

# DANGEROUS BALLOT INITIATIVE IN NEW YORK

*This is the article that appeared in the October 2024 edition of Catalyst, our monthly journal. The date that prints out reflects the day that it was uploaded to our website. For a more accurate date of when the article was first published, check out the news release, [here](#).*

There is a ballot initiative in New York State this November that is downright dangerous. Bill Donohue wrote a lengthy rebuttal and had it published in booklet form; a Spanish version is also available. We did a mass mailing to our allies across the state.

It is being widely distributed in the state not only to Catholics, but to non-Catholics as well. Thanks to the support of New York Archbishop Timothy Cardinal Dolan it has been placed in the hands of all New York bishops and many others.

A longer version is available on our website. This should be of interest to non-New Yorkers as well. If these activists succeed with their stealth campaign in New York, they will bring their proposal to other states.

Here is the shortened version.

On Election Day, November 5, voters in New York State will cast their ballot for Proposition One. It would amend section 11 of article 1 of the New York State Constitution in two ways: Paragraph A would offer equal protection before the law to eleven new demographic categories; Paragraph B would revise the legal meaning of discrimination.

Those who champion Prop One are telling the public that it is needed because abortion rights are under attack. They manifestly are not under attack in New York State, but abortion-rights activists know that this is a hot button issue in many parts of the country—abortion is on the ballot in ten

states—therefore they reason that if it is on the ballot, it will galvanize supporters to turn out on Election Day.

This is only one aspect of what is in reality a huge stealth campaign. Those behind Prop One have a very different agenda. *Their real goal is to undermine parental rights, eviscerate religious liberty and legalize selective discrimination.*

Currently, the New York State Constitution says that no one can be subjected to discrimination on the basis of race, color, creed or religion.

Paragraph A of Prop One would add the following demographic categories: age, sex, gender identity, gender expression, and reproductive healthcare and autonomy. The implications are dramatic.

### **Age**

To most people, age discrimination refers exclusively to older adults. To be sure, the rights of the elderly figure prominently in this discussion, but to children's rights advocates, those at the opposite end of the spectrum, namely minors, can also lay claim to being victims of discrimination. This is where Prop One can create enormous problems.

According to Beatrice and Ronald Gross, two of the leading children's rights advocates, the movement to liberate children was launched "to rectify the shameful conditions that lead to the damage and death of so many children." They claim that "young people are the most oppressed of all minorities."

The idea that children are oppressed begs the question: Who are the oppressors? Adults, of course, especially parents. Those who champion the rights of minors do so at the direct expense of parental rights. That is not unintentional.

If Prop One becomes law, minors will be able to checkmate their parents whenever they claim that their rights are being

encroached upon. Ditto for teachers who are accused of infringing on the rights of students (e.g., disciplinary measures). The kids will no doubt find public defense lawyers ready to come to their aid.

## **Sex**

There are many laws on the books that already protect women from discrimination, which explains why there is no major push for more such laws. Still, some will say there's no harm in including sex as a protected category in Prop One. But the fact is women have already said "No" to this proposal.

In 1975, voters in New York and New Jersey were given the opportunity to vote on the Equal Rights Amendment. The representatives in these two states, mostly men, had already voted to support this amendment, but when the vote was taken, it was defeated. As Linda Greenhouse of the *New York Times* noted, it was women, not men, who were responsible for the defeat. In short, New York women did not want to jeopardize their current status in law by living under a statute that could potentially work against their best interests.

## **Gender Identity and Gender Expression**

Adding gender identity and gender expression to the list of protected categories would seriously impact on parental rights and religious liberty.

The medical literature continues to grow concerning the long-term consequences of sex transitioning. Minors who transition, mostly girls who seek to be boys, are suffering from serious mental health problems and need to be treated accordingly.

Prop One would enable young people to skirt the scrutiny of their parents by accessing therapists and medical professionals behind their back in their quest to transition. They could claim they are being discriminated against on the basis of age.

In the state of Washington, a young girl wanted to get sex-reassignment surgery behind the back of her parents, but the parents found out anyway. They learned that if their daughter wanted to flee and move to a home with a family that agreed to take her in, she could do so. Moreover, the host family was under no legal obligation to inform her parents that she was about to have her genitals amputated.

This is exactly the kind of thing that could happen under Prop One.

It gets worse. States are effectively kidnapping children in service to the pernicious ideology of transgenderism. And if it can happen in Montana, it can happen in New York.

