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Archbishop Dolan Calls Refusal to Defend Defense of Marriage Act an 'Alarming and Grave Injustice'

WASHINGTON (March 3, 2011)—“Our nation and government have the duty to recognize and protect marriage, not tamper with and redefine it, nor to caricature the deeply held beliefs of so many citizens as ‘discrimination,’” said Archbishop Timothy Dolan of New York, president of the United States Conference of Catholic Bishops (USCCB). His statement followed the February 23 announcement that President Obama has instructed the Department of Justice to stop defending the Defense of Marriage Act (DOMA), a move Archbishop Dolan called an “alarming and grave injustice.”

Archbishop Dolan’s full statement follows:

The announcement on February 23 that the President has instructed the Department of Justice to stop defending the Defense of Marriage Act (DOMA) is an alarming and grave injustice. Marriage, the union of one man and one woman as husband and wife, is a singular and irreplaceable institution. Only a man and a woman are capable of the “two-in-one-flesh” union of husband and wife. Only a man and a woman have the ability to bring children into the world. Along with that ability comes responsibility, which society historically reinforces with laws that bind mothers and fathers to each other and their children. This family unit represents the most basic and vital cell of any society, protecting the right of children to know and be known by, to love and be loved by, their mother and father. Thus, marriage represents the bedrock of the common good of society, its very foundation and future.

Contrary to the Attorney General’s statement, DOMA does not single out people based on sexual “orientation” or inclination. Every person deserves to be treated with justice, compassion, and respect, a proposition of natural law and American law that we as Catholics vigorously promote. Unjust discrimination against any person is always wrong. But DOMA is not “unjust discrimination”; rather, it merely affirms and protects the time-tested and unalterable meaning of marriage. The suggestion that this definition amounts to “discrimination” is grossly false and represents an affront to millions of citizens in this country.

The decision also does not stand the test of common sense. It is hardly “discrimination” to say that a husband and a wife have a unique and singular relationship that two persons of the same sex—or any unmarried persons—simply do not and cannot have. Nor is it “discrimination” to believe that the union of husband and wife has a distinctive and exclusive significance worthy of promotion and protection by the state. It is not “discrimination” to say that having both a mother and a father matters to and benefits a child. Nor is it “discrimination” to say that the state has more than zero interest in ensuring that children will be intimately connected with and raised by their mother and father.

Protecting the definition of marriage is not merely permissible, but actually necessary as a matter of justice. Having laws that affirm the vital importance of mothers and fathers—laws that reinforce, rather than undermine, the ideal that children should be raised by their own mother and father—is essential for any just society. Those laws serve not only the good of the spouses and their children, but the common good. Those laws are now under relentless attack. If we forget the meaning of marriage, we forget what it means to be a human person, what it means to be a man or a woman. Have we wandered away so far in our society as to forget why men and women matter, and eroded the most central institution for our children and for our future?

The Administration’s current position is not only a grave threat to marriage, but to religious liberty and the integrity of our democracy as well. Our nation and government have the duty to recognize and protect marriage, not tamper with and redefine it, nor to caricature the deeply held beliefs of so many citizens as “discrimination.” On behalf of the United States Conference of Catholic Bishops, I express my deep disappointment over the Administration’s recent decision. I have written of these concerns to the President in separate correspondence, and I pray that he and the

Department of Justice may yet make the right choice to carry out their constitutional responsibility, defending the irreplaceable institution of marriage, and in so doing protect the future generations of our children.

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