it serves the good of the spouses, the good of the children who may issue from their marital union, and the good of society in assuring that reproduction happens in a socially responsible way. To be sure, these goods are affirmed and reinforced by most religions. But they do not rely on any religious premises; they are based instead on the nature of the human person and are accessible to right reason. The government has the responsibility of promoting the common good and the best interests of all people, especially the most vulnerable, and upholding authentic marriage does precisely that. The fact that the responsibility of government to promote and protect marriage coincides with widely held religious convictions is not a reason for government to abdicate that responsibility.

## **7. What are basic human rights?**

Basic human rights flow from the nature and dignity of the human person. To know what counts as a “right”, we must know what it means to flourish as a human person, as a man or a woman. According to the Second Vatican Council, basic human rights include “everything necessary for leading a life truly human, such as food, clothing, and shelter,” as well as education, a fair wage, and so on (GS, no. 26). Rights are inseparable from duties and responsibilities (see CV, no. 43). Since genuine rights promote the good of the whole human person, and all people, they should never be in competition with each other.

## **8. Is marriage a basic human right?**

The Church does speak of a “right of marriage”: “No human law can abolish the natural and primitive right of marriage, or in any way limit the chief and principal purpose of marriage...‘Increase and multiply’” (RN, no. 9). But having the right to marry does not mean having the right to enter into a relationship that is *not* marriage, and then to force others by civil law to treat it as marriage. All persons have the right to marry, but not the right to redefine marriage. Relationships between two persons of the same sex are not, and can never be, marriages, because two people of the same sex fail to meet a basic defining element for a married couple (sexual difference); they are not denied the right to marry any more than different-sex couples that fail to meet the other basic defining elements of marriage (e.g., age, consanguinity). Thus, the right to marry does not include the right to a so-called same-sex “union.”

## **9. What's the harm of same-sex “marriage”?**

Marriage has great public significance (see question #5, above). And laws always promote a vision of “the good life.” Because of this, redefining civil “marriage” to include two persons of the same sex would have far-reaching consequences in society. Law is a teacher, and such a law would teach many bad lessons, backed by the moral authority, financial resources, and coercive power of the state, such as the following: that marriage is only about the romantic fulfillment of adults and has nothing to do with legally attaching parents to the children they procreate, so that each child may have his or her right to a mother and father safeguarded, and his or her development and well-being served to the greatest extent possible; that mothers and fathers are wholly interchangeable and, in turn, that gender is inconsequential, both to the development of children and more broadly; that same-sex sexual conduct is not merely morally permissible, but a positive good equal in moral value to marital sex, and so worthy of the same protection and support of society by law; that people who adhere to the perennial and universal definition of marriage are bigots, whose beliefs can only be explained by hatred for persons with a homosexual inclination, and whom, in turn, the state has a duty to punish and marginalize for persisting in those beliefs. (See section 4, below, regarding religious freedom.)

#### **10. But isn't it unjust discrimination to not allow two men (or two women) to marry?**

Treating *different* things *differently* is not unjust discrimination. Marriage can only be between a man and a woman. There's nothing else like it. Only a man and a woman are capable of giving themselves to each other so that “the two become one flesh.” And only a man and a woman are capable of sexual activity that may yield children. The government has a very strong interest in protecting the right of those children to a mother and a father, and in reducing the likelihood that those children will become wards of the state. The civil law of marriage serves both these interests by legally bonding adult couples to any children they may create, and to each other. The sexual activity of two persons of the same-sex never yields children, so the government's interest in bonding same-sex “couples” is different and weaker. Government is thus eminently reasonable, and in no way unjust, in distinguishing between two persons of the same sex and a different-sex couple in conferring the rights and duties of legal marriage.

#### **11. What about civil rights?**

Respecting everyone's civil rights is unmistakably important, and the right to marry is unmistakably a civil right. But the “right to marry” 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 force others by law to treat that relationship as if it were a marriage. Advocates for same-sex “marriage” ignore this distinction. Far from serving the cause of civil rights, redefining marriage would 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.

## **12. Isn't allowing two men or two women to marry just an extension of allowing interracial couples to marry?**

There is no valid analogy between the goal of “redefining” marriage to include persons of the same sex, and the historical movement to allow interracial couples to marry. The sexual relations between a man and a woman are simply *not the same* as the sexual relations between two men or between two women, regardless of their ethnicity. The intimate acts of husband and wife are able to unite them fully and to enable them to welcome children. Sexual difference is an essential characteristic of marriage; ethnic sameness or difference is not. Marriage is rooted in nature: two people of the same sex are no more being denied the “right” to marry than a man is “denied” the “right” to gestate and nurse a child. (As was said above in number 7, authentic human rights flow from the nature and the dignity of the human person, a nature that includes sexual difference.)

## **13. What about equality and fairness?**

All persons deserve fair and equal treatment, in recognition of their great dignity. But protecting and promoting marriage as the union of one man and one woman is not denying equality or being unfair. Every person has the right to marry, but those who seek to enter same-sex unions seek something other than to marry; instead, they seek to have the civil law force others treat their non-marital relationships as if they were marriage. But the relationships are not the same, either functionally or morally. Defending marriage is not unfair, it's just respecting reality -- the reality of marriage as the total, fruitful union of man and woman. Real fairness, real equality, depends on truth.

