



Iowa Catholic Conference

Statement on an Iowa Constitutional Amendment Regarding Marriage

Updated April 2009

“Marriage is a basic human and social institution. Though it is regulated by civil laws and church laws, it did not originate from either the church or state, but from God. Therefore, neither church nor state can alter the basic meaning and structure of marriage.

“Marriage, whose nature and purposes are established by God, can only be the union of a man and a woman and must remain such in law. In a manner unlike any other relationship, marriage makes a unique and irreplaceable contribution to the common good of society, especially through the procreation and education of children.

“The union of husband and wife becomes, over a lifetime, a great good for themselves, their family, communities, and society. Marriage is a gift to be cherished and protected.”

(Between Man and Woman: Questions and Answers About Marriage and Same-Sex Unions, U.S. Conference of Catholic Bishops, 2003)

In August 2007, a Polk County District Court judge struck down Chapter 595.2 of the Iowa Code, which said that “only a marriage between a man and a woman is valid” in the State of Iowa. At the heart of the judge’s ruling was a finding that marriage is a fundamental right. Consequently, the State of Iowa had the burden of proving that it had a compelling interest in withholding marriage from members of the same sex.

On April 3, 2009, the Iowa Supreme Court upheld the decision of the Polk Country District Court. According to its own summary, the Supreme Court directed “that the remaining statutory language be interpreted and applied in a manner allowing gay and lesbian people full access to the institution of civil marriage.”

Because of this decision, we affirm that it is important to work towards the passage of an amendment to Iowa’s Constitution which would define marriage as being between one man and one woman. Amending Iowa’s Constitution requires that two successive General Assemblies pass the legislation, which would then put the amendment to a vote of the people of Iowa.

We are convinced that the passage of this amendment is important for the following

reasons.

First, the institution of marriage as a union between one man and one woman goes back to the beginning of recorded human history. Marriage between a man and a woman is a good from the perspectives of both natural law and our Catholic faith. Same-sex marriage, on the other hand, is a creation of the State (or, just of its judiciary) and will likely open the door to redefining as marriage additional relationships, such as polygamy. A constitutional amendment is the best available legal means to protect the traditional understanding of marriage from a redefinition by the judiciary.

Secondly, we affirm that marriage is a gift from God which is essential to the stability of family and society. Society has chosen to protect and promote marriage because of its unique contribution to the common good. For example, marriage between a man and a woman supports responsible behavior in the care of children. Children who are raised by a married father and mother have more positive outcomes, including behavioral and educational accomplishments.

Thirdly, unfortunately, in recent decades, cohabitation and divorce laws have already contributed to a weakening of marriage. This has tended to harm women and children in particular. Usually, children do better physically, emotionally and financially if they are in a stable family relationship of father/mother (husband/wife).

Fourthly, social engineering by judges or legislatures adds to the confusion about the good that marriage offers to society, and weakens the critical relationship between marriage and parenting.

Therefore, we call on Catholics and other citizens of Iowa to reflect carefully on the real social cost of this judicial imposition, and to support the need for a constitutional amendment. We affirm that this is the best way for Iowans to support the ideal of marriage as the stable union of one man and one woman.

Most Rev. Jerome Hanus, OSB, Archbishop of Dubuque

Most Rev. R. Walker Nickless, Bishop of Sioux City

Most Rev. Martin Amos, Bishop of Davenport

Most Rev. Richard Pates, Bishop of Des Moines