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Supreme Court Blocks Covid-19 Restrictions Placed on Religious Services in New York

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The U.S. Supreme Court for the first time has blocked a state from imposing strict Covid-19 restrictions on religious services, with newly appointed Supreme Court Justice Amy Coney Barrett's vote being pivotal to the outcome. The ruling is a departure from past opinions by the Supreme Court, which had previously left such authority to state officials.

In a 5-4 vote, the court denied New York from setting attendance limits at places of worship on areas in the state most severely impacted by Covid-19, with the restriction calling for a 10-person limit in red zones and 25 in orange zones.

Chief Justice John Roberts joined three other liberals in their dissent.

The suit was brought against the state by the Agudath Israel of America, an Orthodox Jewish organization, and the Roman Catholic Diocese of Brooklyn, according to the Wall Street Journal. The organizations argued that the limits violated their First Amendment rights of religious exercise.

The Supreme Court's unsigned opinion overruled that of a federal court in New York, contending the plaintiffs were likely to prevail. The ruling therefore suspended New York Governor Andrew Cuomo's order while the litigation continues.

The Supreme Court found it unsettling that businesses in New York deemed “essential” were not subject to the same occupancy limits set on the religious organizations. “Things such as acupuncture facilities, campgrounds, garages, as well as many whose services are not limited to those that can be regarded as essential, such as all plants manufacturing chemicals and microelectronics and all transportation facilities,” were all considered essential, but were not subject to the same occupancy limits as the religious organizations, the court opined.

“Members of this Court are not public health experts, and we should respect the judgment of those with special expertise and responsibility in this area,” the opinion said (via [WSJ](#)). However, the New York restrictions “strike at the very heart of the First Amendment’s guarantee of religious liberty.”

The Wednesday order is a shift from past rulings on state-ordered Covid-19 restrictions. In the past, the court had sided with the states' public health authorities, even as conservative judges dissented. Justice Barrett joined Justices Clarence Thomas, Samuel Alito, Neil Gorsuch and Brett Kavanaugh in the majority.

Justice Gorsuch’s opinion represented a sharp rebuke from the court's previous judgements. “It is time—past time—to make plain that, while the pandemic poses many grave challenges, there is no world in which the Constitution tolerates color-coded executive edicts that reopen liquor stores and bike shops but shutter churches, synagogues, and mosques,” he wrote.

In Chief Justice Roberts's dissent, he argued that the court didn't need to act because since the case was brought to the court, areas involved in the litigation were reclassified as yellow zones, which were subject to a 50 percent capacity limit without a numerical limit.

In dissent, Justice Sonia Sotomayor, joined by Justice Elena Kagan, wrote, “Justices of this Court play a deadly game in second guessing the expert judgment of health officials about the environments in which a contagious virus, now infecting a million Americans each week, spreads most easily.”