

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

FREEDOM FROM RELIGION
FOUNDATION, INC.; ANNIE LAURIE
GAYLOR, and DAN BARKER

Plaintiffs,

v.

Case No. 11 CV 0626

UNITED STATES OF AMERICA; TIMOTHY
GEITHNER, in his official capacity; and
DOUGLAS SHULMAN, in his official
capacity,

Defendants.

DECLARATION OF ANNIE LAURIE GAYLOR

I, Annie Laurie Gaylor, do hereby declare, pursuant to 28 U.S.C. § 1746, under penalty of perjury, that the following facts set forth below are true and correct to the best of my knowledge:

1. I am one of the individual Plaintiffs in the above-captioned matter, along with Dan Barker.
2. I am a federal taxpayer who objects to the allowance of preferential and discriminatory tax benefits under the Internal Revenue Code ("IRC"), including income tax exemptions for housing allowances paid as part of compensation to ministers of the gospel.
3. Dan Barker, my husband, and I are the co-Presidents of The Freedom from Religion Foundation ("FFRF").

4. Mr. Barker and I have each received a designated housing allowance from our employer, FFRF, designated by the FFRF Executive Council, FFRF's governing body.

5. The FFRF Executive Council first designated housing allowances for Mr. Barker and me in August of 2011. The Executive Council designated the amount of \$4,500 from each of our salaries yet to be paid in 2011.

6. In addition, FFRF designated the amount of \$13,200 from each of the salaries of Mr. Barker and me to be paid in 2012 as a housing allowance. The designated housing allowances were established for each month at \$1,100.

7. On October 12, 2012, the FFRF Executive Council renewed its prior housing allowance resolution, designating the amount of \$15,000 to be paid in 2013 as a designated housing allowance.

8. The housing allowances designated by FFRF for Mr. Barker and me were intended to approximate our actual housing expenses.

9. The housing expenses for Mr. Barker and me for 2012 total approximately \$26,072, including \$14,522 as mortgage payments and \$7,767 as property taxes.

10. Housing expenses for Mr. Barker and me for 2011 totaled approximately \$26,136, including \$14,552 as mortgage payments and \$7,444 as property taxes.

11. I have not excluded my housing allowance because Section 107 of the IRC is only available to ministers of the gospel. I would exclude my housing allowance from reported income, not to exceed the reasonable expenses of my housing or the fair rental value of my home, whichever is less, if Section 107 of the IRC and implementing regulations so allowed.

12. I have long considered the exemption allowed only to ministers to be discriminatory and unfair, which is made clear by FFRF's designation of a housing allowance which Mr. Barker and I cannot exclude from our reported income.

13. I am aware that the Government insinuates that I may qualify as a religious minister, but I know of no legitimate facts that would support taking the exemption under Section 107 of the IRC.

14. The Government misapprehends the purpose and activities of FFRF, including the activities performed by me.

15. The principal purpose of FFRF is to promote the constitutional principle of separation of state and church and to educate the public on matters related to non-theistic beliefs, which purposes do not involve ministry services. (Exhibit 1, at 1, which is a true and correct copy of the Bylaws of FFRF.)

16. FFRF also is not a church and I am not a minister, nor is FFRF a religious organization operating under the authority of a church or religious denomination.

17. The Government ignores that a substantial part of the work of FFRF is to promote the constitutional principle of separation of state and church, including by advocacy, education, and litigation. FFRF's concern with state/church entanglement is paramount. (See Exhibit 2, FFRF 2012 Year in Review, describing representative activities of the Foundation; FFRF's website also includes answers to frequently asked questions relating to state/church violations. See Exhibit 3, a true and correct copy of FAQ page from FFRF's website.)

18. FFRF's promotion of the separation of state and church does not constitute the practice of religion and it is not based on a belief system "parallel to that of traditionally religious persons."

19. In fact, atheism does not have a body of dogma, tenets, or sacred writings.

20. Atheism also has no hierarchical, or even congregational organization or structure.

It is not like the Catholic religion, or Judaism, which have an organizational status and a substantive dogma.

21. FFRF, simply put, is not a church and it is not a religious organization operating under the authority of a church or religious denomination. FFRF is a legal entity created to conduct educational purposes, but it is not a church, nor does it operate under the authority of a church.

22. For my part, I do not perform services in the exercise of a ministry on behalf of FFRF. I am not a “duly ordained, commissioned, or licensed minister of a church.” No higher atheistic body oversees FFRF, or ordains, commissions, or licenses ministers to perform ministry. Likewise, FFRF does not ordain, commission, or license ministers, including Mr. Barker and me. I am not ordained, commissioned, or licensed by any church or religious denomination.

23. Mr. Barker and I also do not conduct religious worship or perform sacerdotal functions based on the tenets and practices of a particular religious body constituting a church or denomination. The Government implies that the tenets and practices of atheism recognize sacerdotal functions and forms of religious worship, but that is not true. Atheism does not recognize any sacerdotal functions, or forms of religious worship – and FFRF does not have any such tenets or orthodoxy. I have never performed a wedding, baptism, funeral or other such ceremony. I have given information about secular or “god-less” funerals, but this is not the performance of a sacerdotal function. (See Exhibit 4, from FFRF’s website, providing information regarding Secular Memorials And Funerals Without God, which is informational but not derived from any tenet, creed, or orthodoxy. Similarly, a De-Baptismal Certificate that can be

obtained from FFRF is tongue-in-cheek, rather than a sacerdotal ceremony, as shown by Exhibit 5, from FFRF's website.)

24. My role as a co-President of FFRF, moreover, certainly does not constitute any ordination, commissioning, or licensing as a minister. The functions of the president of FFRF do not include any such ordination or authorization to perform sacerdotal functions or worship. (Exhibit 1 at pg. 2, stating that "the President of the Foundation shall serve as executive director of the Foundation. The executive director shall be responsible for press releases, at least ten (10) periodicals annually, filing of court suits, minor policy matters, correspondence and other office routine.")

25. FFRF also does not have the attributes of a church that are considered by the IRS.

26. FFRF does not have a recognized creed or form of worship.

27. FFRF does not have any ecclesiastical government.

28. FFRF does not have a formal code of doctrine and discipline applicable to members.

29. FFRF does not have a distinct religious history; on the contrary, FFRF has consistently presented itself to the public as a pesky secular organization that is opposed to governmental establishment of religion.

30. FFRF does not have an organization of ordained ministers and it does not have any prescribed course of study leading to ordination as a minister.

31. FFRF does not engage in worship and has no established place of worship.

32. FFRF does not have a congregation and does not conduct regular religious services.

33. FFRF does not provide religious instruction for children and has no school for the preparation of ministers.

34. FFRF, in short, does not have the recognized attributes of a church, including a body of “believers or communicants” that assemble regularly in order to worship.

35. Mr. Barker and I also are not recognized as spiritual leaders; in fact, FFRF consistently presents itself to the public as a secular organization, albeit one that sometimes ruffles feathers.

36. The Government’s reference to Anne Nicol Gaylor as “Madison’s Favorite Religious Leader,” moreover, badly misconstrues irony for fact. The Madison Magazine “award” cited by the Government was not a bona fide acknowledgement that Anne Nicol Gaylor was viewed in Madison as a spiritual leader. I know that Anne Nicol Gaylor has never had a reputation as a religious leader.

37. I am ultimately aware of no facts that would qualify Mr. Barker or me as ministers for purposes of the exclusion allowed by Section 107 of the IRC. The Government concedes, however, that I would have to establish the elements necessary to qualify for the exclusion, which requires that a minister perform religious functions pursuant to the organized tenets and creed of a church or religious denomination. Atheism does not have such tenets, and FFRF is not a church or religious organization.

38. I would claim the exclusion for the housing allowance designated by FFRF were it not for the IRS statute privileging only ministers of the gospel and excluding secular employees, including free thought leaders who reject religion. Accordingly, Mr. Barker and I have not claimed the exclusion for fear of disallowance and penalty by the IRS.

39. I note that the Government does not claim that Mr. Barker and I actually qualify as ministers of the gospel, nor does the Government claim that the IRS would allow the exclusion.

40. Based on the facts as I know them, I cannot claim the exclusion, including because I do not perform services for a church or religious organization; I am not ordained, commissioned, or licensed by a church or a religious denomination; I do not perform sacerdotal functions or worship prescribed by the tenets of any religion; and I have no congregation or church where I provide religious services.

Dated this _____ day of July, 2013.

Annie Laurie Gaylor

Notice of Electronic Filing and Service

I hereby certify that on July ____, 2013, this document was filed electronically in accordance with the ECF procedures of the United States District Court, Western District of Wisconsin, under Rule 5(d)(1), Federal Rules of Civil Procedure. All parties who are represented and have consented to service of electronically filed documents are served upon receipt of the NEF from the electronic filing system.

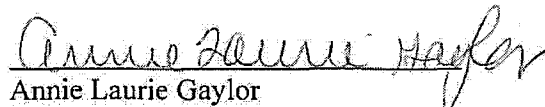
To the best of my knowledge, there are no parties in this case that require service by means other than electronic service using the Court's NEF. The original document on file with the filing party contains valid original signatures.

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39. I note that the Government does not claim that Mr. Barker and I actually qualify as ministers of the gospel, nor does the Government claim that the IRS would allow the exclusion.

40. Based on the facts as I know them, I cannot claim the exclusion, including because I do not perform services for a church or religious organization; I am not ordained, commissioned, or licensed by a church or a religious denomination; I do not perform sacerdotal functions or worship prescribed by the tenets of any religion; and I have no congregation or church where I provide religious services.

Dated this 24th day of July, 2013.


Annie Laurie Gaylor

Notice of Electronic Filing and Service

I hereby certify that on July 26, 2013, this document was filed electronically in accordance with the ECF procedures of the United States District Court, Western District of Wisconsin, under Rule 5(d)(1), Federal Rules of Civil Procedure. All parties who are represented and have consented to service of electronically filed documents are served upon receipt of the NEF from the electronic filing system.

To the best of my knowledge, there are no parties in this case that require service by means other than electronic service using the Court's NEF. The original document on file with the filing party contains valid original signatures.

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Freedom From Religion Foundation, Inc.

Bylaws. Adopted April 1978. Last modified October 2011.

Article I: Name

The name of this corporation is the Freedom From Religion Foundation, Inc., hereinafter referred to as The Foundation.

Article II: Purpose

The Foundation has been organized as a non-profit corporation under the laws of the State of Wisconsin (Chapter 181 of the Wisconsin Statutes) to operate on a non-profit basis for the promotion of the constitutional principle of separation of state and church and to educate the public on matters related to nontheistic beliefs.

Article III: Membership

Section 1. The membership shall consist of individuals who support the purposes of The Foundation as defined in Article II.

Section 2. Categories of membership shall be regular, household, gung-ho, sustaining, sponsor, student, and life. Memberships shall become effective upon receipt of dues. The amount of dues shall be set by the Executive Council.

