

"Same-Sex Marriage" in Arkansas and the Catholic Church

Our nation is presently engaged in a divisive debate over the place of homosexual people in our society, and the May 9 decision of Pulaski County Circuit Judge Chris Piazza to overturn the 2004 amendment to the Arkansas Constitution defining marriage as the union of one man and one woman provides an opportunity to offer the insights of the Catholic Church to each side of this contentious issue, as well as a way forward consistent with the teaching of Jesus Christ.

"On one side are those who would perpetuate the marginalization of homosexuals, nostalgic for a past when the social – and legal – consequences of the disclosure of same-sex attraction were so onerous that many people resigned themselves to a life that did not correspond to the deepest yearnings of the heart. The Church has consistently decried the injustice of this approach, choosing instead to adopt a positive teaching regarding the human rights of homosexuals.

"For example, in 1997 the United States Conference of Catholic Bishops issued a pastoral message on this very point: *Always Our Children: A Pastoral Message to Parents of Homosexual Children and Suggestions for Pastoral Ministers*. This message can be downloaded from the USCCB website at www.usccb.org/issues-and-action/human-life-and-dignity/homosexuality/always-our-children.cfm.

"On the other side are those who seek to redress this injustice by redefining marriage, thereby inventing 'rights' to which they feel entitled but which run counter to the intrinsic nature of the human person and the common good. The Church has also consistently spoken out against this approach, however

well-intentioned it may be. Marriage is not just any consensual relationship between human beings, nor is it of human invention and thus susceptible to human redefinition. Marriage was established by the Creator with its own nature, properties and purpose that are imbedded within the very structure of the human person. Its purpose is twofold:

- 1) unitive: "*That is why a man leaves his father and mother and clings to his wife and they become one flesh*" (Gen 2:24); and
- 2) procreative: "*Be fruitful and multiply*" (Gen 1:27-28).

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"Therefore, in the Creator's plan, sexual complementarity and fruitfulness belong to the very nature of marriage. The sexual complementarity necessary for marriage is absent in attempted homosexual unions.

"Thankfully, the teaching of the Church provides a 'third way' that is supportive of the dignity and human rights of the homosexual person, while at the same time promoting and protecting marriage as the basis of the family, the primary unit of society. This third way is the way of love.

"It rejects both the condemnation of people and the affirmation of homosexual intercourse. It calls everyone to set aside hatred and fear. It recognizes that everyone needs love, support and acceptance for who they really are. The Church calls everyone to chastity, including heterosexuals – meaning, among other things, that sexual intercourse should take place only between a validly married man and woman as an expression of their total self-giving to

each other and as an expression of their openness to receiving the gift of new life. Thus, for even heterosexual intercourse to be fully moral, the married couple must not impede either the unitive end or the procreative end of the marital act.

"The Church recognizes that many people struggle with matters of the heart and that chaste behavior can be a challenge for heterosexuals as well as homosexuals. For this reason, we seek to support everyone on their journey of faith with compassion, dignity and respect. We also seek to enter into dialogue with those dealing with same-sex attraction as together we seek to live as God calls us to live and to find ways to offer needed support within our faith communities.

"For a compelling documentary that does a good job of presenting this third way of love for those struggling with same-sex attraction, see 'The Third Way' online at the website of Blackstone Films, www.blackstonefilms.org/films/the-third-way/.

"The Diocese of Little Rock is in the process of preparing an *amicus curiae* brief to counter the flawed reasoning and conclusions in civil law con-

tained in Judge Piazza's ruling, in particular to show how Act 144 of 1997 of the Arkansas General Assembly and Amendment 83 to the Arkansas Constitution do not violate the Equal Protection Clause, the Establishment Clause, or the Arkansas Constitution's Declaration of Rights. Our defense of traditional marriage is rooted in natural law and in values held in common through the ages independent of religious conviction, including but not limited to the complementarity of the sexes, the need for procreation, and the stable family as a building block of society. In other words, far from being an attempt to impose religiously-inspired morality on the rest of society, the defense of traditional marriage is a defense of the fundamental morality on which society is based.

"This is not a civil rights issue, as some would construe it – it is a matter of the fundamental building blocks of our society. In no way, however, should our defense of marriage be construed as lacking in concern for the genuine well-being of all people, including homosexuals."

— Bishop Anthony B. Taylor
May 12, 2014

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