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PRESS RELEASE

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TWO PASTORS SUE GOVERNOR CARNEY TO RESTORE RELIGIOUS FREEDOM

Wilmington: Relying on the plain yet explicit words of the Delaware Constitution, today two pastors of churches from above and below the C&D Canal filed separate lawsuits in the Court of Chancery against the Governor to restore religious freedom forever in Delaware.

At the start of the Revolutionary War, the Delaware Bill of Rights of September 1776 declared that the new Delaware government can never interfere with “the right of conscience in the free exercise of religious worship.” Eleven days later the first Delaware Constitution ordered that government can never violate religious freedom for “any pretense whatsoever.” The restated Delaware Constitutions of 1792, 1831, and present day 1897, all say the same thing. Yet Governor Carney illegally ignored this total freedom with his pandemic lockdowns of all our churches while allowing 236 categories of secular businesses to remain open.

The Governor’s health emergency excuse does not hold water because the Revolutionary War founders of Delaware and their ancestors experienced and well understood the threat of countless deaths by malaria, smallpox epidemic, bubonic plague, and other deadly diseases. So despite such threats, in Delaware the doors to the church still were always to be open to pray and implore the mercy of Almighty God from plague or pandemic with which the founders were well familiar.

For example, when Lord Cornwallis surrendered to General George Washington at Yorktown in 1781, less than half his army was fit to fight because malaria had incapacitated the rest. William Shakespeare even mentioned malaria eight times in his plays. The “Black Death,” or the Bubonic plague, also had killed millions from the Late Middle Ages on.

Nonetheless, the Delaware founders, in 128 words granted absolute religious freedom, and tied the hands of Governor Carney by Ordering that no power shall ever be vested in or assumed “by any magistrate” to infringe, control or interfere with the “rights of conscience, in the free exercise of religious worship.”

We charge in court today that Carney’s Emergency Orders throughout the first 14 weeks of the COVID lockdown in 2020 denied each of these pastors on 29 separate occasions their absolute religious freedoms and we ask the Courts to order Carney, and all future Delaware Governors, to keep their “hands off” the church in any future emergencies, regardless of any “pretense” they may offer. As the **Wall Street Journal** on November 13, 2020 said concerning Carney’s illegal orders, “a pandemic doesn’t override the Constitution.”

Rev. Alan Hines is the pastor of Townsend Free Will Baptist Church in Townsend, DE, with a congregation of over 400 souls, and Rev. David Landow is the pastor of Emmanuel Orthodox Presbyterian Church in Wilmington, DE, with a congregation of over 150.

Under the Delaware Constitution, they seek an injunction against Emergency Orders like

the ones Governor Carney issued:

- (1) prohibiting in person Sunday religious services;
- (2) preventing indoor preaching;
- (3) banning singing;
- (4) barring the elderly from church;
- (5) prohibiting Baptism;
- (6) prohibiting the Lord's Supper; and
- (7) favoring one religion over another.

Hines is represented by Thomas & Stephen Neuberger of The Neuberger Firm, and Scott D. Cousins of Cousins Law. Landow by Thomas Crumplar of Jacobs & Crumplar and Martin D. Haverly, Esq. Attorney Thomas Neuberger can be reached at 302-383-1040, and Tom Crumplar at 302-656-5445. An electronic copy of the very lengthy two Complaints can be supplied.