

Marriage **E=QUALITY**



**A Positive
Catholic
Approach**

by
Francis DeBernardo

Marriage Equality: A Positive Catholic Approach

BY FRANCIS DEBERNARDO

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“

I always talk about how I married my best friend. Rae and I have been together for four years. When we met, I was working for a non-profit advocating on behalf of amputees and

disability issues. Rae is a speech pathologist who primarily works with children who have autism.

One of the things that really drew me to Rae was how kind and funny she is and her real dedication to her family and friends. It was a whirlwind courtship. We bought a home in Howard County and in 2008 we had a big, splashy wedding with all of our loved ones complete with line dancing, a delicious cake and lots of joyful tears.

We have lived a blessed life together that was made that much better this past November with the addition of our daughter, Lucy. As we planned to bring a child into the world, we really reflected on what matters to us. We both mentioned the ways in which we were personally influenced by the Catholic Church.

I have always felt like my education with the Sisters of Mercy is where I found my calling to be an advocate. I respect the Catholic Church's strong tradition of social justice.

Rae went to Catholic schools her entire life and has a real love for the sense of community that she had in the church as a child. Feeling rejected by the Catholic Church has been difficult for her, but we both intend to bring our child up with a commitment to others and to doing right in the world, principles that were instilled in us from our Catholic education.

—Morgan Meneses-Sheets



Lucy (l), Rae (middle), and Morgan Meneses-Sheets.

”

Marriage Equality: A Positive Catholic Approach

Introduction

One of the major voices opposing marriage equality for lesbian and gay couples has been the bishops of the Roman Catholic Church. Their publicity campaigns and news-making press releases have sometimes given the impression that Catholics uniformly oppose initiatives to make marriage legal for same-gender couples. That impression is wrong.

Catholic citizens do not always hold positions on public policy issues identical to those the bishops maintain. Individual bishops may sometimes disagree with one another on specific policy issues. Theologians have often criticized opposition to marriage equality as being out of step with the best traditions of Catholic thought.

To know the full Catholic position on any issue, one must listen to three groups: the bishops, the theologians, and the laity.

The Catholic Church is more than just the bishops. In the mid-1960s, the Second Vatican Council gathered the world's bishops to modernize many aspects of Catholicism. A council such as this is the highest authority in Church governance, weightier than any statement of an individual pope. Vatican II defined the Church as the entire People of God, and it emphasized that lay people have a role in the Church. Lay people, by virtue of their baptism, and not by concession of the bishops, are equal partners with the clergy in the Church.

The Church is not ordered like a military hierarchy where some give commands and others obey. Instead, the bishops ideally strive to reflect and proclaim the faith of the entire Church. When dealing with lesbian and gay issues, a relatively new area of Church discussion on which there is so much debate, the bishops may not yet be able to discern what the Catholic community believes.

Vatican II promoted the idea that the people should not simply and silently obey the bishops. Similarly, the bishops need to listen to the people in order to discern what the Catholic faith is and how God is

working in the world. One of the seminal documents of the Council states,

With the help of the Holy Spirit, it is the task of the whole people of God, particularly of its pastors and theologians, to listen to and distinguish the many voices of our times and to interpret them in the light of the divine Word, in order that the revealed truth may be more deeply penetrated, better understood, and more suitably presented (*The Church in the Modern World*, paragraph 44).

To know the full Catholic position on any issue, one must listen to three groups: the bishops, the theologians, and the laity. This has been the way of Catholic tradition over most of its long history. This booklet will outline some of the discussion in the Catholic Church surrounding the marriage equality debate, providing an opportunity for all the different voices in the Church to be heard.

This book will also examine the particular case of Maryland Catholics' support for marriage equality. Because Catholicism is the largest denomination in the state (with 23% of the total population), and because Maryland has a long and strong Catholic history, the state serves as a good test case for other Catholics in the nation.

I am celebrating my 65th anniversary of entrance to religious life, most of which has been spent in health care as a Franciscan sister.

Marriage to me has always meant a lifelong commitment to honor, love, and cherish one another. I have been edified by the devotion of lesbian and gay couples to one another and to their children.

I deeply feel the injustices they experience from society and my Church. For example, if one of the partners is in the hospital, particularly the intensive care unit, usually only spouses or relatives can visit, unless permission is sought and granted.

I hope and pray that the movement of the Spirit is leading our Maryland Legislature and our Church to at last end discrimination against a group of people because of their sexual orientation.

—Hope Bauerlin, OSF



1. What do the Catholic bishops teach about equality for lesbian and gay people?

If the average person on the street were asked what the Catholic bishops teach about civil equality for lesbian and gay persons, the most common answer would be, “They’re against it.” This popular perception is not quite accurate because the bishops have a complex and nuanced approach to lesbian and gay issues.

The most familiar aspect of official Catholic teaching is that sexual activity between people of the same gender is not permitted. But this is only one facet of Catholic teaching and not necessarily the most important one.

The Church’s social justice tradition guides Catholics when they are faced with questions about how to make decisions in the social and political arena.

Less known is the hierarchy’s condemnation of prejudicial and hateful attitudes toward lesbian and gay persons and its statements in favor of including lesbian and gay people in the Church community. At the basis of these teachings is the ancient and foundational belief that *all* people are created with an inherent human dignity, regardless of any conditions, actions, or

situations in their lives. Because we all share this human dignity, the Church teaches that all people must be treated with equal respect.

The Church’s social justice tradition guides Catholics when they are faced with questions about how to make decisions in the social and political arena. Unfortunately, a large number of Catholics are not aware of the Church’s social justice teaching, and even fewer are aware that this teaching is applicable to lesbian and gay issues.

Much discussion in the Catholic and civil communities about marriage equality boils down to an important debate: are the issues primarily about social justice or about sexual activity? Another way of stating this question is: Should we treat lesbian and gay people as essentially the same as everyone else because of their common humanity, or should we treat them differently because of their sexuality?

In the Catholic Church, the debate about marriage equality is focused around this fault line: sexual ethics or social justice. Some bishops, theologians, and lay people say that we must defend sexual teachings that state that the heterosexual standard is an essential part of a marriage between two people. Other bishops, theologians, and lay people say that we must follow our basic social justice tradition and treat people as equals, regardless of their race, gender, age, ability level, economic class, or sexual orientation.