Section 3. Notices that membership payments are due shall be sent to all members from the national office in the month before memberships are due to expire.

Section 4. Any member who is in arrears of dues for a period of sixty (60) days will be ineligible to vote at any meeting and cannot serve on the Board of Directors or Executive Council until such arrears are fully paid.

Section 5. There shall be an annual meeting of members to be held at such time and place as fixed by the Executive Council. The meeting may be held outside Wisconsin, within the contiguous United States. At least sixty (60) days' written notice of the annual meeting shall be given each member. An agenda shall be provided at least fourteen (14) days in advance of the meeting.

Section 6. The duties of the membership shall be to elect the Board of Directors and to consider such policy matters as shall be timely and appropriate and to make recommendations to the Board of Directors or the Executive Council.

Section 7. There shall be one vote per individual member. A household membership entitles holders to two (2) votes.

Section 8. Members whose actions and/or statements demonstrate positions contrary to the goals and purposes of the Corporation may be removed from the membership by approval of a majority of the officers of the Executive Council.

Section 9. The Executive Council shall have the authority to reject the renewal of a membership pursuant to Section 8.

Section 10. No member or chapter of The Foundation shall initiate any activity in the name of The Foundation not clearly consistent with its aims and purposes. In cases in which the nature of the activity is not clearly in accordance with the aims and purposes of The Foundation, determination as to the activity's suitability will be made by the President or by the Executive Council.

Section 11. To protect confidentiality, the membership list will not be sold, rented, exchanged, or divulged.

Article IV: Board of Directors

Section 1. Fifty (50) spaces on the Board are reserved for members of each of the fifty states, while thirty-five (35) Board members shall be selected at large, without consideration of state or

geographic location. Additional space automatically shall be reserved for all officers as voting members. In addition to governing and policy-making decisions, the duties of the Board shall include the election of the officers and other members of the Executive Council of the Foundation.

Section 2. Directors shall be elected for a term of two (2) years by the membership in accordance with the procedures set forth in Article VII and are eligible for reelection to succeeding terms. Someone must be a Foundation member for one year or more to be eligible for election to the Board of Directors. If a Director loses his/her status as a member for any reason, the Director is deemed to have resigned by the Board of Directors.

Section 3. Vacancies occurring on the Board by reason of resignation, removal, or death shall be filled for the remainder of the term of the vacated Board members at the next annual membership meeting. The vacated seat shall remain vacant, and the total number of Directors serving on the Board shall be reduced, until a replacement is chosen at the annual membership meeting.

Section 4. The Board of Directors shall hold a meeting at least once a year to take place immediately following the annual membership meeting, at which time election of officers will occur. Other meetings of the Board of Directors may be called at the request of the President or of at least forty-three (43) directors upon at least twenty-one (21) days' notice at a time and place to be fixed by the Executive Council.

Section 5. One-fourth (1/4) of the members of the Board of Directors will constitute a quorum at either regular or special meetings. Proxy votes may not be used. The act of the majority of the Directors present at a meeting at which a quorum is present is the duly authorized act of the Board, except where otherwise provided by law or these bylaws.

Section 6. Members of The Foundation, as recognized by members of the Board, may be present at meetings of the Board of Directors without vote and maybe allowed voice by majority vote of Board members present, except that the President may declare an executive session for specific purposes.

Article V: Officers and Honorary Advisors

Section 1. The Foundation shall have the following officers who comprise the Executive Council: a President, a Chair, Secretary, Treasurer, and five (5) vice-presidents. The Vice Presidents shall be designated First, Second, Third, Fourth, and Fifth Vice Presidents; however, the rights and responsibilities of each Vice President shall be identical unless otherwise prescribed by these bylaws or Foundation policies. The officers shall have the responsibilities set forth in these bylaws or Foundation policies. All offices may be held by a couple, who shall each receive one-half (1/2) vote at Executive Council meetings. Each co-officer shall have authority to exercise the role of their position individually, except as set forth in these bylaws or Foundation policies.

Section 2. Officers shall be elected for a term of three (3) years by a majority vote of the Board of Directors present at their meeting following the annual meeting and are eligible for re-election for succeeding terms. To be eligible for election as an officer, someone must be a member for two (2) consecutive years. An officer may be removed from office at any time for any reason by a two-thirds vote of all of the Directors.

Section 3. The President of The Foundation shall serve as executive director of the Foundation. The Executive Director shall be responsible for press releases, at least ten (10) periodicals annually, filing of court suits, minor policy matters, correspondence and other office routine. The Executive Director shall have the authority, subject to such rules as may be prescribed by the Executive Council, to appoint and terminate such agents and employees as he or she shall deem necessary; the decision to create permanent positions, either part-time or full-time, rests with the Executive Council. Bill-paying shall be handled by the Executive Director with all records of receipts and disbursements open at any time to any officer. The President's office is the only Foundation office that may be salaried and then only if the following conditions are met: (1) majority approval of the Executive Council, and (2) the President personally is performing the above-named duties of executive director. Honoraria received by the President/Executive Director for speaking

engagements or other appearances may be retained by her/him personally if the position of President is unsalaried. If the position of President is salaried, the honoraria shall be turned over to The Foundation, unless otherwise agreed by the Executive Council. In the event of the resignation, removal, or death of the President, her/his successor shall be selected by the Board of Directors, either at its next annual meeting or at a meeting especially called for that purpose. In the interim, the Executive Council is empowered to appoint an Acting Executive Director who shall also serve as the Acting President.

Section 4. The chairperson of the Executive Council shall preside at meetings of the Executive Council and perform other such duties as may be designated by the Executive Council.

Section 5. The President shall preside at the meetings of the membership and the Board of Directors, and of the Executive Council in the absence of the chairperson of the Executive Council. The President shall be ex officio a member of any standing or ad hoc committee.

Section 6. The vice-presidents shall be responsible for coordination and liaison with respect to activities within their particular regions and shall assist with membership development in their areas.

Section 7. The secretary shall be responsible for the records of all meetings of the membership, the Board of Directors, and the Executive Council.

Section 8. The treasurer shall review financial records as prepared by an outside accounting firm. The treasurer shall be responsible for presenting financial reports to the Executive Council semi-annually and to the membership at its annual meeting. The annual report of income and disbursements shall be printed in a periodical.

Section 9. The Executive Council may, from time to time, name persons to serve as honorary officers, directors, or advisors to the Foundation (for purposes of these bylaws, the "Honorary Officers"). The criteria for, process for selection of, and term of the Honorary Advisors shall be as determined by the Executive Council. Honorary Advisors shall serve in an advisory capacity only and shall not have the authority or obligation of a Director or officer. At the invitation of the President, Honorary Advisors may attend and participate in meetings of the Board or Executive Council; however, the Honorary Advisors shall have no vote and their presence shall not count toward the quorum requirements of any Board or Council meeting.

Article VI: Executive Council and Committees

Section 1. The Executive Council is a permanent committee of the Board of Directors responsible to the Board, with full power to act in the operation, management, and policy of the Foundation between meetings of the Board, consistent with these bylaws and Foundation policies. The Executive Council shall be composed of all officers. Any committee chairpersons shall be ex officio members of the Executive Council without a vote. The Council shall meet at least three times per year, with at least one meeting in person. One-third (1/3) plus one voting member shall constitute a quorum. It shall report its actions of the Board with full minutes of its meetings. Special meetings of the Executive Council may be called by a majority of the Council. Any action required or permitted to be approved by the Executive Council may be taken without a meeting if a consent in writing setting forth the action to be taken, shall be signed by two-thirds of the members of the Executive Council. For purposes of this section, 'in writing' includes a communication that is transmitted or received by electronic means and 'signed' includes an electronic signature. Written proxy votes from absent Executive Council members will be accepted only for items that are on the agenda distributed in advance of a meeting. All Executive Council meetings, except for at least one annual in-person meeting, may be held by telephone conference as long as all participants may simultaneously hear each other and all members of the Executive Council are informed in advance that some persons are participating by telephone.

Section 2. Standing Committees and Ad Hoc Committees may be established as desired by the vote of the membership, Board of Directors, or Executive Council. Committee chairpersons shall be appointed by the Executive Council upon recommendation of the Board of Directors. Committee

chairpersons shall choose the membership of their Committees who shall be voting members of the Foundation and the Executive Council may recommend additional committee members to the committee chairpersons. Committee chairpersons shall serve a one-year term and are eligible for reappointment.

Article VII: Elections and Voting Procedures

Section 1. All nominations for Board of Directors or Executive Council must be made in writing to the national office at least ninety (90) days before the annual convention and are to include a brief biography (100 words or less) of the nominee.

Incumbent directors or Executive Council members automatically will be considered nominees. A Board member who misses three consecutive Board meetings shall be rotated off at the end of the term.

Section 2. Board nominees run for at-large positions, unless their state slot is vacant. Seniority determines state representation. If at-large posts are filled, written nominations must specify whether the nominee is competing for a state slot or an at-large position.

Section 3. The list of nominees for the Board of Directors or Executive Council shall be sent to the membership by mail at least thirty (30) days prior to the annual meeting. Nominees shall be listed on the ballots in alphabetical order, with indication of place of residence and present incumbency. Ballots shall indicate the maximum number of nominees to be voted on out of the total list. Descriptive material on non-incumbents or nominees in contested races shall accompany the ballots and shall be presented with similar format and in alphabetical order.

Section 4. The Executive Council shall be responsible for ensuring secret balloting and voting by eligible voters only. Voting will be by members attending the annual meeting. One-tenth (1/10) of the members registered for the annual meeting shall constitute a quorum. Written ballots shall be used in all elections.

Article VIII: Chapters

Members wishing to form chapters of the Foundation must have ten (10) paid members before chapter status can be granted. Affiliation or disaffiliation of chapters and chapter coordinators must be approved by the Executive Council. All chapter members must be members of the national Foundation. A chapter will receive an annual rebate from the national office for each paid membership, regular or other. A chapter may assess local dues and engage in local fundraising activities. A chapter may be structured with local officers and/or local boards as desired. The chapter coordinator will submit a summary of activities of the chapter at The Foundation's annual membership meeting. To remain eligible for rebates and to retain chapter standing, a chapter will present an annual report to the Executive Council of chapter income and expenditures and its major activities. To retain grass-roots effectiveness, chapters should be metropolitan, county, or other limited geographic area, whenever possible, rather than state.

Article IX: Bylaws Changes

The Executive Council shall serve as a bylaws committee; majority approval of the Executive Council is needed for a bylaws change to move to membership vote. Proposed changes by members must be submitted to the national office by May 15 for consideration at the next Executive Council meeting. Officers may submit bylaws changes prior to any regularly scheduled Executive Council meeting within a time period and in a manner prescribed by the Executive Council consistent with these bylaws and Foundation policies. A majority of members in attendance at the subsequent annual business meeting is required to ratify a bylaws change. Proposals to be voted on by the membership shall be presented to registered convention attendees in their registration materials and included in a periodical prior to the annual convention in summary or in full as space permits.

