

ISSUES IN PERSPECTIVE

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Religious Liberty vs. The State

Near the end of January 2012, an extraordinary development affecting the cause of religious liberty occurred and the media hardly reported on it. In my judgment, it is one of the most underreported stories in recent memory. On 20 January 2012—three days before the annual March for Life—Secretary of Health and Human Services, Kathleen Sebelius, announced that “Today the department is announcing that the final rule on preventive health services will ensure that women with health insurance coverage will have access to the full range of the Institute of Medicine’s recommended preventive services, including all FDA-approved forms of contraception.” For the first time in American history, the state is ordering religious institutions to provide insurance coverage for employees that must include contraceptives, including those that may induce abortion. These include drugs known as Plan B, which is taken after the possibility of fertilization, thus functioning as an inducer of abortion. Let me repeat: Under this rule, all employers, including church-affiliated institutions and organizations must provide coverage for contraception, sterilization and the morning-after (or week-after) pill known as ella, which can function as an abortifacient. The only exemption is offered to churches and religious bodies that neither employ nor serve any significant number of people who do not share their faith. Religious organizations such as schools, colleges and hospitals will be required to pay for services that they believe to be immoral and disobedient to God. [Remember, one in six patients in the US is cared for in a Catholic hospital.] Columnist Ross Douthat argues appropriately that HHS is “telling religious groups that if they don’t want to pay for practices they consider immoral, they should stick to serving their own co-religionists rather than the wider public. Sectarian self-segregation is OK, but good-Samaritanism is not. The rule suggests a preposterous scenario in which a Catholic hospital avoids paying for sterilizations and the morning-after pill by closing its doors to atheists and Muslims, and hanging out a sign saying “no Protestants need apply.” Further, in the words of Albert Mohler, “[President Obama] has trampled religious liberty underfoot and has announced his intention to force religious institutions to violate their consciences or go out of business.”

The implications of this quite staggering ruling are deep and wide, for this is a matter of conscience and religious liberty. The White House attack on conscience in this matter is a vindication of health care reform’s critics, who argued that we would see this kind of overreach by the government coming. Douthat also comments that this is also “an intimation of a darker American future, in which our voluntary communities wither away and government becomes the only word we have for things we do together.” Catholic and liberal columnist E.J. Dionne, Jr. has charged that Obama “has thrown his progressive Catholic allies under the bus.” Indeed, for that reason, nearly 150 bishops (almost 80% of the dioceses in the US) have spoken out against the Obama mandate. Further, Catholic voters, who voted for Obama 54% to 45% in 2008, may not do so in 2012. Our nation has a remarkable history of treating as core beliefs freedom of

conscience and religious liberty. Those core values are now threatened by Obama's Affordable Health Care Act. It is the state vs. religious liberty! The columnist Michael Gerson correctly captures the audacity of Obama's action: "Obama is claiming the executive authority to determine which missions of believers are religious and which are not—and then to aggressively regulate institutions the government declares to be secular. It is a view of religious liberty so narrow and privatized that it barely covers the space between a believer's ears." This is not an act reflecting our pluralistic culture. This a brazen act of modern liberalism in which the state uses its power to impose liberal values on institutions it regards as backward. This reflects a radical secularism that has just declared war on religion. Since the founding of the Republic, the federal government has respected issues of religious conscience. The Obama administration no longer can claim that it is heir to that tradition, for it has broken with that tradition. Our president should be ashamed of himself. He claims to be a Christian but he has just declared war on a major segment of that faith.

On a related matter, permit me a comment on the decision of the Susan G. Komen for the Cure Foundation's decision to discontinue about \$700,000 in funding for Planned Parenthood. The uproar in the media and among liberal political folks was overwhelming. The Komen Foundation has since backpedaled from this decision, permitting Planned Parenthood to apply for future grants. Presumably the Komen grant goes for cancer prevention care, but Planned Parenthood does not do mammograms but refers women to clinics, etc. that can do so. Make no mistake about it—Planned Parenthood performs 300,000-plus abortions each year. Between 30 to 40% of Planned Parenthood's health center revenue is from abortion. Planned Parenthood does refer women for adoptions: In 2012, this happened 841 times compared with 329,445 abortions in the same year!! As Ross Douthat has argued, "Three truths, in particular, should be obvious to everyone reporting on the Komen-Planned Parenthood controversy. First, that the fight against breast cancer is unifying and completely uncontroversial, while the provision on abortion may be the most polarizing issue in the United States today. Second, that it's no more 'political' to disassociate oneself from the nation's largest abortion provider than it is to associate with it in the first place. Third, that for every American who greeted Komen's shift with 'anger and outrage' (as Andrea Mitchell put it), there was probably an American who was relieved and gratified. Indeed, that sense of relief was quantifiable: the day after the controversy broke, Komen reported that its daily donations had risen dramatically."

Theologian Albert Mohler concludes that "Fighting the scourge of breast cancer is a brave and urgent cause, unquestionably on the side of angels. But fighting that fight with Planned Parenthood as a partner? That means complicity with the dark side, and in a big way. It isn't just that Planned Parenthood is involved in abortion. That is a moral vision. Planned Parenthood is the major engine of abortion in America, an organization that makes millions upon millions of dollars by ripping unborn babies apart. Its operation is vast, and it is inseparable from the involvement of its founder, Margaret Sanger, in the cause of eugenics. Planned Parenthood not only performs and profits by abortion; it openly celebrates abortion as it extends its reach. The Susan Komen Foundation for the Cure tried its best to change a policy without taking a stand. Within just one week, it made itself into a national spectacle of moral confusion and political cowardice. What a pity, for Komen's mission is so truly important and worthy. But when Planned Parenthood became the issue, Komen ran away from principle, only to find no refuge in

policy. It refused to make a principled break with Planned Parenthood, and then made an equally unprincipled retreat.”

With the ugly and unprincipled HHS decision by the Obama administration on conscience and religious liberty and with the shameless actions of Planned Parenthood, the dark side of American culture is raising its ugly head once again. But we who name the name of Christ know that God’s values and God’s perspective on the value of conscience and human life will triumph in the end. Without that hope, it would be impossible to be optimistic about the future.

See Albert Mohler in www.Christianitytoday.com (6 February 2012) and Mohler’s blog (2 February 2012); Michael Gerson in the *Washington Post* (31 January 2012); E.J Dionne, Jr. the *Washington Post* (30 January 2012); Ross Douthat in the *New York Times* (29 January and 5 February 2012); Kathleen Parker in the *Washington Post* (6 February 2012).