



CHRISTIAN  
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**Religious Liberty Challenges to Obamacare's Conscience Violations  
Unaffected by Today's Supreme Court Ruling**

The Supreme Court today held significant parts of Obamacare constitutional, specifically holding that the “*Individual Mandate*” is a constitutional tax on all Americans. The Court’s ruling, however, in no way addressed the major religious liberty issue regarding the constitutionality of the “*HHS Mandate*,” by which the Obama Administration requires religious employers to pay for abortion-inducing drugs to which they have religious objections.

The HHS Mandate is an extreme departure from the Nation’s bipartisan tradition of protecting religious conscience rights in the context of abortion funding. “The HHS Mandate is the first exception to our national commitment to protect religious conscience in the abortion context – a tradition that has been bipartisan for forty years,” explains Kim Colby, Senior Counsel for the Christian Legal Society’s Center for Law and Religious Freedom.

By adopting, in the HHS Mandate, an extremely narrow definition of “religious employer,” the Obama Administration has unilaterally and unacceptably re-defined religion. In the Administration’s view, religious institutions are only protected if they are entirely inwardly focused. Religious institutions that provide assistance to all persons, regardless of religion or creed, are penalized. Churches and charities that ease government’s burden by providing food, shelter, education, and health care for society’s most vulnerable lose their conscience rights because they are too inclusive. “It is wrong for the government to penalize religious groups because they help persons regardless of their religious traditions,” says Ms. Colby.

An increased sense of urgency now fuels religious liberty groups’ challenge to the constitutionality of the HHS Mandate. For many religious employers, the HHS Mandate begins to take effect in five weeks on August 1, 2012.

The Christian Legal Society recently provided comments to the Obama Administration regarding the numerous ways in which the HHS Mandate violates religious liberty. These comments are available here at <http://www.clsnet.org/document.doc?id=368&erid=249607&trid=4c956211-0ee9-487b-a655-bcf66c40b5ae>.

*The Christian Legal Society is a nationwide association of Christian attorneys, law students, and law professors. [www.clsnet.org](http://www.clsnet.org)*