Krista and Todd Kolstad have a sexually confused daughter, Jennifer, who mistakenly thinks she is a boy. Jen had suicidal thoughts and when her family found out about it, Child and Family Services (CFS) were called to deal with her condition. Bullied at school, her parents moved her to another school district, doing everything they could to stabilize the situation. But CFS was unimpressed. They took Jen from them because they refused to affirm her delusional state.

Look for more such cases if Prop One wins.

If Prop One succeeds, there would be no stopping biological males from competing in women's sports, effectively destroying them. The guys could also use the locker rooms and shower facilities with the girls, and no one could stop them. If a coach complained, he could be fired.

In the name of gender expression, teachers could be required to address gender confused students by their choice of pronouns. In other words, a boy who thinks he is a girl could assert his gender expression rights by demanding that his teacher refer to him as "she" or "her." For that matter, he may want to be called "they" or "them," and his teacher would have to oblige.

This is not an exaggeration. Some schools, like one in Colorado, already have policies that assure this outcome. “Transgender and non-binary students have the right to discuss and express their gender identity and expression openly and to decide which, with whom, and how much to share their private information.”

### **Reproductive Healthcare and Autonomy**

Reproductive healthcare, as interpreted by activists, means abortion-on-demand, without any restrictions. Parental rights would be non-existent—their daughters could get an abortion without their consent and at any time during pregnancy.

Establishing a right to healthcare autonomy clearly means that assisted suicide will become a reality. Even in cases where the patient is not suffering from a terminal disease, or where death does not appear to be imminent, the right to autonomy would give those who are merely despondent a right to die.

### **Religious Liberty Issues**

The impact of Prop One on religious individuals and institutions would be disastrous.

It cannot be denied that the new category of rights mentioned in Paragraph A are on a collision course with the state’s interest in religious liberty, thus putting religious rights in jeopardy. It must also be said that the amendment does not say a word about religious exemptions, and that is telling.

Those who are supporting the LGBTQ agenda have made it plain that religious liberty should take a back seat to their interests.

There is no shortage of organizations that take direct aim at religious exemptions, in general. They would definitely be mobilized if Prop One prevails. Prominent among them is the Rights, Faith, and Democracy Collaborative, the parent company

of which is the Proteus Fund.

There are several issues affecting religious liberty where Prop One advocates will be very busy. One of them is adoption.

Advocates of Prop One say this is a bogus issue, citing the 9-0 victory in the Supreme Court in 2021. In that ruling it was decided that Catholic foster care agencies can reject gay couples from adopting children.

This ruling was significant, but so was the ruling in Massachusetts two years later. Mike and Kelly Burke were denied the right to be foster parents because they hold to Catholic views on sexual orientation and gender dysphoria. They said they would love any child, no matter what the sexual orientation or gender identity problems the child may have. But that was not enough to satisfy the militant secularists at the Department of Children and Families. This matter is still before the courts.

It's a sure bet that if this issue were to arise in New York, it won't be enough to satisfy government agents under Prop One. Religious liberty will be challenged, if not defeated.

Also last year, a Christian mother of five in Oregon wanted to adopt two children but was denied when she admitted that her religious beliefs would not allow her to take a minor to receive cross-hormone injections. This case is also tied up in the courts. Prop One would ensure a similar outcome.

Catholic schools across the nation have been hit with a wave of lawsuits by homosexual teachers who claim to be married. Though eventually they do not succeed, Prop One would inspire more attacks on the right of Catholic schools to hold teachers accountable; they voluntarily sign a contract respecting the teachings of the Catholic Church.

Similarly, there have been several attempts to force Catholic doctors and hospitals to perform sex-reassignment surgery, in

direct violation of Catholic teachings. This right not to cooperate is under attack by the Biden-Harris administration, which has directed the Department of Health and Human Services to go after Catholic individuals and institutions. Prop One would egg them on.

Consequently, Prop One would trigger an avalanche of lawsuits directed at Catholics and Catholic entities.

### **Paragraph B**

This section of the amendment would make it easy to discriminate against white people. It says that the discriminations banned in Paragraph A are permitted if the discrimination is done to “prevent or dismantle discrimination.” To put it differently, it could be okay to discriminate against white applicants for a job if by doing so it would enhance the chances of people of color landing the position.

Once the principle is established that not all forms of discrimination are objectionable, the door is open to widespread abuse.

### **Conclusion**

Prop One is the most deceitful and dangerous initiative ever introduced. It needs to be defeated.