Obama cowers before religious right on contraceptives

Tom Carter
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Once again, the Obama administration is demonstrating its lack of commitment to core democratic principles on the critical issue of separation of church and state.

On January 20, the White House announced that it planned to implement federal rules that would require employer health insurance plans, including those of church-affiliated institutions such as Catholic universities, hospitals and charities, to provide access to birth control and contraceptives free of charge. These rules would come into effect in 2013 as part of the Obama administration's overhaul of the health care system.

The Republican Party and the Catholic Church have responded to this announcement with an escalating offensive in the media, accusing the Obama administration of attacking the "religious freedom" of employers. The various Republican presidential candidates have raced to grandstand in front of the cameras, denouncing Obama as "anti-religious."

In the face of this attack, the White House is desperately seeking to conciliate with the religious right and the Church. "We will continue to work closely with religious groups during this transitional period to discuss their concerns," said Health and Human Services Secretary Kathleen Sebelius. The administration is open to "compromise" on the issue, Obama adviser David Axelrod announced on MSNBC cable TV Tuesday morning.

"We certainly don't want to abridge anyone's religious freedoms, so we're going to look for a way to move forward that both provides women with the preventative care that they need and respects the prerogatives of religious institutions," Axelrod explained.

White House Press Secretary Jay Carney confirmed that "the president is very interested in finding the appropriate balance between religious beliefs and convictions."

The rules announced by Obama already exempt churches themselves, a major concession to the Catholic Church and the religious right.

This cowering before those who seek to use religion to limit workers' access to birth control is one more demonstration that the liberal establishment is neither able nor willing to take a principled stand in defense of democratic rights. The only basis for opposing universal access to contraceptives, which are entirely legal, is religious doctrine. But the First Amendment to the US Constitution has historically been understood to bar the government from making religion the basis of law or social policy.

The impact of any compromise on this issue would fall most heavily on the working class. Under conditions of mass unemployment, cuts in social programs and a corporate assault on wages, the cost of contraceptives for millions of families would be prohibitive. On the other hand, unwanted pregnancies threaten economic disaster for families already struggling to make ends meet.

For the wealthy, the impact would be negligible. They have the means to access birth control in all of its forms.

The *New York Times* on Wednesday published an account of the internal debate within the Obama administration on the contraceptive rule which makes clear that the move was driven entirely by considerations of electoral expediency rather than political principle. Sebelius, Senior Adviser Valerie Jarrett and Deputy Chief of Staff Nancy-Ann DeParle argued in favour of the rule as a vote-getter among women in the November election, while Vice President Joseph Biden and other top advisers warned that antagonizing the Catholic Church would harm Obama's re-election chances.

As always, the response of the Democrats to the latest right-wing attack is to cringe in fear of alienating the most reactionary sections of the political and media establishment. The *Times*, citing unnamed administration officials, wrote: "One possible compromise might be to emulate Hawaii, where the rule is in effect, but where

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employers at religious institutions that do not offer free contraception can get birth control through side benefits, which the employees nominally pay for but which often end up being free."

The leading figures of the American Revolution of 1776 had nothing but contempt for the entanglement of religion and politics, which they identified with the Dark Ages. In discussions over the First Amendment, Thomas Jefferson called for a "wall of separation" between church and state. James Madison declared that "there is not a shadow of right in the general government to intermeddle with religion." Madison famously opposed allowing "three pence" of public funds to be spent on religion.

Nearly two and a half centuries later, these sentiments and principles have disappeared from the American political establishment.

Twenty eight states already require all employers, including "faith-based" ones, to provide access to contraceptives through their employee health plans. Moreover, there is overwhelming support in the population, including a majority of Catholics, for providing such contraceptives free of cost.

It is by no means clear whether the Obama administration will reverse itself, or whether it will adopt a sordid compromise along the lines suggested by the *New York Times*. The internal differences in the administration are evidence that bourgeois electoral considerations militate in both directions.

Any backtracking by the Obama administration, however, would cast a shadow over the existing state laws that require religious employers to provide access to contraception in their employee health plans.

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