



## Washington State Supreme Court Rules against Christian Florist in Gay Marriage Case

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On Thursday, nine judges who serve on the Washington State Supreme Court ruled against florist Barronelle Stutzman of Richland, Washington—a 72 year-old grandmother who now faces fines of hundreds of thousands of dollars for desiring to run her local flower shop according to orthodox Christian beliefs.

Prior to the court battle, Stutzman had known the plaintiff Rob Ingersoll and served his needs for more than nine years—using her artistic talents to make birthdays, funerals and other occasions meaningful.

“You just want to do something out of the ordinary—something that tickles somebody’s fancy or makes them smile,” she said in a [recent interview](#) describing her work as a floral designer. Her small business has recently grown to a staff of ten.

Soon after Washington state legalized same-sex marriage in 2012, this small flower shop became ground zero in a battle over the definition of marriage, religious liberty and the force of law that has consumed the nation.

In the case, *State of Washington v. Arlene's Flowers*, Stutzman contended that creating custom floral arrangements is an issue of artistic free speech and association with her clients.

The same-sex couple wanted to compel Stutzman to use her “imagination and artistic skill to intimately participate in a same-sex wedding ceremony,” to quote her legal brief authored by attorneys at Alliance Defending Freedom. What Ingersoll and his partner wanted was, for Stutzman, tantamount to endorsing same-sex marriage.

“Without intending to do so, Rob was asking me to choose between my affection for him and my commitment to Christ,” [wrote Stutzman](#) in her local paper when the lawsuit was first filed. “As deeply fond as I am of Rob, my relationship with Jesus is everything to me. Without Christ, I can do nothing.”

But in the eyes of the law, is referring her clients to another florist protected by the First Amendment? The [legal battle](#) over this question has persisted for nearly four years. By unanimous vote on Thursday, the Washington Supreme Court denied this claim.

Represented by Alliance Defending Freedom, a non-profit public interest legal firm based in Scottsdale, Arizona, Stutzman plans to appeal the ruling to the U.S. Supreme Court.

Knowing it will set precedent, both sides devoted considerable legal resources to the case. “This case isn't really about us,” stated Curt Freed following an early ruling in favor of him and his partner. “We've done what we've done because we don't want this to happen to other people.”

The ruling by the Washington Supreme Court orders Stutzman to pay the legal fees of the ACLU and other lawyers representing Ingersoll, which could ultimately tally in the hundreds of thousands of dollars, in addition to \$1,001 fine per a lower court ruling.

Yet Stutzman's side may yet prevail at the nation's highest court, if her coalition of allies is any indication. The stalwart libertarian group Cato Institute submitted an *amicus brief* in support of Stutzman, making the case that “forcing people to speak is just as unconstitutional as preventing or censoring speech.”

While Cato Institute stands in favor of same-sex marriage, the group states that compelling citizens to endorse views they find objectionable is not in keeping with U.S. law. “Unlike true cases of public accommodation, there are abundant opportunities to choose other florists in the same area,” states Cato scholar Ilya Shapiro.

Conservative groups that uphold the historic Christian view of marriage as between one man and one woman, such as Family Research Council and the Ethics and Religious Liberty Commission (ERLC), have authored resources to elucidate the legal principles at play in this case.

“Supporters of religious freedom laws are not interested in discriminating against *persons*,” wrote Andrew Walker, director of policy studies at ERLC, responding to charges of *invidious discrimination* brought against advocates of traditional marriage.

“What many find objectionable are participating in *services* that have an overtly sacramental meaning,” explains Walker.

Because Stutzman is named personally in the lawsuit, in addition to her small business Arlene's Flowers, she could lose her “life's work and savings, which will also harm those whom I employ,” notes Stutzman in a statement today.

In addition to appealing the ruling to the Supreme Court, Alliance Defending Freedom has called on President Donald Trump to issue an executive order to protect the religious freedom rights of Stutzman and others.

“President Trump, who has promised to make religious liberty the ‘first priority’ of his administration, has an opportunity to take a stand against the ongoing efforts to marginalize people of faith,” states the public interest legal group.