

# FREEDOM FROM RELIGION *foundation*

P.O. BOX 750 · MADISON, WI 53701 · (608) 256-8900 · WWW.FFRF.ORG  
April 24, 2017

**SENT VIA EMAIL AND U.S. MAIL:  
presoff@umich.edu**

Dr. Mark Schlissel  
President  
University of Michigan  
503 Thompson St.  
Ann Arbor, MI 48109-1340

Re: Inappropriate university football team papal visit

Dear President Schlissel:

We are writing on behalf of the Freedom From Religion Foundation (FFRF) regarding an unconstitutional religious component to the University of Michigan football team's trip to Europe. FFRF is a national nonprofit organization with more than 28,000 nonreligious members across the country, including more than 700 members in Michigan. FFRF's purpose is to protect the constitutional principle of separation between state and church.

A concerned individual contacted us to report that the University of Michigan football team is currently on a trip to Europe, and planning to attend a ceremony by the pope at the Vatican this Wednesday, April 26 at 10:00 a.m. local time (about 4:00 a.m. in Ann Arbor, Mich.) Local media reported head coach Jim Harbaugh stating that he wants this religious event "to be the greatest experience of our players' lives up until this point."<sup>1</sup>

Far from merely a speech by a celebrity, a papal audience is a religious activity in which the pope prays and delivers an "Apostolic Blessing" upon the crowd.<sup>2</sup> It is inappropriate and unconstitutional for a public university to include a religious ceremony, particularly a sectarian one, on a European trip that an entire student athletic team is expected to attend. We request that the University immediately cancel the team's attendance at this religious event.

It is well settled that the First Amendment "mandates governmental 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) (quoting *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968));

---

<sup>1</sup> See [rvls.co/2oYbWGa](http://rvls.co/2oYbWGa).

<sup>2</sup> See [www.papalaudience.org/](http://www.papalaudience.org/).

*Everson v. Bd. of Educ. of Ewing*, 330 U.S. 1, 15-16 (1947); *Wallace v. Jaffree*, 472 U.S. 38, 53 (1985)). This mandate is especially strong in the context of public schools.

In this case, the University of Michigan is showing favoritism to one religion, Roman Catholicism, over all minority religions and nonreligion by taking students to a devotional Catholic event, led by the head of the Catholic Church. This practice violates the well-established constitutional principle that the government must remain neutral toward religion. Nearly 30 percent of Americans are non-Christians, either practicing a minority religion or no religion at all, and about 44 percent of millennials—an age group encompassing every player on the Michigan football team—are non-Christian.<sup>3</sup>

By including a papal “blessing” as part of a teamwide trip to Europe, the University appears to be endorsing Pope Francis’ and the Catholic church’s sectarian religious message. The sponsorship of a religious message is impermissible because it sends the ancillary message to students and parents who are nonadherents “that they are outsiders, not full members of the political community, and an accompanying message to adherents that they are insiders, favored members of the political community.” *Lynch v. Donnelly*, 465 U.S. 668, 688 (1985) (O’Connor, J., concurring).

Surely the University would expect outrage from students, parents, and faculty if Coach Harbaugh had scheduled the team to attend a ceremony by a top Muslim cleric, where they would participate in prayers to Allah and receive an Islamic blessing? Or a field trip to meet Richard Dawkins in person and discuss why God is a “delusion”? The current situation is no different. It is inappropriate and unconstitutional for a public university to direct students to a particular religious ceremony.

It is no defense that students are not required to participate in the papal audience. The potential for subtle coercion is extremely high in the context of public university sports. Players feel immense pressure to conform to what coaches expect of them so as not to affect their playing time or otherwise lose favor with the coaches. During a teamwide European trip, Coach Harbaugh has the ability to select events that students will be expected to attend. Harbaugh cannot take advantage of this position by including religious events.

In addition, the Supreme Court has summarily rejected arguments that voluntariness excuses a constitutional violation. *See generally Lee v. Weisman*, 505 U.S. 577, 596 (1992) (“It is a tenet of the First Amendment that the State cannot require one of its citizens to forfeit his or her rights and

---

<sup>3</sup> *America’s Changing Religious Landscape*, PEW RESEARCH CENTER (May 12, 2015), available at [www.pewforum.org/2015/05/12/americas-changing-religious-landscape/](http://www.pewforum.org/2015/05/12/americas-changing-religious-landscape/).

benefits as the price of resisting conformance to state-sponsored religious practice.”); *Sch. Dist. of Abington Twp. v. Schempp*, 374 U.S. 203, 288 (1963) (Brennan, J., concurring) (“Thus, the short, and to me sufficient, answer is that the availability of excusal or exemption simply has no relevance to the establishment question . . .”).

Coaches should be aware of the tremendous influence they have on their athletes. FFRF’s 2015 *Pray to Play* report reveals what should be an obvious truth to anyone with experience in college athletics: “athletes do not view coaches’ suggestions as optional.”<sup>4</sup> When the University’s football team takes a team trip to Europe, students would understand that they are expected to attend all team events, particularly when their coach states that the event should be “the greatest experience of our players’ lives up until this point.”

Student athletes, and Coach Harbaugh, are of course welcome to attend religious ceremonies on their own time. If students and staff are expressly given free time for tourism, it is not the business of the University coach to dictate where they choose to sightsee. However, the University may not schedule devotional religious events as part of a University-sponsored trip. Please take immediate steps to avoid this constitutional violation, by canceling this ceremony as an official item on the University itinerary on Wednesday of this week. May we hear from you in writing at your earliest convenience?

Sincerely,



Dan Barker and Annie Laurie Gaylor  
Co-Presidents

DB:ALG:rdj

---

<sup>4</sup> [ffrf.org/images/PraytoPlayReport.pdf](http://ffrf.org/images/PraytoPlayReport.pdf).