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After high court rulings, what will religious conservatives do?

David Gibson Religion News Service | Jun. 27, 2013

The twin Supreme Court rulings Wednesday that further opened the door for gay marriage in the U.S. were not entirely unexpected, and the condemnations from religious conservatives angry at the verdicts were certainly no surprise either.

So the real question is what gay marriage opponents will do now.

Here are four possible scenarios that took shape in the wake of Wednesday's developments.

It's religious freedom, not sex

Even before Wednesday's rulings, many religious groups who oppose gay marriage -- and other policies, such as the Obama administration's decision to mandate free contraception insurance -- had been reframing the argument as a matter of religious freedom.

That, in fact, is the focus of the Catholic bishops' current Fortnight for Freedom campaign, which the hierarchy deployed to argue that gay marriage and the birth control policy would force churches to comply with laws that violate their teachings and their conscience.

If believers become martyrs to gay marriage -- if Christian florists and bakers who refuse to supply bouquets and wedding cakes for gay couples are subject to lawsuits or sanctions, for example -- then public opinion could turn against gay rights.

In his statement welcoming the high court rulings, President Barack Obama was careful to try to ease those fears, stressing that even as gay rights expand "maintaining our nation's commitment to religious freedom is also vital."

"How religious institutions define and consecrate marriage has always been up to those institutions," he said. "Nothing about this decision, which applies only to civil marriages, changes that."

The fate of this scenario may depend on what kind of religious exemptions, if any, states and cities include in their gay rights legislation.

Live the Gospel, change the culture

One of the most devastating lines of attack against gay marriage foes is that they are hypocrites who castigate gays and lesbians even as they divorce and remarry and commit adultery and cohabitate and have children out of wedlock.

Guilty as charged, say some Christian leaders, who argue that this week's rulings should be the spur to Christians to confess their sins and put their own house in order so that they can show Americans that believers actually practice what they preach.

"That means that we must repent of our pathetic marriage cultures within the church," said Russell Moore, president of the Ethics & Religious Liberty Commission, the public policy wing of the Southern Baptist Convention. "This means we have the opportunity, by God's grace, to take marriage as seriously as the gospel does, in a way that prompts the culture around us to ask why."

As part of that conversion, Moore said Christians also need to stop demonizing gays and lesbians. "The gay and lesbian people in your community aren't part of some global 'Gay Agenda' conspiracy. They aren't super-villains in some cartoon. They are, like all of us, seeking a way that seems right to them."

Or, as Denver Seminary's Elodie Ballantine Emig wrote in Christianity Today, "we are all sinners in need of a savior. We are on a level playing field with gays and lesbians who, in my experience, can detect condescension and hypocrisy a mile away."

This argument says that by living out their teachings without acting self-righteous, Christians stand a better chance of actually changing the culture rather than simply complaining about it. Favorable laws and court rulings will follow, rather than the other way around.

Turn gay marriage into*Roe* v.*Wade*

Ironically, a sweeping Supreme Court decision in favor of gay rights could be the best thing to happen to gay marriage opponents.

The precedent here is the 1973 high court ruling legalizing abortion, *Roe* v. *Wade*. That decision was supposed to be the end of the national debate over abortion, but instead it was only the beginning. Some say that when the justices -- led by Anthony Kennedy's swing vote -- overturned the federal Defense of Marriage Act this week they set up a similar scenario:

"Kennedy's decision is the *Roe* v. *Wade* of this generation, not this generation's *Brown* v. *the Board of Education* ," said Maggie Gallagher of the American Principles Project, referring to the landmark decision that struck down racial segregation in schools.

"Just as 40 years after *Roe* v. *Wade*, abortion opponents continue to fight for the pro-life agenda, pro traditional marriage supporters will fight on as well," agreed Rick McDaniel, senior pastor at the Richmond Community Church in Virginia.

Of course, *Roe* has not been overturned, and it looks likely to remain the law of the land. But abortion opponents can point to growing restrictions on abortion rights at the state level -- and they can hope that gay rights will eventually face the same pushback.

It's not so bad, so full speed ahead

Another tack is to argue that Wednesday's dual rulings were not really a defeat for gay marriage foes and that no one should run up the white flag of surrender.

"(W)hile today's decisions were very disappointing, they do not represent a watershed moment for marriage as many are suggesting," Brian Burch of CatholicVote.org wrote in a fundraising plea to supporters. "Same-sex marriage advocates did not get what they wanted, namely a 'Roe v. Wade' for same-sex marriage."

"We have a clear path forward to protect marriage and respond to these rulings, in Congress and in the states, and in the hearts and minds of our fellow citizens," Burch wrote. "The future of marriage remains a dispute open to 'We the People'."

The thinking here is that gay marriage opponents should look on the bright side.

Lobbyists like Brian Brown, head of National Organization for Marriage, and Bill Donohue of the Catholic League even doubled-down in this high-stakes game and said conservatives should now push for a constitutional amendment banning same-sex marriage.

Still, all of those scenarios may well be too rosy for reality. If religious conservatives can't figure out which tack to take, they may wind up doing their cause as much harm as any court ruling or state law.

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