



Written by [Selwyn Duke](#) on April 27, 2018

Phony Anti-discrimination Law: Judge Rules That Bar Can Kick Out Trump Supporters

It's a ruling making clear that we should drop the pretense: Anti-discrimination law does not eliminate discrimination.

It simply enforces a standard of political correctness.

"A Manhattan judge ruled Wednesday that kicking a Trump supporter out of a bar does not violate the law — because the law does not protect against political discrimination," [reported](#) Fox News.



"Greg Piatek of Philadelphia claims he was refused service and eventually removed from a New York City bar in January 2017 for wearing a 'Make America Great Again' hat, in a lawsuit against the establishment." the site continued.... "Anyone who supports Trump — or believes in what you believe — is not welcome here! And you need to leave right now because we won't serve you!" Piatek claims the staff of The Happiest Hour told him."

Piatek ultimately decided to sue in Manhattan Supreme Court, in NYC, stating that his expulsion "offended his sense of being American."

While our imperious, activist judiciary deserves much scorn, we shouldn't blame the judge in this case, Justice David Cohen, for ruling against Piatek. He was just doing his job: following the law. You see, anti-discrimination law creates "protected groups" — and Trump supporters ain't one of 'em.

Such groups are always defined by qualities such as, to use lawmakers' politically correct terminology, "sexual orientation," "gender," race, ethnicity, "gender identity," and religion. Of course, having "protected groups" implies that all others are "unprotected groups." How this isn't a violation of the 14th Amendment's equal-protection clause is beyond me.

Trying to massage the case, Piatek's lawyer, Paul Liggieri, cited religious discrimination. His client "was paying spiritual tribute to the victims of 9/11. The Make American Great Again hat was part of his spiritual belief," Liggieri claimed. Piatek and his pals had, in fact, visited the memorial before the bar," the *New York Post* [informs](#).

Since this religion story was right up there with [Seinfeld's "Festivus,"](#) or maybe Unitarianism, the strategy didn't cut any ice with Justice Cohen.

Perhaps the judge can be faulted for his attitude; he stated in his ruling that being "escorted out of the bar because of his [Piatek's] perceived support for President Trump is not outrageous conduct." Yet the law is clear — even if clearly wrong.

Some may wonder if we could eliminate the problem of discriminatory anti-discrimination law — having protected and unprotected groups — by simply prohibiting all discrimination. But this is wholly unrealistic. "Discrimination" simply means to choose one or some from among many; to ban it completely would theoretically prevent businesses from excluding even the rowdy or obnoxious or those



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only partially dressed. It would mean you couldn't discriminate between the qualified and unqualified in hiring.

Thus, we're stuck with discriminatory anti-discrimination law — that is, because we won't consider the alternative:

Recognizing such legislation as immoral and eliminating it.

Over the past decades, Christian businessmen have been persecuted for not servicing faux (same sex) weddings; the Boy Scouts of America have been sued by a girl who wanted to be a "boy scout," by atheists, and [by homosexuals](#); and Abercrombie & Fitch [was sued](#) by (and ultimately paid \$25,000 to) a Muslim woman who wasn't hired because she was wearing a hijab, to name just a handful of cases. We spend billions of dollars litigating such conflicts, eating ourselves alive, creating discord and enriching lawyers all because we won't accept an important principle: freedom of association.

The case for it is simple: No one would deny you the right to include in or exclude from your home whomever you please. So why should you lose that right simply because you decide to sell clothing, food, cakes, or wedding services out of it? It's still your property, paid for with your money and created by the sweat of your own brow. Is it American to say, "You can have your freedom (of association) — but not if you want to make a living"?

And what's the case for violating freedom of association and making the government arbiter of "acceptable discrimination"? A Japanese-descent young lady I knew well once related to me that, upon entering a Korean restaurant, she was told "We don't want your kind in here." She wisely left. After all, why would you want people hostile to you making your food or putting their hands in the dough for your cake? Isn't it better if they can express their distaste for you so you can make a fully informed decision about patronizing them? I'd rather not give my money to those who hate me, anyway.

Moreover, is it really true that even racial and sex discrimination are always wrong? A woman gynecologist I know would only hire female assistants because she believed it made her patients more comfortable. My local hardware store provides knowledgeable workers, all men, who render valuable advice on products and how to perform various home repairs. If it was determined that people found a female in that role less credible and were then not as likely to patronize the establishment, would even a highly competent woman be able to do "equal work" in that capacity?

As for racial discrimination, what if a West Indian or German restaurant wanted to hire only, respectively, black or white workers because it determined that it lent an air of authenticity and thus augmented their business? In these cases, race would be integral to the "work."

It's easy for government-bureaucrat social engineers to virtue signal and pontificate about how all such discrimination is wrong — they generally know nothing about a given business' marketing realities and don't have to suffer lost income due to politically correct hiring determinations. So who should decide what kind of discrimination will prevail in a business, the government or the person who actually built and sweats for the place?

Also note that there are better ways to handle unwelcome discrimination than with a lawsuit. Just consider late senator and presidential nominee Barry Goldwater (R-Ariz.). After being denied entry to a golf club because of his background — he had one Jewish parent — he replied, "Can I at least play nine holes?"

We Americans would get along far better if we traded a lot of litigation for a little more humor.



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