



Written by [Selwyn Duke](#) on March 29, 2021

Again on Trial for Being Christian: The Legalized Persecution of Baker Jack Phillips Continues

In a malignant game of patty-cake, Colorado baker Jack Phillips, owner of Masterpiece Cakeshop, is again being sued for not placing his business at sexual devolutionaries' service. His long-time tormentor, a lawyer and man claiming female status going by the name "Autumn Scardina," now has the Christian businessman back in court because the latter refused to bake a cake celebrating his "gender transition."

Of course, with approximately [184,990 bakeries](#) in the United States and thousands in Colorado alone, people can certainly get a cake bearing virtually any message they want (highly politically incorrect sentiments, do note, would likely be an exception). There also are Muslim bakeries that would and have refused sexual devolutionary requests, but they're not in leftist cross hairs. The hatred for Phillips is so baked in, however, that he has been dealing with attacks on his freedom since 2012.

National Review [provides](#) some background, writing that the

Christian baker has found himself, for the third time, at the center of a lawsuit over his refusal to create custom cakes that would send messages that he says are antithetical to his religious beliefs.

In 2018, Phillips partially won a case before the Supreme Court over his refusal to make a custom wedding cake for a same-sex couple. The high court ruled that the Colorado Civil Rights Commission showed anti-religious bias in sanctioning Phillips for his refusal to make the cake, though the justices did not rule on whether businesses can refuse services to gays or lesbians over religious objections.

In the years since that case began, in 2012, the Colorado bakery has received hundreds of requests for cakes with "offensive messages, many of them with an intent to set him up," said Kristen Waggoner, general counsel at the Alliance Defending Freedom, a nonprofit that has helped Phillips with his ongoing legal battles for the past nine years.

Of course, legislators and judges created this situation by, respectively, writing freedom-of-association-



AP Images



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trampling laws (i.e., “anti-discrimination law”) and allowing them to stand. As a consequence, well-funded activists and their organizations can torment and sometimes financially ruin people via the legal system. Can you afford to spend years and hundreds of thousands of dollars defending yourself in court?

(The pre-fall-from-grace Boy Scouts were thus targeted, by girls who wanted to be boy scouts, by homosexuals, and by atheists.)

As for Phillips’s ordeal, “Scardina attempted to order the birthday cake on the same day in 2017 that the high court announced it would hear baker Jack Phillips’ appeal in the wedding cake case,” the Associated Press [tells us](#). “Scardina, an attorney, requested a cake that was blue on the outside and pink on the inside in honor of ... [his] gender transition.”

“In opening arguments, a lawyer representing Phillips, Sean Gates, said his refusal to make Scardina’s cake was about its message, not discriminating against Scardina, echoing assertions made in Phillips’ legal battle over his refusal to make a wedding cake for Charlie Craig and Dave Mullins in 2012,” the AP later related.

So why is Scardina obsessed with Phillips? PJ Media’s Jim Treacher [addresses](#) this question:

Phillips didn’t do anything to this person. He didn’t go to Scardina’s house and scream through a bullhorn. He didn’t try to peel off Scardina’s scalp while shouting, “She’s a man, baby!” He hasn’t harmed Scardina in any way. He just politely declined to provide a service for religious reasons, and now he’s being persecuted for it. Again.

Doesn’t Autumn Scardina have anything better to do? Isn’t it enough just to be able to live your life in peace? Why do you need your choices to be affirmed by people you obviously hate? It’s just spite. It’s bullying. Scardina is the one with all the power in this scenario, and that power is being abused.

Did you notice that Scardina isn’t hounding a Muslim bakery? I don’t know how many people have gone to Muslim-owned bakeries and asked for gay wedding cakes and gender transition cakes and whatnot, but it never makes national news. It’s almost as if only certain religions are considered easy prey.

I don’t know how many, either. But commentator Steven Crowder did go undercover and request same-sex “wedding” cakes at Muslim bakeries in 2015 (video below). What do you think the result was?

Now you know why there’ve been all those anti-discrimination suits against Muslims. Oh, wait...

Speaking of double standards, Treacher also writes, “What if somebody in a Klan robe and a full-face swastika tattoo walked into Scardina’s law office and demanded a cake that said, ‘Happy Birthday, Adolf, You Were Right About Everything’? The guy would get kicked out, and rightly so. Then why doesn’t Phillips have the same right?”

The answer is, again, anti-discrimination law. It creates “protected classes” and implicitly, by extension, unprotected classes. But even this is to euphemize. They’re actually privileged classes, which, unlike the un-privileged classes (the rest of us), can use the legal system to trump your freedom of association. And I bet you thought we had equality under the law.

I’ve made these freedom-of-association arguments [in the past](#) and have also pointed out that compelling



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businessmen to write a message violates the First Amendment: Forced speech is not free speech.

Moreover, Phillips's case doesn't even involve refusal to serve certain classes of people, but refusal to service certain classes of *events*. After all, the baker serves "LGBTQ+" people all the time, but he won't be party to certain affairs. So here's a question to ask:

When before in American history did we ever compel businessmen to participate in events they found morally objectionable? Is this a bridge we want to cross?

Scardina doesn't appear to care about the details, though. In fact, "Phillips says Scardina began contacting the bakery back in 2012, sending emails calling the baker a bigot and a hypocrite and requesting that the shop make a red and black custom cake that depicted Satan smoking a marijuana joint," *National Review* also related, after interviewing the baker.

"In a conversation, this person said that if this case was dismissed or if we won for any reason that they would be right back the very next day, to call and request another cake and sue us again,' he said," the magazine continued.

In other words, this case also reveals why we need tort reform. Scardina is tormenting Phillips via the legal system, something he as a lawyer is especially well situated to do. The process itself is persecution; meaning, even if the targeted victim wins, he still loses.

Anyway, there certainly is someone in the Colorado case who's hateful, intolerant, obsessed with sexual matters, and part of a privileged group. Unfortunately, our twisted law gives this very twisted individual the power to try to make others company to his misery.



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