



For Immediate Release
Monday, June 4, 2018

LDF Media
212-965-2200 / media@naacpldf.org

Supreme Court Reaffirms Core Anti-Discrimination Principles in *Masterpiece Cakeshop Case*

The U.S. Supreme Court reaffirmed core anti-discrimination principles in public accommodations laws in its ruling today in *Masterpiece Cakeshop vs. Colorado Civil Rights Commission*. Relying on a 1968 case that the NAACP Legal Defense Fund ([LDF](#)) litigated, the Court emphasized that business owners are not exempt from anti-discrimination laws because of their religious or philosophical beliefs. In its October 2017 [amicus brief](#) filed with the Court, LDF also made this argument, stressing that equal treatment in public spaces has long been an essential part of equal citizenship for people of color, in particular, Black Americans.

The Court ruled today that the Colorado courts should re-examine the ruling against a Masterpiece Cakeshop, a bakery that had declined to provide a wedding cake for a same-sex couple, but solely because the Court concluded that the Colorado Civil Rights Commission did not act “with the religious neutrality that the Constitution requires” when it considered the bakery’s arguments. The Court did not, however, rule that the baker’s refusal to provide services is protected by the First Amendment.

In his opinion, Justice Anthony Kennedy writes: “[t]he First Amendment ensures that religious organizations and persons are given proper protection as they seek to teach the principles that are so fulfilling and so central to their lives and faiths. Nevertheless, while those religious and philosophical objections are protected, it is a general rule that such objections do not allow business owners and other actors in the economy and in society to deny protected persons equal access to goods and services under a neutral and generally applicable public accommodations law.”

As support for this essential principle, Justice Kennedy cited *Newman v. Piggy Park Enterprises, Inc.*, 390 U. S. 400, the case LDF litigated in 1968. Six justices joined this portion of Justice Kennedy’s opinion, and the two dissenting Justices explicitly stated they agreed with it as well.

“Today’s decision signals the strength of the precedent set in LDF’s seminal 1968 *Piggie Park* case,” said [Sherrilyn Ifill, LDF’s President and Director-Counsel](#). “The narrow ruling returning the case to the lower courts is based on the universal principle that constitutional claims must be heard in every instance before a neutral tribunal. More important was the affirmation of eight Justices that discrimination in public accommodations enjoys no First Amendment protection. This principle has long been an essential piece of the civil rights movement and established anti-discrimination law. This is particularly important today, in 2018, when people of color are still experiencing persistent and widespread discrimination while they shop, eat, or access other public spaces.”

“This decision maintains decades of Supreme Court precedent that a business cannot discriminate against customers for who they are,” said [Samuel Spital, LDF’s Director of Litigation](#). “The NAACP Legal Defense Fund remains committed to ensuring that everyone receives equitable service in the public sphere.”

In 2017, the Colorado Civil Rights Commission ruled that storeowner Jack Phillips had violated the state’s anti-discrimination law by denying service to same-sex couple Charlie Craig and David Mullins on the basis of religious exemption or “artistic expression.” Phillips appealed to the Supreme Court, arguing that being forced to serve same-sex couples violated his First Amendment rights as both a Christian and culinary “artist.”

LDF’s amicus brief argued that in many ways, the facts in *Masterpiece* mirrored those in *Newman v. Piggie Park Enterprises*, a landmark case the organization litigated in 1968 after Baptist minister John W. Mungin was forcefully threatened and denied service at a famous South Carolina restaurant because its owner believed that serving food to Black customers went against his faith. The Supreme Court unanimously decided that Piggie Park’s store owner violated Title II of the Civil Rights Act, stating that religious beliefs did not provide him with a license to discriminate.

The Supreme Court’s ruling today maintains existing public accommodations law and leaves no room for business owners to discriminate on the basis of their philosophical or religious beliefs.

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation’s first civil and human rights law organization and has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.