

FAITH UTAH

# LDS leaders reemphasize protection of religious freedoms, support for LGBT nondiscrimination laws

By Tad Walch | Jan 27, 2015, 5:20pm GMT+1

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Elder Jeffrey R. Holland and Elder Dallin H. Oaks shake hands inside the Conference Center in Salt Lake City 1 of 20 after a news conference Tuesday, Jan. 27, 2015, as LDS leaders reemphasize support for LGBT nondiscrimination laws that protect religious freedoms. | Scott G Winterton, Deseret News | [Purchase Photo](#)



## **reject persecution and retaliation of any kind, including persecution based on race, ethnicity, religious belief, economic circumstances or differences in gender or sexual orientation. – Elder Dallin H. Oaks**

SALT LAKE CITY — Senior LDS leaders reiterated Tuesday the church's longstanding support for laws that ensure fair access to housing and employment for LGBT people while safeguarding religious freedom.

Three apostles and one of the faith's women's leaders clearly outlined the position at a landmark news conference, spelling out concerns about what they see as an erosion of religious liberties and calling for fairness for all people.

Elder Dallin H. Oaks of the Quorum of the Twelve Apostles called for governments to seek balance as they consider nondiscrimination laws.

"Today, state legislatures across the nation are being asked to strengthen laws related to LGBT issues in the interest of ensuring fair access to housing and employment," he said. "The leadership of The Church of Jesus Christ of Latter-day Saints is on record as favoring such measures. At the same time, we urgently need laws that protect religions against discrimination and retaliation while claiming the core rights of free expression and religious practice that are at the heart of our identity as a nation and our legacy as citizens."

Elder Oaks told the Deseret News the statements made in the press conference were official church statements. They were intended for national and international audiences in and outside of the church, but he said they were general principles that didn't refer to any specific proposed legislation.

"It's not appropriate for us to endorse a given bill without knowing fully what is proposed," he said.

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Debate about nondiscrimination laws has included voices that say balance is neither possible or necessary. Elder Oaks offered a different perspective.

"It's also an issue that is getting to a point of divisiveness for the body politic," he said in an interview, "where we need to speak about to try to take the temperature down and increase the likelihood that people will communicate with one another and give a little here, take a little there and work out compromises that don't apply to religious doctrine but do apply to public policy."

### **An alternative**

Elder Jeffrey R. Holland said the church was offering an alternative to rhetoric and intolerance that characterizes debate on the matter and that accommodating the rights of all people will require the highest level of statesmanship.

"Rights are best guarded," he said, "when each person and group guards for others those rights they wish guarded for themselves."

The church used the hashtag #fairness4all on Tuesday in its messages about the news conference on Twitter.

Nondiscrimination legislation protects gays against inequity in employment, housing and places of public accommodation like restaurants and hotels.

Most of American society recognizes that "such basic human rights as securing a job or a place to live should not depend on a person's sexual orientation," said Sister Neill F. Marriott, second counselor in the church's Young Women General Presidency.

An overwhelming majority of Americans — including Latter-day Saints, Elder Oaks said — supports nondiscrimination legislation, but many nondiscrimination bills lack exemptions or include only limited exemptions for religious accommodation.

Another of the Twelve Apostles, Elder D. Todd Christofferson said in an interview that religious liberties should be included in nondiscrimination ordinances and laws to specify how the First Amendment guarantees to the free exercise of religion apply in each case.

Elder Christofferson introduced the speakers at the briefing and noted the rare nature of

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"We don't hold news conferences very often, perhaps every year or two when we have a major announcement to make or something significant to say. And today, we do have something to say."

The position outlined Tuesday is consistent with previous statements and actions by church leaders. Sister Marriott also restated the church's doctrine "that sexual relations other than between a man and a woman who are married are contrary to the laws of God."

### **Consistent policy**

She said the example of Jesus Christ is the reason the church has backed laws and ordinances that protect LGBT people from discrimination in housing and employment.

The church publicly supported nondiscrimination ordinances in Salt Lake City in 2009. Church spokesman Michael Otterson delivered an official church statement before the Salt Lake City Council that said the ordinances provided "common-sense rights" for LGBT people against discrimination in housing and employment while balancing the "crucial" rights of religious organizations.

"They are also," Otterson said then, "entirely consistent with the church's prior position on these matters."

In 2010, the Church also publicly decried bullying and intimidation of gay youth.

The church's moderate, principle-based position is reminiscent of the 2010 Utah Compact, a moderate immigration policy statement of five principles intended to guide the state's discussion of immigration and become a model for other states. The church supported the compact, widely endorsed by state politicians, community leaders and other faiths.

Elder Holland indicated in 2009 that the Salt Lake ordinance could become a model for other cities and states, but the church has not spoken for or against other specific nondiscrimination ordinances or bills since then. Leaders clearly have been concerned that some proposals around the country don't include robust provisions securing religious liberties.

