



Written by [Bob Adelman](#) on June 29, 2015

Pushback Against Supremes' Same-sex "Marriage" Ruling Begins

No doubt anticipating what was coming in the Supreme Court's ruling in *Obergefell v. Hodges* on Friday, Senator Mike Lee (R-Utah) and Representative Raul Labrador (R-Idaho) introduced bills a week earlier to keep the federal government from discriminating against individuals and groups exercising what is now left of their First Amendment rights. Called the First Amendment Defense Act, Lee [asked rhetorically](#):



If five judges on the Supreme Court have pronounced, in a breath-taking presumption of power, that all 50 states must redefine marriage, what does that mean for the countless institutions within our civil society — churches and synagogues, charities and adoption agencies, counseling services and religiously-affiliated schools — that are made up of American citizens who believe marriage is the union of one man and one woman?

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Will eager overzealous federal agencies start using the decision as reasons to withdraw federal grants, limit student loans, and revoke tax exemptions on the basis of what was once free expression on the matter? Will it attempt to apply sanctions against home-school moms teaching the Bible? Will it force bakers to bake, private halls to host, small business owners to compromise firmly held beliefs that once were protected by the First Amendment?

Wrote Lee:

Will federal agencies follow the heavy-handed approach taken by the present majority of Supreme Court justices - say, by revoking the non-profit, tax-exempt status of faith-based schools that continue to operate on the basis of their religious beliefs about marriage?

Lee and Labrador introduced the First Amendment Defense Act, which would "prevent any agency from denying federal tax exemption, grant, contract, accreditation, license, or certification to an individual or institution for acting on their religious belief that marriage is a union between one man and one woman."

One measure of how highly unlikely such legislation is ever to see the light of day is this: In the Senate Lee has so far only been able to garner 18 cosponsors (out of 100 Senators), while Labrador has enlisted the help of just 57 of his colleagues (out of 435). That this bill hasn't attracted the support of every senator and representative is reflective of just how far down the slippery slope of amorality and degradation the culture has moved in recent years. As Lee noted, "The right to form and to follow one's religious beliefs is the bedrock of human dignity and liberty that must be forcefully defended from governmental interference."

That right has been under attack for years. The Supreme Court's decision on Friday merely codifies and



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cements into place the culture's determination that restrictions on behavior are *per se* unconstitutional. Ask Catholic Charities of Boston, which was forced to stop providing adoption services because they wouldn't bend to the culture's insistence that children be placed in the homes of those practicing sodomy — i.e., same-sex couples.

Ask Aaron and Melissa Klein who were forced to close their Oregon bakery after being fined \$135,000 for refusing to bake a cake for a same-sex wedding ceremony.

Ask the United Methodist Church in New Jersey, which suffered an adverse ruling from a judge when its retreat house refused to hold a same-sex ceremony on its premises. Ask former Fire Chief Kelvin Cochran of Atlanta, who was fired by the mayor for expressing his personal beliefs on the matter in a Bible study publication.

These are just precursors to the persecution about to engulf the faith-based community in the country. As Lee posited:

The next controversies will ... be over whether people who don't think so may keep their business licenses, whether colleges that don't think so will be able to keep their accreditation, whether military chaplains who don't think so will be court-martialed, whether churches who don't think so will be targeted for reprisal by the state, whether heterodox religious belief itself will be swept from the public square.

That's why these two bills, although a start, are so much less than they could have been: limiting the Supreme Court's appellate jurisdiction through decisions of the Congress as just one example. Representative Steve King (R-Iowa) offered just such a bill back in April that would, utilizing powers granted to Congress under Article III, Section 2 of the Constitution, strip the power from the Supreme Court "to hear or decide any question pertaining to the interpretation of, or the validity under the Constitution of, any type of marriage."

Congress has the power to do more than just slap the wrists of federal agencies inclined to punish individuals and institutions for not getting on board on the issue of same-sex marriage — much more. It should do so. The First Amendment Defense Act offered by Lee and Labrador is just a beginning.

A graduate of an Ivy League school and a former investment advisor, Bob is a regular contributor to The New American magazine and blogs frequently at www.LightFromTheRight.com, primarily on economics and politics.

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