

marriage and religious freedom in america

first amendment
rights on collision
course in three states

by Sabrina Arena Ferrisi

There is an old saying:

“As California goes, so goes the nation.”

If the saying holds true, then the greatest fight in America’s culture wars will take place on Nov. 4 when Californians vote on Proposition 8 — a state constitutional amendment which defines marriage as being solely between one man and one woman.

Although California’s Supreme Court legalized same-sex “marriage” last May, Prop 8 could overturn that ruling.

Voters in Arizona and Florida will also decide on constitutional amendments to protect traditional marriage on Election Day.

Persecution

Should the amendments fail, experts say the Catholic Church can expect severe repercussions in these states.

“The religious persecution against the Church will be staggering if Proposition 8 fails,” said Legatus member Charles LiMandri, general counsel for the National Organization for Marriage, one of the leading groups defending marriage in California.



LiMandri has been fighting the battle to protect marriage for years — in and out of the courtroom. He bemoans the fact that many Catholics simply don't understand the repercussions of legalized same-sex "marriage." He cites SB777, a California law passed a year ago, which bans anything in public schools that could be interpreted as negative toward homosexuality, bisexuality and other alternative lifestyle choices.

"Textbooks are being rewritten so that they don't talk about moms and dads anymore, only spouses," said LiMandri. "The language has to hold up homosexuals as having parity to heterosexuals. California sells textbooks all over the country. Children are being told in schools to reject their parents' values."

The same thing happened in Massachusetts after the courts legalized same-sex marriage in 2003. In that state, preschoolers are being taught that gays can marry and that gender does not matter. Parents sued, but they lost.

Republican presidential nominee John McCain supports marriage amendments. Democratic nominee Barack Obama does not.

During a Democratic debate last fall, Obama said he had no problem with children learning about homosexuality. He had been asked about *King & King*, a children's book about a prince whose mother pressures him to find a princess, but instead he falls in love with and marries the brother of one of the prospective brides. The book is used in Boston's public schools.

Faith-based hate crimes

American Catholics will likely face the same legal issues as those in countries where same-sex "marriage" is legal. Catholics in Belgium, Canada, France, the Netherlands, the United Kingdom and Sweden have been forced to defend the faith in court.

Priests who explain Church teaching on homosexuality have been charged with "hate crimes." Religious institutions are not allowed to discriminate in hiring "married" homosexuals. Fair housing laws require faith-based universities to grant housing to same-sex couples. Public accommodation laws require churches to rent their halls for same-sex "marriages."

Parishes and dioceses could also face the prospect of losing their tax-exempt status for not teaching that homosexuality is normal. Religious schools would be required to change their curriculums. Religious institutions may be excluded from providing social services. Boston's Catholic Charities stopped facilitating adoptions last year because they would not give children to same-sex parents.

Religious hospitals would also face a host of challenges for not performing sex-change operations or artificial insemination. In San Diego earlier this year, two Christian physicians lost a suit after refusing to artificially inseminate a lesbian woman.

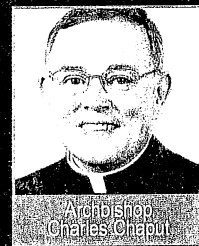
"What it boils down to is this: If a sacrament of your faith is declared to be a form of hatred under law, it sets in motion an inexorable logic," said Matt Daniels,



president of the Alliance for Marriage. "This leads to the silencing of your faith."

Dangerous precedents

Archbishop Charles Chaput of Denver has referred to same-sex "marriage" as the single greatest problem of our times.



"The problem — and it's a very serious one — is this: Anything that weakens marriage weakens society at large," he said. "Marriage is the foundation of the family, and family is the foundation of society. For Christians, marriage has two equal purposes: The unity and love of the spouses and the rearing of children. But long before Christianity, marriage as an institution was tied to sexual fertility and existed primarily for the protection of children and their mothers who create the future with new life."

While most Catholics believe in the value of marriage, some are hard pressed to see the danger of same-sex "marriage." But anything that redefines it from its unique legal and social status endangers society, said Archbishop Chaput.

"Homosexual persons cannot together conceive children, and therefore cannot enter into a marriage," he explained. "This is not an issue of 'equal rights' or a judgment on the virtue of homosexually oriented persons. Marriage is a reflection of human nature and biological fact, codified by culture and history. When we tinker with the meaning of something so basic to our everyday life, we're asking for trouble."

Activists from across the country have been pouring money into efforts to defeat California Prop 8. The ACLU has given millions. The other side doesn't have the same resources.

"There are two ways to look at this," said Daniels. "After 30 years of social disintegration, all the problems in society from teen pregnancy to crime can be closely tracked to the family's breakdown. It is the single most consistent factor — more than race or economics. This is a struggle to protect the legal foundation of the family and its social status."

Daniels points to the inconsistency of declaring that not having a dad or a mom is now irrelevant.

"This is completely at odds with 30 years of social research," he said. "Bad ideas have bad consequences. This is a terrible idea. Look at all the kids whose lives have been devastated by the lack of a father. And now the law is saying this is a good thing." **LM**

Sabrina Arena-Ferrisi is a staff writer for Legatus Magazine.

FLORIDA

Florida Marriage Protection Amendment (Amendment 2), will require 60% in favor for passage.

ARIZONA

In 2006, Arizona became the first state to reject constitutional protection for traditional marriage. Prop 17 also rejected domestic partnerships and civil unions. This year's ballot measure simply defines marriage as being only between one man and one woman.

CALIFORNIA

In 2000, 61% of the Californians voted for Prop 22, which defined marriage as one man/one woman. Earlier this year, the California Supreme Court legalized same-sex "marriage." Prop 8 could overturn that decision.

RESOURCES:

protectmarriage.com, nationformarriage.org, allianceformarriage.org