

A ZENIT DAILY DISPATCH

Defining Marriage Down

Same-Sex Marriage Pressures and Dangers

By Father John Flynn

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Giving full legal status to marriage between persons of the same sex continues to be a hotly debated topic. On Thursday in the United States the New Hampshire senate voted in favor of a bill granting same-sex couples virtually all the legal rights heterosexual spouses enjoy, reported the Washington Post the same day. The bill now goes to the governor, John Lynch, who has already said he will sign it.

The vote came on the heels of Governor Eliot Spitzer's recent announcement that he will introduce a bill to legalize same-sex marriage in the state of New York, the New York Times reported April 23.

In turn, this followed a vote last December by the New Jersey legislature to recognize civil unions for same-sex couples. The vote made New Jersey the third state, after Vermont and Connecticut, to establish civil unions for homosexuals, reported the New York Times on Dec. 15. So far Massachusetts is the only state to have introduced same-sex marriage.

The New Jersey vote came after the state's Supreme Court directed authorities to grant same-sex couples the same financial benefits and legal rights as married heterosexual couples.

Outside the United States, family and Church groups in Italy will hold a public rally in Rome on May 12. The event, to be held on what has been designated as Family Day, is part of a campaign to defend heterosexual marriage in the face of proposals to give legal recognition to same-sex couples.

Last year in Mexico, despite a strong Catholic presence in the country, lawmakers in the capital city gave couples the possibility to register civil unions, while not formally legalizing same-sex marriage. The move by Mexico City's legislature gave homosexual partners inheritance rights and other benefits, according to a report by the Associated Press on Nov. 17.

Soon afterward, the northern Mexican state of Coahuila followed suit granting similar legal status to homosexual partners, Reuters reported Jan. 10.

Late last year in South Africa, the country's Parliament voted to legalize same-sex marriage, making it the first African country to do so, the BBC reported Nov. 14. The move followed a ruling by the South African Constitutional Court in 2005, which declared that the government had to legalize same-sex marriage. The ruling was based on a clause in the country's constitution, which outlaws discrimination on the grounds of sexual preference.

Prior to the vote Cardinal Wilfred Napier, archbishop of Durban, submitted a statement on behalf of the Southern African Catholic Bishops' Conference to a parliamentary committee explaining why the Catholic Church was opposed to marriage for same-sex couples.

The text, dated Oct. 16, explained that the Church does not condemn homosexual persons,

nevertheless, homosexual acts are contrary to the natural law and they close the sexual act to the gift of life.

Damaging society

Legalizing homosexual unions is, the cardinal continued, also contrary to this same natural law. Moreover, such a move undermines the very nature of marriage and the family. By weakening marriage the well-being of society is also damaged, he warned.

Proponents of legalizing marriage for same-sex couples often dismiss such arguments as the imposition of Church morality on secular society. This is not true, explains a book published in March by David Blankenhorn, president of the New York-based Institute for American Values.

In his book, "The Future of Marriage," Blankenhorn explains that it is mistaken to conceive of marriage as a merely private matter between two people. Marriage significantly influences individual and social well-being.

"Marriage is the first and most important of society's institutions," he argues. This is acknowledged even by secular thinkers. It was John Locke, for example, who called marriage the "first society."

Therefore, contemporary efforts to redefine marriage as being principally a private emotionally constituted relationship ignore a large part of what its nature really is. Marriage is, in addition to a personal relationship, a social institution — an institution with vital functions to carry out, not the least of which is ensuring that children are raised with the assistance of both a mother and a father.

Unfortunately, Blankenhorn observes, heterosexuals have been responsible for weakening the connection between marriage, procreation and child-rearing, due to the widespread practices of premarital sexual relations, divorce and single-parent homes. The tendency in recent times to conceive of marriage as being primarily about the private needs and feelings of the spouses has made it a lot easier to argue that the institution should be opened to same-sex couples.

The nature of parenthood

Redefining marriage to include same-sex couples would severely weaken the idea that children need both a father and a mother. Here Blankenhorn explains what happened with the 2005 law in Canada that legalized same-sex marriage. The legislation removed the term "natural parent" from Canadian law and replaced it with "legal parent."

This is an earth-shaking difference, he argues. Marriage as traditionally seen unites the biological and social dimensions of being a parent. The child is loved and raised by the two individuals whose physical union made the child.

Same-sex marriage disavows the importance of that gift of life, and from that point on a parent is merely whomever the state deems to be a parent. A change that is manifestly contrary to the interests of children. Proof abounds, Blankenhorn continues, that children's needs are best looked after when they are raised in the context of marriage between a man and a woman, who are their biological parents.

Another argument put forward by advocates of marriage for homosexuals is based on the concept of human dignity. In the name of dignity, human rights and equality, homosexual marriage proponents

argue, they should be free to marry to avoid unjust discrimination.

This is too narrow a focus, Blankenhorn replies. Marriage as a right is, in fact, closely linked to marriage as an institution. The United Nations' Universal Declaration of Human Rights, in fact, intrinsically connects marriage to parenthood, and in turn, marriage to its role as a fundamental institution in society.

In context

Thus, marriage is linked to the family and to responsibilities within the family and society. So marriage as a right is not some free-floating concept, but one which is placed within the context of other realities and responsibilities. Hence the right recognized in the Declaration of the United Nations is the right to participate in the institution of marriage, and not the right to turn any private adult relationship of choice into marriage.

Accepting the proposal that adults have a right to marry any person they may choose is not, therefore, merely extending a right to an additional group of people, Blankenhorn argues. What such a change does change is the very nature of what marriage means. Taken together with the need for same-sex partners to have recourse to assisted reproduction techniques in order to produce any children, it means accepting the idea that individuals have the right to form the family they choose.

So what is being done here is turning into a primordial principle the concept of human freedom. This is attractive to modern mentality, which tells us we should be able to shape our lives just as we please. It ignores, however, a key principle of human rights. This is, that a right exists in community with other rights. A proposed right to form whatever type of family desired is in conflict with the rights of children, for example.

In the end, Blankenhorn comments, the great challenge we face is not to just defeat proposals for same-sex marriage, but to renew marriage and make it stronger and better able to carry out its vital social functions.

This is precisely an idea echoed by Benedict XVI during his recent trip to the north of Italy. During his homily at the Mass on April 21 in Vigevano, the Pope stated that the family is the institution that supports society. Only by supporting the family can the Church and civil society be renewed. A conclusion both social science and the Church can agree upon.