

# VICTORY IN SUPREME COURT

[Bill Donohue](#)

In a 6-3 decision, the U.S. Supreme Court held that the First Amendment rights of a Colorado woman, Lorie Smith, must be respected when it comes to forcing her to express beliefs that are contrary to her conscience. This is a great victory for free speech and freedom of religion. Catholic League submitted an amicus brief in this case.

Our brief was prepared by Kathleen A. Gallagher and Russell D. Giancola of Gallagher Giancola LLC, a Pittsburgh-based law firm. They argued that “it is clear that the First Amendment provides dual protections for religious expression (or non-expression) in its guarantees of free speech and free religious exercise. This reality compels the conclusion that religious speech enjoys the highest constitutional protection.”

The judicial merits of the Colorado Anti-Discrimination Act were at stake. It would compel Smith to design a website that celebrates same-sex marriage. Smith had never refused to service anyone on the basis of sexual orientation, or any other demographic factor. But she drew a line when it came to compelling her to violate her Christian beliefs.

Smith was sincere. “As a Christian who believes that God gave me the creative gifts that are expressed through this business, I have always strived to honor him in how I operate. Because of my faith, however, I am selective about the messages that I create or promote.”

Justice Neil Gorsuch, writing for the high court, said, “The First Amendment protections belong to all, not just to speakers whose motives the government finds worthy. In this case, Colorado seeks to force an individual to speak in ways that align with its views but defy her conscience about a

matter of major significance.”

The decision rebuked the dissenters, saying that when someone’s speech is found objectionable, “the Nation’s answer is tolerance, not coercion. The First Amendment envisions the United States as a rich and complex place where all persons are free to think and speak as they wish, not as the government demands. Colorado cannot deny that promise consistent with the First Amendment.”

We are delighted with this outcome, and we are just as delighted to have played a role in it.