



Written by [Dave Bohon](#) on October 30, 2011

N.C. County Appeals to Supreme Court in Case that Bans Christian Prayers

Writing for the majority in the Fourth Circuit ruling, Judge J. Harvie Wilkinson III noted that three-quarters of the prayers offered at the Forsyth County meetings between May 2007 and December 2008 were Christian themed, referring often to “Jesus,” “Jesus Christ,” and “Savior.” But “in order to survive constitutional scrutiny,” he explained, “invocations must consist of the type of nonsectarian prayers that solemnize the legislative task and seek to unite rather than divide. Sectarian prayers must not serve as the gateway to citizen participation in the affairs of local government. To have them do so runs afoul of the promise of public neutrality among faiths that resides at the heart of the First Amendment’s religion clauses.”



On October 27 the [Alliance Defense Fund](#) (ADF), the conservative legal advocacy group representing the county, filed a petition with the High Court asking it to overturn the Fourth Circuit ruling and once again “approve the historical practice of allowing citizens to offer prayers at public meetings according to the faith of the prayer-giver,” according to an ADF press release.

“America’s founders opened public meetings with prayer,” said ADF Senior Counsel David Cortman. “This county simply wants to allow its citizens to do the same. We trust the U.S. Supreme Court will want to review this case because of the long history in America of offering prayers before public meetings.”

Referring to the ACLU and Americans United for the Separation of Church and State, the two groups which sued the county on behalf of the plaintiffs in the case, Cortman said that public officials “shouldn’t be coerced into censoring the prayers of those invited to offer them just because secularist groups don’t like people praying according to their own conscience.”

In July the county commission voted to ask the High Court to review the Fourth Circuit’s decision upholding a district court ruling against prayers before public meetings that may mention a particular deity — i.e., Jesus Christ. “In the case of *Joyner v. Forsyth County*, two of three judges on the 4th Circuit panel upheld the ban on invited clergy offering prayers that are consistent with their particular faith tradition. The third judge on the panel, Circuit Judge Paul V. Niemeyer, dissented, writing that “the majority has dared to step in and regulate the language of prayer.”

Debra Conrad, vice chair of the county commission, told the [Winston-Salem Journal](#) that the Christian prayers were justified since religious leaders of non-Christian faiths were also invited to open meetings in prayer. “It is about respecting our traditions,” she said. “We have the right in this country to express



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our prayers to the deity of our choice. We are not here to defend Christianity. We are not here to promote it. I've been on this board for 17 years and we've had an open door."



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