The Catholic community, including the bishops, has forcefully stated that lesbian and gay people must not be understood simply in terms of their sexual orientation. Many Catholics, including bishops, believe that social justice is more compelling than sexual ethics when we are dealing with people's total lives. No human being—heterosexual or homosexual—should be reduced to his or her sexual orientation, as though sexual orientation alone defined us as human beings.



“

In my work as a parish outreach coordinator with St. Vincent de Paul of Baltimore, I met a number of Catholic parents who felt hurt and heartbroken because their lesbian or gay children no longer went to church. They wondered why the Catholic Church does not bless the partnerships of their gay or lesbian children as it does for their heterosexual children. I wonder too.

Several years ago, I was invited to a commitment ceremony in Washington, DC, of two lesbian women in a long-term relationship who worked in social justice organizations for many years.

Although they were both Catholic, the ceremony was held in a Protestant church. I was glad to see many women religious among the 50 or 75 people of faith who were present to pledge their support and to witness the couple's promises of fidelity to each other.

I also wonder why the government doesn't recognize same-gender marriages. If heterosexual couples can marry, then not allowing same-gender couples to marry seems like discrimination to me. These two institutions of Church and State make my pastoral work a challenge.

—Matthew Myers



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2. What are theologians saying about marriage equality?

The bishops are not the only voices in the Catholic community that are speaking about the morality of marriage equality and same-gender relationships. We should also consider theologians, the scholars who reflect on the Church's moral traditions and teachings and who seek to understand these traditions in light of new intellectual and human developments. Whenever bishops have changed their position on an issue, they did so in response to theologians who gained insights from new research and from people's experiences.

In the last 50 years, most Catholic theologians have begun to see that the bishops' traditional approach to sexual morality is no longer adequate, given the recent scientific and social developments in the field of sexuality. For example, contemporary psychology and psychiatry understand that sexuality is more than merely a physical and reproductive phenomenon; it is an integral part of a person's personality. Scientists now know that a homosexual orientation is a natural variant in human sexuality and not an error in an individual's personal development. In our culture, lesbian and gay people have made significant advances in reducing the discrimination they once experienced, and they are now more normally integrated into the fabric of society.

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In light of this progress, many theologians have proposed that the Church's teaching must not focus simply on sexual activity, but rather on the context of the relationship in which sexual activity occurs. Focusing on sexual acts ignores the relational dynamics that occur between loving partners in a committed relationship. These theologians believe that the bishops' teaching on homosexuality needs to consider the relational aspects of intimacy, not simply the biological ones. What is important in a relationship, they say, is the love and respect that each partner has for the other, not the gender of the partners.

Far from endorsing a morality that permits anything and everything, these theologians have recommended criteria for evaluating whether a sexual relationship is moral or not. For example, one criterion might be that there is a sense of equality between the partners, and that one

partner does not coerce or manipulate the other in any fashion. Another criterion might be that the relationship helps each partner to be more generous and productive in society. Most theologians require the criteria of fidelity, monogamy, and commitment for a marital relationship to be considered morally good. Many theologians believe that by endorsing marriage equality the Church could reaffirm the importance of making *all* such commitments public and permanent.



Steve Boyle (l.) and Tim Jones (r.)

I realized I was gay when I was a teenager, and I hid it. I don't hide anymore. As an adult, I had a

committed relationship with my partner, Steve Boyette, for 16 years, but Steve passed away a couple years ago.

I converted to Catholicism as a younger adult. I have been blessed by belonging to Catholic parishes where the pastoral staff and the members made the gay community feel at home. I attend St. Matthew's parish in Baltimore, which has a gay ministry that welcomes all people. The parishioners have been very supportive of me and Steve's funeral was held at St. Matthew's. I don't appreciate what the Catholic Church's leaders say about gay people, but the people in the Church are very accepting.

Some Churches bless same-gender unions. Religions can decide whom they do, or don't, want to marry, but they should not impose their beliefs on others. I believe marriage is a civil issue. We are not asking them to change their religious views to accommodate us, but only to acknowledge that we have the same right to legal marriage as any other citizen.

—Tim Jones

3. What do U.S. lay Catholics think about lesbian and gay people and marriage equality?

Lay Catholics are strongly supportive of marriage equality for lesbian and gay couples. National polling data show that Catholics support equality for lesbian and gay people in general. Researchers Robert P. Jones and Dan Cox of Public Religion Research, a national polling service, analyzed several polls from 2008 concerning Catholic views on gay and lesbian equality, which produced the following significant facts:

i) Of all the Christian denominations, Catholics poll the most favorably on lesbian and gay issues. When asked if homosexuality should be accepted by society, 58% of Catholics answer positively, while 30% of Catholics oppose acceptance.

Of all the Christian denominations, Catholics poll the most favorably on lesbian and gay issues.

ii) On the specific issue of marriage equality for lesbian and gay couples, 43% of Catholics respond favorably while 46% are opposed, an almost equal percentage. When the survey question is narrowed to those respondents under 65, the numbers change drastically: for 18-29 year old Catholics, 60% support marriage equality while 37% oppose it; for 50-64 year old Catholics, 44% are in favor, while 43% are against it. Only Catholics who are over 65 years old show greater opposition than support. This evidence shows not only an immense amount of support from Catholics, but, more importantly, that support is growing.

iii) When the question is broadened from marriage to benefits and protections associated with marriage (e.g, hospital visitation, health insurance, pension coverage), support among all Catholics jumps to over two-thirds.

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We met in January 2001 at a coffee shop in downtown Washington, DC. We started dating, fell in love, and two years later we bought a house together in College Park, Maryland.

In 2004, we became one of the plaintiff couples in the Maryland lawsuit for marriage equality (*Deane v. Conaway*). Although the case was lost in the Maryland Court Of Appeals, the legal battle brought us much support from friends. In June 2005, we were joined together in a Holy Union ceremony through Dignity Washington, a Catholic organization that meets the spiritual needs of the LGBT community.

For ten years our love has remained strong and grows through common experiences of day-to-day life: a love of music, fondness of good restaurants, and taking long walks. Although our lives are different – Dave works as an engineer at a radio station, and Patrick works as a disability rights advocate and serves on the College Park, MD City Council – we have found that those differences enrich our relationship.

