

The Gospels and American Jurisprudence

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* Professor of Business Law, The Pennsylvania State University. This Article is dedicated to those who have had a positive impact on my faith journey in my lifetime and have always believed in my professional endeavors—particularly my parents, Dennis and Sally Marzen, and my grandparents, Gerald and Dolores Marzen. I would also like to recognize a mentor, member of the Iowa Bar, and steward of the Church—Bishop Thomas Zinkula of the Diocese of Davenport, Iowa, as well as several Jesuit priests whose service to others was inspirational—the late Fr. Frederick E. Schuller, S.J. (1922–2007), the late Br. Herbert A. Bussen, S.J. (1915–2011), and the late Fr. Everett A. Diederich, S.J. (1920–2011). I also would like to remember the late Sr. Juanita Boom of the Sisters of the Presentation of the Blessed Virgin Mary (1928–2014). May they all rest in peace.

I. INTRODUCTION

The Gospels narrate the story of the life of Jesus Christ,¹ the Son of God in the Christian tradition.² The books of Matthew,³ Mark,⁴ Luke,⁵ and John⁶ recount the teachings and parables of Jesus during his ministry. In the Christian tradition, these books are canonical and divinely inspired.⁷

1. See Nancy J. Kippenhan, *Seeking Truth on the Other Side of the Wall: Greenleaf's Evangelists Meet the Federal Rules, Naturalism, and Judas*, 5 LIBERTY U. L. REV. 1, 14 (2010) ("The canonical Gospels have been accepted as genuine narratives of the life of Jesus since they were written in the first century, and were found in the marketplace of that day, where they would have been expected to be found.").

2. See Gregory A. Kalscheur, S.J., *Christian Scripture and American Scripture: An Instructive Analogy?*, 21 J.L. & RELIGION 101, 119–20 (2005–2006) ("The Nicene Creed begins with words that affirm Christianity's continuity with Deuteronomy 6:4, 'We believe in one God.' The Creed then goes beyond the literal text of the New Testament by drawing on the Greek philosophical concept of 'substance' in order to explicitly affirm the full divinity of Christ and the triune oneness of God. Jesus Christ is affirmed as 'the only-begotten Son of God, Begotten from the Father before all time, Light from Light, True God from True God, begotten not made [one in Being with] of the same substance as the Father.' Finally, the Spirit is affirmed as 'Lord and Giver of life,' to be worshipped 'with the Father and the Son.'").

3. For a comprehensive discussion on the Book of Matthew, see David Bartlett, *The Gospel According to Matthew*, in THE FOURFOLD GOSPEL COMMENTARY 9–62 (Andrew F. Gregory ed., 2006).

4. For a comprehensive discussion on the Book of Mark, see Morna D. Hooker, *The Gospel According to Mark*, in THE FOURFOLD GOSPEL COMMENTARY 63–104 (Andrew F. Gregory ed., 2006).

5. For a comprehensive discussion on the Book of Luke, see Andrew F. Gregory, *The Gospel According to Luke*, in THE FOURFOLD GOSPEL COMMENTARY 105–163 (Andrew F. Gregory ed., 2006).

6. For a comprehensive discussion on the Book of John, see Henry Wansbrough, *The Gospel According to John*, in THE FOURFOLD GOSPEL COMMENTARY 164–208 (Andrew F. Gregory ed., 2006).

7. See Liaquat Ali Khan, *The Immutability of Divine Texts*, 2008 BYUL REV. 807, 817 (2008) ("If divine texts are defined strictly as the Word of God and nothing else, some divine texts may not easily match the definition. The four Gospels of the New Testament contain the Word of God. But they also contain the words of Jesus and narratives of the apostles who wrote the Gospels. For believers, the authors of the Gospels were apostles whose descriptions of Jesus, events following Jesus, and the words of Jesus were both accurate and credible. Thus, even though the Gospels consist of texts originating from God, Jesus, and the narrators, the entire text is divine.").

Jesus's discussion of the law is a common theme throughout the Gospels. In a number of passages, Jesus teaches on the relationship of law to faith in God. The Gospel of John notes that although the law was sent through the prophet Moses, grace and truth come through Jesus Christ.⁸ The Gospel of Matthew also directly addresses Jesus's relationship to the law, and Jesus proclaims that his mission is not to abolish the law or the role of the prophets but rather to fulfill them.⁹

Jesus also addresses the relationship between Roman law and rabbinical law in his response to questioning by the Pharisees¹⁰ regarding the legality of the census tax of Caesar Augustus.¹¹ In the Gospels of Matthew,¹² Mark,¹³ and Luke,¹⁴ Jesus answers to the questioning of the Pharisees on the lawfulness of the census tax by responding with the teaching that one should repay to Caesar what belongs to Caesar and repay to God what belongs to God.¹⁵

Law is also mentioned in the parable of the Gospel of Matthew in which a scholar of rabbinical law asked a question to Jesus Christ and inquired what the greatest commandment of the law is. Jesus responded to the scholar of the law and remarked the first commandment is "You shall love the Lord, your God, with all your heart, with all your soul, and with all your mind."¹⁶ Jesus remarked the second commandment is "You shall love your neighbor as yourself."¹⁷ The Gospel of

8. See *John* 1:17 (New American Bible).

9. In the Book of Matthew, Jesus Christ stated: "Do not think that I have come to abolish the law or the prophets. I have come not to abolish but to fulfill. Amen, I say to you, until heaven and earth pass away, not the smallest letter or the smallest part of a letter will pass from the law, until all things have taken place." *Matthew* 5:17–18 (New American Bible).

10. For a comprehensive discussion of the Pharisees and the law, see Gregory R. Knight, Comment, *The Pharisees and the Sadducees: Rethinking Their Respective Outlooks on Jewish Law*, 1993 BYU L. REV. 925 (1993).

11. See Michael J. Graetz, "Death Tax" *Politics*, 57 B.C. L. REV. 801 (2016) ("Taxes on inherited wealth have an ancient pedigree. Historians claim that Egypt imposed a tax on death-time transfers of wealth as early as 700 B.C. and that such a tax was levied in ancient Rome by Augustus Caesar.").

