
Prayer in the Legislature: Tradition Meets Secularization

by Martin Lanouette

Since the reign of Queen Elizabeth I in the 16th century, each House of Parliament at Westminster has traditionally opened its sittings with a prayer. British colonies around the world imitated the practice in keeping with their parliamentary origins. Eventually, the various colonies became sovereign nations and developed their own prayers reflecting their history, identity and, of course, their noble aspirations. This paper looks at three options that have emerged so far to address the challenge of contemporary State neutrality. First maintain the status quo. Second seek greater openness and make the prayer more universal by alternating between prayers of various religions or having a moment of silence and reflection. Third, eliminate the practice from public institutions in the name of separation of Church and State. Arguments for each option are explored in order to better understand a subject that, while it may seem antiquated, never ceases to arouse passionate debate.

As Louis Massicotte pointed out in his comprehensive 1982 report, the British practice of opening legislative sittings with a prayer has no equivalent in other democracies on the European continent.¹ Since the publication of Massicotte's study, which examines a significant number of countries, provinces and territories, increased international migration and the trend toward secularization in western political institutions have forced leaders to reconsider the special relationship that has existed between Christianity and the State.

Maintaining the Status Quo

In the United Kingdom many defenders of the traditional prayer are currently campaigning within Parliament itself to maintain Britain's religious heritage, particularly the group Prayer for Parliament, led by Jeffrey Donaldson, MP and member of the Northern Ireland Assembly, who advocates the

importance of maintaining prayer in the legislature. The Prayer Shield:

offers vital information about the issues being debated in Parliament and that are of strategic importance to our government and nation. These matters require focused prayer if we are to change the United Kingdom and seek God's will for this nation, and see healthy legislation put in place.

Christians in Parliament, a group led by Conservative MP Andrew Selous, is a non-denominational organization that is open to all parties and provides a forum for Christian activity.² This intraparlimentary proselytizing led to a report *Faith in the Future* (2008) prepared by the Cross-Party Committee of Inquiry. Initiated by Tory leader David Cameron, the report supports the centuries-old Christian heritage and promotes its renewal in society.

England has opted for the status quo, although figures from the Institute for Research on Public Policy show that nearly 7.5% of the population in 2001 was born outside the United Kingdom, compared to 5.75% in 1991. In 2001, more than 72% of the population considered itself Christian. More than 1.6 million Muslims represented about 3% of the country's population but more than 52% of the non-Christian

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population. Hindus accounted for 1% of Britain's population (18%); Sikhs 0.6% (11%); Jews about 0.5% (9%); and Buddhists 0.3% (5%). Parliamentarians' refusal to make prayer more inclusive seems to support a consensus that is deeply rooted in British tradition. No organization or group supporting multid denominational prayer has lasted long enough to be able to change this centuries-old practice.

Australia

Daily prayer has been a standard practice among Australian institutions since 1901. In 2009, the prayer must still be recited every day that parliamentarians meet, both in the House of Representatives and the Senate.

The country's demographic makeup since 1990 also reflects the trend toward cultural pluralism in western societies. According to the 2001 census, more than 69% of the population was Christian, while about 25% had no religion and 5% was non-Christian. The percentage of people who stated they had no religion increased dramatically between 1991 and 2001, rising by nearly 3%,³ while the percentage of Christians dropped by 6%. Increases were the most significant among traditional religious groups. Between 1996 and 2001, Buddhism saw a 79% increase, Hinduism 42%, Islam 40% and Judaism 5%.

The debate surfaced in October 2008, when House Speaker Harry Jenkins stated publicly that he supported rephrasing the prayer in keeping with the policy of recognizing Australia's Aboriginal peoples, which culminated in the historic official apology by Prime Minister Kevin Rudd in January 2008. This more inclusive approach was supported by Ikebal Patel, President of the Australian Federation of Islamic Councils, who said that Parliament should not appear to be a "Christian club." In 2008, there were no Aborigines or Muslims among Australia's 226 lawmakers.

The central player in the debate over a more universal prayer is Senator Bob Brown, leader of the Australian Greens. He has been advocating a rewording of the Lord's Prayer since 1997. The Senate Procedure Committee examined the issue and recommended that the prayer not be eliminated or changed. In 2008, Brown suggested adding a period of reflection to the Lord's Prayer to encourage parliamentarians to consider "the privileges and the responsibilities of representing Australians in a National parliament," making the prayer an acknowledgement of the moral dimension of legislators' duties. In 2003, Judy Maddigan, Speaker of the Legislative Assembly in Victoria, said there was a need to recognize the historical presence of

the Aboriginal peoples and called for them to be acknowledged after the prayer.⁴ This symbolic act was intended to demonstrate that acknowledgement is part of integration and of showing respect for a shared heritage. On August 26, 2003, Maddigan recited an additional prayer in the Legislative Assembly recognizing the traditional peoples of Australia, thereby heralding the start of a new era of symbolism.

