



Written by [Jack Kenny](#) on December 15, 2012

## Obama Administration's War on Religion

When David Green started his family-owned business 40 years ago, it was an enterprise housed in a garage, financed by a \$600 bank loan. The first retail store, he recalled in a recent article for *USA Today*, "wasn't much bigger than most people's living rooms, but we had faith that we would succeed if we lived and worked according to God's word." Forty years later, it appears that the faith and the work have been abundantly rewarded. The company, Hobby Lobby, is now one of the nation's largest arts and crafts retailers, with more than 500 stores in 41 states.



But the faith of Green and his family stands to be penalized, not rewarded, by the U.S. Department of Health and Human Services mandate that requires coverage of contraception, sterilization, and abortion-inducing drugs, with no deductibles or co-pay, in the health insurance employers provide for their workers. Green, a devout Baptist, says his Christian faith and conscience will not permit him to comply with that mandate, issued in pursuance of the 2010 Patient Protection and Affordable Care Act (ObamaCare).

"Being Christians, we don't pay for drugs that might cause abortions," Green wrote. "Which means that we don't cover emergency contraception, the morning-after pill or the week-after pill. We believe doing so might end a life after the moment of conception, something that is contrary to our most important beliefs. It goes against the biblical principles on which we have run this company since day one."

Since the penalty for noncompliance is \$100 per employee per day, Green, with thousands of employees nationwide, says the cost to him would be an estimated \$1.3 million a day, forcing the company in short order to close its doors and go out of business. Like the U.S. Conference of Catholic Bishops and an array of religiously affiliated schools, hospitals, and other non-profits, Hobby Lobby in September filed suit in U.S. District Court to overturn the HHS mandate. That, in turn, has inspired a backlash against the company by those who believe employees have a right to have their sex lives subsidized. A "Boycott Hobby Lobby" page soon appeared on Facebook, and the page administrator claimed it was having the desired effect.

"I've been to two Hobby Lobby parking lots today and they were fairly empty," read one posting. "I used to have trouble finding a parking spot! I think the boycott is catching on!" If so, then the Green family is already paying a price for adhering to the principles of their conservative Christian faith.

The penalty will be more severe, even fatal, to the company if and when the fines are levied. "They're being told they have two choices," attorney Lori Windham of the Beckett Fund for Religious Liberty told Fox News in September, "Either follow their faith and pay the government half a billion dollars or give up their beliefs." That is "a choice no one should have to make," said Windham, representing the company in its lawsuit.

In November, U.S. District Court Judge Joe Heaton rejected Hobby Lobby's petition for an injunction



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against enforcement of the mandate, citing a lack of legal precedent to establish that secular for-profit companies “have a constitutional right to the free exercise of religion.” An attorney for the company said it would appeal the decision. Three other companies with similar petitions — Hercules Industries of Denver, Colorado; Weizgartz Supply Company of Cedar Springs, Michigan; and Tyndale House Publishers of Carol Stream, Illinois — have won preliminary injunctions to halt enforcement in a controversy that will likely go all the way to the Supreme Court.

While Roman Catholic bishops and various Catholic institutions have been in the forefront of the legal and public-relations battle against the mandate, the Hobby Lobby suit is a reminder that the issue is not exclusively a Catholic controversy. The company’s CEO is one Baptist businessman who is unwilling to have the limits of his Christian faith defined for him by the federal government.

“Our government threatens to fine job creators in a bad economy,” he wrote. “Our government threatens to fine a company that’s raised wages four years running. Our government threatens to fine a family for running its business according to its beliefs. It’s not right.”

Catholic institutions face the same dilemma if forced to pay heavy fines for refusing to provide insurance coverage for practices the Catholic Church teaches as doctrine are immoral and sinful acts. Catholic schools and hospitals could be fined out of business for noncompliance with the mandate, the bishops have warned, thereby adding to the social burden of providing education and healthcare for all. Yet the Obama administration tried to appease the religious leaders by postponing the effective date of the mandate by one year, making it binding on August 1, 2013. Since Catholic moral teaching has been consistent over millenia, a government-bestowed year of “grace” is not likely to change the terms or the seriousness of the conflict.

