
Marriage, Church, State: Healthy & Unhealthy Tensions

Everyone can agree that religious freedom is a core element of the American experiment: the force of the state is used to protect the freedom of individuals to worship as they choose and live according to their consciences, instead of using its force to prescribe for them one faith. The relationship of marriage to religious freedom has been underexamined in public debates regarding the definition of marriage, but they go hand in hand. Allowing same-sex relationships to be solemnized as “marriages” will create tension and ill-will between the church and the state, in contrast to the healthy tension that is created when force and faith both have strong influence in overlapping jurisdictions. An ecumenical coalition of 39 clergy—the group most poised to feel the impact of such legislation—recognized this in a recent letter, entitled “Marriage and Religious Freedom: Fundamental Goods that Stand or Fall Together.”

“Altering the civil definition of ‘marriage’ does not change one law, but hundreds, even thousands, at once...By a single stroke, every law where rights depend on marital status—such as employment discrimination, employment benefits, adoption, education, health care, elder care, housing, property and taxation—will change so that same-sex sexual relationships must be treated as if they were marriage. That requirement, in turn, will apply to religious people and groups in the ordinary course of their many private or public occupations and ministries—including running schools, hospitals, nursing homes and other housing facilities, providing adoption and counseling services, and many others.”

The problem for religious institutions is evident. Many will not be able to comply in good conscience with the new laws. Some may, as Catholic Charities have already done, be forced to cease operations altogether rather than operate under conditions that violate their consciences. This would deprive the state of valuable, reputable, and effective social services that religious organizations are currently offering for free, thus saving the state a great deal of effort and money.

In addition, where churches preach that the practice of homosexual behavior is not in keeping with God’s precepts, or in keeping with the traditions of Christianity, the Holy Scriptures, and other religions, they will be teaching an opinion that is essentially illegal in all other sectors. This state of affairs would be incompatible with our tradition of religious liberty, and the beginning of its erosion in earnest. The clergymen noted, “Even where religious people and groups succeed in avoiding civil liability in cases like these, they would face other government sanctions—the targeted withdrawal of government cooperation, grants or other benefits.” ■