## **14. What about “civil unions” or “domestic partnerships” between two persons of the same sex?**

Marriage is a unique good in itself. Nothing compares to the unique partnership of husband and wife, who through their sexual difference form a life-giving communion. No relationship between persons of the same sex can be the same as that between a man and a woman, nor should they ever be treated as analogous to marriage in any way. Thus, legal categories such as “civil unions” or “domestic partnerships” that claim equivalent or analogous status to marriage are wrong and unjust, harmful both to the person and to society. Legal categories such as “civil unions” or “domestic partnerships” should never be treated as analogous to marriage. Such legal approval of “civil unions” contributes to the erosion of the authentic meaning of marriage. As such, they are never acceptable. Basic human rights are not protected but violated by the erosion and redefinition of marriage.

# **Section 4: Marriage and Religious Liberty**

## **1. What is religious liberty?**

- 2. How are marriage and religious liberty connected?**
- 3. How could changing the legal definition of marriage have any effect on religious liberty?**
- 4. But would ministers really be forced to officiate at the “wedding” of two persons of the same-sex?**
- 5. What’s the real threat to religious liberty posed by same-sex “marriage”?**
- 6. Have any of these threats come to pass?**
- 7. Doesn’t a religious exemption protect institutions and individuals if they believe that marriage can only be between a man and a woman?**

### **1. What is religious liberty?**

Religious liberty is “the right to live in the truth of one’s faith and in conformity with one’s transcendent dignity as a person” (CA, no. 47). “Nobody may be forced to act against his convictions, nor is anyone to be restrained from acting in accordance with his conscience in religious matters in private or in public, alone or in association with others, within due limits” (CCC, no. 2106, quoting DH, no. 2). Religious liberty is so important that John Paul II called it the “source and synthesis” of rights considered basic to every human person (CA, no. 47).

### **2. How are marriage and religious liberty connected?**

Marriage (the union of one man and one woman as husband and wife) and religious liberty are two distinct goods that are also related to each other. The protection of each good follows from the duty to protect the inviolable dignity of the human person. But even more directly, the legal protection of marriage as the union of one man and one woman also protects the religious freedom of those who adhere to that vision of marriage.

### **3. How could changing the legal definition of marriage have any effect on religious liberty?**

Changing the legal term “marriage” is not one change in the law, but rather amounts to thousands of changes at once. The term “marriage” can be found in family law, employment law, trusts and estates, healthcare law, tax law, property law, and many others. These laws affect and pervasively regulate religious institutions, such as churches, religiously-affiliated schools, hospitals, and families. When Church and State agree on what the legal term “marriage” means (the union of one man and one woman), there is harmony between the law and religious institutions. When Church and State disagree on what the term “marriage” means (e.g., if the State redefines marriage in order to recognize so-called same-sex “marriage”), conflict results on a massive scale between the law and religious institutions and families, as the State will apply various sanctions against the Church for its refusal to comply with the State’s definition. Religious liberty is then threatened.

### **4. But would ministers really be forced to officiate at the “wedding” of two persons of the same-sex?**

This question is a red herring. In other words, it is a false caricature of the real concerns about religious liberty, and is actually used to distract from the real concerns. It is unlikely in the extreme that the State will force ministers and churches to officiate same-sex “marriage” ceremonies, although it is easily foreseeable that many church ministers and communities could be sued in court over this question. There are, however, other more probable and pervasive concerns.

### **5. What’s the real threat to religious liberty posed by same-sex “marriage”?**

The legal redefinition of marriage can threaten the religious liberty of religious institutions and individuals in potentially numerous ways, involving 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:

- a. Compelled Association: the government forces religious institutions to retain as leaders, employees, or members those who obtain legalized same-sex “marriage”; or obligates wedding-related businesses to provide services for same-sex “couples.”
- b. Compelled Provision of Special Benefits: the government forces religious institutions to extend any special benefit they afford to actual marriage to same-sex “marriage” as well.
- c. Punishment for Speech: preaching, political action, or conversation reflecting moral opposition to same-sex “marriage” represents actionable “harassment” or “discrimination,” or forbidden “hate speech.”
- d. Exclusion from Accreditation and Licensure: those who adhere to the definition of marriage are excluded from participation in highly regulated professions and quasi-governmental functions, as licenses are revoked and religious institutions lose accredited status.
- e. Exclusion from Government Funding, Religious Accommodations, and Other Benefits: those who adhere to the definition of marriage are excluded from receiving government grants and contracts to provide secular social services, and from various tax exemptions.

### **6. Have any of these threats come to pass?**

Yes. Examples include, but are not limited to, the following: the extension of married student housing to same-sex “married” couples (a Catholic college in MA); the extension of spousal employment benefits to same-sex “domestic partners” (Catholic Charities in Portland, ME); the loss of funding and licenses to provide adoptions for refusal to place with same-sex couples (Catholic Charities in Massachusetts and DC); the imposition of tax penalties for preaching about marriage amendments (Montana); and the loss of state tax exempt status for a religiously-affiliated camp (New Jersey). These threats have been manifest in other countries as well, often to an even more persistent and invasive extent. [Click here](#) for more information.

