IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

MASTERPIECE CAKESHOP et. al.

v. **1:18-cv-02074-WYD-STV**

AUBREY ELENIS et. al.

SWORN STATEMENT OF SENIOR PASTOR DR. JACK CAIRNS BA. MA. M.DIV ON ABSOLUTE TRUTH

I, Dr. Jack Cairns, declare under the penalty of perjury, pursuant to 28 USC sec. 1746 as follows:

1. I am the over 18.

2. I am the Sr. Pastor of Capital Assembly Of God, Presbyter of West Central Section of the New Jersey District of the Assemblies of God, Principal and Teacher of the Burlington Campus of the New Jersey District School of Ministry and the Director & Head Teacher of Capital Kids Daycare and Preschool, & I hold a BA. MA. M.Div Equivalency and a D.MIN."

3. This sworn statement discusses the reality and power of absolute truth and intends to appeal to Courts' and legislatures' common sense in how the United States Constitution legally permits the states to define marriage. This position relies heavily on the research findings of Columbia University Professor and Senior Pastor of Redeemer Church, Timothy Keller.

4. In this sworn statement, I rely on my training in ministry in asserting that actual marriage between one man and one woman is based on absolute self-evident truth that is natural, non-controversial, and neutral. The same cannot be said of any form of parody marriage, which is based on a set of unproven naked assertions and faith-based claims that are implicitly religion, controversial, and perhaps categorically implausible. All parody marriages are all equally controversial and require a huge amount of faith to believe that they are even real, moral, and should be legal. The only form of marriage that is secular involves one man and one woman.

5. Secular Humanists in office and in society are often hostile towards Christians because Christians believe they have a grasp on absolute truth. Secular Humanist believe that all truth claims are equal, but Christians and Constitutionalists do not. Many Secular Humanists, to include self-identified homosexuals, feel that Christians in society and in office have some positions that they think everyone should believe and everyone should do in order to maximize human flourishing. Secular Humanists often feel threatened by that. The Democrats, like Senator Feinstein, on the Senate Judiciary's questioning Christian Judges, like Amy Barrett, for nomination to the bench could not have made that any clearer that the Secular Humanists see Christian absolutism as a basis for law inherently dangerous and worthy of marginalizing, regardless of the prohibition against religious tests.

6. Here is how the objection goes by Secular Humanists - to include the LGBTQ church:

Christians in office believe they have absolute truth, but people who have absolute truth undermine freedom. First of all, Christians tend to oppress people who are different than they are, and they tend to impose their views on others. So they tend to harm other people's freedoms. And people who believe they have the absolute truth are themselves not really free. Here they are under the burden of trying to comply with this set of divine directives.

Our modern culture and Secular Humanists, to include self-identified homosexuals, believe, everyone should be free to determine for themselves what is true. Everyone should be free to determine their own truth and what is right or wrong for them. They assert that absolute truth is the enemy of freedom and that it harms and erodes freedom – that is the objection to basing laws and policy on ones that parallel Judeo Christian principles.[1]

7. So as a Christian Pastor and Constitutionalists - what do we say to that which is of relevance here? How do I and other Christians respond to that? The Supreme Court itself, by the way, has actually enshrined the cultural mindset on this in a famous passage in a 1992 ruling in which the Supreme Court actually said, "The heart of liberty is to define one's own concept of existence, of the meaning of the universe." So there it is. What do I and other Christian Constitutionalists say?

8. There's three things to say that I will analyze here to help the Courts and Legislatures find the law. First, "truth" is a lot more important than you think. Second, "Freedom" is a lot more complex than you think. Third, parallel policies that parallel the personalized truth of the new testament gospel is a lot more liberating than you think. Now those three principles again are: (1) truth is more important, (2) freedom is more complex, (3) basing policies on absolute truth is more liberating than you think - those principles are found in this passage Galatians 2:4-16, which illustrates these three principles. As a typical pastor, I would like to analyze these

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[1] It is self-evident that man-woman marriage is not just supported by the Bible but by it is a special union that is based on self-evident neutral truth. The Bible only coincidentally parallels self-evident truth. All forms of parody marriage are a critiques on self-evident truth. They are a critique on Christianity. Since the Bill Of Rights and the Constitution themselves are based on self-evident truth, it is accurate to say that parody marriages to include gay marriage are an open assault on the Constitution itself. While individuals deserve the right to freely express themselves, the states cannot legally recognize any form of parody marriage without entangling the government with the religion of secular humanism. Millions of taxpayers, to include myself, do not want our taxpayer dollars going towards that entanglement.

principles in of the takeaways from Galatians 2:4-16 to help the Court see how the Constitution permits the states to legally define marriage:

"This matter arose because some false brothers had infiltrated our ranks to spy on the freedom we have in Christ Jesus and to make us slaves. We did not give into them for a moment, so that the truth of the gospel might remain in you. As for those who seem to be important – whatever they were, makes no difference to me; God does not judge by external appearance – those men added nothing to my message. On the contrary, they saw that I had been entrusted with the task of preaching the gospel to the Gentiles, just as Peter had been to the Jews. For God, who was at work in the ministry of Peter as an apostle to the Jews, was also at work in my ministry as an apostle to the Gentiles. James, Peter and John, those reputed to be pillars, gave me and Barnabas the right hand of fellowship when they recognized grace given to me. They agreed that we should go to the Gentiles, and they to the Jews. All they ask was that we should continue to remember the poor, the very thing I as eager to do. When Peter came to Antioch, I opposed him to his face, because he was clearly in the wrong. Before certain men came from James, he used to eat with the Gentiles. But when they arrived, he began to draw back and separate himself from the Gentiles because he was afraid of those who belonged to the circumcision group. The other Jews joined him in his hypocrisy, so then by their hypocrisy even Barnabas was led astray. When I saw that they were not acting in line with the truth of the gospel, I said to Peter in front of them all, 'You are a Jew, yet you live like a Gentile and not like a Jew. How is it, then,that you force Gentiles to follow Jewish customs? We who are Jews by birth and not Gentile sinners know that man is not justified by observing the law, but by faith in Jesus Christ. So we, too, have put our faith in Christ Jesus that we may be justified by faith in Christ and not by observing the Law because by observing the law no one will be justified.'"

9. When it comes to legally defining marriage, "truth" is more important than you think. The passage in Galatians 2:4-16 is a historical story, it's an account of what happened in the earliest days of the Christian church. The earliest Christians were Jewish and because of that they observe the Mosaic ceremonial Law, the ritual, purity codes of what you ate and how, what you could wear. But when Paul went to the Gentiles and preached the gospel and many of them were converted, when the Gentiles started coming to the church the question arose, "Has Jesus Christ so fulfilled the ceremonial Law – all the sacrifices and the priests and the Temple and the all the dietary restrictions and so on – Has Jesus so fulfilled all that? Now they're obsolete and now we don't have to observe them?"And Paul's answer to that question was, "yes." And amongst the

Gentile converts, they didn't have to do any of that. Now what, there was a controversy about that because there were many people who say,"no, that's not right" and see verse four and five at the very beginning of the passage people came and spied on what Paul calls the freedom we had in Christ. So Paul had to go to a special meeting with all the other Apostles in Jerusalem where he contended for the truth, verse five of the gospel, and as we will see everyone came to agree that what Paul was doing was right. The point is, verse four and five says we have freedom in Christ because of the truth of the Gospel. And in a moment later on, we're gonna get back to what that truth of the Gospel is, but for a minute I would like you to just consider the relationship between truth and freedom that Paul lays out in those two verses, which relates to the question as to how the states can legally define marriage from a secular Constitutional perspective.

10. Freedom, verse four, comes from the truth, that's the reason why Paul was fighting for it. It is perhaps why the framers were fighting for it when they wrote the Constitution. It was why Dr. King was fighting for it when he was making the argument that segregation was evil because it is self-evident that all men are created equal in the image of God. It is perhaps why the States passed the so-called marriage bans. The marriage bans did not just single out self-identified homosexuals who wished to legally marry. The marriage bans also barred the states from legally recognizing any form of parod marriage to include polygamy, person-animal, and person-object marriage form government recognition as well on the same legal basis. All forms of parody marriage are faith-centric and not fact centric and are based on distortions of the truth promoted by a self-serving culture. Freedom comes from the truth, and that's exactly the opposite of the way in which we in our culture and secular humanist think. This is why Justice Roberts said in

Obergefell that "times can blind." The message of secular humanism and culture is intellectually blinding and at odds with ultimate reality that transcends any fleeting cultural moment. Cultural always tends to move and shift and evolve, sometimes for the worse, when it is moving out from underneath transcultural absolute truth. The evidence shows that culture shifts for the better, when the laws and policies accord with self-evident truth.

11. Secular Humanists and self-identified homosexuals feel like if a person has to comply with the truth, that is if Christians are forcing the truth, if a person is having to obey the truth that is a lack of freedom. Why do they feel that way? That is a question that demands a verdict. One of the great, most influential philosophers, of the last few years was the French Philosopher Foucault, and Foucault writes something that Justices like Ginsberg, Kennedy, and the LGBTQ church seem to believe, but the idea has been extremely influential in our culture. Foucault says,"truth is thing of this world. It is produced only by multiple forms of constraint, and that includes the regular effects of power." Now, what Foucault is says is simply this, "Truth claims are power plays." That when a person claims to have the truth what they are really doing is trying to get power over other people.[2] Claiming to have the truth is a method of control. Claiming to have the truth is a form of constraint and a way of controlling other people's behavior and getting power over them. Now, that's the view, and maybe you think as a Christian minister I'm gonna start out my response by saying, "What a bunch of malarkey." But I'm not. I am not. I think we all need to hear that.

[2] For example, when the self-identified homosexual litigants in Obergefell argued that the private moral code used to legally define marriage as exclusively between one man and one woman was no longer valid because they felt it to be the case, what the self-identified homosexuals did was push to replace a private moral code that was neutral with their own personalized private moral code that is completely controversial and faith-based.

12. You see, Foucault was probably the number one disciple of Nietzsche in the 20th century. And Nietzsche established the "Hermeneutics Of Suspicion." And what somebody once said is the "Hermeneutics of Suspicion is really "philosophical squinting" and this is what they meant by that: if you would make a truth claim to Nietzsche, if you would say,"Everyone should promote social justice – everyone should do justice in the world." Nietzsche would ask:

"Hmm, you're calling everyone to justice are you? Why are you calling everyone to justice? Is it because you love justice? Or is it because you want to start a revolution that will put you on the top and give you power?"

Or someone would say to Nietzsche, "Everyone should obey God's Word." And Nietzsche would respond by asking:

"Everyone should obey God's Word, huh?" Why would you call everyone to obey God's Word? Is it out of love for God? Is it out of love for His Word? Or is it a way of establishing your moral superiority? Is it a way for you to justify yourself and to justify your oppressing and abusing or marginalizing at least, or ignoring people who don't believe God's Word?"

The reason I want this Court and legislatures to listen to what Nietzsche and Foucault[3] have said is because it's exactly what Jesus says about the Pharisees. Jesus also said, when He looked at the Pharisees:

"You're claiming to have the truth, your truth claims are ways of getting power. They're ways of justifying yourself. They're ways of justifying your group. They're ways of getting control over God. They're ways of getting control over other people.

Listen Jesus says that truth claims in general are power plays. And the Court and legislative members, whether they consider themselves to be conservative or liberal should pay attention because when Foucault and Nietzsche and Jesus Christ all agree on something you know it's just got to be true. But if a lawmaker or Judge insists that all truth claims, all the time, are always all

[3] Both Nietzsche and Foucault were serving as prietly advocates for the church of Secular Humanism. Nietzsche's entire worldview, like the LGBTQ church's worldview, can be summarized in a single sentence as "man evolved from apes, therefore love one another." It is completely irrational, and no one really lives their life completely as if truth were relative.

power plays, that they always destroy truths, and that all truth claims destroy truth, that anybody who says they have the truth destroys freedom, they are objectively wrong. It is a waste of time pretending otherwise. In book "The Abolition of Man" by C.S. Lewis, the author states:

"You cannot go on explaining away forever, or you will find you will have explained your own explanation itself away. You cannot go on seeing through things forever. The whole point of seeing through something is to see something else through it. For example, it's good that you can see through a window, but that's only because the garden behind is opaque. But if you could see through everything, if everything was transparent, a wholly transparent world would be an invisible world. And to see through everything would be the same as not to see."[4]

13. What's C.S. Lewis saying? He's talking about Nietzsche. Here's what he's saying, "If the Secular Humanist says, "All truth claims are power claims," so is that truth claim. What is that? That's a truth claim. And so it that. So the public, Judges, and legislators don't' have to listen to the Secular Humanists, if truth is relative as the secular humanist and LGBTQ church argued as they pushed to impose gay marriage on all 50 states. Or if the Secular Humanists and LGBTQ church says like Freud did, "All statements about religion and God are really just psychologically projections to deal with you own guilt and insecurity." Well, so that statement. What is that? That's a statement about God and religion. And so is that. So the public, the legislators, and Judges do not even have to listen to moral relativists who make that kind of self-defeating argument when they are trying to use moral relativism as a basis to create policy. A Secular Humanists who makes that kind of argument has explained away their explanation. "Times can blind" but this Court has to be able to see this analysis as a matter of common sense. This is precisely the legal argument made in *Obergefell* and *Windsor* where the self-identified

[4] The LGBTQ church in pushing for gay marriage was basically saying that all forms of marriage are equal because truth does not matter but the truth is that marriage between one man and one woman is based on factual considerations and self-evident truths that check out with the way things are and gay marriage is based completely on a litany of unproven faith based assumptions that are not only controversial, they are sexuallly exploitative, obscene, and subversive to community standards of decency from an objective viewpoint.

homosexuals basically made the argument that nobodies version of morality as a basis of law matter - except of course for the private morality that they personally believe in. Basically, the LGBTQ community which is a part of the church of secular humanist argued that a "private moral code" based on self-evident truth that the Nation was founded on and that serves as a basis for law in how marriage should be defined should be replaced by their own private moral code that does not even manage to check out with the human design and is self-evidently depersonalizing, dehumanizing, and desensitizing. The Courts should have dismissed Obergefell for lacking subject matter jurisdiction.

14. Allow me to illustrate this point further, if the secular humanist evolutionary biologists say:

"You know, everything your mind tells you about God and morality and truth, everything your mind tells you is really just hard wired brain chemistry that's there in order for you to pass on genetic code."

Well, everything their brain tells them about everything, including the evolutionary biology, is the same so why should anyone listen to it? You see, to "see" through everything is "not to see." And to say, "No one should make truth claims because that's just a power play. That's the biggest power trip of all because that's a great big needle and you can go around and puncture everybody's balloon. You better puncture your own and guess what you're back to square one because everybody does make truth claims. Everybody believes in truth claims. For the LGBTQ church and Secular Humanists in office to say, "No one should say they have the truth" is itself the most incredible power trip. It is a way of them getting on top in their sophistication and in their jadedness over everybody else. Look, everybody does make truth claims. Christians make truth claims and so do the LGBTQ secular humanists when it comes to policy proposes. Without faith, there is no basis for morality, and without morality, there is no basis for law. So all policy

starts on a set of unproven faith based assumptions. We all have to make truth claims when forming policy, and therefore it's not making a truth claim, per se, that leads to oppression. It is what is in the claim. It is what's in the truth claim.[5] " The claim that parody forms of marriage are equal form of marriage to man-woman marriage from a factual and legal perspective is a truth claim that is simply intellectually dishonest. To legally equate two things as if they are equal when they are not in order to advance a faith-based agenda in the religion of Secular Humanism is precisely the kind of evil that the Establishment Clause was designed to prevent.

15. To illustrate the point farther that what is in the truth claim is what matters here is an example: I was absolutely amazed by the by the reports coming out of Lancaster County in the aftermath of the terrible tragedy where a man came into a school and slaughters the these little girls, who were Amish school children. One of the things that most amazed news was that one of the little girls who was killed offered to die for the rest of them. She said to the attacker,"kill me, and let the rest go." And by the way, the Amish little girls did not watch television, and they did not see movies. Where would she have gotten that idea of dying for her friends? And when it was all over one of the amazing things that even the reporters themselves were amazed by was that the community and the bereaved families not only forgave the man who did it, but they took up a collection for, prayed for, and forgave the widow and the children of the man who did it.

16. Now, by anyone's definition the Amish are "fundamentalists." And they believe they have the truth. And has this Court or any legislator ever heard anybody say, "Oh, fundamentalists they think they have the truth. That leads to oppression?" It didn't there. Why not? Because its

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[5] The idea that "love is love" is shallow sentimentality because it is love without truth. Real love does not tolerate all things. What "love is love" really means is that a proponent of homosexuality is perfectly ok with government assets being used to crush and harangue any individual who does not think that parody marriages are moral and real or that they should even be legal. That is a believe that is by definition "unloving.

depends on what the fundamental is. And the fundamental in the Amish school shooting by a Secular Humanist involved a man dying on the cross for His enemies – a man with whose last breath blessed the very people killing him, praying for their forgiveness. And if you take that fundamental truth claim into the very center of your life and into the very the center of policy making, then lawmakers will begin to see that it is not the truth claims per se that erodes freedom, it is what is in the truth claim. It is true of course that truth claims can be used to destroy freedom, but there is no freedom where there is no truth. For the Government to endorse policies that equate parody marriages are equal to fact-based marriage between one man and one woman is not a policy that produces freedom, peace, and forgiveness but a policy that facilitates cultural captivity because it is dishonest to say that these things are equal and should be treated equally under the law. To say that man-man and woman-woman marriage is equal to man-woman marriage is simply intellectually insincere in every respect. In fact, such a government policy is both sexually and intellectually exploitative. This is especially true since it is not really fully proven or disprove whether or not homosexuality is based on immutability so for the government to suggest that it is, and therefore, homosexuality is a matter that arises under the Equal Protection clause is an act that is so intellectually dishonest that it virtually amounts to an act of racial animus in kind and a form of reverse racism that cannot be tolerated by civilized society that is dedicated to remaining Constitutionally centric.

17. The marriage bans that barred all forms of parody marriage from legal recognition, were a commentary on absolute truth. The fundamental of the marriage bans was that all forms of parody marriage are non-secular. The lawsuits brought by self-identified homosexuals - like Obergefell, Windsor, and Lawrence - were an attack on absolute truth. But the marriage bans

were never unconstitutional because they accord with self-evident truth that checks out with the truth of our nature as it is designed. The Constitutional legal basis for the marriage bans was the First Amendment Establishment Clause, which has at all times served as the National and Federal marriage ban. The Establishment Clause only allows the states to at the very most legally recognize marriage between one man and one woman because it is the only secular form of marriage. It is the case that marriage between one man and one woman is not questionably moral, real, and legal, but the same cannot be said of any other form of parody marriage, since man-man, woman-woman, man-object, man-animal, and polygamy do not even check out with the human design as a matter of self-evident observation nor do they sit well with the spirit of the reasonable observer. Therefore, the marriage bans were always Constitutional, and the unconstitutional action was found in the attempts to redefine marriage to include other forms. There is nothing inherently religious in a policy that permits a state to issue marriage licenses to one man and one woman, but there is something immensely religious in the state issuing marriage licenses to individuals who seek to be a party to a parody marriage. Parody marriages advance a religious ideology that is narrow and exclusive, but the same is not true of policy that only recognizes man-woman marriage.

18. Because as Jesus Himself said in John chapter eight, "The truth will set you free." So, its just that truth claims aren't necessarily eroding of freedom, you've got to have the truth and be in touch with the truth to have freedom. Only the truth will set you free. What do I mean? I've always wished I was a ship's captain in the 16th century. I've always wanted to be a captain of one those incredible ships. And if I was the ship's captain and I was trying to take my ship into the English Channel between Britain and France, but if I was to make a mistake and sail up the

Bristol Channel, which is far more shallow, and I didn't' realize it, and I just plowed across thinking it was the English Channel, very soon I would run aground. Very soon my ship would be wrecked, everybody would would be killed. Why? Because I was out of touch with the truth. I was out of touch with the truth of how deep the channel was, and I was out of touch of the truth of where I was. Maybe somebody lied to me. Maybe I would just miscalculate it. But either way I was out of touch with reality, I was out of touch with the truth. And the truth would've set me free. And only the truth would've set me free. And, you see, the idea, the modern idea, that you have to get away from the truth somehow to be free and get out from under the truth and stop, get away from the truth to be free is silly and subversive to human flourishing. It's actually stupid. To say that man-man marriage is a equally legally viable option as man-woman marriage is dumb. Only the truth will set you free being closely in touch with the truth and living in accordance with the truth will set you free. And the truth is that (1) all forms of parody marriage are removed from reality, (2) there is no such thing as gay people, (3) there is no proof that people are really born gay, and (4) the idea that gay rights are civil rights like race rights are civil rights is absurd and a danger to freedom because it is a proposition that is based on a lie. It makes the Judiciary look completely absurd and worthy of total contempt for being under the influence of a self-defeating cultural narrative and out of touch with transcultural truth and reality. It is truth that one man was designed to be in a marriage with one woman, and the law should encourage our citizens to make the objective healthy choice, moral, and right choice - the choice that tends to promote the greatest amount of human flourishing.

19. Here is an objection that a secular humanist can offer: "Ah, you say, well maybe the idea that truth will set you free is true in the empirical realm you know the scientific realm but not

necessarily in the moral, spiritual realm. There you can live anyway you want." Oh, really? I think I can say without fear of contradiction, "If you live for money and only for money, if you only live to make money, if you live only to spend money, if you live only to have money, nothing matters to you, you will shrivel your soul, you will destroy all your relationships. You might work too hard and ruin your health and your body." Why? Because you have run aground on the rocks of a moral, spiritual reality that's there every bit as much as the Bristol Channel is there as discussed above. It's there. It's the way things are. You're out of accord with the truth of how human beings ought to live. Only the truth will set you free. Truth is much more important than you know. The truth is that homosexuality is obscene because it takes something that is not inherently bad and twists it into something that is perverse. Legally recognized Gay marriage is government sanctioned obscenity in action that manages to erodes community standards of decency and degrade families and children centered on secular marriage between one man and one woman. Legally recognized parody marriage promotes sexual exploitation and harmful forms of sex that hurts the public's health, safety, and welfare by normalizing forms of sexual activity that does not accord with the truth about the way things are. The government is shooting itself in the foot and hurting society by trying to expand the definition of marriage to include forms that are simply removed from reality and are merely a commentary on absolute truth in an effort to justify forms of sexual activity that was illegal until recently and just as self-evidently immoral as rape by trick is. No one has to tell us that rape is immoral, and therefore, that it should be illegal. It is a matter of self-evident observation. The same can be said of homosexuality, which remains illegal in many well developed nations. Yet, the question at bar here is not whether homosexuality should be illegal, but the question here is whether the

government can legally recognize gay marriage or any other form, the answer is no from a common sense Constitutional perspective.

20. So you see, freedom comes from when our laws parallel the truth and is not based on false equivalencies. Yet, that leads us to a question that many Secular Humanist throw back my way: "Wow, I guess I always thought of freedom as being able to create your own truths. You're saying that freedom is submission to the truth. Why? How's that?" Well, you see, we're getting to point two, fortunately. And point two is: "Freedom now is much more complex than you think." Permit me to momentarily put my Pastor hat back on to illustrate the point: Paul gets up to Jerusalem and has this debate, has this discussion, and everybody says, "Yeah, you're okay. You're mission to the Gentiles is legit." And they shake, hands and we see down here in verse 9 in Galatians 2:4-16 it basically says, "So we all agreed that we should go to the Gentiles they to the Jews," but look at verse 10, "All they asked was that we sold continue remember the poor the very thing I was eager to do." Paul was going to the Gentiles and that was a place where the power and the money were. And what the apostles in Jerusalem were trying to remind him of is the Judean Christians in fact you know the people of Judea had far less money and far less power and what they were saying was essentially, "remember what the Bible says about the poor. You know, you can win them to Christ, but they have to see what the Bible says. They have to care about the poor," and suddenly begin to realize something really weird. In verse 4, Paul more or less said: "We're free in Christ. We're free." But down in verse 10, we see that Paul basically stated: "Yes, of course, we're still restricted to the Biblical, ethical norms. You can't live any way you want, you can't spend your money any way you want, you have to tell the truth, you can't commit adultery" and those kinds of things. So now wait a minute here in verse 4

Christians are "free," according to Paul, but in verse 10 Christians are "restricted." Christians are still restricted to certain living and certain ways, and the response I often here from secular humanists interested in Christianity as a basis for life and policy is, "Wait a minute I thought freedom is the absence of restrictions. I thought freedom is the absence of all constraints and boundaries and restrictions. The fewer restrictions there are, the more free I am. It's not having any restriction on anything I do." My response to that push back is that it is nothing more than a wrongful over simplification. I'm here to try to show the Court and the legislators that freedom is much more complex than that and in order to have policies that create freedom, the policies have to be based in reality and in the truth.

21. Let me give you a couple of examples. First of all, as you get older as you will find, you can't just eat anything you want. And at a certain point the doctor will say to you, "Now look, There's a lot of these things you love eating. You can't eat them anymore." And so what you're going to have to do is you're going to have to restrict your freedom. You're going to see the food on the table, see the items on the shelf, you're gonna get near them food, and you're going have to say no. You are constrained. That's constraint. That's restriction. So you have to give up your freedom to eat anything you want, if you want to be released into the richer, deeper freedom of good health and long life. Or if you want to you can just eat anything you want. No restrictions you know be totally free and then you will lose both your health and probably you'll have a shorter years. So which is it, you can't have them both. Now, obviously, the freeing and the liberating restriction of freedom is to be restricted here so that you can get that richer and deeper freedom of good health and long life. The same goes with weather to the government should pass policies that promote the urges of the citizenry to open the door homosexual conduct, lifestyle,

and ideology. Perhaps someone has a temporary moment of attraction to a member of the same sex and they open the door to cultivate that attraction, deciding to act upon it. Consequently, the classical conditioning takes place in step with the straightforward science of dopamine, oxytocin, dopamine, and serotonin is powerful and should not be underestimated. Classical conditioning can take place not to mention a toxic stew of shame, guilt, and confusion in the proliferation of opportunity cost that cultivates a decreased quality in life for not only the individuals, but for those living in the community, as the standards of decency are eroded. Individuals who opened the door to that form of sexual conduct increase the chance of missing out on a union with a member of the opposite sex that at the very least has the symbolic potential to really proliferate human flourishing and encourages a healthy living situation for children in the development of a relationship that checks out with the natural human design. But it is deeper than that. It is not just the potential that man-woman marriages possess that makes them unique, stand alone, and worthy of setting apart, it is the biochemical blending of two members of different genders that is insurmountably in accordance with self-evident law and the natural design of things, making such relationships natural, neutral, non-controversial, moral, and most importantly, from a First Amendment perspective secular. This is not to say that any form of parody marriage should be outlawed and barred. After all, the First Amendment Freedom permits people to self-identify as anything they would like and to perform religious ceremonies in accordance with their faith-based beliefs. But the question here is not whether homosexuality should be illegal but whether the government should promote it, encourage it, and treat the parody marriages as if they were actually equal to man-woman marriage. The answer is no because the Establishment Clause prohibits the government from Entangling itself with the religion of secular humanism.

The only question is what kinds of marriages can the state or must the state recognized. The answer is this: the States can only at the very most legally recognize marriage between one man and one woman because it is the only form that has the potential to maximize human flourishing and because it is the only form that is secular in nature. Period full end stop. All other forms of marriage are based on a lie or at least a potential lie, and they are not are out of touch with the truth so there is a real danger to actual liberty interests. There is an inherent entangling bondage in policies based on fiction that the government cannot promote without running a fowl of the Establishment Clause and enabling a form of intellectual blindness that is subversive to human flourishing on many levels.

22. Let me give another example. You see freedom is not as simple as loss of restrictions. A lot of people have musical skills, and at some point in a musicians life they made a decision and that is that they were going to restrict their freedom because they were resolved to practice, practice, practice. They decided that they were going to practice every day, and to practice a long time, every day. By deciding that they are going to practice, practice, practice means that there is all kinds of other stuff that they cannot do, that other people can do. So musicians restrict themselves for now, but it is only because they restrict themselves that they are eventually released to the far richer, deeper freedom of being able to perform, being able to express, being able to thrill a crowd, being able to compose, all kinds of stuff they could never even begin to do if they didn't restrict their freedom. Without the restriction, the musician could never released into a deeper freedom.

23. "Oh", you're starting to say, "Okay, I see it, I see it. So this naïve idea that freedom is an absence of restriction – no, discipline, restriction, can release you into a greater freedom so

discipline is a good in of itself, right? Oh, no. Freedom is not the absence of restriction, but freedom is to the presence of right set of restrictions. In liberal western culture, like ours, Secular Humanists think of freedom as the absence of constraint. But in traditional cultures there's a feeling like discipline is a good, per se, discipline - is always good and that freedom comes from discipline. But that is simply a wrongful over simplification. For example, if, imagine a young guy, twenty-two years old, five-foot- three, he's a 115 pounds, and he dreams of being an NFL lineman. And because he's gone to American schools all of his life, every year his teacher said, "You can be anything you want to be." And like an idiot he believes the teacher. And so now he gets up and he says, "This is my dream. I'm gonna be an NFL lineman. I'm gonna practice, and I'm gonna discipline myself, and I'm gonna restrict myself, work out, and build myself up, and as a result, he wastes his life because freedom is not the absence of restriction or the presence of restrictions. Freedom is the presence of the right set of restrictions; the ones that fit in with your nature with who you are, and the truth of who God has made you to be, and the truth of the your givenness of your nature. And it's great, if you find the truth of who you are the truth of what you've been given. See the musician because of his aptitude and his restriction releases him, and the little guy who wants to get into NFL fails because he does not have the nature, and the aptitude restriction destroys him. Legally recognized gay marriage is completely destructive because it encourages our citizens to open the door to sexualized conduct that simply does not accord with the truth of the human design, which leads to facilitation of not a second class citizenship status but a second class life, and it is cruel and sexually exploitative for the government to equate any form of parody marriage with actual marriage.

24. Freedom is not the presence of restriction nor the absence of restriction. Freedom is the presence of the right restriction the ones in accord with the truth of who God made you to be, and then when you give up your freedom you surrender to those restrictions it will release you into richer deeper freedom. As a matter of self-evident observation, men and women are designed to be in marriage with one another. For an individual to say that they were made to marry a member of the opposite sex, an object, an animal, or multiple people at one time is a faith-based stretch that cannot legitimately be entangled by government. Man-woman marriage is legally cognizable because it is a policy that is just based on the way humans are designed and does not contain an ulterior political agenda. While it is Constitutionally permissible for individuals to opt-out of natural marriage in step with their freedom of expression right, it is both cruel, malicious, and unconstitutional for the government to entangle itself and promote forms of marriage that (1) erode community standards of decency, (2) do not check out with the human design, and (3) require a huge amount of faith to believe that they are real and equal to actual marriage, when parody marriages are objectively distinct from actual marriage from both a legal and factual perspective. Legally recognized gay marriage normalizes false permission giving beliefs about sex that constitutes a trap for the unwary. Legally recognized has completely confused large portions of the youth, and it has falsely communicated to those who have opened the door to the transgender and LGBTQ worldview that there is no way out. Legally recognized gay marriage is a form of government sanctioned exploitation.

25. The Constitution is based on the truth, and law makers in every branch must defend the truth, and not make up truth to fulfill a conclusion about a worldview they formulated. The bottom line is that the truth sets people free, and government officials owe a fiduciary duty to the

public to not use the powers of their office to promote lies. Here is another illustration about policy making: take a fish out on the grass. A fish laying in the grass isn't free. A fish out on the grass has lost his freedom to move even to live. You have to restrict the fish to the water. And in the water its strength returns, its power returns, and it can swim away like lightning, and therefore freedom is a lot more complex is it not? It's the right restrictions, the restrictions that fit in with the givenness of our nature – the restrictions that fit in with the truth of who you are and the truth of how things are. Legally recognized marriage should be restricted to the only secular form - between one man and one woman. The ultimate example of the complexity of freedom is love. Oh yes. You see, love is a way to get free is it not? All things considered, isn't' it love that brings you the freedom of security, fulfillment, and joy? But Francois Sagat the famous French writer some years ago when she was in a magazine interview when she was up in years was asked have you lived the life you wanted to live. She said, "Yes, I have lived to be free." And then the interviewer said, "You have had the freedom you wanted." And Sagat said, "Well, yes, but, I was obviously not free when I was in love with someone, but one is not in love all the time fortunately. Apart from that, yes, I've been free." That's a very realistic position, and I'll tell you why the freedoms of love only come if you surrender all kinds of individual freedom.[6] Policies that promote parody marriages unquestionably constitute an attack on the family and ultimate reality. While the promise of marriage between one man and one woman is not guaranteed what

[6] The objective evidence shows that a man who really loves a man will encourage his brother to become a better man of character, purity, and virtue in preparation of his potential female counterpart wife. A man who loves a man does not molest him but restricts himself from doing so. Homosexual conduct is objectively mutually destructive even if consensual and not mere rape by trick due to a kind of cultural seduction that comes from overly conformity to society's messages. A woman who loves a woman will not seduce her sexually - doing so would be the very opposite of love. A woman who loves a woman will push her to become a better woman of character so that she can be released into the deeper richer love of a marriage between one man and one woman some day, which is a natural, non-controversial, and potentially life giving union that is set apart and stand alone that goes towards creating ultimate reality and ultimate community.

is relevant is the fact that the Constitution only permits the states to legally recognized marriage between one man and one woman because it is the only natural, neutral, non-controversial and secular form that accords with the givenness of our nature and the truth about how humans are designed.

26. A friend of mine told me that shortly after he was married like days or maybe at the most weeks, he was coming home from work, and he suddenly had an idea and decided to take a detour. He went some place to buy something or something and he got home about 25 minutes late. And his wife looked at him and said, "Where were you?" This was before cell phones, and then it hit him, all of his life he had been free to do anything he wanted, and now, he was married, and therefore his right to make even small unilateral decisions was over forever. Because the more intimate a love relationship the less independent you can be. The only way to get the freedoms of love is to surrender freedom. All kinds of freedom drastically. And a government that loves its people will craft marriage in a manner that promotes a kind of love that accords with the givenness of our nature, and the truth about how humans are designed.

27. A lot of people here understand what I am saying when I suggest that to be released into a deeper richer freedom that they have to be subjected to some restrictions that parallel self-evident truth about the way things are. A lot of people have been in a love relationships where they gave up their independence and started sacrificing but the other person didn't, and they felt dehumanized and exploited. And they are afraid of going back into those kinds of relationships and are certainly afraid of what I'm trying to get at. Men and women are inherently equal but fundamentally different. What I am getting at is that the State can only legally define marriage between one man and one woman. After all, I am a minister and a preacher. People are worried

that reducing marriage to one man and one woman is less liberating, but they are wrong. Our society is far more free if the government does not entangle itself with the religion of Secular Humanism that all parody marriages flow from. All parody marriages advance the religion of secular humanism but the same is not true of natural marriage - which does not have a religious agenda. Marriage between one man and one woman is not a critique of truth but all other forms of parody marriage are.

