

# ACLJ Says Restricting Religious Freedom Isn't the Cure for COVID

The American Center for Law and Justice (ACLJ) represents three churches in a lawsuit challenging California's ban on all singing and chanting at all indoor worship services throughout the state. We recently filed a brief asking the court to prevent California from enforcing the ban while the case moves forward.

As our brief explained, the CDC, the World Health Organization and numerous scientific studies confirm that, by implementing protocols such as physical distancing and wearing masks, churches can safely hold indoor services that include singing and chanting. In other words, there is no need or justification for absolutely banning all singing and chanting at indoor worship services.

Our brief also pointed out how California is treating worship services less favorably than other activities. For example, in our case, California argues that, when it comes to preventing the spread of COVID-19, the government has a virtual blank check to do whatever it wants, and protection for constitutional rights must be minimized.

In another case, however, California argued for strong protection of abortion rights during the pandemic and stated that "[a] public health crisis should not be used as an excuse" to restrict constitutional rights.

Additionally, the evidence in the case confirms that political protests—which often involve huge crowds of people who are tightly packed together—have been linked to the spread of COVID-19, and yet California's governor has encouraged protestors to "do what you think is best."

The evidence also shows churches can hold indoor services that are as safe as, or safer than, political protests by implementing safety protocols, and yet California has banned all singing and chanting at all indoor services, regardless of how safe they are.

In another instance of discrimination, California assumes that churches will follow few, if any, safety protocols, but also assumes that child care centers, film productions, and other such businesses—where secular indoor singing and chanting is allowed—will implement many safety protocols.

We are hopeful the court will agree that churches and their members do not forfeit their constitutional rights during the pandemic, and will also prevent California from enforcing the discriminatory, and unnecessary, worship ban. {eo}

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