For us, marriage is both a spiritual and legal union – both a celebration of our love and a guarantee that we will care for each other in times of need.

—Patrick Wojahn and Dave Kolesar



Patrick Wojahn (l) and Dave Kolesar (r)

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4. What do lay Catholics in Maryland say about marriage equality?

According to a November 2009 poll conducted by Greenberg, Quinlan, and Rossner, which focused on Marylanders, with a particular emphasis on Maryland Catholics, lay Catholics in Maryland support marriage equality legislation.

The majority of Maryland Catholics fundamentally disagree with the Church hierarchy on issues of sexuality and gender.

i) A 49% plurality of Maryland Catholics favor legislative action that would allow gay and lesbian couples to marry, while 42% are opposed. Compared to all Maryland voters, Catholics are more supportive of marriage equality. Of all Maryland voters, 47% support legalizing marriage between same-gender couples while 44% oppose it.

ii) Geographically, Maryland's largest population centers have large numbers of Catholics who favor marriage equality legislation. In Baltimore and Baltimore County, 52% of Catholics are in favor versus 39% who oppose. In Prince George's County, close to 50% of Catholics are in favor of marriage equality.

iii) The majority of Maryland Catholics fundamentally disagree with the Church hierarchy on issues of sexuality and gender. Only 36% of Maryland Catholics agree with the bishops "on most issues like birth control and women in the priesthood"—issues that are related to sexuality and gender. Even among the most observant Catholics, only 37% agree with the bishops.

iv) 57% of Catholic respondents in Maryland do not believe that homosexuality is a sin. 73% believe that lesbian and gay people face major problems of discrimination in our country.

“

I support marriage equality because I believe that the love and commitment shared between gay and lesbian couples are equal to the love and commitment shared between heterosexual couples. Couples who commit to each other for life provide our society with stability and safety. It truly is all about love. Why should we choose who is afforded the right to love and who isn't?

Couples who are in committed and loving relationships should have the right to make decisions about health care for one another. They should have the same rights and protections regarding inheritance. They should not lose custody of their children. If these protections are afforded to all committed couples, then society, as a whole, benefits.

My Catholic faith teaches me that all people are equal under God, and that all should share equally in the benefits of the state. It's time that, as Catholics, we have the courage and conviction to live up to those principles and recognize that the state should not be in the business of providing privilege to one form of committed love but not to the other.



—Maryland Delegate Kriselda Valderrama

”

5. Why do Catholics support marriage equality?

Some Catholics support marriage equality because they disagree with the bishop about sexuality and gender. They align themselves more with the theologians who hold that sexual expression is moral if it is part of a committed, just, and equal relationship. Many Catholics have reflected on the scientific evidence that homosexuality is a natural variant in human sexuality and that lesbian and gay love is just as valuable as heterosexual love. They see faith and reason as connected, and state, “I don’t think that God makes mistakes. Now that we know that homosexuality is normal and natural, we need to update our Church’s thinking to be in accord with new understandings of sexuality.”

For many Catholics, support for marriage equality goes even deeper. They are motivated by their commitment to social justice, which is an integral part of their faith lives. Catholic social teaching requires that people be treated with human dignity, regardless of their state in life or their beliefs. This moral tradition requires that all people be treated equally and fairly. Catholic social teaching attaches importance to increased access to health care benefits, protection of children, dignity in end of life choices, and, most importantly, the promotion of stable family units—all of which would be expanded if marriage equality legislation were enacted.

This social justice commitment to marriage equality may have formed along one or more lines of argument:

i) They do not want lesbian and gay couples to experience discrimination by the State. Since heterosexual couples are free to

Catholic social teaching attaches importance to increased access to health care benefits, protection of children, dignity in end of life choices, and, most importantly, the promotion of stable family units—all of which would be expanded if marriage equality legislation were enacted.

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Gloria was 82 years old when she died, just one year older than I. She was the mother of Mario, my son's partner. Over the course of 16 years, Mario's family and my family interacted, celebrated, and mourned together, just like all ordinary families do.



In the very large funeral parlor, filled with baskets of beautiful flowers, Mario and Patrick, my son, stood next to Gloria's casket and greeted each member of this large Catholic, Italian family, and their dear neighbors. Theirs was the old fashioned kind of neighborhood, where families knew each other for years; where the women brought food to the house before Gloria died, because the "boys" were coming for the weekend to be with Gloria, who was in intensive care in the hospital.

The gay relationship of our sons did not negatively affect our marriages, Gloria's or mine. What puzzles me is that some of my Catholic leaders say that granting marriage to lesbian and gay couples threatens heterosexual marriage.

I am a widow now, but I feel I can speak for my husband. We believe same-gender marriage takes nothing away from heterosexual marriage, and it gives homosexual couples the right to live with dignity.

—Erma Durkin

”

marry whom they love, lesbian and gay couples should have the same freedom. They express this point of view by stating something like “I want all committed relationships to be treated equally before the law.”

ii) They are concerned about the children of lesbian and gay couples and are worried that these children will not be able to receive the same benefits that children of heterosexually married couples receive. Their attitudes come out in sentences such as “Children have the right to a stable home and to be protected by their parents’ benefits, regardless of who their parents may be.”



iii) They have a lesbian or gay family member, friend or co- worker, and they want to provide legal protection for these people. Their concern is stated along the lines of “I know that my gay son and his partner are good people. I know the problems they and their children face, and I want to work so they can be legally married.”

iv) They believe that the bishops should not try to make Church practice into state law. They express this by making a statement such as “My Church does not believe in contraception, but I wouldn’t want my bishop

to try to make a law against it.”

v) They have taken to heart the Catholic teaching that all people should be treated equally and justly. This teaching has been applied directly to the experience of lesbian and gay people. Their thinking is expressed in the following way: “I am honestly a little uncomfortable about homosexuality; however, my faith reminds me that all people deserve to be treated equally and fairly, regardless of my own personal level of comfort with them.”

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In the 1990's, I went with my college sweetheart to the circuit court to get a marriage license, and soon after we were married. In the past 14 years, we have experienced times of joy, excitement, laughter, and sorrow. We have three beautiful children that we love dearly, and we continue to share many blessings and face many challenges of life together.



These aspects of our relationship are similar to those of same-gender couples. However, there are distinct differences. They are unable to enjoy the many advantages of being legally married in our State and in so many others.

