

OBAMACARE RELIGION ISSUE RESURFACES

The U.S. Supreme Court recently ordered the Fourth Circuit of Appeals to hear the constitutional issues involved in two provisions of ObamaCare, formally known as the Affordable Care Act. Previously, the circuit court ruled that a challenge by Liberty University to ObamaCare was premature, but now the high court has vacated that decision.

The key aspect of ObamaCare for the Catholic community has always been the religious liberty issue, not the question of universal health care coverage; the Catholic Church endorsed universal health care more than 80 years ago. The contentious part of ObamaCare, as stated by the bishops, is the Health and Human Services mandate forcing Catholic non-profits to pay for abortion-inducing drugs, contraception and sterilization.

There is reason to believe that despite the reluctance that some Supreme Court judges may have in revisiting this subject, the high court will eventually rule on the religious liberty issue; it was not addressed last June when ObamaCare was decided. It now signals to the Fourth Circuit that it cannot dodge this matter.

In her own opinion on ObamaCare, Supreme Court Justice Ruth Bader Ginsburg held that although the congressional legislation was constitutional, its implementation may still cross the line. "A mandate to purchase a particular product would be unconstitutional if, for example," she said, "the edict impermissibly abridged the freedom of speech, *interfered with the free exercise of religion*, or infringed on a liberty interest protected by the Due Process Clause." (Our italics.)

Ginsburg did not pen those words without reason. Which is why we remain cautiously optimistic about the fate of the

religious liberty issue.