12. See *Matthew* 22:15–22 (New American Bible).

13. See *Mark* 12:13–17 (New American Bible).

14. See *Luke* 20:20–26 (New American Bible).

15. See *Matthew* 22:21 (New American Bible).

16. See *Matthew* 22:37–38 (New American Bible).

17. See *Matthew* 22:39 (New American Bible).

Matthew states that “the whole law and the prophets depend on these two commandments.”¹⁸ Finally, another key principle of the law proclaimed by Jesus in the Gospel of Matthew is the “Golden Rule”¹⁹—that one should “do to others whatever you would have them do to you.”²⁰

Just as the concept of law is noted in a number of passages in the Gospels, notation of the Gospels has historically been present in the jurisprudence of the United States. This Article contributes to the academic literature of the Christian legal tradition and jurisprudence²¹ by

18. See Matthew 22:40 (New American Bible).

19. The “Golden Rule” has been discussed by a number of commentators in the context of legal analysis. See, e.g., R. Collin Mangrum, *I Believe, the Golden Rule, Send a Message, and Other Improper Closing Arguments*, 48 CREIGHTON L. REV. 521 (2015); Jeffrey R. Baker, *Trifling Violence: The U.S. Supreme Court, Domestic Violence and a Theory of Love*, 42 CUMB. L. REV. 65 (2011); Neil Duxbury, *Golden Rule Reasoning, Moral Judgment, and Law*, 84 NOTRE DAME L. REV. 1529 (2009); Eli A. Echols, Note, *Defining Religion for Constitutional Purposes: A New Approach Based on the Writings of Emanuel Swedenborg*, 13 B.U. PUB. INT. L.J. 117 (2003); Craig Lee Montz, *Trial Objections from Beginning to End: The Handbook for Civil and Criminal Trials*, 29 PEPP. L. REV. 243 (2002); Craig Lee Montz, *Why Lawyers Continue to Cross the Line in Closing Argument: An Examination of Federal and State Cases*, 28 OHIO N.U. L. REV. 67 (2001) & Lloyd Cohen, *A Justification of Social Wealth Maximization as a Rights-Based Ethical Theory*, 10 HARV. J.L. & PUB. POL’Y 411 (1987).

20. See Matthew 7:12 (New American Bible).

21. A number of commentators have discussed the Christian legal tradition in the past several years in law review articles. These articles include: Ronald J. Colombo, *The Past, Present, and Future of Christian ADR*, 23 CARDOZO J. CONFLICT RESOL. 45 (2020); Hala Khoury-Bisharat & Rinat Kitai-Sangero, *The Silence of Jesus and Its Significance for the Accused*, 55 TULSA L. REV. 443 (2020); Neil W. Hamilton, Madeleine Coulter, & Marie Coulter, *Professional Formation/Professionalism’s Foundation: Engaging Each Student’s and Lawyer’s Tradition on the Question “What Are My Responsibilities to Others?”*, 12 U. ST. THOMAS L.J. 271 (2016); Patrick McKinley Brennan, *An Essay on Christian Constitutionalism: Building in the Divine Style, for the Common Good(s)*, 16 RUTGERS J.L. & RELIGION 478 (2015); The Hon. J. Kenneth Blackwell, *America’s Two First Freedoms: A Biblical Christian Perspective on How the Second Amendment Secures First Amendment Rights*, 9 LIBERTY U. L. REV. 215 (2015); Brandon Paradise, *How Critical Race Theory Marginalizes the African American Christian Tradition*, 20 MICH. J. RACE & L. 117 (2014); F. Russell Hittinger, *Natural Law and Public Discourse: The Legacies of Joseph Ratzinger*, 60 LOY. L. REV. 241 (2014); R.J. Delahunty, *The Returning Warrior and the Limits of Just War Theory*, 15 RUTGERS J.L. & RELIGION 219 (2014); Joshua C. Wilson & Amanda Hollis-Brusky, *Lawyers for God and Neighbor: The Emergence of “Law as a Calling” as a Mobilizing Frame for Christian Lawyers*, 39 LAW & SOC.

comprehensively discussing legal cases throughout the history of the United States in which courts have referenced and discussed the Gospels.

It is probably no surprise to most people that the Gospels are referenced in jurisprudence involving the Establishment Clause of the First Amendment.²² But perhaps surprisingly, references to the Gospels also appear in a very diverse set of cases—cases involving oaths,²³ asylum in immigration law,²⁴ criminal law,²⁵ and, of course, the First Amendment.²⁶ This Article discusses and analyzes the influence of the Gospels on American jurisprudence in these varied contexts, showing that throughout the nineteenth, twentieth, and twenty-first centuries, the Gospels retain a prominent historical and current role in American jurisprudence.

II. OATHS AND THE GOSPELS

The Gospels are cited in a number of cases involving oaths. The use of oaths and affirmations in court proceedings ensure that witnesses proffer truthful testimony.²⁷ Under British common law prior to 1688, oaths were required to be sworn on the Gospels.²⁸ After 1688, declarations of fidelity or affirmation were permitted in England, in which the individual, rather than swearing, would be permitted to “solemnly, sincerely and truly declare and affirm” the veracity of their

INQUIRY 416 (2014); John D. Haskell & Jessica Fish, *Law as Eschatology*, 53 J. CATH. LEGAL STUD. 185 (2014) & Wayne R. Barnes, *Render unto Rawls: Law, Gospel, and the Evangelical Fallacy*, 24 U. FLA. J.L. & PUB. POL’Y 235 (2013).

22. See, e.g., *Woodring v. Jackson Cnty.*, 986 F.3d 979 (7th Cir. 2021).

23. See, e.g., *State v. Davis*, 69 N.C. 383 (1873).

24. See, e.g., *Zheng v. U.S. Immigr. & Naturalization Serv.*, 128 F. App’x 646 (9th Cir. 2005).

25. See, e.g., *State v. Christeson*, 50 S.W.3d 251 (Mo. 2001).

26. See, e.g., *ACLU v. Capitol Square Rev. & Advisory Bd.*, 210 F.3d 703 (6th Cir. 2000).

27. See *People v. Calderon*, 540 N.Y.S.2d 641, 642 (Sup. Ct. 1989).

28. See *State v. Gutierrez-Perez*, 337 P.3d 205, 209 (Utah 2014) (citing Eugene R. Milhizer, *So Help Me Allah: An Historical and Prudential Analysis of Oaths as Applied to the Current Controversy of the Bible and Quran in Oath Practices in America*, 70 OHIO ST. L.J. 1, 20 (2009)) (“At common law, great emphasis was placed upon the religious nature of an oath, presumably because of the ‘understanding that an oath’s efficacy rested on its capacity to link the conscience of man to God.’”).

