

January 17, 2005

## Testimony in opposition to SB 199

Mr. Chairman, Members of the Committee:

My name is Eric Schiedermayer. I represent the Montana Catholic Conference, the voice for Montana's Roman Catholic bishops in the state legislature, and I rise in opposition to this bill.

Except for some minor grammatical changes, this bill basically adds two words to a number of laundry lists sprinkled throughout Montana's nondiscrimination law – the words “sexual orientation.”

The “Catechism of the Catholic Church” states that men and women with homosexual tendencies “must be accepted with respect, compassion and sensitivity. Every sign of unjust discrimination in their regard should be avoided.” We recognize that human dignity and human rights are God-given – intrinsic to every human person regardless of circumstances. They are not earned nor are they legislated.

So, why do I rise in opposition to this bill? Clearly, the Catholic Church is against unjust discrimination towards people with a homosexual orientation. Certainly we do not hate such persons.

The key is the word “unjust.” The presence of this word implies that there is such a thing as “just” discrimination. We understand this intuitively, and are comfortable with it in our law. We discriminate against people under a certain age or with certain seizure-causing handicaps from driving motor vehicles. We discriminate against people under a certain age from purchasing alcoholic beverages or tobacco products. We discriminate against people who are too closely related from marrying each other.

So, our law – and the Catholic Church – is comfortable with some kinds of discrimination, if that discrimination is “just.” We realize that in some cases, certain individual liberties must be curtailed because it is in the best interests of the common good to do so.

So, what is the problem with adding homosexual orientation to the laundry lists in our nondiscrimination law? The answer is that to do so would undermine the common good.

Homosexual activity is destructive – it is destructive to those who engage in it, and it is destructive to those closest to them. Other opponents of this bill will probably testify today to the greater incidence of deadly disease, depression, violence and suicide within the gay community – even in countries where the gay lifestyle is openly accepted, even in countries where gay marriages are legal. If not, I would be happy to gather and provide such data to this committee.

Our law is comfortable with restricting personal liberty when it is deemed to be self-destructive. We have many laws which seek to protect us from ourselves, such as laws against drug abuse, driving without seatbelts, or marrying someone too closely related to us.

More subtle, but just as destructive, is the effect that adding homosexual orientation to those nondiscrimination lists will have on society as a whole. This type of legislation begins the process of legitimizing behavior and a lifestyle which is contrary to the common good. Children are especially harmed when they grow up in a culture where moral truth is further clouded and contradicted.

The traditional value of chastity, the sanctity of marriage and family, and the freedom of parents to rear their children in a healthy and moral climate are critical to a well ordered society. All of these are under assault today and can be further threatened by poorly conceived legislation. Attempts to protect people from discrimination should not exacerbate these problems. People should not be forced by law to accept into their homes, personal lives, or schools, behavior or a lifestyle which they find morally objectionable, even in the cause of non-discrimination.

Legislation must not make homosexual behavior or lifestyle a protected or approved activity. We urge you to reject this bill.

Respectfully submitted,



Eric Schiedermayer  
Executive Director, Montana Catholic Conference

LEGISLATIVE JUDICIARY

Exhibit No. 11  
Date 1-17-05  
Bill No. SB 199