28. Defining marriage to only accord with absolute self-evident truth is more liberating than we thought because it affirms actual marriages, and it directs our citizens to engage in a course of conduct that accords with the natural human design in a manner that promotes human flourishing. There is a movie called "I, Robot." In the movie the main character is Sonny who is a robot. And Sonny the Robot has been created by his maker to head off a robot rebellion and at the end of the movie he's already done that so he's fulfilled his designed program. But now he has nothing to do because he wasn't made to do anything past that and he says to Detective Spooner who is the other main character, he says, "Now that I have fulfilled my purpose, I don't know what to do." And Detective Spooner say, "I guess you'll have to find your way like the rest of, Sonny, that's it means to be free." And the movie script writer has perfectly enshrined the modern understanding of Secular Humanism ideology. What Detective Spooner was saying was this, "If there is a design program, if there's a set of divine directives from your Maker or by your Constitution that you have to comply with, you're just a robot. You're dehumanized. You're not free. You're only free if there's nothing you were made for. If there's no purpose you have to comply with and no design purpose that you've got to submit to, then you are free because then you can live any way you want." Of course, it's disorienting to say, "I'm not made

for anything I have no purpose in life. But At least you can create your own purpose then you're free. But the gospel writer John chapter 1:1 reads this, "In the beginning was the word" now that doesn't grab you probably it's the English what it says. But in the Greek and the original readers read it and they were amazed it said, "In the beginning was the logos." That's what it says in Greek. John deliberately used a[n] absolutely loaded Greek philosophical technical term when he said, "In the beginning was the logos." What does the logos? Well, the logos, you can see the word, it means, it's related to our word "logic" or "reason." But it's not talking about reason in general, it's talking about the reason for life and the Greek philosophers were asking this question: "What is our reason for life? What is our reason for existence? What were we made for? Look at the fish, it's so obvious that the fish is designed for the water. And when you put the fish in the water it experiences freedom. What were we made for? So that if we give ourselves and surrender to it, we will experience freedom. What is our logos? What is the absolute truth, the absolute reality that we were made for that we put ourselves into that? That's the environment where we experience freedom. What is it? And they, they had debated years, centuries actually. And some of the Greek philosophers said, "It's this. This is the logos. This is absolute truth we were made for." And some said, "No, this is the absolute truth, this is the logos we were made for." By the time of the, of Jesus in the New Testament a lot of Greek philosophers had gone the way of Detective Spooner. A lot of them had come up and started to say maybe there isn't any absolute truth that we're made for and that's the best we can do. We just have the freedom of knowing that we are not made for anything. There is no design purpose that were made for. But along comes John and in John chapter one first of all he says to the skeptics, "No, there is a logos, there is an absolute truth, in the beginning was the absolute truth,

but he then he says to the traditionalist, it's not an abstract absolute truth. It's not a set of divine directives that comes down from God and that a person has to comply with or else be destroyed. He says, "There is an absolute truth, but it's not an abstract absolute truth." He says, "In the beginning was the word and the word was with God and we beheld His glory." And John says, "There's an absolute truth, but it's not an abstraction. It's a person. The absolute truth has become a person." A personal absolute – an absolute person, not an absolute principle, an absolute person. And here's what you were made for: To love Him. To know Him. To serve Him. To enjoy Him. This is the bombshell in the history of philosophy when John said, "we're not relativists. There is an absolute truth but the absolute truth has become a person to know, a person to hug, and a person to love. And you say, "well, what's the big difference between there being an absolute truth that's an abstraction compared to a person." All the difference in the world, friends, because if the absolute truth is an abstraction it is dehumanizing, but if it's a person, it's liberating. Let me show you what it means. Go back to the "love thing." I said, and hinted at this, that if you enter into a love relationship you have to surrender your independence but two people of the opposite sex have to do it together. Each of person of the opposite sex has to surrender and if each one of says to the other, "I will give up my independence for you. I will adjust to you. I will sacrifice my needs for you." And the other one does it too; it's heaven. But if one does the surrender and the other one does not, then one person is exploited and dehumanized. It's almost worse than never having a relationship at all. The laws need to encourage men and women to remain together in marriage, not to degrade marriage by a series of false equivolencies that misappropriate government. The reason why for Nietzsche and Foucault and maybe for Detective Spooner all relationship have to be dehumanizing is because they're

one way. Right? There's God up in heaven, and He says, "Here's the Ten Commandments. Here's the this. Here's that. Thou shalt not. Thou must. Thou shall." And if you have a relationship with a god like that then it's only one way. You do all the shifting and give up your independence. You to live according to his rules. You give, you do the adjustment, you do all the sacrificing. It's one way so it's exploitative and it's dehumanizing. And Nietzsche would say, "Relationship with God is dehumanizing by definition." But not with the God of the Bible, and it is simply the case that the master narrative of the Constitution is the personalized truth of the New Testament Gospel and its central figure. This does not mean that the United States can formulate policies that mandate Christianty, but it does mean that policies that parallel the personalized truth of the Bible often accord with self-evident absolute truth that is entirely neutral and takes no amount of faith to believe is real. Look, there's a lot of gods put out there by these various religions and philosophies, but the only in Christianity does the doctrine say, "God, the absolute truth, became a person and went to the Cross. And on the Cross, Jesus Christ, God, said, 'I will lose my independence to you. I will adjust to you. I will sacrifice for you.'" And guess what, He was exploited after a sham trial. See, Jesus comes to you and says, "I already did the surrender part to the human race and I was killed for it. My arms are open to you. I've already done the surrender, now I'm just asking you to surrender to Me," in how you live and influence. How could you possibly ask anything more from a God than that. How can you trust the God of the Bible that is doctrine should be used as a compass in policy making? Here's a God who's lost His freedom for you. Philippians 2 says, "Jesus did not hold onto his godhood, but rather his equality, but he emptied himself and became a slave and was obedient even unto the death of the cross." Here's a God who is the ultimate, free being, and He was bound, He was

nailed, and He lost His freedom, and He opened Himself, and He adjusted, and He surrendered His freedom. God surrendered His freedom so that you could know you could trust Him. And this is liberation, and it is on a set of unproven moral doctrine like that which should serve as a basis for law, when it comes to crafting policy. Think. If God just gives us an abstract truth, a set of rules, and says, "Now obey it and you will go to heaven," I'm obeying it. Why? Out of fear. I'm driven by fear. I'm a slave to fear. I better do this, I better do that or else God's gonna get me. He's gonna punish me. He'll send me to hell. He won't answer my prayers. It's all out of fear. See, I'm a slave. But if instead of God giving me an abstract truth that I have to obey in order to save myself, I have a personal truth who comes down and lives the life I should have lived, dies a death I should have died on the Cross, and saves me by His sheer grace – that's liberating. And only if the absolute truth is a Person who's done that am I liberated. That's the reason why here at the very end, Paul can look at Peter and go after him about his racism. So the point that I am trying to make is that I am not advocating for the government to legislate morality or to mandate Christianity. But I am trying to make the case that the government's policies should promote sexual conduct and relations that accord with self-evident moral and self-evident truth and the failure to do that degrades actual marriage and the millions of children who are the product of natural marriage. Legally recognized gay marriage promotes lies and facilities dishonesty in a manner that erodes freedom. Government must certainly not promote Secular Humanism ideology through its policy making, and the legal recognition of gay marriage accomplishes that objective and fails to accomplish the goal of tolerance, peace, equality, unity, healing, intimacy, and forgiveness. While individuals can self-identify as anything they want and come up with a variety of sexual orientations and marriage formations, the only form of

marriage that the state can promote and recognize is actual marriage because it is not religious in nature, even if it is embraced by nearly all the world's most popular religions to include the radically transformative personalized truth of Jesus Christ.

29. At the very end of the Galatians 2:4-16 passage, we see that Peter, though in principle, he agreed that the Gentiles are acceptable in Christ, he agrees in principle, but first of all did you notice here out of the fear of the circumcision party, a certain group of people, and out of probably the habit of being told all his life that Gentiles are unclean, he stopped eating with the Gentiles which of course in that culture was major social rejection. So he was falling back into racist habits. But you don't see, Paul going to Peter and basically saying, "Peter, you're breaking rule #18 in the Bible against racism." Paul could have because there's lots in the Bible against racism, but Paul doesn't go that way because he doesn't treat truth that way. What does he say? Verse fourteen. I love verse fourteen, it's changed my life by the way. In verse 14, Paul says, "Peter you're not walking in line with the truth of the gospel. You're not thinking out the implications of the gospel. You're saved by grace. You're not saved by you pedigree. You're a sinner saved by grace. How can you feel superior to anybody else?" But here's what he's really saying, "Peter, you're a slave. You're afraid of what those people think, those circumcision group, you're afraid of what this person thinks. You're anxious. Peter, think. In Jesus Christ, you're an absolute beauty in the eyes of God, the only Person whose eyes matter. Think. You're absolutely loved. You're absolutely valued by the Creator of the universe. Peter you should be, if you really understood the gospel, if you really understood the gospel, you shouldn't be afraid of anything. You wouldn't be a slave to anything – not a slave to anxiety, not a slave of being of criticism. You wouldn't be afraid of anything. You should be absolutely free, Peter. If you're

racist it's because you're not thinking out the freedom and experiencing the freedom that you've got in the gospel. Think, Peter, until there's enough joy in your heart. Think, Peter, 'til you have enough fullness of what Jesus has done for you. Think, Peter, until the racism is squeezed out by the joy and then you'll be free." If you understand the truth of the gospel it frees you from everything. How about you? Has it freed you? Did you know 2 Corinthians 5:21, I think its 1 Corinthians 5 someplace, where Paul says, "The love of Christ constrains us." Constrains us. The only thing that constrains you in a way that doesn't feel oppressive, the only thing that moves you to do the things you should be doing, and yet it feels like, it feels like, heaven, is the love of Christ – the love of Christ, what He's done, the loss of freedom so we could have freedom – constrains us. And John Newton puts it in his hymn, "Our pleasure and our duty though opposite before, Since we have seen His beauty are joined to part no more. To see the law by Christ fulfilled and hear His pardoning voice, transforms a slave into a child and duty into choice."

30. While it is hopefully the choice amongst our citizens to enter into a marriage between one man and one woman, it is the duty of the government to obey the Constitution which directs the lawmakers to only impose the right set of restrictions on society that channels men and woman to direct their sexual energy at one another in a long term lasting relationship. It is simply the case that the First Amendment Establishment Clause has paramount jurisdiction over all self-asserted sex-based identity narratives and sexual orientation mythology. While the government must permit citizens to self-identify as they wish and to have marriage ceremonies in step with their beliefs and views on faith, sex, and morality - as long as those practices are legal - the government has a duty to avoid entangling itself with the religion of secular humanism and postmodern western individualistic moral relativism. All forms of parody marriage are straight

out of the religion of moral relativism, and as a taxpayer myself, I and millions of others do not want our taxpayer dollars in any way going to advance the church of moral relativism and Secular Humanism. I do not want my taxpayer dollars going to promote and facilitate policies that are not based on self-evident truth. I and others do not want to aid and abet the fiction that parody marriages are equal to actual marriage, while parody marriages objectively erode community standards of decency. It is both childish and unloving for anyone in a position of power to encourage our citizens to engage in a course of conduct that is more likely than not damaging and subversive to individual and collective human flourishing. Self-identified homosexuals, machinists, and polygamists already have the same legal rights as self-identified Christ Followers. But self-identified secular humanists should not be given special rights and benefits by the government just because they feel that their self-asserted identity narrative warrants special treatment in the chance they feel less ashamed and inadequate after conforming to cultural narratives that are shallow and exploitative.

30. Absolute truth is real and it must be defended because to defend the truth is to defend freedom. Absolute truth is a fix and immutable part of reality and the world we live in. And even though you cannot physically see it universal law, it is just as real as the law of gravity which is also not transparent. The Constitution is based on absolute truth, and it is designed so that the lawmakers craft policies that parallel self-evident truth. Parody marriages are an attack on absolute truth and an attack on the Constitution, and an attack on freedom itself. Self-identified homosexuals and Secular Humanist who promote legally recognized gay marriage do so at the expense of the public's health, safety, and welfare, human flourishing, and the state's compelling state interests to strengthen families that are not based on a form of sex conduct that fails to even

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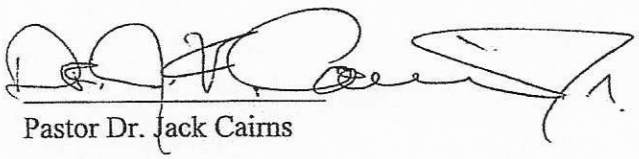
check out with the human design. Legally recognized gay marriage is, therefore, a sham that does not accomplish its goals and it absolutely excessively entangles the government with the religion of secular humanism.

Under the Penalty of Perjury, I attest that the above statements are true and accurate.



Pastor Dr. Jack Cairns

RESOLUTION DECLARING THAT SECULAR HUMANISM IS A RELIGION FOR PURPOSES OF THE ESTABLISHMENT CLAUSE

A resolution recognizing that Secular Humanism, also referred to as postmodern western individualistic moral relativism or expressive individualism, is a religion for purposes of the First Amendment Establishment Clause;

Whereas, the First Amendment Establishment Clause reads, "Congress shall make no law respecting an establishment of religion;" U.S. CONST. Amend. I

Whereas, the First Amendment Establishment Clause also applies to the executive and judicial branch;

Whereas, the Establishment Clause applies to the State of Colorado through the Fourteenth Amendment;

Whereas, the State of Colorado is prohibited from enforcing policies that violate the Establishment Clause pursuant to Article VI of the United States Constitution;

Whereas, all religion amounts to is a set of unproven answers to the greater questions like "why are we here" and "what should be do doing as humans;"

Whereas a Secular Humanism consists of a series of unproven faith-based assumptions and naked assertions that are implicitly religious, and the State of Colorado is prohibited from respecting and endorsing such truth claims through state action;

Whereas, the First Amendment Establishment Clause was not just designed to prohibit the State of Colorado from respecting, endorsing, favoring, or recognizing the unproven truth claims and doctrines of institutionalized religions but also the Establishment Clause prohibits the State of Colorado from respecting, endorsing, favoring, or recognizing the unproven truth claims of non-institutionalized religions, like Secular Humanism, as well;

Whereas, the United States Supreme Court recognized that Secular Humanism is a religion for purposes of the First Amendment Establishment Clause in *Torcaso v. Watkins*, 367 U.S. 488 (1961) and *Edwards v. Aguillard*, 482 U.S. 578 (1987), stating that religions "exist that do not teach what would generally be considered a belief in the existence of God, to include Atheism, Buddhism, Taoism, Ethical Culture, Secular Humanism and others;"

Whereas, the Supreme Court in *County of Allegheny v. ACLU*, 492 U.S. 573 (1989) and *Lee v. Weissman,* 505 U.S. 577 (1992) resolved that just as government officials may not favor or endorse one religion over others, so too officials may not favor or endorse the religion generally over non-religion;

Whereas, self-asserted sex-based identity narratives that are questionably real, moral, and decent are implicitly religious in nature and flow out of the religion of Secular Humanism;

Whereas, the ideas that "sexual orientation is immutable" or that "life does not begin at conception" are an unproven truth claims and naked assertions that are doctrines that are inseparably linked to the religion of Secular Humanism;

Whereas, emotional appeals nor sincerity of belief can be used to usurp the Establishment Clause;

Whereas, at the heart of Secular Humanism is the unproven premise that there is no such thing as absolute truth and that truth is merely a man-made convention;

Whereas, the fundamental principle of Secular Humanism is what is right for me is right for me and what is right for you is right for you;

Whereas, the idea that all moral doctrine are equal and that no one set of moral doctrine should be used as the superior basis for law over another is itself a moral doctrine that suggest that it should be used as the superior basis for law over all others;

MAY IT BE RESOLVED that Secular Humanism is a religion for the purposes of the Establishment Clause prohibiting the State of Colorado from respecting, recognizing, endorsing, favoring, or enforcing policies that have the effect of entangling the government with the religion of Secular Humanism, placing religion over non-religion, or from endorsing the religion of Secular Humanism though state action.

MAY IT BE RESOLVED that in view of the Free Exercise Clause of the First Amendment of the United States and Colorado Constitution, any individual living in this state may self-identify as a Secular Humanist and practice Secular Humanism own their own as long as the practices do not violate existing federal and state law.

MAY IT BE RESOLVED that the unproven truth claims of Secular Humanism do not fulfill any compelling state interest.

South Carolina General Assembly
122nd Session, 2017-2018

Download This Bill in Microsoft Word format

~~Indicates Matter Stricken~~
Indicates New Matter

H. 4949

STATUS INFORMATION

General Bill
Sponsors: Reps. Long, Chumley, Burns, McCravy, Magnuson and Martin
Document Path: l:\council\bills\nbd\11240vr18.docx

Introduced in the House on February 15, 2018
Currently residing in the House Committee on **Judiciary**

Summary: Not yet available

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
2/15/2018	House	Introduced and read first time
2/15/2018	House	Referred to Committee on **Judiciary**

View the latest legislative information at the website

VERSIONS OF THIS BILL

2/15/2018

(Text matches printed bills. Document has been reformatted to meet World Wide Web specifications.)

A BILL

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 20-1-110 SO AS TO ENACT THE "MARRIAGE AND CONSTITUTION RESTORATION ACT"; TO DEFINE CERTAIN TERMS, INCLUDING "PARODY MARRIAGE" AND "MARRIAGE"; TO PROVIDE THAT PARODY MARRIAGE POLICIES ARE NONSECULAR IN NATURE; TO PROHIBIT THE STATE FROM RESPECTING, ENDORSING, OR RECOGNIZING ANY PARODY MARRIAGE POLICY OR POLICIES THAT TREAT SEXUAL ORIENTATION AS A SUSPECT CLASS; AND FOR OTHER PURPOSES.

Whereas, parody marriages and parody marriage policies are nonsecular for the purposes of the Establishment Clause; and

Whereas, marriages between a man and a woman and policies that endorse marriage between a man and a woman are secular in nature for purposes of the Establishment Clause; and

Whereas, civilizations for millennia have defined marriage as a union between a man and a woman; and

Whereas, marriage between and man and a woman arose out of the nature of things and marriage between a man and a woman is natural, neutral, and noncontroversial, unlike parody forms of marriage; and

Whereas, the State of South Carolina has a duty under Article VI of the United States Constitution to uphold the United States Constitution; and

Whereas, the First Amendment applies to the State of South Carolina through the Fourteenth Amendment; and

Whereas, the First Amendment, not the Fourteenth Amendment, has exclusive jurisdiction over which types of marriages the State can endorse, respect, and recognize; and

Whereas, all forms of parody marriage and all self-asserted sex-based identity narratives and sexual orientations that fail to check out the human design are part of the religion of Secular Humanism; and

Whereas, the United States Supreme Court has found that Secular Humanism is a religion for the purpose of the Establishment Clause in Torcaso v. Watkins, 367 U.S. 488 (1961), and Edwards v. Aguillard, 482 U.S. 578 (1987); and

Whereas, the State of South Carolina is prohibited from favoring or endorsing religion over nonreligion; and

Whereas, the State of South Carolina's decision to respect, endorse, and recognize parody marriages and sexual orientation policies has excessively entangled the government with the religion of Secular Humanism, failed to accomplish its intended purpose, and created an indefensible legal weapon against nonobservers; and

Whereas, in the wake of Obergefell v. Hodges, 135 S. Ct. 2584 (2015), there has not been a land rush on gay marriage, but there has been a land rush on the persecution of nonobservers by Secular Humanists and an effort by Secular Humanists to infiltrate and indoctrinate minors in public schools to their religious world view which is questionably moral, plausible, obscene, and is not secular; and

Whereas, it is unsettled whether or not sexual orientation is immutable or genetic and is therefore a matter of faith; and

Whereas, parody marriages have never been a part of American tradition and heritage; and

Whereas, parody marriage policies and sexual orientation statutes are nonsecular and policies that respect, endorse, and recognize a marriage between a man and a woman are secular, accomplishing its intended objective. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This act may be known and cited as the "Marriage and Constitution Restoration Act".

SECTION 2. Article 1, Chapter 1, Title 20 of the 1976 Code is amended by adding:

"Section 20-1-110. (A) For purposes of this section,

(1) 'Parody marriage' means any form of marriage that does not involve one man and one woman.

(2) 'Nonsecular policy' means state action which endorses, respects, and recognizes the beliefs of a particular religion where the preeminent and primary force driving the state's action is not genuine, but a sham that ultimately has a primary religious objective.

(3) 'Secular policy' means state action that is natural, neutral, noncontroversial and that is based on self-evident truth. Secular policy accomplishes its goals and purposes. State action where the preeminent and primary force driving the policy is genuine, not a sham, and not merely secondary to a religious objective.

(4) 'Sexual orientation' means a self-asserted sex-based identity narrative that is based on a series of naked assertions and unproven faith-based assumptions that are implicitly religious.

(5) 'Marriage' means a union of one man and one woman.

(B)(1) In view of the First Amendment's Freedom of Expression Clause of the United States Constitution and the Constitution of South Carolina, 1895:

(a) any person living in South Carolina can cultivate any self-asserted sex-based identity narrative or self-asserted sexual orientation at will, even if it does not check out with the human design as a matter of self-evident observation.

(b) any person can conduct any form of marriage ceremony and other rituals that accords with their self-asserted sexual orientation and live as married persons do, as long as the ceremonies do not conflict with other parts of the South Carolina Code and federal law.

(2) In view of the First Amendment's Establishment Clause of the United States Constitution and the Constitution of South Carolina, 1895:

(a) the State of South Carolina shall no longer respect, endorse, or recognize any form of parody marriage policy because parody marriage policies are nonsecular.

(b) the State of South Carolina shall no longer enforce, recognize, or respect any policy that treats sexual orientation as a suspect class because all such statutes lack a secular purpose.

(C) The State of South Carolina will continue to enforce, endorse, and recognize marriages between a man and a woman because such marriage policies are secular, accomplishing nonreligious objectives."

SECTION 2. This act takes effect upon approval by the Governor.

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This web page was last updated on February 15, 2018 at 1:08 PM

MISSOURI SENATE

DIVISION OF RESEARCH

State Capitol, Room B-9, Jefferson City, MO 65101
TEL. (573) 522-7910 FAX (573) 751-4778

H:\18SCR\6816S01M.01I

TO: Senator Emery

FROM: Staff Attorney

DATE: March 20, 2018

RE: SCR - Marriage

As you requested, please find attached a Senate Concurrent Resolution relating to marriage. This language is similar to legislation introduced in South Carolina this year.

Please contact me if you have further need of assistance.

Summary

This concurrent resolution urges the state of Missouri to enforce, endorse, and recognize marriage as between one man and one woman.

6816S.01I

SENATE CONCURRENT RESOLUTION NO. ___

Whereas, parody marriage is any form of marriage that does not involve one man and one woman; and

Whereas, sexual orientation is a self-asserted sex-based identity narrative that is based on a series of naked assertions and unproven faith-based assumptions that are implicitly religious; and

Whereas, nonsecular policy is state action that endorses, respects, and recognizes the beliefs of a particular religion and where the preeminent and primary force driving the state's action is not genuine, but is a sham that ultimately has a primary religious objective; and

Whereas, parody marriages and parody marriage policies are nonsecular for the purposes of the Establishment Clause of the United States Constitution; and

Whereas, secular policy is state action that is natural, neutral, noncontroversial, and based on self-evident truth, and where the preeminent and primary force driving the policy is genuine, not a sham, and not merely secondary to a religious objective; and

Whereas, marriages between a man and a woman and policies that endorse marriage between a man a woman are secular in nature for purposes of the Establishment Clause of the United States Constitution; and

Whereas, civilizations for millennia have defined marriage as a union between a man and a woman; and

Whereas, marriage between a man and a woman arose out of the

nature of things and marriage between a man and a woman is natural, neutral and noncontroversial, unlike parody forms of marriage; and

Whereas, the state of Missouri has a duty under Article VI of the United States Constitution to uphold the United States Constitution; and

Whereas, the First Amendment applies to the state of Missouri through the Fourteenth Amendment; and

Whereas, the First Amendment, not the Fourteenth Amendment, has exclusive jurisdiction over which types of marriages the state can endorse, respect, and recognize; and

Whereas, all forms of parody marriage and self-asserted sex-based identity narratives and sexual orientations that fail to check out the human design are part of the religion of Secular Humanism; and

Whereas, the United States Supreme Court has found that Secular Humanism is a religion for the purpose of the Establishment Clause in *Torcaso v. Watkins*, 367 U.S. 488 (1961), and *Edwards v. Aguillard*, 482 U.S. 578 (1987); and

Whereas, the state of Missouri is prohibited from favoring or endorsing religion over nonreligion; and

Whereas, the state of Missouri's decision to respect, endorse, and recognize parody marriages and sexual orientation policies has excessively entangled the government with the religion of Secular Humanism, failed to accomplish its intended purpose, and created an indefensible legal weapon against nonobservers; and

Whereas, in the wake of *Obergefell v. Hodges*, 135 S.Ct. 2584

(2015), there has not been a land rush on gay marriage, but there has been a land rush on the persecution of nonobservers by Secular Humanists and an effort by Secular Humanists to infiltrate and indoctrinate minors in public schools to their religious world view, which is questionably moral, plausible, and obscene, and is not secular; and

Whereas, it is unsettled whether or not sexual orientation is immutable or genetic and is therefore a matter of faith; and

Whereas, parody marriages have never been a part of American tradition and heritage; and

Whereas, all forms of parody marriage erode community standards of decency and Missouri has a compelling interest to uphold community standards of decency under the Missouri Constitution; and

Whereas, parody marriage policies and sexual orientation statutes are nonsecular and policies that respect, endorse, and recognize a marriage between a man and a woman are secular; and

Whereas, in view of the First Amendment's Freedom of Expression Clause of the United States Constitution and the Missouri Constitution:

(1) Any person living in Missouri can cultivate any self-asserted sex-based identity narrative or self-asserted sexual orientation at will, even if it does not check out with the human design as a matter of self-evident observation; and

(2) Any person can conduct any form of marriage ceremony and other rituals that accords with their self-asserted sexual orientation and live as married persons do, as long as the ceremonies do not conflict with other parts of Missouri and

federal law:

Now, Therefore, Be It Resolved by the members of the Missouri Senate, Ninety-ninth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the State of Missouri to no longer respect, endorse, or recognize any form of parody marriage policies because parody marriages are nonsecular; and

Be It Further Resolved that the members of the Missouri General Assembly urge the State of Missouri to no longer enforce, recognize, or respect any policy that treats sexual orientation as a suspect class, because all such statutes lack a secular purpose; and

Be It Further Resolved that the members of the Missouri General Assembly urge the State of Missouri to enforce, endorse, and recognize marriages as between one man and one woman, because such marriage policies are secular, and accomplish nonreligious objectives; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Governor, the Attorney General, and each member of the Missouri Supreme Court.

ELEVATED MARRIAGE ACT

An Act To Be Entitled The Elevated Marriage Act of 2019

SECTION 1. Colorado Code _____ concerning forms for marriage licenses, is amended by adding the following additional subsection: (c) If the parties intend to contract a covenant marriage, the application for a marriage license must also include the following statement completed by at least one (1) of the two (2) parties: "We [insert name of spouse] and [insert name of spouse] declare our intent to contract a Covenant Marriage and, accordingly, have executed the attached declaration of intent.

SECTION 2. Colorado Code _____, concerning forms for marriage licenses, is amended by adding the following additional section: (h) If applicable, the notice of intention to wed shall contain the declaration of intent for a marriage with heightened commitment standards as provided in the Elevated Marriage Act, which begins at § _____.

SECTION 3. Colorado Code _____, concerning forms for marriage licenses, is amended to read as follows:

(b) It shall be lawful for religious societies who reject formal ceremonies to join together in marriage a man and a woman who are members of the society, according to the forms, customs, or rites of the society to which they belong, with the exception that if the parties enter into a legally recognized marriage with heightened standards of commitment, the requirements set forth in the Elevated Marriage Act, which begins at § _____, shall be complied with.

SECTION 4. Colorado Code _____, concerning forms for marriage licenses, is amended by adding the following additional subsection: (e) On the face of the certificate shall appear the certification to the fact of marriage, including, if applicable, a designation that the parties entered into a marriage with expectations of heightened commitment, signed by the parties to the marriage and the witnesses, and the signature and title of the officiant.

SECTION 5. Colorado Code Title ___, Chapter____ is amended by adding the following new subchapter: _____. Title. This subchapter shall be known and may be cited as the "Elevated Marriage Act."

____-___-____. Definitions.
As used in this subchapter:
(1) "Authorized counseling" means marital counseling provided by a priest, minister, rabbi, clerk of the Society of Friends, any clergy member of any religious sect, or a "licensed

professional counselor", "licensed associate counselor," "licensed marriage and family therapist," "licensed clinical psychologist," or "licensed associate marriage and family therapist" as defined by § _____; and (2) "Judicial separation" means a judicial proceeding pursuant to §_____ which results in a court determination that the parties of a marriage live separate and apart.

__-___-____. Elevated Marriage. (a)(1) An elevated marriage is a secular marriage that the State can recognize without violating the First Amendment Establishment Clause of the United States Constitution or the Colorado Constitution that is entered into by one (1) male and one (1) female who understand and agree that the marriage between them is a lifelong covenant relationship and who intentionally agree to being subjected to higher standards of commitment at the outset of their marriage as a matter of mutual consent.
(2) Parties to a marriage with heightened standards of commitment have received authorized counseling emphasizing the nature, purposes and responsibilities of marriage.
(3) Only when there has been a complete and total breach of the marital commitment may a party seek a declaration that the marriage is no longer legally recognized.
(b)(1) A man and woman may contract a marriage with heightened standards of commitment by declaring their intent to do so on their application for a marriage license, as otherwise required under this chapter, and executing a declaration of intent to contract an elevated marriage as provided in § ___-___-____.
(2) The application for a marriage license and the declaration of intent shall be filed with the official who issues the marriage license.
(3) "Minor" a person who has not reached the age of consent.
(4) "Parody Marriage" any form of non-secular marriage that does not involve a secular marriage involving one man and one woman yet calls itself marriage and is precluded from legal recognition by the State of Colorado pursuant to the First Amendment Establishment Clause of the United States Constitution and the Colorado Constitution. Parody marriages are permitted to take place as permitted by the Free Exercise Clause of the First Amendment of the United States Constitution and the Colorado Constitution. A parody mariage is a form of non-secular marriage that tends to erode community standards of decency, unlike secular marriage between a man and a woman, who have reached the age of consent.

__-___-____. Content of declaration of intent.
(a) A declaration of intent to contract an elevated marriage shall contain all of the following:
(1) A recitation signed by both parties to the following effect:

"AN ELEVATED MARRIAGE"

We do solemnly declare that marriage is a commitment between a man and a woman who agree to live together as husband and wife for so long as they both may live. We have chosen each other carefully and disclosed to one another everything which could adversely affect the decision

to enter into this marriage. We have received authorized counseling on the nature, purposes, and responsibilities of marriage. We have read the Elevated Marriage Act, and we understand that a marriage is intended to be for life for better or worse, richer or poorer, in sickness and in health. If we experience marital difficulties, we commit ourselves to take all reasonable efforts to preserve our marriage, including marital counseling.

With full knowledge of what this commitment means, we do hereby declare that our marriage will be bound by Colorado law on elevated standards of marriage commitment and we promise to love, honor, and care for one another as husband and wife for the rest of our lives." Even if the parties relocate to another state, the parties agree that they will be subjected to the terms and conditions of a marriage with heightened standards of commitment as set forth by the Elevated Marriage Act.

(2)(A) An affidavit by the parties that they have received authorized counseling which shall include a discussion of the seriousness of marriage, communication of the fact that a marriage is a commitment for life between a man and a woman, a discussion of the obligation to seek marital counseling in times of marital difficulties, and a discussion of the exclusive grounds for legally terminating a marriage by divorce.

(B) An attestation, signed by the counselor and attached to or included in the parties' affidavit, confirming that the parties received authorized counseling as to the nature and purpose of the marriage and the grounds for termination thereof and an acknowledgment that the counselor provided to the parties the informational pamphlet developed and promulgated by the office of the Administrative Office of the Courts under this subchapter, which pamphlet provides a full explanation of the terms and conditions of a marriage; and

(3)(A) The signature of both parties witnessed by a notary.

(B) If one (1) or both of the parties are minors, they are not eligible to enter into a marriage with heightened :

(A) The recitation as set out in subdivision (a)(1) of this section; and

(B) The affidavit with the attestation either included within or attached to the document.

(c) The recitation, affidavit and attestation shall be filed as provided in § ____-___-____.

__-___-____. The following is the suggested form of the affidavit which may be used by the parties, notary, and counselor:

State Of Colorado
County Of_____

BE IT KNOWN THAT on this _____ day of _____, _____, before me the undersigned notary, personally came and appeared:
_____ and _____ who after being duly sworn by me, a Notary, deposed and stated that:

Affiants acknowledge that they have received premarital counseling from a priest, minister, rabbi, clerk of the Religious Society of Friends, any clergyman of any religious sect, or a professional marriage counselor, which marriage counseling included:

A discussion of the seriousness of marriage; Communication of the fact that Marriage is a commitment for life, for better or worse, for richer or poorer, in sickness and in health;

The obligation of a marriage to take reasonable efforts to preserve the marriage commitment if marital difficulties arise, transcending feelings, and

That the affiants both read the pamphlet entitled "The Elevated Marriage Act" developed and promulgated by the Administrative Office of the Courts, which provides a full explanation of a marriage, including the obligation to seek marital counseling in times of marital difficulties and the exclusive grounds for legally terminating a marriage by divorce or divorce after a judgment of separation from bed or board.

_____
(Name of prospective spouse)

_____
(Name of prospective spouse)

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____DAY OF

_____,_____

_____
NOTARY PUBLIC

ATTESTATION

The undersigned attests that the affiants did receive counseling from me as to the nature and purpose of marriage, which included a discussion of the seriousness of marriage, communication of the fact that a marriage is for life, and the obligation of a marriage to take reasonable efforts to preserve the marriage if marital difficulties arise.

_____
Counselor

_____-___-____. Other applicable rules.
An elevated marriage with mutually agreed upon higher standards of commitment shall be governed by all of the provisions of Title___, except as otherwise specifically provided in this subchapter.

_____-____-___. Applicability to already married couples.

(a) On or after the effective date of this subchapter, married couples, upon submission of a copy of their marriage certificate, which need not be certified, may execute a declaration of intent to designate their marriage as an elevated marriage to be governed by this subchapter.
(b) This declaration of intent in the form and containing the contents required by subsection (c) must be filed with the officer who issues marriage licenses in the county in which the couple is domiciled.
(c)(1) A declaration of intent to redesignate a marriage as an elevated marriage shall contain all of the following:

(A) A recitation by the parties as set out in § ____-_____-_____;

(B)(i) An affidavit by the parties as set out in § ____-____- ____ that they have discussed their intent to designate their marriage as an marriage with heightened standards of commitment with an authorized counselor, which included a discussion of the obligation to seek marital counseling in times of marital difficulties and the exclusive grounds for legally terminating a marriage by divorce.

(ii) An attestation, signed by the counselor and attached to the parties' affidavit, acknowledging that the counselor provided to the parties the information pamphlet developed and promulgated by the Administrative Office of the Courts under this subchapter, which pamphlet provides a full explanation of the terms and conditions of a covenant marriage.

(iii) The signature of both parties witnessed by a notary. (2) The declaration shall contain two (2) separate documents:

(A) The recitation; and

(B) The affidavit with the attestation either included within or attached to the document

(C) The recitation, affidavit and attestation shall be filed as provided in subsection (b) of this section.

____-___-____ Exception

A court of competent jurisdiction in a divorce or separation proceeding retains the discretion to not recognize elevated marriage agreements in extraordinary circumstances only in cases where the man and woman were married and then elected to enter into a agreement with heightened standards of commitment.

___-____-____. Divorce or separation.

(a) Notwithstanding any other law to the contrary and subsequent to the parties obtaining authorized counseling, a spouse to a marriage with heightened standards of commitment may obtain a judgment of divorce only upon proof of any of the following:

(1) The other spouse has committed adultery;

(2) The other spouse has committed a felony or other infamous crime;

(3) The other spouse has physically or sexually abused the spouse seeking the divorce or a child of one (1) of the spouses;

(4) The spouses have been living separate and apart continuously without reconciliation for a period of two (2) years; or

(5)(A) The spouses have been living separate and apart continuously without reconciliation for a period of two (2) years from the date the judgment of judicial separation was signed.

(B)(i) If there is a minor child or children of the marriage, the spouses have been living separate and apart continuously without reconciliation for a period of two (2) years and six (6) months from the date the judgment of judicial separation was signed.