### **7. Doesn’t a religious exemption protect institutions and individuals if they believe that marriage can only be between a man and a woman?**

Sometimes. A religious exemption may provide protections, but so far those protections have been drawn very narrowly and fail to cover known risks. More broadly, because “marriage” so pervades the law, it is difficult to foresee all circumstances where religious freedom conflicts may arise. But even further, no religious exemption—no matter how broadly worded—can justify a supportive or neutral position on the redefinition of marriage (see CDF 1992, no. 16). 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.*

## List of abbreviations

**CA** – [Pope John Paul II, Encyclical \*Centesimus Annus\* \(1991\)](#) . . . | [Español](#) . . .

**CCC** – [Catechism of the Catholic Church, 2nd ed. \(2000\)](#) | [Español](#) . . .

**CDF 1992** – [Congregation for the Doctrine of the Faith, \*Some Considerations Concerning the Response to Legislative Proposals on the Non-Discrimination of Homosexual Persons\* \(1992\)](#) . . . | [Español](#) . . .

**CIC** – Code of Canon Law (1983) [link: [http://www.vatican.va/archive/ENG1104/\\_INDEX.HTM](http://www.vatican.va/archive/ENG1104/_INDEX.HTM)] | Español [link: [http://www.vatican.va/archive/ESL0020/\\_INDEX.HTM](http://www.vatican.va/archive/ESL0020/_INDEX.HTM)]

**CL** – Pope John Paul II, Apostolic Exhortation *Christifideles Laici* (1988) [link: [http://www.vatican.va/holy\\_father/john\\_paul\\_ii/apost\\_exhortations/documents/hf\\_jp-ii\\_exh\\_30121988\\_christifideles-laici\\_en.html](http://www.vatican.va/holy_father/john_paul_ii/apost_exhortations/documents/hf_jp-ii_exh_30121988_christifideles-laici_en.html)] | [link: [http://www.vatican.va/holy\\_father/john\\_paul\\_ii/apost\\_exhortations/documents/hf\\_jp-ii\\_exh\\_30121988\\_christifideles-laici\\_sp.html](http://www.vatican.va/holy_father/john_paul_ii/apost_exhortations/documents/hf_jp-ii_exh_30121988_christifideles-laici_sp.html)]

**CV** – [Pope Benedict XVI, Encyclical \*Caritas in Veritate\* \(2009\)](#) . . . | [Español](#) . . .

**CSDC** – [Pontifical Council for Justice and Peace, \*Compendium of the Social Doctrine of the Church\* \(2004\)](#) . . . | [Español](#) . . .

**DH** – [Second Vatican Council, Declaration \*Dignitatis Humanae\* \(1965\)](#) . . . | [Español](#) . . .

**FC** – [Pope John Paul II, Apostolic Exhortation \*Familiaris Consortio\* \(1982\)](#) . . . | [Español](#) . . .

**GS** – [Second Vatican Council, Pastoral Constitution \*Gaudium et Spes\* \(1965\)](#) . . . | [Español](#) . . .

**LF** – [Pope John Paul II, \*Letter to Families\* \(1994\)](#) . . . | [Español](#) . . .

**LL** – [USCCB, Pastoral Letter \*Marriage: Love and Life in the Divine Plan\* \(2009\)](#) | [Español](#) [correct links: <http://www.usccb.org/issues-and-action/marriage-and-family/marriage/love-and-life/upload/pastoral-letter-marriage-love-and-life-in-the-divine-plan.pdf>, <http://www.usccb.org/issues-and-action/marriage-and-family/marriage/love-and-life/upload/pastoral-letter-marriage-love-and-life-in-the-divine-plan.pdf>]

[and-family/marriage/love-and-life/upload/pastoral-letter-marriage-love-and-life-in-the-divine-plan-espanol.pdf](http://www.vatican.va/roman_curia/policies/policy_and-family/marriage/love-and-life/upload/pastoral-letter-marriage-love-and-life-in-the-divine-plan-espanol.pdf)

**PP** – [Pope Paul VI, Encyclical \*Populorum Progressio\* \(1967\)](http://www.vatican.va/roman_curia/policies/policy_and-family/marriage/love-and-life/upload/pastoral-letter-marriage-love-and-life-in-the-divine-plan-espanol.pdf) . . . | [Español](#) . . .

**RN** – [Pope Leo XIII, Encyclical \*Rerum Novarum\* \(1891\)](http://www.vatican.va/roman_curia/policies/policy_and-family/marriage/love-and-life/upload/pastoral-letter-marriage-love-and-life-in-the-divine-plan-espanol.pdf) . . . | [Español](#) . . .

**TOB** – Pope John Paul II, *Man and Woman He Created Them: A Theology of the Body*, trans. Michael Waldstein (Boston: Pauline Books & Media, 2006). Other English versions are available online at [EWTN's website](#) . . . and at the [Vatican website](#) (Wednesday audiences from Sept. 5, 1979 to Nov. 28, 1984).