Form 102 - Sec. State 1973

See suggestions on back

COPY VOL 930 PAGE 210
ARTICLES OF INCORPORATION

Executed by the undersigned for the purpose of forming a Wisconsin corporation under Chapter 181 of the Wisconsin statutes, WITHOUT STOCK AND NOT FOR PROFIT.

Article 1. The name of the corporation is

FREEDOM FROM RELIGION FOUNDATION, INC.

Article 2. The period of existence shall be

Perpetual

Article 3. The purposes shall be **exclusively charitable, scientific, literary, and educational, as defined in Section 501(c)(3) of the Internal Revenue Code, as expressed through but without limitation to generic subject matter interest in issues and policies affecting and relating to nontheism and the promotion of the separation of church and state**

Article 4. Location of the principal office in Wisconsin is
(Include street & number, city, state and ZIP code)

**726 Miami Pass
Madison, Wisconsin 53711**

Article 5. Name of the initial registered agent is

Anne Gaylor

Article 6. Address of the initial registered agent is
(Include street & number, city,
state and ZIP code)

726 Miami Pass, Madison, Wisconsin 53711

Article 7. These articles may be amended in the manner authorized
by law at the time of amendment.

115-115

DATE 6-5-23 APR 5 78

6.00 PM

SPECIAL INSTRUCTION

PLEASE NOTE: The number of directors, or the manner in which that number is determined, must be established either in these articles of incorporation OR in the by-laws of the corporation. You may USE ONE of the following "Article 8" and CROSS OUT the one that is not used, or substitute wording of your choice.

[~~Article 8. The number of
directors shall be
(Not less than three.)~~]

[Article 8. The number of
directors shall be fixed by
by-law but shall be not less
than three.]

Article 9. The names and addresses of the initial Board
of Directors are:
(Include street & number, city, state
and ZIP Code)

Anne Gaylor, 726 Miami Pass, Madison, Wisconsin 53711

Annie Laurie Gaylor, 726 Miami Pass, Madison, Wisconsin 53711

*Paul J. Gaylor, 726 Miami Pass,
Madison, Wis. 53711*

Article 10. (Membership provisions)

All membership provisions shall be set forth in
the by-laws.

Article 11. (Other provisions)

See attached sheet

VCL 930 PAGE 212

Article 12. The name and address of incorporator (or incorporators) are:

| NAME | ADDRESS (street & number, city, state and ZIP Code) |
|--------------------|--|
| <u>Anne Gaylor</u> | <u>726 Miami Pass</u> |
| <u></u> | <u>Madison, Wisconsin 53711</u> |
| <u></u> | <u></u> |
| <u></u> | <u></u> |

Executed in duplicate on the 5th day of April, 1978

All incorporators
SIGN HERE

Anne Gaylor

Anne Gaylor

STATE OF WISCONSIN

County of Dane

ss.

Personally came before me this 5th day of April, A.D. 1978

the above named Anne Gaylor

to me known to be the person who executed the foregoing instrument, and acknowledged the same

[Signature]
Notary Public

My Commission expires Dec 28, 1980

STATE OF WISCONSIN
DEPARTMENT OF STATE
FILED
APR 5 1978
DOUGLAS LAFOLLETTE
SECRETARY OF STATE

This document was drafted by

Attorney Harold L. Harlowe
(Name of Person)

Please print or type

See instruction M

READ THE INSTRUCTIONS ON THE REVERSE SIDE
AND PLEASE FILL OUT THE RETURN ADDRESS BOX

ARTICLES OF INCORPORATION (Non-stock)

Mail Returned Copy to:
(FILL IN NAME AND ADDRESS HERE)

Attorney Harold L. Harlowe
204 South Hamilton Street
Madison, Wisconsin 53703

INSTRUCTIONS AND SUGGESTIONS

A. Prepare in **DUPLICATE ORIGINAL**. Furnish Secretary of State two identical copies of the articles of incorporation. (Mailing address: State Capitol, Madison, Wisconsin 53702.) One copy will be retained (filed) by Secretary of State and the other copy returned as you indicate in the box above. The copy that is returned **MUST BE RECORDED WITHIN 60 DAYS** with the Register of Deeds of the county in which the principal office of the corporation is located. Corporate existence commences when the articles are left for record at the Register of Deeds.

B. Have the **INCORPORATOR SIGN** before a Notary Public. The number of incorporators may be one or more, but all the incorporators listed in the articles must sign. Make sure that both of the copies have **ORIGINAL SIGNATURES**. Carbon copy, xerox, or rubber stamp signatures are not acceptable.

C. Notary Public must **SIGN AND AFFIX SEAL** on both copies of the articles, and complete his statement in the area provided. Make sure that original signatures and seal impressions appear on both copies.

D. **SEND THE FILING FEE** of \$25 with the articles. Your cancelled check is your receipt.

E. Article 1. The name must contain "Corporation", "Incorporated", or "Limited", or the abbreviation of one of those words.

F. Article 2. Insert "perpetual" or set any limitation desired.

G. Article 3. May show definite purposes or may use language to the effect that the corporation may engage in any lawful activities authorized by Chapter 181. (The statute expressly states that it is **NOT** necessary to enumerate the powers.)

H. Article 4. Give complete address of the corporation's principal office in Wisconsin, including city, town or village, and street and number, if any, and ZIP code.

I. Articles 5 & 6. The corporation must have a registered agent in Wisconsin. Be sure and show a complete address for the registered agent, including street and number, city and zip code.

K. Article 10. This article must set forth the method of accepting and discharging members, any denial or restriction of voting rights, and any classification of members (including distinguishing features of each class) **OR** the specification that the by-laws cover these matters.

If the corporation is to have no members, Article 10 must so state. In this instance, the manner of election or appointment of directors must be set forth **OR** the specification that the by-laws cover these matters.

L. Article 11. Provides space for the insertion of any other provisions which may be desired.

M. Section 14.38(14) Wisconsin Statutes provides that this document shall not be recorded unless the name of the person (individual) who, or the governmental agency which, drafted it is printed, typewritten, stamped or written thereon in a legible manner. The statement appearing on page 3 of this form, if completed, complies with this provision. Be sure it is completed on each of the copies.

N. Corporations that expect to apply to Internal Revenue Service for **TAX EXEMPT STATUS** are advised to consult that agency before preparing their articles of incorporation. Particular language and specifications must be included in the articles of incorporation in order to meet federal tax code requirements.

COPY

ARTICLE 11

VOL 930 PAGE 214

1. No part of the earnings of this corporation will inure to the benefit of private shareholders or individuals, except that the corporation shall be authorized to pay reasonable compensation for services rendered.

2. No substantial part of the corporation's activities shall attempt to influence legislation, or participate to any extent in a political campaign for or against any candidate for public office.

3. This organization is dedicated to exclusively charitable, scientific, literary, and educational purposes and in the event of dissolution, any remaining assets shall be distributed to organizations which shall at that time qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law.)

4. Notwithstanding any other provision of these articles, the corporation shall not carry on any activities not permitted to be carried on (a) by a corporation exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law.)

5. Litigation activities of the corporation shall conform to guidelines for organizations engaged in litigation activities issued by the Internal Revenue Service.

STATE OF WISCONSIN

DEPARTMENT OF STATE

FILED

APR 5 1978

DOUGLAS LAFOLLETTE

SECRETARY OF STATE

Office of Register of Deeds
Dane County, Wisconsin

Recorded April 5 1978

At 11:25 o'clock A.M.

Harold K. Hill, Register

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Freedom From Religion Foundation

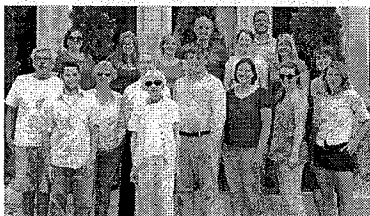
2012 Year in Review

It's been a productive and exciting year for the Freedom From Religion Foundation. University of Chicago Professor **Jerry Coyne**, author of *Evolution is True*, recently called FFRF "the most effective secular organization in the U.S. That's largely because . . . FFRF actually does something: through scrupulous monitoring of the government and judiciously filing lawsuits, the FFRF fights an endless battle against the brushfires of religious enthusiasm that threaten to incinerate our Constitution." Jerry was responding in particular to FFRF's gutsy latest federal lawsuit, filed in November, suing the Internal Revenue Service over its failure to enforce electioneering restrictions against churches. (See litigation below.) Thank you, Jerry!

Below is our report on 2012 activism and activities through late November.

FFRF tops 19,400 Members!

The Freedom From Religion Foundation, which began with 3 original members in 1976 and was incorporated nationally in 1978, added 2,000 members in the past year, topping more than 19,000 members nationwide and in Canada. (We'd love your help in spreading the word so FFRF can reach 20,000 soon.)



FFRF has long been the nation's largest explicitly freethought (atheist, agnostic) membership group. Pew this fall reported that one in five adult citizens in the United States is nonreligious, making "Nones" the nation's second largest "denomination" (after Catholics). Let's flex our collective muscle to inject reason into the religion debate, and to get religion out of government.

FFRF Makes News

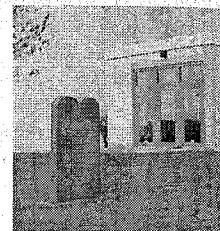
FFRF lawsuits, state/church complaints and victories, PR and billboard campaigns and other events generated more than over 1,000 original news stories about FFRF in daily newspapers, plus 181 TV segments generated from January – late November 2012. We expect to generate even more coverage at year's end, given the annual December "war on the Constitution." Convention to convention (mid-October 2011 to mid-October 2012) there were 1,384 news stories about FFRF including 212 TV segments. Many newspaper stories went out "on the wire." TV coverage usually involved local news coverage about FFRF actions and state/church complaints, but also included Dan Barker's second appearance on "Sixty Minutes Australia," a short "Good Morning America" interview and some (reluctant) national Fox appearances.

Check out that media coverage or sign up to get coverage delivered to your inbox at ffrf.org/news/media/. View the PR presentation given at FFRF's 2012 convention at: <http://ffrf.org/about/year-in-review>

Litigation

FFRF v. IRS. FFRF is taking the IRS to court over its failure to enforce electioneering restrictions against churches and religious organizations. The suit was filed in federal court on Nov. 14, 2012, and has been one of the most popular challenges FFRF has taken to date, based on public comment. This case is brought on FFRF's behalf by attorney **Richard L. Bolton**, as are several other suits below.

Ten Commandments at Pennsylvania schools. FFRF with parents and students filed suit in the fall against two school districts in Pennsylvania which have refused to move large Eagles' Ten Commandment monuments by entrances of public high schools. It's dismaying that the community has rallied behind these bible edicts, so clearly inappropriate in a public school setting.