(ii) However, if abuse of a child of the marriage or a child of one (1) of the spouses is the basis for which the judgment of judicial separation was obtained, then a judgment of divorce may be obtained if the spouses have been living separate and apart continuously without reconciliation for a period of one (1) year from the date the judgment of judicial separation was signed.

(b) Notwithstanding any other law to the contrary and subsequent to the parties obtaining authorized counseling, a spouse to a marriage with heightened standards of commitment may obtain a judgment of judicial separation only upon proof of any of the following:

(1) The other spouse has committed adultery;

(2) The other spouse has committed a felony and has been sentenced to death or imprisonment;

(3) The other spouse has physically or sexually abused the spouse seeking the legal separation or divorce or a child of one (1) of the spouses;

(4) The spouses have been living separate and apart continuously without reconciliation for a period of two (2) years; or

(5) The other spouse shall be addicted to habitual drunkenness for one (1) year, shall be guilty of such cruel and barbarous treatment as to endanger the life of the other, or shall offer such indignities to the person of the other as shall render his or her condition intolerable.

____-____-_____. Suit against spouse - separation.

(a) Unless judicially separated, spouses in an elevated marriage may sue each other as any spouse can in a marriage that is not subjected to heightened standards of commitment.

___-____-_____. Effects of separation.

(a) Judicial separation in a marriage with heightened standards of commitment does not dissolve the bond of matrimony, since the separated husband and wife are not at liberty to marry again; but it puts an end to their conjugal cohabitation and to the common concerns which existed between them.

(b) Spouses who are judicially separated in a marriage with heightened standards of commitment shall retain that status until either reconciliation or divorce.

____-____-_____. Informational pamphlet

(a) The Administrative Office of the Courts shall promulgate an informational pamphlet, entitled " Elevated Marriage Act", which shall outline in sufficient detail the consequences of entering into a marriage with mutually agreed upon heightened standards of commitment.

(b) The informational pamphlet shall be made available to any counselor who provides authorized counseling as provided for by this subchapter.

___-____-_____. Eligibility to enter a Elevated Marriage

(a) Elevated Marriages with heightened standards of commitment are only available to a man and woman who are over the age of consent. Minors are not eligible to enter a elevated marriage until they reach the age of consent.

(b) Because the First Amendment Establishment Clause of the United States Constitution and the Colorado Constitution prohibits the state of Colorado from recognizing, endorsing, or respecting any non-secular form of marriage that does not involve a man a woman, the individuals who enter any form of parody marriage as permitted by the Free Exercise Clause of the First Amendment of the United States Constitution and the Colorado Constitution remain ineligible to enter into a Elevated Marriage.

STOP SOCIAL MEDIA CENSORSHIP ACT

This act shall be referred to as the Stop Social Media Censorship Act of 2019

Summary: An act that creates a private right of action against Social Media Websites that are open to the public, that were not affiliated with any religious organization or political party at the time of its inception, and that have more than 75,000,000 users that censures a user's political or religious speech. An act that treats certain social media websites like public utilities by the State Colorado for effectively having created a digital public square.

Definitions

"Public Utility:" a business organization performing a public service and subject to special governmental regulation.

"Internet:" the international computer network of both Federal and non-Federal interoperable packet switched data networks.

"Social Media Website:" a dedicated website or other application that enables users to communicate with each other by posting information, comments, messages, images, etc.

"Hate Speech:" a catch all phrase based on arbitrary standards concerning content that offends the delicate sensibilities of individuals who are employed by the Social Media Website.

"Obscenity" (use the same definition under the existing obscenity code).

"Algorithm:" a set of instructions designed to perform a specific task.

"Political Speech:" speech relating to the state, government, the body politic, public administration, policy-making, etc. of, involved in, or relating to government policy-making as distinguished from administration or law of or relating to the civil aspects of government as distinguished from the military of, dealing with, or relating to politics. Political speech includes not just speech by the government or candidates for office, but also any discussion of social issues.

"Religious Speech:" a set of unproven answers, truth claims, faith-based assumptions and naked assertions that attempt to explain the greater questions like how things were created, what humans should be doing, and what happens after death.

"Court of Competent Jurisdiction" either the State Court or Federal Court in proximity to where the breach and injury occurred. Because the act permits the recovery of $75,000, it likely confers subject matter jurisdiction on Federal Courts under diversity question jurisdiction. The State and Federal Courts located in Colorado under the long-arm statute.

Section I. Certain Social Media Websites To Be Treated As A Public Utility:

A Social Media Website that is open to the public that has more than 75,000,000 subscribers that was not specifically affiliated with any one religion or political party from its inception shall be construed to be a public utility by the State of Colorado for having created a digital public square.

Section II. A Private Cause Of Action For Intentional Political And Religious Censorship By Social Media Websites:

a. A Social Media Website that has more than 75,000,000 subscribers that was not specifically affiliated with any one religion or political party from its inception that intentionally censors a user's religious or political speech who resides in the state of Colorado shall be subject to a private right of action by the injured party.

b. The injured party may seek:

(1) a minimum of $75,000 in statutory damages; (2) actual damages;

(3) punitive damages, if there are factors in aggravation; and (4) other forms of equitable relief.

c. The prevailing party in litigation may seek costs and attorney fees.

Section III "Hate speech" cannot be used as a justifiable basis by the Social Media Websites subjected to this act to censor users.

Section IV. Exception:

a. A Social Media Website subject to this act that intentionally censors a user's religious or political speech, who resides in this state, shall be immune from liability if (1) the speech called for immediate acts of violence, (2) the speech was pornographic or violated the obscenity codes of this state, (3) the censorship was the result of operational error, (4) the censorship was the result of a court order, (5) the speech came from an inauthentic source; (6) the speech involved false impersonation; (7) the speech enticed criminal conduct; and (8) if the speech involved minors bullying minors.

b. Only users who are 18 years and older have standing to enforce this act.

c. A Social Media Website will not be liable for other users censoring another user's speech for any reason in view of Section 230 of the Communications Decency Act.

Section V: Liability for the use of algorithms by the Social Media Website to suppress political or religious speech.

If a Social Media Website that meets the criteria to classify as a public utility intentionally uses algorithms to intentionally suppress political speech or religious speech of a resident in this state, the Social Media Website can be held liable in the civil court of competent jurisdiction and subjected to the relief set forth in section II(b) by the injured party.

Section VII: Right of Civil Action By The Attorney General's Office

The Attorney General may bring a civil cause of action against Social Media Website on behalf of consumers who reside in this State in the court of competent jurisdiction, whose religious or political speech has been been censored by Social Media Websites that are subjected to this act.

Section VIII: Mitigating Injury

If a Social Media Website subject to this act intentionally censors a user in this state for political or religious reasons, if the user appeals to the Social Media Website to uncensor their speech and the Social Media Website does so with in two days, such an response may be used to mitigate an award for damages.

Taking Points For the Marriage And Constitution Restoration Act

Marriagerestorationact.com

Understanding the Marriage And Constitution Restoration Act
(https://soundcloud.com/user-450634204/the-marriage-and-constitution-restoration-act-summary-overview)

LEMON TEST

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LEMON TEST

1. What Is The Lemon Test?

https://soundcloud.com/user-450634204/what-is-the-lemon-test

The Marriage And Constitution Restoration Act centers on the idea that gay marriage policy, sexual orientation statutes, transgender bathroom ordinances, and conversion therapy bans fail the Lemon Test and therefore violate the Establishment Clause of the United States Constitution. To pass muster under the Establishment Clause, a practice must satisfy the *Lemon* test, pursuant to which it must: (1) have a valid secular purpose; (2) not have the effect of advancing, endorsing, or inhibiting religion; and (3) not foster excessive entanglement with religion. Id. at 592 (citing *Lemon v. Kurtzman*, 403 U.S. 602 (1971)). It is important to understand that government action "violates the Establishment Clause if it fails to satisfy any of these prongs." *Edwards*, 482 U.S. 578 at 583; *Agostini v. Felton*, 521 U.S. 203, 218 (1997). In view of the testimony of ex-gays, medical professionals, and ministers, gay marriage policy, sexual orientation discrimination statutes, transgender bathroom ordinances, and conversion therapy bans violate all three prongs of the Lemon test by a landslide in their making and in their enforcement. It is not a close call. There are millions of taxpayers who believe that all forms of parody marriage are immoral. They also believe that to enable acts of immorality is itself an act of immorality. It is coercive for the tax dollars of non-observers of Secular Humanism to be used to endorse parody marriages that do not involve one man and one woman because it makes them feel culpable of condoning immorality. When a person is legally married they are entitled to what is called a "constellation of benefits" that flows from the general fund. These taxpayers in this State have standing to enjoin the State from making or enforcing parody marriage policy, sexual orientation discrimination statutes, transgender bathroom ordinances, and conversion therapy bans because the policies themselves are (1) a non-secular shams that (2) have the effect of creating an indefensible legal weapon against non-observers of the religion of Secular Humanism, while (3) serving to excessively entangle the government with the religion of Secular Humanism. Policies that promote parody marriages do not accomplish their intended purposes and are based on a series of unproven faith-based assumptions and naked assertions that are implicitly religious and inseparable from the Secular Humanism. The two keys to this bill is

understanding the *Lemon* test and the significance of the fact that the Supreme Court has held that Secular Humanism is a religion for the purposes of the Establishment Clause.

Here a short video that explains the Lemon Test.
https://youtu.be/_hYslZWsjxA

2. How Does Gay Marriage Policy Fail Prong One Of The Lemon Test?
https://soundcloud.com/user-450634204/how-does-gay-marriage-policy-fail-prong-one-of-the-lemon-test

The State's enforcement of gay marriage policy and the State's enforcement or perspective enforcement of sexual orientation discrimination statutes, transgender bathroom ordinances, or conversion therapy bans violate prong one of *Lemon* because those policies are not "secular" and because they are the ultimate "sham" for purposes of the Establishment Clause, since they have an underlying primary religious objective. At the core of the "Establishment Clause is the requirement that a government justify in secular terms its purpose for engaging in activities which may appear to endorse the beliefs of a particular religion." *ACLU v. Rabun Cnty. Chamber of Commerce, Inc.,* 698 F.2d 1098, 1111 (11th Cir. 1983). This secular purpose must be the "pre-eminent" and "primary" force driving the government's action, and "has to be genuine, not a sham, and not merely secondary to a religious objective." *McCreary Cnty, Ky. v. ACLU of Ky.,* 545 U.S. 844 (2005). There are at least seven reasons why legally recognized gay marriage violates prong one of *Lemon* provided in motions for summary judgment and amicus briefs posted under the tab called "Law for Attorney Generals." First, in the wake of *Obergefell* there has not been a land rush on gay marriage. The raw numbers tell the tale. Prior to the *Obergefell* decision two years ago, the 7.9 percent of gays who were married would have amounted to 154,000 married gay couples. Two years later, this had grown to 10.2 percent or 198,000 married couples. Second, gay marriage policies are a total sham because while there has not been a land rush on gay marriage, there has been a land rush on Christian persecution. Third, while their has not been a land rush on gay marriage, there has been a land rush by Secular Humanists to infiltrate elementary schools with the purpose of indoctrinating minors to the Secular Humanism ideology on sex, faith, morality, marriage, and truth. Fourth, the fact that majority in *Obergefell* pretended that gay rights were civil rights like race-based civil right are, when race-based civil rights are actually based on immutability, shows that gay marriage policy and all other pro-gay policies are sham. Fifth, the fact that in the wake of *Obergefell* self-identified homosexuals continue to protest ex-gay conventions because the testimony of ex-gays causes the legal basis behind the fake gay civil rights plight to implode shows that the government's endorsement of LGBTQ ideology is a sham. Sixth, the fact that parody marriages have never been a part of American history and tradition and that gay marriage was basically illegal until *Lawrence v. Texas*, 539 U.S. 558 (2003) recently overturned *Bowers v. Hardwick*, 478 U. S. 186 (1986), and

yet the Court pretended otherwise by monkeying with the Fourteenth amendment's Substantive Due Process Clause shows that gay marriage policy is a sham. The purpose of the government's decision to entangle itself with the LGBTQ church was to promote tolerance and equality for a pretend people group, and because the "stated purpose [of the government's entanglement with the LGBTQ church has] not [been] actually furthered...then that purpose [must be] disregarded as being insincere or a sham." *Church of Scientology v. City of Clearwater,*. 2 F.3d 1514, 1527 (11th Cir. 1993).

3. How Does Gay Marriage Policy Fail Prong Two Of The Lemon Test?
https://soundcloud.com/user-450634204/how-does-gay-marriage-policy-fail-prong-two-of-the-lemon-test

Under this second prong of the *Lemon* test, courts ask, "irrespective of the . . . stated purpose, whether [the state action] . . has the primary effect of conveying a message that the [government] is advancing or inhibiting religion." *Indiana Civil Liberties Union v. O'Bannon,* 259 F.3d 766, 771 (7th Cir. 2001). The "effect prong asks whether, irrespective of government's actual purpose," *Wallace v. Jaffree,* 472 U.S. 38, 56 n.42 (1985), the "symbolic union of church and state...is sufficiently likely to be perceived by adherents of the controlling denominations as an endorsement, and by the nonadherents as a disapproval, of their individual religious choices." *School Dist. v. Ball*, 473 U.S. 373, 390 (1985); *see also Larkin v. Grendel's Den*, 459 U.S. 116, 126-27 (1982)(even the "mere appearance" of religious endorsement is prohibited).
In the wake of the *Obergefell* and *Windsor* putsch, there has not been a land rush on gay marriage, but there has been a land rush by Secular Humanists to persecute Christians for refusing to endorse a religious worldview that non-observers of Secular Humanism believe is self-evidently immoral, obscene, and subversive to human flourishing. While "gay marriage" is "fake marriage," the government's endorsement of homosexual orthodoxy has lead to the "very real" persecution of Christians. The unconstitutional codification of the fake gay civil rights movement amount to an indefensible "legal weapon that no [Christian or non-observer of Secular Humanism] can obtain." *City of Boerne v. Flores,* 521 U.S. 507 (1997). A "gay marriage license" issued by the state amounts to a government issued "license to oppress." That is the effect of the government's unconstitutional entanglement with the religion of Secular Humanism. It is an evil that the Establishment Clause does not allow. The CADA statute that Jack Phillips was sued under violated the Establishment Clause in its making (it took state action to create it) and in its enforcement for failing prong two of Lemon. Alliance Defending Freedom refused to make that argument because they are more interested in defending donations and persecution is good for their business model.

4. How Does Gay Marriage Policy Fail Prong Three Of Lemon?

https://soundcloud.com/user-450634204/how-does-gay-marriage-policy-fail-prong-three-of-lemon

The State's enforcement of gay marriage policy or its potential enforcement of transgender bathroom policies, conversion therapy bans, or sexual orientation discrimination statutes excessive entangles the government with the religion of Secular Humanism because it enshrines one narrow and exclusive version postmodern western individualistic moral relativism, i.e. Secular Humanism, as the irrefutable supreme national religion. *In re Young*, 141 F.3d 854 (8th Cir 1998); *Westchester Day School v. Village of Mamaroneck*, 504 F.3d 338, 349 (2d Cir. 2007). In the wake of the *Obergefell v. Hodges*, 135 S.Ct. 2584 (2015) and *United States v. Windsor,* 1 33 S. Ct. 2675, 186 L. Ed. 2d 808 (2013) judicial putsch, there has not been a land rush on gay marriage, but there has been a land rush by Secular Humanists to infiltrate elementary schools with the purpose of indoctrinating minors to a worldview on marriage, morality, and sex that is questionably real, moral, decent, and non-secular. The Supreme Court has emphasized that there are "heightened concerns with protecting freedom of conscience from subtle coercive pressure in the elementary and secondary public schools," *Lee v. Weisman*, 505 U.S. 577, 592 (1992). The Federal courts have thus "been particularly vigilant in monitoring compliance with the Establishment Clause" in the public-school context, see *Edwards v. Aguillard*, 482 U.S. 578, 583 (1987). The legislature has a duty under Article VI to be vigilant as well to keep Secular Humanists from indoctrinating minors to Secular Humanist's religious worldview. The government's endorsement of gay marriage policy has had the effect of entitling Secular Humanists to impose their religious beliefs on minors in public schools in a manner that demonstrates that gay marriage policy and sexual orientation statutes are religious shams that violate the Establishment Clause. Because tax dollars are flowing from the general fund to finance the distribution of a constellation of benefits to self-identified homosexuals who legally marry and because there are hundreds of thousands of taxpayers in every state who do not want to play a role in enabling parody marriages, the enforcement of gay marriage policy fails prong three of the Lemon Test for excessively entangling the government with the religion of Secular Humanism and therefore violates the First Amendment Establishment Clause.

SECULAR HUMANISM IS A RELIGION

5. What Is Religion Really?

https://soundcloud.com/user-450634204/what-is-religion-really

All "religion" amounts to is a a set of answers to the greater questions, like "why are we here" and "what should humans be doing." "Religion" is, therefore, a set of unproven truth claims and naked assertions that can only be taken on faith. The Establishment Clause was never designed to single out "institutionalized religions," like Christianity and Judaism, which tends to parallel transcultural self-evident truth that serves as the master narrative of the Constitution itself. The Establishment Clause also was designed - if not more so - to prohibit the government from

legally codifying the truth claims floated by "non-institutionalized religions" as well, to include the truth claims asserted by the religion of postmodern western moral relativism and expressive individualism. Currently, "secularism" is having a full blown crisis because "secularism" is a "religion" in most respects that only pretends to be neutral.

6. What Is The Religion Of Secular Humanism?
https://soundcloud.com/user-450634204/what-is-the-religion-of-secular-humanism
Ex-gays, medical professionals, and licensed ministers have provided testimony under oath in support of this bill that sexual orientation has nothing to do with immutability or the Fourteenth Amendment, but rather, sexual orientation is a religious orthodoxy that is inseparably linked to the religion of Secular Humanism. The United States Supreme Court (and most of the Federal Courts of appeals) have held that Secular Humanism is religion for purposes of the Establishment Clause. See the Supreme Court decisions in *Torcaso v. Watkins*, 367 U.S. 488 (1961) and *Edwards v. Aguillard*, 482 U.S. 578, 583 (1987). ("Among religions in this country, which do not teach what would generally be considered a belief in the existence of God, are Buddhism, Toaism, Ethical Culture, Secular Humanism, and others." See Also *Washington Ethical Society v. District of Columbia*, 101 U.S. App. D.C. 371, 249 F. 2d 127 (1957); 2 Encyclopaedia of the Social Sciences, 293; J.Archer, FaithsMenLive By 120—138, 254—313 (2d ed. revised by Purinton 1958); Stokes & P feffer,supra, n.3 ,at 560. *Welsh v. U.S*, 1970398 U.S. 333 (U.S. Cal. June 15);; *Wells v. City and Cnty. of Denver,* 257 F.3d 1132 (2001)). There is hardly anything "secular" about the religion of "Secular Humanism." The first amendment was never just designed to single out institutionalized religions to keep the government from respecting its doctrine. The Establishment Clause was designed, if not more so, to prevent moral relativists from using government to enshrine their Secular Humanist dogma. In *Real Alternatives,* the Seventh Circuit Court of Appeals stated: *"*w e detect a difference in the "philosophical views" espoused by [the litigants], and the "secular moral system[s]...equivalent to religion except for non-belief in God" that Judge Easterbrook describes in *Center for Inquiry,* 758 F.3d at 873. There, the Seventh Circuit references organized groups of people who subscribe to belief systems such as Atheism, Shintoism, Janism, Buddhism, and secular humanism, all of which "are situated similarly to religions in everything except belief in a deity." *Id*. at 872. "These systems are organized, full, and provide a comprehensive code by which individuals may guide their daily activities." Instead having across or the ten commandments, the LGBTQ church has the gay pride flag and their own commandments,such as if you disagree with LGBTQ ideology you are a bigot worth marginalizing. The unproven naked truth claims evangelized by the LGBTQ church such as (1) there is a gay gene, that (2) people can be born in the wrong body, that (3) same-sex sexual activity checks out with the human design, that (4) same-sex buggery is not immoral, and that (5) people come out of the closest are baptized gay consists of a series of unproven faith based assumptions that are implicitly religious and take a huge amount of faith to believe are even plausible.

Here is a video on Secular Humanism is a religion.
https://www.youtube.com/watch?v=TeSM7cbXSEI; https://youtu.be/Ehw87PqTwKw

7. What Is The Problem With The ACLU And The Freedom From Religion Foundation?
https://soundcloud.com/user-450634204/what-is-the-problem-with-the-aclu-and-the-freedom-from-religion-foundation
The ACLU and Freedom From Religion Foundation are constantly pushing to entangle the government with the religion of Secular Humanism that they ardently subscribe to. Both of these organizations are too intellectually blind and dishonest to see or admit that they have been working for decades to entangle the government with their religion - establishing Secular Humanism as the national supreme religion. The problem for the ACLU and the Freedom From Religion Foundation is that the Supreme Court and just about every Circuit Court has held that Atheism is a religion. *Wells v. City and Cnty. of Denver,* 257 F.3d 1132 (2001). The reason why in *Van Orden v. Perry,* 545 U.S. 677 (2005), Justice Breyer in his concurrence stated that "the Establishment Clause does not compel the government to purge from the public sphere all that in any way partakes of the religious" because "[s]uch absolutism is not only inconsistent with our national traditions, but would also tend to promote the kind of social conflict the Establishment Clause seeks to avoid" was because western postmodern moral relativism is a religion whose faith-based dogmatic unproven truth claims cannot be respected through government recognition.

DEFENDING THE INTEGRITY OF THE RACE-BASED CIVIL RIGHTS MOVEMENT LEAD BY DR. MARTIN LUTHER KING JR.

8. What Does Love Is Love Really Mean?
https://soundcloud.com/user-450634204/what-does-love-is-love-really-mean
When people say that "love is love" what they really mean is that they are perfectly ok with government assets being used to crush anyone who believes that homosexuality is immoral or subversive to human flourishing. Such a position is categorically "unloving." It is more accurate to say that "love without truth is shallow sentimentality." One thing that the fake gay civil rights movement has managed to prove is that people who are "intolerant" of "intolerant people" are "intolerant;" people who are "judgmental" against "judgmental people" are "judgmental;" people who are "dogmatic" about not being "dogmatic" are themselves "dogmatic." As Justice Kennedy stated in *Masterpiece Cakeshop*, "tolerance has to cut both ways."

9. Do gay people exist or do only self-identified gay people exist?
https://soundcloud.com/user-450634204/do-gay-people-exist
There is no such thing as "homosexuals." There are only some people who "self-identify" as "homosexual" for at least some period of time. While people have the right under the Free

Exercise clause to form self-asserted sex-based identity narratives, the Establishment Clause prohibits the government from respecting and recognizing identify narratives that are questionably real, moral, and decent. Sex-based identity narratives are semi-religious in nature. While there are no such thing as "ex-blacks," there are thousands of ex-gays. The First Amendment in balancing the Free Exercise Clause and the Establishment Clause has exclusive jurisdiction in resolving the question as to which marriages the States can recognize and how the States must respond to self-asserted sex-based identify narratives that are questionably real, moral, and have a tendency to erode community standards of decency. It is intellectually, racially, sexually, and emotionally dishonest for Secular Humanists advocate the unprincipled ploy that the Fourteenth Amendment has anything to do with answering how the States must legally define marriage.

10. The Marriage And Constitution Restoration Act Defends The Race Based Civil Rights Movement.
https://soundcloud.com/user-450634204/the-marriage-and-constitution-restoration-act-defends-the-race-based-civil-rights-movement

Make no mistake any legislator who supports or sponsors this act are defending the integrity of the civil rights movement lead by Pastor Martin Luther King Jr. Anyone who compares the "gay civil rights plight" to the "race-based civil rights plight," whereas the race-based civil rights plight was actually based on immutability, only to not really mean it, has engaged in acts of fraud and racial animus in-kind that manages to be emotionally, intellectually, sexually, and racially exploitative. To oppose the government's unconstitutional endorsement of homosexual ideology is to defend the civil rights movement lead by Pastor Martin Luther King Jr. To embrace the fake gay rights movement is deeply offensive to people of color who were required at one point to walk to school, drink from the colored water fountain, and undergo mistreatment for characteristics that are without question based on genetics and immutability, not emotional faith-based beliefs. If a government official supports the government's endorsement of gay rights, they are refusing to think logically and can be accused of bigotry in-kind. Legislators support this act support the rule of law and the supremacy of the United States Constitution. Those who oppose this act that balances the Free Exercise Clause with the Establishment Clause are on the wrong side of history and reality. While there are thousands of ex-gays, there is no such thing as an "ex-black person." Help us safeguard and restore the integrity of the civil rights movement lead by Dr. Martin Luther King Jr. by standing behind the Marriage And Constitution Restoration Act.
See the Amicus brief by the National Coalition of Black Pastors under the tab entitled "Law For Attorney Generals.

THE MARRIAGE AND CONSTITUTION RESTORATION ACT WILL OVERRULE OBERGEFELL

11. How will the Marriage And Constitution Restoration Act overrule Obergefell?
https://soundcloud.com/user-450634204/how-will-the-marriage-and-constitution-restoration-act-overrule-obergefell

The Marriage And Constitution Restoration Act can overrule *Obergefell v. Hodges*, 135 S.Ct. 2584 (2015) because it creates a conflict of interest for the Attorney General's office. By passing this act, the Attorney Generals will have to decide whether to defend this act or the phony *Obergefell* d ecision which was completely intellectually dishonest. *Obergefell* was an "egotistic judicial putsch" that causes Secular Humanist Judges to constitute "a threat to American Democracy." *Obergefell* at 1-6 (Scalia Dissenting). This act is being introduced because *Obergefell* was a ploy and an unprincipled misapplication of the Fourteenth Amendment. "Stare Decisis" does not keep *Obergefell* from being overruled because Supreme Court has held that "questions which merely lurk in the record, neither brought to attention of the court nor ruled upon, are not to be considered as having been so decided as to constitute precedents." *Cooper Industries, Inc. v. Aviall Services, Inc*. 543 U.S. 157 (2004). The Establishment Clause claims were "lurking" in the record but undecided in *Obergefell*. The Marriage And Constitution Restoration Act drags the marriage issue from the Fourteenth Amendment box and places it into the First Amendment box where it always belonged. "[Stare Decisis]is at its weakest when [the courts] interpret the Constitution because our interpretation can be altered only by constitutional amendment or by overruling our prior decisions." *Seminole Tribe of Fla. v. Florida*, 517 U.S. 44, 63, 116 S.Ct. 1114, 1127, 134 L.Ed.2d 252 (1996); *St. Joseph Stock Yards Co. v. United States*, 298 U.S. 38, 94, 56 S.Ct. 720, 744, 80 L.Ed. 1033 (1936) (Stone and Cardozo, JJ., concurring in result) ("The doctrine of stare decisis ... has only a limited application in the field of constitutional law"). The *Obergefell* d ecision was based purely on emotional reasons, but emotional considerations do not allow government actors to usurp the Establishment Clause.

12. Did The Secular Humanist Judges In Obergefell Have Bad Motives In Monkeying With The Fourteenth Amendment?
https://soundcloud.com/user-450634204/did-the-secular-humanist-judges-have-bad-motives-in-monkeying-with-the-fourteenth-amendment
When President Obama came into office, he emphasized that he wanted to appoint Judges to the Court who would demonstrate empathy. The entire basis for the Supreme Court in *Obergefell t*o force the government to respect gay marriage policy was predicated on a series of emotional appeals and naked assertions that were implicitly religious in nature. Justices, like Ginsburg and Sotomayor, were moved by the the stories of self-identified homosexuals who were dropped off in the middle of nowhere by taxi cab drivers, denied medical treatment, and assaulted, simply because they identified as homosexual. While those stories are tragic, they do not justify the

Supreme Court's decision to misuse the Fourteenth Amendment in a manner in which it was never designed. There are other forms of relief already in place for victims who were wronged by taxi drivers, hospitals, and assailants. In *Holloman v. Harland,* 3 70 F.3 1252 (11th Cir. 2004), an elementary school teacher required her students to have a moment of silent to start the day. She had really good emotional and pragmatic reasons for doing so. Yet, the Eleventh Circuit found that the moment of silence had a primary religious purpose. The effect of the *Holloman* decision was that emotional appeals do not allow government actors to usurp the Establishment Clause. The *Windsor* and *Obergefell* Courts allowed emotional and pragmatic appeals to override the Establishment Clause by pretending that self-identified gay people were a class of people for purposes of the Fourteenth Amendment. Yet, the truth is that self-identified gay people are a part of a denominational sect within the over all religion of Secular Humanism. While there are no such thing as ex-blacks, ex-whites, ex-asians, and ex-hispanics, there are thousands of ex-gays, whose testimony voids the Federal Courts of Subject Matter and Personal Jurisdiction under claims brought by self-identified homosexuals under the Fourteenth and Fifth Amendments. The government cannot respect or recognize the LGBTQ dogma through creating or enforcing policies because the ideology is based on a series of unproven faith-based assumptions and naked assertions that are implicitly religious in nature.

13. What Was The Real Implication Of The Masterpiece Cakeshop Decision?
https://soundcloud.com/user-450634204/what-was-the-real-implication-of-the-masterpiece-cakeshop-decision
The 7 to 2 decision in *Masterpiece Cakeshop v. the Colorado Civil Rights Commission*, 584 U. S. ____ (2018) shows that the decisions in *Obergefell* and *Windsor* were a political ploy and an unprincipled misapplication of the Fourteenth and Fifth Amendments. There is no such thing as "partial civil rights movements." If the "gay civil rights movement" was an actual a "civil rights movement," then Jack Phillips should have been required to defy his religious beliefs and bake the cake for the self-identified homosexual couple. Secular Humanists on the Supreme Court have been behaving like children who have been caught in a lie because they have been exposed for having monkeyed with the Fourteenth Amendment by misapplying it to create law that entangles the government with Secular Humanism. Imaging if after the race-based civil rights movement of the 1960s, blacks could still be barred from military service or they still could be required to ride on the back of the bus. Discrimination on the basis for color is an evil that cuts across aspects of society because unlike sexual orientation it really is based on immutability and genetics. The gay civil rights movement is about Secular Humanists entangling the government with their private code to ratify a moral superiority complex that is dangerous, desensitizing, depersonalizing, dehumanizing, and destructive and most importantly non-secular. The fake gay civil rights movement is an effort by devout moral relativists to use government to explain away the natural feelings of shame and inadequacy that come from engaging in forms of sex that violate the givenness of our nature and the truth about the way things are and the way we are.

Instead of trying to make all sides happy, the Federal Court judges should have just done their job by enforcing the Constitution as it was written and not as how devout Secular Humanists wished that it was. The Marriage And Constitution Restoration Act restores the integrity of the Constitution. All patriots will stand behind this act.

14. If Obergefell Was Overruled Would Marriage Go Back To The States To Decide?
https://soundcloud.com/user-450634204/if-obergefell-was-overruled-would-marriage-go-back-to-the-states-to-decide

No because the United States Constitution is not silent as to how all 50 states are required to legally define marriage. The majority in *Obergefell* was absolutely correct in finding that the United States Constitution is not silent as to how all 50 states must legally define marriage. The dissent was dead wrong in their cop-out position that the decision of how marriage should be defined should be left to the individual states to decide. The Majority was dead wrong in pretending that the Equal Protection and Substantive Due Process Clause of the Fourteenth Amendment held the answer as to how marriage should be defined. The testimony of ex-gays, medical experts, and persecute Christians demonstrates that the First Amendment Establishment Clause and Free Exercise Clause have exclusive jurisdiction over how the States must respond to marriage requests of all kinds that do not involve one man and one woman and how the States must react to self-asserted sex-based identity narratives that are questionably real, moral, and decent. At oral argument in Obergefell, Justice Sotomayor, who ultimately voted in favor of gay marriage correctly stated that "the United States is not a pure Democracy. It is a Constitutional Republic." She was right. The ultimate result of *Obergefell* is that all 50 states, to include deep blue ones that actually voted to legalize gay marriage through the Democratic process, are required to at the very most only legally recognize marriage between "one man and one woman," since it is the only secular form that the Constitution permits all fifty states to recognize. The First Amendment Establishment Clause prohibits all 50 states from legally recognizing, respecting, endorsing, or enforcing any parody marriage policy, sexual orientation discrimination statute, transgender policy, or conversion therapy ban because the Establishment Clause does not allow it.

15. What Was The Real Purpose Behind The Original Gay Marriage Bans?
https://soundcloud.com/user-450634204/what-was-the-real-purpose-behind-the-original-gay-marriage-bans

The original legal basis behind State's bans on parody marriages rested on the notion that parody marriages erode community standards of decency.The State's Constitution and the Supreme Court of the United States has made it clear that the States have a compelling interest to uphold community standards of decency. *Paris Adult Theatre I v. Slaton*, 413 US 49 (1973). Courts have

held that "any school boy knows that a homosexual act is immoral, indecent, lewd, and obscene.Adult persons are even more conscious that this is true." *Schlegel v. United States,* 416 F. 2d 1372, 1378 (Ct. Cl. 1969). The Supreme Court has long since held that "to simply adjust the definition of obscenity to social realities has always failed to be persuasive beforethe Courts of the United States." *Ginsberg v. New York*, 390 U.S. 629, 639–40, 88 S.Ct. 1274, 20 L.Ed.2d 195 (1968), *Mishkin v. State of New York*, 383 U.S. 502, 509, 86 S. Ct. 958, 16 L. Ed. 2d 56 (1966), and *Bookcase, Inc. v. Broderick*, 18 N.Y.2d 71, 271 N.Y.S.2d 947, 951, 218 N.E.2d 668, 671 (1966). Community standards do not evolve but groups of people can become desensitized to objective immorality. While that is a state law argument, what is without question is that all parody marriage policies and sexual orientation discrimination states fail all three prongs of the Lemon test and violate the Establishment Clause in their making and in their enforcement.

EMOTIONAL APPEALS DO NOT USURP THE ESTABLISHMENT CLAUSE

16. Do Emotional Appeals Or Sincerity Of Belief Allow The Government To Usurp The Establishment Clause?
https://soundcloud.com/user-450634204/do-emotional-appeals-or-sincerity-of-belief-allow-the-government-to-usurp-the-establishment-clause

Emotional appeals do not allow the government to usurp the Establishment Clause. When President Obama came into office, he emphasized that he wanted to appoint Judges to the Court who would demonstrate empathy. The entire basis for the Supreme Court in *Obergefell t*o force the government to respect gay marriage policy was predicated on a series of emotional appeals and naked assertions that were implicitly religious in nature. Justices, like Ginsburg and Sotomayor, were moved by the the stories of self-identified homosexuals who were dropped off in the middle of nowhere by taxi cab drivers, denied medical treatment, and assaulted, simply because they identified as homosexual. While those stories are tragic, they do not justify the Supreme Court's decision to misuse the Fourteenth Amendment in a manner in which it was never designed. There are other forms of relief already in place for victims who were wronged by taxi drivers, hospitals, and assailants. In *Holloman v. Harland,* 3 70 F.3 1252 (11th Cir. 2004), an elementary school teacher required her students to have a moment of silent to start the day. She had really good emotional and pragmatic reasons for doing so. Yet, the Eleventh Circuit found that the moment of silence had a primary religious purpose. The effect of the *Holloman* decision was that emotional appeals do not allow government actors to usurp the Establishment Clause. The *Windsor* and *Obergefell* Courts allowed emotional and pragmatic appeals to override the Establishment Clause by pretending that self-identified gay people were a class of people for purposes of the Fourteenth Amendment. Yet, the truth is that self-identified gay people are a part of a denominational sect within the over all religion of Secular Humanism. While there are no such thing as ex-blacks, ex-whites, ex-asians, and ex-hispanics, there are thousands of ex-gays, whose testimony voids the Federal Courts of Subject Matter and Personal Jurisdiction under claims brought by self-identified homosexuals under the Fourteenth and Fifth

Amendments. The government cannot respect or recognize the LGBTQ dogma through creating or enforcing policies because the ideology is based on a series of unproven faith-based assumptions and naked assertions that are implicitly religious in nature.

