

Two churches in Hawaii were denied a petition for a restraining order to block a new state law that would allow same-sex couples to enter into civil unions.

The Emmanuel Temple House of Praise and Lighthouse Outreach Center Assembly of God believe that the law, which went into effect on Jan. 1, 2012, violates their civil rights and constitutional protections for religious freedom, the Court News Service reported.

Filing a federal lawsuit against the state, Gov. Neil Abercrombie and the Department of Health director Loretta Fuddy, the two churches hoped to receive an injunction that would help them “maintain their 1st, 5th and 14th Amendment rights.”

They argued that they would face sexual-discrimination claims, civil penalties and fines if they refused to perform a ceremony for a same-sex couple on church grounds.

Though the new law exempted clergy from performing the ceremonies, it did not allow churches the right to refuse the use of their property for same-sex civil unions.

Despite their attempts to secure a restraining order, however, U.S. District Judge Michael Seabright denied their request, stating that there was no “realistic danger of sustaining a direct injury under the statute.”

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Responding to the decision, Matt Barber, constitutional attorney and vice president of Liberty Counsel Action, told The Christian Post, “Judge Seabright did not address the merits of the case and denied the preliminary injunction because he felt church representatives did not yet have standing. He wrote, ‘A couple would have to ask, they would have to be denied, and they would then have to file suit,’ if a church refused to accommodate a request to hold a civil union ceremony.”

“Still, left as written, this sweeping new civil unions law does place churches, mosques and synagogues in the crosshairs of the homosexual activist political lobby. It has been reported that homosexual pairs have already filed complaints with the Hawaii Civil Rights Commission against churches and houses of worship in the past year ‘for refusing to rent their facilities for same-sex unions and/or marriage ceremonies.’”

“At some point,” he added, “a lawsuit will be filed or the Commission will make a ruling on the complaints. When that happens, it is likely that the case would be considered ripe for adjudication.”

Barber also contended that the plaintiffs had a warranted concern, despite Seabright’s opinion that the churches’ request was “unjustified.”

“We know that in states like New Jersey and elsewhere, similar complaints have resulted in churches being forced to allow counter-biblical ‘gay marriage’ ceremonies to be held on their private property under penalty of law. This is clearly an unconstitutional violation of the First Amendment.”

“It is my belief that this is by design,” the attorney revealed. “Homosexual pressure groups and individual activists are not happy with mere ‘tolerance’ for their lifestyle choices and behaviors. They demand that all of society fully affirm homosexual conduct under penalty of law. Religious faith

traditions that recognize homosexual behavior as sin are not exempted from these demands.”

“For this law – and others similar to it – to pass constitutional muster, it is critical that churches, businesses and individuals with a moral objection to homosexual conduct be exempted from these overreaching kinds of ‘sexual orientation’ dictates,” Barber concluded.

He further commented that “the government has no business putting its official stamp of approval on behaviors considered immoral by the majority of the world population. To force others to the official government line amounts to true discrimination.”

The Emmanuel Temple House of Praise and Lighthouse Outreach Center Assembly did not immediately respond to The Christian Post when asked for a comment on the recent decision.

Hawaii is the eighth state to legalize same-sex civil unions, with Delaware recently joining the list. Other states include Illinois, Vermont, New Hampshire, Connecticut, New Jersey and Rhode Island, according to the National Conference of State Legislatures.

Among those states, Vermont, New Hampshire, and Connecticut all passed same-sex marriage legislation.