FFRF, students challenge graduation prayer in South Carolina. Thanks to **Matthew (Max) Nielson**, a graduating senior, and two currently enrolled students, **Jacob Zupon** and **Dakota McMillan**, FFRF has been able to sue School District Five of Lexington and Richland Counties for sanctioning graduation prayers. The federal lawsuit was filed this summer.



FFRF sues over Pennsylvania Year of the Bible. On behalf of hundreds of Pennsylvania members, including 41 named state members, FFRF filed suit in March against the Pennsylvania House for declaring 2012 to be "the Year of the Bible." The resolution enjoined citizens "to study and apply the teachings of the Holy Scriptures." U.S. District Judge Christopher Conner on Oct. 1, 2012, dismissed the case, ruling House officials had legislative immunity, but chastened House officials for "premeditated pandering." Conner wrote: "The court is compelled to shine a clear, bright light on this resolution because it pushes the Establishment Clause envelope behind the safety glass of legislative immunity."

FFRF challenges Catholic Shrine on Big Mountain. FFRF filed suit in U.S. District Court in Montana in February, challenging the Forest Service's decision to renew a special permit for a "shrine to our Lord Jesus Christ" on federal property in the Rockies. The Knights of Columbus, a conservative Roman Catholic men's club, has placed a devotional shrine on Big Mountain near Whitefish Mountain's Resort Chair Two in Flathead National Forest, in violation of the Establishment Clause of the First Amendment to the Constitution. A Nov. 28 ruling allows our case to proceed.



Colorado Day of Prayer Win. The Colorado State Court of Appeals agreed with FFRF that a Colorado Day of Prayer proclaimed by the governor is a violation of the Colorado Constitution's protection of freedom of conscience. A unanimous 3-judge panel ruled on May 10, 2012: "A reasonable observer would conclude that these proclamations send the message that those who pray are favored members of Colorado's political community, and that those who do not pray do not enjoy that favored status."

Settled: Giles Co., Va. Ten Commandments. FFRF with the ACLU of West Virginia successfully settled a federal lawsuit on behalf of a high school student and parent, challenging the Ten Commandments being posted in public schools, ending in July 2012.

Settled: FFRF v. Whiteville. On Aug. 8, 2012, Judge Daniel Breen approved a settlement between FFRF and the Town of Whiteville, Tenn., enjoining the town and mayor from installing crosses on city hall property. The defendants also agreed not to replace the cross arm on the remaining structure of the water tower and to pay \$20,000 of FFRF's costs in attorney fees.

Parish exemption "standing" win. Our federal challenge of the "parish exemption" — preferential tax treatment set up by Congress in

1954 giving clergy significant benefits if paid through a "housing allowance," got a significant ruling granting FFRF Co-Presidents Dan Barker and Annie Laurie Gaylor, as well as President Emerita Anne Gaylor, standing to continue the suit. They all receive a "housing allowance" from FFRF but are not allowed to claim it. U.S. District Judge Barbara Crabb, Western District of Wisconsin, issued a strong 20-page opinion and order on Aug. 29, 2012. The case proceeds to the merits.

FFRF appeals Warren crèche case. With wonderful pro bono help from FFRF member and attorney **Danielle J. Hessel**, of the firm of Butzel Long in Bloomfield, Mich., FFRF and local plaintiff **Douglas J. Marshall** have appealed a federal court decision to the Sixth Circuit Court of Appeals. On May 31, U.S. District Judge Larence Zatzoff ruled against the challenge by FFRF and Douglas, allowing the mayor to continue to allow "public displays of only religious symbols" at the city's atrium in December. FFRF is suing over censorship, establishment of Christianity and denial of equal protection under the law.

Release-time abuse. Pro bono attorney **George Daly** exhausted our remedies in this lawsuit challenging academic credits for "release-time" instruction in a South Carolina public school. The complicated case involved a bible class transferring credits to the high school through the shell of an accredited religious school — neither the religious school nor the accrediting agency had reviewed the bible class for its alleged secular content. Thanks to the local plaintiffs **Ellen Tillett** and **Robert Moss**, and to George for his diligence. A ruling by the 4th Circuit Court of Appeals permitting this practice was issued in June.

Arizona Day of Prayer. FFRF members and pro bono attorneys **Richard Morris** and **Marc Victor** are appealing a state lawsuit against Arizona Gov. Jan Brewer and the Arizona Day of Prayer.

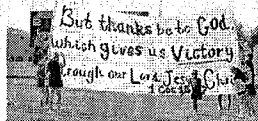
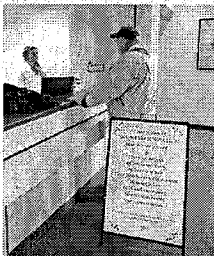
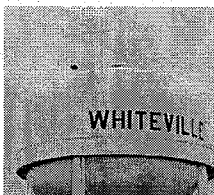
FFRF legal staff also submitted an amicus brief on behalf of the **Kountze School District, Texas**, which ordered cheerleaders to stop holding Christian prayer banners for football players to run through at games, after an FFRF complaint. The cheerleaders, with a religious-right group, are suing the school now. This bizarre case and FFRF's involvement have had major media coverage.

140+ Legal Victories in 2012!

From January through Nov. 21 2012, FFRF has won more than 140 significant legal victories without having to go to court, using education and persuasion. From January to late November, FFRF has received more than 2,100 requests (whew!) for help from members, or members of the public, to help counter entanglements between state and church. FFRF officially doubled its staff attorneys this year, going from two to four, to handle this caseload. To date they sent more than 900 formal letters objecting to state/church violations so far in 2012. It often may take many follow-up letters to get results.

Legal victories include:

- Removal of a large Latin cross from the city seal of Buhler, Kan.
- Ending prayers at 5 school boards in Pennsylvania, and at the school board in Pellston, Mich.
- Getting removed a cross from Indian Caves State Park, Neb., and from behind a customer desk at a post office in Huntersville, N.C.
- Ending prayers before football games at the University of Tennessee-Chatanooga, a longtime abuse
- Downing a large, lighted cross placed every December by the village of Alsip, Ill., on its water tower
- Ending a 25-year violation of opening meetings with prayer by Henrico County Board of Supervisors, and Christian prayers at the Oklahoma Water Resources Board (!)



- Removing a nativity display in front of Ellwood City's municipal building in Pennsylvania (a longtime December violation that got major coverage)

- Halting mayoral sponsorship and coordination of monthly prayer breakfasts in Augusta, Ga.

- Getting rescinded a \$1.1 million grant by the City of Tucson, Ariz., to the Catholic Church to renovate a place of worship

- Getting rescinded a \$1,300 grant to a local church by the city of West Linn., Ore.

- Halting free lawn maintenance by the U.S. military for Catholic Social Services of Augusta, Ga.

- Halting distribution of contact information for students at Bret Harte Union High School, Calif., to the local Catholic diocese



- Halting prayers and bible reading at meals at Peach County, Ga. senior center

- Discontinuing the display of "God Bless America" messages on electronic tickets by COLT bus system in Scranton, Pa.

- Halting cheerleader banners with bible quotes (Stone High School, Miss.)

- Removing a large Ten Commandments display from the Brandon Police Department, Miss.

- Halting prayers broadcast over the loudspeaker at public school football games, including high schools in Ellisville, Miss., Madison, Ky., Lake Charles, La.

- Halting pre-game prayers led by coaches and sometimes clergy, including at schools in Alexandria, Ind., Dougherty Co. School, Ga., Castlewood School District, S.D., Hoover, Ala., Auburn, Wash., El Paso, Texas, Walker Co. Schools, Ga., and Inez, Ky., and ending a "team chaplain" at a high school in Tallapoosa, Ga.

- Ending illegal church bulletin discounts including at restaurants in Wiggins, Miss., Valdosta, Ga., Blue Ridge, Ga., Asheville, N.C., Euless, Texas, Jacksonville, Fla. (Chick-fil-A), and at Irish Fest, Milwaukee. Member **John Wolff** just agreed to settle a discrimination case over a church bulletin at a restaurant in Columbia, Pa., with the Pennsylvania Human Relations Commission.



- Ending invocations at graduation ceremonies in public high schools in Mogadore, Ohio, Plaquemine, La., Athens, Ala., Frankfort, Ky., Hastings Area School District, Mich., and at senior assemblies in Fort Worth, Texas and Cumming, Ga.

- Stopping a public school summer program in Haywood County, N.C., from busing students to Vacation Bible School as part of class

- Stopping required display of a sticker in Granite City, Ill., celebrating a Christian church

- Removing a large "guardian angel" statue from a public park (a 7-year battle!) in Genesee County Park, N.Y.



- Being part of a coalition put together by FFRF member **Damon Vix**, that placed many freethinking displays in Palisades Park, Calif., which encouraged Santa Monica to discontinue having displays in parks, thus ending 58 years of domination of the park in December by enormous nativity displays.

Public school violations too numerous to list were halted, including Gideon distribution of bibles, religious songs, and daily recitation of prayers at an elementary school in Iuka, Miss., kindergarten prayers in a Manchester, Tenn. public school, and devotional bible lessons for first-grade students in Minford, Ohio, (including having children color in a manger scene). FFRF stopped violations including having children as young as three pray at a public preschool in Kentucky.

There is no end to creative ways to sneak religion into public schools. FFRF stopped distribution of ribbons saying "God answers prayers, drugs don't" (Canton, Ga.), and even an electronic sign saying "Attend church this Sunday" at a local elementary school (Martin County, Ky.). FFRF stopped a judge in Georgia from using county

supplies to collect new and used bibles to distribute to "persons around the globe who do not have the resources to get bibles."

Congratulations to FFRF's diligent and committed Staff Attorneys Rebecca Markert, Patrick Elliott, Andrew Seidel and Stephanie Schmitt!



Student Activist Scholarships Recognize Young Activists

FFRF designates three annual student/youth activist scholarship of \$1,000 each. In 2012 to date, we've recognized SEVEN activist youths with scholarship awards, going to:

- **Jessica Ahlquist**, high school junior, after winning her federal court ruling in January against a prayer banner at her Rhode Island high school. (FFRF doubled the award after a Rhode Island legislator called Jessica "an evil little thing.")

- **Krystal Myers**, a Tennessee honors student and editor of her high school newspaper whose column, "No Rights: The Life of an Atheist" was censored, by school officials. Her article got better play in the Knoxville News Sentinel, which covered the controversy and published her piece.

- **Jeff Shott**, 17, for protesting state/church violations at Summit High School in Spring Hill, Tenn., and for dressing up like Jesus on "Fictional Character Day."

- **Matthew Nielson**, 18, who is serving as principal plaintiff in FFRF's federal lawsuit challenging the practice of forcing seniors to "vote" on whether to hold (illegal) prayers at the graduation ceremony at Irmo High School in Columbia, S.C.

- **Maia Disbrow**, 12, from Hixson, Tenn., who spoke publicly before the Hamilton County Board of Commissioners to ask them to drop government prayer.

