



Redefining Traditional Marriage: Understanding the Implications

February 19, 2009

Redefining Traditional Marriage: Understanding the Implications

•Objective

- In November 2008, California voters were asked to express their opinion on a ballot measure, Proposition 8, that would amend the state constitution to ensure that only marriage between a man and a woman would be legally recognized. Similar ballot measures have and will be voted upon in other states.
- These initiatives have engendered significant public debate. Unfortunately, much of this debate has side-stepped an issue of vital concern to all citizens, no matter whether they believe in marriage between a man and a woman, or whether it should be extended to some other set of conditions.
- This presentation will examine this issue as articulated by leaders of The Church of Jesus Christ of Latter-day Saints, and as illustrated by current events.

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•Overview

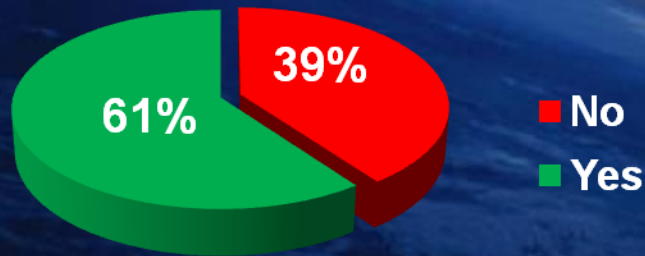
- The Tide of Opinion (California 2000 vs. 2008)
- Church's Official Statement on Same-Gender Marriage / Same-Gender Attraction
- Reasons for the Church's Position
 - Spiritual (Primary)
 - Secular (Secondary)
- Finding Common Ground
- Summary

Area of Common Concern
irrespective of our
current position on
this issue

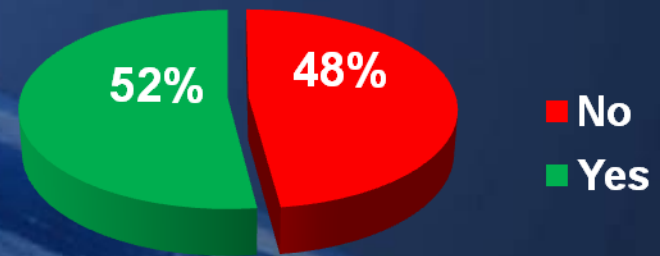
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•The Tide of Opinion (California 2000 vs. 2008)

Prop 22 (Mar 2000)
Amendment of State
Statute



Prop 8 (Nov 2008)
Amendment of State
Constitution



"Only marriage between a man and a woman is valid or recognized in California."

FIRST PRESIDENCY STATEMENT ON SAME-GENDER MARRIAGE AND SAME-GENDER ATTRACTION

The Family: A Proclamation to the World, issued by the First Presidency and the Quorum of the Twelve Apostles in October 1995, declares that “marriage between *a man and a woman* is ordained of God and [that] the family is central to the Creator’s plan for the destiny of His children.” Any other relationship purporting to be “marriage”—including so-called “same-gender” marriage and any other sexual relationship between persons of the same gender, whatever its name— is contrary to His plan. There is no justification to redefine marriage; such is not our right. Those who try will find themselves answerable to God.

Nevertheless, our opposition to attempts to legalize same-gender marriage should never be interpreted as justification for intolerance or abuse of those who profess homosexual tendencies, either individually or as a group. Our hearts reach out to those who refer to themselves as gays and lesbians. We love them as sons and daughters of God. They are welcome in the Church, provided they follow the same God-given rules of chastity and fidelity that the Lord has made applicable to all.

We hope that responsible citizens and officers of government everywhere will promote those measures designed to maintain and strengthen the family as the fundamental unit of society. We further hope that tolerance and brotherly love can replace fear and hatred among all people, regardless of sexual orientation or other differences.

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•Primary Reasons for the Church's Position (Spiritual)

- Marriage between a man and woman is **ordained of God**
- Marriage (Family) is **central to God's plan** for His children
- We have no right to redefine marriage**; those who try will find themselves answerable to God
- The church's opposition to a redefinition of marriage should **never be interpreted as justification for intolerance or abuse of others**
- The church reaches out to all people and welcomes them into the church, **provided they follow God-given rules of chastity and fidelity which are applicable to all His children**
- The church desires** responsible citizens and government officers to **promote measures that will maintain and strengthen the family**

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• **Primary Reasons for the Church's Position (Spiritual)**

The Church has a single, undeviating standard of sexual morality: intimate relations are proper only between a husband and a wife united in the bonds of matrimony.

