



Written by [Selwyn Duke](#) on February 26, 2016

Cupcake Kasich Is a Tyrant Enabler

When Governor John Kasich said recently that he probably should be running in the Democrat Party, he wasn't kidding. Although seeking office in Cuba might be even more fitting.

Taking a break from lecturing us on how we must accept amnesty, the presidential contender recently weighed in on [the case of the Oregon bakers](#) fined \$135,000 for refusing to bake a cake for a faux wedding. Mentioned briefly in Thursday's GOP presidential debate, here are his comments, [made on Monday](#) at the University of Virginia:



I think, frankly, our churches should not be forced to do anything that's not consistent with them. But if you're a cupcake maker and somebody wants a cupcake, make them a cupcake. Let's not have a big lawsuit or argument over all this stuff — move on. The next thing, you know, they might be saying, if you're divorced you shouldn't get a cupcake.

Now, Kasich is a man who just loves the idea of moving on. After the *Obergefell v. Hodges* decision last June, he [said](#) that recognition of faux marriage was “the law of the land and we'll abide by it” and that now “it's time to move on.” It's no wonder Republicans long ago move on from the idea of him as president.

Kasich managed to squeeze a remarkable number of misconceptions into his three sentences. First, while the cupcake lines may be cute to some and possess rhetorical flair, they're nonsense. There's not one Christian baker persecuted by governments recently who said he wouldn't bake “cupcakes” or anything else for a given group; in fact, these businessmen have made clear that they serve homosexuals all the time. This isn't about serving a certain type of people.

It's about servicing a certain *type of event*.

Only someone who hasn't bothered to ponder the matter deeply or who's intellectually dishonest could miss this simple fact. And I'll put it to you, Governor Kasich: Can you cite any other time in American history when the government compelled a businessman to service an event he found morally objectionable? This is unprecedented. And is it really a road we want to go down?

If so, can the government compel a Jewish or black businessman to cater, respectively, a Nazi or KKK affair? How about forcing a Muslim restaurateur to serve pork at an event for the National Pork Producers Council? Or is this another situation where government gets to pick winners and losers, this time in matters of conscience?

Of course, this is already happening, which brings us to Kasich's divorcé cupcake eater. The proper analogy here doesn't involve serving such a person because, again, the bakers in question serve homosexuals.



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The proper analogy involves servicing an event celebrating a divorce.

Government wouldn't even consider compelling participation in the above, or in events celebrating adultery, fornication, polygamy (yet) or auto-eroticism. So why the double standard? Well, homosexuals have very effective lobbying groups and millions of enablers — such as Cupcake Kasich.

Kasich's "churches should not be forced to do anything that's not consistent with them. But..." comment is also interesting. Our First Amendment reads "Congress shall make no law ... prohibiting the free exercise" of religion. For those who say this is only meant to restrain the central government's legislature (and I'm sympathetic to this view), note that the constitution of Kasich's own state [dictates](#) that no "interference with the rights of conscience be permitted." And since he was commenting on a case involving Oregon residents, consider that the Beaver State's constitution likewise [reads](#), "No law shall in any case whatever control the free exercise, and enjoyment of religious [sic] opinions, or interfere with the rights of conscience."

Now, "exercise" is action; thus, at issue here isn't just the freedom of religious belief, but of *acting* on that belief. Of course, there are limits in that we don't allow practices such as human sacrifice. But anything considered legitimate action under these constitutions is allowed in churches. And here's the point: none of these constitutions limit this free exercise to church property.

Thus, any type of exercise allowable in church is allowable *outside of it*.

So for this reason alone, the action against the Oregon bakers was unconstitutional. Since a person can refuse to be party to a faux wedding within a church, he can also refuse to be party to a faux wedding outside of it.

Interestingly, Kasich and others seem to be espousing a kind of "dual truth" philosophy, which I understand is part of Islamic theology. This basically states what what's "religiously true" may not be true beyond the religious realm (whatever that's supposed to be). But a moral issue doesn't cease to be a moral issue because it moves down the block.

The action against the bakers is unconstitutional for another reason. Perhaps invariably, part of creating a wedding cake is placing a written message on it; in the case of faux weddings, this message would relate to faux marriage. Even two male figurines placed on top of the cake relate a message; note here that the courts have rule that *symbolic speech* is covered under the First Amendment. And where does the government have the constitutional power to compel people to be party to a message they find morally objectionable? Forced speech is not free speech.

Of course, none of this would be an issue if we accepted a principle even many conservatives today reject: freedom of association. Think about it: you have a right to include in or exclude from your home whomever you please, for any reason whatsoever, whether it's because the person is a smoker, non-smoker, black, white, Catholic, Protestant, or because you simply don't like his face.

Why should you lose this right merely because you erect a few more tables and sell food?

Or because you bake cakes, take pictures, plan weddings or conduct some other kind of commerce?

It's still your property, paid for with your own money and created by the sweat of your own brow. Is a man's home not his castle?

Of course, this all goes back to a Supreme Court ruling stating that private businesses can be viewed as "public accommodations," which was a huge step toward the Marxist standard disallowing private property. And it has led to endless litigation, with the Boy Scouts sued by homosexuals, atheists, and a



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girl (who wanted to be a “boy” scout); the PGA Tour [sued](#) by a handicapped golfer who wanted a dispensation from the rules; Abercrombie & Fitch [sued](#) by a Muslim woman who wanted to wear her hijab on the job; and Barnes & Noble [sued](#) by a male employee who claimed he suddenly was a female employee, just to name a few cases. It has also led, now, to some Americans being confronted with a Hobson’s choice: cast the exercise of your faith to the winds and bow before the government’s agenda, or kiss making a living goodbye.

Is all of this worth it just to stop less than one percent of the population from discriminating in unfashionable ways? And remember, freedom of association is like any other freedom: it’s only the unpopular exercise of it that needs protection. As for popular exercise, its popularity is usually protection enough.

As for Kasich’s desire for popularity, it’s pretty hard to achieve when your implied campaign slogan is “A chicken-hearted politician in every office and a coerced cupcake in every cupboard.”

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