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Bishops: Uphold Defense of Marriage Act

by Catholic News Service

WASHINGTON -- The U.S. bishops have urged the Senate Judiciary Committee not to repeal the federal Defense of Marriage Act, known as DOMA, calling it important for human rights and the common good.

"DOMA advances the common good in a manner consistent with the human dignity of all persons," Bishop Salvatore J. Cordileone of Oakland, Calif., chairman of the U.S. bishops' Subcommittee for the Promotion and Defense of Marriage, wrote in a Nov. 2 letter to committee members.

DOMA defines marriage as a union between one man and one woman and gives states the authority to reject same-sex marriages that may have been legally recognized in other states.

The Senate Judiciary Committee began debate Nov. 3 on legislation to repeal the law. Called the Respect for Marriage Act, the legislation would end what its supporters consider illegal discrimination against legally married same-sex couples.

However, advocates for traditional marriage said the Senate bill, S. 598, and an identical House bill, H.R. 1116, would open the door to redefining marriage and would eventually force states where same-sex marriage is illegal to recognize such unions.

"All persons have a rightful claim to our utmost respect," wrote Bishop Cordileone. "There is no corresponding duty, however, for society to disregard the meaning of sexual difference and its practical consequences for the common good; to override fundamental rights, such as religious liberty; and to re-define our most basic social institution."

He said DOMA's definition of marriage reflects a long-standing consensus based in reason that is "accessible to people of all faiths or none at all."

The repeal measure would allow legally married same-sex couples to take advantage of the same benefits married heterosexual couples receive under federal law. It was introduced in the Senate by Sen. Dianne Feinstein, D-Calif., and is co-sponsored by 29 other Senators. All 10 Democrats on the Senate Judiciary Committee support the legislation. The House companion bill has 129 sponsors.

The Obama administration announced July 19 that it supported legislation to repeal DOMA, which passed with bipartisan support in 1996 and was signed into law by President Bill Clinton. The legislation defines marriage at the federal level as the union of one man and one woman and gives states the authority to reject same-sex marriages that may have been legally recognized in other states.

The bishop also pointed out that "millions of citizens have gone to the ballot in 30 states to ratify similar DOMA proposals by substantial majorities." He said 41 states have enacted legislation similar to DOMA.

Same-sex marriage is legal in Connecticut, Iowa, Massachusetts, New Hampshire, New York, Vermont and the District of Columbia.

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"Popularity alone does not determine what is right," he said, but noted that in the face of such broad support "repealing a measure that merely recognizes the truth of marriage is all the more improvident."

Bishop Cordileone also said that changing the definition of marriage would violate human rights, namely the rights of children to be cared for by both a mother and a father, and violate religious freedom.

"In places where marriage's core meaning has been altered through legal action, officials are beginning to target for punishment those believers and churches that refuse to adapt," he wrote.

"Any non-conforming conduct and even expressions of disagreement, based simply on support for marriage as understood since time immemorial, are wrongly being treated as if they harmed society, and somehow constituted a form of evil equal to racism.

"DOMA represents an essential protection against such threats to faith and conscience," he wrote.

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