(The Divine Institution of Marriage, 13 August 2008)

<http://newsroom.lds.org/ldsnewsroom/eng/commentary/the-divine-institution-of-marriage>

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•Secondary Reason for the Church's Position (Secular)

We claim the privilege of worshiping Almighty God according to the dictates of our own conscience, and allow all men the same privilege, let them worship how, where, or what they may. *(11th Article of Faith)*

77 According to the laws and constitution of the people, **which I have suffered to be established**, and should be maintained for the rights and protection of all flesh, **according to just and holy principles**; ...

80 And for this purpose **have I established the Constitution of this land, by the hands of wise men whom I raised up unto this very purpose**, and redeemed the land by the shedding of blood. *(Doctrine & Covenants 101: 77, 80)*

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• **Secondary Reason for the Church's Position (Secular)**

...the Church does not object to rights for same-sex couples regarding hospitalization and medical care, fair housing and employment rights, or probate rights, **so long as these do not infringe on the integrity of the traditional family or the constitutional rights of churches.**

(Church Responds to Same-Sex Marriage Votes, 5 November 2008)

<http://newsroom.lds.org/ldsnewsroom/eng/news-releases-stories/church-responds-to-same-sex-marriage-votes>

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•Secondary Reason for the Church's Position (Secular)

•Elder Bednar Presentation

http://www.lds.org/ldsnewsroom/media/mediaplayer.swf?media=http://broadcast.lds.org/newsroom/video/flv/bednar_edit02_150k.flv&type=FLV



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•Secondary Reason for the Church's Position (Secular)

•Points of Discussion – Elder David A. Bednar

- Sanctions against the teaching of our doctrine
- Not seeking to have rights or benefits removed
- Uncertainty of what comes with this new definition
- Tyranny of Tolerance – tolerance that goes only one way; a clash with religious liberty and free speech
- Rock in a Pond - ripples extend out a very long way
- Look at other places/countries where this experiment has been undertaken
 - Mandated school curriculum - traditional and same sex marriage treated on equal footing.

http://www.lds.org/ldsnewsroom/media/mediaplayer.swf?media=http://broadcast.lds.org/newsroom/video/flv/bednar_edit02_150k.flv&type=FLV

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•Secondary Reason for the Church's Position (Secular)

•Elders Ballard and Cook Presentation

http://www.lds.org/ldsnewsroom/media/mediaplayer.swf?media=http://broadcast.lds.org/newsroom/video/flv/California_Broadcast_8Oct08.flv&type=FLV



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•Secondary Reason for the Church's Position (Secular)

•Points of Discussion – Elder M. Russell Ballard

- Engage others in helping others to understand
- Do so in a sensitive manner
- Demonstrate a respect for others, for their positions and opinions

•Points of Discussion – Elder Quentin L. Cook

- There are good people who disagree with the church's position; others are unsure
- Nothing can be used as an excuse to treat others harshly or disrespectfully

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•Secondary Reason for the Church's Position (Secular)

•Points of Discussion – Elder Quentin L. Cook

- Today's secular world, **instead of love, tolerance has come to mean condone**; acceptance of wrongful behavior as the price of friendship
- Jesus taught love and care for one another **without** condoning transgression
- Today's **politically palatable definition insists that unless we accept the sin, we don't tolerate the sinner**
- Others have the right of free speech granted in our constitution; so do [members of the church]
 - Members can vigorously promote their beliefs and practices with conviction and love

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•Secondary Reason for the Church's Position (Secular)

•Points of Discussion – Elder Quentin L. Cook

•On Moral Issues –

- Church membership should stand and support those that are significant to the church and the restored gospel of Jesus Christ
- The court's decision will inevitably lead to conflicts with
 - Religious liberty
 - Freedom of association
 - Free speech rights.
- Freedom to raise children in an atmosphere that values and supports the unique importance of marriage between a man and a woman will be lost

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- **Secondary Reason for the Church's Position (Secular)**
- **Points of Discussion – Elder Quentin L. Cook (continued)**
- **Society will become more and more hostile to traditional beliefs about marriage and family.**
- **People in private institutions with beliefs that oppose same sex marriage will increasingly be labeled as a intolerant and subjected to legal penalties or social ostracism.**
- **This will not be limited to California**

http://www.lds.org/ldsnewsroom/media/mediaplayer.swf?media=http://broadcast.lds.org/newsroom/video/flv/California_Broadcast_8Oct08.flv&type=FLV

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•Secondary Reason for the Church's Position (Secular)

Adoption Services

Catholic Charities in Massachusetts refused to place children with same-sex couples as required by Massachusetts law. **After a legislative struggle** — during which the Senate president said he could not support a bill "condoning discrimination" — **Catholic Charities pulled out of the adoption business in 2006.**

