



Written by [Dave Bohon](#) on May 11, 2013

Bible Publisher Scores Major Victory Against Contraception Mandate

A prominent Bible publisher has won a significant victory in the ongoing battle by employers against President Obama's notorious contraception mandate, which requires businesses and non-church organizations to provide free contraception — including abortion-causing drugs — to their workers. The conservative legal advocacy group [Alliance Defending Freedom](#) reported May 6 that at the request of the Department of Justice, a federal appellate court has dismissed an Obama administration appeal of an order that had halted enforcement of the mandate against Tyndale House Bible publishers. The retreat by the administration marks the first complete appellate victory on a preliminary injunction in any of the cases against the mandate.



Tyndale, based in Carol Stream, Illinois, is the world's largest privately held publisher of Bibles and Christian books, and funnels over 95 percent of its profits to religious non-profit groups and causes around the world. The company [filed suit to stop enforcement of the mandate](#) last October, specifically objecting to being forced to provide "morning after" contraceptives that can also act as abortifacients, such as drugs marketed under the brand names "ella" and "Plan B." Shockingly, the Obama administration's Department of Health and Human Services (HHS), which administers the mandate, ruled that Tyndale was not a sufficiently religious entity to qualify for the exemption bestowed upon churches and a select few non-profits.

On November 16 U.S. District Judge Reggie Walton granted the publisher a [temporary injunction](#) blocking enforcement of the mandate, ruling that "the beliefs of Tyndale and its owners are indistinguishable.... Christian principles, prayer, and activities are pervasive at Tyndale, and the company's ownership structure is designed to ensure that it never strays from its faith-oriented mission."

In his ruling Walton pointed out that the mandate placed Tyndale and its owners "in the untenable position of choosing either to violate their religious beliefs by providing coverage of the contraceptives at issue or to subject their business to the continual risk of the imposition of enormous penalties for its non-compliance."

David Green, CEO of Hobby Lobby and the Mardel Christian book retailer, has said that [he will defy the mandate](#), and may face up to \$1.3 million in fines per day for refusing to provide abortifacient contraceptives to his companies' over 14,000 employees.



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As for Tyndale, the May 3 order from U.S. Court of Appeals for the District of Columbia Circuit dismissing the Obama administration appeal means that the preliminary injunction issued by Walton will remain in place while the publisher's lawsuit against HHS moves forward.

Commenting on the Obama administration's decision to throw in the towel on a further fight with Tyndale, ADF Senior Legal Counsel Matt Bowman speculated that the president's legal team was nervous about its chances of victory given the ludicrous nature of its argument that a Bible publisher isn't "religious enough."

"Bible publishers should be free to do business according to the book that they publish," said Bowman. "The government dismissed its appeal because it knows how ridiculous it sounds arguing that a Bible publisher isn't religious enough to qualify as a religious employer. For the government to say that a Bible publisher isn't religious is outrageous, and now the Obama administration has had to retreat in court."

While a for-profit company with 260 employees, Tyndale pointed out in its lawsuit that it is a thoroughly Christian organization, noting, for example, that:

- Honoring God is one of its stated corporate goals.
- It holds a weekly chapel service for employees.
- It opens business meetings with prayer.
- It sends employees on company-funded mission trips in support of Christian organizations and outreaches.
- Trustees of the company must sign a statement of faith that includes thoroughly Christian confessions such as, "There is one God, eternally existent in three persons."

The ADF is involved in a number of the nearly 60 lawsuits filed by religious-minded non-profits and businesses that object to the mandate. "We will continue to argue that the administration cannot disregard the Constitution's protection of religious freedom for all family business owners and must offer a comprehensive exemption to the mandate," Bowman said of the ongoing battle against the mandate.



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