

God, Life, and Everything Religious Burden

I thought I was going to write about a first date, but something big happened the other day that affects our religious landscape in a big way and cannot be ignored.

The Supreme Court ruled that the closely held corporation Hobby Lobby is not required to cover certain types of birth control under the legally mandated Affordable Care Act.

Don't worry, this isn't a column about birth control, or abortion, or Obamacare for that fact. This is about the relationship between the state, religion, and corporations. And what just happened alters the landscape more than at least some justices seem to believe.

If you're not up on the arguments in the case, Hobby Lobby, Inc. argued it should not have to cover certain types of birth control because it deems them to be abortion (ignoring the medical professionals who say this is not the case). They argued that it placed an undue burden on their religious freedom to have to pay for something that goes against their religious beliefs.

The court agreed that it placed, if not a financial burden then a moral burden on the corporation.

The decision has had some interesting reactions. Predictably, those who want to decrease the separation of church and state are delighted. They say, "Why get upset? This is a narrow ruling. Hobby Lobby isn't even doing away with all forms of birth control."

However, many Christian organizations - including traditionally conservative or evangelical groups - are troubled.

Here's what troubles them:

Never before has a corporation been able to claim religious freedom in the avoidance of a law (a law, by the way, that was upheld by the same Supreme Court earlier). This is groundbreaking. And it is opening Pandora's Box.

Just think about what corporations will now choose to do away with since a given law puts a burden on their morals. Many religious groups believe vaccines are immoral. Jehova's Witnesses don't believe in blood transfusions. Many others believe doctors are an abomination, that faith alone heals. What is to prevent them from objecting to any sort of health insurance?

Or, if you want to get away from insurance altogether, what is to prevent a corporation from arguing that their religious beliefs prevent them from hiring women?

Or Christians? What is to prevent a corporation from arguing that all female employees must wear, for example, a hijab, or that all employees must wear some other religious symbol or pray a certain number of times per day or face being fired?

The list goes on. I have no doubt that some corporations will now argue that their religious beliefs oppose paying taxes to the state. Certainly, many will argue that paying for a war or a professional military is fully against their religion, and now they have an opening where before there was none.

By the way, I believe the court said taxes were not up for discussion. That is, if I understood correctly, they said that corporations could not refuse to pay taxes based on religious views. This, however, makes no sense and will undoubtedly be contested. It makes no sense because Chief Justice Roberts, in his Obamacare decision, said

Obamacare is a tax. That should have, based on this ruling, made Obamacare exempt from religious objection.

This is even more troubling, however. This ruling states, for the first time, that corporations - non-human entities created to put distance between individuals and legal responsibility (that is, if the corporation goes belly up or is found guilty of breaking a law, the leaders aren't necessarily personally responsible) - can have religious views. Not only that, but they can use their religious views to circumvent laws.

Some conservative groups are distressed because a for profit corporation called itself a Christian organization, and scripturally speaking, only a church can be a Christian organization - the gathering of the faithful. So now, is a corporation a church? Indeed, corporations are exactly the opposite, an organization designed to be amoral and existing only for the purpose of making money for shareholders. Which makes this just plain perverse.

On a more practical level, if the court wants to avoid the flood gates opening (good luck on that), if they want to prevent every corporation from coming up with all sorts of laws they want to avoid on religious grounds, they will have to become expert in virtually every religion. They may worry about someone making up a religion in order to get around the law, but there are thousands of religions which have long existed - those alone will keep them busy. Heck, just the Christian denominations out there have such varied beliefs that the SCOTUS will never be able to bear the weight of them.

This country had a great idea at its beginning: separation of church and state. That distinction became a lot less clear with this ruling. The distinction between church and corporation became even less so.

This is not good of religion in America. And it's not good for America.