<http://www.npr.org/templates/story/story.php?storyId=91486191>

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•Secondary Reason for the Church's Position (Secular)

Adoption Services

A same-sex couple in California applied to Adoption Profiles, an Internet service in Arizona that matches adoptive parents with newborns. **The couple's application was denied based on the religious beliefs of the company's owners. The couple sued in federal district court in San Francisco. The two sides settled after the adoption company said it will no longer do business in California.**

<http://www.npr.org/templates/story/story.php?storyId=91486191>

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•Secondary Reason for the Church's Position (Secular)

Housing

In New York City, Yeshiva University's Albert Einstein College of Medicine, a school under Orthodox Jewish auspices, banned same-sex couples from its married dormitory. New York does not recognize same-sex marriage, but in 2001, **the state's highest court ruled Yeshiva violated New York City's ban on sexual orientation discrimination.** Yeshiva now allows all couples in the dorm.

<http://www.npr.org/templates/story/story.php?storyId=91486191>

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•Secondary Reason for the Church's Position (Secular)

Parochial schools

California Lutheran High School, a Protestant school in Wildomar, holds that homosexuality is a sin. After **the school suspended two girls who were allegedly in a lesbian relationship, the girls' parents sued, saying the school was violating the state's civil rights act protecting gay men and lesbians from discrimination. The case is before a state judge.**

<http://www.npr.org/templates/story/story.php?storyId=91486191>

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•Secondary Reason for the Church's Position (Secular)

Medical Services

A Christian gynecologist at North Coast Women's Care Medical Group in Vista, Calif., refused to give his patient in vitro fertilization treatment because she is in a lesbian relationship, and **he claimed that doing so would violate his religious beliefs.** (The doctor referred the patient to his partner, who agreed to do the treatment.) **The woman sued** under the state's civil rights act. The California Supreme Court heard oral arguments in May 2008, **and legal experts believe that the woman's right to medical treatment will trump the doctor's religious beliefs.** One justice suggested that the doctors take up a different line of business.

<http://www.npr.org/templates/story/story.php?storyId=91486191>

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•Secondary Reason for the Church's Position (Secular)

Psychological Services

A mental health counselor at North Mississippi Health Services refused therapy for a woman who wanted help in improving her lesbian relationship. **The counselor said doing so would violate her religious beliefs. The counselor was fired.** In March 2001, the United States Court of Appeals for the Fifth Circuit sided with the employer, **ruling that the employee's religious beliefs could not be accommodated without causing undue hardship to the company.**

<http://www.npr.org/templates/story/story.php?storyId=91486191>

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•Secondary Reason for the Church's Position (Secular)

Civil Servants

A clerk in Vermont **refused to perform a civil union ceremony** after the state legalized them. In 2001, in a decision that side-stepped the religious liberties issue, the Vermont Supreme Court ruled that he did not need to perform the ceremony because there were other civil servants who would. However, **the court did indicate that religious beliefs do not allow employees to discriminate against same-sex couples.**

<http://www.npr.org/templates/story/story.php?storyId=91486191>

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•Secondary Reason for the Church's Position (Secular)

Wedding Services

A same sex couple in Albuquerque asked a photographer, Elaine Huguenin, to shoot their commitment ceremony. The photographer declined, saying her Christian beliefs prevented her from sanctioning same-sex unions. The couple sued, and the New Mexico Human Rights Commission found the photographer guilty of discrimination. It ordered her to pay the lesbian couple's legal fees (\$6,600). The photographer is appealing.

<http://www.npr.org/templates/story/story.php?storyId=91486191>

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•Secondary Reason for the Church's Position (Secular)

Wedding Facilities

Ocean Grove Camp Meeting Association of New Jersey, a Methodist organization, **refused to rent its boardwalk pavilion to a lesbian couple for their civil union ceremony.** **The couple filed a complaint** with the New Jersey Division on Civil Rights. The division ruled that the boardwalk property was open for public use, therefore **the Methodist group could not discriminate against gay couples using it.** In the interim, the state's Department of Environmental Protection **revoked a portion of the association's tax benefits.** The case is ongoing.