- **Mayan**, 15, a sophomore, and **Balen Essak**, 14, a freshman, who successfully protested crosses on football helmets at their public high school and persuaded the Shorewood School Board (Wis.) this fall to drop them.



Jessica Ahlquist also received an additional \$10,000 scholarship as the first recipient of FFRF's "Atheists in Foxholes Support Fund," to provide scholarships and assistance to persons who exhibit bravery in furthering the cause, and experience hardship because of that stand. As a victorious litigant, Jessica also received FFRF's **Freethinker of the Year Award**, which she accepted at FFRF's 35th annual national convention in Portland in October.

\$28,150 Awarded Freethinking Student Essayists

FFRF gave a total of \$28,150 in scholarships in its three essay competitions for students. FFRF thanks **Herbert ("Harry") Bushong**, a nonagenarian, for sponsoring the current high school competition. FFRF distributed \$11,250 in scholarships to 13 college-bound high school seniors. The college competition is a memorial to **Michael Ha-keem** funded by his bequest. There were 10 winners receiving a total of \$7,800 in scholarships. **Professor Brian Bolton**, a Lifetime Member, is sponsor of the graduate student essay competition with \$9,100 total awarded to 13 winners. Retired teacher John Moe provides the \$200 scholarships to high school honorable mention winners, and Dean and Dorea Schramm kindly provide \$50 bonuses. These essays are reprinted or excerpted in Freethought Today.

Outreach, Campus Events and other Events

Freethought is on the march, nationally and globally. Countries visited by one or both of the co-presidents included Australia, Canada,

Germany, Mexico, United Kingdom. FFRF was a co-sponsor of the largest U.S. freethought open-air rally to date, the **March Reason Rally** on the Mall in Washington, D.C. Dan and Annie Laurie spoke, along with many other freethought activists and entertainers. FFRF set up a popular booth, and held two dinner parties, one featuring Supreme Court victor **Ellery Schempp**, with cameos by **Jessica Ahlquist** and winsome Australian singer **Shelley Segal**, the other recognizing freethinking author **Barbara Ehrenreich** with an Emperor Has No Clothes Award.

Dan and Annie Laurie spoke at the largest atheist conference in history, "**Celebration of Reason**," at the **Global Atheist Conference in Melbourne, Australia**, put on by Atheists of Australia (with some help from the government's tourism fund!). The exciting event attracted major talents such as Richard Dawkins, Daniel Dennett, Ayaan Hirsi Ali, Sam Harris, diverse Australian speakers and more than 4,000 attendees at Melbourne's wonderful new convention center. Kudos to **David Nicholls**, president of **Atheist Foundation of Australia**, and his all-volunteer Australian crew. Dan went on from that conference to the first atheist conference in the **Philippines**. In June, Dan and Annie Laurie spoke at the **Atheist Alliance International** conference in Cologne, Germany.

Dan visited 18 college campuses, participating in four debates, the most memorable of which was a Nov. 8 formal debate at **Oxford** (tuxedos required), in part debating Christopher Hitchens' religious brother, Peter, with Professor Dawkins in the audience. Dan and a team made up of **Michael Shermer** and **Peter Millican** officially won. Dan spoke at universities or colleges in Iowa, Toronto, Canada, Pennsylvania, California, Ohio, North Carolina, Missouri, Nebraska, North Carolina, Ohio, Tennessee, and Wisconsin. Dan also performed freethought music at the **Rock Beyond Belief, Fort Bragg, N.C.** on March 31, spoke at the Midwest Freethought Conference in Omaha, before a freethought group in Memphis, an atheist conference in Denver, Ethical Culture in Chicago, and at a freethought conference in Harrisburg, Pa. Dan will be entertaining at Minnesota Atheists' Winter Solstice party and at **FFRF's Winter Solstice Party** at the **Wisconsin State Capitol** in Madison on Dec. 21.

Annie Laurie's additional engagements included speaking at the spring Freethought Festival put on by University of Wisconsin-Madison students, the first **Women in Secularism Conference** in D.C. in May, inspired by the anthology she edited, *Women Without Superstition*, and at the **second Mexican colloquium on atheism** in Mexico City Nov. 2-3. She received the "2012 Freethought Backbone Award" from the **Secular Student Alliance** at their annual summer conference.

Senior Staff Attorney **Rebecca Markert** joined a Continuing Legal Education Course on Suing and Defending Government Entities in a panel, "Religious Liberty" put on by the **Texas State Bar**. Staff Attorney **Andrew Seidel** gave a presentation debunking the "America is a Christian nation" myth before the Freethought Festival in Madison, at the Chicago Ethical Society and at FFRF's convention. He spoke at Indiana State University's **Human Rights Day** on the parish exemption and FFRF generally. He also gave a talk before the **Secular Student Alliance** and on the separation of church and state at the University Law School, Nevada. Staff Attorney **Stephanie Schmitt** took part in a public forum, "**A Civil Discourse**," on religion and government at the Greenfield Public Library, Wis.

FFRF Issues Bright New Music CD

FFRF at year's end is issuing its third musical CD, "**Adrift on a Star**," featuring Dan Barker and others. The CD debuts a winning collaboration, "**Poor Little Me**," words by **Dan Barker** and music by Broadway's icon, **Charles ("Annie") Strouse**, who accepted FFRF's



Emperor Has No Clothes Award last year. The CD features new songs or arrangements by Dan Barker, a professional musician and songwriter. The CD includes cameos by singer **Susan Hofer**. Australian talent **Shelley Segal's** beautiful song "I Don't Believe in Fairies" is included, and former Christian rocker **Joe Taylor's** first freethought song, "**Be Still My Child**." Several of lyricist **Yip** ("Somewhere Over the Rainbow") Harburg's irreverent rhymes are set to music by Dan.



Office Updates

(See enclosed sheet for FFRF's expansion plans, and why we need to expand!)

Volunteers. FFRF thanks regular volunteers and officers **Phyllis Rose** (3 afternoons a week since 2000) and **Wendy Goldberg** (2 full days a week). Wendy has donated weeks of time indexing FFRF lawsuits and legal letters, poring over insurance contracts and many other tasks requiring extreme patience and expertise! Our new volunteer **Steve Salemsen**, a retired publisher, volunteers 2 afternoons a week. College student **Ryan Hettinger** worked nearly fulltime for most of this spring, including a 6-hour roundtrip trip to Streater, Ill., accompanying Staff Attorney Patrick Elliott to replace a defaced FFRF banner FFRF had placed to counter a Christian banner in a park ("Christ died for your sins"). Our sign said: "Nobody died for our sins." The replacement sign added: "P.S. Thou Shalt Not Steal."



Staff. FFRF retains 12 full-time staffers. Former intern and legal clerk **Stephanie Schmitt** joining as official staff attorney in February. Industrious **Julie Solberg** does part-time office work this semester and will go full-time for the spring semester as she waits to get into a Master's program.

Officers. FFRF thanks outgoing officer **Ted Utchen, III.**, a retired attorney, for his service and welcomes new vice president **Michael Cermak, Pa.**

Legal Interns. Spring legal interns from the University of Wisconsin Law School were **Ken Earl**, **Susan Lund**, and **Dustin Clark**. Two unpaid undergrad interns, **Svein Hoexter** and **Brendan Moriarty**, both from UW, assisted with research and tasks. FFRF's three volunteer fulltime legal clerks this summer were UW Law School students **JJ Rowling**, **Maddy Ziegler** and **Ben Zich** (Wake Forest University, N.C.). JJ and Maddy both stayed on as interns for the fall 2012 term. Undergraduate intern **Calli Miller** is working productively as an unpaid intern this fall to help the legal staff. **Sarah Eucalano** just started working as FFRF's first (and unpaid) journalism intern. **Susan Lund** and **Liz Cavell** both filled temporary legal assistant positions in 2012.

New Honorary Director joins distinguished roster

FFRF welcomes biologist **Jerry Coyne** to its roster of honorary directors. He joins: **Richard Dawkins**, **Daniel C. Dennett**, **Rebecca Newberger Goldstein**, **Ernie Harburg**, **Jennifer Michael Hecht**, the late **Christopher Hitchens**, **Susan Jacoby**, **Mike Newdow**, **Steven Pinker**, **Katha Pollitt**, **Ron Reagan**, **Oliver Sacks, M.D.**, **Robert Sapolsky**, **Edward Sorel** and **Julia Sweeney**.

Public Relations/Advertising Campaigns

FFRF made several exciting forays into national TV advertising in 2012. In response to Rick Santorum's public statements that the historic speech by John F. Kennedy in 1960 "makes me want to throw up," FFRF produced a 30-second ad that ran on "CBS Sunday Morning" March 25 and on the "CBS Evening News" March 26. The dramatic 30-second spot, with Dan's beautiful rendering of "America (My Country Tis of Thee)", aired JFK making his statement, "*I believe in an America where the separation of church and state is absolute. . . where no religious body seeks to impose its will directly or indirectly upon the general populace.*" Narrator **Buzz Kemper**

concluded: "Let's restore respect for America's secular roots. Help the Freedom From Religion Foundation defend the wall of separation between state and church. Join us at FFRF.ORG. Freedom depends on freethinkers." The ad also played on "Meet the Press" April 1 and all week long on MSNBC's "Rachel Maddow Show."

FFRF's major PR campaign was a reaction to the U.S. Catholic Conference of Bishops' war on reproductive liberty, and attempt to revoke the Affordable Care Act's contraceptive mandate (ensuring employers — except churches — cannot deny women workers prescription contraceptive benefits based on religious objections). FFRF took its splashy full-page ad, "**It's Time to Quit the Catholic Church**," to the **New York Times** in February, with the help of many generous FFRF donors, then to the **Washington Post** in May, **USA Today** in May and the **Los Angeles Times** on July 4.

FFRF, also thanks to donors, aired a **30-second spot** going after the Bishops' attempt to force its dogma on civil law, featuring one of America's favorite former Catholics — actress **Julia Sweeney** of "Letting Go of God" — which ran close to 1,000 times, reaching 42 million homes in a mix of national and cable shows airing in region-markets and through Dish and DirecTV for two weeks through July 4. FFRF also placed a billboard, "**QUIT THE CHURCH Put Women's Rights over Bishops' Wrongs**" in **Time Square** (at a good remnant rate), in **Dallas-Forth Worth**, and in **St. Louis**, where dioceses are suing the Administration over the contraceptive mandate.



