

TALKING ABOUT



Religious Exemptions & Service Discrimination



movement advancement project ▶

INTRODUCTION

Several states have proposed legislation to allow businesses to discriminate against customers who don't conform to the specific religious beliefs that marriage should be restricted to a man and a woman, and that sex should be restricted to such marriages. These laws encourage discrimination against same-sex couples, unmarried couples and individuals, single parents, and others.

Talking About Religious Exemptions & Service Discrimination is a guide to effective conversations about these license-to-discriminate laws. For more resources, read *Talking About Religious Exemptions Laws* and *Talking About Nondiscrimination Protections for LGBT People* at www.lgbtmap.org/messaging-guides.

APPROACH #1: EMPHASIZE SHARED VALUES

Start by rooting the conversation in an overarching theme that ties together our shared belief in freedom of religion, the fact that it's already protected, and that it doesn't mean a right to discriminate or impose religious beliefs on others:

- *Freedom of religion is important; that's why it's already protected by the First Amendment to the Constitution. But that freedom doesn't give any of us the right to impose our beliefs on others, or to discriminate.*

Next, we establish the core historical values at the heart of these discussions, while reminding people that this isn't just about wedding discrimination against same-sex couples:

- *This isn't just about bakeries refusing to sell products to same-sex couples. As a nation, we decided a long time ago that businesses that are open to the public should be open to everyone on the same terms. Businesses shouldn't be able to pick and choose who to serve based on their religious beliefs.*

We can also help calm some of our audience's concerns by reminding them that businesses serve the broader public without endorsing all of their customers' beliefs:

- *Local businesses play an important role in our economy and in our communities. Just because a business serves a customer doesn't mean they share or endorse all of that customer's beliefs. We all have different beliefs, but that doesn't mean it's OK to discriminate. Nobody should be turned away from a business simply because of who they are.*

Finally, we can bring the conversation back to the shared values of protecting people from discrimination, serving all customers, and treating others as we want to be treated:

- *Protecting people from discrimination is about treating others as we want to be treated. Lesbian, gay, bisexual and transgender people are our friends, neighbors, family and co-workers. They work hard, serve in the military, and pay taxes. When they walk into a business that's open to the public, they should be treated like anyone else and not be discriminated against.*

APPROACH #2: FOCUS ON A WIDE ARRAY OF HARMS

Next, focus on how harmful and shocking this kind of discrimination is. Such religious exemptions laws not only open a can of worms by allowing businesses to impose religious tests on their customers, but they also raise serious questions about why such discrimination is still being proposed and encouraged today.

- *Creating a license to discriminate would open a can of worms, lead to expensive lawsuits, and send a message to businesses that they have a right to impose a religious test on their customers before agreeing to serve them.*
- *We believe that all people should be treated fairly and equally. That's why it's shocking to realize that in this day and age, we are still debating whether it should be legal to discriminate against someone or turn them away from a business simply because of who they are.*

Finally, illustrate potential harmful scenarios to help broaden people's understanding of the kinds of discrimination encouraged by these laws. These service discrimination laws aren't just about wedding cakes and same-sex couples. For example, a law that gives businesses a broad license to discriminate based on religious beliefs about marriage would open the floodgates to discrimination not just against same-sex couples, but also against unmarried couples, single parents and others across a wide array of areas and businesses:

- *A bakery could refuse to sell a cake for a Jewish wedding, or for an interfaith couple's marriage.*
- *An indoor playground could refuse to host a child's birthday party because the child's mother is unmarried.*
- *A florist could refuse to serve a gay man wishing to send flowers to his fiancé, or a lesbian who wanted to send Valentine's Day flowers to her wife.*
- *A pharmacist could refuse to fill a woman's birth control prescription unless the woman provided proof that she's married.*
- *A hotel could refuse to provide a room to any couple who didn't show a valid marriage certificate.*
- *A pediatrician could refuse to treat the child of a same-sex couple because of a belief that only opposite-sex married couples should be allowed to be parents.*

When illustrating potential harms like the examples above:

1. **Discuss as broad a range of potential discrimination and people harmed as possible,** but only a few examples at a time.
2. **Consult with legal experts or state leaders** to ensure your examples align with the legislation being discussed.
3. **Don't make comparisons to discrimination based on race.** This can create unnecessary distance with African Americans and others, instead of common ground and shared concern.