Over the last several years, the Maryland General Assembly has sought to expand rights to same-sex couples, in areas related to medical decision making, visitation rights, transfer and recordation taxes, and inheritance taxes. However, there are still approximately 400 provisions of state law that are applicable only to married heterosexuals. A piecemeal approach to marriage equality does not make sense.

I intend to put my full weight behind the passage of legislation that will ensure equal marital rights for all Marylanders.

—Maryland Senator Robert Garagiola

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6. What is the position of the Catholic bishops of Maryland on marriage equality?

In the state of Maryland, three different Catholic dioceses exist: the Archdiocese of Washington, DC ; the Archdiocese of Baltimore; and the Diocese of Wilmington. When working on common public policy issues, these three dioceses work in concert with one another in an entity called the Maryland Catholic Conference (MCC), which lobbies state legislators and provides educational materials to Catholic institutions.

The MCC has opposed marriage equality for lesbian and gay couples. It upholds marriage as a heterosexual institution. In January, 2008, the MCC issued a statement entitled *Marriage in Maryland*, which states

Because, [as the Vatican stated], “society owes its continued survival to the family, founded on marriage,” the marriage relationship throughout history has been assigned protected status in all faiths and cultures. Marriage belongs by nature to the relationship between a man and a woman. That relationship is not formed by church or civil law, but rather has its foundation in the way in which we are created and must be protected as a treasured reality that has always existed between men and women.

At the heart of the MCC’s argument is the idea that procreation is an essential characteristic of marriage. “The truth about marriage” is defined as coming about

when a man and a woman make a mutual, exclusive, and lifelong gift of themselves to one another in order to bring about a union that is personally fulfilling, open to the procreation and upbringing of children, and necessary to the formation of a stable and secure foundation for our society.

Despite the bishops' opposition to marriage equality, the social justice tradition of the Church allows them to acknowledge that lesbian and gay couples do need and should be afforded at least some basic protections. They state that their stand on marriage

does not mean that unmarried persons of any sex should be denied the right to enter into legal arrangements with one another regarding medical decision making, life insurance, the disposition of property, and other benefits...

I write this – appropriately – on Martin Luther King Day. Perhaps no public figure in modern times influenced my faith life more deeply than did King. As a young nun in the 1960s, I watched and studied King, in awe of his dedication and courage. I often reflected that King, with his dedication to justice and peace, brought to life many of the teachings of the Church's Second Vatican Council.

Treating all human beings with equality and respect is fundamental justice. That's why I spent years working for ratification of the Equal Rights Amendment, advocating the full equality of women in Roman Catholicism, and working to end the U.S.-sponsored wars in Central America that kept the poor from achieving justice. That's why I spend most of my energy today pushing against religious bigotry and discrimination.

Over the years, I met – and became friends with – many gay and lesbian people. Some are in committed, long-lasting relationships. And the same principles apply. For me, civil marriage equality is an issue of justice and civil rights. If he were alive, I believe that my brother, Martin Luther King, would agree.



—Maureen Fiedler, SL

Sally and I have been together for most of our adult lives. People have asked us, “Why marriage? Isn’t a civil union enough?” It is not enough because “civil union” does not mean what marriage means. What we call something matters.



Patricia Montley (l.) and Sally Wall (r.)

Not long ago, I was in the hospital for surgery. When the doctor entered the room, I introduced Sally as my partner. He laughed (uncomfortably? cynically?) and said, “What are you two—partners in crime?” By now I should be armored against such insensitivity, but it still hurts me each time someone belittles our relationship. If I had been able to introduce Sally as my spouse, would the doctor have been so tactless? Would he have dismissed our 30-year relationship with a joke? I don’t believe so. Marriage is taken seriously.

To others marriage means a deep and serious commitment-for-life, an emotional and physical intimacy on the part of the couple. To the couple

it means a reassuring comfort, a sense of security, a source of pride, a sense of belonging—not just to each other, but to the larger community. Two people who are married become something bigger: a family. A family is what Sally and I have made together, and a civil union does not express that. It does not mean the same thing to introduce Sally as my “friend” or “partner” that it would mean to introduce her as my spouse.



Patricia Montley (l.) and Sally Wall (r.) with granddaughter Lexi

When the state denies us the right to marry, it sends Sally and me the message that we are second-class citizens in a second-class relationship. It

sends this same message about us not only to strangers, like the doctor, but to our own families.

After I co-authored an op-ed piece in the Baltimore Sun in August 2009, defending same-sex marriage, my 87-year-old mother stopped speaking to me. Since that time—time that included our birthdays and the holidays—she has refused my every attempt to communicate. She hangs up if I call. She does not answer my letters or respond to my gifts. She does not want me in her house. Nor will my mother accept the offers of other family members to mediate.

From others, I know that my mother is deeply, deeply ashamed of me—for no reason except that I am a lesbian compelled by conscience to work for my own and others' civil rights. She has known for decades that I am a lesbian. But my speaking out in a public forum made it possible that all her friends would know too, thus, in her mind, compounding her shame. She views me as a sinner in the eyes of her



Alexa Wall and Nana
(Patricia Montley),
Photo credit: Oma (Sally)

church and a second-class citizen in the eyes of her government. The teachings of one and the laws of the other have continually reinforced her feelings of shame. No matter what I say or do—no matter how honorably I try to live my life—nothing is enough to take that shame away.

I feel powerless to change the teachings of the Catholic Church, but the citizens of Maryland can do something about the laws of the state. I believe that Maryland's full acceptance of gay and lesbian citizens—including marriage rights—would make it clear that our status is not "less than," "inferior to," or something that justifies feelings of shame. Perhaps this would help to eliminate my mother's shame. Perhaps she would let me back into her life—where I long to be, so that I can look out for her and take care of her in her last years.

—Patricia Montley

7. How are Church and State related to each other when it comes to marriage?

In many European countries, if two people want to be legally married, they have a ceremony that is performed by a civil official. If the same couple wants a religious institution to recognize and bless their union, they will also have a ceremony performed by a religious leader. The State and Church each maintains separate rules and ceremonies regarding marriage.