“In effect, the President is saying we have a year to figure out how to violate our consciences,” said Cardinal Timothy Dolan of the archdiocese of New York, who is president of the U.S. Conference of Catholic bishops. Nor does the “compromise” President Obama later announced alter the moral dilemma faced by employers with moral objections to the mandate. The insurance companies, the president said, rather than the employers would absorb the cost of coverage for the contraceptive services. But either that cost would be reflected in higher premiums for the health insurance, or the insurance companies would be calculating that it would be cheaper to pay for the contraception than to provide coverage for additional children. Either way, employers would still be in the position of providing the insurance policies that subsidize practices many of them believe immoral. And the distinction would be moot for those institutions that self-insure.

Houses of worship are exempt from the mandate, as are religious institutions that have the “inculcation of religious values” as their purpose and that employ and serve primarily those who share the tenets of the same religious faith. That would exclude from the exemption many religiously affiliated hospitals, schools, and charitable organizations that employ and serve people of different faiths or no faith. The Union of Orthodox Jewish Congregations of America took exception to Obama administration’s attempt to define what organizations are truly “religious” in nature and deserving of First Amendment protection of religious liberty:

Most troubling is the Administration’s underlying rationale for its decision, which appears to be a view that if a religious entity is not insular, but engaged with broader society, it loses its “religious” character and liberties. Many faiths firmly believe in being open to and engaged with broader society and fellow citizens of other faiths. The Administration’s ruling makes the price of such an outward approach the violation of an organization’s religious principles. This is deeply



disappointing.

As Cardinal Francis George of the Catholic Diocese of Chicago has observed, the narrow zone of religious liberty envisioned by the Obama administration — what the president has called “the freedom of worship” — has an all-too-familiar look about it. Said the cardinal:

Liberty of religion is more than freedom of worship. Freedom of worship was guaranteed in the Constitution of the former Soviet Union. You could go to church if you could find one. The church, however, could do nothing except conduct religious rites in places of worship — no schools, no religious publications, health care institutions, organized charity, ministry for justice, and the works of mercy that flow naturally from a living faith. All of these were co-opted by the government. We fought a long, cold war to defeat that vision of society.

Since it was announced in January 2012, the contraceptive/abortion/sterilization mandate has gotten most of the attention in what opponents of the rule have called the “war on religious liberty.” But as authors Phyllis Schlafly and George Neumayr have chronicled in their recently published *No Higher Power: Obama’s War on Religious Freedom*, the White House war on both life and liberty began the day Obama entered the Oval Office.

One of the new president’s first executive orders following his inauguration on January 20, 2009 was a repeal of the “Mexico City” policy that forbade the disbursement of U.S. taxpayer dollars to any organization in another country that performs abortions. The idea of requiring taxpayers, many of whom believe abortion to be a grave moral evil, to subsidize the practice not only violates the conscience of abortion foes, but also makes a mockery of the argument that abortion is strictly a matter of personal “choice.” The Obama policy expands “a woman’s right to choose” to include a “right” to have that choice paid for with other people’s money.

The following month, Obama announced plans to eliminate the “conscience” exemption that allowed pro-life nurses and doctors working in hospitals that receive federal funds to refrain from participating in abortions or other “procedures” they consider immoral. R. Albert Mohler, Jr., president of the Southern Baptist Theological Seminary, protested that “the Obama administration is now ready to use the coercive power of the state to force medical personnel to perform acts they consider to be morally wrong and unhealthy for their patients.” The seminary president called it “a tyrannical trampling of individual conscience by the power of the state.”

The Christian Medical Association, an organization of evangelical medical personnel, and the Catholic Medical Association protested the decision in a letter sent to Health and Human Services Secretary Kathleen Sebelius. Without the conscience protection, they warned, the cost and availability of healthcare for hundreds of thousands of patients would be threatened by a reduction of personnel and facilities needed to provide medical services.

