

# FREEDOM FROM RELIGION *foundation*

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**SENT VIA FAX AND E-MAIL  
(860) 757-9560**

September 10, 2010

The Honorable rJo Winch  
President  
& Members of Hartford Court of Common Council  
550 Main Street  
Room 208  
Hartford CT 06103

**Re: Drop Divisive City Council Prayers Altogether**

Dear Council President Winch and Members of the Common Council:

The rancor, bigotry, even threats attending the Common Council's decision to schedule an imam to give an invocation is a lesson in the divisiveness of injecting religion into government. On behalf of concerned Hartford taxpayers and members of the Freedom From Religion Foundation, we are writing to ask not that you disallow Muslim prayers in particular, but that you stop scheduling any Council invocations altogether. The Foundation is a national nonprofit organization representing more than 16,000 nonreligious members across the country, including more than 150 in Connecticut. Our purpose is to protect the cherished constitutional principle of separation between state and church.

It is our information and understanding that the Common Council routinely hosts prayers as part of its meetings and that these prayers are nearly always Christian in nature, with the token exception of an occasional rabbi officiant. Council Minority Leader Luis Cotto has said, "99% of the prayers are Christian based." We understand that since the Council announced plans to invite local imams to offer prayers in September, you have received a large number of complaints and even vicious emails.

Unfortunately, we believe that the Council's history of hosting almost exclusively sectarian Christian prayer is partly to blame for the intolerant views expressed. When a government body consistently crosses the line, misusing its civil powers to promote one religion over another and religion over nonreligion, it creates a climate of intolerance, privileging those in the majority religion. As Justice O'Connor wrote: "government cannot endorse the religious practices and beliefs of some citizens without sending a clear message to nonadherents that they are outsiders or less than full members of the political community." *Allegheny*, 492 U.S. at 627 (O'Connor, J., concurring). The Council has erred in lending its imprimatur, preference and

prestige to religion, and is “reaping the whirlwind” in the backlash by the majority. We call upon you to use this opportunity to drop religious rituals altogether when conducting the secular government of Hartford.

We understand that Council President Winch has expressed the wish that Islamic prayer would “project a culture of inclusiveness in the City of Hartford.” Clearly, it has had the opposite effect. The negative reaction and impassioned opposition demonstrate the inherent problem with official Council prayers. Prayer should be left as a matter of personal conscience. No matter what type of prayer begins Council meetings, some Hartford citizens will be offended and feel excluded. It would be unworkable to attempt to invite officiants from all 30,000-plus faiths and religious traditions!

But there is one growing category of citizens who will always be made to feel like outsiders by prayer, and that is nonbelievers. Our organization has received an unprecedented number of appeals by our membership and members of the public over the past several years asking us to protest and halt city prayers, where they encounter them at an intimate and coercive level. With 15% of the U.S. adult population identifying as nonreligious (see the definitive American Religious Identification Survey 2008 — with 22% overall of New Englanders describing themselves as nonreligious), this unconstitutional practice is offending increasing numbers of citizens. The Council has taken steps to include a miniscule population of Muslims but in the process, excludes a much larger portion of nonreligious persons in your community.

Government prayer is unnecessary, inappropriate, and divisive. Calling upon Council members and citizens to rise and pray (even silently) is coercive, embarrassing and beyond the scope of secular city government. Council members are free to pray privately or to worship on their own time in their own way. They do not need to worship on taxpayers’ time. Citizens of all religions or no religion are compelled to come before you on civic, secular matters. They should not be subjected to a religious show or test, or be expected to demonstrate religious obeisance at a City function. Nor, we might add, should it be necessary to call for divine guidance on such matters as sewers, variances and liquor licenses!

Finally, we would point out that the U.S. Supreme Court has carved out a very narrow exception to the Establishment Clause for legislative prayer. This exception was confined to a situation involving a nonsectarian, nondenominational prayer, led by an officiant who had not been selected based upon any impermissible religious motive, and which was addressed to the body of legislators present, and no one else. *Marsh v. Chambers*, 463 U.S. 783 (1983). Additionally, the Court held that legislators must have the option not to participate. The prayer opportunity must not be “exploited to proselytize or advance any one, or to disparage any other, faith, or belief.” 463 U.S. at 794-95. The Court also noted that the content of the prayers was

permissible only because the officiant had “removed all references to Christ.” *Id.* at 793 n.14.

Permitting token minority officiants, once in a blue moon, to deliver sectarian prayers does not mitigate the Common Council’s longstanding offense against *Marsh*. Inviting imams to deliver *Muslim* prayers and rabbis to deliver *Jewish* prayers to add to the 98% *Christian* prayers, compounds, not corrects, the impermissible sectarianism.

The events of the preceding week make clear that government prayer creates acrimony. We urge you to adopt a simple policy that will resolve this controversial issue:

*WHEREAS, as a matter of policy, the Council seeks to respect its duty to citizens and taxpayers of Hartford by focusing on City matters and not divine matters; and*

*WHEREAS, the Council seeks to represent all citizens of Hartford, regardless of belief or non-belief; and*

*WHEREAS, prayers at Council meetings have proved divisive; and*

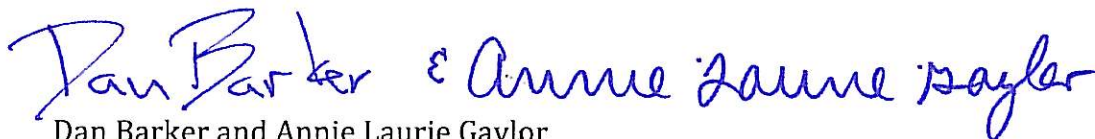
*WHEREAS, council members remain free to pray and worship in ways they find appropriate outside of conducting official government business; and*

*WHEREAS, personal conscience—including religious belief or ritual—should not be subject to majority rule;*

*NOW THEREFORE, it will be the policy of the Hartford Court of Common Council to open its meetings with a call to order. The Council will take no official position on matters of religion and will refrain from hosting official prayers during or as part of government business.*

The controversy regarding the Council’s invocation practice can be resolved expediently by removing the divisive prayers from official Council business. May we hear from you at your earliest convenience over our request?

Very truly



Dan Barker and Annie Laurie Gaylor  
Co-Presidents  
Freedom From Religion Foundation