

FREEDOM FROM RELIGION *foundation*

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February 12, 2020

SENT VIA U.S. MAIL AND EMAIL

DeIEFiller-Corn@house.virginia.gov

The Honorable Eileen Filler-Corn
Speaker of the House
General Assembly
1000 Bank Street
Richmond, VA 23219

Re: Unconstitutional prayer led on the Virginia House of Delegates floor

Dear Speaker Filler-Corn:

I am writing on behalf of the Freedom From Religion Foundation to object to a prayer delivered at the House of Delegates and to urge the House to drop the prayers altogether. FFRF is a national nonprofit with more than 30,000 members across the country, including more than 700 in Virginia. FFRF protects the constitutional separation between state and church and educates about nontheism.

We understand that on Tuesday, February 11, 2020, Robert Grant Jr., a pastor at the Father's Way Church in Warrenton, offered a six-minute-long prayer that condemned marriage equality and reproductive rights, and threatened legislators with the wrath of this particular preacher's god.¹ Grant said, in part:

. . . God is also judgment. Please do not provoke his anger and bring wrath upon this state by what you create as law. Biblical history is very clear, His wrath upon the earth is documented. We are not exempt. If he does not grant us mercy for the atrocities that are being done, we will eventually encounter the judgment of the Almighty God and may the Lord have mercy upon us all.

I pray that you may understand that all life is precious and worthy of a chance to be born. God is a giver of life and people have no right or authority to take life. The unborn has [sic] rights and those rights need to be protected. . . . The Word of God has given us a warning, 'woe to anyone who harms an innocent child.' Every one of you sitting here today can guarantee these rights to these little innocent children of Virginia. They are in their trimasters [sic] as we speak. Please do not ignore their

¹ The full video of the prayer is available here: <https://youtu.be/8WEbjkOaEac>.

little voices. I pray for a heart change today and may the Lord God have mercy upon this leadership.

. . .

Why are there so many abortion clinics near African American communities? This is planned urban genocide, and you can change this. . . . I pray that this chamber will uphold the Virginia family. I pray that the bills and laws being passed will always protect the biblical traditional marriage as God instructed the first man and first woman in the Bible. . . . We should never rewrite what God has declared. If a state wants to use God's law, that it needs to be respected. It's not yours to change or alter its wording. The Bible is the copyright of God's Word. Marriage is to join a biological male and a biological female in holy matrimony, not to provoke the almighty God. Without laws to protect traditional marriage, Virginia will be reduced to"

At that point, the gavel dropped and what was left of the prayer was drowned out by members saying the Pledge of Allegiance. The prayer was so fractious that members interrupted and even walked out.

Virginia has always led the nation on religious liberty. The First Amendment is based on the Virginia Statute for Religious Freedom. Washington, Jefferson, Madison, and other Virginians established a secular government, in part to guarantee true religious freedom. They understood that there is no freedom *of* religion without a government that is free *from* religion. We ask the Virginia House of Delegates to honor this legacy by ending prayers before sessions. The prayers are unnecessary and, as Grant demonstrated, divisive.

Grant said after the prayer: "I think that the statehouse belongs to all the citizens. And all the citizens have a voice. If it's my turn to have a voice, and I am a pastor, what do you expect from me? If you don't want to hear what a pastor has to say, then don't invite one."² This is true. The statehouse belongs to all citizens and a large and growing percentage of them are not religious. The most recent survey showed that 26% of Americans have no religion. That makes "nones," or the nonreligious, ironically, the largest religious demographic in the country, bigger than even Catholics or evangelicals.³ Younger Americans are not just religiously unaffiliated, they are largely atheist or agnostic. A recent survey found that 21 percent of Americans born after 1999 are atheist or agnostic.⁴

No matter how an opening invocation is worded, be it ecumenical or exclusionary like Grant's, more than one quarter of citizens are left out. Government prayer

² Graham Moomaw, "Va. House Democrats protest opening prayer as conservative pastor condemns abortion, gay marriage," *Virginia Mercury*, (Feb. 11, 2020) at <http://bit.ly/38n2OiD>.

