

A Corporate Conscience

Romans 7:15-25a; Matthew 11:28-30

It appears God and Mammon are getting along quite well here in the land of the recklessly free and the home of the litigiously brave. Buttressed by the latest Supreme Court ruling in reference to the religious beliefs of Hobby Lobby, American institutions dedicated to profits can now add a moral exemption to the abundance of ways they can skirt the laws of the land and the interests of the commonwealth.

As a matter of partisan persuasion, the Right hand of the Supremes disagreed with the Left, arriving at the conclusion that for-profit corporations, which not only have free speech they can exercise without constraint in the form of campaign contributions to political parties, but now they have a recognized religious conscience which can exempt them from having to abide by the Affordable Care Act, at least as it pertains to two specific forms of contraception, even though these forms of birth control are legal and widely accepted in society.

The ruling is supposed to only affect the two companies that were aggrieved on religious grounds: the aforementioned Hobby Lobby and Conestoga Wood Specialties, a wood cabinet manufacturer in Pennsylvania. However, a precedent has now been set that will likely generate a number of appeals for other exemptions. Already, several evangelical leaders, including the President of Gordon College, have petitioned the Obama administration for an exemption on hiring LGBT employees on the basis of this precedent, citing their own religious freedom and corporate conscience. If they are successful, it will create an interesting perspective on the relationship between constitutional freedoms and federal law. We'll see how

much of a “minefield” this legal precedence creates, as dissenting Justice Ginsburg argued.

Needless to say, this ruling has generated more than just appeals for possible exemptions. It has raised the ire of many throughout this country who reject the notion that individual religious beliefs of a business owner (let alone an entire company) trump the access employees have to standard medical procedures included in their health plan. In this particular case, it seems overtly discriminatory, since the ones directly impacted are women, whose freedom to choose a form of contraception that meets their needs must first pass the moral litmus test of their employer. For many, it’s an egregious overreach, insofar as women already are typically underpaid in comparison to men for doing the same job and also face additional job insecurity simply because of pregnancies.

Conversely, proponents argue that owners who espouse certain beliefs should not have to sacrifice their moral convictions just to satisfy the demands and desires of those who work for them—that it’s an infringement on their religious freedom for the government to impose a secular set of values upon the businesses created and owned by religious individuals. Why should people of faith be required to sacrifice what they value, when an employee is free to move to another workplace that provides the benefits they seek? Who deserves to have their views most respected, protected, and accommodated: the employee or the owner of the company? That’s a fair question to debate. In Judge Alito’s majority opinion, the Supreme Court ruled for the owners. Thus, there is now a legitimate interest at stake in respecting and protecting a corporate conscience.

As a Roger Williams' type of Baptist, I might agree that this was a just ruling, insofar as the government shouldn't interfere with a person's religious liberty and freedom of conscience. But on the other hand, as one concerned for justice, is there any reason for a government program to protect and accommodate the religious interests of anyone, let alone that of a for-profit company? Isn't it the *law* and the Bill of Rights that protect those religious freedoms, whereas a particular government program should not through policies of exemption or accommodation? For me, a distinction must be made how those freedoms are guarded, otherwise this makes things a little less than clear as to whether they warrant protection. Let me explain.

Religious liberty, as I embrace it, is provided so that each of us can follow the tenets and beliefs of our faith tradition, whatever those might be. But the context for our religious liberty is not in a religious state or theocracy, nor is it even a "Judeo-Christian" society; instead, the U.S. is a non-religious, civil commonwealth protected by constitutional freedoms, as articulated in the Bill of Rights. The constitutional setting makes all the difference.

Why? Because the freedom of religion also includes the freedom *from* religion, which means, an employee/citizen with equal standing under the constitution has the right to work without experiencing harassment or unfair labor practices simply to suit the religious values of the owner, who in turn receives benefits accorded to business owners from both federal and state governments.

In this case it seems to me, unless Hobby Lobby specifically states in an employee application or contract that it is a private

Christian company requiring agreement with certain beliefs and practices espoused by the owners, then the employee should not be subject to those beliefs or obligated to conform his or her religious beliefs or moral convictions to those of the owners simply for the right to work and to receive compensation for that work. For as I see it protecting the religious views of the owner over the rights of employees to have full access to what their company health plan would offer seems to validate the imposition of a particular religious taboo upon those who choose not to embrace it—those who are relatively powerless to do anything about it. Is this really what the First Amendment and similar laws protect, and would it be read by this Court any differently had the owner not been a Christian? What if the owner were Muslim imposing Shari’ah law? Whose rights would have been protected—the owners or the employees?

Do you see my point? If we’re going to live together peacefully in this country under the law, then the content and corporate obligation to anyone’s particular religious beliefs and values (which are diverse and varied in this country) have to be *secondary* to the interests of the entire commonwealth, which provides constitutional protections for each citizen. Certainly, business owners already sacrifice many of their individual rights and beliefs in order to operate in the global economy, as well as with government regulations that are imposed by law—restrictions and impositions placed on companies and corporations in order to ensure that business practices are fair and legal in the marketplace and to safeguard their employees in the workplace. This is nothing new. So to argue that a

healthcare plan offends, in particular, a corporate religious conscience seems like a bit of a stretch for me.

The same is true for any of us as individual citizens. We too make many personal compromises, even regarding our moral and religious beliefs, in order to be law-abiding and a part of this society and commonwealth. For example, we recognize that many of our traditional Christian holiday festivities and practices no longer can be a part of public ceremonies or settings out of respect for all the other religions and nonreligious people present in our society. We may not like that, but we accept it out of consideration for those who don't share our views.

