

Hopefully, A Meeting of Minds

The Catholic Review

Each year at the conclusion of the Maryland General Assembly's 90-day session, a list of the session's "best sellers"—the bills most inquired about by the general public—is published by the Legislative Services Department. This session's best sellers include two measures which add a new term to our health and tax laws: "domestic partners." The term refers to any two people who are not related by marriage or blood, who affirm they are in a "relationship of mutual interdependence", and who demonstrate their interdependence by jointly renting a car, leasing an apartment, or opening a checking account. Same-sex couples can claim the designation; so can unmarried opposite-sex couples.

The public's interest in the two bills was reflected in news coverage during the General Assembly session. Public hearings in Annapolis attracted considerable media coverage and the same-sex aspect of the measures was the frequent focus of op-ed page pieces in The Baltimore Sun, the Washington Post, and other newspapers.

Yet, when Governor O'Malley signed the bills into law two weeks ago, one was hard pressed to find any mention of them at all. On the day following the signing ceremony, Maryland's two major dailies included articles about some of the bills the governor signed, but, curiously, one article did not mention the domestic partner bills at all and the other did so only in its final paragraph. One wonders whether our lawmakers will take credit for their domestic-partnership handiwork when they report to their constituents on the bills they approved this year. It's likely that, like the major newspaper dailies, most of them hope the voters won't find out.

Even if any of our elected policymakers failed to recognize the perilous road these bills put us on when they voted for them, they do now. Subsequent to the bills' approval by the General Assembly, but just prior to the governor's signing them into law, the California Supreme Court ruled that laws which assign the same benefits to married couples and domestic partners cannot exist together under the same

constitution. The court then proceeded to declare that a law defining marriage as a relationship involving one man and one woman is unconstitutional.

When, about a decade ago, California's legislature started down the road that led to the recent decision, it did so by passing domestic-partnership bills that are nearly identical to those passed this year in Annapolis. In the coming few years, Maryland same-sex marriage proponents will be back before the General Assembly calling for additional marriage-equivalency privileges. If our policymakers are as compliant as they were this year, they'll get them and it won't be long before our own state's high court is asked to declare that our one-man/one-woman statute, like California's, is unconstitutional.

When I wrote to Governor O'Malley and encouraged him to veto the two bills, I reasoned that a law which assigns marriage-equivalency status to same-sex and unmarried opposite-sex couples flies in the face of religious traditions which exalt marriage and regard it as sacramental. "Given the authority of law," I wrote, "these measures will dramatically undermine the work of the Catholic Church and other faith communities to prepare young couples to remain in sustained, committed marriages, to become involved and loving parents, and to maintain stable homes environments for their families." How can we succeed in these efforts, I asked, if our government grants legal marriage privileges to same-sex and opposite-sex couples whose only obligation is to affirm their "mutual interdependence"?

I do not mean to suggest that certain privileges currently granted by law to people who are married should not also be made available to couples who are not. But this should and easily can be accomplished without doing damage to the institution of marriage, or the rightful prerogatives of families.

Under the health-care bill signed by the governor, domestic partners are empowered to make decisions that neither may have contemplated. Take the case of two 18-year-old domestic partners: Should one of them face a medical emergency or suffer sudden death, the surviving partner would have the authority to override parental and sibling rights in deciding such questions as whether to continue or withhold life support, whether body organs should be donated, or whether the deceased partner should be cremated or buried. The tax-related bill also gives cohabiting couples a

financial incentive to avoid the legal commitments of marriage. Neither bill provides for the dissolution of domestic partnerships, or addresses the rights of prior partners.

And so, not only because of the assault these measures make on traditional marriage, but also because of the problems their application can be expected to pose in real-life situations, these bills should never have passed the General Assembly. Once passed, they should not have been signed into law.

Giving same-sex and unmarried heterosexual couples a status equivalent to marriage poses a threat to more than just religious teaching; it undermines a society whose foundation was erected on the morality so strongly affirmed by our nation's founding fathers.

John Adams, signer of the Declaration of Independence, the Bill of Rights, and our second President said, "We have no government armed with power capable of contending with human passions unbridled by morality and religion...Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other."

I echo the words of our U.S. Bishops: At a time when family life is under significant stress, the principled defense of marriage is an urgent necessity for the well being of children and families, and for the common good of society.

From our earliest days the courts and legislatures across the land have repeatedly and consistently enacted and upheld laws promoting traditional marriage as foundational to family life and civic order. If present day public servants seem bent on destroying that foundation, it will be future generations that will reap the wreckage of the whirlwind.

Isn't it time to take action?

Votes cast on the bills by Baltimore-area members appear elsewhere in this issue of the Catholic Review. You can contact your area's lawmakers by visiting the web site of our Maryland Catholic Conference at www.mdcathcon.org. If they voted to defend traditional marriage, thank them. If they didn't, encourage them to do better next

time.

There will be a next time.