

# FREEDOM FROM RELIGION *foundation*

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April 13, 2015

**SENT VIA U.S. MAIL AND EMAIL: [president@ufl.edu](mailto:president@ufl.edu)**

W. Kent Fuchs  
University of Florida – Gainesville  
Office of the President  
226 Tigert Hall  
P.O. Box 113150  
Gainesville, FL 32611

Re: Bible verse etched into public university building

Dear President Fuchs:

I am writing on behalf of the Freedom From Religion Foundation to alert you to a constitutional concern regarding the etching of a bible verse onto a public university building. FFRF is a national nonprofit organization with over 21,500 members nationwide, including over 1,000 in Florida, as well as a local chapter, the Central Florida Freethought Community. We protect the constitutional separation of state and church.

It is our information that a recently completed building, Heavener Hall, has a bible verse inscribed over a west-facing archway. The bible verse reads, "He has shown you, O man, what is good. And what does the Lord require of you? To act justly and to love mercy and to walk humbly with your god. Micah 6:8." It is our understanding that this is a publically owned building and part of the University of Florida, a public university. While we realize that it may have been included to please a donor, that does not excuse the constitutional violation.

This inscription violates the Establishment Clause of the First Amendment and cannot remain on university property. The Supreme Court has said time and again that the "First Amendment mandates government neutrality between religion and religion, and between religion and nonreligion." *McCreary Cnty., Ky. v. Am. Civil Liberties Union of Ky.*, 545 U.S. 844, 860 (2005); *Wallace v. Jaffree*, 472 U.S. 38, 53 (1985); *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968); *Everson v. Bd. of Educ. of Ewing*, 330 U.S. 1, 15-16 (1947). In *McCreary County v. ACLU*, the Court found that it was unconstitutional to display blatantly religious statements of morality in government buildings. 545 U.S. 844 (2005). Public schools, as a part of the government, may not promote, endorse, or advance any

religion. *See, generally, Stone v. Graham*, 449 U.S. 39 (1980) (ruling that the Ten Commandments may not be displayed on classroom walls); *Lee v. York County*, 484 F.3d 689 (4th Cir. 2007) (ruling that a teacher may be barred from displaying religious messages on classroom bulletin boards). The verse inscribed on Heavener Hall is religious, preaches obedience to the Christian god, and must be removed.

The fact that the building was funded by donations does not cure the constitutional violation. The Supreme Court has stated, “[j]ust as government-commissioned and government-financed monuments speak for the government, so do privately financed and donated monuments that the government accepts and displays to the public on government land.” *Pleasant Grove City v. Summum*, 555 U.S. 460, 470-471 (2009). Either way, “government speech must comport with the Establishment Clause. *Id.* at 468. When the University accepted the inscription, it adopted and endorsed its message. The First Amendment prohibits the University from lending its voice to sectarian religious speech.

This inscription demonstrates a school preference for religion over nonreligion and for Christianity over all other faiths. When a school chooses to display an excerpt from a religious text, it signals to students who hold differing beliefs that they are outsiders, that they are excluded from the campus community. *See Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O’Connor, J., concurring).

This offends the 19% of the American population that is nonreligious, the fastest growing “sect.” Since 1990,<sup>1</sup> the percentage of nonreligious Americans has increased from 7.5% to nearly 20%.<sup>2</sup> More than 62 million Americans are not religious.<sup>3</sup> The University should be particularly sensitive to this issue since 32% of Americans aged 18-29 are nonreligious.<sup>4</sup> Surely the University, committed as it has been to diversity,<sup>5</sup> can find a more inclusive message to display on its buildings.

Setting aside the inscription’s illegality, its selection is in poor taste. Chapter 6 of Micah is a scathing indictment of the tribe of Israel. God declares that neither animal sacrifice nor human sacrifice will appease him,<sup>6</sup> promises Israel to “make you ill and destroy you,”<sup>7</sup>

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<sup>1</sup> 1990 National Survey of Religious Identity (a precursor to the American Religious Identity Survey), 7.5% considered themselves to have no religious affiliation and 0.7% of people considered themselves agnostic. Atheists were not represented.

<sup>2</sup> “Nones on the Rise: One-in-Five Adults Have No Religious Affiliation,” Pew Research Center, The Pew Forum on Religion & Public Life (October 9, 2012) (*hereinafter* “Nones on the Rise”) available at <http://www.pewforum.org/Unaffiliated/nones-on-the-rise.aspx>

<sup>3</sup> “Nones on the Rise” percentages applied to U.S. Census population measure of 318,000,000.

<sup>4</sup> “Nones on the Rise.”

<sup>5</sup> “The University of Florida must create the broadly diverse environment necessary to foster multi-cultural skills and perspectives in its teaching and research for its students to contribute and succeed in the world of the 21st century.” University of Florida Mission Statement, Office of the University Registrar, <http://www.registrar.ufl.edu/catalog1011/administration/mission.html>.

<sup>6</sup> Micah 6:6-7

<sup>7</sup> Micah 6:13

and swears to kill infants: "what you bring to birth I will give to the sword."<sup>8</sup> The very passage before the inscription, Micah 6:7, contemplates killing one's own child to obtain absolution: "Shall I offer my firstborn for my transgression, the fruit of my body for the sin of my soul?" While the University of Florida most certainly does not endorse child sacrifice or genocide, chapter 6 of Micah does. If adhering to the Constitution is not reason enough to remove the quote, perhaps a desire to condemn genocide is.

The biblical inscription on Heavener Hall is an unconstitutional entanglement of state and church. It must be removed immediately. Please inform us in writing of the actions you are taking to remedy this constitutional violation. We look forward to your written reply.

Sincerely,



Andrew Seidel  
Staff Attorney

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<sup>8</sup> Micah 6:14