FFRF's billboard campaigns included placing FFRF's red-white-and-blue "**Keep Religion OUT of Politics**" message in **Warwick, R.I.** for New Year's, debuting its new "**This is what an atheist looks like**" campaign in **Nashville** in March, featuring beautiful **Grace Quiroz**, who came up with the slogan. FFRF's new Uncle Sam image saying "**God Fixation Won't Fix This Nation**," designed by **Steve Benson**, went up in **Denver** and **Colorado Springs** in time for the National Day of Prayer, to emphasize FFRF's lawsuit against the Colorado Day of Prayer. FFRF's election-year caveat, "**God & Government A Dangerous Mix**" went up in rural Oregon in July. FFRF's **Spokane chapter** organized an appealing "Out of the Closet" campaign with 7 FFRF individuals, couples or families in late summer, featuring their images and own statements. FFRF's "God Fixation Won't Fix This Nation" billboard caveat was placed in Tampa timed with the RNC and in Charlotte for the DNC. FFRF marked its 35th annual convention in Portland in mid-October with a campaign featuring 15 billboards with Portland FFRF members, couples or families. Half proclaimed "**This is what an atheist looks like**" and half said "**I'm Secular and I Vote**" (with a red-white-and-blue theme). Thanks to all the participants and to photographer and FFRF Life Member **Steve Eltinge**.

Look for a new advertising campaign in magazines in 2013, suggested by Board Member **Lester Goldstein**, who gave a \$25,000 grant matched by donors to cover the ads.

Chapters

FFRF welcomes new chapters in the Chicago area and Central Florida, joining chapters in Alabama, Albuquerque, Colorado Springs, Petoskey, Mich., Spokane, Duluth, State College, Pa., Triangle cities, N.C., Tulsa, and Phoenix area. Contact details can be found at: <http://ffrf.org/about/ffrf-chapters>.

Memorable 35th Convention on East Coast

FFRF's 35th annual national convention in Portland Oct. 12-13, was our largest to date, with 880 registrants (it would have been 1,000 except for the fire code) and great excitement over **Richard Dawkins'** appearance to accept an Emperor Has No Clothes Award.

Mark your calendar now for the 36th annual FFRF convention in **Madison, Wis.**, at the Concourse Hotel, on the weekend of **Sept. 27-28, 2013**. See you next year!



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State/Church FAQ

CHURCH VIOLATIONS

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Church Polling Places

A church is being used as a polling location. Is that legal?

It is a basic principle of Establishment Clause jurisprudence that the government is prohibited from promoting a specific religious belief. Furthermore, the government cannot compel a citizen to enter a house of worship or profess a particular religious view. Unfortunately, during election seasons many Americans of varying faiths or no faith at all are required to enter a house of worship in order to fulfill the most basic civic duties of all-to vote. [More »](#)

Churches and Political Lobbying Activities

A church is participating in political lobbying. What can I do about it?

Every election year, the Foundation receives complaints and questions by its members and members of the public about churches involved in political activity [More »](#)

Tax Exemption of Churches

Tax exemption of churches — Is it constitutional?

As much as one quarter or one-half of a typical U.S. city may be made up of tax-exempt property, much of that churches or church schools. FFRF receives many queries by disgruntled taxpayers over this involuntary form of subsidy. [More »](#)

CIVIL VIOLATIONS

Custody

A court has ordered that my ex-spouse has the right to take my son/daughter to a church, religious school or other religious event with which I disagree. What are my rights?

Family law, custody battles, etc., are beyond the purview of the Freedom From Religion Foundation and its purposes.

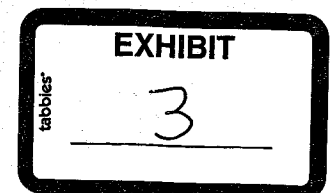
While we are very sympathetic to the plight of a nonreligious parent who sees a child being indoctrinated with religion, or resents having to pay for religious schooling, our staff has no background or expertise in family law matters. The Foundation cannot represent you, advise you or refer you to secular family law attorneys. Please seek this important advice from the attorney who is representing you in your divorce, custody battle, etc. [More »](#)

Church Bulletin Discounts

A store is offering a discount or promotion for bringing in a church bulletin. Is that legal?

Often FFRF will receive complaints from members that a private-owned business in their area is offering a discount to customers who present a church bulletin. These "church bulletin discounts" show up as promotions at a variety of businesses including restaurants or grocery stores for anyone demonstrating their status as a believer or church attendee.

[More »](#)



Consumer Complaints

I am tired of stores and restaurants playing gospel music. I feel this violates my right to 'freedom of religion.' Is there anything that can be done about it?

This is a consumer complaint, not a state/church violation. As a consumer, you have power. Indicate you have spent money in this store and are a good patron, but are made to feel uncomfortable and like an outsider by the music and will not return if they continue to make you pay to be proselytized! [More »](#)

Blue Laws/Sunday Closing Laws

My state/town has a law restricting the sale of certain items on Sundays. Is this legal?

Many states and local governments have established a variety of laws restricting the sale of certain goods on Sundays. An example of a law of this kind, which collectively have become known as "blue laws," would be a law declaring that it shall be illegal to sell alcohol on Sundays. These laws may also include mandatory store closings on Sunday. [More »](#)

Religion in the workplace

Religion in the workplace — Is it legal?

The Freedom From Religion Foundation specializes cases concerning the separation of religion and government. Private employment disputes fall outside the purview of FFRF and its purpose. If your complaint concerns a state or federal agency, please read through our FAQ and then contact us with your specific concern. FFRF staff attorneys cannot represent you in private employment disputes [More »](#)

COURT-ORDERED PARTICIPATION IN A.A.

Court-Ordered Participation in A.A.

Can a court, prison, or probation officer sentence me to attend A.A., which is a religious program?

The trend of current case law shows that forcing a prisoner or probationer to attend A.A. or N.A. or other religiously centered rehabilitation program is increasingly seen as a violation of the Establishment Clause of the First Amendment. [More »](#)

GOVERNMENT VIOLATIONS

Religious Decorations & Activities HUD Housing

I live in a HUD-subsidized housing. What are my rights to avoid religious activities and decorations?

A typical complaint involves the exhibition of religious holiday decorations in common areas (lobbies, recreation facilities, laundry rooms) of Housing and Urban Development (HUD) subsidized housing. Such religious holiday decorations often include angels, crèche displays, biblical scripture, menorahs, Stars of David, etc. Federal funding is distributed by HUD to support low income housing, as well as housing for senior citizens and the disabled, according to the stipulations enumerated in the Code of Federal Regulations (CFR). The CFR is explicit and unequivocal in its prohibition on religious activities as part of any program funded through the Department of Housing and Urban Development. [More »](#)

Religious Holiday Displays on Public Property

Are religious holiday displays a violation of the First Amendment?

The most frequent complaint that FFRF receives during November and December concerns religious displays on public property. The majority involve a crèche, or nativity scene, being displayed at a public park, or outside or inside a government building. FFRF has even received complaints about a nativity scene prominently displayed on the front lawn of public schools! We also receive complaints about other religious symbols being displayed on public property, such as menorahs or crosses. Members of the public are shocked to find these displays authorized, supported, and erected by their local, state or federal government entities. [More »](#)

Religious Activities at Senior Centers

They make us listen to prayer before we eat lunch at public-funded senior centers. Help!

An unfortunately common state/church violation concerns prayer imposed on a captive audience of senior citizens before lunch at public-funded senior centers. This is illegal! [More »](#)

Religious Tests for Public Office

Why do some states require a religious test for public office? Isn't that unconstitutional?

The Supreme Court ruled in 1961 that States cannot impose a religious test for public office, in conformity with Art. VI of the U.S. Constitution. [More »](#)

Good Friday Closings

Is it legal for government offices and public schools to close for Good Friday?

FFRF often receives complaints from the public about government offices and public schools closing for Good Friday. [More »](#)

Prayers at Government Meetings

Is an Establishment Clause violation occurring at government meetings?

One of the most frequent complaints to the Freedom From Religion Foundation from the public over state/church violations concerns government officials opening government meetings with prayer. [More »](#)

Churches Renting Public Library Space

A religious group is holding meetings in a public library. What can I do about it?

Like most government property, public libraries are not automatically open for individuals and private groups to exercise free speech. Once a government body chooses to open up library space for use by private groups, either through action (renting out facilities) or through a "library use policy," there are a number of steps to take to determine if it is inappropriate for a religious group to be using the facilities. [More »](#)

MILITARY VIOLATIONS

Flag-Folding in Military

Do flag-folding ceremonies have a Christian meaning? No. [More »](#)

OATHS

Immigration Oaths

I want to become a U.S. citizen, but am not religious and don't want to take a religious oath. What are my rights?

The Freedom From Religion Foundation doesn't want you to be forced to take a religious oath, either! In fact, our country is in need of more people like you, who understand better than many native-born citizens how vital it is to separate religion from government. The U.S. Constitution is entirely godless, so it is dismaying that a religious oath would be imposed on new citizens. [More »](#)

Jury Oaths

I've been called for jury duty. Or, I need to testify at a trial. Am I going to have to take a religious oath or place my hand on a bible?

Unfortunately, most state statutes routinely provide for religious oaths to swear in jurors or testifiers. Fortunately, most also permit alternative affirmations. Affirmation is for anyone who has conscientious scruples against swearing an oath to a deity. (This can include not only unbelievers but some form of Baptists, Jehovah's Witnesses, etc.) [More »](#)

Marriage Oaths

When we went to apply for our marriage license, the county clerk told us we had to state an oath to "God." What can we do?

Although most state statutes routinely provide for religious oaths, they also usually provide for alternative affirmations. Usually, statutes pertaining to applications for marriage licenses, certificates and solemnizations designate a religious oath. However, elsewhere in your state statutes, there is probably a provision for affirmations (which, by definition, means you are not swearing to a deity, but affirm you are telling the truth). An affirmation is for anyone who has conscientious scruples against swearing an oath to a deity. (This can include some form of Baptists, Jehovah's Witnesses as well as nonbelievers.) [More »](#)

PUBLIC SCHOOL VIOLATIONS

Bible Distribution in Public Schools

Can Gideons pass out bibles at my child's public school?

Every school year, the Freedom From Religion Foundation receives countless complaints from parents about The Gideon Society or other similar groups who are distributing bibles to their children at public schools. [More »](#)

Churches Meeting at Public Schools

A church is meeting in a public school. What can I do about it?

The Freedom From Religion Foundation often receives queries from shocked members of the public who receive flyers at their home inviting them to attend "church" at their local public school. Or citizens notice prominent signs at public school entrances on Sundays advertising church meetings. "Public schools can't host church meetings, can they?" we are asked. [More »](#)

Equal Access Act Violation

The "See You at the Pole" movement started in Texas in 1990, as an ostensibly "student-initiated" and "student-led" religious expression. Students meet at their school's outdoor flagpole to pray before classes begin on the fourth Wednesday of September. [More »](#)

Can Public School Graduations Include Prayers?

Can Public School Graduations Include Prayers?

No. The Supreme Court has continually struck down school-led prayers at school-sponsored events, including public school graduations. High school graduations must be secular to protect the freedom of conscience of all students. [More »](#)

Pledge of Allegiance

Do I (or my child) have to participate in the religious Pledge of Allegiance in my public school?

