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MEMORANDUM

To: All Bishops
From: Reverend Monsignor Ronny E. Jenkins, *General Secretary*
Date: June 26, 2015
Subject: *U.S. Supreme Court in Obergefell v. Hodges*

Your Eminence / Your Excellency,

This morning, in a 5-4 decision, the *U.S. Supreme Court in Obergefell v. Hodges* concluded that the Fourteenth Amendment to the U.S. Constitution requires states both to license same-sex "marriages" within their own borders, and to recognize such "marriages" as licensed in other jurisdictions. The majority and dissenting opinions are available in full at this link: http://www.supremecourt.gov/opinions/14pdf/14-556_3204.pdf

In immediate response, the Conference has issued a media release to transmit the statement of Most Reverend Joseph E. Kurtz, Archbishop of Louisville, in his capacity as President of the USCCB. In addition, The Secretariat of Laity, Marriage, Family Life and Youth, in consultation with the Office of General Counsel and the Office of Public Affairs, has prepared a set of initial talking points, as an internal document that may assist you in preparing your own response locally. Both documents are now attached.

We hope that these materials are of assistance to you in the short term. More materials are being developed and finalized with a longer horizon in mind.

Please let us know if we can be of any further support to you in this regard.

Thank you for your attention to this memorandum.

Supreme Court Decision on Marriage “A Tragic Error” Says President of Catholic Bishops’ Conference

June 26, 2015

WASHINGTON—The U.S. Supreme Court decision, June 26, interpreting the U.S. Constitution to require all states to license and recognize same-sex “marriage” “is a tragic error that harms the common good and most vulnerable among us,” said Archbishop Joseph E. Kurtz of Louisville, Kentucky, president of the U.S. Conference of Catholic Bishops (USCCB).

The full statement follows:

Regardless of what a narrow majority of the Supreme Court may declare at this moment in history, the nature of the human person and marriage remains unchanged and unchangeable. Just as *Roe v. Wade* did not settle the question of abortion over forty years ago, *Obergefell v. Hodges* does not settle the question of marriage today. Neither decision is rooted in the truth, and as a result, both will eventually fail. Today the Court is wrong again. It is profoundly immoral and unjust for the government to declare that two people of the same sex can constitute a marriage.

The unique meaning of marriage as the union of one man and one woman is inscribed in our bodies as male and female. The protection of this meaning is a critical dimension of the “integral ecology” that Pope Francis has called us to promote. Mandating marriage redefinition across the country is a tragic error that harms the common good and most vulnerable among us, especially children. The law has a duty to support every child’s basic right to be raised, where possible, by his or her married mother and father in a stable home.

Jesus Christ, with great love, taught unambiguously that from the beginning marriage is the lifelong union of one man and one woman. As Catholic bishops, we follow our Lord and will continue to teach and to act according to this truth.

I encourage Catholics to move forward with faith, hope, and love: *faith* in the unchanging truth about marriage, rooted in the immutable nature of the human person and confirmed by divine revelation; *hope* that these truths will once again prevail in our society, not only by their logic, but by their great beauty and manifest service to the common good; and *love* for all our neighbors, even those who hate us or would punish us for our faith and moral convictions.

Lastly, I call upon all people of good will to join us in proclaiming the goodness, truth, and beauty of marriage as rightly understood for millennia, and I ask all in positions of power and authority to respect the God-given freedom to seek, live by, and bear witness to the truth.

Keywords: U.S. Conference of Catholic Bishops, USCCB, Archbishop Joseph E. Kurtz, Supreme Court, religious freedom, marriage, same-sex, *Obergefell v. Hodges*, *Roe v. Wade*, Pope Francis, integral ecology, encyclical

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SCOTUS,Sec,CathPress,DD,DioNewspapers,CNS,RNS,Crux

Talking Points – Supreme Court Marriage Decision

[Background: Today, the Supreme Court in Obergefell v. Hodges ruled on two marriage questions: (1) Does the Fourteenth Amendment require a state to license a marriage between two people of the same sex? and (2) Does the Fourteenth Amendment require a state to recognize a marriage between two people of the same sex when their marriage was lawfully licensed and performed out-of-state? To each question, the Court answered, “Yes.”]

This is a tragic ruling.

- The Supreme Court has issued a tragic ruling, redefining marriage throughout the country by forcing states to license and recognize marriages between two persons of the same sex.
- The Court is wrong—the Constitution does not require states to redefine marriage.

The Court’s decision will not stop public dialogue; the debate will and must continue.

- Like *Roe v. Wade*, this decision will not end public debate.
- Treating different things differently is not unjust. What’s been called “marriage equality” has ignored the very question at stake: *what is marriage?*

The ruling does not and cannot change what marriage really is.

- No one and no court can make what is false true.
- Marriage by its nature remains the union of one man and one woman—this is a matter of reason, not just faith.
- Man and woman were designed by God for each other, and only a man and a woman can form a union that brings forth children.

Redefining marriage in the law is gravely unjust and affects everyone, especially children.

- Marriage is the one institution that connects children to their mothers and fathers.
- The law teaches, and this ruling will make it more difficult for future generations to know the truth about marriage and for children to understand their origins.
- Mothers and fathers are irreplaceable; this ruling does not respect the rights of children to be raised, where possible, by their own married mother and father in a stable home.
- Changing the definition of civil marriage affects thousands of laws at once, endangering the religious freedom of institutions and individuals who hold the authentic meaning of marriage as a union of one man and one woman.
- We will continue to strive to ensure that all of our pastoral practices are consistent with the authentic teaching of the Church. This includes the practices of Catholic institutions.

We call the Church to pray for family life and all people to strengthen marriage.

- With renewed purpose we call upon all people of good will to promote and defend the unique meaning of marriage: one man, one woman, for life.
- We must increase our efforts to strengthen marriages and families and rebuild a marriage culture.
- We pray for all the future victims of this ruling, particularly children.
- We continue to reach out with love and support to all people, including those who experience same-sex attraction. All people are loved by God and are called to love Him.