17. What Is Preemption Doctrine And Why Does It Matter?
https://soundcloud.com/user-450634204/what-is-preemption-doctrine-and-why-does-it-matter
If a state policy conflicts with Federal law, the Federal law must be obeyed. If a Federal law or state law conflicts with the United States Constitution's amendments, the United States Constitution wins out.

18. Why Can't The States Limit Marriage To Two Consenting People?
https://soundcloud.com/user-450634204/why-cant-the-state-limit-marriage-to-two-consenting-people
The Establishment Clause of the First Amendment of the United States Constitution prohibits all of the States from limiting marriage to two consenting adults. It is an arbitrary law state consideration that is undone by the holding in Obergefell and the Fourteenth Amendment if Obergefell was not a sham. Since the Supreme Court pretended that marriage is an "existing right," "individual right," and "fundamental right" based on a "personal choice" for self-identified homosexuals under the Fourteenth Amendment, then it follows that marriage must be an "existing right," "individual right," and "fundamental right" based on a personal choice for self-identified polygamists, zoophiles, and objectophiles as well under the Fourteenth Amendment. *Zablocki v. Redhail,* 434 U.S. 374, 384 (1978) (fundamental right); *Cleveland Bd. of Educ. v. LaFleur*, 414 U.S. 632, 63940 (1974) (personal choice); *Loving v. Virginia,* 388 U.S. 1, 12 (1967) (existing right/individual right); *Lawrence v. Texas*, 539 U.S. 558 (2003) (intimate choice). Otherwise, gay marriage plight is just a sham that is really barred by the Establishment Clause. The bottom line is that the Secular Humanists on the court are guilty of monkeying with the Fourteenth Amendment in a manner that makes Secular Humanists judges an internalized threat to American Democracy. The attempt by the blue states to limit marriage to two people is merely another arbitrary marriage ban that violates the Fourteenth Amendment, if the Obergefell decision was valid. But it was not. The First Amendment has exclusive jurisdiction in informing the states how to respond to all marriage requests that do not involve one man and one woman and how to respond to self-asserted sex-based identity narratives that are questionably real, moral, and decent.

19. Does the Marriage And Constitution Restoration Act single out gay marriage?
https://soundcloud.com/user-450634204/does-the-marriage-and-constitution-restoration-act-single-out-gay-marriage
There are some bills that single out the LGBTQ community or gay marriage. But this is not one of them. This act does not single out self-identified homosexuals or gay marriage. This act bars

the State from endorsing, recognizing, respecting, or favoring any form of marriage that does not involve one man and one woman. This act acknowledges that all citizens can have wedding ceremonies of all kinds and live as married people do. It is simply the case that the government is prohibited from being in the parody marriage business.

THE GOVERNMENT WILL CONTINUE TO ENFORCE MAN-WOMAN MARRIAGE POLICIES

20. Are Man-Woman Marriage Policies Unconstitutional Under the Establishment Clause?
https://soundcloud.com/user-450634204/are-man-woman-marriage-policies-unconstitutional-under-the-establishment-clause

No. Man-woman marriage and man-woman marriage policies are natural, neutral, and non-controversial. Man-woman marriage policies are considered secular and not a sham because they actually accomplish their intended purposes and do not put religion over non-religion. Traditional marriage arose out of the "the nature of things" and did not arise out of a desire to acquire political power and to use government as a tool to show the irresponsible gospel of moral relativism down the throats of our citizens.. See G. Quale, A History of Marriage Systems 2 (1988); cf. M. Cicero, De Officiis 57 (W. Miller transl. 1913). *Obergefell* at 5 (Roberts Dissent). Roberts in his dissent in *Obergefell* also stated: "In his first American dictionary, Noah Webster defined marriage as "the legal union of a man and woman for life," which served the purposes of "preventing the promiscuous intercourse of the sexes, . . . promoting domestic felicity, and . . . securing the maintenance and education of children." 1 An American Dictionary of the English Language (1828).

21. Why Is It A Bad Idea For The States To Completely Get Out Of The Marriage Business?
https://soundcloud.com/user-450634204/getoutofthemarriagebusiness

In the wake of the *Obergefell* and *Windsor "*judicial putsch," there has been a push by many well intended Republican lawmakers to get out of the marriage business altogether. However, for the government to pull out of marriage altogether would be a terrible idea because it would have terrible secondary effects. The government has a compelling interest to make divorce difficult for the sake of children and the public's health. A man and woman in a marriage are different biologically but inherently equal, possessing corresponding sexual parts that when coalesced have the prospective procreative potential to create life itself. The offspring of those unions are subject to having input from a male and female with whom they share the same genetic code. The offspring of those unions have a readily identifiable and unbroken ancestral chain, making that specific relationship factually and legally distinct from all other prospective parody forms of marriage and the only "secular" form of marriage for purposes of the Establishment Clause The Establishment Clause allows the government to continue to legally respect and enforce man-woman marriage policy because the policies are neutral, natural, non-controversial, and secular in nature. No reasonable person thinks that man-woman marriage is immoral but there

are millions of people who believe that all forms of parody marriage are. County Clerks, like Kim Davis, are not going to jail in protest because the counties are issuing man-woman marriage licenses. But there are millions of taxpayers who object to the government using tax dollars to finance a constellation of benefits that flow out of the coffers of the government's general fund to finance parody marriages. These Americans believe that to condone and act of immorality is itself an act of immorality, and they do not want their tax dollars used to endorse any form of parody marriage because they do not want to themselves be guilty of enabling immorality. When the government issues man-woman marriage licenses, it does not put "religion over non-religion." But when the government issues parody marriage licenses and enforces sexual orientation discrimination statutes, it has the effect of putting religion over non-religion in a manner that is extremely coercive. Just as government officials may not favor or endorse one religion over others, so too officials "may not favor or endorse religion generally over non-religion." *Lee v. Weissman*, 505 U.S. 577, 627, 112 S.Ct. 2649, 120 L.Ed.2d 467 (1992)(Souter, Justice, concurring)(citing *County of Allegheny v. ACLU*, 492 U.S. 573, 589-94, 109 S.Ct. 3086, 106 L.Ed.2d 472 (1989). Man-woman marriage is special. It is stand alone and set apart.

22. What Set Of Moral Doctrine Can The States Rely On In Making Laws?
https://soundcloud.com/user-450634204/what-set-of-moral-doctrine-can-the-states-rely-on-in-making-laws-1

At some point the Government is going to have to come to terms with the fact that "without faith," there is no basis for "morality," and "without morality" there is no basis for "law" and there is no way around that axiom. Basically, what happened in *Obergefell v. Hodges,* 135 S. Ct. 2584 (2015) was that the self-identified homosexual litigants imperialistically proclaimed that "nobody's version of morality as a basis for law matters except the one we believe in." For moral relativists to suggest that "no one set of moral doctrine as a basis for law matters" is itself a "moral doctrine as a basis for law" that suggests "that it matters above all." Such an assertion is simply an imperialistic power play and a way of coming out on top in a policy debate. In his letters from a Birmingham jail, Dr. King wrote that the reason he knew that a law was unjust was because it violated a "higher law" or a "divine law." Objective morality obviously exists or their is no basis for justice. If a junior officer in the Military is required to disobey orders that are objectively immoral from commanders all the way up to the President under the Uniform Code of Military Justice (UCMJ), then very obviously "morality" as a basis of law matters in the "civil sector" as well when it comes to policy making. See (UCMJ) 809.ART.90 (20); *Armbruster v. Cavanaugh,* 140 Fed. Appx. 564 (3rd Cir. 2011). In fact, the Constitution's version of (UCMJ) 809.ART.90 (20) is Article VI. The question presented is which set of moral doctrine can be relied on by Military officers and lawmakers that accords with Constitutional and transcultural justice? The answer is this: "the set of moral doctrine that parallels self-evident truth can only be

used as the exclusive foundational basis for law in the United States in promulgation of policy to survive any level of Constitutional Scrutiny." "America is [not officially] a Christian Nation" as the Supreme Court conclusively found in *Church of the Holy Trinity v. United States*, 143 U.S. 457 (1892). America is not officially a Christian Nation because it would produce the very legalism that Christ, himself, was so opposed to. However, "America is [certainly not] a [Savage Nation]" as Justice Ginsburg believes. Justice Kennedy, a devout Secular Humanist, attempted to enshrine when he asserted in *Planned Parenthood of Southeastern Pa. v. Casey*, 505 U.S. 833, 84748 (1992) that "at the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe." Justice Kennedy's worldview amounts to the German Proverb, "Jedem das Seine," which means "to each his own," which was of course what the sign over Buchenwald concentration camp read. It can be said, however, that "America is [unofficially] a Christian Nation" insofar as laws that based on self-evident truth that happen to parallel the New Testament Gospel does not make those laws automatically invalid in view of the Establishment Clause. The Master narrative of the Constitution and the bill of Rights is unequivocally the personalized and radically transformative truth of the New Testament gospel narrative. Just because the Constitution reflects the truth claims of Christianity does mean that the Constitution is unconstitutional. The moral basis for the Fourteenth Amendment that was the source of the civil rights movement lead by Dr. Martin Luther King Jr comes straight out of genesis that all men are created equal and entitled to equal protection under the law. While the government cannot mandate a national religion, the government can only base laws that reflect self-evident morality from the objective reasonable observer standpoint.

2018 *STATE OF WYOMING* **18LSO-0490**

HOUSE BILL NO. HB0167

The Marriage and Constitution Restoration Act.

Sponsored by: Representative(s) Lone and Edwards

A BILL

for

AN ACT relating to marriage and sexual orientation; prohibiting any state action that treats sexual orientation as a suspect class; prohibiting the state and its political subdivisions from granting, endorsing, respecting or recognizing any marriage not between a man and woman; providing legislative findings; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1.

(a) The legislature finds that:

(i) Parody marriages and policies that endorse parody marriages are nonsecular in nature for purposes of

the Establishment Clause of the First Amendment to the United States Constitution;

(ii) Marriages between a man and a woman and policies that endorse marriages between a man and a women are secular in nature for purposes of the Establishment Clause of the First Amendment to the United States Constitution;

(iii) Civilizations for millennia have defined marriage as a union between a man and a woman;

(iv) Marriage between a man and a woman arose out of the nature of things and is natural, neutral and noncontroversial unlike parody marriages;

(v) The state of Wyoming has a duty under article 6 of the United States Constitution to uphold the United States Constitution;

(vi) The First Amendment applies to the state of Wyoming through the Fourteenth Amendment to the United State Constitution;

(vii) The First Amendment to the United States Constitution has exclusive jurisdiction over which types of marriages the state can endorse, respect and recognize;

(viii) All forms of parody marriage and all nonheterosexual sexual orientations or self asserted sex based identify narratives that fail to check out with the human design are part of the religion of secular humanism;

(ix) In *Torcaso v. Watkins* , 367 U.S. 488 (1961), and *Edwards v. Aguillard*, 482 U.S. 578 (1987), the United States Supreme Court found that secular humanism is a religion for purposes of the Establishment Clause of the First Amendment to the United States Constitution;

(x) The state of Wyoming is prohibited from endorsing or favoring religion over nonreligion;

(xi) The state of Wyoming's decision to respect, endorse and recognize parody marriages and sexual orientation policies has excessively entangled the government with the religion of secular humanism, failed to

accomplish its intended purpose and created an indefensible legal weapon against nonobservers;

(xii) In the wake of *Obergefell v. Hodges*, 135 S. Ct. 2584 (2015), there has not been a land rush on same sex marriage but there has been a land rush on the persecution of nonobservers by secular humanists and an effort by secular humanists to infiltrate and indoctrinate minors in public schools to their religious worldview which is obscene and questionably moral and plausible;

(xiii) It is unsettled whether sexual orientation is immutable or genetic and is therefore a matter of faith;

(xiv) Parody marriages have never been a part of American tradition and heritage;

(xv) All forms of parody marriage erode community standards of decency, and this state has a compelling interest to uphold community standards of decency as set forth under the Wyoming Constitution;

(xvi) Parody marriage policies and statutes treating nonheterosexual people as a suspect class constitute nonsecular state action, and policies that respect, endorse and recognize a marriage between a man and a woman constitute secular state action and accomplishes their intended objective;

(xvii) In view of the Free Exercise Clauses of the First Amendment to the United States Constitution and the Wyoming Constitution:

(A) Any person in Wyoming may cultivate any sexual orientation or self asserted sex based identity narrative at-will, even if it does not check out with the human design as a matter of self evident observation;

(B) Any person in Wyoming may conduct any form of marriage ceremony to include parody marriage ceremonies and other rituals that accord with their self asserted sexual orientation or other sex asserted sex based identity narrative and live as married persons do as long as the ceremonies do not conflict with other parts of state and federal law;

(C) The state of Wyoming shall no longer respect, endorse or recognize any parody marriage policies because such policies constitute nonsecular state action;

(D) The state of Wyoming shall no longer enforce, recognize or respect any policies that treat self asserted sexual orientation as a suspect class because such policies constitute nonsecular state action.

(b) As used in this section:

(i) "Nonsecular state action" means any state action that endorses, respects and recognizes the beliefs of a particular religion where the preeminent and primary force driving the state action is not genuine but is a sham that ultimately has a primarily religious objective;

(ii) "Parody marriage" means any form of marriage not between a male and a female person;

(iii) "Secular state action" means any state action that is natural, neutral, noncontroversial and based

on self evident truth and whose primary driving force is genuine, not a sham and not merely secondary to a religious objective.

Section 2. W.S. 9-23-101 is created to read:

CHAPTER 23

SEXUAL ORIENTATION

9-23-101. Sexual orientation laws and policies prohibited.

Notwithstanding any other provision of law, the state and its political subdivisions shall not enact, enforce, respect or recognize any law or policy that treats sexual orientation as a suspect class, because action constitutes nonsecular state action that exclusively entangles the state with the religion of secular humanism. As used in this section, "nonsecular state action" means any state action that endorses, respects and recognizes the beliefs of a particular religion where the preeminent and primary force driving the state action is not genuine but is a sham that ultimately has a primarily religious objective.

Section 3. W.S. 20-1-101 is amended to read:

20-1-101. Marriage a civil contract.

(a) Marriage is a civil contract between a male and a female person to which the consent of the parties capable of contracting is essential. Notwithstanding any other provision of law, the state and its political subdivisions shall not grant, endorse, respect or recognize any form of parody marriage, because such action constitutes nonsecular state action. The state and its political subdivisions shall continue to grant and recognize marriages between a male and a female person because such action constitutes secular state action which accomplishes its intended purposes. As used in this section:

(i) "Nonsecular state action" means any state action that endorses, respects and recognizes the beliefs of a particular religion where the preeminent and primary force driving the state action is not genuine but is a sham that ultimately has a primarily religious objective;

(ii) "Parody marriage" means any form of marriage not between a male and a female person;

(iii) "Secular state action" means any state action that is natural, neutral, noncontroversial and based on self evident truth and whose primary driving force is genuine, not a sham and not merely secondary to a religious objective.

Section 4. This act is effective July 1, 2018.

(END)

AN ACT ENTITLED THE MARRIAGE AND CONSTITUTION RESTORATION ACT

Summary: An act that balances the Free Exercise Clause with the Establishment Clause of the First Amendment of the United States Constitution in resolving how the Constitution requires State of South Dakota to respond to marriage requests of all types that do not involve a man and a woman and how the State must react to self-asserted sex-based identity narratives that are questionably moral, real, and have the tendency to erode community standards of decency. An act that reaffirms that the State of South Dakota will continue to enforce man-woman marriage policies because the policies are secular in nature and do not put religion over non-religion.

Another option for the summary:
(Summary: an act that recognizes that under the Free Exercise Clause of the United States Constitution anyone person in the State of South Dakota can self-identify as anything they would like, have wedding ceremonies, and live as married people do. An act that prohibits the State of South Dakota from enforcing, endorsing, recognizing, respecting any marriage policy that does not involve one man and one woman, any sexual orientation discrimination policy, or any transgender policy because those policies violate the First Amendment Establishment Clause of the United States Constitution for being non-secular shams that cultivate indefensible legal weapons against non-observers of the religion of Secular Humanism and have the effect of excessively entangling the government with the religion of Secular Humanism. This act sets forth that the State of South Dakota is required to get out of the parody marriage business, while reaffirming that the State of South Dakota shall continue to enforce marriage policies that involve a man and a woman because man-woman marriage policies are secular in nature and do not put religion over non-religion and do not erode community standards of decency.)

Legislative Findings: (*feel free to remove some of these options*)
Whereas, civilizations for millennia have defined marriage as a union between a man and a woman;

Whereas, marriages policies that endorse marriage between a man and a woman are secular in nature for purposes of the Establishment Clause;

Whereas, marriage between a man and a woman arose out of the nature of things, and marriage between a man and a woman is natural, neutral, and non-controversial, unlike forms of marriage that do not involve a man and a woman;

Whereas, marriage policies that endorse a marriage between a man and a woman are based on self-evident neutral morality and do not put religion over non-religion upon their enforcement;

Whereas, the State of South Dakota has a duty under Article VI of the United States Constitution to only enforce policies that do not violate the United States Constitution;

Whereas, the First Amendment applies to the State of South Dakota through the Fourteenth Amendment;

Whereas, emotional appeals or sincerity of belief does not allow the State of South Dakota to usurp the Establishment Clause of the United States Constitution;

Whereas, emotional appeals or sincerity of belief does not allow the State of South Dakota to infringe upon the religious beliefs of Secular Humanists in view of the Free Exercise Clause of United States Constitution;

Whereas, the First Amendment, not the Fourteenth Amendment, has exclusive jurisdiction over which types of marriages the State can endorse, respect, and recognize;

Whereas, all parody marriages are equally non-secular in nature;

Whereas, all forms of marriage that do not involve a man and a woman and all self-asserted sex-based identity narratives and sexual orientations, that fail to check out the human design are inseparably part of the religion of Secular Humanism;

Whereas, self-asserted sex-based identity narratives that are questionably real, moral, and decent and that are not based on self-evident observation are implicitly religious in nature;
Whereas, the United States Supreme Court has found that Secular Humanism is a religion for the purpose of the First Amendment Establishment Clause in *Torcaso v. Watkins*, 367 U.S. 488 (1961) and *Edwards v. Aguillard,* 482 U.S. 578 (1987);

Whereas, the State of South Dakota is prohibited by the Establishment Clause of the United States Constitution from favoring or endorsing religion over non-religion which includes the doctrines of non-institutionalized religions;

Whereas, in the wake of *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015), there has not been a land rush on gay marriage, but there has been a land rush by Secular Humanists to persecute non-observers of the religion of Secular Humanism;

Whereas in the wake of *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015), there has not been a land rush on gay marriage but there has been a land rush by Secular Humanists to infiltrate public

schools with the intent to indoctrinate minors to their religious worldview and spiritual take on faith, morality, sex, and marriage;

Whereas, it is unsettled whether or not sexual orientation is immutable or genetic and therefore for a person to suggest that they were born gay or the wrong gender or that to disagree with their beliefs makes the dissenter a bigot are nothing more than a series unproven faith-based assumptions and naked assertions that are implicitly religious;

Whereas, parody marriages have never been a part of American tradition and heritage and have nothing to do with the Substantive Due Process Clause of the Fourteenth Amendment;

Whereas, the history of parody marriages is that most forms were illegal until recently or they remain illegal today;

Whereas, all forms of parody marriage equally erode community standards of decency and the State of South Dakota has a compelling interest to uphold community standards of decency as set forth under the South Dakota Constitution and in accordance with the findings of the United States Supreme Court;

Whereas, the enforcement of marriage policies between a man and a woman do not erode community standards of decency;

Whereas, the State of South Dakota has a compelling interest to uphold community standards of decency;

Whereas, community standards of decency do not evolve, but people can become desensitized;

Whereas, there are hundreds of thousands of taxpayers living in the State of South Dakota who sincerely believe that all forms of marriage that do not involve a man and a woman are immoral and that for their tax dollars to be used to enable immorality is itself and act of immorality that causes them them to violates their conscience;

Whereas it is unconstitutional under the Establishment Clause for tax dollars of non-observers of the religion of Secular Humanism to flow out of the coffers of the general fund to finance the distribution of a constellation of benefits to individuals who enter a marriage based solely on their self-asserted sex-based identity narrative, when there are hundreds of thousands of taxpayers who believe that parody marriages are immoral, non-secular, subversive to human flourishing, and go against community standards of decency;

Whereas, there are no ex-blacks but there are thousands of ex-gays;

Whereas, those who support the government only enforcing marriage policies between a man and a woman are de facto supporting the integrity of the civil rights movement lead by pastor Martin Luther King Jr.;

Whereas, for any person to suggest that the sexual orientation is a civil rights matter like race is, when race is actually based on immutability and sexual orientation is not, is an act of fraud and racial animus in-kind that is intellectually, emotionally, sexually, and racially exploitative;

Whereas, when a person says that "love is love" what they really mean is that they are ok with government assets being used to oppress and marginalize anyone who disagrees with their beliefs, which is a position that is categorically "unloving;"

Whereas, people who are intolerant of intolerant people are intolerant, people who are judgmental against judgmental people are judgment, and people who are dogmatic about not being dogmatic are dogmatic;

Whereas, "stare decisis" does not keep *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015) from being overruled because of the overriding principle that Constitutional questions which merely lurk in the record, neither brought to attention of the court nor ruled upon, are not to be considered as having been so decided as to constitute precedents;

Whereas, the question whether the Establishment Clause has exclusive jurisdiction over informing the states as to which marriages they can legally recognize was lurking in the shadows but was undecided upon by the Supreme Court in *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015);

Whereas, the decision in *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015) was a non-secular sham based on an unprincipled ploy and the misapplication of the Fourteenth Amendment that has had the effect of excessively entangling the government with the religion of Secular Humanism and eroding the fundamental rights of non-observers of the religion of Secular Humanism;

Whereas, the First Amendment Free Exercise Clause and the First Amendment Establishment Clause have exclusive jurisdiction over how the State of South Dakota a must response to marriage requests of all types that do not involve a man and a woman and the how the State of South Dakota a must react to self-asserted sex-based identity narratives that are questionably real, moral, and have a tendency to erode community standards of decency;

An Act To Be Entitled The Marriage And Constitution Restoration Act

DEFINITIONS:
PARODY MARRIAGE: A marriage that does not involve a man and a woman and is inseparably linked to the religion of Secular Humanism.
NON-SECULAR POLICY: State action which endorses, respects, and recognizes the beliefs of a particular religion where the pre-eminent and primary force driving the state's action is not genuine, but is a sham that ultimately has a primary religious objective. State action that is predicated on a series of unproven faith-based assumptions and naked assertions that are implicitly religious.
SECULAR POLICY: State action that is natural, neutral, non-controversial and that is based on self-evident morality and truth. Secular policy generally accomplishes its goals and purposes. State action were the pre-eminent and primary force driving the policy is genuine, not a sham, and not merely secondary to a religious objective.
SEXUAL ORIENTATION: a self-asserted sex-based identity narrative that is a dogma based on a series of naked assertions and unproven faith based assumptions that are implicitly religious and inseparably linked to the religion of Secular Humanism.
CONVERSION THERAPY: The practice of converting a person from one self-asserted sex-based identity narrative to another with the consent.
MARRIAGE: (use the State's original definition of marriage).

Section I: the State of South Dakota has a duty under Article VI of the United States Constitution to not enforce policies that violate the United States Constitution.
Section II: Marriages That Do Not Involve One Man And One Woman Are Permitted In View Of The Free Exercise Clause
(1) In view of the First Amendment Freedom of Expression Clause of the United States Constitution and the Constitution of the State of South Dakota:
(a) any person living in South Dakota can cultivate any self-asserted sex-based identity narrative or self-asserted sexual orientation.
(b) any person can conduct any form marriage ceremony and other rituals that accords with their self-asserted sexual orientation and live as married persons do, as long as the ceremonies do not conflict with other parts of the South Dakota Code and Federal law.
Section III: Marriage Policies That Do Not Involve One Man and One Woman, Sexual Orientation Discrimination Statutes, Policies That Recognize Transgenderism, And Conversion Therapy Bans Are Unenforceable In View Of The First Amendment Establishment Clause Of The United States Constitution:
(1) In view of the First Amendment Establishment Clause of the United States Constitution and the South Dakota Constitution:
(a) the State of South Dakota is prohibited from enforcing, respecting, endorsing, or recognizing any marriage policy that does not involve a man and a woman because such policies are

non-secular and have the effect of excessively entangling the government with the religion of Secular Humanism.

(b) the State of South Dakota is prohibited from enforcing, endorsing, recognizing, or respecting any policy that treats sexual orientation as a suspect class because all such statutes are non-secular, have the effect of cultivate indefensible legal weapons against non-observers of the religion of Secular Humanism, and excessively entangle the government with the religion of Secular Humanism.

(c) The State of South Dakota is prohibited from enforcing, endorsing, recognizing or respecting any policy that treats a person as if they were born the wrong gender because the policies are non-secular and have the effect of excessively entangling the government with the religion of Secular Humanism.

(2) The State of South Dakota is prohibited from appropriating any benefits to a person who enters into a marriage that does not involve a man and a woman because because such an appropriation is a non-secular endorsement of the religion of Secular Humanism and has the effect of excessively entangling the government with the religion of Secular Humanism.

(3) The State of South Dakota is prohibited from enforcing, endorsing, respecting, or recognizing conversation therapy bans because such policies are non-secular and have the effect of excessively entangling the government with the religion of Secular Humanism.

Section IV: The State Will Continue To Enforce, Endorse, Respect, And Recognize Marriage Policies Between A Man and A Woman Because The Policies Have A Primary Secular Purpose And Are Not Prohibited By the First Amendment Establishment Clause Of The United States Constitution

(1) Man-woman marriage policies shall continue to be enforced because the policies are natural, neutral, non-controversial, and secular.

(2) the State of South Dakota will continue to enforce, respect, endorse, and recognize marriage policies between a man and a woman because such marriage policies have a primary secular purpose, accomplishing non-religious objectives and do not put religion over non-religion.

(3) The State of South Dakota has a compelling interest to uphold community standards of decency and marriage policies regarding a man and a woman will continue to be enforced because they do not erode community standards of decency.

(4) The State of South Dakota will only issue marriage licenses to a man and a woman who meet the requirements by the governing State agency because such state action is secular and does not excessively entangle the government with any religion nor does the issuance endorse a religion.

AN ACT ENTITLED THE MARRIAGE AND CONSTITUTION RESTORATION ACT

Summary: An act that balances the Free Exercise Clause with the Establishment Clause of the First Amendment of the United States Constitution in resolving how the Constitution requires State of Arkansas to respond to marriage requests of all types that do not involve a man and a woman and how the State must react to self-asserted sex-based identity narratives that are questionably moral, real, and have the tendency to erode community standards of decency. An act that reaffirms that the State of Arkansas will continue to enforce man-woman marriage policies because the policies are secular in nature and do not put religion over non-religion.

Another option for the summary:
(Summary: an act that recognizes that under the Free Exercise Clause of the United States Constitution anyone person in the State of Arkansas can self-identify as anything they would like, have wedding ceremonies, and live as married people do. An act that prohibits the State of Arkansas from enforcing, endorsing, recognizing, respecting any marriage policy that does not involve one man and one woman, any sexual orientation discrimination policy, or any transgender policy because those policies violate the First Amendment Establishment Clause of the United States Constitution for being non-secular shams that cultivate indefensible legal weapons against non-observers of the religion of Secular Humanism and have the effect of excessively entangling the government with the religion of Secular Humanism. This act sets forth that the State of Arkansas is required to get out of the parody marriage business, while reaffirming that the State of Arkansas shall continue to enforce marriage policies that involve a man and a woman because man-woman marriage policies are secular in nature and do not put religion over non-religion and do not erode community standards of decency.)

Legislative Findings: (*feel free to remove some of these options*)
Whereas, civilizations for millennia have defined marriage as a union between a man and a woman;

Whereas, marriages policies that endorse marriage between a man and a woman are secular in nature for purposes of the Establishment Clause;

Whereas, marriage between a man and a woman arose out of the nature of things, and marriage between a man and a woman is natural, neutral, and non-controversial, unlike forms of marriage that do not involve a man and a woman;

Whereas, marriage policies that endorse a marriage between a man and a woman are based on self-evident neutral morality and do not put religion over non-religion upon their enforcement;

Whereas, the State of Arkansas has a duty under Article VI of the United States Constitution to only enforce policies that do not violate the United States Constitution;

Whereas, the First Amendment applies to the State of Arkansas through the Fourteenth Amendment;

Whereas, emotional appeals or sincerity of belief does not allow the State of Arkansas to usurp the Establishment Clause of the United States Constitution;

Whereas, emotional appeals or sincerity of belief does not allow the State of Arkansas to infringe upon the religious beliefs of Secular Humanists in view of the Free Exercise Clause of United States Constitution;

Whereas, the First Amendment, not the Fourteenth Amendment, has exclusive jurisdiction over which types of marriages the State can endorse, respect, and recognize;

Whereas, all parody marriages are equally non-secular in nature;

Whereas, all forms of marriage that do not involve a man and a woman and all self-asserted sex-based identity narratives and sexual orientations, that fail to check out the human design are inseparably part of the religion of Secular Humanism;

Whereas, self-asserted sex-based identity narratives that are questionably real, moral, and decent and that are not based on self-evident observation are implicitly religious in nature;
Whereas, the United States Supreme Court has found that Secular Humanism is a religion for the purpose of the First Amendment Establishment Clause in *Torcaso v. Watkins*, 367 U.S. 488 (1961) and *Edwards v. Aguillard,* 482 U.S. 578 (1987);

Whereas, the State of Arkansas is prohibited by the Establishment Clause of the United States Constitution from favoring or endorsing religion over non-religion which includes the doctrines of non-institutionalized religions;

Whereas, in the wake of *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015), there has not been a land rush on gay marriage, but there has been a land rush by Secular Humanists to persecute non-observers of the religion of Secular Humanism;

Whereas in the wake of *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015), there has not been a land rush on gay marriage but there has been a land rush by Secular Humanists to infiltrate public

schools with the intent to indoctrinate minors to their religious worldview and spiritual take on faith, morality, sex, and marriage;

Whereas, it is unsettled whether or not sexual orientation is immutable or genetic and therefore for a person to suggest that they were born gay or the wrong gender or that to disagree with their beliefs makes the dissenter a bigot are nothing more than a series unproven faith-based assumptions and naked assertions that are implicitly religious;

Whereas, parody marriages have never been a part of American tradition and heritage and have nothing to do with the Substantive Due Process Clause of the Fourteenth Amendment;

Whereas, the history of parody marriages is that most forms were illegal until recently or they remain illegal today;

Whereas, all forms of parody marriage equally erode community standards of decency and the State of Arkansas has a compelling interest to uphold community standards of decency as set forth under the Arkansas Constitution and in accordance with the findings of the United States Supreme Court;

Whereas, the enforcement of marriage policies between a man and a woman do not erode community standards of decency;

Whereas, the State of Arkansas has a compelling interest to uphold community standards of decency;

Whereas, community standards of decency do not evolve, but people can become desensitized;

Whereas, there are hundreds of thousands of taxpayers living in the State of Arkansas who sincerely believe that all forms of marriage that do not involve a man and a woman are immoral and that for their tax dollars to be used to enable immorality is itself and act of immorality that causes them them to violates their conscience;

Whereas it is unconstitutional under the Establishment Clause for tax dollars of non-observers of the religion of Secular Humanism to flow out of the coffers of the general fund to finance the distribution of a constellation of benefits to individuals who enter a marriage based solely on their self-asserted sex-based identity narrative, when there are hundreds of thousands of taxpayers who believe that parody marriages are immoral, non-secular, subversive to human flourishing, and go against community standards of decency;

Whereas, there are no ex-blacks but there are thousands of ex-gays;

Whereas, those who support the government only enforcing marriage policies between a man and a woman are de facto supporting the integrity of the civil rights movement lead by pastor Martin Luther King Jr.;

Whereas, for any person to suggest that the sexual orientation is a civil rights matter like race is, when race is actually based on immutability and sexual orientation is not, is an act of fraud and racial animus in-kind that is intellectually, emotionally, sexually, and racially exploitative;

Whereas, when a person says that "love is love" what they really mean is that they are ok with government assets being used to oppress and marginalize anyone who disagrees with their beliefs, which is a position that is categorically "unloving;"

Whereas, people who are intolerant of intolerant people are intolerant, people who are judgmental against judgmental people are judgment, and people who are dogmatic about not being dogmatic are dogmatic;

Whereas, "stare decisis" does not keep *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015) from being overruled because of the overriding principle that Constitutional questions which merely lurk in the record, neither brought to attention of the court nor ruled upon, are not to be considered as having been so decided as to constitute precedents;

Whereas, the question whether the Establishment Clause has exclusive jurisdiction over informing the states as to which marriages they can legally recognize was lurking in the shadows but was undecided upon by the Supreme Court in *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015);

Whereas, the decision in *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015) was a non-secular sham based on an unprincipled ploy and the misapplication of the Fourteenth Amendment that has had the effect of excessively entangling the government with the religion of Secular Humanism and eroding the fundamental rights of non-observers of the religion of Secular Humanism;

Whereas, the First Amendment Free Exercise Clause and the First Amendment Establishment Clause have exclusive jurisdiction over how the State of Arkansas a must response to marriage requests of all types that do not involve a man and a woman and the how the State of Arkansas a must react to self-asserted sex-based identity narratives that are questionably real, moral, and have a tendency to erode community standards of decency;

An Act To Be Entitled The Marriage And Constitution Restoration Act

DEFINITIONS:
PARODY MARRIAGE: A marriage that does not involve a man and a woman and is inseparably linked to the religion of Secular Humanism.
NON-SECULAR POLICY: State action which endorses, respects, and recognizes the beliefs of a particular religion where the pre-eminent and primary force driving the state's action is not genuine, but is a sham that ultimately has a primary religious objective. State action that is predicated on a series of unproven faith-based assumptions and naked assertions that are implicitly religious.
SECULAR POLICY: State action that is natural, neutral, non-controversial and that is based on self-evident morality and truth. Secular policy generally accomplishes its goals and purposes. State action were the pre-eminent and primary force driving the policy is genuine, not a sham, and not merely secondary to a religious objective.
SEXUAL ORIENTATION: a self-asserted sex-based identity narrative that is a dogma based on a series of naked assertions and unproven faith based assumptions that are implicitly religious and inseparably linked to the religion of Secular Humanism.
CONVERSION THERAPY: The practice of converting a person from one self-asserted sex-based identity narrative to another with the consent.
MARRIAGE: (use the State's original definition of marriage).

Section I: the State of Arkansas has a duty under Article VI of the United States Constitution to not enforce policies that violate the United States Constitution.
Section II: Marriages That Do Not Involve One Man And One Woman Are Permitted In View Of The Free Exercise Clause
(1) In view of the First Amendment Freedom of Expression Clause of the United States Constitution and the Constitution of the State of Arkansas:
(a) any person living in Arkansas can cultivate any self-asserted sex-based identity narrative or self-asserted sexual orientation.
(b) any person can conduct any form marriage ceremony and other rituals that accords with their self-asserted sexual orientation and live as married persons do, as long as the ceremonies do not conflict with other parts of the Arkansas Code and Federal law.
Section III: Marriage Policies That Do Not Involve One Man and One Woman, Sexual Orientation Discrimination Statutes, Policies That Recognize Transgenderism, And Conversion Therapy Bans Are Unenforceable In View Of The First Amendment Establishment Clause Of The United States Constitution:
(1) In view of the First Amendment Establishment Clause of the United States Constitution and the Arkansas Constitution:
(a) the State of Arkansas is prohibited from enforcing, respecting, endorsing, or recognizing any marriage policy that does not involve a man and a woman because such policies are non-secular

and have the effect of excessively entangling the government with the religion of Secular Humanism.