No. You (or your child) have a constitutional right not to be forced to participate in the Pledge of Allegiance. Nor should a student be singled out, rebuked, told they must stand, or otherwise be penalized for following their freedom of conscience. Nor should students who participate in the pledge, or who volunteer to lead the class in the pledge or to recite it over the intercom, be rewarded or favored over students who don't participate. [More »](#)

Prayer in Public School

What is the law about prayers in public schools?

Public schools exist to educate, not to proselytize. Children in public schools are a captive audience. Making prayer an official part of the school day is coercive and invasive.

[More »](#)

Release Time for Religious Activities

Can public schools offer early release times for students wishing to participate in religious activities?

Public schools may release students during school hours to participate in private religious activities with parental consent. In *McCormick v. Board of Education*, the Court found a release time program that was supported by public funds, held during school hours, and on school grounds violated the First Amendment [More »](#)

Religious Music in Public Schools

My child's choir is singing religious music. Is that legal?

In its more than three decades of activism, the Freedom From Religion Foundation has taken more complaints over promotion of religion in public school music classes and team sports than any other type of complaint! [More »](#)

Religious Take Home Fliers

A teacher is sending my child home with religious literature. Can I stop it?

Parents frequently contact the Freedom From Religion Foundation with complaints about religious fliers being sent home with their school children—sometimes as young as five years old. Typically, these fliers are from outside religious organizations, such as the Good News Club, inviting students to participate in proselytizing after-school clubs and activities. [More »](#)

See You at the Flag Pole Prayer Gatherings

Is it lawful to hold a "See You at the Pole" prayer gathering at my public school?

The "See You at the Pole" movement started in Texas in 1990, as an ostensibly "student-initiated" and "student-led" religious expression. Students meet at their school's outdoor flagpole to pray before classes begin on the fourth Wednesday of September. [More »](#)

School Involvement in Baccalaureate Services

A public high school is holding a religious baccalaureate service. Is that legal?

It is a fundamental principle of Establishment Clause jurisprudence that a public school may not advance, prefer or promote religion. Because it is generally understood that a baccalaureate service is a religious event, a public school may not be involved in the organization or execution of a baccalaureate in any way that would make an objective observer believe that the school is endorsing the event. [More »](#)

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[Report a Church/State Violation »](#)



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Secular Memorials and Funerals Without God

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["Do Away with Christian Funerals" by Anne Nicol Gaylor](#)

Freethinkers believe that a memorial service should celebrate life, not death. Memorials should honor the person who has lived, not be a vehicle to proselytize unsavory dogmas such as sin and salvation, as typical religious funerals often are. It is time to dispense with carbon-copy, fill-in-the-blank services read by clergy who use the occasion to promote religion, instead of honoring the individual. Freethinkers can specify "no religion" in their wills and papers, and freethinking families can likewise make clear they want no religious observances at funerals, the gravesite or memorials.

At the Freedom From Religion Foundation, we often hear horror stories about what happens when religious relatives put on godly funerals for people who were "devoutly unreligious." We have heard of religious relatives throwing out valuable freethought libraries! We receive frequent requests from Foundation members who wish to ensure that their own memorials or those for nonreligious friends and relatives stay secular and true to the wishes of the deceased.

Memorials can be planned with readings from favorite poets and writers, with favorite music, with personal anecdotes told by friends and families, with family photos and other personal touches.

Another way to honor the living is to specify secular charities and organizations to donate in memory of the deceased. Friends and relatives who might never consider donating to such a charity often will honor such a request and this is a way for freethinking or progressive concerns to live after you.

Many freethinkers plan memorials rather than funeral services. Memorials have the advantage of giving grieving family and friends the chance to recover from the shock of sudden death, to make travel arrangements, and to fulfill obligations and legal duties before having to plan meeting logistics. Whether to hold a funeral or a memorial service is entirely a matter of family discretion and personal choice. Memorials are not reserved for those being cremated.

If a funeral (which includes a burial) is chosen, the timing usually takes place within a week of death. Individual state laws regulate when a burial must take place. Funeral homes can help a family consider the myriad small details, and there are also memorial societies that can help individuals plan details in advance of their deaths and save on expenses. No clergy is required to participate in any aspect of a funeral or burial.

FFRF is often asked: How do I make sure I am not given a religious burial? These requirements may be left with final papers, an "After I'm Gone" list left with trusted family, executor, or as a stand-alone instruction with your other important documents, clearly marked and signed. Do not rely on placing such a provision in a will, which likely will be read after burial or cremation! In the State of Wisconsin, the Department of Health has a form, "authorization for Final Disposition" which allows someone to detail arrangements for a funeral or memorial (see "religious instructions"). Your own state may offer such a form. See sample: <http://www.dhs.wisconsin.gov/forms/advdirectives/f00086.pdf>

There are no orthodox rules or religious rites that must be followed. Isn't that nice?

Several freethinking reference books include:

Memorial Services For Women by Meg Bowman

A Humanist Funeral Service by Corliss Lamont

Funerals Without God: A Practical Guide to Non-religious Funerals by Jane Wynne Willson

By Annie Laurie Gaylor, with thanks to Jane Esbensen and Bonnie Gutsch.

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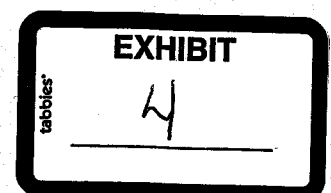
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SAMPLE SECULAR SERVICE

Music
Welcome
Selected Readings (if desired)
Tribute/Memorial Portrait/Eulogy (Prepared remarks)
Song or Music
Personal Memories (spontaneous memories shared by participants)
Song or Music
Closing Words or Thank You
Closing Music
Invitation to Reception

During the tribute or memorial portrait, a family member or a chosen speaker remembers the person who has died. This talk can incorporate personal anecdotes, achievements; whatever it is that best describes this person. Audience members can be invited to share memories.

You may wish to point out the skeptical views of the person being remembered. For example: _____ did not believe in life after death; _____ believed in life before death. But _____ does live on in a natural sense, in the memories of those who remain, _____'s children and grandchildren [if applicable], and in _____'s accomplishments. (This leads to the memorial portrait or tribute).

Most freethinkers craft their own unique program. A friendly colleague or family friend may officiate. Families personalize the event with picture boards or other memorial displays. Don't be afraid to be different. Even a favorite recipe of a good cook—brownies! etc.—can be distributed (or served). Talented friends or family can be included in the program. Songs, music, poems or sayings personal to the deceased can be featured. Many memorials provoke as much laughter as tears. Music can begin and end the event, and be interspersed throughout.

Note: If religious relatives are involved, you may wish to include a "moment of reflection" somewhere during the program to keep the peace. It's up to you.

Poetry and Readings

Many of the following poets/essayists were/are nonreligious/unorthodox.

In the following selections, feel free to change 'he/his' or 'she/her' as it applies.

In alphabetical order by author

Immortality
by Felix Adler, founder of Ethical Culture

The dead are not dead if we have loved them truly.
In our own lives we can give them a kind of immortality.
Let us arise and take up the work they have left unfinished.

Let There Be Light
by Philip Appleman

Is it
crossing over Jordan
to a city of light, archangels
ceaselessly trumpeting over
the heavenly choirs: perpetual Vivaldi,
jasper and endless topaz and amethyst,
the Sistine ceiling seven days a week,
the everlasting smirk
of perfection?

Is it
the river Styx,
darkness made visible, fire
that never stops: endless murder
too merciless to kill,
massacres on an endless loop,
the same old victims always
coming back for more?

Or is it the silky muck
 of Wabash and Maumee, the skirr
 and skim of blackbirds,
 fields of Queen Anne's lace
 and bumblebees? Well,
 go out once more, and feel
 the crumble of dry loam,
 fingers and soil slowly becoming
 the same truth: there in the hand
 is our kinship with oak, our bloodline
 to cattle. Imagine,
 not eons of boredom or pain,
 but honest earth-to-earth;
 and when our bodies rise again,
 they will be wildflowers, then rabbits,
 then wolves, singing a perfect love
 to the beautiful, meaningless moon.

The Dead
 by Rupert Brooke

Blow out, you bugles, over the rich Dead!
 There's none of these so lonely and poor of old,
 But, dying, has made us rarer gifts than gold.
 These laid the world away; poured out the red
 Sweet wine of youth; gave up the years to be
 Of work and joy, and that unhopd serene,
 That men call age; and those who would have been,
 Their sons, they gave their immortality.

Blow, bugles, blow! They brought us, for our dearth,
 Holiness, lacked so long, and Love, and Pain.
 Honor has come back, as a king, to earth,
 And paid his subjects with a royal wage;
 And Nobleness walks in our ways again;
 And we have come into our heritage.

These hearts were woven of human joys and cares,
 Washed marvelously with sorrow, swift to mirth.
 The years had given them kindness. Dawn was theirs,
 And sunset, and the colors of the earth.

These had seen movement, and heard music; known
 Slumber and waking; loved; gone proudly friended;
 Felt the quick stir of wonder; sat alone;
 Touched flowers and furs and cheeks. All this is ended.

There are waters blown by changing winds to laughter
 And lit by rich skies, all day. And after,
 Frost, with a gesture, stays the waves that dance
 And wandering loveliness. He leaves a white
 Unbroken glory, a gathered radiance,
 A width, a shining peace, under the night.

Continuance
 by Samuel Butler

I fall asleep in the full and certain hope
 That my slumber shall not be broken;
 And that, though I be all-forgetting,
 Yet shall I not be all-forgotten.
 But continue that life in the thoughts and deeds
 Of those I have loved.

Excerpt from Unweaving the Rainbow
 by Richard Dawkins

We are going to die, and that makes us the lucky ones. Most people are never going to die because they are never going to be born. The potential people who could have been here in my place but who will in fact never see the light of day outnumber the sand grains of Sahara. Certainly those unborn ghosts include greater poets than Keats, scientists greater than Newton. We know this because the set of possible people allowed by our DNA so massively outnumbers the set of actual people. In the teeth of these stupefying odds it is you and I, in our ordinariness, that are here.

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... we didn't arrive by spaceship, we arrived by being born, and we didn't burst conscious into the world but accumulated awareness gradually through babyhood. The fact that we gradually apprehend our world, rather than suddenly discovering it, should not subtract from its wonder.

Death Sets a Thing Significant
by Emily Dickinson

Death sets a thing significant
The eye had hurried by,
Except a perished creature
Entreat us tenderly
To ponder little workmanships
In crayon or in wool,
With "This was last her fingers did,"
Industrious until
The thimble weighed too heavy,
The stitches stopped themselves,
And then 't was put among the dust
Upon the closet shelves.
A book I have, a friend gave,
Whose pencil, here and there,
Had notched the place that pleased him,—
At rest his fingers are.
Now, when I read, I read not,
For interrupting tears
Obliterate the etchings
Too costly for repairs.

The Choir Invisible
by George Eliot

O may I join the choir invisible
Of those immortal dead who live again
In minds made better by their presence; live
In pulses stirred to generosity,
In deeds of daring rectitude, in scorn
Of miserable aims that end with self,
In thoughts sublime that pierce the night like stars,
And with their mild persistence urge men's minds
To vaster issues.