"We call on local, state and national governments to serve all of their people," Elder Oaks said Tuesday, "by striving to pass legislation that protects vital religious freedoms for individuals, families, churches and other faith groups while also protecting the rights of

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## Constructive center

An openly gay Senior Fellow at the Brookings Institution hailed the church's position and expressed hope it would lead to civil, discussions about political solutions.

"People like me have had a problem the last few years," Jonathan Rauch said, "because I'm a moderate. I believe that gay rights and religious liberty are both core freedoms, and that it's important to strike a social balance between the two, that neither side can really expect to sort of win everything it wants at the expense of the other. That's what I've been saying to my gay friends and allies since 2010.

"A potential significance of the LDS statement — we'll see where it goes," he added, "is it reopens that dialogue. It says, yes, we are willing to help you guys if you'll help us. If that reopens the political track, that would be a really big contribution."

Rauch said the church's is bold because it is moderate.

"The church is going to take some flak from the right for this, maybe really big flak. People are going to say you sold us out, and all you're going to get is anti-discrimination laws without meaningful exceptions.

"And I think you're going to see the same sort of argument on the left, but in reverse. The question is if there's still enough room to build something constructive in the center. ... There still may be, but I think that today's announcement by the LDS elders just significantly boosted our chances."

Tuesday's press conference echoed the talk Elder Oaks gave in October at the church's semiannual general conference, when he counseled Mormons not to "surrender our positions or our values," but to still "live peacefully with others who do not share our values or accept the teachings upon which they are based."

## Chilling tactics

He reiterated those positions Tuesday, sharing examples of attacks on people of faith for their positions.

One was the story of Peter Vidmar, the 1984 Olympic gold medalist in gymnastics and a

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the U.S. delegation to the 2012 London Olympics because he donated \$2,000 to the Prop 8 campaign.

Church leaders believe the church and its members have the right to engage in democratic elections without fear of retaliation.

"Accusations of bigotry toward people simply because they are motivated by their religious faith and conscience have a chilling effect on freedom of speech and public debate," Elder Oaks said. "When religious people are publicly intimidated, retaliated against, forced from employment or made to suffer personal loss because they have raised their voice in the public square, donated to a cause or participated in an election, our democracy is the loser. Such tactics are every bit as wrong as denying access to employment, housing or public services because of race or gender."

"It is one of today's great ironies," he added, "that some people who have fought so hard for LGBT rights now try to deny the rights of others to disagree with their public policy proposals."

### **Four principles**

Elder Oaks asserted four principles he said were based on fairness for all and rooted in the teachings of Jesus Christ:

— "We claim for everyone the God-given and Constitutional right to live their faith according to the dictates of their own conscience, without harming the health or safety of others.

— "We acknowledge that the same freedom of conscience must apply to men and women everywhere to follow the religious faith of their choice, or none at all if they so choose.

— "We believe laws ought to be framed to achieve a balance in protecting the freedoms of all people while respecting those with differing values.

— "We reject persecution and retaliation of any kind, including persecution based on race, ethnicity, religious belief, economic circumstances or differences in gender or sexual orientation."

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"This would include living in accordance with their deeply held religious beliefs, including choosing their profession or employment or serving in public office without intimidation, coercion or retaliation from another group."

For example, he said, "a Latter-day Saint physician who objects to performing abortions or artificial insemination for a lesbian couple should not be forced against his or her conscience to do so, especially when others are readily available to perform that function."

## **Outside reaction**

Reaction to the church's statements was divided as Rauch and others predicted.

"This announcement from Mormon leaders has," said Russell Moore, president of the Southern Baptist Convention's Ethics & Religious Liberty Commission, "as I thought, been greeted with hostility from gay rights organizations and disappointment from social conservatives."

Moore said he has met repeatedly with LDS leaders about religious freedom and LGBT nondiscrimination issues and disagrees with their moderate approach because "the proposals to address these concerns inevitably lead to targeted assaults on religious liberty."

The nation's largest LGBT civil rights organization greeted the church's statements but said they did not go far enough.

"Symbolically, seeing the church leaders advocating so openly for these protections will no doubt be deeply meaningful to Mormon families with LGBT members, and provide encouragement to LGBT youth in the church," Human Rights Campaign legal director Sarah Warbelow said.

She called the LDS position flawed because it would allow doctors to deny medical care and pharmacists to refuse to fill valid prescriptions "in the name of religion."

"We share the church's commitment to freedom of religion," Warbelow added. "We embrace the principles of the First Amendment and believe churches do and should have the right to make determinations about who fills their pews. But non-discrimination protections only function when they are applied equally."

"As a worldwide church dealing with many complex issues across the globe," it said, "The Church of Jesus Christ of Latter-day Saints promotes broad, foundational principles that have worldwide application."

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