

# BJC files brief opposing sectarian prayer at government meetings

July 9, 2010

WASHINGTON (ABP) — The Baptist Joint Committee for Religious Liberty filed legal papers July 6 arguing that inviting religious leaders to invoke sectarian prayers a North Carolina county's board of commissioners meetings is unconstitutional.

The BJC filed a [brief](#) of *amicus curiae* urging the Fourth Circuit U.S. Court of Appeals to uphold Jan. 28 [ruling](#) by a U.S. district judge that prayers used to open or solemnize meetings of the Forsyth County Board of Commissioners violated the Establishment Clause of the First Amendment.

*Amicus curiae*, a Latin term meaning "friend of the court," is the name used for a brief filed with the court by someone who is not a party to the case. The BJC an organization representing 15 national and regional Baptist groups on matters related to religious liberty and the separation of church and state, reminded the court of a 1983 Supreme Court case, *Marsh v. Chambers*, which found "legislative prayers" constitutional only if they are non-sectarian and do not favor one religion over another.

The BJC brief said that of 33 prayers recorded between May 29, 2007, and Dec. 15, 2008, all but seven contained at least one reference to Jesus Christ and none invoked a deity associated with a faith other than Christianity.

The BJC urged the court to stick with *Marsh* precedent used by the Supreme Court and reject the county's suggestion to abandon *Marsh* and rely instead on a lower-court ruling that the First Amendment does not prohibit sectarian legislative prayers as long as speakers from a variety of

faiths are offered the chance to deliver them.

Hollyn Hollman, general counsel for the Baptist Joint Committee, said protecting both Religion Clauses of the First Amendment — no establishment and free exercise — is the way to protect religious liberty for everyone.

"The Supreme Court has upheld legislative prayer, but that should not be misconstrued to allow someone to exploit the prayer opportunity in a way that advances a particular religion," Hollman [said](#). "We all should pray for our government officials, but we should not ask the government to supply a platform to promote religion in a business meeting."

A similar controversy has been brewing in Waco, Texas. After weeks of discussion, McLennan County commissioners [voted](#) July 6 to begin their meetings with prayer and the Pledge of Allegiance.

The decision came after commissioners sought [legal advice](#) and [community input](#) about how to conduct prayers in a way that includes all faiths and protects the county from potential lawsuits.

*-Bob Allen is senior writer for Associated Baptist Press.*