



Written by [Bob Adelman](#) on April 20, 2020

Kansas Judge Restrains Governor's Order Prohibiting Religious Gatherings

U. S. District Court Judge John Broomes issued a [restraining order](#) against Kansas Governor Laura Kelly on Saturday, prohibiting enforcement of her two executive orders against religious gatherings of more than 10 people.

The complaint was filed by the First Baptist Church of Dodge City and Calvary Baptist Church of Junction City. Both were represented by the Alliance Defending Freedom.



The judge wrote that “Plaintiffs are likely to succeed on the merits of their claim alleging a violation of their First Amendment right to the free exercise of religion ... [and] are likely to suffer irreparable harm in the form of denial of their constitutional right to the free exercise of their religion, arising from state-imposed restrictions on religious exercises.”

Part of the plaintiffs’ case rested on the governor’s ban that explicitly allowed bars and restaurants to stay open, while churches were prohibited from holding services for more than 10 people.

Other churches are ignoring such edicts without going to court. The River at Tampa Bay Church in Florida is holding services for its thousands of members while the Reverend Tony Spell, pastor of Life Tabernacle Church in Baton Rouge, defied a shelter-in-place order from Louisiana Governor John Bel Edwards by holding services for hundreds of his church’s members.

Cory Gordon, on the other hand, took a direct approach, announcing the reasons he is keeping his church open on a Facebook post dated March 20. The associate pastor of Cornerstone World Outreach in Sioux City, Iowa, told his congregation that “we have altered our Sunday services in a way that gracefully accepts [Governor Kim Reynolds’] proper desire to protect our citizenry, while simultaneously rejecting the unconstitutional portion of [her] problematic proclamation.”

When pressed for reasons why he just didn’t go along like most other pastors, Gordon responded: “There has never been a more important time in our lifetimes to stand together in obedience to God’s command that we worship Him on His day than now.... So, on Sunday, we will take time to pray for our city, state, and nation’s salvation and ask God to give us courage and boldness to lead them to Christ by the law of God.”

He took the rest of his Facebook post to teach the fundamentals of the Republic’s political structure designed to protect citizens from governmental interference in religious expressions:

Since our republic has no king, but instead was created as a “nation of laws,” we are able to use this opportunity to stand together against the statist abuse of power that is so tempting for those in positions of authority when they are compelled by emergencies and fears to act beyond the limits placed directly against them by the Constitution of the United States....

It is imperative that we not allow an elected official to prohibit the free exercise of religion on a



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Sunday morning, and further, it is equally imperative that we not allow an elected official to prohibit our right to peaceably assemble.

Gordon then asked, “Where in the Constitution are governors, presidents, or any other officials granted the power to suspend ANY of the restrictions imposed upon them by the Bill of Rights?” The answer is “nowhere.”

He then noted that the Supreme Court had already ruled on such matters in the 1866 case *Ex parte Milligan*: “The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times and under all circumstances.”

He noted how they “adjusted” their regular services in order to set an example for other churches and pastors to follow:

Our adjusted service this Sunday will gracefully demonstrate that we are neither in support of governors nor any political leaders stepping out of their realm of authority and limiting American’s First Amendment rights to assemble for worship. We plan to set an example for other churches on how to meet on Sundays in a safe and honorable way, in compliance with the HIGHER LAWS of God.

In closing, he warned that the state might not appreciate his taking a constitutional stand against unconstitutional decrees: “Lastly, if law enforcement were to come and arrest Pastor Cary or Andrew Braze, please remain calm. This is a peaceful gathering. Please allow it to happen, and do not interfere with the police officers.”

An extensive Internet search reveals no response to Pastor Gordon’s challenge and no threat of his arrest for exercising his and his church members’ right to exercise their freedom of religion.



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