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**LEGISLATIVE TESTIMONY**

TO: Joint Committee on the Judiciary, Massachusetts General Court  
FROM: Bishop Daniel P. Reilly, Roman Catholic Diocese of Worcester  
RE: Woman's Right to Know, Same-Sex Marriage and Civil Union Bills  
DATE: October 23, 2003

Chairman Creedon, Chairman O'Flaherty, and members of the Judiciary Committee, thank you for giving me this opportunity to address some important issues before you today. My name is Bishop Daniel Reilly. I am the Roman Catholic Bishop of the Diocese of Worcester and I speak on behalf of Archbishop Sean O'Malley of Boston, Bishop Thomas Dupre of Springfield, and Bishop George Coleman of Fall River.

Your committee has assigned to this hearing the title of "privacy issues". I daresay that the variety of bills before you, regarding such matters as human life, marriage, parental authority, and personal security, are anything but private. They touch on social concerns that transcend individual interests. They are appeals to reshape public policy. Whether for better or worse, they impinge upon the common good.

Part II of the Massachusetts constitution requires the legislature to make laws that you, and I quote, "shall judge to be for the good and welfare of this Commonwealth". Your duty to represent all of the people is intrinsically a demanding one. How do you seek to represent everyone and pursue the common good when not everyone agrees on how that should be done? How do you strive to do the right thing when views conflict even about what is right and wrong?

One way *not* to respond is to conclude that there is no right, no truth, no ultimate value that can guide us, especially in matters as fundamental as those being raised at this hearing. Such a conclusion is incoherent because it is self-refuting.

There are fundamental values that must be preserved or the common good will be harmed. That is why the Catholic Church will never cease to call on you for the protection of all human life. Nor will we ever fall silent in our profound regard for the marital union between a man and a woman and its unique capacity to benefit society. And we will always plead for the just and compassionate sharing of resources with those in need.

In light of these convictions, let me address two sets of bills before you that are getting the most attention.

First, I urge your support for the Woman's Right to Know bill requiring full informed consent before an abortion. The courts have forced our country to legalize abortion. As long as abortion remains legal, then at the very least it should be fully informed.

Pope John Paul II, in his magnificent encyclical on the Gospel of Life, recognized that, and I quote, "there is a widespread use of ambiguous terminology, such as *interruption of pregnancy*, which tends to hide abortion's true nature". Unfortunately, even our own state-mandated consent form contributes to this confusion by defining abortion as "the emptying of the contents of the uterus".

The Holy Father went on to write: "Nor can one overlook the pressures which sometimes come from the wider family circle and friends. Sometimes the woman is subjected to such strong pressure that she feels psychologically forced to have an abortion." The Holy Father's words are only all too true. Sometimes the pressures will be exacerbated by counselors who believe that abortion is the best choice for women. They may emphasize the burdens of pregnancy without giving a full account of the risks of abortion, fetal development, and access to agencies providing pregnancy assistance.

Women suffer as a result. The Catholic Church has a compassionate ministry called Project Rachel, which reaches out to women after an abortion and offers healing and support. Through this ministry, we have learned about abortion's devastating toll on women, many of whom say that they were not fully informed. The Woman's Right to Know bill empowers women by ensuring full disclosure before an abortion. The bill is reasonable because it is pro-woman. I believe all sides on the abortion question can come together to support this bill and I urge the committee to approve it.

Second, I ask the committee not to pass the various bills proposing to change the public institution of marriage. Marriage precedes the state and even precedes the Church. We elevate the relationship between a man and a woman not because we judge any human being to be unequal to another, but because we recognize the special public value of this particular relationship. Only this relationship brings together both halves of humanity and requires them to get along. Only this relationship affords children the gift of both a father and a mother. To redefine marriage itself, or to change the meaning of spouse, as the civil union bill would do, is to deny the unique public value of the spousal bond between a man and a woman.

Some argue that it is unfair to offer only married couples certain socioeconomic benefits. That is a different question from the meaning of marriage itself. The civil union bill before this committee confuses the two issues, changing the meaning of spouse in order to give global access to all marital benefits to same sex partners in a civil union. This alters the institution of marriage by expanding whom the law considers to be spouses. Let's not mix the two issues. We should consider the question of distributive justice on its own terms. If a bill alters marriage's definition or changes the meaning of spouse, we cannot support it. If the goal is to look at individual benefits and determine who should be eligible beyond spouses, then we will join the discussion.

Thank you for giving me this opportunity to speak.