

American Council of Christian Churches
72nd Annual Convention, October 22–24, 2013
Hardingville Bible Church, Monroeville, New Jersey
“Resolution on Denying Liberty of Conscience”

On September 19, U. S. Solicitor General Donald Verrilli, Jr. filed an appeal at the Supreme Court of the United States on the exemption granted last June to Hobby Lobby that excused it from having to supply abortion-inducing drugs to its employees. The filing of the appeal underscores how important it is to the Obamacare legislation and those who have promoted it and gained its enactment that no exemptions be permitted on the grounds of religious convictions or personal conscience.

Hobby Lobby is far from the only business affected by the requirements of Obamacare that employers who provide healthcare insurance include with it, without additional charge, the availability of drugs that go beyond the prevention of conception and actually destroy a human embryo before it can become attached to the mother’s body. Hobby Lobby objects on religious grounds to being compelled to fulfill either scenario but finds especially abhorrent the requirement to provide drugs (like the so-called morning after pill) that terminate life after conception. And Hobby Lobby is by far the largest and most visible business that has objected to these provisions of the Affordable Care Act.

David Green, founder and CEO of Hobby Lobby, has maintained steadfastly that the company was founded on Christian principles, one of which is an ardently pro-life position. He said of the 40-year old company’s position (and those of other companies as well), “We believe that business owners should not have to be forced to choose between following their faith and following the law.” In its decision granting appellate relief on the exemption, the 10th Circuit Court of Appeals noted in its opinion, “As is particularly relevant to this case, one aspect of the Greens’ religious commitment is a belief that human life begins when sperm fertilizes an egg. In addition, the Greens believe it is immoral for them to facilitate any act that causes the death of a human embryo.”

Critical to any review by the Supreme Court of the case will be the language of the “free exercise clause” of the First Amendment to the Constitution and the understanding in that context of the 1993 Religious Freedom Restoration Act, signed into law by President Clinton. That law states, in part, that the “government shall not substantially burden a person’s exercise of religion even if the burden results from a rule of general applicability.” It remains to be seen whether the Supreme Court will entertain the government’s appeal or allow the appellate court’s ruling to stand. Should the Supreme Court take the case and rule against Hobby Lobby, the company would be facing a fine of at least \$475

million per year for refusing to comply with this particular Obamacare requirement.¹

Some who favor a leftwing political ideology and agenda complain that the case is purely a matter of partisan politics. But against the backdrop of the constitutional history of the United States, there are deep matters of liberty of conscience involved, and whether or not public policy will demand that those who hold to deep-seated Christian views surrender those views if they wish to be involved in business. The law's language has carved out exemptions for explicitly religious institutions, but businesses owned by people with Christian principles have been refused such exemptions.

In an open letter on September 23, David Green indicated the willingness of his family to continue the fight in court, although he would prefer that the government cease its efforts to force Hobby Lobby to comply. The letter announced the filing of a lawsuit in federal court asking that the mandate to provide contraceptives and abortion-inducing drugs be declared unconstitutional.

The ramifications of Obamacare are just beginning to penetrate the awareness of many Americans, and they are realizing that the way in which the legislation was sold to the public is far removed from the reality of much higher premiums and declining levels of care. However, the Hobby Lobby case is important for the future of religious liberty and the liberty of conscience, ideas that lay at the core of the decision by the American colonies to declare their independence from the United Kingdom in 1776.

Therefore, the American Council of Christian Churches, at its annual convention, October 22-24, 2013, at Hardingville Bible Church, Monroeville, NJ, resolves to support those who are pursuing such a vigorous defense of the ability of Americans to run their businesses, if they choose, according to Christian principles. Furthermore, the Council resolves to condemn the kind of repression that requires, as a cost of doing business, the abandonment of those truths that are dearer than life itself. The Word of God is the final authority in this situation, and it demands that the government itself move in defense of life and not for measures that hasten its destruction.



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¹ All quotations and other references are taken from townhall.com/tipsheet/sarahjeanseman/2013/09/20/untitled-n1705650.