

Governor Steve Bullock
PO Box 200801
Helena MT 59620-0801

Dear Sir,

4/14/20

God grant you the fullness of the knowledge of His love for you in Christ Jesus, and wisdom for the facing of these difficult days.

We, the undersigned Pastors, having carefully considered our obligation to the welfare of our fellow human beings, and our responsibilities as citizens of the state, as well as our devotion to the proclamation of the Good News of Jesus, hereby seek to clarify our position to you, as Governor of the state of Montana, regarding the serious limitations thus far imposed on the Church as part of the response to the Covid 19 pandemic.

On the basis of the following three arguments we are proposing a solution that we hope will be agreeable to you as a way of balancing your obligation to both uphold the Constitution of the United States and care for the welfare of the citizens of Montana. We recognize that the physical health of the citizens of this state requires your attention. We are bold to remind you that the freedoms, granted by God, and guaranteed by the Constitution also demand your utmost energies.

The Constitution Ensures the Free Exercise of Religion and Freedom of Assembly

These are difficult times. To be sure, we understand that you had not received instruction on how to handle such a crisis. We pray for you regularly. God delights to hear not only our individual prayers but also our corporate prayers. It is to your benefit for us to pray together. We expect you to do all in your power to protect the citizens of Montana. But when the government tells the Church that it cannot meet, it has not only contradicted a clear Word of God to His Church, (that is, that we are to meet to receive His gifts), it has also abrogated the constitutional rights of free exercise of religion and the right to assemble, (enumerated in both the U.S. and Montana constitutions). It is not safe to ignore the constitution. If a health crisis can precipitate the overthrow of the Constitution then this nation has no constitution at all.

No doubt you have received counsel that the state can infringe fundamental rights when it can demonstrate a compelling interest. Yet, it is clear that such an infringement must employ the least restrictive means. We submit that forbidding Churches to meet, and threats of fines, as imposed by some Montana counties, are not the least restrictive means available to protect citizens.

Spiritual Health Supports Physical Health

A health crisis is also a spiritual crisis. The framers of the Constitution, while perhaps not envisioning such a turn of events, surely understood that religion provided some benefit to the state. Else why would they have enshrined it with special privilege? At a time of crisis, more than ever, the citizens of this state need access to their communities of faith. The presence of the Body of Christ, as the Church, cannot be duplicated digitally. When presented with these conditions, not only the threat of the virus, but also the ensuing economic disaster, people need to hear that God is in control, that He cares, and will take care of them.

We submit that if you were to stand with other Governors, (e.g. Florida, Texas, Pennsylvania, Indiana), by clarifying that churches possess the freedom of assembly, the citizens of this state would be better equipped to handle this crisis.

Unintended Consequences Threaten Future Citizens

Liberties are rarely lost in one fell swoop. They are most likely to be lost during a period of crisis, by a gradual erosion. Regardless of your intent, and we do put the best construction on your intent, we are very concerned about the unintended consequences of annulling the free exercise of religion for the period of the crisis. It is not difficult to envision a future crisis that would provide an opportunity to use the current one as precedent. The argument might then be, "It is not essential for the Church to meet together. After all, the Church survived the Covid 19 crisis through the use of electronic meetings." After that, the government could claim authority to determine further limitations.

You have a unique opportunity to stand firmly on the Constitution, protecting the rights, not only of your constituents, but also those of future generations. On the basis of these arguments we humbly submit the following solution.

Proposed Solution

On, or before April 24, you would issue a clarification that, in sensitivity to the constitutional rights to the free exercise of religion and the right to assemble, Churches of Montana are not compelled, by state or local jurisdictions, to refrain from meeting. Rather, you could ask the Churches to voluntarily consider, out of concern for their neighbors, to practice social distancing, super-cleanliness, and exercise prudence regarding large gatherings. We are confident that Church leaders across this state will practice great care, for they not only care for the bodies of their members, but also their souls.

We sincerely respect your office and anxiously await your reply in the form of such a clarification.

Contact:

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As Pastors serving in the state of Montana we hereby affix our signatures to this letter:

Pastor Terry Forke President Montana District LCMS Billings