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LEGISLATIVE TESTIMONY

To: Members of the Joint Committee on the Judiciary
From: Edward F. Saunders, Jr., Esq., Executive Director
Re: House 1708, “An Act to Protect Massachusetts Families Through Equal Access to Civil Marriage”
Date: July 14, 2009

The Massachusetts Catholic Conference (“Conference”) respectfully submits this testimony in opposition to House 1708, “An Act to Protect Massachusetts Families Through Equal Access to Civil Marriage.”

House 1708 would add a new section to Chapter 207 of the Massachusetts General Laws governing marriage, stating as follows: “Any person who otherwise meets the eligibility requirements of this chapter may marry any other eligible person regardless of gender.” The bill would codify the ruling of the Massachusetts Supreme Judicial Court (SJC) in *Goodridge v. Department of Public Health*, 440 Mass. 309 (2003), that compelled the Commonwealth to issue marriage licenses to same-sex couples.

Enactment of the bill would compound the unfairness caused by the General Court nullifying the people’s right to vote in 2007 when it denied the citizens of Massachusetts the opportunity to decide on the definition of marriage at the ballot box. In every one of the thirty states across the country where the people have been permitted to exercise their right to vote directly on the issue, including most recently in California, the redefinition of marriage as mandated by the SJC and proposed for codification by the bill has been rejected. It would be undemocratic and unjust to codify a definition of marriage that has not garnered grassroots public support elsewhere, and to do so without determining at the ballot whether such grassroots public support exists in the Commonwealth.

The Catholic Church joins with the federal government, nearly every other country around the world and other states in our nation, and a broad array of organizations, religious and secular, in holding marriage to be the life-long union of one man and one woman. The bill would ignore and override this common sense consensus.

For these reasons, the Conference urges the Committee to give House 1708 an unfavorable report recommending that the bill ought not pass.

The Massachusetts Catholic Conference is the public policy office of the Roman Catholic Bishops in the Commonwealth, representing the Archdiocese of Boston and the Dioceses of Fall River, Springfield, and Worcester.