(b) the State of Arkansas is prohibited from enforcing, endorsing, recognizing, or respecting any policy that treats sexual orientation as a suspect class because all such statutes are non-secular, have the effect of cultivate indefensible legal weapons against non-observers of the religion of Secular Humanism, and excessively entangle the government with the religion of Secular Humanism.

(c) The State of Arkansas is prohibited from enforcing, endorsing, recognizing or respecting any policy that treats a person as if they were born the wrong gender because the policies are non-secular and have the effect of excessively entangling the government with the religion of Secular Humanism.

(2) The State of Arkansas is prohibited from appropriating any benefits to a person who enters into a marriage that does not involve a man and a woman because because such an appropriation is a non-secular endorsement of the religion of Secular Humanism and has the effect of excessively entangling the government with the religion of Secular Humanism.

(3) The State of Arkansas is prohibited from enforcing, endorsing, respecting, or recognizing conversation therapy bans because such policies are non-secular and have the effect of excessively entangling the government with the religion of Secular Humanism.

Section IV: The State Will Continue To Enforce, Endorse, Respect, And Recognize Marriage Policies Between A Man and A Woman Because The Policies Have A Primary Secular Purpose And Are Not Prohibited By the First Amendment Establishment Clause Of The United States Constitution

(1) Man-woman marriage policies shall continue to be enforced because the policies are natural, neutral, non-controversial, and secular.

(2) the State of Arkansas will continue to enforce, respect, endorse, and recognize marriage policies between a man and a woman because such marriage policies have a primary secular purpose, accomplishing non-religious objectives and do not put religion over non-religion.

(3) The State of Arkansas has a compelling interest to uphold community standards of decency and marriage policies regarding a man and a woman will continue to be enforced because they do not erode community standards of decency.

(4) The State of Arkansas will only issue marriage licenses to a man and a woman who meet the requirements by the governing State agency because such state action is secular and does not excessively entangle the government with any religion nor does the issuance endorse a religion.

AN ACT ENTITLED THE MARRIAGE AND CONSTITUTION RESTORATION ACT

Summary: An act that balances the Free Exercise Clause with the Establishment Clause of the First Amendment of the United States Constitution in resolving how the Constitution requires State of Rhode Island to respond to marriage requests of all types that do not involve a man and a woman and how the State must react to self-asserted sex-based identity narratives that are questionably moral, real, and have the tendency to erode community standards of decency. An act that reaffirms that the State of Rhode Island will continue to enforce man-woman marriage policies because the policies are secular in nature and do not put religion over non-religion.

Another option for the summary:
(Summary: an act that recognizes that under the Free Exercise Clause of the United States Constitution anyone person in the State of Rhode Island can self-identify as anything they would like, have wedding ceremonies, and live as married people do. An act that prohibits the State of Rhode Island from enforcing, endorsing, recognizing, respecting any marriage policy that does not involve one man and one woman, any sexual orientation discrimination policy, or any transgender policy because those policies violate the First Amendment Establishment Clause of the United States Constitution for being non-secular shams that cultivate indefensible legal weapons against non-observers of the religion of Secular Humanism and have the effect of excessively entangling the government with the religion of Secular Humanism. This act sets forth that the State of Rhode Island is required to get out of the parody marriage business, while reaffirming that the State of Rhode Island shall continue to enforce marriage policies that involve a man and a woman because man-woman marriage policies are secular in nature and do not put religion over non-religion and do not erode community standards of decency.)

Legislative Findings: (*feel free to remove some of these options*)
Whereas, civilizations for millennia have defined marriage as a union between a man and a woman;

Whereas, marriages policies that endorse marriage between a man and a woman are secular in nature for purposes of the Establishment Clause;

Whereas, marriage between a man and a woman arose out of the nature of things, and marriage between a man and a woman is natural, neutral, and non-controversial, unlike forms of marriage that do not involve a man and a woman;

Whereas, marriage policies that endorse a marriage between a man and a woman are based on self-evident neutral morality and do not put religion over non-religion upon their enforcement;

Whereas, the State of Rhode Island has a duty under Article VI of the United States Constitution to only enforce policies that do not violate the United States Constitution;

Whereas, the First Amendment applies to the State of Rhode Island through the Fourteenth Amendment;

Whereas, emotional appeals or sincerity of belief does not allow the State of Rhode Island to usurp the Establishment Clause of the United States Constitution;

Whereas, emotional appeals or sincerity of belief does not allow the State of Rhode Island to infringe upon the religious beliefs of Secular Humanists in view of the Free Exercise Clause of United States Constitution;

Whereas, the First Amendment, not the Fourteenth Amendment, has exclusive jurisdiction over which types of marriages the State can endorse, respect, and recognize;

Whereas, all parody marriages are equally non-secular in nature;

Whereas, all forms of marriage that do not involve a man and a woman and all self-asserted sex-based identity narratives and sexual orientations, that fail to check out the human design are inseparably part of the religion of Secular Humanism;

Whereas, self-asserted sex-based identity narratives that are questionably real, moral, and decent and that are not based on self-evident observation are implicitly religious in nature;
Whereas, the United States Supreme Court has found that Secular Humanism is a religion for the purpose of the First Amendment Establishment Clause in *Torcaso v. Watkins*, 367 U.S. 488 (1961) and *Edwards v. Aguillard,* 482 U.S. 578 (1987);

Whereas, the State of Rhode Island is prohibited by the Establishment Clause of the United States Constitution from favoring or endorsing religion over non-religion which includes the doctrines of non-institutionalized religions;

Whereas, in the wake of *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015), there has not been a land rush on gay marriage, but there has been a land rush by Secular Humanists to persecute non-observers of the religion of Secular Humanism;

Whereas in the wake of *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015), there has not been a land rush on gay marriage but there has been a land rush by Secular Humanists to infiltrate public

schools with the intent to indoctrinate minors to their religious worldview and spiritual take on faith, morality, sex, and marriage;

Whereas, it is unsettled whether or not sexual orientation is immutable or genetic and therefore for a person to suggest that they were born gay or the wrong gender or that to disagree with their beliefs makes the dissenter a bigot are nothing more than a series unproven faith-based assumptions and naked assertions that are implicitly religious;

Whereas, parody marriages have never been a part of American tradition and heritage and have nothing to do with the Substantive Due Process Clause of the Fourteenth Amendment;

Whereas, the history of parody marriages is that most forms were illegal until recently or they remain illegal today;

Whereas, all forms of parody marriage equally erode community standards of decency and the State of Rhode Island has a compelling interest to uphold community standards of decency as set forth under the Rhode Island Constitution and in accordance with the findings of the United States Supreme Court;

Whereas, the enforcement of marriage policies between a man and a woman do not erode community standards of decency;

Whereas, the State of Rhode Island has a compelling interest to uphold community standards of decency;

Whereas, community standards of decency do not evolve, but people can become desensitized;

Whereas, there are hundreds of thousands of taxpayers living in the State of Rhode Island who sincerely believe that all forms of marriage that do not involve a man and a woman are immoral and that for their tax dollars to be used to enable immorality is itself and act of immorality that causes them them to violates their conscience;

Whereas it is unconstitutional under the Establishment Clause for tax dollars of non-observers of the religion of Secular Humanism to flow out of the coffers of the general fund to finance the distribution of a constellation of benefits to individuals who enter a marriage based solely on their self-asserted sex-based identity narrative, when there are hundreds of thousands of taxpayers who believe that parody marriages are immoral, non-secular, subversive to human flourishing, and go against community standards of decency;

Whereas, there are no ex-blacks but there are thousands of ex-gays;

Whereas, those who support the government only enforcing marriage policies between a man and a woman are de facto supporting the integrity of the civil rights movement lead by pastor Martin Luther King Jr.;

Whereas, for any person to suggest that the sexual orientation is a civil rights matter like race is, when race is actually based on immutability and sexual orientation is not, is an act of fraud and racial animus in-kind that is intellectually, emotionally, sexually, and racially exploitative;

Whereas, when a person says that "love is love" what they really mean is that they are ok with government assets being used to oppress and marginalize anyone who disagrees with their beliefs, which is a position that is categorically "unloving;"

Whereas, people who are intolerant of intolerant people are intolerant, people who are judgmental against judgmental people are judgment, and people who are dogmatic about not being dogmatic are dogmatic;

Whereas, "stare decisis" does not keep *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015) from being overruled because of the overriding principle that Constitutional questions which merely lurk in the record, neither brought to attention of the court nor ruled upon, are not to be considered as having been so decided as to constitute precedents;

Whereas, the question whether the Establishment Clause has exclusive jurisdiction over informing the states as to which marriages they can legally recognize was lurking in the shadows but was undecided upon by the Supreme Court in *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015);

Whereas, the decision in *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015) was a non-secular sham based on an unprincipled ploy and the misapplication of the Fourteenth Amendment that has had the effect of excessively entangling the government with the religion of Secular Humanism and eroding the fundamental rights of non-observers of the religion of Secular Humanism;

Whereas, the First Amendment Free Exercise Clause and the First Amendment Establishment Clause have exclusive jurisdiction over how the State of Rhode Island a must response to marriage requests of all types that do not involve a man and a woman and the how the State of Rhode Island a must react to self-asserted sex-based identity narratives that are questionably real, moral, and have a tendency to erode community standards of decency;

An Act To Be Entitled The Marriage And Constitution Restoration Act

DEFINITIONS:
PARODY MARRIAGE: A marriage that does not involve a man and a woman and is inseparably linked to the religion of Secular Humanism.
NON-SECULAR POLICY: State action which endorses, respects, and recognizes the beliefs of a particular religion where the pre-eminent and primary force driving the state's action is not genuine, but is a sham that ultimately has a primary religious objective. State action that is predicated on a series of unproven faith-based assumptions and naked assertions that are implicitly religious.
SECULAR POLICY: State action that is natural, neutral, non-controversial and that is based on self-evident morality and truth. Secular policy generally accomplishes its goals and purposes. State action were the pre-eminent and primary force driving the policy is genuine, not a sham, and not merely secondary to a religious objective.
SEXUAL ORIENTATION: a self-asserted sex-based identity narrative that is a dogma based on a series of naked assertions and unproven faith based assumptions that are implicitly religious and inseparably linked to the religion of Secular Humanism.
CONVERSION THERAPY: The practice of converting a person from one self-asserted sex-based identity narrative to another with the consent.
MARRIAGE: (use the State's original definition of marriage).

Section I: the State of Rhode Island has a duty under Article VI of the United States Constitution to not enforce policies that violate the United States Constitution.
Section II: Marriages That Do Not Involve One Man And One Woman Are Permitted In View Of The Free Exercise Clause
(1) In view of the First Amendment Freedom of Expression Clause of the United States Constitution and the Constitution of the State of Rhode Island:
(a) any person living in Rhode Island can cultivate any self-asserted sex-based identity narrative or self-asserted sexual orientation.
(b) any person can conduct any form marriage ceremony and other rituals that accords with their self-asserted sexual orientation and live as married persons do, as long as the ceremonies do not conflict with other parts of the Rhode Island Code and Federal law.
Section III: Marriage Policies That Do Not Involve One Man and One Woman, Sexual Orientation Discrimination Statutes, Policies That Recognize Transgenderism, And Conversion Therapy Bans Are Unenforceable In View Of The First Amendment Establishment Clause Of The United States Constitution:
(1) In view of the First Amendment Establishment Clause of the United States Constitution and the Rhode Island Constitution:
(a) the State of Rhode Island is prohibited from enforcing, respecting, endorsing, or recognizing any marriage policy that does not involve a man and a woman because such policies are

non-secular and have the effect of excessively entangling the government with the religion of Secular Humanism.

(b) the State of Rhode Island is prohibited from enforcing, endorsing, recognizing, or respecting any policy that treats sexual orientation as a suspect class because all such statutes are non-secular, have the effect of cultivate indefensible legal weapons against non-observers of the religion of Secular Humanism, and excessively entangle the government with the religion of Secular Humanism.

(c) The State of Rhode Island is prohibited from enforcing, endorsing, recognizing or respecting any policy that treats a person as if they were born the wrong gender because the policies are non-secular and have the effect of excessively entangling the government with the religion of Secular Humanism.

(2) The State of Rhode Island is prohibited from appropriating any benefits to a person who enters into a marriage that does not involve a man and a woman because because such an appropriation is a non-secular endorsement of the religion of Secular Humanism and has the effect of excessively entangling the government with the religion of Secular Humanism.

(3) The State of Rhode Island is prohibited from enforcing, endorsing, respecting, or recognizing conversation therapy bans because such policies are non-secular and have the effect of excessively entangling the government with the religion of Secular Humanism.

Section IV: The State Will Continue To Enforce, Endorse, Respect, And Recognize Marriage Policies Between A Man and A Woman Because The Policies Have A Primary Secular Purpose And Are Not Prohibited By the First Amendment Establishment Clause Of The United States Constitution

(1) Man-woman marriage policies shall continue to be enforced because the policies are natural, neutral, non-controversial, and secular.

(2) the State of Rhode Island will continue to enforce, respect, endorse, and recognize marriage policies between a man and a woman because such marriage policies have a primary secular purpose, accomplishing non-religious objectives and do not put religion over non-religion.

(3) The State of Rhode Island has a compelling interest to uphold community standards of decency and marriage policies regarding a man and a woman will continue to be enforced because they do not erode community standards of decency.

(4) The State of Rhode Island will only issue marriage licenses to a man and a woman who meet the requirements by the governing State agency because such state action is secular and does not excessively entangle the government with any religion nor does the issuance endorse a religion.

AN ACT ENTITLED THE MARRIAGE AND CONSTITUTION RESTORATION ACT

Summary: An act that balances the Free Exercise Clause with the Establishment Clause of the First Amendment of the United States Constitution in resolving how the Constitution requires State of Tennessee to respond to marriage requests of all types that do not involve a man and a woman and how the State must react to self-asserted sex-based identity narratives that are questionably moral, real, and have the tendency to erode community standards of decency. An act that reaffirms that the State of Tennessee will continue to enforce man-woman marriage policies because the policies are secular in nature and do not put religion over non-religion.

Another option for the summary:
(Summary: an act that recognizes that under the Free Exercise Clause of the United States Constitution anyone person in the State of Tennessee can self-identify as anything they would like, have wedding ceremonies, and live as married people do. An act that prohibits the State of Tennessee from enforcing, endorsing, recognizing, respecting any marriage policy that does not involve one man and one woman, any sexual orientation discrimination policy, or any transgender policy because those policies violate the First Amendment Establishment Clause of the United States Constitution for being non-secular shams that cultivate indefensible legal weapons against non-observers of the religion of Secular Humanism and have the effect of excessively entangling the government with the religion of Secular Humanism. This act sets forth that the State of Tennessee is required to get out of the parody marriage business, while reaffirming that the State of Tennessee shall continue to enforce marriage policies that involve a man and a woman because man-woman marriage policies are secular in nature and do not put religion over non-religion and do not erode community standards of decency.)

Legislative Findings: (*feel free to remove some of these options*)
Whereas, civilizations for millennia have defined marriage as a union between a man and a woman;

Whereas, marriages policies that endorse marriage between a man and a woman are secular in nature for purposes of the Establishment Clause;

Whereas, marriage between a man and a woman arose out of the nature of things, and marriage between a man and a woman is natural, neutral, and non-controversial, unlike forms of marriage that do not involve a man and a woman;

Whereas, marriage policies that endorse a marriage between a man and a woman are based on self-evident neutral morality and do not put religion over non-religion upon their enforcement;

Whereas, the State of Tennessee has a duty under Article VI of the United States Constitution to only enforce policies that do not violate the United States Constitution;

Whereas, the First Amendment applies to the State of Tennessee through the Fourteenth Amendment;

Whereas, emotional appeals or sincerity of belief does not allow the State of Tennessee to usurp the Establishment Clause of the United States Constitution;

Whereas, emotional appeals or sincerity of belief does not allow the State of Tennessee to infringe upon the religious beliefs of Secular Humanists in view of the Free Exercise Clause of United States Constitution;

Whereas, the First Amendment, not the Fourteenth Amendment, has exclusive jurisdiction over which types of marriages the State can endorse, respect, and recognize;

Whereas, all parody marriages are equally non-secular in nature;

Whereas, all forms of marriage that do not involve a man and a woman and all self-asserted sex-based identity narratives and sexual orientations, that fail to check out the human design are inseparably part of the religion of Secular Humanism;

Whereas, self-asserted sex-based identity narratives that are questionably real, moral, and decent and that are not based on self-evident observation are implicitly religious in nature;
Whereas, the United States Supreme Court has found that Secular Humanism is a religion for the purpose of the First Amendment Establishment Clause in *Torcaso v. Watkins*, 367 U.S. 488 (1961) and *Edwards v. Aguillard,* 482 U.S. 578 (1987);

Whereas, the State of Tennessee is prohibited by the Establishment Clause of the United States Constitution from favoring or endorsing religion over non-religion which includes the doctrines of non-institutionalized religions;

Whereas, in the wake of *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015), there has not been a land rush on gay marriage, but there has been a land rush by Secular Humanists to persecute non-observers of the religion of Secular Humanism;

Whereas in the wake of *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015), there has not been a land rush on gay marriage but there has been a land rush by Secular Humanists to infiltrate public

schools with the intent to indoctrinate minors to their religious worldview and spiritual take on faith, morality, sex, and marriage;

Whereas, it is unsettled whether or not sexual orientation is immutable or genetic and therefore for a person to suggest that they were born gay or the wrong gender or that to disagree with their beliefs makes the dissenter a bigot are nothing more than a series unproven faith-based assumptions and naked assertions that are implicitly religious;

Whereas, parody marriages have never been a part of American tradition and heritage and have nothing to do with the Substantive Due Process Clause of the Fourteenth Amendment;

Whereas, the history of parody marriages is that most forms were illegal until recently or they remain illegal today;

Whereas, all forms of parody marriage equally erode community standards of decency and the State of Tennessee has a compelling interest to uphold community standards of decency as set forth under the Tennessee Constitution and in accordance with the findings of the United States Supreme Court;

Whereas, the enforcement of marriage policies between a man and a woman do not erode community standards of decency;

Whereas, the State of Tennessee has a compelling interest to uphold community standards of decency;

Whereas, community standards of decency do not evolve, but people can become desensitized;

Whereas, there are hundreds of thousands of taxpayers living in the State of Tennessee who sincerely believe that all forms of marriage that do not involve a man and a woman are immoral and that for their tax dollars to be used to enable immorality is itself and act of immorality that causes them them to violates their conscience;

Whereas it is unconstitutional under the Establishment Clause for tax dollars of non-observers of the religion of Secular Humanism to flow out of the coffers of the general fund to finance the distribution of a constellation of benefits to individuals who enter a marriage based solely on their self-asserted sex-based identity narrative, when there are hundreds of thousands of taxpayers who believe that parody marriages are immoral, non-secular, subversive to human flourishing, and go against community standards of decency;

Whereas, there are no ex-blacks but there are thousands of ex-gays;

Whereas, those who support the government only enforcing marriage policies between a man and a woman are de facto supporting the integrity of the civil rights movement lead by pastor Martin Luther King Jr.;

Whereas, for any person to suggest that the sexual orientation is a civil rights matter like race is, when race is actually based on immutability and sexual orientation is not, is an act of fraud and racial animus in-kind that is intellectually, emotionally, sexually, and racially exploitative;

Whereas, when a person says that "love is love" what they really mean is that they are ok with government assets being used to oppress and marginalize anyone who disagrees with their beliefs, which is a position that is categorically "unloving;"

Whereas, people who are intolerant of intolerant people are intolerant, people who are judgmental against judgmental people are judgment, and people who are dogmatic about not being dogmatic are dogmatic;

Whereas, "stare decisis" does not keep *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015) from being overruled because of the overriding principle that Constitutional questions which merely lurk in the record, neither brought to attention of the court nor ruled upon, are not to be considered as having been so decided as to constitute precedents;

Whereas, the question whether the Establishment Clause has exclusive jurisdiction over informing the states as to which marriages they can legally recognize was lurking in the shadows but was undecided upon by the Supreme Court in *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015);

Whereas, the decision in *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015) was a non-secular sham based on an unprincipled ploy and the misapplication of the Fourteenth Amendment that has had the effect of excessively entangling the government with the religion of Secular Humanism and eroding the fundamental rights of non-observers of the religion of Secular Humanism;

Whereas, the First Amendment Free Exercise Clause and the First Amendment Establishment Clause have exclusive jurisdiction over how the State of Tennessee a must response to marriage requests of all types that do not involve a man and a woman and the how the State of Tennessee a must react to self-asserted sex-based identity narratives that are questionably real, moral, and have a tendency to erode community standards of decency;

An Act To Be Entitled The Marriage And Constitution Restoration Act

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PARODY MARRIAGE: A marriage that does not involve a man and a woman and is inseparably linked to the religion of Secular Humanism.
NON-SECULAR POLICY: State action which endorses, respects, and recognizes the beliefs of a particular religion where the pre-eminent and primary force driving the state's action is not genuine, but is a sham that ultimately has a primary religious objective. State action that is predicated on a series of unproven faith-based assumptions and naked assertions that are implicitly religious.
SECULAR POLICY: State action that is natural, neutral, non-controversial and that is based on self-evident morality and truth. Secular policy generally accomplishes its goals and purposes. State action were the pre-eminent and primary force driving the policy is genuine, not a sham, and not merely secondary to a religious objective.
SEXUAL ORIENTATION: a self-asserted sex-based identity narrative that is a dogma based on a series of naked assertions and unproven faith based assumptions that are implicitly religious and inseparably linked to the religion of Secular Humanism.
CONVERSION THERAPY: The practice of converting a person from one self-asserted sex-based identity narrative to another with the consent.
MARRIAGE: (use the State's original definition of marriage).

Section I: the State of Tennessee has a duty under Article VI of the United States Constitution to not enforce policies that violate the United States Constitution.
Section II: Marriages That Do Not Involve One Man And One Woman Are Permitted In View Of The Free Exercise Clause
(1) In view of the First Amendment Freedom of Expression Clause of the United States Constitution and the Constitution of the State of Tennessee:
(a) any person living in Tennessee can cultivate any self-asserted sex-based identity narrative or self-asserted sexual orientation.
(b) any person can conduct any form marriage ceremony and other rituals that accords with their self-asserted sexual orientation and live as married persons do, as long as the ceremonies do not conflict with other parts of the Tennessee Code and Federal law.
Section III: Marriage Policies That Do Not Involve One Man and One Woman, Sexual Orientation Discrimination Statutes, Policies That Recognize Transgenderism, And Conversion Therapy Bans Are Unenforceable In View Of The First Amendment Establishment Clause Of The United States Constitution:
(1) In view of the First Amendment Establishment Clause of the United States Constitution and the Tennessee Constitution:
(a) the State of Tennessee is prohibited from enforcing, respecting, endorsing, or recognizing any marriage policy that does not involve a man and a woman because such policies are non-secular

and have the effect of excessively entangling the government with the religion of Secular Humanism.

(b) the State of Tennessee is prohibited from enforcing, endorsing, recognizing, or respecting any policy that treats sexual orientation as a suspect class because all such statutes are non-secular, have the effect of cultivate indefensible legal weapons against non-observers of the religion of Secular Humanism, and excessively entangle the government with the religion of Secular Humanism.

(c) The State of Tennessee is prohibited from enforcing, endorsing, recognizing or respecting any policy that treats a person as if they were born the wrong gender because the policies are non-secular and have the effect of excessively entangling the government with the religion of Secular Humanism.

(2) The State of Tennessee is prohibited from appropriating any benefits to a person who enters into a marriage that does not involve a man and a woman because because such an appropriation is a non-secular endorsement of the religion of Secular Humanism and has the effect of excessively entangling the government with the religion of Secular Humanism.

(3) The State of Tennessee is prohibited from enforcing, endorsing, respecting, or recognizing conversation therapy bans because such policies are non-secular and have the effect of excessively entangling the government with the religion of Secular Humanism.

Section IV: The State Will Continue To Enforce, Endorse, Respect, And Recognize Marriage Policies Between A Man and A Woman Because The Policies Have A Primary Secular Purpose And Are Not Prohibited By the First Amendment Establishment Clause Of The United States Constitution

(1) Man-woman marriage policies shall continue to be enforced because the policies are natural, neutral, non-controversial, and secular.

(2) the State of Tennessee will continue to enforce, respect, endorse, and recognize marriage policies between a man and a woman because such marriage policies have a primary secular purpose, accomplishing non-religious objectives and do not put religion over non-religion.

(3) The State of Tennessee has a compelling interest to uphold community standards of decency and marriage policies regarding a man and a woman will continue to be enforced because they do not erode community standards of decency.

(4) The State of Tennessee will only issue marriage licenses to a man and a woman who meet the requirements by the governing State agency because such state action is secular and does not excessively entangle the government with any religion nor does the issuance endorse a religion.

AN ACT ENTITLED THE MARRIAGE AND CONSTITUTION RESTORATION ACT

Summary: An act that balances the Free Exercise Clause with the Establishment Clause of the First Amendment of the United States Constitution in resolving how the Constitution requires State of Idaho to respond to marriage requests of all types that do not involve a man and a woman and how the State must react to self-asserted sex-based identity narratives that are questionably moral, real, and have the tendency to erode community standards of decency. An act that reaffirms that the State of Idaho will continue to enforce man-woman marriage policies because the policies are secular in nature and do not put religion over non-religion.

Another option for the summary:
(Summary: an act that recognizes that under the Free Exercise Clause of the United States Constitution anyone person in the State of Idaho can self-identify as anything they would like, have wedding ceremonies, and live as married people do. An act that prohibits the State of Idaho from enforcing, endorsing, recognizing, respecting any marriage policy that does not involve one man and one woman, any sexual orientation discrimination policy, or any transgender policy because those policies violate the First Amendment Establishment Clause of the United States Constitution for being non-secular shams that cultivate indefensible legal weapons against non-observers of the religion of Secular Humanism and have the effect of excessively entangling the government with the religion of Secular Humanism. This act sets forth that the State of Idaho is required to get out of the parody marriage business, while reaffirming that the State of Idaho shall continue to enforce marriage policies that involve a man and a woman because man-woman marriage policies are secular in nature and do not put religion over non-religion and do not erode community standards of decency.)

Legislative Findings: (*feel free to remove some of these options*)
Whereas, civilizations for millennia have defined marriage as a union between a man and a woman;

Whereas, marriages policies that endorse marriage between a man and a woman are secular in nature for purposes of the Establishment Clause;

Whereas, marriage between a man and a woman arose out of the nature of things, and marriage between a man and a woman is natural, neutral, and non-controversial, unlike forms of marriage that do not involve a man and a woman;

Whereas, marriage policies that endorse a marriage between a man and a woman are based on self-evident neutral morality and do not put religion over non-religion upon their enforcement;

Whereas, the State of Idaho has a duty under Article VI of the United States Constitution to only enforce policies that do not violate the United States Constitution;

Whereas, the First Amendment applies to the State of Idaho through the Fourteenth Amendment;

Whereas, emotional appeals or sincerity of belief does not allow the State of Idaho to usurp the Establishment Clause of the United States Constitution;

Whereas, emotional appeals or sincerity of belief does not allow the State of Idaho to infringe upon the religious beliefs of Secular Humanists in view of the Free Exercise Clause of United States Constitution;

Whereas, the First Amendment, not the Fourteenth Amendment, has exclusive jurisdiction over which types of marriages the State can endorse, respect, and recognize;

Whereas, all parody marriages are equally non-secular in nature;

Whereas, all forms of marriage that do not involve a man and a woman and all self-asserted sex-based identity narratives and sexual orientations, that fail to check out the human design are inseparably part of the religion of Secular Humanism;

Whereas, self-asserted sex-based identity narratives that are questionably real, moral, and decent and that are not based on self-evident observation are implicitly religious in nature;
Whereas, the United States Supreme Court has found that Secular Humanism is a religion for the purpose of the First Amendment Establishment Clause in *Torcaso v. Watkins*, 367 U.S. 488 (1961) and *Edwards v. Aguillard,* 482 U.S. 578 (1987);

Whereas, the State of Idaho is prohibited by the Establishment Clause of the United States Constitution from favoring or endorsing religion over non-religion which includes the doctrines of non-institutionalized religions;

Whereas, in the wake of *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015), there has not been a land rush on gay marriage, but there has been a land rush by Secular Humanists to persecute non-observers of the religion of Secular Humanism;

Whereas in the wake of *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015), there has not been a land rush on gay marriage but there has been a land rush by Secular Humanists to infiltrate public schools with the intent to indoctrinate minors to their religious worldview and spiritual take on faith, morality, sex, and marriage;

Whereas, it is unsettled whether or not sexual orientation is immutable or genetic and therefore for a person to suggest that they were born gay or the wrong gender or that to disagree with their beliefs makes the dissenter a bigot are nothing more than a series unproven faith-based assumptions and naked assertions that are implicitly religious;

Whereas, parody marriages have never been a part of American tradition and heritage and have nothing to do with the Substantive Due Process Clause of the Fourteenth Amendment;

Whereas, the history of parody marriages is that most forms were illegal until recently or they remain illegal today;

Whereas, all forms of parody marriage equally erode community standards of decency and the State of Idaho has a compelling interest to uphold community standards of decency as set forth under the Idaho Constitution and in accordance with the findings of the United States Supreme Court;

Whereas, the enforcement of marriage policies between a man and a woman do not erode community standards of decency;

Whereas, the State of Idaho has a compelling interest to uphold community standards of decency;

Whereas, community standards of decency do not evolve, but people can become desensitized;

Whereas, there are hundreds of thousands of taxpayers living in the State of Idaho who sincerely believe that all forms of marriage that do not involve a man and a woman are immoral and that for their tax dollars to be used to enable immorality is itself and act of immorality that causes them them to violates their conscience;

Whereas it is unconstitutional under the Establishment Clause for tax dollars of non-observers of the religion of Secular Humanism to flow out of the coffers of the general fund to finance the distribution of a constellation of benefits to individuals who enter a marriage based solely on their self-asserted sex-based identity narrative, when there are hundreds of thousands of taxpayers who believe that parody marriages are immoral, non-secular, subversive to human flourishing, and go against community standards of decency;

Whereas, there are no ex-blacks but there are thousands of ex-gays;

Whereas, those who support the government only enforcing marriage policies between a man and a woman are de facto supporting the integrity of the civil rights movement lead by pastor Martin Luther King Jr.;

Whereas, for any person to suggest that the sexual orientation is a civil rights matter like race is, when race is actually based on immutability and sexual orientation is not, is an act of fraud and racial animus in-kind that is intellectually, emotionally, sexually, and racially exploitative;

Whereas, when a person says that "love is love" what they really mean is that they are ok with government assets being used to oppress and marginalize anyone who disagrees with their beliefs, which is a position that is categorically "unloving;"

Whereas, people who are intolerant of intolerant people are intolerant, people who are judgmental against judgmental people are judgment, and people who are dogmatic about not being dogmatic are dogmatic;

Whereas, "stare decisis" does not keep *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015) from being overruled because of the overriding principle that Constitutional questions which merely lurk in the record, neither brought to attention of the court nor ruled upon, are not to be considered as having been so decided as to constitute precedents;

Whereas, the question whether the Establishment Clause has exclusive jurisdiction over informing the states as to which marriages they can legally recognize was lurking in the shadows but was undecided upon by the Supreme Court in *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015);

Whereas, the decision in *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015) was a non-secular sham based on an unprincipled ploy and the misapplication of the Fourteenth Amendment that has had the effect of excessively entangling the government with the religion of Secular Humanism and eroding the fundamental rights of non-observers of the religion of Secular Humanism;

Whereas, the First Amendment Free Exercise Clause and the First Amendment Establishment Clause have exclusive jurisdiction over how the State of Idaho a must response to marriage requests of all types that do not involve a man and a woman and the how the State of Idaho a must react to self-asserted sex-based identity narratives that are questionably real, moral, and have a tendency to erode community standards of decency;

An Act To Be Entitled The Marriage And Constitution Restoration Act
DEFINITIONS:

PARODY MARRIAGE: A marriage that does not involve a man and a woman and is inseparably linked to the religion of Secular Humanism.
NON-SECULAR POLICY: State action which endorses, respects, and recognizes the beliefs of a particular religion where the pre-eminent and primary force driving the state's action is not genuine, but is a sham that ultimately has a primary religious objective. State action that is predicated on a series of unproven faith-based assumptions and naked assertions that are implicitly religious.
SECULAR POLICY: State action that is natural, neutral, non-controversial and that is based on self-evident morality and truth. Secular policy generally accomplishes its goals and purposes. State action were the pre-eminent and primary force driving the policy is genuine, not a sham, and not merely secondary to a religious objective.
SEXUAL ORIENTATION: a self-asserted sex-based identity narrative that is a dogma based on a series of naked assertions and unproven faith based assumptions that are implicitly religious and inseparably linked to the religion of Secular Humanism.
CONVERSION THERAPY: The practice of converting a person from one self-asserted sex-based identity narrative to another with the consent.
MARRIAGE: (use the State's original definition of marriage).

Section I: the State of Idaho has a duty under Article VI of the United States Constitution to not enforce policies that violate the United States Constitution.
Section II: Marriages That Do Not Involve One Man And One Woman Are Permitted In View Of The Free Exercise Clause
(1) In view of the First Amendment Freedom of Expression Clause of the United States Constitution and the Constitution of the State of Idaho:
(a) any person living in Idaho can cultivate any self-asserted sex-based identity narrative or self-asserted sexual orientation.
(b) any person can conduct any form marriage ceremony and other rituals that accords with their self-asserted sexual orientation and live as married persons do, as long as the ceremonies do not conflict with other parts of the Idaho Code and Federal law.
Section III: Marriage Policies That Do Not Involve One Man and One Woman, Sexual Orientation Discrimination Statutes, Policies That Recognize Transgenderism, And Conversion Therapy Bans Are Unenforceable In View Of The First Amendment Establishment Clause Of The United States Constitution:
(1) In view of the First Amendment Establishment Clause of the United States Constitution and the Idaho Constitution:
(a) the State of Idaho is prohibited from enforcing, respecting, endorsing, or recognizing any marriage policy that does not involve a man and a woman because such policies are non-secular and have the effect of excessively entangling the government with the religion of Secular Humanism.

(b) the State of Idaho is prohibited from enforcing, endorsing, recognizing, or respecting any policy that treats sexual orientation as a suspect class because all such statutes are non-secular, have the effect of cultivate indefensible legal weapons against non-observers of the religion of Secular Humanism, and excessively entangle the government with the religion of Secular Humanism.

(c) The State of Idaho is prohibited from enforcing, endorsing, recognizing or respecting any policy that treats a person as if they were born the wrong gender because the policies are non-secular and have the effect of excessively entangling the government with the religion of Secular Humanism.

(2) The State of Idaho is prohibited from appropriating any benefits to a person who enters into a marriage that does not involve a man and a woman because because such an appropriation is a non-secular endorsement of the religion of Secular Humanism and has the effect of excessively entangling the government with the religion of Secular Humanism.

(3) The State of Idaho is prohibited from enforcing, endorsing, respecting, or recognizing conversation therapy bans because such policies are non-secular and have the effect of excessively entangling the government with the religion of Secular Humanism.

Section IV: The State Will Continue To Enforce, Endorse, Respect, And Recognize Marriage Policies Between A Man and A Woman Because The Policies Have A Primary Secular Purpose And Are Not Prohibited By the First Amendment Establishment Clause Of The United States Constitution

(1) Man-woman marriage policies shall continue to be enforced because the policies are natural, neutral, non-controversial, and secular.

(2) the State of Idaho will continue to enforce, respect, endorse, and recognize marriage policies between a man and a woman because such marriage policies have a primary secular purpose, accomplishing non-religious objectives and do not put religion over non-religion.

(3) The State of Idaho has a compelling interest to uphold community standards of decency and marriage policies regarding a man and a woman will continue to be enforced because they do not erode community standards of decency.

(4) The State of Idaho will only issue marriage licenses to a man and a woman who meet the requirements by the governing State agency because such state action is secular and does not excessively entangle the government with any religion nor does the issuance endorse a religion.

