

# OBAMA v. RELIGION

Yesterday, the U.S. Supreme Court heard arguments on a case that involves the “ministerial exception,” a provision that bars the government from making employment decisions regarding a church’s ministers. The position articulated by Leondra R. Kruger, who represented the Obama administration, was the subject of a revealing series of exchanges with the Justices.

After Kruger dodged a pointed question by Chief Justice John Roberts on the specific religious nature of the case—all she would allow was that associational rights were involved—Justice Antonin Scalia pressed her even further: “That’s extraordinary. That’s extraordinary. We are talking here about the Free Exercise Clause and about the Establishment Clause, and you say they have no special application?”

Later, Supreme Court Justice Elena Kagan asked Kruger about this same issue. When Kruger indicated that the “ministerial exception” was not grounded in the First Amendment, Kagan, citing Scalia’s concern, said “I too find that amazing, that you think that the Free—neither the Free Exercise Clause nor the Establishment Clause has anything to say about a church’s relationship with its own employees.”

Catholic League president Bill Donohue comments as follows:

Jesus selected only males to be his apostles. Following suit, the Catholic Church selects only males to be its priests. No one has ever questioned this First Amendment right, until now: the Obama administration wants to gut the “ministerial exception” that allows religious institutions to exercise autonomy in its employment decisions.

What happened yesterday is the icing on the cake: after lying to the American people that Obamacare would not threaten the religious prerogatives of the Catholic Church—it now wants to

force Catholic healthcare providers to offer sterilization and contraceptive services (abortion will be next)—it says the government should not be barred from policing the hiring policies of any church. Thus has Obama taken the culture war to new extremes.