

Religious freedom has a long and proud history in America. From the very first pilgrims to cross the Atlantic, to the religious freedom established in colonial charters, to the Bill of Rights – it is a basic premise that Americans have the right to worship as they wish. This is one of our most treasured liberties.

Since the birth of our nation, however, the relationship between church and state has grown more and more complicated. Today, this tension is playing out on the issue of abortion, against a backdrop of one of the most controversial laws enacted in our time.

The Affordable Care Act, the health care law passed in 2010, mandates a slew of behaviors never before required by the U.S. bureaucracy.

Many of them are explicitly referred to in the law, like the individual mandate to carry health insurance. That aspect of the ACA is currently the subject of a Supreme Court challenge by 26 states.

Other parts of the health care law, however, are the product of rules and regulations decided upon by the various agencies charged with implementing the legislation. The most glaring example of how the federal government is abusing the powers granted to it by the law deals with religious organizations. Religious schools, religious charities and religious organizations which offer insurance are required by the new rules to provide coverage for contraceptives, sterilization and drugs that induce abortions. Despite the moral objections of our many religious institutions to these practices, they are being forced to cover them with insurance.

Conscience protections are vital to religious providers of health care.

They prevent the government from requiring abortions be conducted in hospitals that object, performed by doctors who object, and paid for by charities who object. And in the realm of insurance, these protections are equally important to prevent taxpayers and religious organizations from subsidizing the use of abortion drugs.

Our Founders decided that religious belief should never be subjected to the force of the government. They also believed the opposite to be true. I doubt they would see eye to eye with an administration which believes the government has the power to treat religious organizations with faith-based missions in the same way as they treat secular organizations with secular aims.

Matters of conscience extend, too, to the fact that the religious organizations covered by the mandate are participating in coverage for contraception, sterilization and abortion drugs even if those insured by the plan never use those services. Supporting the insurance policies that cover these services is tantamount to subsidizing the services themselves. In the same way as a restaurant bill split five ways forces you to pay a little for the appetizer even if you didn't eat any, these insurance plans force religious organizations to pay a little for the contraception, sterilization and abortion drugs of others.

There is no reason for the federal rules to cover religious organizations with objections of conscience. Now, more than ever, it is critical to protect our religious institutions – and taxpayers – from the expensive intrusions of a government bent on legislating life.