

Supreme Court: Pandemic No Excuse to Discriminate Against Religious Groups

A gigantic victory for religious liberty late Wednesday night at the U.S. Supreme Court. In a 5-4 ruling, the justices told New York Governor Andrew Cuomo he can't discriminate against religious groups when it comes to COVID-19 restrictions.

Newest justice Amy Coney Barrett gave the majority in this ruling its fifth vote. Chief Justice John Roberts joined the three liberal justices in dissent.

'Even in a Pandemic, the Constitution Cannot Be Put Away and Forgotten'

The ruling said, "Members of this Court are not public health experts, and we should respect the judgment of those with special expertise and responsibility in this area. But even in a pandemic, the Constitution cannot be put away and forgotten. The restrictions at issue here, by effectively barring many from attending religious services, strike at the very heart of the First Amendment's guarantee of religious liberty."

The religious liberty defense group Becket represented Orthodox Jews asking for relief from Cuomo's restrictions.

Restrictions 'Very Severe'

Becket Senior Counsel Luke Goodrich reacted, stating, "Biggest takeaway: The Court resoundingly rejects blind deference to COVID-related restrictions on worship. Instead, all governments must recognize the Constitution still controls during a pandemic."

The Court labeled the restrictions Cuomo has slapped on attendance at religious services "very severe," pointing out

“in red zones, no more than 10 persons may attend each religious service, and in orange zones, attendance is capped at 25.”

The justices said the COVID-19 restrictions certainly aren't neutral towards religion, “Because they single out houses of worship for especially harsh treatment.”

Churches: Limit of 10; ‘Essential’ Businesses: Unlimited

While religious gatherings in a red zone are limited to 10 or fewer worshippers, the Court pointed out, “Businesses categorized as ‘essential’ may admit as many people as they wish. And the list of ‘essential’ businesses includes things such as acupuncture facilities, campgrounds, garages, as well as many whose services are not limited to those that can be regarded as essential.”

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