

Religious Liberty At Risk

Targeting Christians Under Crisis

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The first amendment to the U.S. Constitution reads:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

The very first freedom, then, that was recognized by the men who wrote the Constitution and then the amendments afterward is the freedom of religion. It is often called the first freedom. In a few means, it means that neither the nation nor the states would establish a particular religion as the official religion—that was the first part—and that neither the nation nor the states could *interfere* in the citizen's practice of his/her religion. "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

This right that they recognized as coming from God has been eroded over the last couple of centuries since the governments, both at the state and the federal level, have made inroads in regulating religious practices of all kinds—for instance, in the cases against Christian businesses refusing to serve homosexual customers or governments using zoning laws to prohibit religious meetings in private homes.

Leading Christians like Dr. Albert Mohler, Jr.—president of The Southern Baptist Theological Seminary, the flagship school of the Southern Baptist Convention and one of the largest seminaries in the world—see troubling signs in some of the regulations and orders and emergency powers exercised during this coronavirus pandemic. We happen to be in South Carolina, a state that is governed by a fairly conservative Republican, and he resisted as much as he could doing some of the things that have been done in the rest of the country. But he eventually gave in. But some governors like him and mayors have been very careful to exclude churches from their orders specifically. They are not in those others. Others, though, most of them progressive politicians, have prohibited the free exercise of religion within their jurisdictions in their orders.

Mohler cites a headline that ran last weekend on CNN: "Louisville Police Officers to Record License Plate Numbers of Easter Weekend Church Goers." This particular church was going to have a drive-in Easter service. The people would come in like to a drive-in movie, and they would gather in this particular place, and there would be an Easter service. But people would stay in their cars, and it was assumed that the people in each car were from the same household. Perhaps that is not the best way Christians could assemble; I'm not advocating that we have drive-in services here in Fort Mill. But it kept the spirit of the order that was there in Louisville. Mohler writes:

Louisville Mayor Greg Fischer threatened to take action not against those who might violate the social distancing guidelines, but specifically those who otherwise would have kept those orders and participated in a drive-in worship service. As long as people remain in their cars and are of the same household, it is very difficult to see this as anything other than a specific targeting of religion and Christian worship services.

Indeed, other drive-through services are still allowed, including drive-through liquor services in Kentucky. If you can have legal drive-through liquor, it is hard to argue that you can't have drive-in worship services.

This sort of thing didn't happen just in Louisville. In Nevada, Governor Steve Sisolak banned drive-in services in a tweet made on April 8. (I wonder what kind of legal standing a tweet would have had?) In Mendocino County, California, the public health authorities mandated that churches video streaming their services could not include *singing* because they were concerned that the few people who were actually in the church, doing the service, would project the coronavirus to the others who were also there. When you are singing, you expectorate a lot more than you might normally do just in talking. Other states and municipalities have ordered severe restrictions on congregational services. A few preachers have been arrested for having people come in to services. Some services have even been disrupted.

These jurisdictions who have done such things have opened themselves up to legal action by specifically targeting religious believers and congregations, because doing so exceeds their constitutional authority. They are requiring something of Christians that is not required of any other segment of citizens. It is Political Science 101 that governmental authorities cannot interfere with the particulars of Christian worship. That's something you should learn in your first semester. But that is exactly what these orders violate.

In response to Louisville Mayor Greg Fischer's order, U.S. District Court Judge Justin R. Walker (remember that name) of Western Kentucky, issued a temporary restraining order that cut short Fischer's attempt to prevent drive-in church gatherings. (Justin R. Walker is one of the ones like Brett Kavanaugh who are on their way up the federal courts, and observers think he will be the next appointee to the district court around Washington, DC.) Walker's restraining order also ended the threat to have the police take license plate numbers of those who dared to defy this unconstitutional mandate. Judge Walker commented in his ruling, "The mayor's decision is stunning, and it is 'beyond all reason' unconstitutional."

The emergency public health mandates are restrictive enough—I'm getting tired of them, and you probably are, too—but in the main, churches have complied with them. What is troubling is that these progressive lawmakers are ordering these kinds of targeted prohibitions so freely. They think they have the strength of numbers, strength of the situation, to do this. It almost seems like they did not consult anybody—they are just out there, throwing these things around. They are obviously taking advantage of the crisis, as they often do, to force their agenda on their jurisdictions. We never should forget that many progressives hate religion with a passion, especially Christianity. They see Christians as enemies and hate their traditional beliefs and lifestyles because it makes them feel guilty, because they don't practice these traditional lifestyles and have these traditional beliefs, and they know they are wrong. They would like nothing better than to restrict our rights to worship as we see fit to suppress Christianity even further than it has been.

For now, thankfully, most of these anti-Christian orders have been overturned or rescinded, or like the one in Louisville, restraining orders have been put out against it. But we should not think that the battle is won. Progressive lawmakers will keep on pushing their agenda—you can bet your bottom dollar on that—whenever and wherever they see a gap in the armor. Wherever they think they can sneak something in, they will do so. Pray that God stymies their efforts so that we can continue to worship God freely and not be put to the test of having to defy the laws of man in order to obey God.