

Mass. legislature upholds marriage

WASHINGTON (CNS) — A Massachusetts constitutional convention took a first step March 29 toward legalizing same-sex unions while declaring that "marriage" can apply only to heterosexual couples.

The stage for the debate in Massachusetts was set last year by the Supreme Judicial Court when it ruled that the state constitution requires legalization of same-sex marriages.

The state House and Senate convened jointly as a constitutional convention for the third time March 29 to draft a constitutional amendment that would address the issue.

At their previous constitutional convention March 11, the legislators stopped just short of adopting a constitutional amendment that would reaffirm the traditional definition of marriage but also grant equivalent legal status to same-sex unions.

In a swift series of votes March 29, the legislators approved a slightly revised version of the March 11 amendment.

The proposed language declares "the unique relationship of marriage" between a man and a woman but says that "two persons of the same sex shall have the right to form a civil union if they otherwise meet the requirements set forth by law for marriage."

"All laws applicable to marriage

shall also apply to civil unions" within the state, the amendment says, but notes that the state's constitution and laws would not confer on same-sex couples the "federal benefits available to married persons."

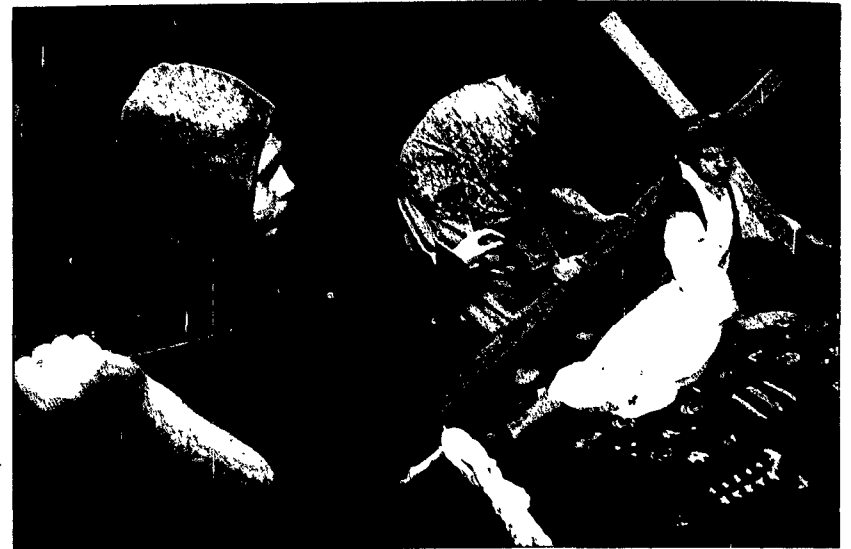
In Massachusetts, any proposal to amend the constitution must be adopted by two successive legislatures before it can go to the people. The earliest it could reach a general ballot would be November 2006.

Before the amendment was adopted, Archbishop Sean P. O'Malley of Boston sharply criticized the plan to join the marriage definition and civil union issues in a single amendment. "Linking the two coerces people in a way that is unfair. Voting on them separately respects the will of the public," he said.

In a legislative alert just before the March 29 session, the Massachusetts Catholic Conference, the public-policy arm of the state's bishops, urged Catholics to telephone or e-mail their state senators and representatives urging them to "split the marriage and civil union issues into two amendments."

In a statement four days earlier the conference said the fusion of the two issues in a single amendment "is like forcing the public to vote for George Bush and John Kerry on the same ticket. It is no choice at all."

Following the amendment's first



Mike Crupl/Catholic Courier

Living stations practice

Members of the St. Felix/St. Francis Parish Cluster youth group take part in a living Stations of the Cross dress rehearsal March 21 at St. Francis Church in Phelps. The seventh station — where Jesus falls for the second time — is performed by 13-year-old Michael Dhalle (from left), 13-year-old Clay Monson and 15-year-old Daniel Tabor. They portrayed a Roman soldier, Simon of Cyrene and Jesus, respectively. The youth group performed their living Stations of the Cross on April 2.

passage, the conference's executive director, Gerald D. D'Avolio, thanked legislators for "voting to reject same-sex marriage licenses."

The conference is not happy with the amendment's language, he said, but its approval "defeated the efforts by proponents of same-sex marriage to prevent the issue from going to the voters."

The vote on a single amendment

encompassing marriage and civil unions eliminated several other amendments, including a provision that would have split the issues into separate amendments.

In St. Paul, Minn., about 3,000 people turned out March 22 for a rally at the front of the Capitol in support of a state constitutional amendment that would ban same-sex marriages. Three days later similar numbers turned out to oppose the amendment.

Among those who addressed the first rally was St. Paul-Minneapolis Auxiliary Bishop Frederick F. Campbell.

"I'd like to reaffirm the profound importance of marriage and family life in our society," he said, calling marriage "an institution that is essential to the well-being of the human community."

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