In the United States, the laws work differently. Mainstream religious leaders such as priests, deacons, ministers, and rabbis can perform a religious service that can also take the place of the civil ceremony if the religious leader signs the proper documents. In other words, if a couple gets married in a Catholic Church service, the state also recognizes that the marriage is legal. The priest or deacon who performs the ceremony is acting not only as a representative of the Church, but also as an official of the state. Church weddings have legal standing. The couple does not have to go through a separate and distinct ceremony for the state to recognize the marriage. Of course, the couple would have to meet all the legal requirements of the state (e.g., be of marriageable age, not be married to someone else, possess a license to marry).

In discussing marriage equality, it is important to remember that proposed laws will affect only civil or state marriages, not religious marriages.

For a Church wedding, the couple would additionally have to meet particular religious requirements before the official performs the ceremony. In the Catholic Church, some of these requirements might include being a member of a parish, going through a marriage preparation program, and having no previous marriages that have not been annulled by a Church official. The Catholic Church, like other

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As a committed Catholic, I support marriage equality because of the values of fairness and family that I was taught. As a legislator, I believe that, by making marriage equality the law of the land, we are standing up for the great American values of “life, liberty, and the pursuit of happiness.”

By extending the institution of marriage to committed lesbian and gay couples, we ensure they will have the same ability to make health, employment, and housing decisions that all other families now possess.

Most importantly, marriage equality will protect the children of these families by providing them with the security and benefits that other children receive.

My Catholic upbringing instilled in me the belief that all people possess human dignity, and that laws should not be written to harm that dignity. Marriage equality recognizes the dignity of lesbian and gay people. If any group in our society suffers discrimination, our whole society suffers.

We have families of all different configurations in our state, and I want all of them to be protected and strengthened. A marriage equality law provides fairness for lesbian and gay people—the same sense of fairness that we all want for each other.

—Maryland Delegate Joseline Pena-Melnyk

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religions, has the legal right to decide who can and cannot be married under its auspices. If a heterosexual couple chooses not to have a religious ceremony or if a Church exercises its right not to marry them because they do not meet the Church's religious requirements, they can be married by a civil or state official.



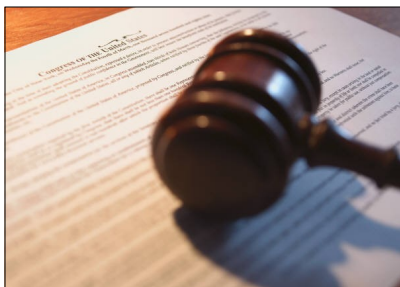
In discussing marriage equality, it is important to remember that proposed laws will affect only civil or state marriages, not religious marriages. Religious institutions such as the Catholic Church will still not be required to marry any couple that does not meet its requirements. If a religious institution

wants to marry only heterosexual couples, it will be free to do so. It will not be required to marry a gay or lesbian couple just because the state would be willing to marry the same couple. By writing the marriage equality law in this way, the state government is recognizing its power to grant rights and responsibilities to couples who want to enter into a committed union, while at the same time recognizing a religious institution's freedom to continue to define marriage in a way that is particular to its religious beliefs.

It should be noted that some Christian Churches perform religious marriages for their gay and lesbian members. The marriages of these Churches' heterosexual couples are recognized by the state, but the marriages of their same-gender couples are not. These Churches legitimately complain about the civil discrimination shown to their same-gender couples and to the ministers who perform the religious services.

8. Has the Church or the State ever changed its laws about marriage?

Yes! Although some critics of marriage equality say that the institution of marriage has not changed for thousands of years, in fact, such a statement is false. Changes in the way we understand gender, sexuality, individual rights, and society have brought about ever-evolving laws and practices of marriage. Even religious institutions have changed their beliefs. For example, no Christian Church or Jewish institution currently endorses polygamous marriage, though there is biblical evidence that this was an accepted practice in earlier times.



In the Catholic Church, there have been many changes in marriage laws and practices over its two millennia history. In the early Church, marriage was not considered an important institution and had no religious significance. There were no religious ceremonies for it. Marriage was considered a civil arrangement, as a way to define rights and

responsibilities in relationships, to provide cohesion and continuity in society, and to manage inheritance of property. Most weddings were private ceremonies with no presiding official from Church or State. Indeed some early Christian writers thought that because marriage involved sexual intercourse, it was not sacred enough to warrant Church attention.

Early Church members held the Roman opinion that marriage was a patriarchal institution. Marriages were mostly arranged by older family members, sometimes when the individuals involved were only small

I was born and raised in the Philadelphia area, went to Catholic schools from kindergarten through university, then spent my early adult years in Illinois, where I began my journalism and public affairs career. I have lived in Maryland since 1983, and retired from the World Bank in 2007.

Denial of marriage equality strikes an especially sour note for me because, when I fell in love, no one tried to stop me from getting married. That was in the mid 1970s, when I hadn't yet realized that I am gay. Growing up in a large Catholic family, I took for granted that when I wanted to get married I could do so.

It's cruelly ironic that my gay and lesbian contemporaries who were aware of their real selves earlier in life had to grow up with an opposite assumption. I am still the same person, but the fact that I now understand my true sexual identity means that the law deprives me of a right that I exercised freely 35 years ago.



—Mark Clark

children. The bride was considered property that was transferred from her father's home to her husband's home for a price. This negative attitude toward women was also reflected in the fact that divorce was permitted if a wife was unfaithful, but not if a husband was unfaithful. Indeed, if a woman was being physically abused, she could not be granted a divorce.

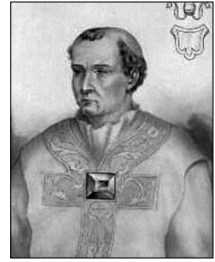
Gradual Church Control

In 866, Pope Nicholas said that the only thing needed to make a marriage legal was the free consent of a couple. No blessing, document, or even parental approval was needed for a marriage to be considered valid. As civil society began to erode with the collapse of the Roman Empire, Church officials began to take a more active role in the institution of marriage by registering and regulating marriages. By the

year 1000, all European marriages came under the jurisdiction of the institutional Church, though there was still little uniformity of rules and practices.

After the year 1000, the institutional Church started taking a greater role in the ceremony itself. At first, a secular official performed the marriage near a church, and the couple would afterwards seek a blessing from a bishop or priest. Then, for the sake of convenience, the secular ceremony was held on the doorstep of the church, so the couple could then get a blessing quickly. Soon, the ceremony moved inside the church, and eventually the priest or bishop became involved in conducting the rite of marriage. Finally, in the 12th century, the Church elevated the institution of marriage to the level of a sacrament—something that might have scandalized Christian thinkers in earlier days.

