

LETTERS TO THE EDITOR

In the Fall issue of Journal of Social Work Values and Ethics, I wrote a controversial editorial titled [Abortion and Gay Marriages](#). Following are letters in reply.

From: [Tamikka Gilmore](#)
Sent: Monday, February 01, 2016 12:38 PM
To: smarson@nc.rr.com
Subject: Editorial: Abortion and Gay Marriages

Dear Editor,

I, like you, also have my Master of Social Work (MSW). I received my MSW from a small, rural town in the southeast. I am a Christian and I was born, raised, and educated in the south. I like many other clinicians, enter the profession because we have something intrinsic and unique to add to the profession. With this knowledge, we work tirelessly and with passion to assist individuals from all walks of life define and achieve their definition of success.

I do however realize that a lack of exposure does constrict one's ability to think beyond one's comfort level. I had a coworker once tell me that the relationship between her godfather and his partner of more than ten years has been the most consistent and loving relationship she has seen. In one of my law classes, we read a case study of a Muslim stewardess who did not want to serve alcohol because of her religious position. Well, the airline did not dismiss her, but worked with the other crew and staff so the stewardess would not have to serve alcohol.

While I respect Ms. Davis' moral position, if removing her name and replacing it with "Clerk of Courts for Rowan County Kentucky" was something she did not want to do or fully understood the implications that it carried, this position may not have been in her best interest.

I am a Christian and I also have my moral beliefs. I also cannot bury my head in the sand and ignore legislation and the world around me. This is not

socialism. This is believing in the dignity and worth of a person -- regardless of "who" or "what" the person represents.

I grant permission for The Journal of Social Work Values and Ethics to publish this letter.

In Service,
W. Tamikka Gilmore, MSW
Doctoral Student, Wingate University

From: Melissa Hunt
Sent: Tuesday, January 26, 2016 9:18 AM
To: smarson@nc.rr.com
Subject: reaction to article

Steve,

This is my reaction to your article... I have given a lot of thought to this article. As the article states being opposed to same sex marriage based on religious grounds are constitutionally protected. So can we compromise? Ms. Davis's did not oppose her deputies granting the license for gay marriage. The job duties changed after Ms. Davis had taken the position. We seem to be so uncompromising when it comes to liberating beliefs such as same sex marriages but not so much regarding traditional beliefs. To compare this woman to an Isis terrorist is a bit rigid and extreme but it does make one ponder Is Ms. Davis a representative of the past, dark history of Christianity or are we a society created on foundation of beliefs so complex the solutions are beyond us?

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Melissa Hunt, MSW, LCSW

LETTERS TO THE EDITOR

From: [LaVern Oxendine](#)
Sent: Tuesday, January 19, 2016 7:01 AM
To: Stephen Marson Ph. D
Cc: LaVern S. Oxendine
Subject: Abortion and Gay Marriage/please edit as needed

Dr. Marson,
First, I totally am in agreement with your professional values in reference to abortion and gay marriages. I too would never work for an organization where my professional values and the agency's values were in conflict. You are upholding true social work profession values. Kim Davis should seek other employment where her values are not in conflict with the employing agency. Same-sex couples have the right to marry in all 50 States and its territories and no State can reserve the right only for heterosexuals. Abortion is a hot topic too. I am a previous board member of Planned Parenthood of Central North Carolina where collectively we advocated for women's rights in reproductive health care and abortion. I definitely agree with you in that I do not see the difference between Kim Davis' position and that of ISIS where she and ISIS both believe in instilling religious ideology on others.

I grant permission for The Journal of Social Work Values and Ethics to publish this letter.

LaVern Oxendine, MSW
Retired

From: [Paul Adams](#)
Sent: Wednesday, November 11, 2015 1:41 PM
To: Stephen Marson Ph.D
Subject: Kim Davis and the Claims of Conscience: A Response to Stephen Marson

During his recent visit to the United States Pope Francis had two meetings that spoke to the rights of conscience. One was the Little Sisters of the Poor, who refuse, as a matter of conscience, to collude

in providing coverage for abortifacient drugs and contraceptives and face crippling fines as a result. The other was with Kim Davis, a non-Catholic Christian who stood by her conscience in the face of jail, slander and abuse. In that meeting the two embraced and the pope told Davis to "stay strong."

Terry Moran of ABC News asked the pope if he supported government officials who could not in conscience fulfill their duties. Francis answered that "if a person does not allow others to be a conscientious objector, he denies a right. Conscientious objection must enter into every juridical structure because it is a right, a human right." In a follow-up question, Moran asked if this applied to government officials. "It is a human right," Francis answered, "and if a government official is a human person, he has that right. It is a human right" (my emphasis). Reuters reported this exchange under the heading, "Govt workers have right to refuse gay marriage licenses –pope."

