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GENERAL PRESIDENT



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TO: Christian Leaders, Faith Communities and  
Concerned Citizens

RE: An Open Letter Regarding Reopening and Reoccupancy of  
Houses of Worship amid the COVID-19 Pandemic

FROM: The Reverend Dr. Jonathan C. Augustine  
National Chaplain, Alpha Phi Alpha Fraternity, Inc. and  
Senior Pastor, St. Joseph AME Church (Durham, NC)

DATE: May 20, 2020

I write this open letter, as a religious leader and former law professor, sharing my sincere concern for how the church's longstanding racial and socioeconomic divisions have once again manifest within partisan politics. These racial and socioeconomic divisions have created false narratives that embolden certain conservative and majority white, evangelical faith groups to publicly support positions adversely affecting minority communities. Accordingly, considering the empirical data revealed during the ongoing COVID-19 pandemic, and the disproportionately adverse effect the pandemic has had on the African American community, I write to: (1) debunk the politicization of well-reasoned, governmental shelter-in-place orders; and (2) urge members of populations that are disproportionately vulnerable to refrain from mass, in-person gatherings, including worship experiences, at the current time.

I offer my opinions, based on my professional and educational experience. In addition to serving as national chaplain and spiritual leader of **Alpha Phi Alpha Fraternity, Inc.**—the oldest predominately black, intercollegiate fraternity in existence, boasting of past and present leaders like the **Reverend Dr. Martin Luther King, Jr.**, **United States Ambassador Andrew Young**, and **Supreme Court Justice Thurgood Marshall**—I also serve as senior pastor of **St. Joseph AME Church**, a faith community founded in 1869 that has been the spiritual home of some of North Carolina's most influential citizens, including **John Hervey Wheeler**, for whom Durham's United States Courthouse is named, and **John C. Merrick**, the founder of North Carolina Mutual Life Insurance Company. Well before earning my doctorate at Duke University and serving St. Joseph, I also earned a law degree at Tulane University and spent 15-years as an adjunct law professor. I share these qualifiers to emphasize that my point of analysis is far from a kneejerk reaction. It is instead contemplative, well-informed, and appreciative of the historical divisions that once again manifest within the church, as race and religion engage partisan politics.

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### *Executive Order 138 and the Legal Matters at Issue*

On Saturday, May 16, 2020, U.S. District Judge James C. Dever, III issued a temporary restraining order barring enforcement of North Carolina **Governor Roy Cooper's Executive Order 138's** prohibition against any more than 10-people gathering for indoor worship. The judge's ruling noted the same standard was not applied to businesses, which were limited to a 50% capacity. **In responding favorably to a lawsuit filed by two Baptist churches, a minister, and revival group, the ruling failed to consider the different natures of occupancy and the governor's inherent power to protect the best interests of North Carolina citizens under the Tenth Amendment's well-settled police power.**

Governor Cooper took an oath to serve the best interests of North Carolina's citizens. Notwithstanding his publicly professed faith and open indication of missing in-person church gatherings, his oath requires personal passion be separated from prudent decision making, when the prior can detrimentally affect the latter. Indeed, Governor Cooper had solid reasons for the 10-person limitation, based on his own personal and social experiences, as well as the legal protections rooted in the United States Constitution. **As a frequent churchgoer, Cooper is personally aware that spiritual worship (even when social distancing is observed) is far different from retail shopping. The very nature of worship, wherein people seek a closer interaction with the Divine, includes singing, extemporaneous utterances, verbal affirmations of God's providence, and the preaching of God's word. Consistent with Cooper's lament that he doesn't want churches to become COVID-19 hotshots, his personal experiences and observations evidently suggest ALL OF THE FOREGOING expressions of worship substantially increase the exchange of droplets and potential inhalation of the novel coronavirus.** Further, as the state's chief executive, **Cooper's executive order was rooted in legal authority derived from the Tenth Amendment to the United States Constitution which gives power to the states, as not reserved to the federal government, for the protection, health, and welfare of its citizens. The judge's injunction so focused on the subterfuge allegations that First Amendment rights were being violated, it neglected to consider that Tenth Amendment protections were being extended.**