As the Church elevated the position of marriage to a sacrament, it also changed its views on divorce. St. Paul allowed for divorce if a Christian were married to a non-Christian. Divorce was also allowed if one of the spouses chose to enter monastic life. By 1200, the Church instituted an absolute prohibition against divorce because of the newly accepted idea that marriage was sacramental and could not be dissolved.



Pope Nicholas



It wasn't until the Council of Trent that the marriage ceremony itself became standardized in 1563. Until then, ceremonies varied in style and substance from place to place. The Council made it mandatory that the ceremony be conducted by a priest, witnessed by two people, and announced publicly three weeks in advance. The marriage also needed to be registered in Church records.

Increased State Control

With the advent of the Enlightenment and the French Revolution, civil governments began to exercise more control over the institution of marriage once again. By the 19th century in Europe, governments began regulating marriage and required couples to have a ceremony before a civil magistrate, rather than only before a priest. The government assumed all responsibility for divorce and inheritance decisions, which

had been under the purview of the Church. The Catholic Church responded by requiring all of their faithful to have a religious ceremony in addition to the civil ceremony. If a Catholic couple did not have a Church wedding, Church officials did not recognize them as married.

By the 20th century, marriage had changed from an institution based on social duty to one based on individual rights. Marriages were much less frequently arranged by parents or family members. As society moved away from extended families to nuclear family units, marriage began to

In the Catholic Church, there have been many changes in marriage laws and practices over its two millennia history.

be seen more as an institution based on the love of the couple, rather than a union of two separate clans.

By the mid-20th century, with advances in psychology, philosophy, and sociology, the Catholic Church began to realize that sexuality had a deeper role in human life than just reproductive purposes. The meaning of marriage changed; though the institutional Church previously understood that marriage

existed primarily for the maintenance of a family unit, it came to appreciate that marriage played an important part in the personal and intimate life of the couple. At the Second Vatican Council, the bishops recognized that the deepening of the relationship between spouses was as important a function of marriage as the begetting and rearing of children. Catholicism loosened its requirements for the marriage ceremony, allowing non-Catholic ministers to co-preside at a wedding, and permitting the use of non-scriptural readings in the ceremony.

Marriage in Maryland

The state of Maryland has also witnessed some dramatic changes in the institution of marriage over the past three hundred years. For example, a couple is no longer required to take part in a religious ceremony to be legally married, though at one time it was mandatory. Maryland has eliminated laws that barred interracial couples from marrying. Moreover, Maryland's commitment to equal rights for women and men resulted in laws which name husband and wife as equal partners in marriage; the husband is no longer considered the primary or dominant figure.

We were married just two years, when Ryan's younger sister, Polli, who was just 12 years old at the time, came to talk with Joan about her feelings for a neighbor, who happened to be a girl. Joan responded with comforting statements like, "It's very common for girls to have crushes on other girls. Don't worry. You'll grow out of it."

But Polli didn't "grow out of it." Throughout high school she continued in secret to have romantic feelings for other girls.

After high school, Polli developed a friendship with a young man. Wanting to please her parents, Polli decided to get married. The wedding invitations were sent; furniture for the house was bought; all was ready. But Polli again came to Joan: "I just can't do this." This time Joan did not tell Polli she would grow out of it. Joan counseled her to call off the wedding.

Polli often said that Joan saved her life when she was 19, but Joan couldn't continue to save Polli. There were no social supports for lesbian relationships as Polli grew into adulthood. She had a series of relationships, culminating in a 17-year relationship with Carol. When Carol left her, Polli sank into depression and alcoholism, which eventually ended her life at just 51 years of age.

We believe that the secrecy that shrouds the lives of lesbian and gay Catholics, even today, does not enable them to have healthy and whole lives. Being unable to talk about being lesbian or gay produces feelings of shame and guilt and lack of self-esteem. Not recognizing their unions as good and holy says that something is wrong.

What is wrong is that Polli's long-term relationship was not blessed by her church. What is wrong is that Polli's long-term relationship was not recognized as marriage by the state. We are working to provide what is right—supports that lesbian and gay Catholics ought to have from their Church and from their government.

—Ryan and Joan Sattler



Ryan Sattler



Joan Sattler

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My mom and I left the Episcopal Church around the time Gene Robinson became the first openly gay bishop in the Anglican Communion.

When I converted to Catholicism, I ran deeper into the closet. Until a few years ago, my perspectives on a wide range of issues, including marriage, were very much “by the book,” in line with Vatican teachings. But my beliefs changed as I spent more time with open-minded Catholics, studied the Second Vatican Council, came to understand the Church as the entire People of God, and began to accept myself as a gay man.

As a faithful Catholic who believes in the Church’s social justice tradition, I see marriage equality as a justice issue. To deny the fundamental right of marriage simply because of sexual orientation is no less discriminatory to me than refusing civil rights to African Americans, women, or other minorities because of race, ethnicity, or gender.

Civil unions would only create a “separate but equal” system. Marriage equality is the crucial next step toward full equality for all Americans. I believe it ranks among the great social justice issues of our time.

—Phillip Clark

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9. Can a person be a good Catholic and disagree with a bishop?

Pastoral bishops give guidance and support to help their congregations live good and just lives. However, sometimes you can be a good Catholic only if you disagree with your bishop. No individual bishop is infallible—especially when the question is a political one, and not an ecclesial one.

Vatican II developed a new way for Catholics to think about their role in the Church. Instead of the traditional view that lay Catholics were followers of the Church’s clerical leaders, Vatican II promoted the belief that lay Catholics were equal partners with clerics in the Church by virtue of their baptism. Instead of regarding “the Church” as bishops and priests, Vatican II described the Church as the entire People of God, lay and ordained, who work together.

Vatican II encouraged lay people to express opinions in the Church and to take leadership roles. The Catholic faithful must help to develop the Church’s position on social and political matters, such as marriage equality and the civil rights of lesbian and gay people, which have not had sufficient deliberation by the Church’s bishops. Lay people are now initiating and contributing to this much-needed discussion.