testimony.²⁹ The importance of the oath in courtrooms in the United States is to elucidate the “solemn nature of its obligations,” as the Supreme Court of New York noted in *People v. Calderon*, and the oath “is usually taken upon the Gospels and/or by swearing with uplifted hand.”³⁰ For individuals today who do not wish to swear an oath due to conscience, declarations or affirmations are typically allowed.³¹

Cases relating to oaths in nineteenth-century American jurisprudence generally focused on the form of the oath and whether the oath was legally effective. In the 1823 perjury case *State v. Whisenhurst*, the defendant allegedly had not been sworn in on the Gospels.³² Based on this fact, the jury found that the defendant had not been properly sworn in, and judgment was rendered in favor of the defendant.³³ The Supreme Court of North Carolina reversed the trial court’s judgment, remarking that “[w]hen a witness comes before any tribunal, it is to be presumed that he has settled the point with himself in what manner he will be qualified and sworn to give evidence.”³⁴ The Supreme Court of North Carolina especially emphasized the point that it was the defendant’s prerogative to object to the form in which he was sworn, and if no objection is raised, then it can be presumed the defendant acquiesced to the swearing in.³⁵ In essence, if the defendant does not object to the form of the oath, then he has waived the issue.

A comparable outcome on waiver of an objection to the administration of an oath appeared in the 1845 case *McKinney v. People*.³⁶ In *McKinney*, the defendant was convicted of murder and sentenced to death.³⁷ The defendant contended as an error on appeal the administration of the oaths to the jurors and witnesses in the case.³⁸ The Illinois Supreme Court stated with regard to oaths that “the general rule of law is, that an oath shall be taken by laying the hand upon and kissing the Gospels. “Every departure from this general rule constitutes an

29. *Id.*

30. *See Calderon*, 540 N.Y.S.2d at 643.

31. *Id.*

32. *See State v. Whisenhurst*, 9 N.C. 458 (1823).

33. *Id.*

34. *Id.* at 459.

35. *Id.*

36. *See McKinney v. People*, 7 Ill. 540 (1845).

37. *Id.* at 546–47.

38. *Id.* at 547.

exception to it, and has been provided for by legislative enactment, in order to accommodate the conscientious scruples of the person taking the oath.”³⁹

Like the Supreme Court of North Carolina in the *Whisenhurst* case, the Supreme Court of Illinois in *McKinney* noted that the defendant and his counsel should have objected to the oaths at the time of administration.⁴⁰ As the *McKinney* Court remarked, “Having stood by, making no objection, it was too late to object after the verdict.”⁴¹ Thus, it appeared that the defendant waived the issue of the administration of the oaths.

However, an “unequivocal and present act” to constitute a valid oath was not found in the 1881 case of *O’Reilly v. People*.⁴² The Court of Appeals of New York cited the general rule that “the usual mode of administering oaths by the person who swears, laying his hand upon and kissing the Gospels, is first recognized, and that form prescribed as the general rule, and except as afterwards provided.”⁴³ The *O’Reilly* Court also recognized that in some cases individuals could not swear due to their conscience, so an affirmation that a person “solemnly, sincerely and truly declare and affirm” that their testimony is truthful is allowed.⁴⁴ In *O’Reilly*, an individual delivered an affidavit to the officer who was to administer the oath.⁴⁵ The individual simply handed the affidavit to the officer, and the Court of Appeals of New York held that this act was insufficient.⁴⁶ The *O’Reilly* Court held that an “unequivocal and present act” is required for an individual to assume the obligations of an oath and that the simple delivery of a signed affidavit “was not such an act, and was not made so by the intention of the one party or the supposition of the other.”⁴⁷ Thus, simply handing delivery of an affidavit was not enough—an action such as administration of an oath, with laying of the hands on the Gospels, was required.

39. *Id.*

40. *Id.* at 555.

41. *Id.*

42. *See O’Reilly v. People*, 86 N.Y. 154, 162 (1881).

43. *Id.* at 158.

44. *Id.* at 158–59.

45. *Id.* at 157.

46. *Id.* at 162.

47. *Id.* at 161–62.

Although the “unequivocal and present act” requirement was not met in *O'Reilly*, not all early cases that included facts where a statute was not strictly complied with resulted in an insufficient oath. In *Preston v. State*, after the defendant was convicted of murder,⁴⁸ the Supreme Court of Tennessee found substantial compliance with the oath statute despite the Clerk of the Circuit Court allegedly not following all of the formalities of the statute administering oaths.⁴⁹ The *Preston* Court remarked that “if there is a substantial compliance with the statute, the oath is obligatory and binding, which is all that is required.”⁵⁰

In *People v. Calderon*, the Supreme Court of New York cited the Gospels referenced the fact that, while modern oaths are no longer rooted in religious belief, oaths are often still made upon the Gospels.⁵¹ The facts of *Calderon* involved an individual who allegedly used a stolen credit card to purchase merchandise in a department store.⁵² The prosecution introduced into evidence before a grand jury a deposition of the owner of the credit card.⁵³ The defendant in the case argued that a search warrant issued in the case was defective since it contained a form notice signed by the owner of the credit card which did not contain an oath or affirmation.⁵⁴ The Fourth Amendment of the United States Constitution requires that “no Warrants shall issue, but upon probable cause, supported by Oath or affirmation.”⁵⁵ The Court in *Calderon* held that the form notice satisfied the “oath or affirmation” requirement of the United States and New York Constitutions given that the notice was in writing and sworn to by a public servant.⁵⁶ In addition, the *Calderon* Court emphasized the fact that safeguards existed against the providing of false information since the deposed witness could face prosecution in the event false information was provided.⁵⁷

48. See *Preston v. State*, 90 S.W. 856, 856 (Tenn. 1905).

49. *Id.*

50. *Id.*

51. See *People v. Calderon*, 540 N.Y.S.2d 641, 643 (Sup. Ct. 1989).

52. *Id.* at 642.

53. *Id.*

54. *Id.*

55. U.S. CONST. amend. IV.

56. See *Calderon*, 540 N.Y.S.2d at 644–45.

57. *Id.* at 645.

