

# FREEDOM FROM RELIGION *foundation*

P.O. BOX 750 › MADISON, WI 53701 › (608) 256-8900 › WWW.FFRF.ORG

November 23, 2021

**SENT VIA EMAIL AND U.S. MAIL:**

**theresa.manzella@mtleg.gov**

The Hon. Theresa Manzella  
Senator  
Montana State Senate  
640 Gold Creek Loop  
Hamilton, MT 59840

Re: Recent comments on LGBTQ community and Free Exercise of Religion

Dear Senator Manzella:

We are writing on behalf of the Freedom From Religion Foundation to object to recent comments you made regarding LGBTQ constituents and fundamental rights. FFRF is a national nonprofit organization with more than 35,000 members across the country, including many members in Montana. FFRF protects the constitutional separation between state and church and educates about nontheism.

At a recent rally in Clinton, defending a pastor accused of hate speech and ethics violations, you reportedly said that members of the LGBTQ community “like to play the protected class card and they’re the minority and they’re discriminated against, and they’re scared to walk down the street hand in hand. I’ve got to tell you, I think those are normal consequences associated with the choices they made. We don’t prevent them from doing that.”<sup>1</sup>

Following intense backlash for this shocking comment, you offered your own transcript of your speech, in which you changed the last sentence to, “No one is preventing them from walking hand in hand.”<sup>2</sup> Your transcript continues, “as far as being minority — My rights are given to me — the individual — BY GOD, and protected by the constitution. The smallest minority on earth is the individual. Those who deny individual rights cannot claim to be defenders on minorities.” In

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<sup>1</sup> Mike Dennison, *Hamilton lawmaker’s comment on gays questioned; she says it’s out of context*, Missoula Current (Nov. 20, 2021); see also reportedly verbatim transcript at [twitter.com/skylar\\_rispens/status/1461811075050049549](https://twitter.com/skylar_rispens/status/1461811075050049549).

<sup>2</sup> [www.facebook.com/theresa.manzella/posts/10224940119844325](https://www.facebook.com/theresa.manzella/posts/10224940119844325).

your own version of your speech, you also argued that your “right to live a righteous lifestyle based on [your] sincerely held religious beliefs does not end where [others’] choice to live a perverse lifestyle begins. [Others’] decision to be perverse does not trump [your] right to be righteous. . . . You wanna know how to fix America? Put Jesus back in all the places you’ve asked him to leave. School, government, your home, your church and your heart.”

We and many others respectfully request that you retract your recent harmful and misguided statements about members of the LGBTQ community. Your comments suggesting that same-sex Montanan couples should live in fear when in public are abhorrent, intolerant, and fundamentally unAmerican. Scientific evidence demonstrates that sexual orientation is not an exclusively learned or chosen behavior, as you suggest. Your rejection of this consensus is not mere ignorance, but instead, a willful choice of bigotry toward fellow Americans. The law has begun to adopt the consensus view, recognizing sexual orientation as a protected class. It is now a fundamental tenet of jurisprudence in the United States that a person should not be penalized for immutable traits, such as race, gender and sexual orientation, that have historically been the bases of discrimination. LGBTQ Montanans are, and ought to be, valued members of our society. They deserve the basic human dignity and respect that is intrinsically owed to everyone in our country, the most basic right of which is to be able to live their lives without fear of violence. And they deserve to be represented by you, their elected senator.

Your specific comments suggesting that your religious “exercise” rights *don’t* end where others’ rights of expression begin are of most concern to the members of our organization. Such an interpretation of the First Amendment undermines the spirit of the very Constitution you purport to adore. You have called the Founding Fathers “inspired.” FFRF recommends that you read the brilliant secular works of human thought that actually inspired the framers of our secular Constitution, and put down your bible, which notably is not mentioned in the Declaration, Constitution, or Federalist Papers.

Regarding your comments on the role of Christianity in government, you should know the First Amendment’s very first clause bars the establishment of an official religion and creates a wall of separation between state and church. Your statement demanding that we “put Jesus back in all the places [we’ve] asked him to leave,” beginning with public schools, is a blatantly unconstitutional attempt to impose your personal religion onto other Americans. Thanks to the rule of law, and unlike

biblical commands, you are not allowed to pick and choose which clauses of the Constitution you want to follow.

The Bill of Rights exists to protect minorities from the persecution and tyranny of the majority via government power—a concept you are quite aptly demonstrating the need for by seemingly blaming the LGBTQ minority for violence directed at them. These rights, importantly, protect us from government intrusion into our lives and the unjustified use of state power, and are commonly categorized as “vertical rights.” The excessive free exercise rights you are claiming are “horizontal rights,” which do not exist in our constitutional tradition.

One of the principles that made the U.S. Constitution so revolutionary was the acknowledgment of the Enlightenment ideal to recognize and protect fundamental *human* rights, as opposed to the unAmerican notion that the Christian god gives believers-only such rights. Notwithstanding the rhetorical flourish in the Declaration (“endowed by their creator”), our constitutional rights do not depend on theology. Instead, We the People recognize unalienable rights that are protected by our founding document, the godless U.S. Constitution.

The United States of America is ultimately an experiment in the benefits of human toleration, cooperation and coexistence. Nonreligious Americans are the fastest growing segment of the U.S. population by religious identification — 35 percent of Americans are non-Christians, and this sector is mainly secular, with more than one in four Americans now identifying as religiously unaffiliated.<sup>3</sup>

Please take the time to learn about the document you purport to revere so much—the U.S. Constitution—and commit to upholding your oath of office by standing up for *all* Montanans, not just those who share your personal religious beliefs.

Very truly,



Annie Laurie Gaylor & Dan Barker

Co-presidents

ALG/DB:mh:rdj

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<sup>3</sup> Pew Research Center, “In U.S., Decline of Christianity Continues at Rapid Pace,” (Oct. 17, 2019) at <https://pewrsr.ch/2VPiFS7>.