The Catholic faithful must help to develop the Church’s position on social and political matters, such as marriage equality and the civil rights of lesbian and gay people, which have not had sufficient deliberation by the Church’s bishops.

The Second Vatican Council taught:

By reason of the knowledge, competence, or pre-eminence which they have, the laity are empowered—indeed sometimes obliged—to manifest their opinion on those things which pertain to the good of the Church (*Dogmatic Constitution on the Church*, paragraph 37).

This theological principle became codified into Canon Law, which is the law of the Catholic Church:

In accord with the knowledge, competence and pre-eminence which they possess, they have the right and even at times a duty to manifest to the sacred pastors their opinion on matters which pertain to the good of the Church, and they have a right to make their opinion known to the other Christian faithful (Canon 212).

I've been a religious sister for 50 years and was an Assistant Professor of mathematics at the College of Notre Dame of Maryland in Baltimore in the 1970's. While at graduate school to prepare for my teaching post, I met a gay man who opened my eyes to the many forms of discrimination that lesbian and gay persons face.



Being women of vision and compassion, the School Sisters of Notre Dame subsequently assigned me, for more than 20 years, to a pastoral ministry for lesbian and gay Catholics. I continue to advocate for them, particularly as a representative of the National Coalition of American Nuns.

In 2004, the Coalition's board stated, "...love, care, and commitment to another human being, not gender or procreation, form the essence or meaning of marriage... If heterosexual unions or marriages are recognized by the state, not recognizing same-sex unions or marriages is unfair. Such unfairness is politically and morally wrong."

When I was growing up, the sisters taught me to follow the teachings of Jesus. I believe the sisters are still teaching that.

—Jeannine Gramick, SL

10. What is the moral responsibility of a Catholic legislator?

Legislators are often asked to make moral judgments about the best course of action to take for the good of the people. Those judgments may not line up exactly with other areas of moral guidance in one's life, such as family traditions, cultural norms, or religious faith. There may be competing claims on a legislator's moral responsibility, and it can be difficult to sort them out to discern which ones to follow.

How one prominent Catholic politician dealt with religious beliefs and the political arena over two decades ago can help Catholic legislators in their present discernment. In 1984, Mario Cuomo, then-governor of New York, delivered a seminal lecture entitled, "Religious Belief and Public Morality: A Catholic Governor's Perspective," at the University of Notre Dame. Leading up to this event was a months-long media debate between the governor and several high-ranking Catholic bishops about Cuomo's position of publicly supporting abortion rights while personally opposing abortion.

"The Catholic public official lives the political truth most Catholics through most of American history have accepted and insisted on: the truth that to assure our freedom we must allow others the same freedom."

—Governor Mario Cuomo

During this speech, Cuomo acknowledged that "applying religious belief to everyday life often presents difficult challenges," but he also affirmed that "the Catholic who holds political office in a pluralistic democracy—who is elected to serve Jews and Muslims, atheists and Protestants as well as Catholics—bears special responsibility." While a Catholic lawmaker may feel a responsibility to his or her own faith tradition,

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My early Catholic education took place in Maryland at the Stone Ridge School run by the Sacred Heart nuns. At home and in school, my siblings and I were constantly taught that no one should be excluded from enjoying the goods of society.

I have always striven to apply that early Catholic education about inclusivity to the situations I have faced both as an attorney and as Maryland's lieutenant governor. It has been part of my family's tradition, the Catholic tradition, and the American tradition, too.

We have made the American dream possible for many people who had traditionally been excluded because of ignorance and prejudice. Now is the time to extend the American dream to lesbian and gay couples, who want what so many heterosexual couples want: to live out their love in a committed relationship with protections for their families.

One of the dreams of my late father, Robert F. Kennedy, was that all children would have security in their lives so they could take advantage of the opportunities that America offered. My commitment to marriage equality springs from this same dream. I want the children of lesbian and gay couples to have the same family stability

—Kathleen Kennedy Townsend



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Cuomo explained that

He or she undertakes to help create conditions under which all can live with a maximum of dignity and with a reasonable degree of freedom; where everyone who chooses may hold beliefs different from specifically Catholic ones—sometimes contradictory to them...

Cuomo, always the pragmatist, explained that “The Catholic public official lives the political truth most Catholics through most of American history have accepted and insisted on: the truth that to assure our freedom we must allow others the same freedom”—even if that freedom leads others to conduct of which we might not approve. Cuomo warned of the dire consequences that the opposite strategy produces: “We know that the price of seeking to force our beliefs on others is that they might some day force theirs on us.”



Mario Cuomo

Perhaps most germane to the topic of marriage equality, Cuomo noted that the Catholic hierarchy does not seek for all of its moral laws to be the law of the land:

...on divorce and birth control, without changing its moral teaching, the Church abides the civil law as it now stands, thereby accepting—without making much of a point of it—that in our pluralistic society we are not required to insist that all our religious values be the law of the land.

Even while disagreeing with the Church’s hierarchy about the morality of abortion legislation, Cuomo was always respectful, and he developed a principle that is relevant to the discussion of marriage equality:

While we always owe our bishops’ words respectful attention and careful consideration, the question whether to engage the political system in a struggle to have it adopt certain articles of our belief as part of public morality, is not a matter of doctrine: it is a matter of prudential political judgment... My Church does not order me—under pain of sin or expulsion—to pursue my salvific mission according to a precisely defined political plan.

Recalling the Catholic teaching about the primacy of conscience can also help Catholic legislators discern their moral responsibilities.

11. What is the Catholic teaching about conscience?

The Catholic teaching about conscience is found in the *Pastoral Constitution on the Church in the Modern World*, a document from the Second Vatican Council. It describes conscience as follows:

Deep within their consciences men and women discover a law which they have not laid upon themselves but which they must obey. Its voice, ever calling them to love and to do what is good and to avoid evil, tells them inwardly at the right moment: do this, shun that. For they have in their hearts a law inscribed by God. Their dignity lies in observing this law, and by it they will be judged (paragraph 16).

To grow in their faith lives, Catholics need to make their own moral decisions. Often, one's decisions are in line with the bishops' guidelines. Sometimes they are not.

To grow in their faith lives, Catholics need to make their own moral decisions. Often, one's decisions are in line with the bishops' guidelines. Sometimes they are not.

