Memo to the Movement

Religious Liberty
July 10, 2015
Washington, DC

We must act now to protect religious liberty in America.

On June 26, the U.S. Supreme Court stripped more than 50 million Americans of their votes upholding marriage as it has been defined for millennia by diverse cultures, and faiths across the globe.

Marriage has long been a positive way for a man and a woman to share long-lasting commitment to each other and their children. Making marriage no different than any other adult relationship makes the marriage commitment less meaningful and easier to disregard.

But the impact of redefining marriage for the entire nation will reach far beyond the institutions of marriage and family. The court’s ruling fundamentally transforms the relationship between the American people and those in power. Justice Alito noted this reality in his dissent: “Most Americans—understandably—will cheer or lament today’s decision because of their views on the issue of same-sex marriage. But all Americans, whatever their thinking on that issue, should worry about what the majority’s claim of power portends.”

The Court's abuse of power is of such historic proportions that the conservative movement, and indeed every American who cherishes liberty must now address the serious damage done to the cause of freedom and the very foundation of our civil society.

The loss of freedom due to the redefinition of marriage has already been seen in states across the country. State governments have unfairly punished and discriminated against Americans from all walks of life simply for living according to their beliefs in support of man-woman marriage.

Small business owners have been fined for following this belief. Last week, an Oregon Labor Commissioner ordered Aaron and Melissa Klein to pay a fine of $135,000 for declining to bake a same-sex wedding cake. The commissioner also imposed a gag order on the Kleins, ordering them to “cease and desist” discussing their case publicly. The order demonstrates that this assault on our most essential freedoms will not stop with the free exercise of our religion; it endangers the freedom of speech as well. States have even shut down longstanding adoption and foster care providers for not sharing the government’s view of marriage. These are only a few examples. By inventing a constitutional “right” to same-sex “marriage,” the Court has opened the door wide to more severe forms of discrimination against those who believe in natural marriage. The dissenting justices explain very clearly what we must now prepare for: a majority opinion that “will be exploited by those who are determined to stamp out every vestige of dissent.”
We commit ourselves to the work of ensuring that the government never penalizes or discriminates against anyone simply for believing what President Obama believed about marriage just three years ago.

The Constitution guarantees the freedom of speech, association, and religion for every American, but those freedoms will now collide with a Supreme Court ruling that places demands on Americans who continue to abide by the truth of marriage as the union of man and woman.

We call on Congress to pass the First Amendment Defense Act and for state legislatures to approve similar measures that stop the government from discriminating against those who believe in natural marriage. No individual should lose their tax exempt status, face disqualification, be fined, or lose grants or contracts for following their beliefs. A failure to enact these commonsense protections will only deepen the divide in our country which according to the latest polls is nearly evenly split on the marriage ruling. Penalizing those charities and organizations that believe in natural marriage could threaten and harm their ability to help millions of people. The time for action is now because when government forces Americans to violate their deeply-held beliefs, government itself threatens every fundamental freedom.

We stand united for the freedom to live according to one's beliefs about marriage. And we will continue to speak courageously, and compassionately about the unchanging truth of marriage as the union of a man and a woman.

The Honorable Edwin Meese III
Former Attorney General
President Ronald Reagan

The Honorable Becky Norton Dunlop
Chairman, CAP
Former White House Advisor, President Ronald Reagan

The Honorable Tony Perkins
President
Family Research Council

The Honorable J. Kenneth Blackwell
Chairman
Constitutional Congress, Inc.

Mr. William L. Walton
Vice President
Council for National Policy

Lt. Gen. William G. Boykin (Ret.)
Executive Vice President
Family Research Council

Mr. Alfred S. Regnery
Chairman
Law Enforcement Legal Defense Fund

The Honorable Bob McEwen
Executive Director
Council for National Policy

The Honorable Colin A. Hanna
President
Let Freedom Ring, Inc.

Mr. Erick Erickson
Editor-in-Chief
RedState.com

Mr. Michael A. Needham
Chief Executive Officer
Heritage Action for America

Mr. L. Brent Bozell, III
Chairman
ForAmerica

Mrs. Susan A. Carleson
Chairman and CEO
American Civil Rights Union

Austin Ruse
President
Center for Family & Human Rights
Mr. Bill Dallas  
CEO  
United in Purpose

Rabbi Daniel Lapin  
President  
American Alliance of Jews and Christians

Everett Piper, PhD  
President  
Oklahoma Wesleyan University

Somers H. White CPAE, FIMC  
Former Arizona State Senator

Grace-Marie Turner  
President  
Galen Institute

Floyd Brown  
Western Center for Journalism

Dr. Rick Scarborough  
President  
Vision America Action

Mr. Herman Cain  
President and CEO  
HermanCain.com

Ralph J. Benko  
Chairman  
Center for Civic Virtue

Gary L. Bauer  
President  
American Values

Frank Schubert  
President  
Mission Public Affairs, LLC

Gary Marx  
Senior Partner  
Madison Strategies

Edward Whelan  
President  
Ethics and Public Policy Center

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Executive Director  
Oklahoma Wesleyan University Foundation

Bradley Mattes  
President  
Life Issues Institute

Kevin Kookogey  
Linchpins of Liberty

Nadine Maenza  
Executive Director  
Patriot Voices

Terrence Scanlon  
President  
Capital Research Center

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President  
Young America's Foundation

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President  
Hispanic Leadership Fund

Charles J. Cooper  
Cooper & Kirk, PLLC

Curt Levey  
President  
The Committee for Justice

Donna Hearne  
CEO  
Constitutional Coalition

Jerry A. Johnson, Ph.D.  
President and CEO  
National Religious Broadcasters

Ronald Cameron  
Chairman  
Mountaire Corporation

Ted Baehr  
Publisher, Movieguide(r)  
Chairman, Christian Film & Television Commission(r)

Kelly Shackelford, Esq.  
President, CEO and Chief Counsel  
Liberty Institute

The Honorable James C. Miller III  
Former Director of OMB  
President Ronald Reagan
The Honorable T. Kenneth Cribb, Jr.
Former Domestic Advisor
President Ronald Reagan

Rebecca Hagelin
Member, Board of Directors
Family Talk

Mrs. Leslee J. Unruh
Founder
National Abstinence Clearinghouse and Alpha Center

Dr. Allen D. Unruh
Co-Founder
National Abstinence Clearinghouse

Mrs. Penny Y. Nance
President and CEO
Concerned Women for America

Morton Blackwell
Chairman
The Weyrich Lunch

Joel Anand Samy
Co-Founder and President
International Leaders Summit

Larry L. Eastland, Ph.D.
Former Staff Assistant
President Ford

Kirby A. Wilbur
Executive Director
National Journalism Center

The Honorable Donald J. Devine
Senior Scholar
The Fund for American Studies

John Taylor
President
Virginia Institute for Public Policy

Tom DeLay
Former Majority Leader

Richard A. Viguerie
Chairman
ConservativeHQ.com

Cleta Mitchell, Esq.

Joseph A. Morris
Morris & De La Rosa

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