“Each year, one in six patients is cared for in a Catholic hospital,” the letter stated. “It is well known that these hospitals will not perform abortions. Without conscience protections, these institutions, which provide services to millions of patients, may shut down rather than be forced to perform surgical or medical abortions.” The letter also cited a 2009 poll sponsored by the Christian Medical Association showing that 20 percent of medical students said they were “not pursuing a career in Obstetrics or Gynecology” because of what they saw as government coercion to engage in morally objectionable practices. “This is a serious problem,” the letter said.

Apparently, opposition to abortion is considered an extremist and dangerous position by the Obama



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administration. In April 2009, Department of Homeland Security Secretary Janet Napolitano published a report on “right wing extremism.” Interestingly, it warned not only against “hate-oriented” groups likely to target racial or ethnic minorities, but also “those that are mainly anti-government, rejecting federal authority in favor of state or local authority, or rejecting government authority entirely.” Ominously, the report also warned of “groups and individuals dedicated to a single issue, such as opposition to abortion or immigration.”

Since many, even most, abortion opponents are people with strong religious convictions, the report might be taken as another sign of anti-religious bias in the Obama administration, or at least in its Department of Homeland Security. On the other hand, it must be conceded that many “pro-choice” officials and voters also profess allegiance to various Christian and Jewish faiths, which, in their minds at least, allow for the killing of the “unwanted” as a matter of personal choice. HHS Secretary Sebelius, for example, claims to be a Catholic who, as governor of Kansas, vetoed any pro-life legislation that reached her desk and welcomed to a reception at the governor’s mansion notorious late-term abortionists George Tiller of Kansas and LeRoy Carhart of Nebraska, the litigant who succeeded in overturning Nebraska’s ban on partial-birth abortions in what became the Supreme Court case *Stenberg v. Carhart*.

The choice of Sebelius for HHS Secretary was an indication that formal religious affiliation is not a barrier to service in the Obama administration, so long as such ties do not stand in the way of a militantly secularist, anti-life agenda.

It is also an unabashedly pro-homosexual agenda. Long before Obama announced in May 2012 that he believes same-sex couples should be permitted to marry, the directions, executive orders, and policies of his administration were already pointed in that direction. He instructed the Justice Department not to defend the Defense of Marriage Act against constitutional challenges. DOMA, passed by Congress and signed by President Clinton in 1996, established man-woman marriage as the only kind recognized in federal law. Yet in July 2009, Obama, in apparent defiance of the law, extended federal benefits to same-sex partners of government employees. In October of that year, he signed a defense authorization bill that included a “hate crimes” provision that gay activists had sought as a means of silencing speech against homosexuality.

“If we pass this conference report, opinions will become crimes,” Sen. Jim DeMint (R-S.C.) warned when the bill was before Congress. “What is to stop us from following the lead of the European countries and American college campuses where certain speech is criminalized? Can priests, pastors and rabbis be sure their preaching will not be prosecuted if it says certain things are right and wrong?”

The fact that the “hate crimes” provision was included in the measure that passed Congress suggests that much of official Washington does not share DeMint’s concern about protecting the freedom of speech, including religious speech. Indeed, in February 2012, the Army directed Catholic chaplains not to read from the pulpit a letter opposing the HHS contraceptive/sterilization/abortifacient mandate, a letter that Archbishop Timothy Broglio, head of the Catholic military services archdiocese, had asked the chaplains to read. The directive was later rescinded.

