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July 31, 2017

The Honorable Dan Hughes
Mayor of Henderson County
Henderson County Courthouse
17 Monroe Street
Lexington, TN 38351

Dear Mayor Hughes:

I have the honor of serving as the Executive Director of the Congressional Prayer Caucus Foundation. The Foundation serves nearly 100 members of Congress who are part of the Congressional Prayer Caucus (the names of those members who serve on the Congressional Prayer Caucus Advisory Board are listed on the left).

In addition, the Foundation serves Legislative Prayer Caucuses in 31 states, which have over 750 state senators and state representatives as members. These leaders are working together to preserve the integrity of our Founding Principles and protect First Amendment rights for all.

We recently learned from news reports that an out-of-state organization is threatening Henderson County with a lawsuit because of an historic engraving of a scripture verse on the cornerstone of the courthouse. We commend you for choosing to dismiss the demands of this organization and want to offer evidence that your position is the correct one.

We understand that the out-of-state organization claims that the placement of this verse violates the First Amendment's Establishment Clause, because it amounts, in their view, to an endorsement of the Christian religion. The organization, unfortunately, fails to understand that such scriptural references, as well as other religious symbols that grace government buildings and monuments, are simply the acknowledgement of the Judeo-Christian influence on the development of this nation and its institutions.

There are, of course, many examples of public buildings and monuments containing Scripture verses. For example, *Laus Deo*, meaning Praise be to God, is engraved upon the aluminum capstone of the Washington Monument, and inside the monument there are a number of memorial stones with scriptural engravings from the Old and New Testaments. Similarly, the walls of the Library of Congress have inscribed upon them Psalm 19:1 ("The heavens declare the



glory of God, and the firmament showest His handiwork."); John 1:5 ("The light shineth in the darkness, and the darkness comprehendeth it not."); and Micah 6:8 ("What does the Lord require of thee, but to do justly and love mercy and walk humbly with thy God?"). Yet another example is the Christian iconography beautifully displayed in Tiffany stained glass windows at the Naval Academy at Annapolis.

America's religious heritage is literally etched into our collective memory as a nation, from the federal level to our counties, cities, and towns. Though atheists may desire to remove every cross from every military cemetery and every religious reference upon our monuments and buildings, such hostility to religion is contrary to our nation's Founders, our Constitution, and the will of our people. As the U.S. Supreme Court stated well in *Zorach v. Clauson*, 343 U.S. 306, 314 (1952): "[W]e find no constitutional requirement which makes it necessary for government to be hostile to religion and to throw its weight against efforts to widen the effective scope of religious influence."

We realize that it can be somewhat intimidating to receive a letter quoting many Supreme Court cases, quotes which appear to take aim against the inscription on the courthouse cornerstone. One case apparently missed by Americans United, however, is the 2005 case of *Van Orden v. Perry*, 545 U.S. 677, in which Chief Justice William H. Rehnquist for the Court wrote that the proper analysis to apply to the use of Scripture on monuments/buildings is the nature of the monument/building and our Nation's history (545 U.S. at 686). The Chief Justice wrote the following regarding the portion of Scriptures called the Ten Commandments:

Such acknowledgments of the role played by the Ten Commandments in our Nation's heritage are common throughout America. We need only look within our own Courtroom. Since 1935, Moses has stood, holding two tablets that reveal portions of the Ten Commandments written in Hebrew, among other lawgivers in the south frieze. Representations of the Ten Commandments adorn the metal gates lining the north and south sides of the Courtroom as well as the doors leading into the Courtroom. Moses also sits on the exterior east facade of the building holding the Ten Commandments tablets.

Similar acknowledgments can be seen throughout a visitor's tour of our Nation's Capital. For example, a large statue of Moses holding the Ten Commandments, alongside a statue of the Apostle Paul, has overlooked the rotunda of the Library of Congress' Jefferson Building since 1897. And the Jefferson Building's Great Reading Room contains a sculpture of a woman beside the Ten Commandments with a quote above her from the Old Testament (Micah 6:8). A medallion with two tablets depicting the Ten Commandments decorates the floor of the National Archives. Inside the Department of Justice, a statue entitled "The Spirit of Law" has two tablets representing the Ten Commandments lying at its feet. In front of the Ronald Reagan Building is another sculpture that includes a



depiction of the Ten Commandments. So too a 24-foot-tall sculpture, depicting, among other things, the Ten Commandments and a cross, stands outside the federal courthouse that houses both the Court of Appeals and the District Court for the District of Columbia. Moses is also prominently featured in the Chamber of the United States House of Representatives. . . .

These displays and recognitions of the Ten Commandments bespeak the rich American tradition of religious acknowledgments. Of course, the Ten Commandments are religious—they were so viewed at their inception and so remain. The monument, therefore, has religious significance. According to Judeo-Christian belief, the Ten Commandments were given to Moses by God on Mt. Sinai. But Moses was a lawgiver as well as a religious leader. And the Ten Commandments have an undeniable historical meaning, as the foregoing examples demonstrate. Simply having religious content or promoting a message consistent with a religious doctrine does not run afoul of the Establishment Clause. 545 U.S. at 688-89.

The Henderson County Courthouse stands in the good company of many other governmental buildings and monuments that prominently feature visual reminders of our nation's invaluable religious history. Furthermore, we want you to know that you personally are not alone in your convictions – we support you. Please do not hesitate to contact us if you believe you need any assistance with this matter.

Sincerely,

Lea Carawan
Executive Director
Congressional Prayer Caucus Foundation