### *The Larger Socially Divisive Issue: a 50-year old Alliance of Partisanship*

In writing as a religious leader, my primary concerns are two-fold, insofar as it appears either of two things or a possible combination thereof occurred. **First, it is possible that certain majority white, evangelical faith groups have been manipulated by very specific political and business interests that place "profits over people" and so-called liberty over the sanctity of human life. Second, it is also possible that these faith groups, have independently acted in a callous and inconsiderate manner, disregarding both science and the best interests of our most vulnerable populations, by encouraging mass gatherings at houses of worship, crouching any opposition to their advocacy as violative of the First Amendment. Either scenario creates a false narrative wherein governmental actors, including Cooper, are vilified for attempting to protect the sanctity of human life and attacked with an outrageously partisan, anti-American rhetoric emanating from the Trump White House.**

Furthermore, inasmuch as the "Reopen America" alliance—a fusion of conservative political operatives vilifying Democratic leaders—is collaboratively working with majority white, evangelical faith communities, we have seen incarnations of this alliance for more than 50-years. In the wake of the American Civil Rights Movement's success, Richard Nixon's 1968 and 1972 presidential campaigns skillfully built a "southern strategy" coalition, deliberately courting white evangelical Christians who became aligned with certain partisan

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political interests. That alliance was solidified during Ronald Reagan's successful campaigns of the 1980s. It has also endured in an ultra-partisan fashion, even through the racially divisive rhetoric and governance of Donald Trump. Now, during an unprecedented pandemic that has resulted in so many deaths, disproportionately concentrated in the African American community, the same evangelical/partisan political fusion has vilified Democratic governors, most notably Gretchen Whitmer, in Michigan, and Cooper, in North Carolina.

***Rational Thinking Must Prevail Over Angry, Baseless Rhetoric***

At St. Joseph, we have assembled a pandemic response team that is relying on science in slowly moving toward facility reoccupancy. We will not reoccupy the church premises prior to a deep cleaning and comprehensive sterilization of the entire facility. Without such precautions, I cannot sincerely act as an ambassador of the Divine and welcome worshipers into a spirit-filled experience. Anything short of first taking all necessary prophylactic precautions is arguably pastoral malpractice and inconsiderate of invited guests. Moreover, it could open the church to potential liability.

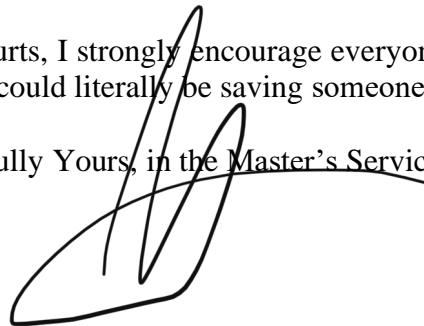
Recent news coverage showed that **only two weeks after reopening, a Baptist church in Ringgold, Georgia was forced to again close its doors because several families contracted COVID-19. Although the virus spreads equally, given the way it has disproportionately affected the African American community, I strongly encourage all those who fall within vulnerable population groups, including the elderly, to refrain from mass gatherings.** Further, given that the Centers for Disease Control has highlighted that many individuals have tested positive for the virus, while remaining asymptomatic and serving as carriers in transmission, I believe it imprudent to rush to reoccupy houses of worship at this time.

***Conclusion***

The ongoing pandemic has forced us all to adopt "new norms." Rather than place faithful parishioners in potential danger, I encourage clergy leaders and concerned citizens to use alternative options, including the free technological advancements made available to everyone through social media Web streaming. We have successfully done so at St. Joseph and will continue doing so for the foreseeable future. Moreover, as Alpha Phi Alpha's national chaplain, I personally lead Alpha's Word on Wednesday, a mid-week prayer and praise Zoom meeting, with live music, where attendees join from across the United States. In both instances, people are safe and free to worshiping God without the potential of fatal harm.

Regardless of what legal rulings come from the courts, I strongly encourage everyone to #StayAtHome and refrain from attending mass worship at this time. You could literally be saving someone's life.

Faithfully Yours, in the Master's Service,



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