



Written by [Selwyn Duke](#) on December 31, 2012

## Hey, Libs, What About the Employer's Body?

If a leftist expressed new-age spirituality and uttered the Zen idea that he was one with the Universe, I'd certainly believe him. What else could explain liberals' seeming inability to know where their body ends and someone else's begins?

For instance, while abortion is justified with the battle cry "My body, my choice!" it is in reality a matter of what will happen to a body within the chooser's body. Yet another example of this leftist tendency to confuse bodies as much as choices is the ObamaCare contraception mandate.



Liberals will often justify the mandate by saying that employers have no right to tell an employee what to do with his body. Of course, this is ridiculous on the face of it because it confuses the right to do a certain thing with one's body with the non-existent right to have someone else pay for it. Why, we might as well say that in states where marijuana is legal, an employer is dictating what people must do with their bodies if he doesn't buy a toking hire a bong. (If the rationale can be applied to recreational sex, why not recreational drugs?) Yet the contraception controversy does involve the matter of telling people what to do with their bodies. But those put-upon citizens aren't employees. They're employers.

After all, a business is built through work; money derived from a business is made through work. And work is something you do with your body. Thus, if the government tells a business owner what he must provide through his business and money, isn't it, in a sense, telling him what he must do with his body?

Here some may say that the employee also uses his body to work at the business (unless he's a government worker), but this is an invalid comparison. Not only is the employee already compensated for his body's work, but he also willingly agreed to that level and nature of compensation upon taking his position. In contrast, the employer is forced to use his body to provide contraception coverage at the end of a gun. Even more to the point, the employee can work virtually anywhere and still use contraception; the employer cannot do business virtually anywhere unless he's willing to provide it.

Of course, no one forces the employer to have a business; he could just go Galt. But it's also true that no one forces the employee to work at a particular business. Yet there are differences. Opening businesses and providing certain things through them and working at a given business are private decisions; the contraception mandate is government imposed. Moreover, no one is saying with respect to this issue that you may not have a job unless you provide something that violates your conscience, but you are being told that you may not have a business unless you do.

Some may now mention that the government tells us what we can do with our bodies all the time. You may not legally disrobe and perform lewd acts in public or ingest certain mind-altering substances, for instance. Yet such proscriptions are justifiable if they prevent us from harming others. But does the contraception mandate meet this criterion? Even if you consider contraception a good, refusing to pay for it isn't a matter of hurting others but simply one of refusing to help them.



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Having said this, the main argument against such government intrusion is based either on freedom of association or — at least given our historical application of the constitutional principle — on freedom of religion. Nonetheless, the fact remains that with respect to the contraception issue, a good case can be made that the employers are being told what to do with their bodies.

And what of the leftist claim that employees were being told what to do with their bodies prior to ObamaCare? Well, it's an example of how liberals really are Zen.

It is the Zen of Being Wrong. They have become one with their mistaken ideas.

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