



Written by [Dave Bohon](#) on December 30, 2017

Christian Bakers Lose Appeal in Same-sex Wedding Cake Case

An Oregon appeals court has upheld a state agency ruling that ordered Christian bakers Aaron and Melissa Klein to pay \$135,000 in fines after they declined in 2013 to bake a “wedding” cake for a pair of lesbians.

The lesbian couple filed a complaint with Oregon’s Bureau of Labor and Industries (BOLI) against the bakers and their business, the Sweet Cakes by Melissa bakery in Gresham, Oregon, after the Kleins stated that providing the cake for the same-sex “wedding” would violate their Christian convictions that homosexual behavior is sinful.



The Kleins were [forced to close](#) their successful business following months of relentless attacks by homosexual activists angered over their refusal to bake the wedding cake.

In 2015 BOLI ruled against the Christian bakers, finding that they had violated the state’s anti-discrimination statutes and fining them \$135,000 for “emotional damages” they had supposedly inflicted upon the homosexual pair.

On December 28 of this year the Oregon Court of Appeals ruled against the Christian bakers’ appeal of BOLI’s punishment, upholding the state bureaucracy’s onerous penalty. Writing for the court, Judge Chris Garrett explained that “given BOLI’s detailed factual findings about the effect of the refusal of service on these particular complainants — including anger, depression, questioning their own identity and self-worth, embarrassment, shame, frustration, along with anxiety and reduced excitement about the wedding itself — we cannot say that the order is so far out of line with previous cases that it lacks substantial reason.”

Garrett wrote that “the Kleins seek an exemption based on their sincere religious opposition to same-sex marriage; but those with sincere religious objections to marriage between people of different races, ethnicities, or faiths could just as readily demand the same exemption. The Kleins do not offer a principled basis for limiting their requested exemption in the manner that they propose, except to argue that there are ‘decent and honorable’ reasons, grounded in religious faith, for opposing same-sex marriage. That is not in dispute. But neither the sincerity, nor the religious basis, nor the historical pedigree of a particular belief has been held to give a special license for discrimination.”

The court concluded that “the final order does not impermissibly burden the Kleins’ right to the free exercise of their religion because it simply requires their compliance with a neutral law of general applicability, and the Kleins have made no showing that the state targeted them for enforcement because of their religious beliefs.”

Keely Shackelford of First Liberty Institute, which represented the Kleins in the case, said that the



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ruling is a direct attack on religious liberty. “Freedom of expression for ourselves should require freedom of expression for others,” he said following the ruling. “Today, the Oregon Court of Appeals decided that Aaron and Melissa Klein are not entitled to the Constitution’s promises of religious liberty and free speech. In a diverse and pluralistic society, people of good will should be able to peacefully coexist with different beliefs. We are disappointed that the court ruled against the Kleins.”

Earlier this year the Kleins recalled that they had previously served the lesbian pair in question when they had come into the bakery, and it was only the request to bake a cake for the couple’s same-sex ceremony that the Kleins were refusing.

“I couldn’t participate in the ceremony,” Melissa Klein emphasized. “It goes against what I believe. I have a strong faith in God whom I love with all my heart. My whole life is dedicated to living for Him in the best way that I know how.”

She added that “America is a place where the government can’t force you to violate your religious beliefs or tell you what to believe. But we feel like that is exactly what happened to us. We lost everything we loved and worked so hard to build.”

Melissa’s husband, Aaron, said that “we want to do what’s right by Him and at the end of the day, I just want to know that I honor God.... For us it’s about following God no matter the costs.”

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