

MCC 2005 Written Testimony before the Joint Committee on the Judiciary, Massachusetts General Court, on various bills relating to same-sex marriage

To: Joint Committee on Judiciary
From: Daniel Avila, Esq., Associate Director for Policy and Research, Massachusetts Catholic Conference
Date: April 12, 2005
Re: Bills on Marriage

My name is Daniel Avila, Associate Director for Policy and Research for the Massachusetts Catholic Conference, the official public policy voice of the Roman Catholic Bishops in Massachusetts. I thank the Chairs and members of the committee for allowing me to testify on the several bills dealing with marriage and related topics.

The life-long, exclusive marital union between a man and a woman has provided the bedrock for the family for thousands of years, recognized as such in every geographical area and by every culture. Men and women possess equal dignity and merit equal respect as persons. This reality does not obscure the fact that men differ from women in key and complementary respects. One does not have to be an adherent of Judeo-Christian morality, or in any way religious, to acknowledge the unique and special relationship that marriage celebrates, or to acknowledge its societal importance.

Marriage should not be re-engineered at whim and any judicial decision or legislative act that attempts to do this weakens the institution. It will become an adult-centered arrangement that shifts without regard to the interests of children who benefit most from the presence of both a father and a mother. Attempts to recognize relationships other than one consisting of a man and a woman as either marriage itself or as its civil union equivalent further lessen the institution's normative power.

One of the great individuals of our time, Pope John Paul II, was a great champion of traditional marriage, reaffirming the consistent teaching of the Church that marriage is only between one man and one woman. He spoke out strongly about this throughout his entire papacy, in season and out of season.

There are several bills to be considered today, and many contain a variety of nuances and secondary issues.

We oppose HB977 and SB967 (Marriage and Same Sex Couples) as attempts to codify the Goodridge judicial decision. That decision lacks any grounding in our state constitution, and initiated a policy contrary to the common good.

Secondly, we take no position at this time on the remaining bills: HB652, HB653, HB654, HB806, SB15, and SB835. This should not be construed to mean a lack of concern about the issues they raise. The Massachusetts Catholic Conference has not and will not take a legislative position on issues regarding the conduct or removal of judges. Nor have we taken a position on the legal matters addressed by the non-residency bills.

Although we strenuously disagree with the Supreme Judicial Court's decision on *Goodridge*, and support the greatest protection possible for the institution of marriage as the exclusively recognized legal union between one man and one woman, we are still assessing the best means for achieving that decision's reversal, and thus consider it too premature for taking a position on the remaining bills at this time.

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