



**WISCONSIN FAMILY ACTION**  
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## **RELIGIOUS FREEDOM WINS IN US SUPREME COURT**

MADISON— Earlier today the United States Supreme Court released its opinion in one of the major cases of this term, the *Masterpiece Cakeshop* case originating in Colorado, involving owner Jack Phillips who declined to design a cake for a same-sex wedding. The high court ruled 7-2 in favor of Jack and his Masterpiece Cakeshop, overturning the State of Colorado's decision, which had punished Jack for declining to participate in a wedding that violated his religious beliefs.

Following is a statement from Wisconsin Family Action president Julaine Appling. Wisconsin Family Action (WFA) joined with other like-minded organizations from around the country in filing a friend-of-the-court brief in this case. That brief is available [here](#).

“Today is a victory for the Constitution and for all Americans. We are reminded we still have a justice system in which the First Amendment actually means something significant. This historic decision will no doubt be part of efforts to protect religious freedom in our country for generations to come. In essence, the decision sends a clear message that it is unconstitutional to show hostility towards people of faith in the marketplace because of their religious convictions.

“As Jack said in his statement, ‘[t]oday’s decision makes clear that tolerance is a two-way street. If we want to have freedom for ourselves, we have to extend it to others with whom we disagree,’ especially on important issues such as the meaning of marriage. The government’s hostility directly impacted the shop Jack and his family relied on for their livelihood, including receiving death threats and harassment.

“Since June 26, 2015, when the US Supreme Court forced a redefinition of marriage on Wisconsin and the entire country, we have known such a showdown was coming. Today’s decision is encouraging and we trust precedent setting moving forward.”

### **More About the Decision**

Jack Phillips, the owner of Masterpiece Cakeshop, served all customers including his LGBT neighbors. Jack was before the U.S. Supreme Court simply because he did not want to create a custom cake celebrating a same-sex wedding.

The US Supreme Court found that the Colorado Human Rights Commission treated Jack with incredible hostility. As Justice Kennedy wrote in the majority opinion:

*“[The] Commission’s treatment of Phillips’ case...showed elements of a clear and impermissible hostility toward the sincere religious beliefs motivating his objection. As the record shows, some of the commissioners at the Commission’s formal, public hearings endorsed the view that religious beliefs cannot legitimately be carried into the public sphere or commercial domain, disparaged Phillips’ faith as despicable and characterized it as merely rhetorical, and compared his invocation of his sincerely held religious beliefs to defenses of slavery and the Holocaust.”*

Thankfully, the U.S. Supreme Court found this hostility unconstitutional. While the decision was made on narrow grounds, it sets the tone for future cases on this issue. The decision also shows the Court is still open to considering whether cake artistry is protected speech, even if hostility is not evident.

Certainly this is not the final word in protecting religious freedom. Wisconsin Family Action will continue its work to ensure that Christians and all people of faith are not discriminated against because of their sincerely held religious beliefs.

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Wisconsin Family Action is a statewide, not-for-profit organization actively strengthening, preserving and promoting marriage, family, life and religious liberty in Wisconsin.