³ Robert P. Jones & Daniel Cox, *America's Changing Religious Identity*, Public Religion Research Institute (Sept. 6, 2017), available at www.prrri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf.

⁴ *Atheism Doubles Among Generation Z*, The Barna Group (Jan. 24, 2018), <http://bit.ly/36MmxYi>.

divides citizens along religious lines. The Virginia House saw this firsthand on Tuesday, but it is not the only state to experience religious divisiveness recently.

In the last few months, prayers have divided state legislatures in Arizona, Pennsylvania, Georgia, and elsewhere.⁵ One Pennsylvania legislator used her prayer to intimidate the first female Muslim legislator being sworn in, quickly dividing the state House along religious lines, forcing legislators to take sides and either support or condemn the prayer.⁶

This is not even the first time the Virginia House has been plagued by religious discord fomented by government prayer. A few months ago, Randall Snipes prayed in the Virginia House that “every knee will bow and every tongue will confess that Jesus is Lord.”⁷ He also asked that those who reject Jesus be tortured in Hell: “God, I pray that you would convict us of that day where those who love you will be rewarded, and those who reject you will be sentenced.” He then claimed that the House needed “forgiveness for the millions and millions of innocent lives that have been murdered for the sake of convenience.”

These prayers are not so much building bridges as burning them.

Government prayers are regularly challenged in court, but all agree that nothing in the Constitution *requires* the House of Delegates to have prayers.

Government prayer is divisive. Government prayer is unnecessary. The House will lose nothing if it stops praying. (It would gain some three hours every session.⁸) Members and staff who still feel the need to pray will be able to do so. But those prayers will not be imposed on every citizen using the machinery and imprimatur of the state. This will show greater respect for the diversity of Virginia’s citizens and for the U.S. Constitution.

We have a separation of state and church in this country because we are a diverse nation. Our nation’s original *de facto* motto spoke of strength through diversity, *e pluribus unum*. Of many, one. Of many people, one nation. Governments that derive

⁵ Arizona in particular has a problem with this. Two state legislators, Juan Mendez and Athena Salman, have delivered several secular invocations, including in February 2019, April 2017, March 2016, and May 2013. Each time the invocations have been mocked by other legislators or other, Christian invocations have been delivered to repent for those non-Christian invocations. *Arizona House Still Disparaging Nonreligious Legislators, FFRF responds* (Feb. 14, 2019), <http://bit.ly/2SkKMYF>. See Andrew L. Seidel, *Government Prayer Isn’t Inclusive—Let’s Not Pretend Otherwise*, REWIRE NEWS (Apr. 22, 2019, 12:48 PM), <http://bit.ly/2SkWcM2>.

⁶ Andrew L. Seidel, *Penn. Legislator’s Jaw-Dropping Prayer Showcases America’s Christian Nationalism Problem*, REWIRE NEWS (Mar. 27, 2019, 5:18 PM), <http://bit.ly/3bA2cbm>

⁷ April 3, 2019 opening invocation. Video at <https://youtu.be/k9ORQvBjv9Q>.

⁸ Assuming an average three minutes a prayer for each of the 60 days the House is in session in an even-numbered year, it would save three hours of time and salaries for every employee present.

their power from the people cannot take sides in a religious debate or discussion without alienating many of those people, without selecting one of the claimed truths, however inadvertently. Government neutrality on religion is not just constitutionally mandated, but a way to ensure our government functions. It removes one of our two *verboden* topics, religion, from the other, politics.

Government prayer doesn't bring We the People together, it drives us apart, and it's doing so at a time when there is already more than enough political division. It's time for the Virginia House of Delegates to end this archaic and divisive tradition.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrew L. Seidel". The signature is fluid and cursive, with the first name "Andrew" and last name "Seidel" clearly distinguishable.

Andrew L. Seidel
Constitutional Attorney
Director of Strategic Response