AN ACT ENTITLED THE MARRIAGE AND CONSTITUTION RESTORATION ACT

Summary: An act that balances the Free Exercise Clause with the Establishment Clause of the First Amendment of the United States Constitution in resolving how the Constitution requires State of West Virginia to respond to marriage requests of all types that do not involve a man and a woman and how the State must react to self-asserted sex-based identity narratives that are questionably moral, real, and have the tendency to erode community standards of decency. An act that reaffirms that the State of West Virginia will continue to enforce man-woman marriage policies because the policies are secular in nature and do not put religion over non-religion.

Another option for the summary:
(Summary: an act that recognizes that under the Free Exercise Clause of the United States Constitution anyone person in the State of West Virginia can self-identify as anything they would like, have wedding ceremonies, and live as married people do. An act that prohibits the State of West Virginia from enforcing, endorsing, recognizing, respecting any marriage policy that does not involve one man and one woman, any sexual orientation discrimination policy, or any transgender policy because those policies violate the First Amendment Establishment Clause of the United States Constitution for being non-secular shams that cultivate indefensible legal weapons against non-observers of the religion of Secular Humanism and have the effect of excessively entangling the government with the religion of Secular Humanism. This act sets forth that the State of West Virginia is required to get out of the parody marriage business, while reaffirming that the State of West Virginia shall continue to enforce marriage policies that involve a man and a woman because man-woman marriage policies are secular in nature and do not put religion over non-religion and do not erode community standards of decency.)

Legislative Findings: (*feel free to remove some of these options*)
Whereas, civilizations for millennia have defined marriage as a union between a man and a woman;

Whereas, marriages policies that endorse marriage between a man and a woman are secular in nature for purposes of the Establishment Clause;

Whereas, marriage between a man and a woman arose out of the nature of things, and marriage between a man and a woman is natural, neutral, and non-controversial, unlike forms of marriage that do not involve a man and a woman;

Whereas, marriage policies that endorse a marriage between a man and a woman are based on self-evident neutral morality and do not put religion over non-religion upon their enforcement;

Whereas, the State of West Virginia has a duty under Article VI of the United States Constitution to only enforce policies that do not violate the United States Constitution;

Whereas, the First Amendment applies to the State of West Virginia through the Fourteenth Amendment;

Whereas, emotional appeals or sincerity of belief does not allow the State of West Virginia to usurp the Establishment Clause of the United States Constitution;

Whereas, emotional appeals or sincerity of belief does not allow the State of West Virginia to infringe upon the religious beliefs of Secular Humanists in view of the Free Exercise Clause of United States Constitution;

Whereas, the First Amendment, not the Fourteenth Amendment, has exclusive jurisdiction over which types of marriages the State can endorse, respect, and recognize;

Whereas, all parody marriages are equally non-secular in nature;

Whereas, all forms of marriage that do not involve a man and a woman and all self-asserted sex-based identity narratives and sexual orientations, that fail to check out the human design are inseparably part of the religion of Secular Humanism;

Whereas, self-asserted sex-based identity narratives that are questionably real, moral, and decent and that are not based on self-evident observation are implicitly religious in nature;
Whereas, the United States Supreme Court has found that Secular Humanism is a religion for the purpose of the First Amendment Establishment Clause in *Torcaso v. Watkins*, 367 U.S. 488 (1961) and *Edwards v. Aguillard,* 482 U.S. 578 (1987);

Whereas, the State of West Virginia is prohibited by the Establishment Clause of the United States Constitution from favoring or endorsing religion over non-religion which includes the doctrines of non-institutionalized religions;

Whereas, in the wake of *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015), there has not been a land rush on gay marriage, but there has been a land rush by Secular Humanists to persecute non-observers of the religion of Secular Humanism;

Whereas in the wake of *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015), there has not been a land rush on gay marriage but there has been a land rush by Secular Humanists to infiltrate public

schools with the intent to indoctrinate minors to their religious worldview and spiritual take on faith, morality, sex, and marriage;

Whereas, it is unsettled whether or not sexual orientation is immutable or genetic and therefore for a person to suggest that they were born gay or the wrong gender or that to disagree with their beliefs makes the dissenter a bigot are nothing more than a series unproven faith-based assumptions and naked assertions that are implicitly religious;

Whereas, parody marriages have never been a part of American tradition and heritage and have nothing to do with the Substantive Due Process Clause of the Fourteenth Amendment;

Whereas, the history of parody marriages is that most forms were illegal until recently or they remain illegal today;

Whereas, all forms of parody marriage equally erode community standards of decency and the State of West Virginia has a compelling interest to uphold community standards of decency as set forth under the West Virginia Constitution and in accordance with the findings of the United States Supreme Court;

Whereas, the enforcement of marriage policies between a man and a woman do not erode community standards of decency;

Whereas, the State of West Virginia has a compelling interest to uphold community standards of decency;

Whereas, community standards of decency do not evolve, but people can become desensitized;

Whereas, there are hundreds of thousands of taxpayers living in the State of West Virginia who sincerely believe that all forms of marriage that do not involve a man and a woman are immoral and that for their tax dollars to be used to enable immorality is itself and act of immorality that causes them them to violates their conscience;

Whereas it is unconstitutional under the Establishment Clause for tax dollars of non-observers of the religion of Secular Humanism to flow out of the coffers of the general fund to finance the distribution of a constellation of benefits to individuals who enter a marriage based solely on their self-asserted sex-based identity narrative, when there are hundreds of thousands of taxpayers who believe that parody marriages are immoral, non-secular, subversive to human flourishing, and go against community standards of decency;

Whereas, there are no ex-blacks but there are thousands of ex-gays;

Whereas, those who support the government only enforcing marriage policies between a man and a woman are de facto supporting the integrity of the civil rights movement lead by pastor Martin Luther King Jr.;

Whereas, for any person to suggest that the sexual orientation is a civil rights matter like race is, when race is actually based on immutability and sexual orientation is not, is an act of fraud and racial animus in-kind that is intellectually, emotionally, sexually, and racially exploitative;

Whereas, when a person says that "love is love" what they really mean is that they are ok with government assets being used to oppress and marginalize anyone who disagrees with their beliefs, which is a position that is categorically "unloving;"

Whereas, people who are intolerant of intolerant people are intolerant, people who are judgmental against judgmental people are judgment, and people who are dogmatic about not being dogmatic are dogmatic;

Whereas, "stare decisis" does not keep *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015) from being overruled because of the overriding principle that Constitutional questions which merely lurk in the record, neither brought to attention of the court nor ruled upon, are not to be considered as having been so decided as to constitute precedents;

Whereas, the question whether the Establishment Clause has exclusive jurisdiction over informing the states as to which marriages they can legally recognize was lurking in the shadows but was undecided upon by the Supreme Court in *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015);

Whereas, the decision in *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015) was a non-secular sham based on an unprincipled ploy and the misapplication of the Fourteenth Amendment that has had the effect of excessively entangling the government with the religion of Secular Humanism and eroding the fundamental rights of non-observers of the religion of Secular Humanism;

Whereas, the First Amendment Free Exercise Clause and the First Amendment Establishment Clause have exclusive jurisdiction over how the State of West Virginia a must response to marriage requests of all types that do not involve a man and a woman and the how the State of West Virginia a must react to self-asserted sex-based identity narratives that are questionably real, moral, and have a tendency to erode community standards of decency;

An Act To Be Entitled The Marriage And Constitution Restoration Act

DEFINITIONS:
PARODY MARRIAGE: A marriage that does not involve a man and a woman and is inseparably linked to the religion of Secular Humanism.
NON-SECULAR POLICY: State action which endorses, respects, and recognizes the beliefs of a particular religion where the pre-eminent and primary force driving the state's action is not genuine, but is a sham that ultimately has a primary religious objective. State action that is predicated on a series of unproven faith-based assumptions and naked assertions that are implicitly religious.
SECULAR POLICY: State action that is natural, neutral, non-controversial and that is based on self-evident morality and truth. Secular policy generally accomplishes its goals and purposes. State action were the pre-eminent and primary force driving the policy is genuine, not a sham, and not merely secondary to a religious objective.
SEXUAL ORIENTATION: a self-asserted sex-based identity narrative that is a dogma based on a series of naked assertions and unproven faith based assumptions that are implicitly religious and inseparably linked to the religion of Secular Humanism.
CONVERSION THERAPY: The practice of converting a person from one self-asserted sex-based identity narrative to another with the consent.
MARRIAGE: (use the State's original definition of marriage).

Section I: the State of West Virginia has a duty under Article VI of the United States Constitution to not enforce policies that violate the United States Constitution.
Section II: Marriages That Do Not Involve One Man And One Woman Are Permitted In View Of The Free Exercise Clause
(1) In view of the First Amendment Freedom of Expression Clause of the United States Constitution and the Constitution of the State of West Virginia:
(a) any person living in West Virginia can cultivate any self-asserted sex-based identity narrative or self-asserted sexual orientation.
(b) any person can conduct any form marriage ceremony and other rituals that accords with their self-asserted sexual orientation and live as married persons do, as long as the ceremonies do not conflict with other parts of the West Virginia Code and Federal law.
Section III: Marriage Policies That Do Not Involve One Man and One Woman, Sexual Orientation Discrimination Statutes, Policies That Recognize Transgenderism, And Conversion Therapy Bans Are Unenforceable In View Of The First Amendment Establishment Clause Of The United States Constitution:
(1) In view of the First Amendment Establishment Clause of the United States Constitution and the West Virginia Constitution:
(a) the State of West Virginia is prohibited from enforcing, respecting, endorsing, or recognizing any marriage policy that does not involve a man and a woman because such policies are

non-secular and have the effect of excessively entangling the government with the religion of Secular Humanism.

(b) the State of West Virginia is prohibited from enforcing, endorsing, recognizing, or respecting any policy that treats sexual orientation as a suspect class because all such statutes are non-secular, have the effect of cultivate indefensible legal weapons against non-observers of the religion of Secular Humanism, and excessively entangle the government with the religion of Secular Humanism.

(c) The State of West Virginia is prohibited from enforcing, endorsing, recognizing or respecting any policy that treats a person as if they were born the wrong gender because the policies are non-secular and have the effect of excessively entangling the government with the religion of Secular Humanism.

(2) The State of West Virginia is prohibited from appropriating any benefits to a person who enters into a marriage that does not involve a man and a woman because because such an appropriation is a non-secular endorsement of the religion of Secular Humanism and has the effect of excessively entangling the government with the religion of Secular Humanism.

(3) The State of West Virginia is prohibited from enforcing, endorsing, respecting, or recognizing conversation therapy bans because such policies are non-secular and have the effect of excessively entangling the government with the religion of Secular Humanism.

Section IV: The State Will Continue To Enforce, Endorse, Respect, And Recognize Marriage Policies Between A Man and A Woman Because The Policies Have A Primary Secular Purpose And Are Not Prohibited By the First Amendment Establishment Clause Of The United States Constitution

(1) Man-woman marriage policies shall continue to be enforced because the policies are natural, neutral, non-controversial, and secular.

(2) the State of West Virginia will continue to enforce, respect, endorse, and recognize marriage policies between a man and a woman because such marriage policies have a primary secular purpose, accomplishing non-religious objectives and do not put religion over non-religion.

(3) The State of West Virginia has a compelling interest to uphold community standards of decency and marriage policies regarding a man and a woman will continue to be enforced because they do not erode community standards of decency.

(4) The State of West Virginia will only issue marriage licenses to a man and a woman who meet the requirements by the governing State agency because such state action is secular and does not excessively entangle the government with any religion nor does the issuance endorse a religion.

AN ACT ENTITLED THE MARRIAGE AND CONSTITUTION RESTORATION ACT

Summary: An act that balances the Free Exercise Clause with the Establishment Clause of the First Amendment of the United States Constitution in resolving how the Constitution requires State of Vermont to respond to marriage requests of all types that do not involve a man and a woman and how the State must react to self-asserted sex-based identity narratives that are questionably moral, real, and have the tendency to erode community standards of decency. An act that reaffirms that the State of Vermont will continue to enforce man-woman marriage policies because the policies are secular in nature and do not put religion over non-religion.

Another option for the summary:
(Summary: an act that recognizes that under the Free Exercise Clause of the United States Constitution anyone person in the State of Vermont can self-identify as anything they would like, have wedding ceremonies, and live as married people do. An act that prohibits the State of Vermont from enforcing, endorsing, recognizing, respecting any marriage policy that does not involve one man and one woman, any sexual orientation discrimination policy, or any transgender policy because those policies violate the First Amendment Establishment Clause of the United States Constitution for being non-secular shams that cultivate indefensible legal weapons against non-observers of the religion of Secular Humanism and have the effect of excessively entangling the government with the religion of Secular Humanism. This act sets forth that the State of Vermont is required to get out of the parody marriage business, while reaffirming that the State of Vermont shall continue to enforce marriage policies that involve a man and a woman because man-woman marriage policies are secular in nature and do not put religion over non-religion and do not erode community standards of decency.)

Legislative Findings: (*feel free to remove some of these options*)
Whereas, civilizations for millennia have defined marriage as a union between a man and a woman;

Whereas, marriages policies that endorse marriage between a man and a woman are secular in nature for purposes of the Establishment Clause;

Whereas, marriage between a man and a woman arose out of the nature of things, and marriage between a man and a woman is natural, neutral, and non-controversial, unlike forms of marriage that do not involve a man and a woman;

Whereas, marriage policies that endorse a marriage between a man and a woman are based on self-evident neutral morality and do not put religion over non-religion upon their enforcement;

Whereas, the State of Vermont has a duty under Article VI of the United States Constitution to only enforce policies that do not violate the United States Constitution;

Whereas, the First Amendment applies to the State of Vermont through the Fourteenth Amendment;

Whereas, emotional appeals or sincerity of belief does not allow the State of Vermont to usurp the Establishment Clause of the United States Constitution;

Whereas, emotional appeals or sincerity of belief does not allow the State of Vermont to infringe upon the religious beliefs of Secular Humanists in view of the Free Exercise Clause of United States Constitution;

Whereas, the First Amendment, not the Fourteenth Amendment, has exclusive jurisdiction over which types of marriages the State can endorse, respect, and recognize;

Whereas, all parody marriages are equally non-secular in nature;

Whereas, all forms of marriage that do not involve a man and a woman and all self-asserted sex-based identity narratives and sexual orientations, that fail to check out the human design are inseparably part of the religion of Secular Humanism;

Whereas, self-asserted sex-based identity narratives that are questionably real, moral, and decent and that are not based on self-evident observation are implicitly religious in nature;
Whereas, the United States Supreme Court has found that Secular Humanism is a religion for the purpose of the First Amendment Establishment Clause in *Torcaso v. Watkins*, 367 U.S. 488 (1961) and *Edwards v. Aguillard,* 482 U.S. 578 (1987);

Whereas, the State of Vermont is prohibited by the Establishment Clause of the United States Constitution from favoring or endorsing religion over non-religion which includes the doctrines of non-institutionalized religions;

Whereas, in the wake of *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015), there has not been a land rush on gay marriage, but there has been a land rush by Secular Humanists to persecute non-observers of the religion of Secular Humanism;

Whereas in the wake of *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015), there has not been a land rush on gay marriage but there has been a land rush by Secular Humanists to infiltrate public

schools with the intent to indoctrinate minors to their religious worldview and spiritual take on faith, morality, sex, and marriage;

Whereas, it is unsettled whether or not sexual orientation is immutable or genetic and therefore for a person to suggest that they were born gay or the wrong gender or that to disagree with their beliefs makes the dissenter a bigot are nothing more than a series unproven faith-based assumptions and naked assertions that are implicitly religious;

Whereas, parody marriages have never been a part of American tradition and heritage and have nothing to do with the Substantive Due Process Clause of the Fourteenth Amendment;

Whereas, the history of parody marriages is that most forms were illegal until recently or they remain illegal today;

Whereas, all forms of parody marriage equally erode community standards of decency and the State of Vermont has a compelling interest to uphold community standards of decency as set forth under the Vermont Constitution and in accordance with the findings of the United States Supreme Court;

Whereas, the enforcement of marriage policies between a man and a woman do not erode community standards of decency;

Whereas, the State of Vermont has a compelling interest to uphold community standards of decency;

Whereas, community standards of decency do not evolve, but people can become desensitized;

Whereas, there are hundreds of thousands of taxpayers living in the State of Vermont who sincerely believe that all forms of marriage that do not involve a man and a woman are immoral and that for their tax dollars to be used to enable immorality is itself and act of immorality that causes them them to violates their conscience;

Whereas it is unconstitutional under the Establishment Clause for tax dollars of non-observers of the religion of Secular Humanism to flow out of the coffers of the general fund to finance the distribution of a constellation of benefits to individuals who enter a marriage based solely on their self-asserted sex-based identity narrative, when there are hundreds of thousands of taxpayers who believe that parody marriages are immoral, non-secular, subversive to human flourishing, and go against community standards of decency;

Whereas, there are no ex-blacks but there are thousands of ex-gays;

Whereas, those who support the government only enforcing marriage policies between a man and a woman are de facto supporting the integrity of the civil rights movement lead by pastor Martin Luther King Jr.;

Whereas, for any person to suggest that the sexual orientation is a civil rights matter like race is, when race is actually based on immutability and sexual orientation is not, is an act of fraud and racial animus in-kind that is intellectually, emotionally, sexually, and racially exploitative;

Whereas, when a person says that "love is love" what they really mean is that they are ok with government assets being used to oppress and marginalize anyone who disagrees with their beliefs, which is a position that is categorically "unloving;"

Whereas, people who are intolerant of intolerant people are intolerant, people who are judgmental against judgmental people are judgment, and people who are dogmatic about not being dogmatic are dogmatic;

Whereas, "stare decisis" does not keep *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015) from being overruled because of the overriding principle that Constitutional questions which merely lurk in the record, neither brought to attention of the court nor ruled upon, are not to be considered as having been so decided as to constitute precedents;

Whereas, the question whether the Establishment Clause has exclusive jurisdiction over informing the states as to which marriages they can legally recognize was lurking in the shadows but was undecided upon by the Supreme Court in *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015);

Whereas, the decision in *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015) was a non-secular sham based on an unprincipled ploy and the misapplication of the Fourteenth Amendment that has had the effect of excessively entangling the government with the religion of Secular Humanism and eroding the fundamental rights of non-observers of the religion of Secular Humanism;

Whereas, the First Amendment Free Exercise Clause and the First Amendment Establishment Clause have exclusive jurisdiction over how the State of Vermont a must response to marriage requests of all types that do not involve a man and a woman and the how the State of Vermont a must react to self-asserted sex-based identity narratives that are questionably real, moral, and have a tendency to erode community standards of decency;

An Act To Be Entitled The Marriage And Constitution Restoration Act

DEFINITIONS:
PARODY MARRIAGE: A marriage that does not involve a man and a woman and is inseparably linked to the religion of Secular Humanism.
NON-SECULAR POLICY: State action which endorses, respects, and recognizes the beliefs of a particular religion where the pre-eminent and primary force driving the state's action is not genuine, but is a sham that ultimately has a primary religious objective. State action that is predicated on a series of unproven faith-based assumptions and naked assertions that are implicitly religious.
SECULAR POLICY: State action that is natural, neutral, non-controversial and that is based on self-evident morality and truth. Secular policy generally accomplishes its goals and purposes. State action were the pre-eminent and primary force driving the policy is genuine, not a sham, and not merely secondary to a religious objective.
SEXUAL ORIENTATION: a self-asserted sex-based identity narrative that is a dogma based on a series of naked assertions and unproven faith based assumptions that are implicitly religious and inseparably linked to the religion of Secular Humanism.
CONVERSION THERAPY: The practice of converting a person from one self-asserted sex-based identity narrative to another with the consent.
MARRIAGE: (use the State's original definition of marriage).

Section I: the State of Vermont has a duty under Article VI of the United States Constitution to not enforce policies that violate the United States Constitution.
Section II: Marriages That Do Not Involve One Man And One Woman Are Permitted In View Of The Free Exercise Clause
(1) In view of the First Amendment Freedom of Expression Clause of the United States Constitution and the Constitution of the State of Vermont:
(a) any person living in Vermont can cultivate any self-asserted sex-based identity narrative or self-asserted sexual orientation.
(b) any person can conduct any form marriage ceremony and other rituals that accords with their self-asserted sexual orientation and live as married persons do, as long as the ceremonies do not conflict with other parts of the Vermont Code and Federal law.
Section III: Marriage Policies That Do Not Involve One Man and One Woman, Sexual Orientation Discrimination Statutes, Policies That Recognize Transgenderism, And Conversion Therapy Bans Are Unenforceable In View Of The First Amendment Establishment Clause Of The United States Constitution:
(1) In view of the First Amendment Establishment Clause of the United States Constitution and the Vermont Constitution:
(a) the State of Vermont is prohibited from enforcing, respecting, endorsing, or recognizing any marriage policy that does not involve a man and a woman because such policies are non-secular

and have the effect of excessively entangling the government with the religion of Secular Humanism.

(b) the State of Vermont is prohibited from enforcing, endorsing, recognizing, or respecting any policy that treats sexual orientation as a suspect class because all such statutes are non-secular, have the effect of cultivate indefensible legal weapons against non-observers of the religion of Secular Humanism, and excessively entangle the government with the religion of Secular Humanism.

(c) The State of Vermont is prohibited from enforcing, endorsing, recognizing or respecting any policy that treats a person as if they were born the wrong gender because the policies are non-secular and have the effect of excessively entangling the government with the religion of Secular Humanism.

(2) The State of Vermont is prohibited from appropriating any benefits to a person who enters into a marriage that does not involve a man and a woman because because such an appropriation is a non-secular endorsement of the religion of Secular Humanism and has the effect of excessively entangling the government with the religion of Secular Humanism.

(3) The State of Vermont is prohibited from enforcing, endorsing, respecting, or recognizing conversation therapy bans because such policies are non-secular and have the effect of excessively entangling the government with the religion of Secular Humanism.

Section IV: The State Will Continue To Enforce, Endorse, Respect, And Recognize Marriage Policies Between A Man and A Woman Because The Policies Have A Primary Secular Purpose And Are Not Prohibited By the First Amendment Establishment Clause Of The United States Constitution

(1) Man-woman marriage policies shall continue to be enforced because the policies are natural, neutral, non-controversial, and secular.

(2) the State of Vermont will continue to enforce, respect, endorse, and recognize marriage policies between a man and a woman because such marriage policies have a primary secular purpose, accomplishing non-religious objectives and do not put religion over non-religion.

(3) The State of Vermont has a compelling interest to uphold community standards of decency and marriage policies regarding a man and a woman will continue to be enforced because they do not erode community standards of decency.

(4) The State of Vermont will only issue marriage licenses to a man and a woman who meet the requirements by the governing State agency because such state action is secular and does not excessively entangle the government with any religion nor does the issuance endorse a religion.

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SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 12 of Title 43, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Marriage and Constitution Restoration Act".

B. In view of the First Amendment Freedom of Expression Clause of the United States Constitution and the Oklahoma Constitution:

1. Any person living in the state can cultivate any self-asserted sex-based identity narrative or self-asserted sexual orientation at will, even if it does not check out with the human design as a matter of self-evident observation.

2. Any person can conduct any form marriage ceremony and other rituals that accords with their self-asserted sexual orientation and live as married persons do, as long as the ceremonies do not conflict with other provisions of the Oklahoma Statutes and federal law.

C. In view of the First Amendment Establishment Clause of the United States Constitution and the Oklahoma Constitution:

1. The state shall no longer respect, endorse, or recognize any form of parody marriage policies because parody marriage policies are non-secular; and

2. The state shall no longer enforce, recognize, or respect any policy that treats sexual orientation as a suspect class because all such statutes lack a secular purpose.

D. The state shall continue to enforce, endorse, and recognize marriages between a man and a woman because such marriage policies are secular, accomplishing non-religious objectives.

E. As used in this section:

1. "Parody marriage" means any form of marriage that does not involve one man and one woman;

2. "Non-secular policy" means an action which endorses, respects, and recognizes the beliefs of a particular religion where the pre-eminent and primary force driving the state's action is not genuine, but is a sham that ultimately has a primary religious objective;

3. "Secular policy" means state action that is natural, neutral, non-controversial and that is based on self-evident truth. Secular policy accomplishes its goals and purposes. State action were the pre-eminent and primary force driving the policy is genuine, not a sham, and not merely secondary to a religious objective;

4. "Sexual orientation" means a self-asserted sex-based identity narrative that is based on a series of naked assertions and unproven faith based assumptions that are implicitly religious; and

5. "Marriage" means a personal relation arising out of a civil contract to which the consent of parties legally competent of contracting and of entering into it is necessary, and the marriage relation shall only be entered into, maintained or abrogated as provided by law.

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HOUSE BILL NO. ____

By Representative Garber

AN ACT enacting the marriage and constitution restoration act.

WHEREAS, Parody marriages and parody marriage policies are non-secular for the purposes of the establishment clause of the first amendment to the constitution of the United States; and

WHEREAS, Marriages between a man and a woman and policies that endorse marriage between a man and a woman are secular in nature for purposes of the establishment clause; and

WHEREAS, Civilizations for millennia have defined marriage as a union between a man and a woman; and

WHEREAS, Marriage between a man and a woman arose out of the nature of things and marriage between a man and a woman is natural, neutral and non-controversial, unlike parody forms of marriage; and

WHEREAS, The state of Kansas has a duty under Article VI of the constitution of the United States to uphold such constitution; and

WHEREAS, The first amendment of the constitution of the United States applies to the state of Kansas through the fourteenth amendment of the constitution of the United States; and

WHEREAS, The first amendment, not the fourteenth amendment, has exclusive jurisdiction over which types of marriages the state can endorse, respect and recognize; and

WHEREAS, All forms of parody marriage and all self-asserted sex-based identity narratives and sexual orientations that fail to recognize the human design are part of the religion of secular humanism; and

WHEREAS, The United States supreme court has found that secular humanism is a religion for the purpose of the establishment clause in *Torcaso v. Watkins*, 367 U.S. 488 (1961) and *Edwards v. Aguillard*, 482 U.S. 578 (1987); and

WHEREAS, The state of Kansas is prohibited from favoring or endorsing religion over non-religion; and

WHEREAS, The state of Kansas' decision to respect, endorse and recognize parody marriages and sexual orientation policies has excessively entangled the government with the religion of secular humanism, has failed to accomplish its intended purpose, and created an indefensible legal weapon against non-observers; and

WHEREAS, In the wake of *Obergefell v. Hodges*, 135 S.Ct. 2584 (2015), there has not been a land rush on gay marriage, but there has been a land rush on the persecution of non-observers by secular humanists and an effort by secular humanists to infiltrate and to indoctrinate minors in public schools to their religious worldview, which is immoral, not plausible and obscene and is not secular; and

WHEREAS, It is unsettled whether or not sexual orientation is immutable or genetic and is therefore a matter of faith; and

WHEREAS, Parody marriages have never been a part of American tradition and heritage; and

WHEREAS, All forms of parody marriage erode community standards of decency and this state has a compelling interest to uphold community standards of decency as set forth under the constitution of the state of Kansas; and

WHEREAS, Parody marriage policies and sexual orientation statutes are non-

secular and policies that respect, endorse and recognize a marriage between a man and a woman are secular, accomplishing their intended objective; and

WHEREAS, People who are intolerant of intolerant people are intolerant; people who are judgmental of judgmental people are judgmental; people who are dogmatic about not being dogmatic are dogmatic.

Now, therefore:

Be it enacted by the Legislature of the State of Kansas:

Section 1. The following definitions shall apply to this act:

(a) "Marriage" means a marriage contract constituted by one man and one woman only;

(b) "non-secular policy" means state action that endorses, respects and recognizes the beliefs of a particular religion where the pre-eminent and primary force driving the state's action is not genuine, but is a sham that ultimately has a primary religious objective;

(c) "parody marriage" means any form of marriage that does not involve one man and one woman;

(d) "secular policy" means state action that is natural, neutral, non-controversial and that is based on self-evident truth. Secular policy accomplishes its goals and purposes. State action, where the pre-eminent and primary force driving the policy is genuine, is not a sham, and is not merely secondary to a religious objective; and

(e) "sexual orientation" means a self-asserted sex-based identity narrative that is based on a series of naked assertions and unproven faith-based assumptions that are implicitly religious.

Sec. 2. (a) In view of the freedom of expression clause of the first amendment of the

constitution of the United States and section 11 of the bill of rights of the constitution of the state of Kansas, any person living in Kansas can cultivate any self-asserted sex-based identity narrative or self-asserted sexual orientation at will, even if it is not compatible with the design of human beings as a matter of self-evident observation. Further, any person can conduct any form marriage ceremony and other rituals that accords with their self-asserted sexual orientation and live as married persons do, as long as the ceremonies do not conflict with Kansas law and federal law.

(b) The State of Kansas shall no longer endorse or recognize any form of parody marriage because parody marriage policies are not secular. The state shall no longer enforce or recognize any policy that treats sexual orientation as a suspect class because all such statutes lack a secular purpose.

Sec. 3. The state of Kansas shall continue to enforce, endorse and recognize marriages between a man and a woman because such marriage policies are secular and accomplish a non-religious objective.

Sec. 4. Sections 1 through 4, and amendments thereto, shall be known as and may be cited as the marriage and constitution restoration act.

Sec. 5. This act shall take effect and be in force from and after its publication in the statute book.

IN THE UNITED STATES DISTRICT COURT DISTRICT FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

RICHARD PENKOSKI, JOHN GUNTER JR, WHITNEY KOHL, JOAN GRACE HARLEY, CHRIS SEVIER **V.** **JIM JUSTICE, in his official capacity as Governor of West Virginia; PATRICK MORRISEY, in his official capacity as Attorney General of West Virginia; JEAN BUTCHER, in her official capacity as the Clerk of Gilmer County** ***Defendants***		

MEMORANDUM IN SUPPORT OF PLAINTIFF GRACE HARLEY'S MOTION FOR SUMMARY JUDGMENT

Testimony of Joan Grace Harley
https://youtu.be/W7jKtPoMVw0

"I agree with the majority that the 'nature of injustice is that we may not always see it in our own times.' As petitioners put it, 'times can blind.' But to blind yourself to history is both prideful and unwise."
- *Obergefell*, Roberts Dissenting

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I. INTRODUCTION

NOW COMES, Plaintiff Joan Grace Harley, a former African American transgender, who now self-identifies a polygamist, under rule 56 of the Federal Rules of Civil Procedure seeking a motion for summary judgment. There are no disputed facts. Like in *Obergefell v. Hodges*, 192 L. Ed. 2d 609 (2015), "this case concerns only what States may do under the Constitution" in determining (1) how the Constitution permits the States to legally define marriage and (2) which types of marriages the States can legally recognize. Under 8(e)(2), the Plaintiffs exercised their rights to file a lawsuit with alternative Constitutional claims under the First and Fourteenth Amendments.[1] These alternative claims do not have to be consistent and they can compete. *Blazer v. Black*, 196 F. 2d 139, 144 (10th Cir. 1952).[2] This is an "if not this, then that" lawsuit. If the Establishment Clause does not enjoin the State from legally recognizing non-secular parody marriages, then the Plaintiffs warrant the same rights to marry under the Equal Protection and Due Process Clause of the Fourteenth Amendment and visa versa. Either way, the current definition of marriage and the State's decision to only legally recognize one form of non-secular

[1] Rule 8(e)(2), Fed. R. Civ. P., specifically provides that a party may plead in the alternative, even where the alternative claims are inconsistent: "A party may set forth two or more statements of a claim or defense alternately or hypothetically, either in one count or defense or in separate counts or defenses." When two or more statements are made in the alternative and one of them if made independently would be sufficient, the pleading is not made insufficient by the insufficiency of one or more of the alternative statements. A party may also state as many separate claims or defenses as the party has regardless of consistency and whether based on legal, equitable, or maritime grounds.

[2] *Blazer v. Black*, 196 F.2d 139, 144 (10th Cir. 1952) (explaining that a party is "at liberty to state as many separate claims as he wishe[s], regardless of consistency, whether based upon legal or equitable grounds or both"); *Clark v. Associates Commercial Corp*., 149 F.R.D. 629, 634 (D.Kan.1993) (recognizing a party's right under Rule8(e)(2) to plead alternative and inconsistent claims); *Lader v . Dahlberg*, 2 F.R.D. 49, 50 (S.D.N.Y.1941) (noting that the Federal Rules of Civil Procedure "contemplate a disposition of all issues between litigants in a single lawsuit," whether alleged in the alternative or hypothetically and whether or not consistent with one another). So, for example, "[c]ourts have permitted plaintiffs to sue on a contract and at the same time alternatively repudiate the agreement and seek recovery on a quantum meruit claim or allege fraud or some other tort theory." 5 Wright & Miller, § 1283 at pp. 535-37. And in *Lann v. Hill*, 436 F. Supp. 463, 465 (W.D. Okla. 1977), the court noted that when a party pleads alternative and inconsistent claims, "the Court will determine if it has subject matter jurisdiction over either of the possible actions under which Plaintiff might proceed."

parody marriage is wildly unconstitutional from every angle. First, the Plaintiffs brought a cause of action in which they have standing under *Flast v. Cohen*, 392 U.S. 83 (1968) where they contend that legally recognized gay marriage, transgender policies, and sexual orientation discrimination statutes are (1) "not secular" and (2) enshrine the religion Secular Humanism as prohibited by the Establishment Clause under *Torcaso v. Watkins*, 367 U.S. 488 (1961), managing to fail every prong of the *Lemon* and Coercion tests by a landslide.[3] Second, the Plaintiffs brought an alternative cause of action under the Equal Protection and Substantive Due Process Clauses of the Fourteenth Amendment arguing that the Plaintiffs warrant the same "existing," "fundamental," and "individual" right to marry based on their "personal choice" and

[3] For purposes of standing, the Plaintiffs have standing under their Establishment Clause claims as taxpayers under *Flast v. Cohen*, 392 U.S. 83 (1968) despite the plausibility of their self-asserted sex-based identity narrative. The general rules regarding standing to challenge governmental actions are designed to ensure that courts are addressing actual cases that can be resolved by the judicial system. However, in some circumstances, individuals may seek to challenge governmental actions for which neither those individuals nor any other individuals could meet standing requirements. Indeed, the Supreme Court has noted that in some instances "it can be argued that if [someone with a generalized grievance] is not permitted to litigate this issue, no one can do so." *United States v. Richardson,* 418 U.S. 166 (1974) Generally, the Court has noted, "lack of standing within the narrow confines of Art. III jurisdiction does not impair the right to assert [one's] views in the political forum or at the polls." However, the ability of individuals to affect change through political and democratic means does not eliminate all cases where a large group of individuals would be affected by the challenged governmental action. In particular, the Court has specifically allowed taxpayer standing for claims arising under the Establishment Clause. Under the *Flast* exception to the general prohibition on taxpayer standing, taxpayers may raise challenges of actions exceeding specific constitutional limitations (such as the Establishment Clause) taken by Congress under Article I's Taxing and Spending Clause which is applicable to the states under the Fourteenth Amendment. *Flast v. Cohen,* 392 U.S. 83 (1968). The Court has maintained its interpretation of this exception, refusing to extend it to permit taxpayer lawsuits challenging executive actions or taxpayer lawsuits challenging actions taken under powers other than taxing and spending. *Valley Forge Coll. v. Americans United*, 454 U.S. 464 (1982)(refusing to allow a taxpayer challenge of government transfer of property to a sectarian institution without charge because the action was taken by an executive agency exercising power under the Property Clause); *Hein v. Freedom from Religion Foundation*, 551 U.S. 587 (2007) (refusing to allow a taxpayer challenge of activities of the White House Office of Faith-Based and Community Initiatives because the funding was made through discretionary executive spending). These exceptions, the Court has explained, result because the Establishment Clause is a constitutional limit on the government's ability to act. According to the Court, the framers of the Constitution feared abuse of governmental power that might result in favoring "one religion over another." *Flast,* 392 U.S. at 103-04. It is difficult to imagine circumstances in which potential abuses of the Establishment Clause could be enforced without this exception. Accordingly, for the purposes of their causes of action under the Establishment Clause, the Plaintiffs' self-asserted sex-based identity narrative does not matter. The Plaintiffs could self-identify as twinkies and still move to have the State enjoined from legally recognizing gay marriage, transgender policies, and the enforcement of fake gay civil rights statutes like CADA for violating the prongs of the *Lemon* test under the Establishment Clause for putting "religion over nonreligion" and for discriminating against "religion and religion."

