



Written by [Bob Adelman](#) on November 30, 2022

“Respect for Marriage Act” One Step Away From Becoming Law

As expected, enough Senate Republicans [caved on Tuesday](#) to help the Democrats pass their anti-Christian “Respect for Marriage Act.” The bill ([HR 8404](#)) is now headed to the House, where changes made to the bill to mollify conservatives and assure its passage will be affirmed, and from there on to the White House for signing into law.

Much ado was made about the changes in the original bill offered back in July to offset criticism that the language all but invited state officials, attorneys general, and the IRS to target not only churches but any group opposed to their same-sex marriage agenda.



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The modifications promise “No impact on religious liberty and conscience”:

Nothing in this Act, or any amendment made by this Act, shall be construed to diminish or abrogate a religious liberty or conscience protection otherwise available to an individual or organization under the Constitution of the United States or Federal law.

Consistent with the First Amendment to the Constitution, nonprofit religious organizations, including churches, mosques, synagogues, temples, nondenominational ministries, interdenominational and ecumenical organizations, mission organizations, faith-based social agencies, religious educational institutions, and nonprofit entities whose principal purpose is the study, practice, or advancement of religion, and any employee of such an organization, shall not be required to provide services, accommodations, advantages, facilities, goods, or privileges for the solemnization or celebration of a marriage. Any refusal under this subsection to provide such services, accommodations, advantages, facilities, goods, or privileges shall not create any civil claim or cause of action.

Mat Staver, founder and chairman of Liberty Counsel, saw through the deceptive language: “This amendment does very little to protect religious freedom, but it was the hook to garner the votes of 12 Republicans.... The amendment ... does nothing to protect Christians and other faithful religious adherents.”

He explained:

The bill has essentially no religious liberty protections. The fact that three religious liberty amendments were rejected by the Senate (proposed by Sens. Lee, Lankford and Rubio) in favor of the Baldwin-Collins amendment illustrates the open disdain the bill presents to



religious freedom.

Staver revealed the pernicious and odious intentions of the bill:

Because HR 8404 changes federal policy, government edicts on marriage, schools and families WILL change, and all of America will be forced in one way or another to bow to the never-ending LGBTQ political agenda....

And because this federal bill removes gender from the gender-based relationship of marriage, it undermines gender altogether and opens the door to yet more child mutilation via “transgender” surgeries — all because a deviant Congress is saying gender does not matter and perversion should be embraced and even celebrated.

Another public-interest law firm, Alliance Defending Freedom (ADF), expands on the bill’s purpose:

This dangerously cynical and completely unnecessary bill is a direct attack on the First Amendment.

It does nothing to change the legal status of same-sex marriage anywhere. But it undermines religious freedom everywhere and exposes Americans throughout the country to predatory lawsuits by activists seeking to use the threat of litigation to silence debate and exclude people of faith from the public square.

Today, the Senate has chosen to disregard legitimate concerns about the undeniable harms of this bill.

If the Senate truly cared about protecting religious freedom, it would have included comprehensive amendments proposed by Sens. Lee, Rubio, and Lankford.

Albert Mohler, president of the Southern Baptist Theological Seminary, sees the threat to Christians and Christian organizations built into the bill about to become law:

The amended language includes vague assurances that the legislation will not violate religious freedom but it mostly assures us that the bill will not do what no one claimed it would do, such as require congregations and churches to solemnize same-sex marriages.

What is left wide open is the threat to ministries such as Christian orphanages and children’s care as well as adoption ministries and foster care. This amended language resolves nothing, but is offered as an assurance that religious freedom is protected.

Mohler points out still another fault hidden in the language of the bill: “By the way, the language of the bill does not offer any absolute protection against polygamy if a state legalizes it in some form.”

What is clear is that, once signed into law, the bill will in fact allow state officials, state attorneys general from liberal states, and the IRS to ramp up their attacks on Christians and Christian ministries. Senator Mike Lee expressed his disappointment that his amendment to clarify this failed, along with the warning:

Despite the support of every voting Republican but one, and even a Democrat, the Respect



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for Marriage Act just passed [the Senate] without my amendment, which would have prevented the government from retaliating against religious individuals and institutions for their sincerely held religious beliefs regarding marriage.

This is a discouraging development in our country's storied history of protecting the free exercise of religion.

The bill, once signed into law, will be such an egregious threat to the First Amendment that it is likely that the ADF and Liberty Counsel are already looking into challenging it in court.



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