<http://www.npr.org/templates/story/story.php?storyId=91486191>

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•Secondary Reason for the Church's Position (Secular)

Youth groups

The city of Berkeley, Calif., requested that the Sea Scouts (affiliated with the Boy Scouts) formally agree to not discriminate against gay men in exchange for free use of berths in the city's marina. The Sea Scouts sued, claiming **this violated their beliefs and First Amendment right to the freedom to associate with other like-minded people.** In 2006, the California Supreme Court **ruled against the youth group.** In San Diego, the **Boy Scouts lost access to the city-owned aquatic center for the same reason.**

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•Secondary Reason for the Church's Position (Secular)

Youth groups (continued)

While these cases do not directly involve same-sex unions, they presage future conflicts about whether religiously oriented or parachurch organizations may prohibit, for example, gay couples from teaching at summer camp. In June 2008, the federal Ninth Circuit Court of Appeals asked the California Supreme Court to review the Boy Scouts' leases. Meanwhile, the mayor's office in Philadelphia revoked the Boy Scouts' \$1-a-year lease for a city building.

<http://www.npr.org/templates/story/story.php?storyId=91486191>

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•Secondary Reason for the Church's Position (Secular)

“Legal scholars predict that cases like these are **"merely a foretaste"** of what religious institutions can expect for taking similar stands against homosexual conduct and same-sex marriage.”

Religious Freedom Day: A Timely Reminder, Ryan Messmore,
January 16, 2009

http://www.heritage.org/Research/Religion/wm2225.cfm#_ftn3

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•Secondary Reason for the Church's Position (Secular)

Suddenly we are faced with the claim that thousands of years of human experience should be set aside because we should not discriminate in relation to the institution of marriage. When that claim is made, **the burden of proving that this step will not undo the wisdom and stability of millennia of experience lies on those who would make the change.** Yet the question is asked and the matter is put forward as if those who believe in marriage between a man and a woman have the burden of proving that it should not be extended to some other set of conditions.

Elder Dallin H. Oaks, Public Issues – Same Gender Attraction

<http://newsroom.lds.org/ldsnewsroom/eng/public-issues/same-gender-attraction#>

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•Establishing Common Ground

“The truth is a lot of Mormons gave a lot of money to the church to make Prop-8 happen. There are a lot of people who feel that is un-American, and I am one of them.” (*High-Profile Celebrity, 16 Jan 2009*)

“Last week, I labeled members of the Mormon church who supported California's Proposition 8 as 'un-American'. I believe Proposition 8 is counter to the promise of our Constitution; it is codified discrimination. **But everyone has a right to vote their conscience; nothing could be more American.** To say members of the Church of Jesus Christ of Latter Day Saints who contributed to Proposition 8 are 'un-American' creates more division when **the time calls for respectful disagreement.** No one should use 'un- American' lightly or in haste. I did. I should not have.” (*Same High-Profile Celebrity, 23 Jan 2009*)

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•Establishing Common Ground

•***“Everyone has a right to vote their conscience; nothing could be more American.”***

•This requires the fostering and protection of free religious thought and expression for all

•***“...the time calls for respectful disagreement.***

•**“Agree to disagree without being disagreeable”** *M. Russell Ballard, “Building Bridges of Understanding,” Ensign, Jun 1998, 62*

Thoughts of this nature help foster the establishment of common ground

Redefining Traditional Marriage: Understanding the Implications

•Summary

•Reasons for the Church's Position

•Spiritual (Primary)

- Marriage is **ordained of God**

- No justification **to redefine marriage**; such is **not our right**

•Secular (Secondary)

- A redefinition **poses great risk to fundamental personal liberties** (e.g., freedom of religious thought, expression and association) **for all**

- Based upon evidence found in and outside of areas where same gender-marriage has been sanctioned

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•Summary

- There are good people on both sides of this issue, as well as those who are unsure
- No matter where we may find ourselves with respect to this issue, a common recognition that continued protection of personal liberties (e.g., religious thought, expression, association) is vital to the sustainment of our democratic form of government

This is the common ground we must come to understand, articulate and build upon

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•The Value of Religious Thought in a Free Society

Of all the dispositions and habits, which lead to political prosperity, **Religion and Morality are indispensable supports.** In vain would that man claim the tribute of Patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of Men and Citizens. **The mere Politician, equally with the pious man, ought to respect and to cherish them.... And let us with caution indulge the supposition, that morality can be maintained without religion.** Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle. **It is substantially true, that virtue or morality is a necessary spring of popular government.** The rule, indeed, extends with more or less force to every species of free government. **Who, that is a sincere friend to it, can look with indifference upon attempts to shake the foundation of the fabric?**

George Washington, Farewell Address, 1796

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•The Value of Religious Thought in a Free Society

"In this Land of equal liberty it is our boast, that a man's religious tenets will not forfeit the protection of the Laws..."

George Washington, To the members of the New Church of Baltimore, 22 January 1793