



Abortion Pill Opponents: Jews, Muslims, Christians...

Bob Unruh

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“What do 207 members of Congress, 50 Catholic theologians, 13 law professors, nine professional associations and two prominent women’s organizations have in common with the Union of Orthodox Jewish Congregations of America, the American Islamic Congress, the General Conference of Seventh-Day Adventists and the International Society of Krishna Consciousness?”

That question was posed by Sister Constance Veit, a communications director for the Little Sisters of the Poor, the Catholic order of nuns fighting in the U.S. Supreme Court against a White House requirement that they pay for abortion pills for employees.

The nun said the disparate groups have come together to oppose the federal bureaucracy’s decision to assume the right to decide what is sin and require employers, including nonprofit religious organizations, to include abortion pills in their health-insurance coverage.

“Reading through the amicus briefs written on our behalf, I was humbled by ‘what a broad coalition of Americans’ has come together once again to help defend religious liberty. What I found most striking were the concerns and fears expressed by our brothers and sisters of other faith groups, especially those representing religious traditions that claim relatively few American followers,” she wrote in a column at the Tablet, a Catholic newsletter in Brooklyn.

“These minority religious groups note that our case represents an attempt by bureaucrats to question ‘the accuracy and reasonableness’ of our sincerely held religious beliefs. They fear that ‘allowing government to second-guess religious beliefs and favor some religious groups over others uniquely harms the very minority religions that RFRA was designed to protect.’ Adherents of minority religions ‘would have the most to lose,’ they contend, if the government’s current position were to prevail,” Veit said.

That point was raised in one of the dozens of friend-of-the-court briefs filed by various interest groups and individuals in the case, which is to be heard at the U.S. Supreme Court in March.

The submission from the Thomas More Law Center on behalf of dozens of clients, said if the appeal is lost, the government “becomes the head of every religious denomination in the country by its assumed authority to determine what is in fact a sin.”

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The Becket Fund, which is representing the nuns, has posted online the briefs, submitted by 20 states, 13 law professors, 207 members of Congress, 50 Catholic theologians, Agudas Harabbanim of the U.S., American Association of Pro-Life Obstetricians & Gynecologists, American Islamic Congress, Assemblies of God, Church of Jesus Christ of Latter-day Saints, Colorado Christian University, Association of Catholic Colleges and Universities, Carmelite Sisters of the Most Sacred Heart of Los Angeles, Cato Institute, Church of the Lukumi Babalu Aye, International Society for Krishna Consciousness, Members of the Lipan Apache Tribe, Ethics & Religious Liberty Commission, the International Mission Board of the Southern Baptist Convention, former Justice Department officials and many others.

In its brief, the Thomas More Law Center pointed out that while the Obama administration has argued that the nuns can resolve their faith-based objections to providing abortion pills by signing over the responsibility to someone else, the Thomas More’s brief points out.

However, in “the context of the criminal law, the courts and the department routinely hold persons culpable for the wrongful conduct of third parties – by imposing liability for aiding and abetting, conspiracy, and other forms of assistance,” they wrote.

“To be criminally complicit in wrongdoing, a person need only facilitate the scheme to some (even slight) degree with knowledge of the scheme’s intended result,” they argue. “Here, petitioners wish to avoid facilitating, through the use of their own ‘coverage administration infrastructure,’ a coverage scheme they know will result in ends religiously offensive to them. The courts and the government should not dismiss a religious concern that so closely parallels traditional legal concepts of complicity.”

Veit wrote that her organization cares for elderly residents in 27 homes across the country.

“We Little Sisters of the Poor are profoundly humbled and grateful to so many people from diverse walks of life who have supported us on this legal journey, which will soon reach its culmination in the Supreme Court. To all of them we wish to offer a very humble and heartfelt thank you!” she said.

Veit said she also is “particularly grateful to our Southern Baptist friends for clearly articulating the reality that ‘a fundamental aspect of Christian doctrine is its requirement that faith must govern every aspect of a Christian’s life.’”

“The exercise of the Christian religion must guide and determine a Christian’s decisions, words, and deeds in every facet of life, including seemingly ‘secular’ matters like the administration of

insurance and the provision of certain drugs and devices.’ Their amicus brief describes Christian faith as holistic and broad in scope, noting that Christians have ‘a spiritual obligation to interact with and influence the culture outside the church doors,’” she wrote.

The brief contends the White House plan burdens the nuns’ religion, is not the least restrictive means of accomplishing the program, puts the government in the middle of “religious affairs” and assumes the “right” to determine what is religious.

The Christian and Missionary Alliance charges that the plan “impermissibly distinguishes between religious believers, fully protecting only those groups it deems sufficiently ‘religious.’”

WND reported only days ago that the Supreme Court, which also has been accused of tilting the playing field in advance, has set a hearing for March 23.

“After promising that the Little Sisters’ religious beliefs would be protected, the government created a new regulation requiring the Little Sisters change their healthcare plan to offer drugs that violate Catholic teaching,” the group explained. “One third of U.S. workers are employed by secular companies (e.g., Exxon and Visa) that the government has exempted from having to provide these same drugs in their plans because those employers did not try to update their health plans under ACA and are ‘grandfathered,’” Becket explained

In the lower courts, the Little Sisters have argued that the requirement to participate in the government’s plan to distribute contraceptives violates their exercise of religious freedom. While a previous Supreme Court opinion protected some for-profit companies from the law’s requirement, nonprofit organizations were left at risk.

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It was the 10th U.S. Circuit Court of Appeals that, according to one brief, assumed the authority of determining what is sin.

It said, “Perhaps the apex among a host of acts of governmental arrogance in this case was displayed not by HHS, but when the U.S. Court of Appeals for the 10th Circuit acted as if it had ecclesiastical powers of absolution, having decreed that by just signing a paper, Little Sisters would not be ‘morally complicit in providing contraceptive coverage.’”

The brief said one would expect that “on the issue of who the God of Heaven and Earth will hold ‘morally complicit,’ it would be the Little Sisters which would have the greater expertise than a federal judge.”

Another brief said the high court now has “tilted the playing field” by excluding First Amendment arguments from its discussion of the mandate that religious employers cover abortion pills in their insurance plans.

“It can be seen that this court, by excluding any briefing of the Free Exercise issue in this case, has tilted the playing field – making it virtually impossible for the petitioners to achieve a meaningful victory,” said the brief submitted by the attorneys at William J. Olson P.C. and the United States Justice Foundation on behalf of the USJF, Eberle Communications Group, Public Advocate of the U.S., Citizens United Foundation, Virginia Delegate Bob Marshall and others.