

Hobby Lobby Argues Religious Freedom in Supreme Court

The battle between the Hobby Lobby arts-and-crafts chain and the Obamacare employer mandate reaches the U.S. Supreme Court Tuesday.

“It has major significance for religious liberty [and] for what constitutional rights business owners can claim,” says Joshua Hawley, a lawyer for Hobby Lobby’s legal team, the Becket Fund for Religious Liberty.

The owners of Hobby Lobby and Mardel Christian & Education, the Green family, believe that a requirement of the Obamacare employer mandate is a violation of their religious beliefs. The health care law requires employers to provide health insurance covering a wide range of contraceptives, including four that are abortifacients.

Hobby Lobby’s existing employee health insurance plan offers 16 different contraceptives, but the chain’s owners take issue with the law’s requirement for the other methods, which the Green family believes are tantamount to abortion.

Though some exemptions have been granted to churches and other religious bodies, nonprofit organizations and for-profit companies are required to comply with the mandate regardless of the owners’ religious convictions.

If Hobby Lobby loses the case, the company will be forced to pay noncompliance fines of up to \$1.3 million per day.

Business owners across the nation are watching this case, as its religious freedom implications could extend beyond the health care law.

Hobby Lobby’s codefendant in the Supreme Court case, Conestoga

Wood Specialties, is owned by members of the Hahn family, who are Mennonite.

In the divided opinion that ruled against Conestoga Wood, the 3rd Circuit Court stated that for-profit, secular organizations “cannot engage in religious exercise.”

Meanwhile, the 10th Circuit Court decision that ruled for Hobby Lobby ruled corporations “can be ‘persons’ exercising religion for purposes” of the Religious Freedom Restoration Act.

“Business owners have a right to run their businesses in accord with their religious convictions, just like everyone else,” Hawley says.

The court is expected to issue a decision before the end of the current term in July.