Finally, in *State v. Gutierrez-Perez*, the Supreme Court of Utah mentioned the Gospels.⁵⁸ The Supreme Court of Utah noted that prior to 1688 in England as part of the common law oaths were required to be sworn on the Gospels, and the Court also comprehensively discussed the history of oaths and affirmations in the legal system.⁵⁹ The *Gutierrez-Perez* case presented a similar question as the *Calderon* case: whether a warrant application which sought a blood draw was supported by an “oath or affirmation” as required by the United States Constitution.⁶⁰ The defendant in this case focused especially on the point that the “eWarrant” system in Utah—the system where an officer can obtain a warrant for a blood draw—incorporated language from the statute in the state⁶¹ relating to “unsworn declarations.”⁶² Because the “eWarrant” incorporated language from the “unsworn declarations” statute, the defendant argued that the eWarrant did not qualify as an “affirmation.”⁶³ In addition, the defendant argued that because the eWarrant did not note that an affiant may be subject to persecution for perjury if a false statement is made, it did not qualify as an “affirmation.”⁶⁴

The *Gutierrez-Perez* case stands as a textbook example of the use of originalism⁶⁵ by a state supreme court.⁶⁶ In *Gutierrez-Perez*, the Supreme Court of Utah engaged in a historical analysis of the terms “oath” and “affirmation” and the meaning of both terms at the time of the drafting of the Constitution.⁶⁷ The Court held that factors for the “oath or affirmation” requirement at the time of the implementation of the Fourth Amendment were that the affiant

58. *State v. Gutierrez-Perez*, 337 P.3d 205, 209 (Utah 2014).

59. *Id.* at 209–10.

60. *Id.* at 206.

61. *Id.* at 208.

62. *Id.*

63. *Id.* at 207.

64. *Id.*

65. See Lee J. Strang, *Originalism and the “Challenge of Change”: Abduced-Principle Originalism and Other Mechanisms by Which Originalism Sufficiently Accommodates Changed Social Conditions*, 60 HASTINGS L.J. 927, 939–40 (2009).

66. See *Gutierrez-Perez*, 337 P.3d at 209.

67. *Id.* at 209–10.

(1) knowingly and intentionally make a statement to a neutral and detached magistrate; (2) affirm, swear, or declare that the information in the statement is true and correct; and (3) do so under circumstances that impress upon the affiant “the solemnity and importance of his or her words and of the promise to be truthful, in moral, religious, or legal terms.”⁶⁸

In analyzing the eWarrant at issue, the *Gutierrez-Perez* Court found that the affidavit was sent by the officer to a neutral and detached magistrate, that the officer declared the statement was “true and correct,” and that the officer also acknowledged the possibility of criminal sanction on the statement if the statement made is a knowingly false one.⁶⁹ Thus, the eWarrant met the constitutional requirements of the Fourth Amendment.⁷⁰ From the nineteenth century to the twenty-first century in the *Gutierrez-Perez* case, the Gospels continue to be a touchstone for jurists in analyzing the meaning and validity of oaths.

III. THE GOSPELS AND IMMIGRATION LAW

There are some cases where foreign nationals residing in the United States may assert that they have been subject to past religious persecution or have a well-founded fear of future religious persecution if they are returned to their home country. In such cases, a foreign national may qualify for asylum⁷¹ and/or withholding of removal.⁷²

68. *Id.* at 210.

69. *Id.* at 210–11.

70. *Id.* at 211.

71. See *Fact Sheet: The Difference Between Asylum and Withholding of Removal*, AM. IMMIGR. COUNCIL (Oct. 6, 2020), <https://www.americanimmigrationcouncil.org/research/asylum-withholding-of-removal> (“A person granted asylum is protected from being returned to his or her home country, is eligible to apply for authorization to work in the United States, may apply for a Social Security card, may request permission to travel overseas, and can petition to bring family members to the United States. Asylees may also be eligible for certain government programs, such as Medicaid or Refugee Medical Assistance.”).

72. *Id.* (“As in the case of asylum, a person who is granted withholding of removal is protected from being returned to his or her home country and receives the right to remain in the United States and work legally. But at the end of the court process, an immigration judge enters a deportation order and then tells the

Under federal law, a foreign national is entitled to withholding of removal if their life or freedom would be threatened because of their race, religion, nationality, membership in a particular social group, or political opinion.⁷³ A foreign national can meet this standard if they can make a showing that they suffered past persecution in their home country due to one of the above-mentioned grounds, which would create a presumption that the individual has a well-founded fear of future persecution.⁷⁴ Foreign nationals may also be eligible for withholding of removal if they can demonstrate by a preponderance of the evidence that either (1) they will be persecuted on a protected ground in the future because there is a pattern or practice of persecution of similarly situated individuals in that country or (2) their life or freedom will be threatened when they return to their home country because of their membership in the protected group.⁷⁵

Interestingly, the Gospels have also appeared in the immigration law context—judges have cited the Gospels in immigration cases where an individual seeks relief through withholding of removal and/or asylum. In some cases, an individual has not demonstrated sufficient evidence supporting an application for withholding of removal. In *Nasriev v. U.S. Attorney General*, the immigration judge held that the petitioners did not meet their required burden to demonstrate that they would be persecuted upon return to Uzbekistan due to their religious beliefs.⁷⁶ In *Nasriev*, the petitioners alleged they belonged to a Baptist church in Uzbekistan and that they were subject to insults by neighbors due to their religious beliefs.⁷⁷

In the *Nasriev* case, the Eleventh Circuit Court of Appeals specifically noted that during an interview with an asylum officer the

government they cannot execute that order. That is, the ‘removal’ to a person’s home country is ‘withheld.’ However, the government is still allowed to deport that person to a different country if the other country agrees to accept them.”).

73. See 8 U.S.C. § 1231(b)(3)(A) (“Notwithstanding paragraphs (1) and (2), the Attorney General may not remove an alien to a country if the Attorney General decides that the alien’s life or freedom would be threatened in that country because of the alien’s race, religion, nationality, membership in a particular social group, or political opinion.”).