This right is a basic part of Catholic Social Teaching, as spelled out in The Compendium of the Social Doctrine of the Church:

Unjust laws pose dramatic problems of conscience for morally upright people: when they are called to cooperate in morally evil acts they must refuse.

Besides being a moral duty, such a refusal is also a basic human right which, precisely as such, civil law itself is obliged to recognize and protect. Those who have recourse to conscientious objection must be protected not only from legal penalties but also from any negative effects on the legal, disciplinary, financial and professional plane. (Par. 399)

The liberal position is inconsistent (some would say hypocritical) on this point. While deploring some like Davis or the Little Sisters of the Poor, they have no such trouble with others, including public officials who defy or disregard the law as a matter of conscience – for example those clerks

in San Francisco who continued to issue marriage licenses to same-sex couples when it was illegal to do so. Or with President Obama's refusal to uphold laws he disagrees with, whether DOMA or immigration law. Or the scofflaw sanctuary cities. There is no outcry about accommodations to the conscience of other public officials who oppose hunting and routinely receive exemption from the requirement of their job to issue hunting licenses. The outrage is confined to issues where the accommodation is sought to exempt a public official from acting against her conscience in matters that involve the new state orthodoxy, the established religion, of sexual liberalism, which brooks no dissent. Suddenly a simple and modest request for a conscience exemption is transformed into an attempt to impose a theocracy on the republic.

Davis and the pope are not alone in seeing the importance of conscience and the gravity, for person and community in a pluralist society, of coercing people into violating it. Countless Americans have stood up, as their consciences dictated, against unjust laws, beginning with the American Revolution and extending through Lincoln, Martin Luther King and Rosa Parks, to Kim Davis. Their position was that the laws they defied were unjust, hence illegal, and it was their duty in conscience to defy them. Lincoln was, like Davis, an elected public official who defied the Supreme Court on the grounds that its ruling (*Dred Scott*) was an unconstitutional judicial usurpation of power. He neither resigned nor buckled like a good Nazi – the two options that Justice Kennedy recently recommended, with reference to the Third Reich.

Martin Luther King, as he sat in Birmingham jail, answered the objection of those fellow clergy who asked, if one had a duty to resist unjust laws (upholding segregation) and to obey just ones (like *Brown v. Board of Education*), how one was to tell them apart. His answer, appealing to St. Augustine (“an unjust law is no law at all”) and St. Thomas Aquinas was this:

How does one determine whether a law is just or unjust? A just law is a man-made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law. To put it in the terms of St. Thomas Aquinas: An unjust law is a human law that is not rooted in eternal law and natural law. Any law that uplifts human personality is just. Any law that degrades human personality is unjust.

Opinions differ on both the process and the result of *Obergefell*. Was the Supreme Court opinion telling states to redefine marriage an unconstitutional usurpation – in Jefferson's term, “the despotism of an oligarchy” imposing its own opinion without constitutional warrant? And was the ruling substantively a just or unjust law by King's (and Aquinas's) definition? As for those who conscientiously conclude that the law is unjust, “when they are called to cooperate in morally evil acts they must refuse.”

Conscientious exemptions and accommodations are important, not for those who share the view that prevails in political and cultural elites, but precisely for those who hold unpopular but deeply held convictions. Even where pacifists were a tiny minority, democratic governments have exempted them from military service required by law.

Kim Davis

In discussing Kim Davis who acted according to her conscience in face of what she considered an unjust law, Marson goes beyond the provocative (an editor's privilege) to the frankly scurrilous. He claims to see no difference between her position and that of ISIS - a barbarous organization that rejects the claims of conscience and dissent and denies the rights of religious minorities to free exercise or even to life. He sees her, without evidence, as wanting to impose her views and establish a theocracy, just (in that respect) like ISIS.

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From what I can discern, the slurs on Ms Davis's character to the effect that she is an attention-seeking intolerant theocrat are the exact reverse of the truth. She is a Christian woman of conscience and character quietly and conscientiously abstaining from doing things she considers gravely wrong. Like the lead character of the movie, *Chariots of Fire*, she is not campaigning or organizing a movement - she is, in this respect, no Jefferson, Lincoln, King, or Parks - much less is she seeking to install a theocracy. She simply sought an accommodation so that she could follow her conscience in the matter at hand, as county clerks have done before her on a range of issues. Davis's goal was not to prevent anyone from getting married; it was only to remove herself from being the authority authorizing those marriages. That is, her goal was never to impose her views on people trying to obtain licenses.

It is not Davis but her enemies who impose their own sexual ideology on everyone else – through the courts, the academy, through silencing debate, character assassination, and driving dissenters out of their jobs, schools, professions, careers, and businesses, and closing down the kind of freedom of conscience and discussion that Marson celebrates in the opening account of his Catholic education.

I grant permission for *The Journal of Social Work Values and Ethics* to publish this letter.

Paul Adams
Ave Maria, Florida