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LWVWI Opposition to AJR10 and SJR4

Constitutional Amendment relating to the freedom to gather in places of worship during a state of emergency (Second Consideration)

This constitutional amendment provides that a state or a political subdivision of the state may not order the closure of or forbid gatherings in places of worship in response to a state of emergency at the national, state or local level, including an emergency related to public health.

Supporters of this constitutional amendment question "who has the authority to define and declare a public health crisis and who has the authority to define and enforce appropriate measures to be taken in light of that crisis?" Supporters answer this query that it is critical that worshipping communities to be able to define and declare public health emergencies for themselves and that worshipping communities should define their own approach to public emergencies, determining for themselves what level of risk is appropriate for their own communities and physical spaces.

In response to this question, democratic government that depends upon informed and active participation at all levels of government. Governmental bodies must protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings and making public records accessible and promote a health care system that provides access to a basic level of quality care for all U.S. residents.

The argument that an order to close places of worship in response to a state of emergency at the national, state or local level for an emergency related to public health does not infringe on the current Wisconsin Constitution which states that "the right of every person to worship Almighty God according to the dictates of conscience shall never infringed". Closing places of worship does not prevent any person from worshipping God, as such worship can and is practiced on an individual basis in one's own home during an emergency.

Finally, the argument that the First Amendment guarantees the right to assembly cannot be abridged because worshipping together in person is a valuable spiritual health service, giving people's spiritual lives hope in reducing stress. While people's spiritual health is important, the government is responsible for promoting a health care system

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that provides access to a basic level of quality for all its citizens, including citizens who are immune-compromised and could face serious health consequences, even death.

The League of Women Voters of Wisconsin's position on health care is to promote a health care system for the United States that provides access to a basic level of quality care for all U.S. residents and that democratic government depends upon informed and active participation at all levels of government. The League further believes that as public health crises increasingly reveal, a health program should protect the health of its most vulnerable populations, urban and rural, in order to protect the health of everyone. Accordingly, the League opposes this constitutional amendment.

Commented [3]: This is our LWV position on public health.