

Statement of the Council for the Family of the Polish Bishops' Conference on the Protection of the Constitutional Understanding of Marriage

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In connection with the recent judgments of the administrative courts concerning the transcription of foreign marriage certificates of same-sex couples, we note with concern and apprehension further actions and legal interpretations relating to the understanding of marriage. In essence, they relate to one of the core foundations of social and family life in Poland.

Article 18 of the Constitution of the Republic of Poland sets out that marriage is a union between a woman and a man and, as such, is placed under the protection and care of the State. This is not merely a formal provision. These words demonstrate a particular understanding of the human person, the family, and responsibility for future generations, as well as the conviction that the enduring union of a woman and a man, by its very nature open to the transmission of life and to the creation of a secure environment for the development of future generations, is the fundamental unit of society and one of the pillars of the common good.

We also recall that, pursuant to Article 8 of the Constitution of the Republic of Poland, the Constitution itself is the supreme law of the Republic of Poland. No statutes or legal interpretations may be contrary to it. While Article 91 of the Constitution provides for the precedence of ratified international agreements over statutes in certain circumstances, this does not entail disregarding the constitutional understanding of marriage as set out in Article 18. Consequently, the emerging legal interpretations that seek to confer a new meaning on Article 18 raise serious questions concerning the limits of legal interpretation and respect for the constitutional order of the State.

As Christians, we regard marriage not only as a legal institution, but also as a reality rooted in natural law and in God's revealed plan for the human person. The teaching of the Catholic Church has from the start consistently stressed that marriage is a permanent union between a woman and a man, founded upon the mutual gift of love, open to the transmission of life and to the building of the family community.

As the Catechism of the Catholic Church recalls: "The matrimonial covenant, by which a man and a woman establish between themselves a partnership of the whole of life, is by its nature ordered toward the good of the spouses and the procreation and education of offspring; this covenant between baptised persons has been raised by Christ the Lord to the dignity of a sacrament" (CCC 1601).

Similarly, Saint John Paul II emphasised in the apostolic exhortation *Familiaris consortio* that the future of humanity passes by way of the family, and that the protection of marriage is one of the fundamental tasks of society and the State. Pope Francis, in *Amoris laetitia*, likewise recalled that "there are absolutely no grounds for considering homosexual unions to be in any way similar or even remotely analogous to God's plan for marriage and family" (AL 251). At the same time, while remaining faithful to its understanding of marriage, the Church also recalls the inalienable dignity of

every person and the obligation to show respect, sensitivity, and to avoid language of contempt or exclusion.

It is with growing concern that we are witnesses to a process in which expansive interpretations of the law may lead to the weakening of the constitutional understanding of marriage. Such fundamental questions should not be determined through interpretations that raise grave social and constitutional doubts, especially where they concern a reality so deeply ingrained in the Polish legal order, cultural tradition, and the Christian understanding of marriage and the family, all of which have, over the centuries, helped shape the European understanding of the human person.

In defending marriage understood as the union of a woman and a man, we do not seek to act against anyone or to deprive anyone of dignity. Rather, we seek to remain faithful to a vision of the human person and the family which for centuries has constituted the foundation of the Christian understanding of love, parenthood, and social responsibility. Every person, regardless of their history, sensibilities, or experiences, deserves respect, protection of dignity, and language free from contempt. Respect for every person does not, however, require the abandonment of the truth concerning marriage that the Church has proclaimed from the beginning.

Accordingly, we appeal to all people of good will to assume responsibility for the law, for the future of the Polish family, and for the preservation of the constitutional and moral foundations of the Republic of Poland. Marriage between a woman and a man has a unique social, anthropological, and spiritual significance. Therefore, any debate concerning its place within the legal and social order should be conducted responsibly, calmly, and with genuine concern for the common good.

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