



Written by [Bob Adelman](#) on August 9, 2020

California Pastor Receives Legal Help From Trump Attorney

Once officials from the Los Angeles County Department of Public Health finished “investigating” Grace Church of Sun Valley, California, for holding in-person services in defiance of the state’s mandates limiting such services, [they sent a “cease and desist” order](#) to senior pastor John MacArthur. If he continues such defiance, and holds services in the future, he faces a daily fine of \$1,000 or arrest.



He continues to hold such services, and a top-drawer coterie of high-powered attorneys are gathering around the church and its pastor to offer free legal assistance. Such assistance is likely to be needed, and soon.

One of the attorneys is constitutional lawyer Jenna Ellis, a senior fellow at the Falkirk Center for Faith & Liberty who provides legal counsel at the Alliance Defending Freedom. She is also the senior legal counsel to the Trump 2020 presidential campaign, has served on the president’s legal team during his impeachment trial, and is Trump’s personal counsel.

She can see what’s coming: a battle royal over the constitution. Ellis remarked:

Pastor MacArthur and Grace Community church are not disobeying the Constitution; it is California’s Governor Gavin Newsom and Los Angeles Mayor Eric Garcetti [who] are defying their constitutional obligation to protect religious freedom and church assembly.

Our American system of government specifically recognizes that our individual, fundamental right to free exercise of religion and freedom of assembly is a pre-political, God-given, inalienable right.

That right is not given by the government or the Constitution, but rather, government is mandated by the Constitution to preserve and protect it for the church.

Grace Community Church has every right to assemble without impossible and unreasonable infringement from the state, and the state has absolutely no power to impose the restrictions it is demanding.

Church is essential, and the government has no power to arbitrate whether religious organizations are essential.

This is not about health and safety; it is about targeting churches.

The New American [reviewed](#) MacArthur’s statement explaining why he had no choice in the matter. He said that while “Scripture does mandate careful, conscientious obedience to all governing authority ... [no Scripture] grants civic rulers jurisdiction over the church.”

He added:

Government officials have no right to interfere in ecclesiastical matters in a way that undermines or disregards the God-given authority of pastors and elders.



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When any government official issues orders regulating worship (such as bans on singing, caps on attendance, or prohibitions against gatherings and services) he steps outside the legitimate bounds of his God-ordained authority as a civil official and arrogates to himself authority that God expressly grants only to the Lord Jesus Christ as sovereign over his kingdom, which is the church....

[Therefore] we ... respectfully inform our civic leaders that they have exceeded their legitimate jurisdiction, and faithfulness to Christ prohibits us from observing the restrictions they want to impose on our corporate worship services.

He set up the coming confrontation over those constitutional bounds:

The right we are appealing to was not created by the Constitution.

It is one of those unalienable rights granted solely by God, who ordained human government and establishes both the extent and the limitations of the state's authority (Romans 13:1-7).

Our argument therefore is purposely not grounded in the First Amendment; it is based on the same biblical principles that the Amendment itself is founded upon. The exercise of true religion is a divine duty given to men and women created in God's image (Genesis 1:26-27; Acts 4:18-20; 5:29; cf. Matthew 22:16-22).

In other words, freedom of worship is a command of God, not a privilege granted by the state.

In an interview with Shannon Bream on *Fox News @ Night*, MacArthur expanded on the theme:

Jesus is Lord. He is the head of our church.

Governor Newsom is not the head of the church. [Los Angeles] Mayor Garcetti is not the head of the church. We respect them for their temporal officer leadership in our government [but] when they move into the life of the church and tell the church what it can do, they're usurping a role that they don't have.

The Constitution doesn't give them the power to do that, and they certainly don't have the spiritual power to do that, to usurp the place that only Jesus Christ has over His church.

Assisting Ellis in the upcoming battle is Charles LiMandri, special counsel for the Thomas More Society, a conservative pro-bono law firm. LiMandri made clear the outlines of that battle:

It is unconstitutional for Governor Newsom and the State of California to discriminate against churches by treating them less favorably than other organizations and activities that are not protected by the First Amendment.

Pastor MacArthur and his church, as well as all churches, are entitled to practice their religion without government interference. This is especially the case when the government has given free rein to protestors, and is not similarly restricting marijuana dispensaries, large retail outlets and factories, and abortion providers.

The government orders are also unconstitutional because there is no compelling need for the onerous restrictions on the churches at this time. The hospitals are not overwhelmed and the percentage death rate from COVID-19 is now extremely small.

It is time for Governor Newsom and Mayor Garcetti to recognize what President Trump has already proclaimed: churches are providing an "essential" service to the people. Therefore, they must be allowed to serve the people in the manner in which God has called them.



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If Newsom and Garcetti back down, MacArthur and churches everywhere will have won a significant battle. It's more likely the two left-wing politicians will not back down, in which case the issue will be settled in court. It's even possible that the case could have legs all the way to the Supreme Court, giving justices there an opportunity to settle the matter as the Founders would.

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