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SCOTUS Could Consider First Amendment

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Last August, a New Mexico photographer lost her case before the state Supreme Court, which ruled that, despite her Christian faith, Elaine Huguenin did not have the right, First Amendment or otherwise, to decline to take pictures at a same-sex commitment ceremony. Vanessa Willock and Misti Collinsworth sued Huguenin and her husband Jonathan, with whom she operates the studio, despite there being other Albuquerque photographers who were happy to take their business. The case is a poster example of the intolerance foisted on us by the homosexual agenda, as the [recent kerfuffle in Arizona](#) also illustrated.

Now the Supreme Court will decide in the coming days whether to hear Huguenin's appeal. While she will “gladly serve gays and lesbians,” she doesn't want to photograph a same-sex “marriage” or commitment ceremony. She contends that her photography constitutes speech and she should not be forced to “create expression conveying messages that conflict with [my] religious beliefs.”

Ilya Shapiro of the libertarian Cato Institute, UCLA law professor Eugene Volokh, and University of Minnesota law professor Dale Carpenter jointly wrote an amicus brief supporting the Huguenins, arguing, “Photographers, writers, singers, actors, painters and others who create First Amendment-protected speech must have the right to decide which commissions to take and which to reject.”

The state Supreme Court didn't see it that way, however. Justice Richard C. Bosson wrote in concurrence that the case “provokes reflection on what this nation is all about, its promise of fairness, liberty, equality of opportunity, and justice.” Furthermore, “at some point in our lives all of us must compromise, if only a little, to accommodate the contrasting values of others. A multicultural, pluralistic society, one of our nation's strengths, demands no less.” That “compromise” is increasingly being demanded of only one side in this debate. Now it's up to the U.S. Supreme Court to either let this egregious violation of conscience and speech stand or to set the record straight.