

**Dianne Duggan, assistant director of Lady Liberty League
Response to Masterpiece Cake case
December 2017**

My perspective on this case is a mixed one. I fully support freedom of speech and of religion. As one who has emerged from several closets (LGBTQ and Pagan), I am hyper-aware of restrictive and discriminatory language and actions.

In its face, it is easy to say that it is the baker's right to practice their faith and no one can or should interfere with that. In actuality, however, no one was trying to deny their freedom of speech or religion. No one said they cannot practice their faith or talk about it.

In making their business open to the public, the baker opened themselves up to whomever might walk through the door for an order. This is no different than a case of racial discrimination. While sexual orientation is not a fully protected class (it varies by state), it is on the borderline of being such a class. It takes legislative and judicial action to protect a class of folks and I believe that is where our courts are headed.

Had the couple asked for something illegal, the baker could have refused. In this case, there was nothing illegal.

Being gay makes one a member of a suspect class of people. These folks meet criteria suggesting that they mdo gut be the subject of discrimination. Hopefully, this court will solidify LGBTQ folks as a protected class.

This baker is asking that their actions, more than their speech, be allowed as non-discriminatory. They are not being denied the right to talk. This is akin to an artist only selling to Caucasians - to the exclusion of Africans. In my estimation this is not the same as practicing their right to say anything, within reason but is more like yelling 'fire' in a crowded theater. This is not protected speech.

About religion, to say they are being denied their freedom of religion, they must show that denying this couple or class is a tenet of their faith and is a sincerely held religious belief. They must show the depth to which they do not interact with homosexuals. Again, because they run a business open to the public, they cannot deny a class of customer.