Reacting to the comments by Speaker Jenkins, Malcom Turnbull, Leader of the Official Opposition, and Warren Truss, leader of the National Party, denounced the proposal in a joint statement. The coalition opposing the Speaker (and supported by Rudd) maintained that the Lord's Prayer was a non-partisan option and a commitment to the common good of the people of Australia. An article in the *Daily Telegraph* of October 27 reported that Jenkins was disappointed over the outrage ignited by his request. Jenkins was somewhat critical of the public's initial reaction, saying that society eventually needed to reach "the level of maturity where this can be discussed without being divisive."

As in England, the federal Parliament chose to maintain the status quo, citing the practice's traditional and unifying aspects. Eliminating the prayer is not really a political issue, as we have seen all parties defend the ritual. Only Bob Brown's Greens felt that adding a period of reflection would be more inclusive. For Victoria's Legislative Assembly, it was not an issue of respect for tradition but of acknowledgement, as it was for the Legislative Assembly of the Australian Capital Territory, which added a clause to its 1995 standing orders stating that the Speaker was to invite members to pray or reflect on their responsibilities at the beginning of each sitting and recognize that the legislature was meeting on the land of its traditional keepers.

Australian society is somewhere between tradition and innovation, and public debate on the subject continues to support the status quo. Out of the six states, two territories and federal institutions, only two have opted to modernize the prayer.

New Zealand

New Zealand currently has a population of 4.3 million, including more than 2 million Christians. Ethnic diversity has increased significantly since 1990. At that time, one in six persons was born in the country, whereas the figure was one in five in 2001.

Since 1996, New Zealand's social fabric, already a mosaic of various Christian denominations and the Maori First Nations, has become more diverse. The Muslim population has increased by 74%, Hindu by

56%, Buddhist by 48 %, and spiritual movements by 64%. In 2001, 29.6% of New Zealanders stated they did not have a religion. Five years later, the percentage had increased to 34.7%. This increase ($\pm 5\%$) reflects the trend toward de-Christianization that is affecting western countries and challenging traditional mores that date back to an era when religion almost totally dominated social conventions.

In terms of opening legislative sittings with a daily prayer, the country has so far opted for the status quo rather than taking a more inclusive approach. The tradition of the prayer dates back to 1884, and the prayer itself has remained unchanged since 1962. In 2003, the Standing Orders Committee, chaired by the Hon. Margaret Wilson, was petitioned by Dr. Anthony Hochberg and nine others to maintain the prayer but change the wording. At the committee's suggestion, a survey was distributed to parliamentarians asking the following questions: "Do you consider that there should continue to be a prayer recited at the commencement of each sitting?" (84% said yes) and "If a prayer is retained, do you consider that the wording of the present prayer should be reconsidered?" (34% of the respondents said yes). The survey received a response rate of only 73%.

In March 2008, the American religious leader Rajan Zed, a Hindu, called on the Standing Orders Committee to invite guest chaplains from various faiths to say the prayer, a practice that he felt substantiated the freedom of worship guaranteed by the countries' institutions. Speaker Wilson refused Zed's request, stating that 84% of respondents supported the status quo.⁵ She did not consider the request to be a priority, at least not until the desire for change became clearer and more definite. However, it should be remembered that 12% of the members surveyed said they supported eliminating the prayer, and 25% supported rewording the almost 50-year-old text.

Over the past few years, New Zealand has had a considerable impact on this debate, even if the outcome was tempered. The country's parliament was one of the most categorical in its refusal to modify the wording of the traditional prayer, yet New Zealand has the lowest percentage of Christians among the countries studied. In addition, with nearly 35% of the population having no religion, it is surprising to see parliamentarians come to the defence of the country's traditional religion, which loses adherents with every census.

Seeking greater openness

In Canada, on February 18, 1994, Peter Milliken, Parliamentary Secretary to the Leader of the

Government, raised the "delicate" issue of prayers, and Bloc Québécois MP Louis Plamondon and Reform MP Elwin Hermanson also made statements on the subject.⁶

Three days later, on February 21, 1994, House of Commons Speaker Gilbert Parent read a new prayer for the first time in English and French, with the unanimous support of the House. The prayer, which is followed by a period of reflection or private meditation, formalized the government's attempts to comply with the principles of the *Canadian Charter of Rights and Freedoms*, and to some extent, to continue to detach itself from the British Crown.

