

Exercise Of Economic Liberty Is The Exercise Of Religious Liberty

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Commonly, many don't associate economic liberty and religious liberty together. Essentially, the two topics are split and are championed by several different groups; whom of which, have very different intentions. However, is it possible to amalgamate the two ideas? The short answer, in my analysis on this paradigm, is "yes."

"But, why?"

The Cato Institute, in their daily podcast for May 18th, 2016, examined how religious and economic liberty are different sides of the same coin, essentially. Based on the argument of constitutional freedom of association, implied by the First Amendment, being a building block for economic success, the fact that associating with religious groups quickly relates to one associating with market forces in the economy.

Disturbingly, though, the sentiment of restricting economic rights of the religious actors in the free market in the name of diversity and anti-discrimination lacks a certain level of cogitation. More and more, across the country, a case of reverse discrimination, backed by the state and local governments, has to be castigated upon several Christian, Jewish, Muslim, and other religious merchants seeking to exercise a freedom of conscience

Quite possibly, the most prevalent case of this is the situation where a baker in Lakewood, Colorado confidently objected to creating a wedding cake for a same sex couple. In a series of litigation, with the benchmark case *Masterpiece Cakeshop v. Colorado Civil Rights Commission* pending in the U.S. Supreme Court, the right of conscience in the free market is being put on trial. However, pushing from this case is a narrative that even in the economy, people should and are created equally, including a refusal of service based on the First Amendment rights of a citizen.

Yet, resuming to the argument of how religious liberty is economic liberty, we just need to use some common sense...

In 1993, President Bill Clinton signed the bipartisan Religious Freedom Restoration Act reaffirming the Free Exercise Clause of the First Amendment. Yet, sense then, the RFRA has been deemed unconstitutional based on the broad enforcement power that Supreme Court declared that Congress did not have; yet, the legislation is still used to determine is religious

carve outs and exemptions from federal anti-discrimination laws. RFRA has also been changed to adapt at the state level with over 20 states in the Union with their own versions.

To further contextualize this example, the most recent push for a state RFRA took place in Colorado just the other day. Republican members in the Colorado House of Representatives proposed a free exercise of religion bill that provided carve outs for people of all faiths who wish to exercise their freedom of conscience in several contexts, including in commerce. However, the Democrats on the kill committee in the Colorado House contended that the legislation was lacking and provided no adequate protections for LGBTQ individuals and that it advocated for more than one religion (ergo violating the First Amendment). Nevertheless, the bill was intended for equal application of exemptions.

So, like I mentioned prior, we can solve this with common sense. A Muslim baker should not have to provide service to a Christian if they don't agree with their faith. A Jewish florist doesn't have to do flora or decoration for two members of the Ku Klux Klan. And, the powder keg, a Christian baker doesn't have to bake a wedding cake for a gay couple if they don't agree with it.

Regardless, many of these bakers, florists, pastors and consumers have the right to do business how they please. Many people contend, also, that they will not restrict an individual with opposing convictions from entering their establishments. Simply put, most bakers will give a gay couple a birthday cake; but, the baker should reserve the right to opt out of providing a service.

All of this appears to the right of conscience, association, and all of the First Amendment. The only thing that is divisive in this debate is the blatant disregard for the religious majority that encompasses all walks of life, sexual orientation or identification, belief, and socio-economic class.