



## Subcommittee for the Promotion and Defense of Marriage

COMMITTEE ON LAITY, MARRIAGE, FAMILY LIFE AND YOUTH

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November 2, 2011

Dear Member of the United States Senate Judiciary Committee:

As Chairman of the United States Conference of Catholic Bishops' Subcommittee for the Promotion and Defense of Marriage, I urge you to uphold the Defense of Marriage Act (DOMA) by opposing the Respect for Marriage Act (S. 598) and any other measure seeking DOMA's repeal.

DOMA recognizes for federal purposes that marriage is defined as the union of one man and one woman. It also prevents the redefinition of marriage in any one state from forcing other states to follow suit. DOMA's codified definition of marriage reflects a deeply rooted and enduring consensus, based on truths about the human person discernible by reason and accessible to people of all faiths or none at all. Millions of citizens have gone to the ballot in thirty states to ratify similar DOMA proposals by substantial majorities. Forty one states in all have enacted their own DOMAs. Popularity alone does not determine what is right. But in the face of such broad support in the present day, not to mention a legacy of lived experience and reasoned reflection measured in millennia in every society and civilization throughout all of human history, repealing a measure that merely recognizes the truth of marriage is all the more improvident.

I raise for your consideration two points: DOMA is rational, and its repeal would be unjust.

**A. DOMA is grounded in reason and experience. It takes into account the distinguishing properties of unity and procreation that mark the relationship of husband and wife.**

Marriage is a comprehensive union of man and woman, a total, permanent, faithful, and fruitful sharing of lives between husband and wife. This union is a great and unique good in itself, and is critical for the common good. There are fundamental reasons why sexual difference and the complementarity between man and woman have always been considered essential to the meaning of marriage.

The connection between sexual difference and procreation is obvious and unique. The public status of marriage owes its origin and existence to the natural capacity of man and woman to bring children into the world. Research substantiates that children thrive best when reared by both a mom and a dad married to each other. Marriage has been and should remain a child-centered institution.

Even when a marriage is not blessed with children, all husbands and wives can model for society the possibilities and potential for mutual collaboration between the sexes. They can teach children generally by their witness and exemplify for other men and women what it means to be husband and wife. They also can provide an essential service to society through adopting children, who need the care of a mother and a father.

The unitive and procreative realities at stake cannot be ignored. They are not mere cultural constructs that can be discarded at will, with little or no social cost. Instead, they flow directly from the immutable nature of the human person, and so our society ignores them at great peril. By contrast, where these human realities are respected, the benefits to society are unparalleled. This explains why Congress, nearly all of the states, and millions of voters affirm marriage as an

institution founded on sexual difference. DOMA furthers the common good by preserving in federal law the essential connection between marriage, sexual difference, the good of children, and public policy.

**B. Redefining marriage to mean simply an arrangement of consenting adults violates justice because it interferes with basic human rights.**

First, changing the institution of marriage by making it indifferent to the absence of one sex or the other denies that children have the fundamental human right to be cared by both their mother and father. Such revision transforms marriage from a child-centered to an adult-centered status to the detriment of children. DOMA maintains marriage's proper focus on reinforcing the interests of children.

Second, redefining marriage also threatens the fundamental human right of religious freedom. Those who refuse on moral and religious grounds to accept or accommodate the redefinition of legal marriage are already being wrongly accused of bigotry and hatred, bias and prejudice. They are being stigmatized and marginalized precisely because they are exercising their religious freedom to teach and practice their values.

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. 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.

All persons have a rightful claim to our utmost respect. 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. DOMA advances the common good in a manner consistent with the human dignity of all persons.

For all of the above-stated reasons, I strongly urge you to uphold DOMA and to reject any bill, including S. 598, that would repeal it.

Sincerely,

A handwritten signature in black ink, appearing to read "Salvatore J. Cordileone". The signature is written in a cursive style with a small cross at the beginning.

Most Reverend Salvatore J. Cordileone  
Roman Catholic Bishop of Oakland  
Chairman, USCCB Subcommittee for the Promotion and Defense of Marriage