



# CATHOLICS FOR THE COMMON GOOD

A NEW CATHOLIC ACTION

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April 27, 2012

Re: Opposition to SB 1140 (Leno) Marriage Definition

The Honorable Noreen Evans, Chair  
Senate Judiciary Committee  
State Capitol, Room 4032  
Sacramento, CA 95814

Dear Senator Evans,

Catholics for the Common Good strongly opposes SB 1140 as it seeks to create two new and distinct types of marriages in California Family Code. This will create confusion and a conflict with the state constitution, which defines marriage.

Marriage is a reality that serves a public purpose; it is the only institution that unites a man and a woman with each other and any children born from their union. It is the same reality that has been recognized by every society, culture, and religion, each with its own competency. It is the same reality that is recognized under current law by the state and religions. There is no justification or public interest for changing that.

Proponents of the bill argue that there is concern by various religions that if marriage is redefined as merely the public recognition of a committed relationship to accommodate same-sex couples, religions would be forced to recognize or solemnize such weddings. That is not a concern, since the state has no competence or authority to tell religions who is qualified or not for marriage according to their faith. If the state were to try to impose religious qualifications, it would clearly be in violation of the First Amendment regarding the establishment of a state religion by dictating what people of faith must do in the course of practicing their religion.

If the bill's sponsors were truly concerned and serious about providing protection for people of faith, they could provide conscience and freedom of religious expression provisions that would protect institutions and individuals from discrimination and abuse should they fail to make facilities available or provide services to people or events that conflict with their witness of the unique value of marriage to children and society, and the public interest in promoting that men and women marry before they have children.

Without serious religious expression protections, the only consequence of the bill seems to be adding confusion and conflict related to the only public institution that unites children with their natural mothers and fathers. We, therefore, respectfully ask the members of the Judiciary Committee to vote "no" on SB 1140.

Sincerely,

William B. May

cc: Members of the Senate Judiciary Committee  
The Honorable Mark Leno  
Nicole Rapier, Consultant