

AMERICA'S CHRISTIAN HERITAGE

9/10/2017

Today we continue our important study on our Christian heritage. We will focus on the important truth of prayer. We will look at the issue first of all historically and then presently.

I. PRAYER HISTORICALLY HAS BEEN A VITAL PART OF OUR HERITAGE

A. On June 1, 1774 a blockade of Boston harbor was scheduled by Parliament to take place.

1. A news account in a Great Britain paper reported; "The province of Virginia appointed the first of June, the day on which the Boston Port Bill took place, to be set apart for fasting, prayer, and humiliation, to implore the Divine interposition to avert the heavy calamity which threatened destruction to their civil rights with the evils of a civil war, and to give one heart and one mind to the people firmly to oppose every injury to the American rights. This example was either followed or a similar resolution adopted almost every where and the first of June became a general day of prayer and humiliation throughout the continent."

2. History records the colonists prayed fervently.

B. Jacob Duche prayed the first prayer at the meeting of the Continental Congress in 1774.

1. The prayer was closed thus; "All this we ask in the name and through the merits of Jesus Christ, Thy Son, and our Savior Amen"

2. John Adams was so moved by the prayer that he wrote his wife and expressed to her how he was stirred by the moment.

C. On June 28, 1787 81 year old Benjamin Franklin challenged the delegates at the Constitutional Convention that; "Henceforth prayers imploring the assistance of Heaven, and its blessings on our deliberations, be held in this Assembly every morning before we proceed to business, and that one or more of the clergy of this city be requested to officiate in that service."

D. The early Supreme Court and religious prayers.

1. The Court met inside the Capitol Building for their first 135 years.
2. In the first ten years of its existence the entire Court term lasted less than two weeks a year.
3. For the next 50 years the Court met only six to eight weeks a year.
4. At the beginning of the sessions a minister was invited into the Courtroom to pray for the;
 - a. Court
 - b. Jurors----Yes the early court allowed Juror trials.
 - c. Deliberations
5. Early judges would offer a salvation message to those sentenced to die.

II. MORE RECENT PRAYER CASES AND THEIR MEANING TO US.

A. Local counties have been sued for praying in the Name of Jesus

1. Forsyth County
2. Rowan County

B. Other states likewise have been sued for praying in the Name of Jesus

1. Maryland
2. Michigan
3. New York

C. Analysis of the decision in the Greece New York case.

1. What Greece New York allowed; (From transcript) "In Town of Greece, the town council invited local ministers to give invocations before each town board meeting. The town permitted any person of any faith to give the invocation, did not review the prayers in advance, and did not provide any

guidance as to tone or content. Although some had a “distinctly Christian idiom,” and for eight years only Christian ministers gave prayers, upon complaint of such pervasive themes, the town expressly invited persons of other faiths to deliver the prayer. Contending that the Establishment Clause mandated that legislative prayers be “inclusive and ecumenical” to a “generic God,” some town residents sued.

2. The Supreme Court ruled; (From Transcript) “legislative prayer lends gravity to public business, reminds lawmakers to transcend petty differences in pursuit of a higher purpose, and expresses a common aspiration to a just and peaceful society.” Purposeful prayers seeking to solemnly bind legislators are consistent with our tradition where the prayer gives “ask their own God for blessings of peace, justice, and freedom that find appreciation among people of all faiths. That a prayer is given in the name of Jesus, Allah, or Jehovah, or that it makes passing reference to religious doctrines, does not remove it from that tradition. These religious themes provide particular means to universal ends.” Most importantly, history teaches that these solemn prayers “strive for the idea that people of many faiths may be united in a community of tolerance and devotion.” They are permissible because “[o]ur tradition assumes that adult citizens, firm in their own beliefs, can tolerate and perhaps appreciate a ceremonial prayer delivered by a person of a different faith.” This tradition extends not just to state and federal legislatures, but also to local deliberative bodies like city councils.”
- D. This week the sixth Circuit Court gave a tremendous victory on prayer in Jackson County Michigan;
1. The Commissioners in Jackson like those in Rowan County opened their sessions by personally praying, many in the Name of Jesus.
 2. By a vote of 9-6 the Court stated that the Commissioners may personally pray even in the Name of Jesus.
 3. I will quote one of the justices who evidently knows the Lord; SUTTON, Circuit Judge, concurring;

“Let us pray.” Or “Let me pray.” “Please join me in prayer.” Or “Please join me, if you wish, in prayer.” “Please stand reverently as we pray.” Or “Please stand reverently, if you wish, as we pray.” “Council member Smith will now offer a prayer.” Or “Our chaplain will now offer a prayer.” “We pray these things in Jesus’s name.” Or “We pray these things in God’s name.” “We pray these things in God’s name” while making the sign of the cross. Or “We pray these things in God’s name” without making the sign of the cross.

In telling Congress and eventually the States that they “shall make no law respecting an establishment of religion,” the First Amendment does not preference any of these options.

Good manners might have something to say about all of this and how it is done. So too might the Golden Rule. But the United States Constitution does not tell federal judges to hover over each town hall meeting in the country like a helicopter parent, scolding/revising/okaying the content of this legislative prayer or that one. Instead of asking judges to referee what will inevitably become arbitrary lines and thus will run the risk of becoming judge-preferenced lines, case law looks to American historical practices to determine what the Establishment Clause allows and what it does not. History judges us in this area. We do not judge history. For all of American history, such prayers have been allowed, whether invoking Jesus, God, or something else, whether by government-paid chaplains or by the elected officials themselves. And for all of American history, the United States Supreme Court has authorized such prayers. No one doubted the practice for most of our history. And when challenges to the practice first arose about thirty-five years ago, the Supreme Court made clear that such prayers are constitutional so long as they do not coerce non-believers. Why permit legislative prayers, then call them a trespass when done sincerely in the manner traditionally used by that individual? So long as the prayer giver does not try to coerce anyone into adopting their faith, so long in other words as the individual gives an invocation, not an altar call, I see no meaningful role for judges to play.

4. Thank God for Judge Sutton—May God give us more like him!