

# MCC statement on marriage decision

On September 18, the Maryland Court of Appeals ruled on *Conaway v. Deane*, the lawsuit by homosexual couples for the right to marry in Maryland. The law suit said that the state's law defining marriage as between one man and one woman is unconstitutional. However, the Court of Appeals overturned the lower court's decision (which said it was unconstitutional) and upheld traditional marriage. The following is the statement from the Maryland Catholic Conference.

## **STATEMENT ON THE STATE COURT OF APPEALS DECISION TO UPHOLD TRADITIONAL MARRIAGE IN MARYLAND**

The Maryland Catholic Conference commends today's decision of the State Court of Appeals upholding the 1973 state law defining marriage as the union of one man and one woman. In rejecting petitioners' and the Baltimore City District Court's argument that Maryland's marriage statute reflects "unconstitutional discrimination based on gender," the high court recognized that the 1972 State Equal Rights Amendment governs relations between the sexes, not relations between members of the same sex. This was the gist of the argument of the *amicus* brief filed by the Conference in the case: That the 1972 anti-discrimination law did not contemplate relationships between persons of the same sex, and does not mandate the state's recognition of same-sex marriages.

Consistent with the Judeo-Christian moral heritage upon which Western Civilization is based and with the longstanding tradition of Western law, the Conference affirms the understanding that marriage, as a natural and social institution, is reserved for opposite-sex couples who may procreate and raise children. In upholding the 1973 law affirming marriage as reserved to opposite-sex couples only, the Court of

Appeals confirms the ancient tradition of our civilization, a tradition that is reflected in church and civil law and precedes them both. Traditional marriage assigns exclusive privileges to the family of one man and one woman because it is the foundation of future generations. In marriage, a husband and a wife make a public and reciprocal commitment, assuming duties to society, to themselves, and to their children. Society and the law rightly reciprocate by bestowing on marriage a juridical status that recognizes the essential role that families play in society.

The Church's support for traditional marriage and its enduring role as a foundational component of human and civil society necessarily compels our opposition to the application of marriage's juridical status to *de facto* unions, whether heterosexual or homosexual. That opposition does not, however, imply a lack of respect for the human dignity of all persons, including those who are homosexual, nor does it condone unjust discrimination against any person or group. In today's ruling, the Court made a significant and wise judgment to protect the vital institution of marriage, and we applaud its decision.

*The Maryland Catholic Conference represents the bishops of Maryland in advancing the common public-policy and pastoral interests of the Archdiocese of Baltimore, the Archdiocese of Washington, and the Diocese of Wilmington.*