

Same-sex marriage push attacks freedom of religion

Angela Shanahan *The Australian* July 18, 2015

One of the enduring contentious issues in the same-sex marriage debate is how it can possibly affect those who don't want it.

Human Rights Commissioner Tim Wilson, doubtless spooked by Archbishop of Hobart Julian Porteous being threatened by an anti-discrimination action over a pamphlet for Catholic parents outlining Catholic teaching on marriage, has pointed out that there are indeed problems for freedom of religion in same-sex marriage, then blandly states, "There is no need for that to be the case. The human right of religious freedom is just as important in this debate." One might ask "Just as important as what in this debate?"



Wilson should be reminded that there is no right for people of the same sex to marry. That is an invented right that was made up, along with the clever slogan of equality. On the other hand, freedom of religion is absolute in our tradition. It is protected in numerous international instruments. It is considered the absolute cornerstone of a free people. It trumps anti-discrimination laws because freedom to believe is pretty much the bottom line.

But the marriage equality push wants freedom of religion to be subservient to its idea of equality and, as Porteous's case shows, it will use anti-discrimination laws to do this.

Wilson has proposed what he terms a solution to the irreconcilable religious view of marriage and same-sex marriage. But his solution is a solution only if you think marriage is a wedding. His argument about how to skirt the human rights of people with a religiously formed conscience on this matter boils down to nothing more than reconciling legalities with different wedding traditions.

Never mind the fundamental difference: that for a believing Christian marriage is a lived sacrament. It is not a difference of tradition. All traditions can have true marriages. And it has nothing to do with weddings because marriage is not conferred by the church but lived, and fundamentally entails sexual congress that can produce children. It is absolutely heterosexual.

So it is a bit more complicated than Wilson's view of which pastor should marry whom, who can provide what sort of wedding and the decorations on the cake.

This sudden interest in the trampling of religious rights by same-sex marriage campaigners sparked by Porteous's case is a bit late coming to this country. Perhaps it is about time we paused and looked at what has happened when same-sex marriage has been legalised in other countries.

In Canada, despite assurances and a preamble to the law, Catholic schools are having a difficult time teaching Catholic precepts on marriage and sexuality. In the US, many individuals and groups are being punished for what amounts to thought crime. However, it isn't all about religion.

Take three recent cases in the US. First, Mozilla chief executive Brendan Eich was forced to resign because he gave \$1000 to a pro-natural marriage group campaigning for proposition 8.

Second, Kelvin Cochran, the now ex-fire chief of Atlanta and Barack Obama's appointment as head of the US fire administration, was sacked because he wrote and self-published a little book about male sexuality for his men's Baptist group. The biblical discussion of homosexual issues was deemed hateful. Cochran's case has become a cause celebre in the US but mystifyingly almost unreported here. There were big demonstrations in Atlanta in his favour and a petition, to no avail.

Third is Boston urologist Paul Church who, after a distinguished 30-year career on the faculty of Harvard medical school and the medical staff of Beth Israel Deaconess Medical Centre in Boston, was expelled for using the hospital's communication system to voice his opinion that hospital pressuring its staff to participate in Gay Pride Week activities was contrary to its mission to promote healthy behaviours and lifestyles.

Emails and blogs denounced his views, although based on his medical experience, as "ignorant", "hateful", "offensive" and "bigoted". The American Association of Physicians and Surgeons has strongly backed Church: "The penalty for making a truthful but politically incorrect statement that 'may offend' someone could be the ruin of one's medical career," AAPS concluded.

Only one of these individuals was motivated by an overtly religious impetus, but they all had a conscientious objection to having a certain interpretation of sexuality forced on them. That is why they were punished. None had done anything illegal and all are relatively high-profile people.

Charitable organisations have been put out of business using anti-discrimination clauses. The Catholic adoption agency in Boston was closed because it refused to place children with same-sex couples. But what of the little people's right to conscience?

Aaron and Melissa Klein were ordered to pay \$135,000 to a lesbian couple for "emotional, mental and physical suffering" after the Kleins declined to bake a cake for the couple's wedding. The judge ordered them not to speak against baking cakes for same-sex weddings!

US Supreme Court Justice Samuel Alito warned in his dissenting judgment that those who supported natural marriage could "whisper their thoughts within the recesses of their homes" but nowhere else. He was right.