



Now 'gays' thrust beliefs onto Christian T-shirt maker

Bob Unruh

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Freedoms of religion and speech, protected in the U.S. by its Constitution and recognized widely in other parts of the free world in law and practice, are under attack again, this time in Kentucky where a local commission is demanding – at the request of a homosexual organization – that a printer produce T-shirts with a message that violates his Christian faith.

The fight now is before the Kentucky Court of Appeals over whether Blaine Adamson, the managing owner of Hands-On Originals, in fact has the rights that the U.S. Constitution is supposed to protect for him. Or whether he can be forced by homosexuals to produce a message which conflicts directly with his deeply held religious beliefs.

“Protecting Blaine’s freedom affirms everyone’s freedom, no matter the nature of their beliefs or convictions,” said ADF Senior Counsel Jim Campbell. “The government shouldn’t be able to force citizens to create speech that conflicts with their deepest convictions, and the trial court’s decision rightly affirmed that.”

Adamson had declined to print shirts promoting a “gay pride” event held by a “Gay and Lesbian Services Organization” in the Lexington-Fayette region. He explained it was because of the message that contradicted his faith. In fact, he wasn’t even aware of the sexual lifestyle choices of those making the request.

Despite that, the homosexuals filed a discrimination complaint and the Lexington-Fayette Urban County Human Rights Commission ordered Adamson to violate his faith. A local court decision reversed that, but the commission then took the fight to the Kentucky Court of Appeals.

The [Alliance Defending Freedom](#), which has been working with Adamson, now has filed a [brief there](#).

ADF explains that Adamson routinely declines to do print jobs when the message violates his faith, rejecting at least a dozen in recent years. Instead, he offers referrals to other print shops for those customers. Those subjects included a strip club, a sexually explicit video and a message that included violence.

So that's what he did when the GLSO wanted to promote a "gay pride" event.

Instead of recognizing Adamson's constitutional rights, however, the GLSO filed its complaint, which ultimately failed in the district court.

The ADF argues that the decision will impact all people, not just those of faith. For example, a lesbian printer in another state endorsed Adamson in the fight, because a ruling against him could then be used to force her to produce messages with which she disagrees, too.

Adamson, the brief explains, has "never declined to work with people because of their race, sex, sexual orientation or other legally protected characteristic. On the contrary, HOO works with everyone, including gay and lesbian customers ... and regularly hires gay and lesbian employees."

"The government ... cannot force its citizens to convey a message that they deem objectionable or punish them for declining to convey such messages," the brief explains. "The U.S. Supreme Court unanimously held that the government could not apply that law [in another case] to force that organization to convey unwanted messages."

The high court also has determined "entities ... do not discriminate against gays and lesbians when they serve LGBT individuals but decline to promote messages of LGBT advocacy groups.

The constitutional concept that people cannot be forced to provide a message with which they disagree is the focal point of the fight.

"That constitutional principle, at issue because Mr. Adamson declined to produce advocacy materials for the Gay and Lesbian Services Organization (GLSO), protects all individuals, regardless of their beliefs," the ADF brief explains.

"It is thus no surprise that 'a lesbian owned and operated T-shirt company...,' and groups that 'strongly support[...gay rights...,' have publicly supported HOO. For just as surely as the First Amendment protects HOO against the GLSO's discrimination claim, it also forecloses a religious-discrimination claim against an LGBT printer who refuses to create materials that disparage gays and lesbians. Thus, a ruling for HOO upholds the freedom of *all* who are asked to produce expression that they consider objectionable," the filing explains.

"The government has no good reason for overriding a person's freedom to peacefully live out his beliefs," added co-counsel Bryan Beauman with Sturgill, Turner, Barker & Moloney, PLLC, of Lexington. "Everyone who contacts Blaine gets the expressive materials they're looking for,

because he will either create the expression for them or refer them to someone who will. It's intolerant to insist that Blaine's business must produce expression that violates his beliefs."

Belfast 'intolerance'

It's just exactly that intolerance, however, that has been the subject of several fights of late.

For example, WND reported on a fight sparked by a homosexual's demand that a bakery in Belfast, Northern Ireland, promote a "gay" theme.

In the case against Ashers Baking Co., a lower court ruled last year that its owners discriminated against a homosexual customer by refusing to put a "gay"-promoting slogan on a cake – even though the bakery owners have argued they didn't know, or care, about any customer's sexuality.

They argued that the message violated their Christian faith.

A scheduled appeals court hearing in the case was delayed when Attorney General John Larkin asked to intervene, because of the "non-discrimination" law's potential conflict with the European Convention on Human Rights.

The owners had gotten an unexpected boost just day earlier when homosexual activist Peter Tatchell wrote in the London Guardian that while he originally condemned Ashers, he has changed his mind.

"Two days before the case goes to appeal, I have changed my mind. Much as I wish to defend the gay community, I also want to defend freedom of conscience, expression and religion," he wrote.

"It pains me to say this, as a long-time supporter of the struggle for LGBT equality in Northern Ireland, where same-sex marriage and gay blood donors remain banned. The equality laws are intended to protect people against discrimination. A business providing a public service has a legal duty to do so without discrimination based on race, gender, faith and sexuality.

"However, the court erred by ruling that [Gareth] Lee was discriminated against because of his sexual orientation and political opinions. ... His cake request was refused not because he was gay, but because of the message he asked for. There is no evidence that his sexuality was the reason Ashers declined his order," he wrote.

