

# Wisconsin Family Action: Responds to SCOTUS decision affirming First Amendment

Posted on Wednesday, Jul 5, 2023

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**MADISON** - Last Friday the U.S. Supreme Court handed down a 6-3 decision holding that “The First Amendment prohibits Colorado from forcing a website designer to create expressive designs speaking messages with which the designer disagrees.”

Justice Gorsuch in the majority opinion writes that “The First Amendment’s protections belong to all, not just to speakers whose motives the government finds worthy. The Nation’s answer is tolerance, not coercion. The First Amendment envisions the United States as a rich and complex place where all persons are free to think and speak as they wish, not as the government demands.”

The ruling is a major victory for those who do not want government telling them what to say or what messages they must create. That goes for the liberal publisher who does not want to publish a book with conservative views, as well as for the religious website designer who does not want to promote weddings that violate her religious beliefs.

The ruling in *303 Creative LLC v. Elenis* acknowledges the difference between disagreement and discrimination by distinguishing between serving all people and promoting all messages. Lorie Smith, owner of 303 Creative, happily designs websites for all customers but cannot create messages that run counter to her deeply held beliefs. Her decision is based on the message, not the person. The Court affirms that difference.

Colorado’s law attempted to force Smith to design wedding websites with a

message she did not agree with. Alliance Defending Freedom successfully argued the case, and all Americans are now freer for it.

Regardless of what one believes about a certain political or social issue, this ruling protects the right of all Americans to disagree with government, while also upholding a prohibition on discrimination based on the traits of a particular person or group.

Wisconsin Family Action filed an [amicus brief](#) along with other state allies urging the Court's decision in favor of Lorie Smith.