74. See 8 C.F.R. § 1208.16(b)(1) (2021).

75. See *id.* § 1208.16(b)(2) (2021).

76. See *Nasriev v. U.S. Att’y Gen.*, 571 F. App’x 814, 817–18 (11th Cir. 2014).

77. *Id.* at 818.

petitioner was unable to name the Gospels and named Moses and Abraham as apostles.⁷⁸ The Eleventh Circuit Court of Appeals remarked that particular finding casted some doubts regarding the petitioner's credibility relating to his faith.⁷⁹ Furthermore, the *Nasriev* Court also stated that Uzbekistan is generally a country with religious tolerance.⁸⁰ The Eleventh Circuit Court of Appeals thus upheld the findings of the immigration judge and Board of Immigration Appeals that the petitioners failed to meet their burden to demonstrate persecution due to their faith.⁸¹

Lack of doctrinal knowledge of Christianity was also a reason for a denial of withholding of removal in the case of *Sako v. Gonzales*.⁸² In *Sako*, the petitioner alleged he was taken into police custody in Saddam Hussein's Iraq, beaten, and accused of trying to form a Christian political party.⁸³ The petitioner then alleged that a pattern of detention and beatings occurred over a period of weeks and that his interrogators questioned him about why he remained in the country since they accused him of being a Christian.⁸⁴

The regime of Saddam Hussein in Iraq was notorious for its record in violating human rights and persecuting religious minorities in the country.⁸⁵ In *Sako*, the immigration judge noted that the petitioner alleged he had studied the Bible for some time and that the petitioner stated the books of the Gospels were Luke, John, Thomas and Peter.⁸⁶ The petitioner also could not recall the name of the last book of the Bible and stated the first book was the "Life of Jesus."⁸⁷ Examining all the testimony, the immigration judge found the petitioner's knowledge of the Bible to be deficient and that although the petitioner suffered

78. *Id.*

79. *Id.*

80. *Id.* at 819.

81. *Id.*

82. *See Sako v. Gonzales*, 434 F.3d 857, 861 (6th Cir. 2006).

83. *Id.* at 860.

84. *Id.*

85. *See generally* Hannibal Travis, *After Regime Change: United States Law and Policy Regarding Iraqi Refugees, 2003–2008*, 55 WAYNE L. REV. 1007 (2009).

86. *See Sako*, 434 F.3d at 861.

87. *Id.*

discrimination in Iraq on account of identification with a religious minority, the claims did not rise to the level of persecution.⁸⁸

In other cases, however, petitioners have demonstrated sufficient knowledge of the Gospels and Christianity to establish sufficient evidence of a claimed belief that may be subject to persecution. For example, in *Ming Chun Zheng v. Attorney General of the United States*, the petitioner alleged he was a member of an underground Christian church in China.⁸⁹ The petitioner stated he was arrested by agents of the Communist Party, was beaten at a police station, and accused of participating in illegal meetings.⁹⁰

During an asylum hearing, the immigration judge “did not believe [the petitioner] was a Christian because he showed little familiarity with the Bible, could not recount any stories from any of the Gospels, and could not say to which denomination the underground church belonged.”⁹¹ The immigration judge denied the petitioner’s claims for relief, and the Board of Immigration Appeals upheld the denial.⁹²

In contrast to the *Nasriev* case, the United States Court of Appeals for the Third Circuit in *Ming Chun Zheng* reversed the denial of the petitioner’s claims for reliefs.⁹³ The *Ming Chun Zheng* Court emphasized that it is not necessary for an individual to exemplify detailed knowledge of the Gospels and Christian doctrine, but rather knowledge of Christianity consistent with a claimed belief.⁹⁴ The *Ming Chun Zheng* Court also noted that the immigration judge speculated as to the level of knowledge of the Bible that an individual who was a member of an underground church in China would have.⁹⁵ Therefore, the *Ming Chun Zheng* Court held the immigration judge’s credibility determinations were not supported by substantial evidence.⁹⁶

A similar case reversing an immigration judge’s credibility determinations relating to religious belief was made in *Zheng v.*

88. *Id.* at 862.

89. *See Ming Chun Zheng v. Att’y Gen. of U.S.*, 236 F. App’x 824, 825 (3rd Cir. 2007).

90. *Id.* at 825.

91. *Id.* at 826.

92. *Id.* at 827.

93. *Id.* at 829.

94. *Id.* at 828.

95. *Id.*

96. *Id.* at 829.

Immigration and Naturalization Service.⁹⁷ In *Zheng*, the individual applying for asylum did so on the grounds of persecution of his Christian belief by the Chinese Communist government.⁹⁸ Just like the *Ming Chun Zheng* case, the immigration judge in the *Zheng* case found that the individual lacked knowledge as to the basic Christian beliefs.⁹⁹ However, the United States Court of Appeals for the Ninth Circuit noted that the individual “testified about the creation story, the four Gospels, the story of the crucifixion, the resurrection, and Jesus’ healing of the sick.”¹⁰⁰ This testimony was enough for the *Zheng* Court to find that the immigration judge’s credibility determinations were not supported by substantial evidence.¹⁰¹

Finally, the Gospels were also cited in the United States Court of Appeals for the Ninth Circuit case of *Gudiel-Paul v. Ashcroft*.¹⁰² The individual applying for asylum and withholding of removal in this case was a Guatemalan national.¹⁰³ In denying his applications for relief, the Board of Immigration Appeals relied heavily on inconsistencies between the individual’s asylum application and live testimony.¹⁰⁴ Despite these inconsistencies, the individual testified to a murdered brother, raped sister, and beaten father by guerillas in Guatemala.¹⁰⁵ In granting the individual’s petition of review and remanding the case to the Board of Immigration Appeals, the United States Court of Appeals for the Ninth Circuit mentioned the Gospels, stating:

Indeed it is often the minor inconsistencies that show the basic story is not a fiction but what is really remembered. For almost two thousand years, critics have noted the minor inconsistencies among the Four

97. See *Zheng v. Immigr. & Naturalization Serv.*, 128 F. App’x 646 (9th Cir. 2005).

98. *Id.* at 647.

99. *Id.*

100. *Id.*

101. *Id.* at 648.

102. See *Gudiel-Paul v. Ashcroft*, 31 F. App’x 467 (9th Cir. 2002).

103. *Id.* at 468.

104. *Id.*

105. *Id.*

Gospels, but only a determined sceptic will conclude from them that the evangelists were liars.¹⁰⁶

As the foregoing cases involving immigration illustrate, references to the Gospels have made a surprisingly common occurrence with immigration law in the past two decades.

