

Religious rights and wrongs

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Memories Pizza in Walkerton, Indiana, was the first Indiana business to say it would claim a right under the state's Religious Freedom Restoration Act not to provide services at gay weddings. The restaurant was quickly besieged by protests, but it also became a cause célèbre for so-called defenders of religious freedom, who raised \$800,000 for the pizzeria through an online campaign.

Organizations as different as NASCAR, the NCAA, Eli Lilly pharmaceutical company, and the Disciples of Christ protested the discriminatory impact of Indiana's law when it was passed in late March. Several groups decided to pull their conventions out of Indianapolis. The outcry forced the legislature and governor to revise the bill to clarify that businesses and services cannot use the claim of religious freedom to discriminate based on a client's sexual orientation.

That was a needed fix. But Indiana's law remains problematic in extending religious freedom not only to individuals but also to corporations, and in applying not only to disputes between individuals and the government but to disputes between

nongovernmental parties.

When the original federal RFRA was passed in 1993 and endorsed almost unanimously by Congress and by virtually every religious body, it was aimed at protecting the religious expression of minorities in the face of government rules. It had in mind the Native Americans who ritually consumed peyote or Muslim prisoners who grew beards for religious reasons. It was never envisioned that the law would justify a business's refusal to offer services to a certain group of people. When what is at stake is primarily a commercial transaction, not an act of religious expression, it makes sense that a claim of religious freedom is trumped by the commitment—itsself rooted in religious belief—that all people be treated equally.

Balancing individual religious freedom and the concerns of the public, and framing that balance in law, is an ongoing challenge. Much of the solution may lie more in everyday neighborliness and generosity than in lawsuits.

Where did Christian florists, bakers, and pizza makers get the idea that refusing service is the essence of their religious witness on gay marriage? How much more effective their witness might be were they to respond to gay clients this way: "You should know that we object to gay marriage on religious grounds, and therefore some other firm might be better suited to serve you. But if you want our services, we will provide you with the best cake we can, or the most wonderful flowers possible. Whatever our disagreements, we know you are made in the image of God—made to enjoy God's good gifts of cake and flowers."

Such a response would be much more likely to lend power to a religious witness. It would do more to foster love of God and neighbor. And it would be much more in keeping with the spirit of Jesus.