The Obama administration has made the promotion of “gay rights” a cornerstone of its foreign as well as domestic policy. Secretary of State Hillary Clinton has undertaken the task of promoting that agenda worldwide, including in religious countries where the practice of homosexuality is regarded as a serious sin. “Lesbian, Gay, Bisexual and Transgender rights” are, said Clinton, “a priority of our foreign policy.” That at least ensured that the administration’s offenses against people of faith would not be limited to



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trespass upon the principles of American Catholics, Evangelicals, and Orthodox Jews. In Kenya, land of the president's ancestry, the Council of Imams and Preachers reacted with indignation to Obama's public endorsement last spring of same-sex marriage. As Schlafly and Neumayr reported, the council's organizing secretary, Sheikh Mohammed Khalifa, charged Obama with usurping the role of God by attempting to legalize what God has forbidden. "Simply because he has risen to be the President of a superpower does not mean he can now start acting as God," the sheikh said. "He is nothing in the eyes of God and his plans will not succeed just like those who preceded him in such plans."

The Obama Justice Department intervened in a church-state controversy in which the Equal Employment Opportunity Commission tried to sue a Lutheran church and school over the firing of one of its lay ministers. The Department of Justice lawyers claimed the long-standing "ministerial exception" to government employment regulations did not apply. The U.S. Supreme Court upheld the exception in a 9-0 ruling against the government in *Hosanna-Tabor Evangelical Lutheran Church and School v. EEOC*.

In May 2009, President Obama proposed a phasing out of the District of Columbia's voucher program that offered parents living in the nation's capital an alternative to the D.C. public-school system. Most of the parents enrolled in the program sent their children to Catholic schools, a practice that stood in contradiction to the administration's goal of educating the world on the blessings of a moral "diversity" that looks with favor on the sexual mores of the lesbian, gay, bisexual, and transgender "community." At the same time, the administration increased funding for "comprehensive sex education" in the public schools.

At least two of the administration's anti-religion decrees were overturned, thanks to protests against them. The Department of Veterans Affairs' ban on the mention of Jesus Christ during burial ceremonies at Houston National Cemetery was dropped when demonstrators turned out in support of a lawsuit against it. Rep. Steven King (R-Iowa) drew attention on the House floor in 2011 to a revision to Army guidelines on visits to Walter Reed Medical Center in Washington, D.C. The new policy prohibited visitors from bringing Bibles and other religious materials with them.

"That means you can't bring in a Bible and read from it when you visit your son or daughter, perhaps — or your wife or husband," King protested. "It means that a priest that might be coming in to visit someone on their deathbed couldn't bring in the Eucharist, couldn't offer Last Rites. This is the most outrageous affront." The new rule was quickly dropped after King called attention to it, but the congressman was incensed that a ban on bringing religious materials to active military personnel and veterans hospitalized there had even been contemplated.

"The very existence of this, whether it's enforced or not, tells you what kind of a mindset there is there," King said.

Yet the secularist jihad continued. The Air Force dropped a course on the Just War theory after an organization called the Military Religious Freedom Foundation objected to its reliance on religious authorities like Abraham, John the Baptist, and Saint Augustine. The same organization succeeded in getting the Air Force to end its support of Operation Christmas Child, a worldwide program of gift giving to needy children. The objection was based on the fact that the program was run by an organization led by evangelist Franklin Graham, son of the famous preacher Billy Graham, and because an evangelical Christian message was included in each package.

"It's so outrageous," Jordan Sekulow, an attorney with the American Center for Law and Justice, told





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Fox News. “It’s not about the First Amendment. It’s about a real hatred of religious people and people of faith that they would go so far as to stop an assistance program like Operation Christmas Child.”

In his first year in office, President Obama dropped his predecessor’s practice of holding an event at the White House to commemorate the annual National Day of Prayer. James Dobson, host of the Christian broadcast Focus on the Family, commented on what is considered worthy of honor and recognition at the nation’s executive mansion: “When the professional baseball team wins the World Series, or when the Super Bowl is played, or when college teams win the national championship, they are invited to the White House to celebrate. That’s important, apparently, but celebrating prayer, which is our national heritage, is ignored.”

But if, in fact, the administration were merely ignoring our nation’s religious heritage, that would be an improvement over its policy of militating against it and attempting to coerce people of faith to violate their moral conscience and the teaching of their religious traditions. It is clear the Obama administration will go to great lengths to undermine and attack religious liberty. It remains to be seen how zealous the American people are to defend it.

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