IV. CRIMINAL TRIALS AND THE GOSPELS

On several occasions, references to the Gospels have appeared in criminal law cases. In *Rose v. Commonwealth*, a case before the Virginia Court of Appeals, the defendant was convicted on charges of two different sex crimes.¹⁰⁷ In *Rose*, even the prosecution acknowledged there were some inconsistencies between the victim's impact statement, previous statements, and testimony.¹⁰⁸ The trial judge nonetheless denied the defendant's motion to set aside the convictions, analogizing the inconsistencies in the case to the inconsistencies in the accounts of the four Gospels.¹⁰⁹ The trial judge noted: "Sort of like the, for all of us who studied the New Testament, the four Gospels they are inconsistent in parts. And that's one reason [why] they say they're probably true. Because if they were all saying the same thing, it make[s] me a little suspicious that they were fabricated. And so the inconsistencies don't bother the court"¹¹⁰

On appeal, the defendant argued that the trial court erred in finding that the inconsistencies improved the credibility of the victim.¹¹¹ The Virginia Court of Appeals affirmed the convictions, indicating that the trial judge was well within the power to determine whose testimony was more credible—the victim's inconsistent testimony or the self-serving testimony of the defendant.¹¹² In addition, the Virginia Court of Appeals stated that "as the trial court noted with its gospel analogy,

106. *Id.*

107. *See* *Rose v. Commonwealth*, Case No. 0173-08-2, 2009 WL 2739885, at *1 (Va. Ct. App. Sept. 1, 2009).

108. *Id.*

109. *Id.*

110. *Id.*

111. *Id.* at *2.

112. *Id.* at *3.

it is not unusual, and indeed expected, that different people might recount the same event differently.”¹¹³

Gospel analogies are made not only by trial judges in criminal cases but also by prosecutors in certain prosecutorial arguments. Unfortunately, in some cases prosecutors make improper closing arguments.¹¹⁴ Like trial judges, sometimes prosecutors will cite to the inconsistencies in the four Gospels in their arguments. The discussion of variations in the Gospel accounts as an illustration to rebut arguments that a police officer’s testimony was not credible was relied upon in the case *People v. McMiller*.¹¹⁵ In the *McMiller* case, the defendant was convicted by a jury in Michigan of intent to deliver less than fifty grams of cocaine as well as possession of a firearm during the commission of a felony.¹¹⁶ In upholding the conviction, the Michigan Court of Appeals found that the prosecutor’s reference of the inconsistencies of the Gospel accounts was permissible and neither an improper appeal to religious convictions of the jury nor an otherwise improper argument.¹¹⁷

Similarly, a prosecutor’s use of the Gospels to explain inconsistencies in the testimony of two witnesses was allowed in the Washington Court of Appeals case *State v. Smith*.¹¹⁸ In that case, the prosecutor specifically stated:

And you know the nuns, they get in your head, you can’t get them out, one of the things they would tell us is look at the four gospels. Every one of them depicts a slightly different Jesus, every one of them tells different stories. The marriage of Cain is in one, and the loaves and the fishes in another, and the gospel of John

113. *Id.* at *4.

114. *See generally* Michael D. Cicchini, *Combating Prosecutorial Misconduct in Closing Arguments*, 70 OKLA. L. REV. 887 (2018).

115. *See* *People v. McMiller*, No. 177176, 1996 WL 33362235, at *1 (Mich. Ct. App. Jul. 23, 1996).

116. *Id.*

117. *Id.* (citing *People v. Mischley*, 417 N.W.2d 537, 539 (Mich. Ct. App. 1987)) (“The prosecutor’s reference to the inconsistencies in the Gospels was properly used as an illustration, rather than as an improper appeal to the jurors’ religious beliefs.”).

118. *See* *State v. Smith*, No. 57023-4-1, 2007 WL 1666754, at *1 (Wash. Ct. App. June 11, 2007).

dwells more on this, and the gospel of Matthew dwells more on this. And they would say the reason that you know these stories are true is because they are not exactly the same because if they were, you would think they are contrived.¹¹⁹

Examining these comments, the Washington Court of Appeals noted that the prosecutor's use of the Gospels analogy was a proper rhetorical device and did not serve to inflame the passions of the jury.¹²⁰ Reading the *McMiller* and *Smith* cases together, appellate courts have given fair discretion to prosecutors to use analogies to the Gospels in their arguments in order to explain inconsistencies in testimony. Beyond being simply permitted by the courts, the Gospels' continued appeal as a rhetorical device is a testament to their established place in the American consciousness.

V. THE GOSPELS AND THE FIRST AMENDMENT

Finally, the Gospels have also been mentioned in several cases involving the First Amendment and the Establishment Clause. Under the First Amendment, Congress is not permitted to pass legislation prohibiting the free exercise of religion nor may Congress pass any law "respecting an establishment of religion."¹²¹

Ohio's state motto, "With God All Things Are Possible," was the subject of a First Amendment challenge in *American Civil Liberties Union of Ohio v. Capitol Square Review Board*.¹²² It was alleged by a group of plaintiffs that the motto, adopted in 1959 by the Ohio General Assembly,¹²³ endorsed the Christian religion over others since it was derived from a saying of Jesus in the Christian New Testament.¹²⁴ Thus, the plaintiffs argued the motto violated the Establishment Clause.¹²⁵

119. *Id.* at *4.

120. *Id.* at *5.

121. *See* U.S. CONST. amend. I.

122. *See* *ACLU v. Capitol Square Rev. & Advisory Bd.*, 20 F. Supp. 2d 1176 (S.D. Ohio 1998).

123. *Id.* at 1177.

124. *Id.* at 1178.

125. *See id.*

The trial judge, the Honorable James Graham of the United States District Court for the Southern District of Ohio, ruled that the motto did not violate the First Amendment.¹²⁶ The Court noted that the words did not contain a specific denominational preference and that the motto is “compatible with all three of the world’s major monotheistic religions: Judaism, Christianity, and Islam.”¹²⁷ In its analysis, the Court also noted that religious acknowledgment that is embedded in the “fabric of society” is allowed under the First Amendment,¹²⁸ citing the United States Supreme Court case of *Marsh v. Chambers* which upheld the recitation of a prayer at the beginning of sessions of the Nebraska Legislature.¹²⁹ The Court remarked that the motto in question was adopted almost forty years ago and thus had become part of the “fabric of society.”¹³⁰

On appeal, a panel of the United States Court of Appeals for the Sixth Circuit reversed Judge Graham’s holding that the motto did not violate the Establishment Clause.¹³¹ In its review of the record, the Sixth Circuit focused heavily on the testimony of two faculty members.¹³² One of the faculty members served as an expert witness for the plaintiffs and the other for the defendants, but both had testified that three of the four Gospels included the phrase “With God All Things Are Possible” or similar language.¹³³ In contrast to Judge Graham’s ruling, the Sixth Circuit Court of Appeals held that the motto was not of a “ubiquitous practice” like that of legislative prayer and thus not a part of the “fabric of society.”¹³⁴ In addition, the Court also found the words (which were that of Jesus in three of the four Gospels) constituted an “endorsement” of the Christian religion.¹³⁵ Therefore, the

126. *Id.* at 1185.

