

Christian Bakers File Appeal in Same-Sex Wedding Cake Case

Alliance Defending Freedom has filed an appeal on behalf of a Lakewood, Colo., cake artist who declined to use his creative talents to promote and endorse a same-sex wedding ceremony. In December, the Colorado Administrative Law Court ruled that the cake artist, Jack Phillips, must create cakes for same-sex wedding ceremonies and then prove he has complied with the coerced speech order.

“America was founded on the fundamental freedom of all citizens to live and work without fear of government punishment,” says lead counsel Nicolle Martin, one of nearly 2,300 attorneys allied with Alliance Defending Freedom. “Jack simply exercised the long-cherished freedom to not speak by declining to promote a false view of marriage through his creative work. It’s outrageous that the government would turn its guns on Jack and threaten him with a potential jail sentence unless he says and does what the government demands.”

In July 2012, Charlie Craig and David Mullins asked Phillips, owner of Masterpiece Cakeshop, to make a wedding cake to celebrate their same-sex ceremony. In an exchange lasting about 30 seconds, Phillips politely declined, explaining that he would gladly make them any other type of baked item they wanted but that he could not make a cake promoting a same-sex ceremony because of his faith. Craig and Mullins, now represented by the American Civil Liberties Union, immediately left the shop and later filed a complaint with the Colorado Civil Rights Division.

Alliance Defending Freedom’s summary judgment brief filed in the case explains that “the government and complainants seek to impose a new belief system upon Jack, one that is fundamentally at odds with his conscience and his liberty.

Complainants and the government want this Court to order Jack Phillips to cease and desist from holding views about marriage that they disagree with, and conform his conscience to their definition of marriage.”

Moreover, it states, “The government is unconstitutionally attempting to force Jack to violate his sincerely held religious beliefs and to compel him to speak a message that is contrary to his actual beliefs.”

“Every artist must be free to create work that expresses what he or she believes and not be forced to express contrary views,” adds senior counsel Kristen Waggoner. “Forcing Americans to promote ideas against their will undermines our constitutionally protected freedom of expression and our right to live free. If the government can take away our First Amendment freedoms, there is nothing it can’t take away.”