A conscience decision is not made lightly. It is made only after a period of moral reflection, including consideration of the Church's teaching. Obeying one's conscience does not mean "anything

goes." It means that one has reflected seriously, prayed deeply, and listened to God's voice.

In 1981, the Catholic Archdiocese of Baltimore published a rationale for *A Ministry to Lesbian and Gay Catholic Persons*. The document states that Christ's call to perfection involves a personal response of conscience:

Such a response involves more than merely the learning or internalization of moral rules. Proper formation of conscience requires that an individual make an integral part of himself or herself the "Christian principles inherent in the truths that Christ revealed," Archbishop Borders wrote. As such, they are part of who one is and what one stands for when an individual confronts a concrete situation within which a moral decision must be made.

In 2010, when explaining his decision to sign into law the Illinois bill that recognizes civil unions between gay and lesbian couples, Governor Pat Quinn, a Catholic stated, "I follow my conscience. I think everyone should do that. I think that's the most important thing to do in life, and

From an early age, I knew my passion to help others and to be a public servant was connected to my love for Christ and the social justice teachings of my Church. And I knew I wanted to share my life with another girl.

My personal commitment to my faith and my God grew deeply during my high school and college years. In college, I began to try to figure out how the two could co-exist peacefully: how could I be a good Catholic lesbian?

The more time I spent in discernment, the more I realized I needed to hear Jesus' voice, not the hierarchy's voice attempting to speak on His behalf. My conscience was telling me this: being a lesbian is just who I am and who God created me to be. It is how I am to love and be loved. It is God's intention for me and just one strand in the entire web of my complex humanity.

Five years ago, my spouse, Deborah, and I exchanged eternal vows at a private ceremony on the Chesapeake Bay, surrounded by family and friends. Our relationship is built on mutual respect, admiration, and fidelity. Weekly churchgoers, we keep the faith through regular prayer, fasting, and almsgiving. We try to build a Church whose greatest commandment is to love thy neighbor as thyself.

—Maryland Delegate Heather Mizeur



my conscience is not kicking me in the shins today.”

The issue of marriage equality is similar to the issue of artificial contraception. Both are a matter of conscience. According to the U.S. bishops' statistics regarding birth control, 96% of U.S. Catholics disagree with the bishops' ban on artificial contraception. An overwhelming number of U.S. Catholics have examined the issue of birth control, including the evidence of their own experience, and have come to a different conclusion. They remain Catholics in good standing, though their consciences tell them something different from their bishops.

Many Catholics who support the rights of lesbian and gay people,



I believe in full marriage equality, not in spite of my Catholic faith, but because of it.

I was fortunate to grow up in a faithful and faith-filled Irish Catholic family in New Jersey. My faith and love of Christ has been an integral and constant part of my life, and grew deeper during my time at Catholic University. There I witnessed the majority of young Catholics supporting – sometimes vocally and forcefully – this journey towards full equality and understanding for their classmates, friends and peers, myself included.

Pope John Paul II told our generation “to be not afraid.” This generation is not afraid to speak out against injustice, prejudice and inequality. I am taking the words of Pope John Paul II to heart.

—Kevin Walling

including the right to be married, do so because of conscience. Their study of homosexuality, their reflection on official Church statements, their reading of Scripture, their experience of friendship with lesbian and gay individuals and couples, and their moral discernment all lead them to believe in marriage equality. These Catholics, though they disagree with their bishops’ ban on marriage equality, also remain Catholics in good standing.

In their 2008 statement on political choices entitled, *Forming Consciences for Faithful Citizenship*, the U.S. Catholic bishops state:

In this document, we bishops do not intend to tell Catholics for whom or against whom to vote. Our purpose is to help Catholics form their consciences in accordance with God’s truth. We recognize that the responsibility to make choices in political life rests with each individual in light of a properly formed conscience, and that participation goes well beyond casting a vote in a particular election.

12. How can we move forward on this issue?

Communication and education are keys to opening minds and hearts to matters that need more understanding. To move forward on marriage equality, talk with friends and neighbors about why you support this issue. Raise the topic in your Church community with your pastor and other parishioners. Write letters to your bishop so that he can know what the sense of the faithful is on marriage equality. Write to your state legislators so that they know that people of faith support lesbian and gay couples and their families. Learn about various perspectives on lesbian and gay issues in Church and society. Be courageous. Develop and exercise your conscience.



We are the parents of a 26 year-old gay son. We don't refer to Jason as our "gay son" because he is better described as "our sensitive and caring son." His current work in Mozambique, Africa with the Peace Corps and persons with HIV/AIDS speaks of his compassionate and loving heart.

Jason has always been personally welcomed in our parish, but LGBT people are not acknowledged from the pulpit. We have attended our parish for 26 years and this silence about their existence is very hurtful to us.

We feel truly blessed to have a gay son. He is handsome, loving and giving. We are his advocates.

—Richard and Susan Hillis

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Steve grew up in New York and John in New Jersey. We're both retired now after long careers with the Social Security Administration where Steve was a policy analyst and John was involved in computer systems security. Nowadays we enjoy traveling, socializing with friends, and working around the yard.

Even though Steve attended public schools and college, John's education with the Sisters of Mercy, the Christian Brothers, and the Jesuits at Georgetown University more than made up for good Catholic instruction for us both! Our faith has informed and



Steve Jacobs (l.) and John LeBedda (r.)

strengthened our bond of fidelity over our years together.

Each of us wants to ensure that the other receives the societal protections that only civil marriage can provide to those in loving and committed relationships. Marriage reflects the values most cherished in scripture—trust, faithfulness, the promise to sacrifice for the other. These values have been a part of us and our life together over the past 37 years.

—Steve Jacobs and John LeBedda

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"The enormous debate about marriage is a critical issue for everyone in our society. While we may not all be in agreement on the nature of sacramental marriage, we should all support the rights of all people to come together in the bonds of civil marriage. This book helps move this discussion along."

— Thomas C. Fox

Editor, *National Catholic Reporter*, and author, *Sexuality and Catholicism*

"Marriage equality for lesbian and gay couples is the major civil rights issue of today. Catholics are using their faith to advance this conversation in the public arena. Their action augurs well for the future of all social justice issues. If you're Catholic, I recommend that you read this book."

—William V. D'Antonio, Ph.D.

Co-author, *American Catholics Today: New Realities of Their Faith and Their Church*

About the Author

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