Muslim printers publishing Mohammed cartoons?

"This raises the question: Should Muslim printers be obliged to publish cartoons of Mohammed? Or Jewish ones publish the words of a Holocaust denier? Or gay bakers accept orders for cakes with homophobic slurs? If the Ashers verdict stands it could, for example, encourage far-right extremists to demand that bakeries and other service providers facilitate the promotion of anti-

migrant and anti-Muslim opinions. It would leave businesses unable to refuse to decorate cakes or print posters with bigoted messages," Tatchell wrote.

Likewise, in a case involving a county clerk, Kim Davis, her defenders have pointed out that those who demanded a same-sex "marriage" license using her name had only made the demand after finding out about her faith objections.

WND reported earlier when Liberty Counsel explained that the plaintiffs in the case weren't really after "fairness," they were out to force their agenda on Christians.

"Rowan County is bordered by seven counties, and the clerks' offices in these counties are within 30-45 minutes from the Rowan county clerk's office. ... More than ten other clerks' offices are within a one-hour drive of the Rowan County clerk's office, and these counties are issuing marriage license, along with the two counties where the preliminary injunction hearings were held in this matter," the organization reported.

But the plaintiffs, in the case now pending at the 6th U.S. Circuit Court of Appeals, declined to seek a "marriage" license there, instead specifically targeting Davis.

"In fact, plaintiffs only attempted to obtain a marriage license from the Rowan County clerk's office after becoming aware of Davis' religious objections to [same-sex marriage]," the organization argued.

But it is the Hands-On case that seems to epitomize the demand by some homosexual interest groups that those with differing beliefs not only tolerate, but endorse and support them.

The Fayette Circuit Court was quick to rebuke that message, finding the First Amendment's right to speak – or not speak – trumped the politically correct stance of forced messaging.

But the local commission raised the stakes, advancing its complaint to the Kentucky Court of Appeals, and the higher it goes, the bigger impact it will have. And with such conflicts erupting in the wake of President Obama's abrupt flip-flop to supporting "gay marriage" and the Supreme Court's creation of "same-sex marriage" across the country, it's being watched closely.

Opponents of the commission's move are explaining just how high the pro-homosexual advocates would need to reach in order to obtain a decision that would force someone to make a statement with which he or she fundamentally disagreed.

Constitutional expert sounds off

"The government may not require Americans to help distribute speech of which they disapprove," said a brief filed by The Cato Institute as well as constitutional expert Eugene Volokh of the UCLA School of Law.

"Printers ... have a First Amendment right to choose which speech they will help disseminate and which they will not. The district court's grant of summary judgment, which correctly recognizes and protects this right, should therefore be upheld."

If the decision advances to a certain point, it could end up being cited in other cases that right now are being fought. The Sweet Cakes by Melissa case in Oregon, the Masterpiece Bakeshop in Colorado, and more.

It gets to the fundamental issue that the briefs cite: The company is not refusing to print a message, or create a cake with a specific message, based on the *customer*, but because of the *message*, which brings in the First Amendment precedents.

WND has compiled a list of such disputes that have erupted, in its [Big List of Christian Coercion](#).

There, listed are cases brought against Christians who have been accused of violating non-discrimination laws because they are following the dictates of their faith.

Volokh explained the case isn't complicated: "The facts are simple: the owners of Hands On Originals – a business that prints T-shirts, mugs, and other such materials – refused to print T-shirts for the Gay & Lesbian Services Organization with the logo of the Lexington Pride Festival, a gay pride event. The owners didn't care about the sexual orientation of the customers, but they didn't want to be a part of promoting the event's message. The Gay & Lesbian Services Organization complained to the Lexington-Fayette Urban County Human Rights Commission, arguing that this refusal violated the organization's rights to be free from sexual orientation [discrimination] in a place of public accommodations."

His analysis said, "Because the First Amendment protects the 'individual freedom of mind,' people may not be required to display speech with which they disagree. ... Likewise, this individual freedom of mind means that people may not be required to print speech that they disagree with. Like artists, writers, or book publishers, printers – whether they print on paper or on T-shirts – have the constitutional right to choose which messages they print."

'Both sides can live their own values'

A separate brief from the Becket Fund said, "In our pluralistic society, the law should not be used to coerce ideological conformity simply to shield some groups from encountering people who disagree with them. Rather, on hotly contested moral issues, the law should 'create a society in which both sides can live their own values.'"

That brief pointed a significant potential downside for homosexual activists.

"GLSO admits that it would reject a religious organization that wanted to set up a booth condemning homosexuality at the Pride Festival ... Such conduct should be protected, just as a

pro-choice printer's refusal to print religious pro-life messages should be protected, and just as a gay photographer's refusal to photograph a religious anti-gay rally should be protected. But if the commission's current interpretation of the law were applied in an even-handed way, the commission admits it may have to treat objections to hostile religious messages as equivalent to invidious anti-religious discrimination..."

In Northern Ireland, the bakery owners, the McArthurs, have argued in court they were unaware of any potential customer's sexual lifestyle choices. They simply could not subscribe to the message.

The Christian Institute recently posted a video of the bakery's managers explaining that the lower court decision appeared to have been made before evidence was presented.

"They wanted to teach us a lesson. ... If you're a Christian, don't bring it into work," they said.