According to the 2001 census, about 69% of the population is Christian. Muslims represent only 2% of the population, and Hindus, Buddhists and Jews together account for only 3%. These communities increased very significantly from 1991 to 2001, as in the other countries analyzed previously. The Muslim population increased by the greatest percentage (+128.9%) followed by Hindus (+89.3%), Sikhs (+88%) and Buddhists (+83.8%). Persons with no religion accounted for 16.2% of the population in 2001, an increase of 43.9% over the same decade. The significant rise in immigration and secularization has made decision makers change the way they "manage" certain situations.

Today, only the provinces of Prince Edward Island and New Brunswick still recite the traditional Lord's Prayer. In 1972, Nova Scotia introduced a shortened version of the traditional prayer (drafted by Speaker Mitchell) and this version has remained unchanged. The issue was raised in the Legislative Assembly in 2001, when New Democrat MLA Howard Epstein spoke out against the practice, which dates back to 1792, and called for a more definitive separation of Church and State. However, Conservative MLA and Baptist minister Mark Parent strongly supported the tradition, saying that the prayer acknowledges there is "something deeper, greater and more powerful" and helps members realize there is a greater justice at work for the common good.⁷

To date, all other Canadian provinces and territories have opted to recite non-denominational prayers and/or to alternate various prayers, with the exception of Ontario, which adopted a compromise solution that created a fierce debate barely a year ago.

In February 2008, Premier Dalton McGuinty stated there was a need to reflect the Ontario of the 21st century, causing a general outcry over an issue that Bob Runciman, interim Leader of the Official Opposition, called a "hot potato" and a "Pandora's

box.” New Democrat MPP Cheri DiNovo, a member of the all-party committee tasked with developing a public consultation process,⁸ called the situation a “fire” that occurred at a time when taxpayers expected the government to focus on important issues such as child poverty and unemployment.⁹ These comments were supported by Ian Roberge, a professor of political science at Glendon College, who felt that urgent environmental issues and the loss of thousands of jobs should be at the top of the Liberal government’s priority list.

Public opposition was so great that the Queen’s Park website was temporarily shut down, overwhelmed by the flood of emails condemning the proposal. More than 20,000 Ontarians wrote letters and emails, 89% of which denounced the Prime Minister’s initiative. When the all-party committee finished its examination, it was decided that the Lord’s Prayer would be maintained but followed by alternating prayers from First Nations, Buddhist, Hindu, Muslim, Jewish, Baha’i and Sikh faiths. This innovative response to the McGuinty initiative was designed to highlight the province’s increasingly varied demographics. In 2006, more than one-third of the population was born abroad and more than half of the urban population was from outside Canada.

United States

The United States is probably one of the most diverse countries in the world. The 2000 census showed that the number of persons born outside the country increased by more than 57%. According to the American Religious Identity Survey (ARIS), the percentage of adult Americans who stated that they were Christian dropped to 77% from 86% between 1990 and 2001. There was an increase in members of the Islamic (109%), Buddhist (170%) and Hindu (237%) faiths.¹⁰

Debate over prayer has been more extensive at the state level than the federal level. In 1983, the Supreme Court heard the case of *Marsh v. Chambers* to determine whether reciting prayers in legislative assemblies violated the Establishment Clause in the First Amendment of the U.S. Constitution. The State of Nebraska based its case on three issues: the legislature had employed the same chaplain for 16 years; he was paid out of public funds; and the prayer was uniquely Judeo-Christian in content. The Court refused the request to eliminate the chaplain’s position in a 6–3 vote, stating that “in the light of the unambiguous and unbroken history of more than 200 years, there can be no doubt that the practice of opening legislative sessions with prayer has become part of the fabric of our society. To invoke Divine guidance in a public

body entrusted with making the laws is not, in these circumstances, an ‘establishment’ of religion or a step toward establishment; it is simply a tolerable acknowledgment of beliefs widely held among the people of this country.”¹¹ The decision by the first Continental Congress (1774) to hire a chaplain was considered “acceptable” in the past, and this more than 200-year-old practice can still be considered valid based on the foundation established by the first legislators. Today, both the U.S. House of Representatives and the Senate maintain the tradition of a standard prayer recited by a paid chaplain, followed by an oath of allegiance. This link between the Protestant Church and the federal State is almost organic, given that “the chaplain, more than any other official, reenforces the notion of the Senate—its members and staff—as an extended ‘family’.”¹²

Paying the chaplain with public funds raises the issue of the separation of Church and State. The U.S. justices maintained that there was no proselytizing because the person reciting the prayer determined a form and content appropriate for everyone. In Canada, by comparison, the task falls to the Commons Speaker, a practice that keeps the clergy out of the legislature and reaffirms the State’s authority. In the United States, the chaplain plays a daily role and has an office in the legislative building. In 2004, echoes of this debate were heard just before the opening of the 104th Congress, when it was suggested that rotating volunteers recite the prayer, but the Republican majority decided to maintain a full-time, paid chaplain.