127. *Id.* at 1179.

128. *Id.* at 1179–80.

129. *See Marsh v. Chambers*, 463 U.S. 783, 791 (1983).

130. *See ACLU*, 20 F. Supp. 2d at 1180.

131. *See ACLU v. Capitol Square Rev. & Advisory Bd.*, 210 F.3d 703, 727 (6th Cir. 2000).

132. *Id.* at 707–09.

133. *Id.* at 709–10.

134. *Id.* at 711–12.

135. *Id.* at 712.

Sixth Circuit Court of Appeals held the use of the motto violated the Establishment Clause.¹³⁶

The Sixth Circuit voted to grant a rehearing of the case *en banc*.¹³⁷ In its *en banc* analysis, the Sixth Circuit emphasized that the motto did not involve “coercion,” did not “compel belief or acquiescence,” did not favor one religious denomination over another, did not impose a tax or impost supporting any church, nor did it establish any litmus test for holding any public office or exercising public rights or privileges.¹³⁸ In conclusion, the Sixth Circuit found that the motto was “a broadly worded expression of a religious/philosophical sentiment that happens to be widely shared by the citizens of Ohio” and fell within the tradition of “civic piety” in the United States.¹³⁹

The Gospels were also mentioned in a First Amendment case in *Doe v. Small*.¹⁴⁰ The facts of *Doe v. Small* involved the constitutionality of the display of sixteen paintings depicting the life of Jesus Christ in a city park in Ottawa, Illinois, during the timeframe between Thanksgiving and Christmas.¹⁴¹ The paintings told the story of the life of Jesus Christ through the four Gospel accounts.¹⁴² The paintings were traditionally placed in the city park by the Ottawa Jaycees, a private organization.¹⁴³

In analyzing whether the display of the paintings violated the Establishment Clause, Judge Milton Shadur of the United States District Court for the Northern District of Illinois noted that “only one reasonable inference flows from City’s decision to allow this blatantly religious display on public property instead of more secular displays: City intended to promote that religious message, for no secular message may fairly be attributed to the display in its totality.”¹⁴⁴ Judge

136. *Id.* at 711.

137. *See* *ACLU v. Capitol Square Rev. & Advisory Bd.*, 243 F.3d 289, 291 (6th Cir. 2001).

138. *Id.* at 299.

139. *Id.* at 299–300.

140. *See* *Doe v. Small*, 726 F. Supp. 713, 715 (N.D. Ill. 1989).

141. *Id.* at 714–15.

142. *Id.* at 715.

143. *Id.* at 717.

144. *Id.* at 721. Under the so-called “reindeer rule,” public displays of religious symbols could be sanitized from Establishment Clause claims if the religious symbols are joined by secular ones such as a plastic reindeer or a plastic Santa. *See* *Lynch v.*

Shadur thus granted declaratory and injunctive relief compelling the City to remove the paintings on the basis that they had a “primary purpose and primary effect of endorsing an overtly religious message.”¹⁴⁵

On appeal, the United States Court of Appeals for the Seventh Circuit reversed the District Court’s injunction.¹⁴⁶ The Seventh Circuit focused on the holding that the District Court had ordered the City “to forego any future display of the paintings in the Park by any group.”¹⁴⁷ The Seventh Circuit found this was an overbroad injunction and a content-based exclusion of speech.¹⁴⁸ The Seventh Circuit also noted that private religious speech is protected by the First Amendment through the Free Exercise Clause, and therefore the religious speech of private entities wishing to display the paintings in the park are protected under the First Amendment.¹⁴⁹

Finally, the Gospels were mentioned in *Weinbaum v. City of Las Cruces*.¹⁵⁰ *Weinbaum* involved a constitutional challenge to the City of Las Cruces’ official symbol which included a sunburst surrounding three crosses.¹⁵¹ This symbol was alleged to endorse and advance religion in violation of the Establishment Clause.¹⁵² The United States District Court for the District of New Mexico noted in *Weinbaum* that the significance of the three crosses comes from the Gospels of Matthew, Mark, and Luke, which depict the crucifixion of Jesus Christ with

Donnelly, 465 U.S. 668, 680–83 (1984); see also George M. Janocsko, *Beyond the “Plastic Reindeer Rule”: The Curious Case of County of Allegheny v. American Civil Liberties Union*, 28 DUQ. L. REV. 445, 485 (1990).

145. *Doe*, 726 F. Supp. at 724–25.

146. See *Doe v. Small*, 964 F.2d 611, 612 (7th Cir. 1992).

147. *Id.* at 617.

148. *Id.* at 622. Content-based regulations on speech generally receive strict scrutiny (i.e., to be held valid, the regulation must be narrowly tailored to further a compelling government interest), while content-neutral regulations—such as restrictions on the time, place or manner of expression—receive a form of intermediate scrutiny (i.e., to be held valid, the regulation must serve important government interests and be substantially related to the achievement of those interests). See, e.g., Minch Minchin, *The Content-Neutrality Doctrine Still Works*, 67 FLA. L. REV. F. 320, 321–23 (2017).

149. *Doe*, 964 F.2d at 618–19.

150. See *Weinbaum v. City of Las Cruces*, 465 F. Supp. 2d 1164, 1171–72 (D.N.M. 2006).

151. *Id.* at 1165–66.

152. *Id.* at 1166.

two criminals at Calvary.¹⁵³ The symbol was utilized by the City of Las Cruces “on public monuments, signs, flags, city council chambers, the library, parks, official uniforms, and official vehicles.”¹⁵⁴

The *Weinbaum* Court analyzed the constitutionality of the symbol utilizing the three-part “Lemon test” for Establishment Clause cases.¹⁵⁵ Under the standards set out by the United States Supreme Court in *Lemon v. Kurtzman*, government action does not violate the First Amendment if (1) the action has a secular purpose, (2) the action does not have a principal or primary effect of advancing or inhibiting religion, and (3) the action does not result in an excessive entanglement with religion.¹⁵⁶

The District Court in *Weinbaum* heard arguments that the secular purposes of the symbol are to identify city activities and property, to promote the unique history of the city, and to connect the City to its origin.¹⁵⁷ The Court found these purposes to be sufficient to pass constitutional muster.¹⁵⁸

As to the second prong of the *Lemon* test, the *Weinbaum* Court stated specifically that “[t]he fact that the City has used the Symbol for more than three decades, combined with the lack of any evidence of an intent to proselytize, is significant in concluding that the adoption and use of the symbol does not have the effect of endorsing religion in general or Christianity in particular.”¹⁵⁹ For the third part of the *Lemon* test, the *Weinbaum* Court noted that the City did not provide any financial benefits or support to any religious institutions with the symbol and that the City did not sponsor any religious events through the utilization of the symbol.¹⁶⁰ Thus, no excessive entanglement occurred, and the symbol overall did not violate the Establishment Clause.¹⁶¹

153. *Id.* at 1170–71.

