

GAY MARRIAGE AND RELIGIOUS RIGHTS

Catholic League president Bill Donohue comments as follows:

The right of homosexuals to marry in New York begins on Sunday, and already the religious rights of those who conscientiously object are being threatened. The threats come from two New York public officials, both of whom identify themselves as Catholic: Gov. Andrew Cuomo and Nassau County District Attorney Kathleen Rice.

When Cuomo was recently asked about the right of clerks, invoking their religious rights, not to issue marriage licenses to gays, he said, "The law is the law. You enforce the law as is; you don't get to pick and choose those laws." (Ironically, this could be read as an indictment of President Obama: he is under oath to enforce federal legislation, yet he manifestly refuses to enforce the Defense of Marriage Act.)

Rice is even bolder. She has put clerks on notice: either grant homosexuals marriage licenses or else. In a letter she wrote to municipal clerks, she warned that not complying "may constitute official misconduct, a Class A misdemeanor."

Cuomo and Rice are so committed to gay rights that they have little interest in religious liberty, even as defined by New York State law. Former Gov. Eliot Spitzer enthusiastically signed a law extending religious rights in the workplace, one that went beyond the "reasonable accommodation" provision of the 1964 Civil Rights Act. Indeed, under New York State law, the onus is on the employer to show that it would cause "undue hardship" if an employee were to exercise his "sincerely held" religious beliefs.

Now it is fatuous to say that it would cause an "undue hardship" in the workplace if clerks, and deputy clerks, who

do not have an issue with giving marriage licenses to homosexuals handled these matters for those who do. It cannot be said too strongly: Bullying those who have religious objections is despicable.

There is an obvious hole in New York's gay marriage law: religious exemptions need to be extended to lay people, not just the clergy