However, since 2008, many states have expressed a desire to modify the practice, opening the door for other faiths to participate in the daily prayer. The senates of New Mexico, Colorado, Utah, Washington and Arizona have each experimented with Hinduism by allowing Rajan Zed to say a prayer. Zed had advocated introducing the practice in New Zealand. In each case, the Hindu prayer was recited in Sanskrit before being repeated in English. The California Senate and both houses in the Nevada legislature followed suit.¹³ In Pennsylvania, Anthony Stultz (a Buddhist sensei for 20 years) opened the Senate’s daily sitting with a three-minute prayer in which he did not mention Buddha.¹⁴

According to a 2002 survey by the National Conference of State Legislatures, the Massachusetts Senate was the only one that did not open each sitting with a prayer, preferring to reserve the ritual for special occasions. Of the 85 legislative bodies surveyed, 78

confirmed that they alternate among members of various clergies.

Scotland

In 2006, Scotland had a population of 5.2 million, more than 65% of which was Christian. Taken as a whole, the other religious groups (Muslims, Buddhists, Sikhs, Jews, Hindus) represented only 2.8% of the population.¹⁵ More than 27% of respondents to the 2001 census stated that they had no religion. Nevertheless, politicians decided to redefine Scotland's contemporary, more multidimensional institutional "character."

Parliamentary discussions on the prayer protocol took place mainly in 1999, and the subject was raised in the House on May 18 by Conservative member Alex Fergusson, with the support of Scottish National Party member Alex Salmond and Labour member Kenneth Macintosh, all of whom called for the prayer to be reworded rather than eliminated. In September 1999, several months after a multid denominational prayer was adopted (69 in favour, 15 opposed and 37 abstentions), Phil Gallie, a member of the Scottish Conservative and Unionist Party, stated that the prayer should be consistent with Scotland's religious heritage, and any rewording should be at the discretion of the Church of Scotland. This motion did not lead to any further changes.

Since its powers were repatriated (Scotland Act 1998), the Scottish Parliament has taken a very bold approach to alternating prayers. The range of participants is so great that groups which are clearly outside the traditional religious framework have recited their prayers, including the Scottish Churches China Group in 2003, and the African Network of Religious Leaders Living with or Personally Affected by HIV or AIDS in 2006. To date, no legislature rooted in the British parliamentary system has been so innovative. This great openness has occurred despite the fairly high percentage of people who state they have no religion (27%), which may seem paradoxical. In Scotland, the tradition was interpreted more as a ritual to be maintained regardless of the form rather than an unchangeable symbol of identity. The case of the Scottish Parliament inevitably raises the issue of how much innovation is needed at a time when a wide range of religious movements would like greater State recognition.

Eliminating Prayer

Of all the legislatures examined, only those in the provinces of Quebec and Newfoundland have decided to depart completely from this British tradition

completely. The Newfoundland Legislative Assembly has never opened its sittings with a prayer.

In Quebec, setting aside a moment of reflection follows from the 1972 standing orders (section 21), or "Code Lavoie," which stated that the Speaker of the Assembly would enter after the public and before everyone in the chamber rose to observe a moment of silence and reflection.¹⁶ In practice, however, the Speaker read a short ecumenical prayer. Speaker Richard decided to abandon the practice to reaffirm support for the freedom of members belonging to different faiths. The fate of the prayer was sealed in December 1976, in the interest of redefining a new society.¹⁷ The Assembly confirmed the decision in a free vote the following year when it refused to introduce the previously recited prayer in the standing orders.

In South Africa, the National Assembly and the National Council of Provinces have opted for a moment of silence. In both cases, no prayer is recited aloud, but silent prayer or meditation is practised at the discretion of each member.¹⁸ This is also the current practice of the Council of the District of Columbia, the capital of the United States.

Summary and Conclusion

As we can see, the form and content of the prayer recited in parliamentary legislatures is part of a debate that seeks to pit the special relationship each legislature has with its religious heritage, against the desire to adapt this heritage to contemporary cultural realities. Parliaments that have their roots in the British system are being affected by the gradual weakening of the population's traditional affiliation with Christianity, and the growing number of newcomers is forcing leaders to re-evaluate their integration methods constantly.

