



THE
LUTHERAN CHURCH
Missouri Synod

Office of the President
The Reverend Doctor Matthew C. Harrison
President of the Synod

Thursday of the Fifth Week of Easter, A.D. 2020
May 14, 2020

The Honorable William P. Barr
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Attorney General:

Grace and peace be yours in Christ.

Caesar Claims Too Much

We write briefly to call your attention to the “Restore Illinois” plan of the honorable Governor J. B. Pritzker. We wholeheartedly support the governor in his deep desire to reduce the effects of COVID-19 and do not in any way question his motives.

Several aspects of the plan, however, appear unreasonable. Worse, they appear to us to fail the “least restrictive means” test for government limitations on First Amendment rights in times of emergency.

Our church body, The Lutheran Church—Missouri Synod, has nearly 500 congregations and 115 schools in Illinois. We have 6,000 congregations nationally, including parishes in every state, with a combined membership of nearly 2 million. Our people have diverse experiences and views on both COVID-19 and the local and national response. We are not a hierarchical church body, and we do not mandate local responses to the virus. We have and will continue to urge our congregations to follow local guidelines. We trust our pastors and people to act with great responsibility (caring for themselves and their neighbors) and fidelity to both the Holy Scriptures and our Lutheran Confession of faith. And they are doing so, even as they care for the sick, dying and bereaved. We thank you for recognizing the essential nature of pastoral care.

I refer you to the attached “Lutheran Plea” to Governor Pritzker, written by the three regional leaders of our church body in Illinois. We have particular concerns. “Phase 4” of the Illinois reopening plan allows an increase from 10 to 50 people in gatherings of various kinds, but appears to treat churches differently from other institutions with similar gatherings. Furthermore, the limit of 50 people is in place until “Phase 5,” when there is “a vaccine, or highly effective treatment widely available or the elimination of any new cases over a sustained period.”

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This is unreasonable and an unnecessary restriction of First Amendment rights for us and for all people who gather for worship while respecting local health guidelines. This provision negatively affects our churches and schools and even threatens closure for some. It will threaten our mission to share the free forgiveness of sins in Christ with our own membership and with those in need of Christ's love outside our fellowship. It will threaten our ability to provide parochial grade school and high school education, and our ability to provide consolation, comfort and hope to thousands upon thousands in Illinois. In short, it threatens the "free exercise" clause of the First Amendment and begs the "strict scrutiny" principle to be applied.

We respect government as a necessary gift of God (Romans 13). We pray for you and all national and local government leaders (1 Timothy 2:2), including the governor of Illinois. We believe that just as St. Paul appealed to Caesar (Acts 25:11) when his rights as a Roman citizen were violated, it is God-pleasing to appeal to the Department of Justice to scrutinize the plans of the governor of Illinois with respect to the provisions of the First Amendment. We are conscience-bound to follow the directive of Christ, "Render unto Caesar the things which are Caesar's." But we shall also render "unto God what is God's" (Matthew 22:21). "Caesar" is claiming too much in this case.

Sincerely,

Rev. Dr. Matthew C. Harrison, President
The Lutheran Church—Missouri Synod