Likewise, some don't believe in war, or in providing foreign aid, or subsidizing oil companies or large agro-businesses, or bailing out investment banks, or any number of other aspects of government, but we pay taxes recognizing that a percentage of those funds pay for something we may oppose with great reservation. Yet, our religious liberty doesn't give us permission to opt out, as we recognize and accept our obligations and responsibilities as citizens of this nation. A few may choose not to pay taxes out of protest, but when they're penalized, it's not for their beliefs per se, but for not paying their full share of taxes as a citizen.

As citizens, we're free to believe whatever we want, but we're still obligated to follow the laws of the land, like them or not. Those are the rules of civil society. The point is, religious freedom, like freedom of conscience, doesn't exempt us from those obligations. It allows us to freely and publicly disagree with them without penalty of arrest, as long as we fulfill our duties as citizens.

Practically speaking, the laws that have final jurisdiction over us living in this country are those related to our *society*, not our *religion*. That may sound strange coming from a pulpit, but it's largely true. People may choose, and often do, to make religious and moral laws paramount in their lives, but then they have to recognize the penalties they will pay if their religious choices abrogate the social and legal "contract" each of us has with this country.

This is why most people choose to live with the internal moral conflict that compromises bring rather than becoming rigidly stubborn and fanatical about their religious principles should they conflict with their duties as citizens. I realize making moral compromises sounds like a dirty word to highly principled people. But we live with compromise everyday out of respect for others and for the setting in which we live and for justice and fairness in society.

In some ways, this internal moral conflict between what we value and what we're obligated to do is articulated in ways that are similar to the Apostle Paul's wrestling over the impulses and desires of the flesh and his spiritual ambitions to please God. Moral compromises can often feel much the same.

Though for a different reason, Romans 7 reads like a stream-of-consciousness Dr. Jekyll and Mr. Hyde polemic between the "good" Paul and the "evil" Paul—the way he wanted to be and the way he often was. His underlying ambition was, as I said, to piously please God, but he couldn't do it consistently or without conflicting human desires and needs. I don't know if he was reflecting his own personal struggle, or simply illustrating the difficulty people of faith have with living up to the ideals of their religion in general. Either way, what it

exposes is our human moral condition—our moral beliefs and desires and ideals will constantly be in turmoil trying to be expressed, reinforced, and lived out in the real world, while frequently being compromised by compliance to the setting in which we live.

What's instructive for us is that Paul didn't resolve it by simply holding himself to a high spiritual principle and then claim exemption from anything that conflicts or compromises it—an opting out of the world to maintain spiritual purity. Instead, he realized in the course of daily life, the moral turmoil he felt was irresolvable and only reconciled by trying to live into the grace and love of God, i.e., letting all of his conflicts, imperfections, and moral inconsistencies be “graced away” by divine mercy. He could not be as morally perfect as he wanted to be, but he was aware that God with love through Christ nevertheless embraced him.

I believe the Apostle came to terms with his humanity in this way for reasons not limited to personal failure. Piety in and of itself is very self-oriented and egocentric (even when not trying to be) by always being preoccupied with one's own spiritual state. Grace, on the other hand, allows people to be free of themselves to focus on others. The realm of God was not being reflected in society by a person's religious piety, but through personal service to others, particularly to the most in need. That's something many of us can affirm in our own experience.

Our corresponding text in Matthew offers us some inspiration in that regard. It's a couple of verses attributed to Jesus worth repeating:

Come to me, all you that are weary and are carrying heavy burdens, and I will give you rest. Take my yoke upon you, and learn from me; for I am

gentle and humble in heart, and you will find rest for your souls. For my yoke is easy and my burden is light.

Every time I read or hear these words, I wish it were the religious types in this world who made burdens lighter by being gentle, considerate, and humble in heart. Unfortunately, much of organized (and disorganized) religion places heavy obligations on people with loads of guilt and shame. Jesus recognized that with those in his own day who were more concerned about their personal piety and standing before God than with helping the poor and suffering. If we follow his inspiration, then religion will be about service to others which lightens the spiritual load of people, particularly those who have many burdens to bear.

A good example of that is what we're doing in our new mission by providing transitional housing for homeless families. We're not imposing our religious beliefs and values on those who will live there by setting up a moral litmus test for approving applications, or dictating how we think they can improve their lives; instead, we're lifting the burden by sacrificing our time and money to provide a safe house for a family to experience a quality of life they might not otherwise find in the normal housing market. We won't require a security deposit or market rent because we want them to be able to save up for the eventuality of having to pay that when they move onto permanent housing in a few years.

In the name of Christ, we're investing in the lives of people we don't even know yet, because our ministry is meant to lighten the load of people in need, not to make them over into the image of what we want them to be. It's not about us, it's about them. The people who

will live there represent a population that needs rest from all the disappointments, failures, outside criticisms, stigma, and other complications of life they experience on a daily basis—a respite that we can offer. Jesus’ yoke that brings people together in his name is one of grace, acceptance, and mutual care. We’re all in this together. That’s what freedom means in the realm of God!

When I read about this recent Supreme Court ruling and think about the precedent I fear it sets, I’m disappointed because I wish the owners had considered the hardships that their workers deal with day to day, in and out of the workplace. Instead of their own morality being offended, let that internal conflict within them become “graced away” and their focus be on lifting the burdens of their employees, particularly the women who are most affected by their actions. If they had done that, then religious freedom would have earned its right to be respected in society, instead of just demanded out of personal protest. The public image of Christianity and religious people in general would have benefited more from caring for those with less power than appeasing the piety of those at the top.

Had they done that, it would have been a corporate conscience worthy of protecting. For it would have brought people together in the spirit of kindness, mercy, and mutual consideration, which in the end, would have profited just about everyone.

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