The three solutions parliamentarians have developed to resolve the problem posed by this traditional symbol are primarily reactions, each involving a different view of neutrality. In the case of prayer, neutrality can focus on continuity, universality or incompatibility with the ideals endorsed by the State. France's secular model (true and complete separation) has not been accepted in the Anglo-American political systems, and in some cases, the courts have been called on to interpret individuals' right to practise their religion (or not). Quebec's French culture and heritage seem to create a kind of exception to the North American rule, as demonstrated when the proposed secular charter recently became the focus of public debate again after the Mouvement Laïque Québécois sent a written

statement to Premier Charest calling for this principle to be enshrined.¹⁹

So why does the need for prayer persist despite this secular storm and all the unending controversies?²⁰ As stated in *Marsh v. Chambers*, traditions are often seen as “a part of the fabric of the society,” and at a time when contemporary societies are tending to become more diverse, the argument for tradition continues to occupy an important place in the collective imagination. A defensive reaction? Quite likely. A bastion of identity? Most definitely. All of which has not stopped many parliaments from wanting to take matters even further, not to weaken the “old” identity but to breathe new life into it.

The issue is not to eliminate this act of transcendence, but rather to avoid having it used to institute permanent discrimination. Although the percentage of people who report having no religion is about 20 to 25% in the countries studied, the percentage of Christians is more than 65%, with the exception of New Zealand. The status quo may pose problems since it could suggest a denial of new cultural realities. Adding a period of reflection and meditation, or alternating among various faiths, seems to be a good solution as it prevents traditional religious groups that were once marginalized or even repressed from being overlooked.

If it is to be practised, this ritual must be an act of recognition that focuses on uniting rather than dividing people. Simply eliminating the prayer is another option, but it is not a more impartial one, since the adherents, who have the same rights, will feel they are victims of discrimination as well. We must realize that there is not necessarily a set course for examining the importance of the prayer. It all depends on how parliamentarians interpret the political and social issues in their own countries. Legislatures have employed many solutions, proof that consensus on the proper course of action can be reached and maintained.

It will be interesting to see what the preferred option will be in the coming years. By selecting one of the three choices discussed here, parliamentary legislatures that venture to raise this issue will be able to improve the quality of public debate and perhaps suggest new approaches to defining what it means to live together.

Notes

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3. “Religious Affiliation”, Australian Bureau of Statistics,

- Year Book Australia, 2006, www.abs.gov.au/ausstats/abs@.nsf/bb8db737e2af84b8ca2571780015701e/bfdda1ca506d6cfaca2570de0014496e!OpenDocument
4. “Procedural Change to Open Spring Session of Parliament”, Speaker’s Media Release, 25/08/03, www.parliament.vic.gov.au/speaker/media/2003/08/25/
5. “New Zealand Parliament refuses to consider American religious leader’s request”, Newswire Services, 04/03/08, www.californiachronicle.com/articles/view/54253
6. House of Commons *Debates*, February 18, 1994, pp.1564-1566.
7. “N.S. New Democrat pushing for daily prayer to be silenced in legislature”, 11/02/01, www.uga.edu/bahai/News/021101.html
8. This special committee was chaired by Speaker Steve Peters and its official members were Liberal MPP Bas Balkissoon, Conservative MPP Garfield Dunlop and New Democrat MPP Cheri DiNovo.
9. “MPPs to hear Lord’s Prayer – and others”, Robert Benzie, 13/06/08, www.thestar.com/printArticle/442698
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11. *Marsh v. Chambers*, 463 U.S. 783, U.S. Supreme Court.
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15. High Level Summary of Equality Statistics, Extracted Trends by Religion, www.scotland.gov.uk/Resource/Doc/933/0041856.pdf
16. Maurice Pellerin, “La lecture des prières au Parlement”, Bibliothèque de la Législature, *Bulletins*, Vol.12, no. 4, December 1982, Assemblée Nationale du Québec, p.17.
17. “Accommodements raisonnables”, Renée Larochelle, 08/02/07, www.aufil.ulaval.ca/articles/accommodements-raisonnables-354.html
18. <http://www.parliament.gov.za/content/GUIDE.pdf>
19. Le MLQ réclame une Charte de la laïcité”, 20/05/09, www.mlq.qc.ca/interventions-militantes/republique-laique/charte-de-la-laicite
20. For a look back over controversies in Quebec, see Bouchard, Gérard and Charles Taylor, “Fonder l’avenir : le temps de la conciliation”, the official and unabridged report of the Commission de consultation sur les pratiques d’accommodements reliées aux différences culturelles, Bibliothèque et Archives nationales du Québec, 2008, pp.50-59.