"personal autonomy" in step with their self-asserted sex-based identity narrative to the same extent that self-identified homosexuals are afforded in the wake of *Obergefell*.[4] If Stare Decisis applies under *Obergefell* to all individuals who seek to enter into a parody marriage based on their sexual orientation, then the Plaintiffs are entitled to legally marry in accordance with their self-asserted sex-based identity narrative just as self-identified homosexuals are. Id. To avoid confusion, here is the holding in *Obergefell*:

"These considerations lead to the conclusion that the right to marry is a fundamental right inherent in the liberty of the person, and under the Due Process and Equal Protection Clauses of the Fourteenth Amendment couples of the same-sex may not be deprived of that right and that liberty. The Court now holds that [self-identified homosexuals] may exercise the fundamental right to [legally] marry. No longer may this liberty be denied to them. *Baker* v. *Nelson* must be and now is overruled, and the State laws challenged by Petitioners in these cases are now held invalid to the extent they exclude [self-identified homosexuals] from civil marriage on the same terms and conditions as opposite- sex couples [in a secular marriage]." *Obergefell* at 22-23.

If precedent controls, then "the conclusion" that this Court must reach is that "the right to marry is a fundamental right inherent in the liberty of the person, and under the Due Process and Equal Protection Clauses of the Fourteenth Amendment [self-identified machinists and polygamists] may not be deprived of that right and that liberty." Id. Plaintiff Sevier is a "person" and so are the three polygamist plaintiffs with the same "liberty," "dignity," "autonomy" interests as self-identified homosexuals. Id. The Plaintiffs cannot "be deprived of" the right to legally marry in step with their self-asserted sex-based identity narrative as a matter of "liberty" any more or less that self-identified homosexuals can. Id. But "Houston, we have a problem!" While the Secular Humanist on the bench in *Obergefell* can perhaps collude and scheme with other Secular

[4] *Obergefell*, 192 L. Ed. 2d 609 1-28. *Zablocki v. Redhail*, 434 U.S. 374, 384 (1978) (fundamental right); *Cleveland Bd. of Educ. v. LaFleur*, 414 U.S. 632, 63940 (1974) (personal choice); *Loving v. Virginia*, 388 U.S. 1, 12 (1967) (existing right/individual right); *Lawrence v. Texas,* 539 U.S. 558 (2003) (intimate choice)

Humanist litigants and atheists on the lower courts to overturn *Baker v. Nelson*, 409 U.S. 810 (1972) through a series of emotionally charged dishonest imperialistic power plays without anyone noticing, the Secular Humanists on the Supreme Court cannot overturn the Establishment Clause nor sneak around it by camouflaging unproven truth claims stemming from the religion Secular Humanism as if they were actually "secular" and non-religious, when they are not. The series of irrelevant and emotionally exploitative appeals floated by the Majority in *Obergefell* to justify the imposition of parody marriage on all 50 states is invalidated by the Establishment Clause under the analysis in *Holloman v. Harland*, 370 F.3 1252 (11th Cir. 2004).[5] Because self-asserted sex-based identity narratives that are questionably moral, legal, and real have nothing to do with the Equal Protection and Due Process Clauses, the Article III Courts lacked subject matter jurisdiction in *Obergefell*, which means that Stare Decisis does not apply nor does it save *Obergefell*.[6] 1. The Supreme Court already found that "questions which merely lurk in the record, neither brought to attention of the court nor ruled upon, are not to be considered as having been so decided as to constitute precedents." *Cooper Industries, Inc. v. Aviall Services, Inc*. 543 U.S. 157 (2004). The Establishment Clause claims were "lurking" in the record but undecided in Obergefell. The District Court in this case is being asked to re-interpret the

[5] In *Holloman,* a public school teacher defended a daily moment of silent prayer by arguing that she intended to teach students compassion, pursuant to a character education plan mandated by the State. Id. at 1285. The court concluded that this emotional explanation did not constitute a valid secular purpose because the teacher's most basic intent unquestionably was to offer her students an opportunity to pray. "While [the teacher] may also have had a higher-order ultimate goal of promoting compassion, we look not only to the ultimate goal or objective of the behavior, but also to the more immediate, tangible, or lower-order consequences a government actor intends to bring about." Id. The unmistakable message of the Supreme Court's teaching in *Holloman* is that the state cannot employ a religious means to serve an otherwise legitimate secular interests." Id. at 1286. The *Holloman* court further concluded that "a person attempting to further an ostensibly secular purpose through avowedly religious means is considered to have a Constitutionally impermissible purpose." Id., citing *Jagar v. Douglas County School*, 862 F.2d 824, 830 (11th Cir. 1989). ("An intrinsically religious practice cannot meet the secular purpose prong of the *Lemon* test.")

[6] *Obergefell* at 1-28

Constitution correctly. Stare Decisis is at its weakest when the courts are being asked to interpret the Constitution.[7] The whole problem with *Obergefell* was that it was poisoned at the root: the wrong Constitutional narrative was being litigated at all times. This was insurmountably proven by Judge Hinkle in reaction to Plaintiff Sevier's motion to intervene in *Brenner v. Scott,* 2014 WL 1652418 (2014), when Judge Hinkle implicitly found that parody marriages were "removed from reality," which is another way of saying that all parody marriages are equally a matter of non-secular religious faith. Through the force of intellect and the testimonials provided by ex-gays, the Plaintiffs drag the question of how the Constitution permits the States to define marriage out of the Fourteenth Amendment box - kicking and screaming perhaps - and place it into the First Amendment box, where it always belonged.[8] The evidence unequivocally shows that the First Amendment Establishment Clause has exclusive jurisdiction over all forms of parody marriage. The *Lemon* test is the death nail to legally recognized gay marriage, other courts and Legislatures in other circuits are waking up to the fact that the sexually exploitative and dishonest judicial charade is doomed. Given the fact that gay marriage manages to violate all three prongs of *Lemon* by a landslide, gay marriage is perhaps the greatest manipulative non-secular sham ever imposed by atheistic Secular Humanist Judges who are aligned with the Democratic Party through their routine misuse of Substantive Due Process Clause in unchecked judicial policy making racket that is consistently based purely on emotion and not on sound legal

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[7] "[Stare Decisis]is at its weakest when [the courts] interpret the Constitution because our interpretation can be altered only by constitutional amendment or by overruling our prior decisions." *Seminole Tribe of Fla. v. Florida*, 517 U.S. 44, 63, 116 S.Ct. 1114, 1127, 134 L.Ed.2d 252 (1996); Payne, supra, at 828, 111 S.Ct., at 2609-2610; *St. Joseph Stock Yards Co. v. United States*, 298 U.S. 38, 94, 56 S.Ct. 720, 744, 80 L.Ed. 1033 (1936) (Stone and Cardozo, JJ., concurring in result) ("The doctrine of stare decisis ... has only a limited application in the field of constitutional law").

[8] (DE _ Quinlan ¶¶ 1-37; DE _ Pastor Cothran ¶¶ 1-50; DE _ Dr. King ¶¶ 1-20; DE _Dr. Cretella ¶¶ 1-20; DE _ Goodspeed ¶¶ 1-20; DE _ Grace Harley ¶¶ 1-25; DE 9 Kohl ¶¶ 1-12; DE_ Pastor Cuozzo; ¶¶ 1-21; Pastor Farr ¶¶ 1-33; DE_Pastor Penkoski ¶¶ 1-34; DE_Pastor Cairns ¶¶ 1-30). See Amicus Brief of Garden State Families.

reasoning whatsoever. In this action, the Plaintiffs have metaphorically placed two loaded guns by way of competing Constitutional Amendments to either side of the of the judiciary head in asking this Court to be the first to finally tell the truth and to apply the Constitution as it is written and not as what Secular Humanist Judges feel it "ought" to say. *Obergefell* at 4 (Scalia Dissenting). There is no question that Justice Scalia was understated when he wrote "I write separately to call attention to this Court's threat to American Democracy." *Id.* at 1. (Scalia dissenting).

II. "IF THIS, THEN THAT" APPLYING LIBERAL LOGIC

Under their alternative cause of action pursuant to the Equal Protection and Substantive Due Process Clause, the Plaintiffs' cause of action amounts to an "if this, then that" lawsuit. If self-identified homosexuals are given the Constitutional right to marry, then so are self-identified polygamists and objectophiles. Justice Roberts could not have made that clearer in his dissent.

One immediate question invited by the majority's position is whether States may retain the definition of marriage as a union of two people. Cf. *Brown* v. *Buhman*, 947 F. Supp. 2d 1170 (Utah 2013), appeal pending, No. 14- 4117 (CA10). Although the majority randomly inserts the adjective "two" in various places, it offers no reason at all why the two-person element of the core definition of marriage may be preserved while the man-woman element may not. Indeed, from the standpoint of history and tradition, a leap from opposite-sex marriage to same-sex marriage is much greater than one from a two-person union to plural unions, which have deep roots in some cultures around the world. If the majority is willing to take the big leap, it is hard to see how it can say no to the shorter one. It is striking how much of the majority's reasoning would apply with equal force to the claim of a fundamental right to plural marriage. If "[t]here is dignity in the bond between two men or two women who seek to marry and in their autonomy to make such profound choices," *ante*, at 13, why would there be any less dignity in the bond between three people who, in exercising their autonomy, seek to make the profound choice to marry? If a same-sex couple has the constitutional right to marry because their children would otherwise "suffer the stigma of knowing their families are somehow lesser," *ante*, at 15, why wouldn't the same reasoning apply to a family of three or more persons raising children? If not having the opportunity to marry "serves to disrespect and subordinate" gay and lesbian couples, why wouldn't the same "imposition of this disability," *ante*, at 22, serve to disrespect and subordinate people who find fulfillment in polyamorous relationships? See Bennett, Polyamory: The Next Sexual Revolution? Newsweek, July 28, 2009 (estimating 500,000 polyamorous families in the United States); Li, Married Lesbian "Throuple" Expecting First Child, N. Y. Post, Apr. 23, 2014; Otter, Three May Not Be a Crowd: The Case for a Constitutional Right to Plural

Marriage, 64 Emory L. J. 1977 (2015). I do not mean to equate marriage between same-sex couples with plural marriages in all respects. There may well be relevant differences that compel different legal analysis. But if there are, petitioners have not pointed to any. When asked about a plural marital union at oral argument, petitioners asserted that a State "doesn't have such an institution." Tr. of Oral Arg. on Question 2, p. 6. But that is exactly the point: the States at issue here do not have an institution of same-sex marriage, either.

For better or worse, the Plaintiffs simply ask that they be afforded the same benefits and treatment under the law based on their self-asserted sex-based identity narratives that self-identified homosexuals are permitted to enjoy or, otherwise, the Court must hold that legally recognized gay marriage is a sham and enjoin. In appealing to the Court's common sense, the Plaintiffs will analyze *Obergefell* through an "if this, then that" approach in helping the Court determine whether either the First or Fourteenth Amendment should control the outcome.

(1) The Majority in *Obergefell* stated: "For the history of marriage is one of both continuity and change. As new dimensions of freedom have become apparent to new generations, the institution of marriage has been strengthened by evolution over time." *Obergefell* at 6. In applying liberal logic, if marriage "has been strengthened by evol[ving] over time," legally recognizing person-object, person-animal, and more than two people marriages will make marriage much stronger. Id. at 6. If it is unlawful to force that which is in the hearts of self-identified homosexuals "to remain unspoken," it is unlawful for that which is in the hearts of zoophiles, pediafiles, machinists, and polygamists to "remain unspoken as well." *Obergefell* at 7.

(2) The Secular Humanist in *Obergefell* stated: "The Constitution promises liberty to all within its reach, a liberty that includes certain specific rights that allow persons, within a lawful realm, to define and express their identity." *Obergefell* at 2. In light of that liberal logic, the Plaintiffs must be permitted to "express their identity" as machinists and polygamists through marriage,

just as self-identified homosexuals are permitted. *Obergefell* at 1. Otherwise, legally recognized gay marriage is a non-secular sham that violates the Establishment Clause.

(3) If "marriage is essential to our most profound hopes and aspirations" for self-identified homosexuals, the same is true for self-identified polygamists and objectophiles. Id. at 3. Otherwise, legally respected gay marriage is a sham.

(4) The Secular Humanist Majority in *Obergefell* stated, "[Self-identified Homosexuals] ask for equal dignity in the eyes of the law and the Constitution grants them that right." *Obergefell* at 28. If that that is true, then the "Constitution grants" the Plaintiffs "that right" as well, as self-identified polygamists and machanists based on their "asking." Otherwise, gay marriage is a sham that violates the Establishment Clause.

Fundamental Right For Polygamists And Machinists Too Or It Is A Sham

(5) If parody marriage is a "fundamental right" for self-identified homosexuals, it is clearly a fundamental right for self-identified polygamists and machinists on identical legal bases. *Loving* v. *Virginia*, 388 U. S. 1, 12 (1967) *Zablocki* v. *Redhail*, 434 U.S. 374, 384 (1978), *Turner* v. *Safley*, 482 U.S. 78, 95 (1987)*., M. L. B.* v. *S. L. J.*, 519 U.S. 102, 116 (1996); *Cleveland Bd. of Ed.* v. *LaFleur*, 414 U.S. 632, 639–640 (1974);; *Skinner* v. *Oklahoma ex rel. Williamson*, 316 U. S. 535, 541 (1942); *Meyer* v. *Nebraska*, 262 U.S. 390, 399 (1923). *Obergefell* at 11. Otherwise, Secular Humanist on the bench are using government to play "make believe."

(6) *Obergefell* Majority stated, "The limitation of marriage to opposite-sex couples may long have seemed natural and just, but its inconsistency with the central meaning of the fundamental right to marry is now manifest." Id. at 4. That stream of logic reasoning not only permits self-identified homosexuals to marry, but self-identified polygamists and objectophiles as well.

(7) The Secular Humanist Majority stated: "The marriage laws at issue are in essence unequal: [self-identified homosexuals] are denied benefits afforded [to individuals in man-woman marriage] and are barred from exercising a fundamental right. Especially against a long history of disapproval of their relationships, this denial works a grave and continuing harm, serving to disrespect and subordinate [self-identified] gays and lesbians." Id. at 4. If that logic permits self-identified homosexuals to marry to normalize their ideological beliefs, it permits self-identified polygamists and machinists to marry as well, who have also faced a "long history of disapproval." Otherwise, legally recognized gay marriage is a sham that the government must disentangle itself from.

Individual Right For Polygamists And Machinists Too Or It Is A Non-secular Sham

(8) The Majority in *Obergefell* stated, "The Due Process Clause of the Fourteenth Amendment long has been interpreted to protect certain fundamental rights central to individual dignity and autonomy." Id. at 12. While relying on *Loving*, the Majority also stated, " The first premise of the Court's cases is that the right to personal choice regarding marriage is inherent in the concept of individual autonomy." Id. In applying that liberal logic here, Plaintiff Sevier is an "individual" who has the "autonomous right" to marry an object as a matter of "dignity" and "personal choice." Id. Same goes with the self-identified polygamists litigants as to plural marriage, which simply involves three individuals.

Existing Right For Polygamists And Machinists Too Or It Is A Non-Secular Sham

(9) The *Obergefell* Majority floated: "The dynamic of our constitutional system is that individuals need not await legislative action before asserting a fundamental right. The Nation's courts are open to injured individuals who come to them to vindicate their own direct, personal stake in our basic charter. An individual can invoke a right to constitutional protection when he

or she is harmed, even if the broader public disagrees and even if the legislature refuses to act." *Obergefell* at 25. Just as self-identified homosexuals did not have to wait to assert the individual and fundamental right to marry, neither do self-identified polygamists and machinists. Id. at 5. Since self-identified homosexuals, didn't have to wait, that means that self-identified polygamists and objectophiles do not have to wait either. The Majority in *Obergefell* stated that "the past alone does not rule the present," which means that the Plaintiffs must enjoy the same right to marry as self-identified homosexuals at present. *Obergefell* at 11. The State and the courts cannot have it both ways.

Intimate Choice For Polygamists And Machinists Too Or It Is A Sham

(10) The Majority in *Obergefell* stated, "Like other choices protected by the Due Process Clause, decisions concerning marriage are among the most intimate that an individual can make." *Obergefell* at 3. Just as marriage is "intimate" for self-identified homosexuals, it follows that marriage is is an "intimate" choice for self-identified machinists, zoophiles, and polygamists too. *Lawrence*, supra, at 567. *Obergefell* at 14. Using "intimacy" as a basis to justify legally recognized gay marriage is another emotional appeal to shoehorn the dogma of the religion of Secular Humanism into a legal reality that violates the Establishment Clause under *Holloman*, 370 F.3 1252 at 1285-1286 for being based purely on emotion. The Constitution does not care about the emotions of Secular Humanists. Neither can this Court.

(11) The *Obergefell* Majority stated, "In *Lawrence v. Texas*, the Court held that private intimacy of same-sex couples cannot be declared a crime, yet it does not follow that freedom stops there." *Obergefell* at 14. Additionally, it "does not follow that freedom stops there either" for self-identified polygamists, zoophiles, pedafiles, and machinists either. Either all individuals in the non-obvious class of sexual orientation are to be provided civil rights to marry or the Secular

Humanist Majority in *Obergefell* was just monkeying with the Fourteenth Amendment like the Secular Humanists in the Majority in *Roe v. Wade*, 410 U.S. 113 (1973) were in a calculated effort to sidestep the fact that the Establishment Clause has exclusive jurisdiction over Secular Humanism and all of its doctrinal dogma. The Majority in *Obergefell* stated, "outlaw to outcast may be a step forward, but it does not achieve the full promise of liberty." Applying that liberal logic here, polygamists and objectophiles should be allowed to progress forward from "outlaw to outcast to the full promise of liberty as well." Otherwise, legally respected gay marriage is a sham.

Sexual Orientation Is A Protected Class For All Individuals Or It Is A Sham

(12) The Majority in *Obergefell* stated, "Indeed, as the Supreme Judicial Court of Massachusetts has explained the decision whether and whom to marry is among life's momentous acts of self-definition, and this is true for all persons, whatever their sexual orientation." *Goodridge v. Department of Public Health*, 440 Mass. 309, 798 N. E. 2d 941 (2003); *Goodridge,* 440 Mass., at 322, 798 N.E. 2d, at 955. *Obergefell* at 13. In applying that liberal logic "all persons, whatever their sexual orientation" includes the Plaintiffs whose "sexual orientation" is that of an objectophile or polygamist. For the Plaintiffs to have the right to legally marry an object or multiple people is "among life's momentous acts of self-definition" for them too. What the Secular Humanist Majority in *Obergefell* and the Massachusetts Supreme Court fail to understand that neither can use government to enshrine the edicts of expressive individualism and Secular Humanism under the Establishment Clause under *Torcaso v. Watkins*, 367 U.S. 488 (1961) and *Edwards v. Aguillard,* 482 U.S. 578, 583 (1987).

Irrelevant Emotion Appeals To Impose Gay Marriage Is Undone By *Holloman*

(13) The third reason why the Supreme Court expanded the marriage to parody forms was because because "the right to marry safeguards children." *Obergefell* at 15. Yet, "many [self-identified homosexuals, polygamists, and machinists] provide loving and nurturing homes to their children, whether biological or adopted" too. Just as in the case with homosexuals, there are a lot of children being raised by machinists and polygamists as well. "Excluding [polygamists and machinists] from marriage thus conflicts with the central premise of the right to marry, inflicting stigma, uncertainty, and humiliation on the children of [polygamists and machinists] through no fault of their own." That this kind of emotional appeal that is being used to enshrine the religious edicts of Secular Humanism is invalidated by the reasoning in *Holloman,* at 1285-1286.

(14) The *Obergefell* Majority stated, "No union is more profound than marriage, for it embodies the highest ideals of love, fidelity, devotion, sacrifice and family." If that is true for self-identified homosexuals, it is true for self-identified polygamists, zoophiles, and objectophiles too. But that position is more of the same emotionalism that fails to get gay marriage around the Establishment Clause under the reasoning in *Holloman,* at 1285-1286.

On balance, anyone with a semblance of common sense can see after applying the liberal logic floated by Secular Humanist in the Majority who align with the Democratic Party in *Obergefell* that all self-asserted sex-based identity narratives that are questionably moral, legal, and real are not covered by the Equal Protection and Due Process Clauses. The Article III Courts lacked subject matter jurisdiction in *Obergefell*, which means that Stare Decisis does not apply nor does it save *Obergefell*.[9] The *Obergefell* decision was based on emotion and not sound legal

[9] *Obergefell* at 1-28 and *Kitchen v. Herbert,* 755 F. 3d 1193, 1223 (CA10 2014). Stare Decisis means "applying similar law" to "similar facts." Garbage in; Garbage out. The courts cannot be expected to reinvent the wheel in

reasoning.[10] Justice Holmes said that a page of history is worth a volume of logic. *New York Trust Co. v. Eisner*, 256 U.S. 345, 349 (1921). But he was wrong. If the courts are incapable of logic reasoning, they are incapable of respect. Congress and this Court can no longer afford to permit Secular Humanist to remain on the bench and constitute a persistent unchecked threat to American Democracy due to their refusal to think logically. The Constitution must be restored and all forms of parody marriage barred from recognition. Legally recognized gay marriage is unequivocally the greatest non-secular sham ever invented since the inception of American Jurisprudence. Period.

III. GAY MARRIAGE VIOLATES THE *LEMON* TEST

The First Amendment to the United States Constitution, as applied to the States through the Fourteenth Amendment, provides that "Congress shall make no law respecting an establishment of religion." U.S. CONST. amend. I. This provision applies to the Secular Humanist on the bench as well. Further, this provision, among other things, "prohibits government from appearing to take a position on questions of religious belief or from 'making adherence to a religion relevant in any way to a person's standing in the political community.'"[11] The government must "remain secular" and must "'not favor religious belief over disbelief.'" Id. at 610. *Cnty. of Allegheny v. ACLU*, 492 U.S. 573, 593-94 (1989). To pass muster under the Establishment Clause, a practice must satisfy the *Lemon* test, pursuant to which it must:

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every case. Stare Decisis should apply in normal controversies but the *Obergefell* case was rife with intellectual dishonest and intentional Constitutional malpractice.

[10] A decision about whether the Establishment Clause is violated cannot entail a decision about the ultimate usefulness of the of religion of moral relativism flowing from the LGBTQ church; the sole question must be whether the State's aid and endorsements can be squared with the dictates of the Constitution. *Americans United for Separation of Church &. State v. Prison Fellowship Ministries,.*432 F. Supp. 2d 862 (S.D. Iowa 2006). They cannot. Doctrinal entanglement involves government in religion's very spirit, in its core decisions on matters of belief cannot be justified. *Duffy v. State Personnel Board,* 232 Cal. App. 3d. 1, 17 (Cal. App. 1991).

[11] *County of Allegheny v. ACLU*, 492 U.S. 573, 594 (1989) (quoting *Lynch v. Donnelly*, 465 U.S. 668, 687 (1984)(O'Connor, J., concurring)).

(1) have a valid secular purpose; (2) not have the effect of advancing, endorsing, or inhibiting religion; and (3) not foster excessive entanglement with religion. Id. at 592 (citing *Lemon v. Kurtzman,* 403 U.S. 602 (1971)). *Edwards,* 482 U.S. 583, *Agostini v. Felton,* 521 U.S. 203, 218 (1997).

Government action"violates the Establishment Clause fails to satisfy any of these prongs." Because gay marriage violates all three prongs, the Lemon test is the death nail to legally recognized gay marriage.[12]

A. PRONG ONE: LEGALLY IMPOSED GAY MARRIAGE IS A NON-SECULAR SHAM IN EVERY RESPECT

If this Court wants some "new insights" and "societal understandings" here they are: homosexuality, polygamy, zoophilia, and machinism marriage are equally "not secular" and for the government to legally recognize any form of these parody marriages has the effect of enshrining the religion of Secular Humanism, evangelical atheism, western postmodern moral relativism, and expressive individualism in violation of the Establishment Clause under *Torcaso*.[13] At the core of the "Establishment Clause is the requirement that a government justify in secular terms its purpose for engaging in activities which may appear to endorse the beliefs of a particular religion." *ACLU v. Rabun Cnty. Chamber of Commerce, Inc.,* 698 F.2d 1098, 1111 (11th Cir. 1983). This secular purpose must be the "pre-eminent" and "primary" force driving the government's action, and "has to be genuine, not a sham, and not merely secondary to a religious objective." *McCreary Cnty, Ky. v. ACLU of Ky*., 545 U.S. 844, 860 (2005).

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[12] The final approach to Establishment Clause jurisprudence is the "coercion test" derived from the Court's decisions in *Santa Fe Independent School District v. Doe*, 530 U.S. 290 (2000), and *Lee v. Weissman,* 505 U.S. 577, 627, 112 S.Ct. 2649, 120 L.Ed.2d 467 (1992). Although it is not clear where this test "belongs in relation to the *Lemon* test," the test itself "seeks to determine whether the state has applied coercive pressure on an individual to support or participate in religion." *Doe v. Elmbrook Sch. Dist.,* 687 F.3d 840 (7th Cir. 2012).

[13] *Torcaso,* 367 U.S. 495; *Obergefell* at 5;; *Kirchberg v. Feenstra*, 450 U.S. 455, 460–461 (1981), See, e.g., *M. L. B. v. S. L. J.*, 519 U.S. 102, 120–121. (1996)

It should be preliminary determined what is "secular" for purposes of Establishment Clause. After all, "secularism" is having a full blown crisis because any reasonable person can see that there is nothing "secular" about most of "secularism," since most of secularism is predicated on a series of unproven faith-based assumptions and naked assertions that are at the very least implicitly religious and can only be taken on faith. The Supreme Court itself has "taken notice of the fact [over and over again] that recognized religions' exist that 'do not teach what would generally be considered a belief in the existence of God, to include [Atheism], Buddhism, Taoism, Ethical Culture, Secular Humanism and 'others.'" *Torcaso,* 367 U. S. 495.[14] The laws and policies of the state and federal government must be exclusively based on neutral, non-controversial, natural, and self-evident truth and not the faith-based private moral code of Secular Humanists and moral relativists. All "religion" amounts to is a set of unproven answers to the greater questions, like "why are we here" and "what should be doing as humans." The Establishment Clause was never designed to only single out institutionalized religions from legal recognition, but it also prevents the unproven truth claims of non-institutionalized religions from being enshrined as well, if not more so.[15]

In *Real Alternatives,* the court stated:

*"*we detect a difference in the "philosophical views" espoused by [the plaintiffs], and the "secular moral system[s]...equivalent to religion except for non-belief in God" that Judge

[14] See also *Washington Ethical Society v. District of Columbia*, 101 U.S. App. D.C. 371, 249 F.2d 127 (1957); 2 Encyclopaedia of the Social Sciences, 293; J. Archer, Faiths Men Live By 120—138, 254—313 (2d ed. revised by Purinton 1958); Stokes & Pfeffer, supra, n. 3, at 560. Welsh v. U.S, 1970398 U.S. 333 (U.S. Cal. June 15); *Edwards,* 482 U.S. 592.

[15] Justice Kennedy summarized the core doctrine of secular humanism when he attempted to enshrine the modern view by stating "at the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe." *Planned Parenthood of Southeastern Pa. v. Casey,* 505 U.S. 833, 84748 (1992). Justice Kennedy's worldview amounts to the German Proverb, "Jedem das Seine," which means "to each his own," which was of course what the sign over Buchenwald concentration camp read. Secular Humanism is responsible for the holocaust and most of the worst atrocities since the inception of humanity. If Nature is all that there is, there is nothing more natural than violence. And if truth is relative, then there is nothing to stop those in power from crushing those who are not.

Easterbrook describes in *Center for Inquiry,* 758 F.3d at 873. There, the Seventh Circuit references organized groups of people who subscribe to belief systems such as Atheism, Shintoism, Janism, Buddhism, and secular humanism, all of which "are situated similarly to religions in everything except belief in a deity." *Id*. at 872. These systems are organized, full, and provide a comprehensive code by which individuals may guide their daily activities.[16]

The LGBTQ community is "organized, full, and provide[s] a comprehensive code by which individuals may guide their daily activities." Id. Instead having a cross or the ten commandments, the LGBTQ church has the gay pride flag and their own commandments, such as if you disagree with LGBTQ ideology you are a bigot worth marginalizing. The unproven naked truth claims evangelized by the LGBTQ church such as (1) there is a gay gene, that (2) people can be born in the wrong body, that (3) same-sex sexual activity checks out with the human design, that (4) same-sex buggery is not immoral, and that (5) people come out of the closest baptized gay consists of a series of unproven faith based assumptions that are "hyper religious" and take a huge amount of faith to believe are even real, since these truth claims buck common sense and are more likely than not shallow qualifiers hoping to justify immoral sexual conduct that is indecent, immoral, and questionably legal.[17] The Plaintiffs in this action have supplied the Court with sworn statements from former homosexuals who sincerely bought into the gospel narratives prosthelytized by the LGBTQ church only to completely convert to a brand new self-asserted sex-based identity narrative.[18] After living the lifestyle for decades, these ex-gays have attested with convincing clarity that homosexuality is a religion that has nothing to

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[16] *Real Alternatives, Inc. v. Burwell,* 150 F. Supp. 3d 419, 440–41 (M.D. Pa. 2015), *aff'd sub nom. Real Alternatives, Inc. v. Sec'y Dep't of Health & Human Servs.*, No. 16-1275, 2017 WL 3324690 (3d Cir. Aug. 4, 2017)

[17] *Lawrence v. Texas*, 539 U.S. at 579 overturned *Bowers v. Hardwick*, 478 U. S. 186 (1986);; *Miller v. California,* 413 U.S. 15, 3034 (1973). Just because self-identified homosexuals are sincere in their belief that they are born in the wrong body or born with gay genes, does not make it true anymore than it is true that a sincere Islamic suicide bomber is advancing human flourishing by blowing himself up to kill infidels.

[18] (DE _ Quinlan ¶¶ 1-37; DE _ Pastor Cothran ¶¶ 1-50; DE _ Dr. King ¶¶ 1-20; DE _Dr. Cretella ¶¶ 1-20; DE _ Goodspeed ¶¶ 1-20; DE _ Grace Harley ¶¶ 1-25; DE 9 Kohl ¶¶ 1-12; DE_ Pastor Cuozzo; ¶¶ 1-21; Pastor Farr ¶¶ 1-33; DE_Pastor Penkoski ¶¶ 1-34; DE_Pastor Cairns ¶¶ 1-30). See Amicus Brief of Garden State Families.

do with immutability. Id. The Plaintiffs also provided sworn statements from medical professionals that align with countless medical studies that demonstrate without any political or religious agenda that there is no evidence of a gay gene.[19] The Plaintiffs are not necessarily out to "prove" or "disprove" whether a gay gene exists or whether the LGBTQ gosepel narratives are "wise." Yet, the Plaintiffs have shown in conjunction with the public record that the idea that "sexual orientation is immutable" is at the very least unsettled, if not completely disproven, for purposes of the Establishment Clause to assume exclusive jurisdiction. The evidence shows that (1) homosexuality, polygamy, zoophilia, and machinism are all part of the religion of Secular Humanism, postmodern western moral relativism, and expressive individualism and that (2) the Establishment Clause has exclusive jurisdiction over all self-asserted sex-based identity narratives that are questionably moral, questionably legal, and questionably part of reality, since they lack a secular purpose. As self-identified polygamists or objectophiles, the Plaintiffs freely admit that man-man, woman-woman, person-object, person-animal, and more than two person marriages are all equally part of the religion of Secular Humanism. Additionally, the Plaintiffs admit that all parody marriages are all equally questionably moral, legal, and obscene and are by definition non-secular and not recognizable for purposes of the Establishment Clause. The *Obergefell* Majority said that "marriage offers unique fulfillment to those who find meaning in the secular realm." Id. at 1. But in this action, the Secular Humanist in *Obergefell* completely dissolved the "secular realm" by enshrining parody forms of marriage that establish the United States as a nation under the oppressive thumb of the religion of Secular Humanism and moral relativism. Id. at 4.

[19] DE _ Dr. King ¶¶ 1-20; DE _ Dr. Cretella ¶¶ 1-20.

