

Ruth Bader Ginsburg Was Right ... Sort of

While reams have already been penned examining the implications of last week's Hobby Lobby decision, most of what's been written, particularly in the liberal press, has missed the point entirely.

Though I'm mildly pleased that the Supreme Court is not quite ready to take gasoline to both the First Amendment and the Religious Freedom Restoration Act (RFRA), signed into law by Bill Clinton, a liberal, in 1993, I am alarmed, and so too should you be, that only 56 percent of our sitting U.S. Supreme Court justices are still willing to give the U.S. Constitution a modicum of the respect, recognition and compliance it not only deserves, but requires.

America was dragged before Obama's counter-constitutional, secular-"progressive" firing squad and remarkably, miraculously, they missed.

But it's a false sense of security. As we Christians and conservatives celebrate with chest bumps and high fives, we remain bound, gagged and blindfolded while these "progressives" reload. The next volley of cultural Marxist lead is but moments away.

Tick, tick goes the judicial-supremacy time bomb.

I don't mean to throw a wet blanket on the party. There is much to celebrate, and this ruling's broader implications are profound indeed. The opinion simply doesn't go far enough.

Yes, Hobby Lobby was, in part, about the non-negotiable fact that government cannot compel religious business owners of private, closely held corporations to be complicit in abortion homicide. It was also, tangentially, about the self-evident

reality that women are not, never have been and never will be, entitled to expect Christian men, who are not their husbands, to pay for their birth control and abortion drugs so that they can have consequence-free sex or otherwise murder their pre-born babies.

Hobby Lobby was chiefly about one of our very first freedoms: religious liberty.

How is it that this was a 5-4 decision? Even an elementary understanding of American history and a cursory analysis of both our U.S. Constitution and RFRA establish that this opinion should have been roundly unanimous. The majority decision merely recognized, in the weakest of terms, Americans' God-given, inalienable, constitutionally guaranteed right to religious free exercise (yes, even for those pesky Christian business owners).

Still, while lovers of freedom rejoice across the nation, the reality is that there are at least four domestic "enemies within" currently sitting on the highest bench in the land, not the least of whom is Ruth Bader Ginsburg.

Ginsburg tells you everything you need to know about Ginsburg: "I would not look to the U.S. Constitution, if I were drafting a Constitution in the year 2012," she disgracefully vomited a couple years back in an interview about the fledgling Egyptian government. "I might look at the Constitution of South Africa. That was a deliberate attempt to have a fundamental instrument of government that embraced basic human rights. ... It really is, I think, a great piece of work that was done. Much more recent than the U.S. Constitution."

Ginsburg hates the America of our founding. She hates our constitution and, like all true "progressives," endeavors to circumvent it at every turn.

And that's the prism through which we must interpret the parade of hyperbolic horrors in her scathing Hobby Lobby

dissent. She excoriated the constitutionalist majority for its ruling, calling it a “radical” decision “of startling breadth.” Still, when you cut through the alarmist tripe, she actually gets to the meat of the matter.

“In a decision of startling breadth,” she wrote, “the Court holds that commercial enterprises, including corporations, along with partnerships and sole proprietorships, can opt out of any law (saving only tax laws) they judge incompatible with their sincerely held religious beliefs.”

Uh, yeah, and?

Here’s what Ginsburg actually meant: “I hate the First Amendment. It’s broad, inalienable, and I want to alienate it. Oh, and dead babies. Lots of dead babies.”

Ginsburg is right. This decision was “of startling breadth,” but only if you happen to be a secular elitist hell-bent on marginalizing Christians and wielding unchecked power over your fellow Americans.

Indeed, the secularist left’s utter meltdown over having but a small measure of control over others wrested away is highly instructive. Still, why would we expect lefties to understand the First Amendment when these Rhodes Scholars are calling a decision penned by Justice Alito “#ScaliaLaw” on Twitter?

In his concurring opinion, Justice Anthony Kennedy, who more often than not gets it wrong, got one right:

“In our constitutional tradition, freedom means that all persons have the right to believe or strive to believe in a divine creator and a divine law. For those who choose this course, free exercise is essential in preserving their own dignity and in striving for a self-definition shaped by their religious precepts. Free exercise in this sense implicates more than just freedom of belief. ... It means, too, the right to express those beliefs and to establish one’s religious (or

non-religious) self-definition in the political, civic, and economic life of our larger community.”

Wow. And now for the pink elephant in the room: Although the Hobby Lobby decision did not directly address the raging cultural debate over counterfeit “gay marriage” and the irreconcilable friction this modern, sin-centric novelty has with the long-established and inalienable right to religious free exercise, it doesn’t take a Phi Beta Kappa to read between the lines and discover, as Ginsburg and Kennedy evidently agree, that the “startling breadth” of the decision most assuredly touches and concerns the debate head on. (And not in favor, I might add, of the homofascist “you-have-to-affirm-my-faux-marriage-or-go-to-jail” crowd.)

While Justice Kennedy is anything but predictable on these matters, this ruling makes it pretty clear that, as both the First Amendment and RFRA already assure, the Christian baker, photographer, florist or any other business owner, is protected from being forced, under penalty of law, into indentured servitude—from having to give their God-given time and talent to create goods or services that require they violate sincerely held religious beliefs.

In other words, both the First Amendment and RFRA trump any and all so-called “sexual orientation” laws. Or, as Ginsburg put it, private businesses “can opt out of any law (saving only tax laws) they judge incompatible with their sincerely held religious beliefs.”

Darn skippy.

Furthermore, Title VII of the 1964 Civil Rights Act expressly protects religious free exercise while ignoring newfangled notions of “sexual orientation” or “gender identity.”

When religious belief comes into conflict with sexual identity politics, religious belief wins every time. Period.

Let me be clear so there's no misunderstanding. I'm a Christian. If I'm a business owner and someone comes in requesting goods or services that would require me to violate my conscience—especially my biblically based, sincerely held religious beliefs—I will not, under any circumstances, provide those goods or services. This is my absolute, non-negotiable, constitutionally guaranteed right.

No debate. No question. No compromise.

The language of the Hobby Lobby decision simply acknowledges this reality.

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