Twitter Thread by Tim Wise

Tim Wise
@timjacobwise

1/ The SCOTUS decision in favor of the "religious freedom" to gather in large groups despite the pandemic is part of a larger effort to elevate so called religious liberty above all other freedoms, but not in the way most agree with...

2/ Most everyone would agree that people's right to worship as they see fit should be protected, to believe as they wish, free from persecution, etc. That is not what this is, or what other religious liberty cases are about...

3/ These cases are about elevating the rights of persons claiming to be acting on the basis of religious belief, to engage in activity that injures others, without consequence. So here it means the right to worship in large groups even if it endangers public health...

4/ In other cases it means the right to discriminate against customers if you have a 'religious objection' to their sexual orientation, gender identity, etc. And what's especially disturbing is the real endgame, which few talk about...

5/ This is really about gutting civil rights protections. If you ask virtually any right wing conservative jurist, or commentator or politician, they will admit, if you push, that they don't think civil rights law should ever have applied to private businesses...

6/ They think the civil rights act of 1964, one of the shining achievements of the movement, was wrong to include such anti-discrimination restrictions in the private sector. They think the property rights of businesses are more important than human dignity...

7/ For a half century+ they have tried to figure out a way to roll back those protections without sounding like racist assholes in the process. Saying you think lunch counters should have been able to stay segregated after all is a bad look in the eyes of decent people...

8/ Now, under the guise of "religious liberty" they are opening the door for such rollbacks. Once you allow people to discriminate in the provision of commerce in the name of religious freedom you open the door to diminished anti-discrimination protections...

9/ People can begin to argue that their religious beliefs against interracial relationships or simply religiously-inspired belief in racial separation (Tower of Babel story bullshit) compels them to discriminate against blacks, Latinx folk, etc...

10/ And whether or not you even hold those beliefs, all you have to do is say you believe that crap and this court would likely say OK bc "muh religious freedoms" are under attack...

11/ not to mention, once you carve out exceptions to civil rights law for religion, you shift the cultural expectations so that the right NOT to be discriminated against is now deemed less important than the right TO discriminate...

12/ Once this mentality is accepted it becomes easy to envision other carve outs in civil rights jurisprudence: limiting enforcement of the law against businesses bc of a more restrictive reading of commerce clause, or over-application of takings clause in the 5th Amendment...

13/ Ultimately this turns on its head the old concept of "my rights end where yours begin..." Instead, the court's recent religious liberty jurisprudence says "my rights -- if I cloak them in the Bible and my reading of it -- take precedence over everything else"...

14/ In the name of God, I can basically do anything to you I wish: deny you a job, refuse you as a customer in my business, even endanger your health so I can gather to sing Hosannahs to the Lord bc I think my scripture commands such gatherings...

15/ And there is nothing you can do about it. It makes religious rights the ultimate rights, which trump (no pun intended) all others. That is neither the framers' intent (for those who care about such things), nor philosophically defensible. It is the move of zealots...