



### ***Can I as a pastor support a marriage amendment?***

First, remember that churches are presumed to be tax exempt. This has been the case since before the founding of our democratic republic. Even though the IRS has threatened several churches with losing their exempt status, to date, none have lost their exemption.

Unfortunately, many have sought to silence the prophetic role of pastors and churches by spreading confusion about what is and is not permitted, even going as far as to threaten the loss of a church's tax exemption. But this need not be the case.

The Supreme Court of the United States has also confirmed what the First Amendment has always guaranteed: your right as a pastor to advocate and discuss issues of public concern – in church *and* in the public square. Said the Supreme Court,

Adherents of particular faiths and individual churches frequently take strong positions on public issues including . . . vigorous advocacy of legal or constitutional positions. Of course, churches as much as secular bodies and private citizens have that right. *Walz v. Tax Comm'n of City of New York*, 397 U.S. 664, 670 (1970) (emphasis added).

Clearly then, *you and your church have a constitutional right to speak out on the issue of marriage.*

### ***Should I support a marriage amendment?***

The time to stand for marriage is now. As the central institution for our culture and nation, our nation's future and strength depends upon its strength and stability. It is worth defending.

More than that, I don't need to remind you that it was God who created marriage; not government (See Matthew 19:4-7). He has chosen that vehicle to describe His relationship with His church (See Ephesians 5:22-32). If we do not proclaim this Truth in culture, marriage will be undermined for all of culture.

Today, marriage law in West Virginia is very vulnerable. One judge with one pen could easily redefine what we have always understood as marriage. Inaction will hasten redefinition.

More importantly, there is a concerted movement to undermine marriage in the United States and they have their sights set on West Virginia. Radical homosexual special interest groups have released their strategy in a memo entitled, "Make Change, Not Lawsuits." In the memo, same-sex couples are urged to get "married" and then stay silent. Says the memo,

Couples who want to should get married, call themselves married, and ask (sometimes demand) that family, friends, neighbors, businesses, employers and the community treat their marriages with respect. Making the marriages of same-sex couples a conspicuous part of American society will help us get something we'll need to win ultimately: public acceptance of equal treatment for lesbian and gay families.



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So how does West Virginia fit into all of this? Aside from not being exempt from their normalization efforts, the leaders of the same-sex “marriage” movement will get courts and legislatures to legalize it. But, don’t take my word for it:

The fastest way to win the freedom to marry throughout America is by getting marriage through state courts (to show that fairness requires it) and state legislatures (to show that people support it). We need to start with states where we have the best odds of winning. When we’ve won in a critical mass of states, we can turn to Congress and the federal courts. At that point, we’ll ask that the U.S. government treat all marriages equally. And we’ll ask that all states give equal treatment to all marriages and civil unions that are celebrated in other states.

It will begin by having sympathetic legislatures repeal their Defense of Marriage Acts (DOMA’s) – the only law defending marriage in West Virginia right now. If that is not successful, then lawsuits will be used to do what the legislature could not.

Consider this, a recent UCLA study estimates more than 68,000 same-sex couples have vacationed to California to get “married.” If population estimates be correct, we can deduce that nearly 470 West Virginia couples (9 per county) have done likewise. That’s 470 possible same-sex “divorces” or 470 demands for legal recognition.

When the California Supreme Court found an inherent right to same-sex “marriage” within their constitution, it moved West Virginia one step closer to redefining marriage locally. And the same-sex “marriage” leaders noticed too:

[G]oing forward, we’ll use the California Supreme Court’s brilliant reasoning and stirring language to try to persuade legislatures to end marriage discrimination in several states that are nearly ready to pass marriage laws.

That may not worry you, but consider this: the Supreme Court of West Virginia has cited to California decisions 396 times since 1963, 58 times since the year 2000. About every 2 months, our Supreme Court is looking to California jurisprudence for guidance. Where do you think the court might look in deciding this issue?

The time to defend marriage is now. With this overview of the law, I ask you to prayerfully consider standing to defend marriage.

Should you want any further elaboration on the contents of this overview, or have other questions regarding your specific situation, I would be pleased to assist you. Just call me at 304-881-5196.

Respectfully,

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President and General Counsel.