



Written by [Bob Adelman](#) on September 14, 2020

California Mega-church Defies Latest Court Order Prohibiting Indoor Worship Services

When the senior pastor of Grace Community Church in Sun Valley, California, John MacArthur, opened services on Sunday, [he said](#):



The question has come up a number of times about why Grace Church does not just comply with the orders that have been laid down for churches, and I thought it might be helpful to give you a list of the things that are required of us as a church, so that you understand how utterly impossible that would be.

He then ran through the list of restrictions Los Angeles County Health Officer Buntu Davis placed on the church in order for it to be able to hold services. It was a long list, and MacArthur was interrupted several times with laughter from his congregation.

Before moving on to the service itself, MacArthur added: “Obviously, this is not constitutional, but more importantly, it goes against the will of the Lord of the church, Who calls us together.”

That is the core issue: whether the county can prohibit the church from holding services indoors, claiming the right to do so in the name of public health, or whether such an order exceeds the state’s authority in light of both the Federal and California constitutions.

And that is the issue that Mitchell Beckloff, the Superior Court Judge, skirted in his [22-page ruling](#) against the church on Thursday.

He danced around it, claiming that his order against the church was merely a temporary restraining order and not a ruling on the merits:

The purpose of a preliminary injunction is to preserve the status quo It merely determines that the court ... concludes that ... the defendant [Pastor MacArthur] should ... be restrained from exercising the right claimed by him.

Beckloff admitted that the county’s health order “may ... be unenforceable if it violates the state or federal constitutions. The Church argues the County Health Order does just that, and therefore, the Church cannot legally be enjoined from indoor religious worship.”

But rather than tackling the issue head-on, he ruled that the likely outcome of a full hearing on the constitutional issues raised by MacArthur and his church would favor the county, and therefore he ruled that the “status quo” — the validity of Muntu’s order — be retained.

That order not only prohibits MacArthur and his church from “conducting, participating in, or attending any indoor worship services,” it also allows the “County Health Officer, or his designee, to enter onto the church’s property to verify compliance with the health orders.”

MacArthur and his church are being represented by the Thomas More Law Center, a Christian,



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conservative, nonprofit, public interest law firm.

MacArthur told the firm:

In an inexplicable ruling, the judge said the “scale tipped in favor of the county.” 1/100th of 1% of Californians with a virus apparently wins over the U.S. Constitution and religious freedom for all?

That is not what our founders said. Nor is that what God says, Who gave us our rights that our government — including the judicial branch — is supposed to protect. The scale should always tip in favor of liberty, especially for churches.

The firm’s special counsel, Charles LiMandri, said his firm will appeal Beckloff’s temporary injunction, explaining:

We are disappointed in the ruling on the preliminary injunction as the court did not apply the strict scrutiny analysis to the government order that we believe is required by the California Constitution and legal precedent.

The court also did not properly consider the medical and scientific evidence that the current number of people with serious COVID-19 symptoms no longer justifies a shuttering of the churches.

Nor do we believe that the court gave adequate consideration to the fact that churches have been treated as second-class citizens compared to the tens of thousands of protestors.

More than ever, California’s churches are essential. Therefore, we plan to appeal this ruling to ultimately vindicate our clients’ constitutionally protected right to free exercise of religion.

In the meantime MacArthur will continue to hold indoor, in-person services for his 7,000-plus member congregation, holding as he said last week: “There are times when we must obey God rather than man.... We should disobey the authorities only if they command us to do something directly against God’s law.”

Image: [Screenshot of gracechurch.org](#)

An Ivy League graduate and former investment advisor, Bob is a regular contributor to The New American, primarily on economics and politics. He can be reached at badelmann@thenewamerican.com.

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