(1) THE MISUSE OF SUBSTANTIVE DUE PROCESS TO IMPOSE GAY MARRIAGE ON ALL 50 STATES IS A NON-SECULAR SHAM FOR THE PURPOSES OF THE ESTABLISHMENT CLAUSE

In untwisting distorted truth, "Substantive Due Process" was one of two legal basis under the Fourteenth Amendment to impose gay marriage on all 50 states, therefore, it should be preliminarily defined. Justice Roberts defined Substantive Due Process in *Obergefell* when he stated:

The Supreme Court has interpreted the Due Process Clause to include a "substantive" component that protects certain liberty interests against state deprivation "no matter what process is provided." *Reno* v. *Flores*, 507 U.S. 292, 302 (1993). The theory is that some liberties are "so rooted in the traditions and conscience of our people as to be ranked as fundamental," and therefore cannot be deprived without compelling justification. *Snyder* v. *Massachusetts*, 291 U.S. 97, 105 (1934). Our precedents have accordingly insisted that judges "exercise the utmost care" in identifying implied fundamental rights, "lest the liberty protected by the Due Process Clause be subtly transformed into the policy preferences of the Members of this Court." *Washington* v. *Glucksberg*, 521 U.S. 702, 720 (1997). *Obergefell* at 11 (Roberts dissenting)

Yet, in applying Substantive Due Process to the facts, man-man, woman-woman, person-animal, person-object, and man-multiperson marriage are all equally not "objectively, deeply rooted in this Nation's history and tradition," and are not "implicit in the concept of ordered liberty, such that neither liberty nor justice would exist if they were sacrificed." *Glucksberg*, 521 U. S., at 720–721 (internal quotation marks omitted) *Obergefell* at 14 (Roberts Dissenting).[20] Instead all parody marriages involve lifestyles and faith-based beliefs that are questionably moral, legal,

[20] See, *e.g., District Attorney's Office for Third Judicial Dist.* v. *Osborne*, 557 U. S. 52, 72 (2009); *United States* v. *Salerno*, 481 U. S. 739, 751 (1987); *Moore* v. *East Cleveland*, 431 U. S. 494, 503 (1977) (plurality opinion); see also *id.,* at 544 (White, J., dissenting) ("The Judiciary, including this Court, is the most vulnerable and comes nearest to illegitimacy when it deals with judge-made constitutional law having little or no cognizable roots in the language or even the design of the Constitution."); *Troxel* v. *Granville*, 530 U.S. 57, 96–101 (2000) (KENNEDY, J., dissenting) (consulting "'[o]ur Nation's history, legal traditions, and practices'" and concluding that "[w]e owe it to the Nation's domestic relations legal structure . . . to proceed with caution" (quoting *Glucksberg*, 521 U. S., at 721)

subversive, obscene, and "removed from reality." *Brenner v. Scott*, 2014 WL 1652418 (2014). Gay marriage and substantive due process have nothing to do with each other whatsoever. [21]

The real American History of homosexuality, pedaphilia, polygamy, objectophilia, and zoophilia is that they are self-asserted sex-based identity narratives that are either currently illegal or they were illegal until recently and just about all of them involve conduct that materially threatens to erode community standards of decency. *Lawrence,* 539 U.S. 578 overturned *Bowers v. Hardwick,* 478 U.S. 186 (1986). Yet, the Supreme Court prior to *Obergefell* has found repeatedly "to simply adjust the definition of obscenity to social realities

[21] Besides confusing terms sometimes deployed by jaded Secular Humanist Judges to pass off their quest to enshrine religious dogma of secular humanism as valid Constitutional rights, the Plaintiffs pause to preliminary define what Substantive Due Process and the Equal Protection Clause are and when the causes apply. Basically, "substantive due process" means that some rights are so obviously fundamental that no amount of procedure can stop the individual from obtaining those rights. In short, substantive due process is the lack of procedural substance. Substantive due process is an unquenchable fire that melts away any and all procedure so that all individuals can enjoy a right that a hand full of lawyers say is fundamental often times for ulterior political and religious purposes. Substantive due process is dangerously used as a well for jaded secular humanist justices to draw new Constitutional rights out of under the veneer of Constitutional legitimacy in an effort to impose their oppressive religious worldview on the whole of society. It is of no surprise that the first time substantive due process was used as a conduit to concocted fake outcomes was by White Supremacists secular humanist Judges who aligned with the the Democratic party in *Dred Scott v. Sandford,* 60 U.S. 393 (1857)(a case where the Supreme Court found that Black people were not human enough to be citizens). Unsurprisingly, Secular Humanist Judges who align with the Democratic Party again used substantive due process to read the fake right of abortion into the Constitution in *Roe v. Wade*, 410 U.S. 113 (1973). As expected dishonest Secular Humanist Judges who align with the Democratic Party misused Substantive Due Process in *Obergefell* in pretending that sexual orientation was a matter of immutability and that homosexuality was legitimate part of American Heritage to read parody marriage into the Constitution as a fundamental right. What *Dred Scott, Roe*, and *Obergefell* all have in common is the fact that (1) they do not have a single sentence of sound legal reasoning, (2) they are decisions made purely on emotion, and (3) they are a cover for Secular Humanist to legislate their moronic and downright evil worldview into a legal reality that is a catalyst for widespread corruption, suffering, and the erosion of freedom. If it is the paramount goal of secular humanist judges who are aligned with the Democratic Party to demonstrate a pattern of dishonesty and prove to the American people why the Congress absolutely and must unequivocally start impeaching Secular Humanist Judges before they literally start a civil war that is about the only thing of value they have managed to accomplish with convincing clarity. The truth is that the moral relativists on the bench who use the fiction of substantive due process to read fundamental rights into the Constitution are not really American Judges of ordinary prudence, they are enemies of our Republic and are devoted priests of moral relativism who objectively lack the inability to tell the difference between right and wrong, secular and non-secular, obscene and non-obscene, and real and fake. While the right to abortion and gay marriage may be fake rights read into the Constitution through the abuse of substantive due process, the suffering that results of such judicial malpractice is real and widespread. For Congress to remain silent in the face of such unethical judicial misconduct that is the single greatest threat to American Democracy is itself an immense act of wrongdoing.

has always failed to be persuasive before the Courts of the United States."[22] Yet, the *Obergefell* majority did not even attempt to hide the fact that they believed that imposing gay marriage on the Nation would create more "dignity" and "respect" for the religion of secular humanism that they themselves adhere to in order to make up for the fact that the belief system is so irrational that parts of it were illegal until recently. *Obergefell* at 7. "The starkly religious message" of the Secular Humanist in *Obergefell* does not escape the notice of "reasonable observers," as the Democrats on the Court attempted to normalize their beliefs on marriage, sex, and morality. *Trunk v. City of San Diego*, 629 F.3d 1099 (9th Cir. 2011);; *Am. Atheists, Inc. v. City of Starke*, 2007 U.S. Dist. LEXIS 19512 (M.D. Fla. 2007). Imposing legally recognized parody marriages of any kind on the states does not "dignify" homosexuals, polygamists, zoophiles, and objectophiles religious ideology. *Obergefell* at 14. What this imposition attempts to accomplish is to dignification of the religion of Secular Humanism, but what it actually accomplishes is the total violation of the Establishment Clause, and it has cultivated more division and more distrust of Secular Humanists. *Obergefell* at 14. Because the"stated purpose [of gay marriage has] not [been] actually furthered...then that purpose [must be] disregarded as being insincere or a sham." *Church of Scientology v. City of Clearwater*,. 2 F.3d 1514, 1527 (11th Cir. 1993).[23]

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[22] *Ginsberg v. New York*, 390 U.S. 629, 639–40, 88 S.Ct. 1274, 20 L.Ed.2d 195 (1968), *Mishkin v. State of New York*, 383 U.S. 502, 509, 86 S. Ct. 958, 16 L. Ed. 2d 56 (1966), and *Bookcase, Inc. v. Broderick*, 18 N.Y.2d 71, 271 N.Y.S.2d 947, 951, 218 N.E.2d 668, 671 (1966). Only in regards to secular marriage between one man and one woman, the *Obergefell* Majority is correct in explaining that marriage is "'the foundation of the family and of society, without which there would be neither civilization nor progress'" and that marriage has long been "'a great public institution, giving character to our whole civil polity.'" *Obergefell* at 16 quoting *Maynard* v. *Hill*, 125 U. S. 190, 211 (1888). It is more reason to enjoin the state from legally recognizing parody marriage because all forms of parody marriage are a material threat to community standards of decency and violate the obscenity codes by promoting obscenity. All forms of legally recognized marriage normalize false permission giving beliefs about sex, erode consent, promote vulgarity, encourage sexual exploitation, and are objectively depersonalizing and dehumanizing, eroding liberty interest.

[23] The history of parody marriages cuts deeply against legally recognizing them under the Establishment Clause. The *Obergefell* Majority admitted, "Until recent decades few persons had even thought about or considered the concept of same-sex marriage. In part, that is because homosexuality was condemned and criminalized by many states through the mid-20th Century. It was deemed an illness by most experts." Id. at 7. The Secular Humanist on the

(2) THE MISUSE OF THE EQUAL PROTECTION CLAUSE IS A SHAM

Since the Equal Protection Clause served as the second legal basis to impose gay marriage on all 50 states, the Plaintiffs preliminarily pause to identify what it is and when it can be used. Basically, if the matter at hand involves "immutability" and "genetics," then the Equal Protection Clause has jurisdiction. For example, it is self-evident that "race" is immutable; so race is a suspect class for purposes of the Equal protection Clause. No state actor can discriminate on the basis of race - no matter what color the person is to include members of non-obvious race classes. *McDonald v. Santa Fe Trail Transp. Co*., 427 U.S. 273, 27879, 96 S. Ct. 2574, 2578, 49 L. Ed. 2d 493 (1976). The Plaintiffs provided sworn statements from ex-gay

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bench do not even hide the fact that they are misused their power to enshrine the doctrine of the LGBTQ church to make it seem more plausible and respectable in view of its tarnished past. The question is not whether homosexuality, transgenderism, zoophilia, polygamy, and machinism marriage are "unthinkable" or evidence of an "illness." Id. The question is whether such marriages are "secular" for purposes of the Establishment Clause. They are not. The second question is whether forcing the states to recognize parody marriages that are questionably moral and legal causes the state itself to promote obscenity and erode community standards of decency. They do. It violates the fundamental First Amendment Right of the State themselves for five irrational desensitized jaded Secular Humanist lawyers on the bench to tell the State that it cannot uphold community standards of decency by forcing the states to promote a worldview that the Supreme Court admits is questionably legal and moral. Doing so violates the USSC's holding in *Paris Adult Theatre I v. Slaton*, 413 US 49, at 63, 69 (1973) that states have a compelling interest to uphold community standards of decency and to offset the secondary harmful effects of indecency. We might indeed "live in a vulgar age," but "American is [not a savage] Nation." *Church of the Holy Trinity v. United States,* 143 U.S. 457 (1892). The Majority in *Obergefell* admits that "same-sex [buggery] long had been condemned as immoral by the state itself in most Western nations, a belief often embodied in the criminal law." *Obergefell* at 7. On balance, the history of homosexuality cuts against gay marriage, and exposes it is as a non-secular sham designed to normalize religious beliefs on sex and morality flowing from the church of moral relativism. In regards to Substantive Due Process, the *Obergefell* Court was never just "interpreting the Constitution" it was using the power of its office to enshrine dogma coming from the church of secular humanism in violation of the Establishment Clause in light of *Torcaso* at 495. *Obergefell* at 10. The *Obergefell* Court states: "The identification and protection of fundamental rights is an enduring part of the judicial duty to interpret the Constitution. That responsibility, however, "has not been reduced to any formula." *Poe v. Ullman*, 367 U.S. 497, 542 (1961) (Harlan, J., dissenting) *Obergefell* at 10. But that is another lie floated by the Secular Humanist on the bench. Here is the "formula," if a proposed fundamental right, like abortion or the the right to have parody marriage legally recognized, is implicitly religious for being based on a series of naked assertions and unproven faith based assumptions, then the proposed fundamental right is nothing more than a proposed non-secular sham designed to establish secular humanism as the National religion in violation of the Establishment Clause in a pathetic attempt to justify some kind of atrocious activity that is more likely than not objectively immoral, dehumanizing, asinine, and removed from reality. The fact that the *Obergefell* Court clearly abused substantive Due Process in reading the right of gay marriage into the Constitution proves that the State's implementation of that unconstitutional policy is a sham under prong one of *Lemon.*

activists who converted to a totally different identity narrative, which casts doubt on the fake "immutability" narrative, showing that the Majority in *Obergefell* was "playing pretend."[24] In step with recent studies, like the one from John Hopkins, the Plaintiffs provided sworn statements from medical professionals who testify that just as there is no evidence that a "rape gene," there is no evidence that a gay gene exists either.[25] Although the Majority in *Obergefell* said that there is "synergy" between the Due Process Clause and the Equal Protection Clause, it "fail[ed] to provide even a single sentence in explaining how" the Equal Protection Clause applies.[26]

The Court in *Obergefell* relied heavily on *Loving* in trying to make the case that gay marriage bans violate the Equal Protection and Due Process Clauses like interracial marriage bans did. Id. at 12. *Loving* was an action where a white man wanted to legally marry a black woman but there was an arbitrary interracial marriage ban that wrongfully prevented that. The inter-racial marriage ban was rightfully struck down on under the Due Process and Equal

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[24](DE _ Quinlan ¶¶ 1-37; DE _ Pastor Cothran ¶¶ 1-50; DE _ Dr. King ¶¶ 1-20; DE _Dr. Cretella ¶¶ 1-20; DE _ Goodspeed ¶¶ 1-20; DE _ Grace Harley ¶¶ 1-25; DE 9 Kohl ¶¶ 1-12; DE_ Pastor Cuozzo; ¶¶ 1-21; Pastor Farr ¶¶ 1-33; DE_Pastor Penkoski ¶¶ 1-34; DE_Pastor Cairns ¶¶ 1-30). See Amicus Brief of Garden State Families. The *Obergefell* Majority was outright lying when it said that "due to the immutable nature of homosexuality," self-identified homosexuals warrant the "benefits and privileges of marriage." *Obergefell* at 4.

[25] DE_ Dr. King ¶¶ 1-20; DE _ Dr. Cretella ¶¶ 1-20. The Obergefell Majority mischaracterized when they stated, "Only in more recent years have psychiatrists and others recognized that sexual orientation is both a normal expression of human sexuality and immutable." At best, psychiatrists have found no evidence that a gay gene exists or that homosexuality is immutable, if anything it is borderline to suggest that homosexuality is immutable when there are tens of thousands of self-identified homosexuals who have completely converted to a different identity narrative.

[26] The Majority in *Obergefell* suggests that there is a "synergy" between the Equal Protection and Due Process Clauses of the Fourteenth Amendment. The *Obergefell* Majority alleged that Due Process and the Equal Protection Clause are connected in a profound way but failed to say how that is true. Obergefell at 19. Judge Robert's description in his dissent is accurate as he stated: The majority goes on to assert in conclusory fashion that the Equal Protection Clause provides an alternative basis for its holding. *Ante*, at 22. Yet the majority fails to provide even a single sentence explaining how the Equal Protection Clause supplies independent weight for its position, nor does it attempt to justify its gratuitous violation of the canon against unnecessarily resolving constitutional questions. See *Northwest Austin Municipal Util. Dist. No. One v. Holder*, 557 U. S. 193, 197 (2009). In any event, the marriage laws at issue here do not violate the Equal Protection Clause, because distinguishing between opposite-sex and same-sex couples is rationally related to the States' "legitimate state interest" in "preserving the traditional institution of marriage." *Lawrence*, 539 U. S., at 585 (O'Connor, J., concurring in judgment.

Protection Clauses. However, when the Supreme Court rightfully invalidated the state's ban on interracial marriage in *Loving*, 388 U.S. 1, 12, it did not do so on the fake basis of "sexual orientation" but on the discrimination of the basis of race through a legitimate application of the Equal Protection and Due Process Clauses of the Fourteenth Amendment. There is an insurmountable distinction with a difference between *Loving* and *Obergefell*. In *Loving* (1) the man-woman marriage at issue was "secular" for purposes of the Establishment Clause and (2) since race is "immutable," the matter rightfully was decided upon the Fourteenth Amendment, whereas in *Obergefell* (1) the gay marriages at issue were "not secular," failing the Establishment Clause by a landslide and (2) since testimony of ex-gays proves that homosexuality is not immutable, the matter was wrongfully decided upon the Fourteenth Amendment.[27] Accordingly, the holding in *Loving* is valid, whereas, the holding in *Obergefell* was a complete sham that serves as a real danger to the integrity of the valid race-based civil rights movement.[28]

B. PRONG TWO: GAY MARRIAGE HAS THE EFFECT OF ESTABLISHING SECULAR HUMANISM

Under this second prong of the *Lemon* test, courts ask, "irrespective of the . . . stated purpose, whether [the state action] . . has the primary effect of conveying a message that the [government]

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[27] *Loving*, 388 U. S. 1, 12;; *Obergefell* at 12.

[28] (DE _ Quinlan ¶¶ 1-37; DE _ Pastor Cothran ¶¶ 1-50; DE _ Dr. King ¶¶ 1-20; DE _Dr. Cretella ¶¶ 1-20; DE _ Goodspeed ¶¶ 1-20; DE _ Grace Harley ¶¶ 1-25; DE 9 Kohl ¶¶ 1-12; DE_ Pastor Cuozzo; ¶¶ 1-21; Pastor Farr ¶¶ 1-33; DE_Pastor Penkoski ¶¶ 1-34; DE_Pastor Cairns ¶¶ 1-30). See Amicus Brief of Garden State Families.. *Obergefell* at 3.While it is not "loving" to pretend that "gay rights" are civil rights, it is also Constitutional malpractice that amounts to racism in kind perpetrated by Secular Humanist Judges who align with the Democratic party. The Majority's in *Obergefell* reliance on *Loving* to justify its religious judicial policy making is the kind of intentional judicial malpractice that in and of itself shows that legally impose gay marriage is a non-secular sham that violates the Constitution under prong 1 of *Lemon*. *Lemon,* 403 U. S. 657. For the *Obergefell* majority to pretend that gay-rights are like race-based civil rights, which are actually based on immutability, only to not really mean it, is the kind of fraud and racial animus in kind as a result of a refusal to think logically that demands that the Secular Humanist on the bench be impeached under Judicial Improvements Act of 2002 under Art. I, § 2, cl. 5 for violating 18 U.S.C. § 2381.

is advancing or inhibiting religion." *Indiana Civil Liberties Union v. O'Bannon,* 259 F.3d 766, 771 (7th Cir. 2001). The "effect prong asks whether, irrespective of government's actual purpose," *Wallace v. Jaffree,* 472 U.S. 38, 56 (1985), the "symbolic union of church and state...is sufficiently likely to be perceived by adherents of the controlling denominations as an endorsement, and by the nonadherents as a disapproval, of their individual religious choices." *School Dist. v. Ball*, 473 U.S. 373, 390 (1985); *see Larkin v. Grendel's Den*, 459 U.S. 116, 126-27 (1982)(even the "mere appearance" of religious endorsement is prohibited). When Chief Justice Roberts stated in his Dissent in *Obergefell* "the truth is that today's decision rests on nothing more than the majority's own conviction that same-sex couples should be allowed to marry because they want to, and that "'it would disparage their choices and diminish their personhood to deny them this right,"" what the Chief Justice was really saying was that the Majority was - once again - wrongfully enshrining their "own [religious] conviction" flowing from the church of Secular Humanism in a continuing malicious effort to haul the United States under the caliphate of moral relativism in violation of the Establishment Clause under *Torcaso,* 367 U. S. 495 in a manner that "diminishes" the Constitutional rule of law and "disparages" the integrity of the Fourteenth Amendment.[29] Sincerity of belief in the plausibility of parody marriages does not permit the Court from legally recognizing them because it has the effect of establishment religion and entangling government with religion.[30] While there has not been the

[29] *Obergefell* at 19;; *Torcaso* at 495

[30] In his dissent Chief Justice Roberts stated: "The majority's driving themes are that marriage is desirable and petitioners desire it. The opinion describes the "transcendent importance" of marriage and repeatedly insists that petitioners do not seek to "demean," "devalue," "denigrate," or "disrespect" the institution. *Ante*, at 3, 4, 6, 28. Nobody disputes those points. Indeed, the compelling personal accounts of petitioners and others like them are likely a primary reason why many Americans have changed their minds about whether same-sex couples should be allowed to marry." As a matter of constitutional law, however, the sincerity of petitioners' wishes is not relevant under *Holloman*, 370 F.3 1252 at 1285-1286.

promised land rush on gay marriage in the wake of *Obergefell*, there has been a landrush on the persecution of Christians. The *Obergefell* Court straight up lied when it stated:

"Indeed, with respect to this asserted basis for excluding same-sex couples from the right to marry, it is appropriate to observe these cases involve only the rights of two consenting adults whose marriages would pose no risk of harm to themselves or third parties." *Obergefell* at 27.

Gay marriage licenses, with the state's imprimatur, are a license for devout disciples of Secular Humanism to harangue, marginalize, and oppress non-observers through any means available. As if copied from Orwell's book 1984, legally recognized gay marriage is "an indefensible legal weapon that no [non-observer] can obtain" that can be used to control thought and speech. *City of Boerne v. Flores,* 521 U.S. 507 (1997). In the wake of *Obergefell* there have been hundreds of thousands of documented and undocumented controversies where Secular Humanist are persecuting Christians with no end in sight.[31] The idea that "love is love" simply means that it is ok for government assets to be mobilized to crush anyone who refuses to support gay marriage even though it is self-evidently immoral, obscene, and subversive to human flourishing. There are millions of Americans who will never support parody marriages no matter who much coercion five dishonest secular humanist lawyers on the Supreme Court impose on them because they believe that to encourage immorality is itself an act of incredible immorality. It is irrelevant whether other religious groups "condone" parody marriages, what matters is that parody marriages are religious and to legally recognize them is unlawful under the Establishment Clause. *Obergefell* at 27. The Secular Humanist Majority in *Obergefell* stated, "of course, those

[31] *Moore v. Judicial Inquiry Commission of the State of Alabama*, 200 F.Supp.3d 1328 (M.D.Ala. 2016);; *Patterson v. Indiana Newspapers*, Inc., 589 F.3d 357 (C.A.7 (Ind.) 2009);; *Gadling-Cole v. West Chester University,* 868 F.Supp.2d 390, (E.D.Pa. 2012);; *Miller v. Davis,* 123 F. Supp. 3d 924 (E.D. Ky. 2015), appeal dismissed, Nos. 15-5880, 15-5978, 2016 WL 3755870 (6th Cir. July 13, 2016);; *Elane Photography, LLC v. Willock*, 2013 N.M. Lexis 284 at (N.M. Aug. 22, 2013);; *Cervelli v. Aloha Bed & Breakfast*, No. 11–1–3103–12 ECN (Haw. Cir. Ct. Dec. 19, 2011).

who oppose same-sex marriage, whether on religious or secular grounds, they continue to advocate that belief with the utmost conviction." *Obergefell* at 27. The Plaintiffs do not "oppose" legally recognized parody marriage on either "religious" or "secular grounds." No indeed! The Plaintiffs "oppose" legally recognized gay marriage because it is a non-secular sham for purposes of the Establishment Clause, managing to fail all three prongs of the *Lemon* test by a landslide. It is the Secular Humanist on the bench who lack the "utmost conviction" to honor their oath to uphold the Constitution. It is why they must be impeached, the state enjoined, and *Obergefell* overruled by this Article III Court immediately because the right Constitution prescription is finally being brought to bare on this matter to resolve how the government must treat parody marriages and self-asserted sex-based identity narratives that are out of touch with self-evident truth.

C. PRONG THREE: GAY MARRIAGE PROMOTES EXCESSIVE ENTANGLEMENT

Under Prong three, the government cannot foster excessive entanglement with religion and establish one religion as the supreme national religion. *In re Young*, 141 F.3d 854 (8th Cir 1998); *Westchester Day School v. Village of Mamaroneck*, 504 F.3d 338, 349 (2d Cir. 2007). It is not just that the imposition of gay marriage on all 50 states has cultivated in excess entanglement of government and the religion of Secular Humanism somewhat, the entire Democratic Party's platform is relentlessly fixated on identity politics, which is merely an emotionally exploitative imperialistic power play. Besides promoting identity politics, the Democratic party offers little in the way of substantive solutions. For example, the Plaintiffs in this action recently sued four Democratic Congressmen for displaying the Gay Pride Rainbow Colored Flag in the public hallways of Cannon and Longworth. *Sevier v. Lowenthal* 17-cv-570

(D.C. Cir 2017). The Plaintiffs assert that the manner in which the flags are displayed are as unconstitutional as Judge Moore's display of the Ten Commandments in his Courtroom. *Glassroth v. Moore*, 335 F.3d 1282 (11th Cir. 2003). In response to the Plaintiffs lawsuit against the Congressmen, several of them took to the media to stir up hatred towards the Plaintiffs by maliciously publishing false statements, calling them "the voices of hatred and bigotry" for asking that the Congressional members merely follow the Constitution. The self-help misconduct of these inept members of Congress - alone - show that legally recognized gay marriage is a sham for purposes of the Establishment Clause. The Democrats are not hiding the fact that they consider LGBTQ ideology a religion.[32]

Furthermore, while there has been no "landrush" on gay marriage, there has been a "land rush" by Secular Humanist to infiltrate public schools with the intent to indoctrinate minors to a sexualized worldview that does not check out with the human design and that was illegal until recently. This is not cultivating unity and tolerance, it is traumatizing children and opening the door to sexual exploitation by the normalization of false permission giving beliefs that erode consent and decency. It was at all times foreseeable by the Secular Humanist on the Supreme Court that this would happen. The Supreme Court has emphasized that there are "heightened concerns with protecting freedom of conscience from subtle coercive pressure in the elementary and secondary public schools," *Lee*, 505 U.S. at 592, and the federal courts have thus "been particularly vigilant in monitoring compliance with the Establishment Clause" in the public-school context, see *Edwards*, 482 U.S. 578- 583. There are millions of taxpayers who are fed up with the Federal Court's pretending that LGBTQ community is not non-secular and that it

[32] https://www.jerseyconservative.org/blog/2017/9/3/democrats-rally-with-wiccan-symbol-on-flag

is not promoting a gospel narrative of obscenity that erodes community standards of decency inside of public schools. (DE_Pastor Penkoski ¶¶ 1-28).

In looking at motives of the heart, the reason why Secular Humanists try desperately to entangle our government with their religion is because they are full of shame and guilt and feelings of inadequacy. Secular Humanists have no place to put their shame and guilt, and they ceaselessly seek to turn government into their own personal church to justify the plausibility of their ideology that violates transcultural universal law. But the Government of the United States is not a redeemer. It is not a church. The State and Federal Government is secular and can only base its laws and policies on neutral and self-evident truth that accords with natural law.

"American is [not officially] a Christian Nation" insofar as making Christianity mandatory would cultivate the very legalism that Christ Himself was so adamantly opposed to. *Church of the Holy Trinity v. United States*, 143 U.S. 457 (1892).[33] Yet, it could be suggested that "America is [unofficially] a Christian Nation" insofar as laws and policies that coincidently parallel the restrictions advocated by the personalized centralized figure of the radically transformative New Testament Gospel Narrative are not rendered unconstitutional automatically because they also happen to parallel neutral self-evident universal transcultural truth, like the kind deployed at the Nuremberg Nazi war trials. *Kiobel v. Royal Dutch Petroleum Co*., 621 F.3d 111, 154 (2d Cir. 2010).[34] The same cannot be said of the doctrines of Secular Humanism, which are more often times than not nothing more than a pathetic attempt to justify activity that is objectively depersonalizing, dehumanizing, self-disparaging, and self-demeaning. While the

[33] After all, Christians repent not only of their sins but of their righteousness. In Europe the state was in the church and that crushed the church there.

[34] In his letters from a Birmingham jail, Dr. Martin Luther King wrote that the way that he knew that a law was unjust was if it offended a "higher law" or a "divine law." Divine law is transcultural.

Government has to avoid entanglement with the doctrines of Secular Humanism, it certainly cannot impose policies like gay marriage that openly promote it.

The Unbalanced Distribution Of The Constellation of Benefits Exclusively To Self-Identified Homosexuals Discriminates Against "Religion And Religion" And Entangles Government With The Religion Of Secular Humanism In Violation Of Prong III Of *Lemon*

The final reason that gay marriage was imposed was because the Majority found that the self-identified homosexuals deserved a "constellation of benefits" to pay respect to their ideological faith-based identity narratives.[35] Yet, because self-identified homosexuals are afforded benefits based on their self-asserted sex-based identity narrative which is predicated on a series of unproven faith based assumptions, the Plaintiffs as self-identified polygamists and machinists have absolute standing under a second basis under the Establishment Clause to enjoin the state for discriminating against "religion and religion," since the Plaintiffs are denied that same "constellation of benefits" based on their implicitly religious self-asserted sex-based identity narrative for reasons that can only be described as arbitrary.[36] Homosexuality, polygamy, zoophilia, and objectophilia are all merely different denominational sects within the overall church of Secular Humanism, western postmodern moral relativism, and expressive individualism.[37] The Plaintiffs are entitled to the same "constellation of benefits" that homosexuals are, but a Constitutional problem remains. The evidence shows that to legally recognize polygamy and objectophile marriage in order to save legally recognized gay marriage

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[35] The Secular Humanist Majority in *Obergefell* stated:"marriage is a keystone of our social order, thus just as a couple vows to support each other, so does society pledges to support the couple, offering symbolic recognition and material benefits, including tax benefits, hospital visitation rights, child custody and support rules and adoption rights. Yet, by virtue of the challenged law same-sex couples are denied the constellation of benefits states have linked to marriage." *Obergefell* at 4 and 17 and See *Maynard v. Hill*, 125 U.S. 190, 211.

[36] *Obergefell* at 4 and 17;; *McCreary Cnty*, 545 U.S. at 844 - 864; *Engel,* 370 12 U.S. 431 - 436.

[37] (DE _ Quinlan ¶¶ 1-37; DE _ Pastor Cothran ¶¶ 1-50; DE _ Dr. King ¶¶ 1-20; DE _Dr. Cretella ¶¶ 1-20; DE _ Goodspeed ¶¶ 1-20; DE _ Grace Harley ¶¶ 1-25; DE 9 Kohl ¶¶ 1-12; DE_ Pastor Cuozzo; ¶¶ 1-21; Pastor Farr ¶¶ 1-33; DE_Pastor Penkoski ¶¶ 1-34; DE_Pastor Cairns ¶¶ 1-30). See Amicus Brief of Garden State Families.

would only further violate the Establishment Clause by continuing to put "religion over non-religion."[38] That is, for the government to legally recognize polygamy marriage and objectophile marriage would only further entangle the government with the religion of Secular Humanism. As self-identified members of the true minority of the church of Secular Humanism, the Plaintiffs have standing to move - and do move - to enjoin the state from legally recognizing gay marriage in the restoration of the Constitution, to untangle the government's attachment to the religion of Secular Humanism. There are millions of Americans who object to their tax dollars going to support the LGBTQ ideology. The fact that benefits are going to the LGBTQ believers who legally marry violates prong three of *Lemon* for excessive entanglement.

IV. MAN-WOMAN MARRIAGE IS SECULAR AND THEREFORE NOT CHALLENGED UNDER THE ESTABLISHMENT CLAUSE

The Plaintiffs in this action do not move the Court to enjoin the State from legally recognizing man-woman marriage for the reasons in the attached South Carolina resolution that declares that man-woman marriage is "secular." While the States are prohibited from legally recognizing parody forms of marriage, the states can legally recognize man-woman marriage if they want to. They do not have too. While the Plaintiffs have moved to enjoin the State from legally recognizing gay marriage under the Establishment Clause, the Plaintiffs do not move to enjoin the state from legally recognizing man-woman marriage because it is the only secular form of marriage that exists for purposes of the Establishment Clause. Man-woman marriage is neutral, natural, non-controversial and predicated on the same self-evident truth that the Constitution of the United States itself is based on. As the Majority in *Obergefell* put it:

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[38] Just as government officials may not favor or endorse one religion over others, so too officials "may not favor or endorse religion generally over non-religion." *Lee*, 505 U.S. at 592(Souter, Justice, concurring)(citing *County of Allegheny v. ACLU*, 492 U.S. 573, 589-94, 109 S.Ct. 3086, 106 L. Ed. 2d 472 (1989)

"[Secular marriage] has existed for millennia and across civilizations between one man and one woman. Marriage between one man and one woman is the foundation of the family and of society, without which there would be neither civilization nor progress," *Maynard v. Hill*, 125 U. S. 190, 211 (1888). We later described marriage between one man and one woman is fundamental to our very existence and survival." *Obergefell* at 16.

The Majority in *Obergefell* stated that "this court has held the right to marry as fundamental. Of course in doing so it resumed an opposite sex union, one man, one woman," but that is too simplistic to be true. The right to marry at best could be considered fundamental for those who wish to enter into a secular marriage not a faith-based parody marriage, since the Establishment Clause prohibits that. Nowhere in the Constitution does it say that marriage is not a fundamental right. But the Constitution allows the States to legally permit a man and woman to marry because such a marriage is secular.

V. THE BRIGHT LINE RULE IN *STATE V. HOLM* IS THE SOLUTION

There is an absolute final answer as to how all 50 states must legally define marriage. The answer comes through the bright line rule which was created out of *State v. Holm*, 137 P.3d 726, 734 (Utah 2006). The bright line rule strikes the perfect balance between the Freedom of Expression Clause and the Establishment Clause both of which are part of the First Amendment. Under the Freedom of Expression Clause and in view of the bright line rule, any individual can self-identify as a homosexual, transgender, zoophile, objectophile, pansexual, wizard, unicorn, and so forth. These individuals can have as many wedding ceremonies as they would like. However, under the Establishment Clause and in view of the bright line rule, the government cannot legally recognize any of these self-asserted sex-based identity narratives or any parody marriage because doing so excessively entangles the government with the religion of Secular Humanism and has terrible secondary harmful effect that erodes freedom. While "gay marriage"

is "fake marriage," the persecution following the government's decision to respect it is very real. If this Court chooses to tell the truth and enforce the bright line rule, the Honorable Justice Roberts will remain correct: "same-sex couples [will] remain free to live together, to engage in intimate conduct, and to raise their families as they see fit. No one is 'condemned to live in loneliness' by the laws challenged in these cases—no one." *Obergefell* at 17 (Roberts Dissenting). Yet, the trajectory of the First Amendment Establishment Clause is that legally recognized gay marriage must be done away with in a single instance by the both the Federal and State governments. When it comes to parody marriages, the Establishment Clause is the ultimate DOMA § 3 and it is the National Marriage ban.

VI. CONCLUSION

In conclusion, (1) legally recognized gay marriage is non-secular; (2) it is part of the religion of secular humanism; (3) its recognition violates the three prongs of Lemon from every angle; (4) man-woman marriage is secular;[39] (5) the bright line rule in *State v. Holm*, 137 P.3d 726, 734 (Utah 2006) should apply to all parody marriages;[40] (6) the trajectory of the First Amendment is that the Establishment Clause is the ultimate National parody marriage ban and the ultimate DOMA§ 3; (7) the United States is a Constitutional Republic, not a pure Democracy, so all 50 states must no longer entangle itself with sexual orientation ideology; (8) if this Court needs a

[39] As the Majority in Obergefell put it "'[Secular marriage] has existed for millennia and across civilizations between one man and one woman. Marriage between one man and one woman is the foundation of the family and of society, without which there would be neither civilization nor progress,'" *Maynard v. Hill*, 125 U. S. 190, 211 (1888) We later described marriage between one man and one woman is fundamental to our very existence and survival." *Obergefell* at 16.

[40] The solution is found in the bright line rule asserted in *State v. Holm*, 137 P.3d 726, 734 (Utah 2006). Self-identified homosexuals, polygamists, zoophiles, machinists, pixies, warlocks, and wizards are permitted to have wedding ceremonies and perform other rituals to celebrate their beliefs about sex, marriage, and morality. It is simply the case that neither the state nor federal government can legally recognize these parody forms of marriage because they are not secular for purposes of the Establishment Clause. *Obergefell* at 17. "Same-sex couples remain free to live together, to engage in intimate conduct, and to raise their families as they see fit. No one is 'condemned to live in loneliness' by the laws challenged in these cases—no one." *Obergefell* at 17 (Roberts Dissenting)

scapegoat for looking absurd blame the Hawaii state court in *Baehr* v. *Lewin*, 74 Haw. 530, 852 P. 2d 44 (1993) or liberal state legislators who started this fight by colluding with the LGBTQ church; (9) times can blind. The Honorable Chief Justice Roberts said it best in his dissent:

"I agree with the majority that the 'nature of injustice is that we may not always see it in our own times.' As petitioners put it, 'times can blind.' But to blind yourself to history is both prideful and unwise." *Obergefell* at 22.

In the instant case, it is not just "unwise" and "prideful" that the Defendants are legally recognizing gay marriage, their decision to do so violates the Establishment Clause of the United States Constitution by a landslide. Id.

/s/Joan Grace Harley/
Special Forces Of Liberty
rougeattorneyatlaw@gmail.com
(801) 654-5973
1220 E 2100 S
Salt Lake City, UT 84106
Ghost OPS Bravo Charlie
Juliet Hotel Mike Sierra

CERTIFICATE OF SERVICE

I hereby certify that a copy of this document and attached exhibits were mailed with adequate postage to the Defendants in this actions on January 7, 2018 to Governor Justice at 1900 Kanawha Blvd E # 1, Charleston, WV 25305, to the Attorney General Morrisey at State Capitol Complex, Bldg. 1, Room E-26 Charleston, WV 25305 Phone: 304-558-2021; the Clerk Butcher Of Gilmer County (304) 462-7641 jean.butcher@gilmercountywv.gov; 10 Howard Street Glenville, WV 26351.

/s/Joan Grace Harley/

IN THE UNITED STATES DISTRICT COURT DISTRICT FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

RICHARD PENKOSKI, JOHN GUNTER JR, WHITNEY KOHL, JOAN GRACE HARLEY, CHRIS SEVIER **V.** **JIM JUSTICE, in his official capacity as Governor of West Virginia; PATRICK MORRISEY, in his official capacity as Attorney General of West Virginia; JEAN BUTCHER, in her official capacity as the Clerk of Gilmer County** ***Defendants***		

PLAINTIFF GRACE HARLEY'S MOTION FOR SUMMARY JUDGMENT

Tim Keller "Our Cultural Tension"
https://youtu.be/LTxJ6HIh0U0

NOW COMES Plaintiff Harley under FRPC 56 seeking a motion for summary judgment. There are not disputed facts. Even though Defendants have rejected to endorse, respect, and recognize Plaintiff Harley's marriage request, while at the same time endorsing, respecting, and recognizing self-identified homosexuals marriages, which entitles them to a constellation of benefits that the citizens of West Virginia have to shoulder. A memorandum of law in support of this motion is attached.

/s/Joan Grace Harley/
Special Forces Of Liberty
joanpolygamyloveislove@gmail.com
(801) 654-5973

1220 E 2100 S
Salt Lake City, UT 84106
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