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**To:** Senate Judiciary Committee  
**From:** David Tamisiea, Executive Director  
**Subject:** House Concurrent Resolution 3013  
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The North Dakota Catholic Conference supports House Concurrent Resolution 3013 insofar as it urges the United States Supreme Court to restore the legal definition of marriage to be exclusively a union between one man and one woman.

Marriage by its very nature is a union between a man and a woman. It is not just a social construct that stands for any relationship whatsoever between human beings, and it is more than a mere contract. Rather, marriage is a fundamental human and social institution established by God (Gen 1:27-28, 2:18-24; Matt 19:4-6).

Marriage was not created by the government nor by any particular religious group. This is evident from the fact that marriage between a man and a woman is found in every culture, throughout the world, across all of human history. While the government can regulate marriage, and religions can celebrate and sanctify marriage, neither can “redefine” marriage to be something it is not.

Since marriage has a nature and a design, it also has inherent purposes. It is almost self-evident that marriage is for the good of the spouses and for the bringing forth and raising children. No ideology can erase the fact that marriage is between a man and a woman, who by a mutual and total self-gift to each other, form an intimate communion of persons. In this way, the husband and wife form an exclusive bond and union, both to support and perfect each other, and to cooperate with God in procreating and raising children.

Marriage as a natural institution with these unitive and procreative purposes is rooted in the natural sexual complementarity of being male and being female. The sexual differences between a man and a woman run much deeper than cultural stereotypes - e.g., men can be kind and women can be strong. Being male or being female affects a person at the deepest levels of his or her existence: genetically, biologically, emotionally, psychologically, and socially. These deep-seated sexual differences make it possible for a man and a woman to unite in a full and complementary way.

Same-sex unions, on the other hand, lack the natural sexual complementarity found in marriage that is necessary for full union and procreative fruitfulness. Homosexual acts “close the sexual act to the gift of life and do not proceed from a genuine affective and sexual

complementarity” that is at the very foundation of marriage (*Catechism of the Catholic Church* 2357). Homosexual couples may have genuine love and commitment to each other, but this love and commitment does not, and cannot, make their relationship a marriage.

The Supreme Court in the *Obergefell* decision wrongfully arrogated to itself the authority to redefine marriage to include same-sex couples. This decision is not rooted in the truth about marriage. Regardless of what the Supreme Court ruled, the nature of marriage between one man and one woman remains unchanged and unchangeable. The *Obergefell* decision was a tragic mistake that has caused great confusion and undermined the institution of marriage. It is also harmful to the common good because marriage is the foundation for the family, and the family is the basic cell of society. And as St. John Paul II famously once said, “the future of humanity passes by way of the family” (*Familiaris Consortio* 86).

Sacred Scripture demands that Christians “speak the truth in love” (Eph 4:15). Our position is not motivated by animosity toward persons with a homosexual orientation but rather in a commitment to speak truthfully about the nature of marriage, what it is and what it is not, out of love for all.

In closing, let me say that the Catholic Church insists that society respect the dignity of all persons, including those with same-sex attraction. Persons with same-sex attraction have a right to, and deserve our respect, love, and understanding. We strongly condemn attacks, abuse, and unjust discrimination based on sexual orientation. Upholding the dignity of all persons is not, however, inconsistent with upholding the essential institution of marriage.

We urge a **Do Pass** recommendation on House Concurrent Resolution 3013.