154. *Id.* at 1174.

155. *Id.* at 1176.

156. *Id.*; see *Lemon v. Kurtzman*, 403 U.S. 602 (U.S. 1971). The third prong of the *Lemon* test is now considered to be part of the second prong. See *Agostini v. Felton*, 521 U.S. 203 (1997).

157. See *Weinbaum*, 465 F. Supp. 2d at 1177.

158. *Id.* at 1179.

159. *Id.* at 1180.

160. *Id.*

161. *Id.*

The *Weinbaum* Court eloquently acknowledged the significance of all of the diverse opinions involved in stating:

In the Las Cruces newspapers during the pendency of this litigation, Plaintiffs have been the subject of several letters to the editor and comments in the “Sound Off” column. Many of those letters and comments have gone beyond critical to downright mean. People have suggested that if Plaintiffs have these complaints about the community, they should leave. No, they should not. This is the United States of America. As concerned citizens and parents, Plaintiffs have every right to raise their concerns in this court. The beauty of the system of governance passed down by the Founders is that Plaintiffs do not have to leave, that the complaint of those in the minority can and should be heard, and that we are all better for the hearing. In the hearing, we grow as a people and as a Nation. We can and should develop a deeper appreciation for our diversity. We can come to understand that one man’s symbol of hope and resurrection power may be, to another, something else entirely. We can be awakened to the notion that the respect and dignity we owe each of our neighbors should not depend on a conforming belief system.¹⁶²

The *Weinbaum* decision was appealed to the United States Court of Appeals for the Tenth Circuit.¹⁶³ In its decision affirming the District Court, the Tenth Circuit keenly noted that the name of Las Cruces is derived from the “forest of crosses” of those who died in the area and that the City’s history is evidence against the idea that the symbol endorsed Christianity.¹⁶⁴ The Tenth Circuit also observed that many secular businesses throughout Las Cruces utilize the symbol and that an “objective observer would not be struck by the City’s incorporation of crosses into its symbol and would not see that symbol as an

162. *Id.* at 1181.

163. *See Weinbaum v. City of Las Cruces*, 541 F.3d 1017 (10th Cir. 2008).

164. *Id.* at 1033–34.

endorsement of Christianity.”¹⁶⁵ Thus, the District Court’s holding that the symbol of the three crosses surrounded by the sunburst does not violate the Establishment Clause was affirmed by the Tenth Circuit.¹⁶⁶ Not surprisingly, as these cases illustrate, citation of the Gospels have received mention in cases involving the First Amendment of the United States Constitution.

VI. CONCLUSION

The Gospels hold a prominent place in American public life. Presidents of the United States, including our three most recent presidents, President Barack Obama,¹⁶⁷ President Donald Trump,¹⁶⁸ and President Joe Biden,¹⁶⁹ have taken the oath of office while being sworn in touching a Bible. The same can be said of United States Supreme Court Justices, including Justice Amy Coney Barrett,¹⁷⁰ Justice Sonia Sotomayor,¹⁷¹ and Justice Neil Gorsuch.¹⁷² And members of Congress,

165. *Id.* at 1034.

166. *Id.* at 1039.

167. David Jackson, *Obama To Be Sworn in with Lincoln, King Bibles*, USA TODAY (Jan. 10, 2013), <https://www.usatoday.com/story/theoval/2013/01/10/obama-inaugural-bible-kennedy-king/1821363>.

168. Erin McCann, *The Two Bibles Donald Trump Used at the Inauguration*, N.Y. TIMES (Jan. 18, 2017), <https://www.nytimes.com/2017/01/18/us/politics/lincoln-bible-trump-oath.html>.

169. Elana Schor, *Biden’s Bible Puts Him in Line with Inaugural Tradition*, AP NEWS (Jan. 20, 2021), <https://apnews.com/article/biden-inauguration-joe-biden-us-news-kamala-harris-05935a044b60b7898b19cc16f6efa0b9>.

170. Mary-Rose Verret, *A Closer Look at the Bible Amy Coney Barrett Was Sworn in on*, NAT’L CATH. REG. (Oct. 30, 2020), <https://www.ncregister.com/blog/barrett-bible>.

171. See Tom Bowman, *Sotomayor Sworn in as Supreme Court Justice*, NPR (Aug. 8, 2009), <https://www.npr.org/templates/story/story.php?storyId=111689752>.

172. See Richard Wolf & David Jackson, *Neil Gorsuch Sworn in as 113th Supreme Court Justice*, USA TODAY (Apr. 10, 2017), <https://www.usatoday.com/story/news/politics/2017/04/10/neil-gorsuch-being-sworn-113th-supreme-court-justice/100277966>.

both Republican¹⁷³ and Democrat,¹⁷⁴ have mentioned the Gospels in congressional speeches.

Along with the discussion of the Gospels in the public square of policy debates,¹⁷⁵ judges throughout the country have continued to critically examine the intersection of the Gospels and the law in a variety of contexts in the modern era. The relationship between the theological and the legal, and all the complexities it carries, is one that continues and will continue to be illustrated and play a critical role in the development of American jurisprudence.

173. See, e.g., 165 CONG. REC. H12,288 (daily ed. Dec. 19, 2019) (statement of Rep. Guest).

174. See, e.g., 163 CONG. REC. S7,823 (daily ed. Dec. 4, 2017) (statement of Sen. Coons).

175. See Jared McNett, *In Mason City Stop, Iowa Auditor Rob Sand Says: Rejecting Relief Money Impoverishes Iowans*, GLOBE GAZETTE (Mar. 22, 2022), https://globegazette.com/news/iowa/in-mason-city-stop-iowa-auditor-rob-sand-says-rejecting-relief-money-impoverishes-iowans/article_79998417-adfd-5b85-937f-edc53773b2d8.html.