So to live is heaven:
To make undying music in the world,
Breathing a beauteous order that controls
With growing sway the growing life of man.
So we inherit that sweet purity
For which we struggled, failed and agonized
With widening retrospect that bred despair.
Rebellious flesh that would not be subdued,
A vicious parent shaming still its child,
Poor, anxious penitence is quick dissolved;
Its discords, quenched by meeting harmonies,
Die in the large and charitable air;
And all our rarer, better, truer self,
That sobbed religiously in yearning song,
That watched to ease the burden of the world,
Laboriously tracing what must be,
And what may yet be better—saw rather
A worthier image for the sanctuary
And shaped it forth before the multitude,
Divinely human, raising worship so
To higher reverence more mixed with love—
That better self shall live till human Time
Shall fold its eyelids, and the human sky
Be gathered like a scroll within the tomb
Unread for ever.

This is life to come,
Which martyred men have made more glorious
For us who strive to follow.

May I reach
That purest heaven—be to other souls
The cup of strength in some great agony,
Enkindle generous ardor, feed pure love,
Beget the smiles that have no cruelty,
Be the sweet presence of a good diffused,
And in diffusion ever more intense!
So shall I join the choir invisible
Whose music is the gladness of the world.

Epicurean Epitaph

I was not. I have been. I am not. I do not mind.

Death by Epicurus

Become accustomed to the belief that death is
nothing to us.
For all good and evil consist in sensation,
but death is deprivation of sensation.

And therefore a right understanding
that death is nothing to us
makes the mortality of life enjoyable,
not because it adds to it an infinite span of time,
but because it takes away the craving for immortality.

For there is nothing terrible in life for the man
who has truly comprehended
that there is nothing terrible
in not living.

Sing Well! by Joyce Grenfell

If I should die before the rest of you,
Break not a flower, nor inscribe a stone,
Nor, when I'm gone, speak in a Sunday voice,
But be the usual selves that I have known,
Weep if you must:
Parting is hell,
But life goes on
So . . . sing as well!

Leavetaking by Mary Lee Hill

If I should die and leave you here awhile,
Be not like others, sore undone, who keep
Long vigil by the silent dust and weep.
For my sake turn to life and smile,
Nerving thy heart and trembling hand to do
Something to comfort weaker hearts than thine.
Complete these dear unfinished tasks of mine,
And I, perchance, may therein comfort you.

Dear Lovely Death by Langston Hughes

Dear lovely Death
That taketh all things under wing
Never to kill
Only to change
Into some other thing
This suffering flesh,
To make it either more or less,
But not again the same
Dear lovely Death,
Change is thy other name.

At a Child's Grave
by Robert G. Ingersoll

I know how vain it is to gild a grief with words, and yet I wish to take from every grave its fear. Here in this world, where life and death are equal kings, all should be brave enough to meet what all the dead have met. The future has been filled with fear, stained and polluted by the heartless past. From the wondrous tree of life the buds and blossoms fall with ripened fruit, and in the common bed of earth, patriarchs and babes sleep side by side.

Why should we fear that which will come to all that is? We cannot tell, we do not know, which is the greater blessing—life or death. We cannot say that death is not a good. We do not know whether the grave is the end of this life, or the door of another, or whether the night here is not somewhere else a dawn. Neither can we tell which is the more fortunate—the child dying in its mother's arms, before its lips have learned to form a word, or he who journeys all the length of life's uneven road, painfully taking the last slow steps with staff and crutch.

Every cradle asks us "Whence?" and every coffin "Whither?" The poor barbarian, weeping above his dead, can answer these questions just as well as the robed priest of the most authentic creed. The tearful ignorance of the one, is as consoling as the learned and unmeaning words of the other. No man, standing where the horizon of a life has touched a grave, has any right to prophesy a future filled with pain and tears.

May be death gives all there is of worth to life. If those we press and strain within our arms could never die, perhaps that love would wither from the earth. May be this common fate treads out from the paths between our hearts the weeds of selfishness and hate. And I had rather live and love where death is king, than have eternal life where love is not. Another life is nought, unless we know and love again the ones who love us here.

They who stand with breaking hearts around this little grave, need have no fear. The larger and the nobler faith in all that is, and is to be, tells us that death, even at its worst, is only perfect rest. We know that through the common wants of life—the needs and duties of each hour—their grief will lessen day by day, until at last this grave will be to them a place of rest and peace—almost of joy. There is for them this consolation: The dead do not suffer. If they live again, their lives will surely be as good as ours. We have no fear. We are all children of the same mother, and the same fate awaits us all. We, too, have our religion, and it is this: Help for the living—Hope for the dead.

Love *
by Robert G. Ingersoll

Love is the only bow on life's dark cloud,
It is the morning and the evening star.
It shines upon the babe,
and sheds its radiance on the quiet tomb.
It is the mother of art, inspirer of poet,
patriot and philosopher.

Love is the air and light of every heart—
Builder of every home, kindler of every fire on every hearth.
It was the first to dream of immortality.
It fills the world with melody—
for music is the voice of love.

Love is the magician, the enchanter,
That changes worthless things to joy,
and makes right royal kings and queens
of common clay.

Love is the perfume of that wondrous flower, the heart;
And without that sacred passion, that divine swoon,
we are less than beasts;
But with love, earth is heaven, and we are gods.

*This is also a song that can be played at the ceremony—Dan Barker's Friendly Neighborhood Atheist CD.

Mystery of Life
by Robert G. Ingersoll

Before the sublime mystery of life and spirit,
the mystery of infinite space
and endless time, we stand in reverent awe . . .
This much we know:
we are at least one phase of the immortality of life.
The mighty stream of life flows on, and, in this mighty stream,
we too flow on . . .
not lost . . . but each eternally significant.
For this I feel: The spirit never betrays the person
who trusts it.

Physical life may be defeated but life goes on;
character survives,
goodness lives and love is immortal.

This Is the Silent Haven
by Robert G. Ingersoll

A thinker of pure thoughts, a speaker of brave words,
a doer of generous deeds has reached the silent haven
that all the dead have reached,
and where the voyage of every life must end; and we,
his friends, who even now are hastening after him,
are met to do the last kind acts that man may do for man—
to tell his virtues and to lay with tenderness
and tears his ashes in the sacred place of rest and peace.

The World Sweeps On
by Robert Ingersoll

A heart breaks, a person dies,
a leaf falls in the far forest,
a babe is born, and the great world sweeps on.
By the grave of all who have died stands the angel of Silence.

A Pindaric Ode
by Ben Jonson

It is not growing like a tree
In bulk, doth make men better be;
Or standing long an oak, three hundred year,
To fall a log at last, dry, bald, and sear:
A lily of a day
Is fairer far in May,
Although it fall and die that night;
It was the plant and flower of light.
In small proportions we just beauties see;
And in short measures, life may perfect be.

Our Lives Matter
by M. Maureen Killoran

We come together from the diversity of our grieving,
to gather in the warmth of this community
giving stubborn witness to our belief that
in times of sadness, there is room for laughter.
In times of darkness, there always will be light.
May we hold fast to the conviction
that what we do with our lives matters
and that a caring world is possible after all.

An Epitaph
by Walter de La Mare

Here lies a beautiful woman:
Light of step and heart was she;
I think she was the most beautiful woman
That ever was in this country.
But beauty vanishes; beauty passes;
However rare—rare it be;
And when I crumble, who will remember
This beautiful woman of this country?

No Single Thing Abides
by Lucretius, 96-55 BCE

No single thing abides; but all things flow.
Fragment to fragment clings—the things thus grow
Until we know and name them. By degrees
They melt, and are no more the things we know.

Globed from the atoms falling slow or swift
I see the suns, I see the systems lift

Their forms; and even the systems and the suns
Shall go back slowly to the eternal drift.

You too, oh earth—your empires, lands, and seas—
Least with your stars, of all the galaxies,
Globed from the drift like these, like these you too
Shall go. You are going, hour by hour, like these.

Nothing abides. The seas in delicate haze
Go off; those mooned sands forsake their place;
And where they are, shall other seas in turn
Mow with their scythes of whiteness other bays.

The seeds that once were we take flight and fly,
Winnowed to earth, or whirled along the sky,
Not lost but disunited. Life lives on.
It is the lives, the lives, the lives, that die.

Dirge Without Music
by Edna St. Vincent Millay

I am not resigned to the shutting away of loving hearts
in the hard ground.
So it is, and so it will be, for so it has been, time out of mind:
Into the darkness they go, the wise and the lovely. Crowned
With lilies and with laurel they go; but I am not resigned.

Lovers and thinkers, into the earth with you.
Be one with the dull, the indiscriminate dust.
A fragment of what you felt, of what you knew,
A formula, a phrase remains,—but the best is lost.

The answers quick and keen, the honest look, the laughter,
the love,—
They are gone. They are gone to feed the roses. Elegant and curled
Is the blossom. Fragrant is the blossom. I know.
But I do not approve.
More precious was the light in your eyes
than all the roses in the world.

Down, down, down into the darkness of the grave
Gently they go, the beautiful, the tender, the kind;
Quietly they go, the intelligent, the witty, the brave.
I know. But I do not approve. And I am not resigned.

Sonnet
by Elizabeth Morrow

Like treasure lost at sea, her loveliness
Lies buried now: unchanged, inviolate,
Beyond all sounding, glassy depths possess
That beauty; naught has perished small or great.
Far from this surface world of weeks and days,
The coming summer or the winter's cold,
Ineffably her own, a thousand ways
Rest in the dark of understanding, hold
Color and light against that other death
Oblivion. Sunk in silence they await
The moving tide of memory at whose breath
Waters divide above our doomed estate;
Her look, her laugh, her step upon the stair.
Leaping to life, incomparably fair.

And Why?
Native American Indian

You shall ask
What good are dead leaves
And I will tell you
They nourish the sore earth.
You shall ask
What reason is there for winter

And I will tell you
To bring about new leaves.
You shall ask
Why are the leaves so green
And I will tell you
Because they are rich with life.
You shall ask
Why must summer end
And I will tell you
So that leaves will die.

While You Live
Native American Indian

When I am dead
Cry for me a little,
Think of me sometimes
But not too much.
It is not good for you
Or your wife or your husband
Or your children
To allow your thoughts to dwell
Too long on the dead.
Think of me now and again
As I was in life
At some moment it is pleasant to recall,
But not for long.
Leave me in peace
And I shall leave you, too, in peace.
While you live
Let your thoughts be with the living.

Remember
by Christina Rossetti

Remember me when I am gone away,
Gone far away into the silent land;
When you can no more hold me by the hand,
Nor I half turn to go yet turning stay.

Remember me when no more day by day
You tell me of our future that you planned:
Only remember me; you understand
It will be late to counsel then or pray.

Yet if you should forget me for a while
And afterwards remember, do not grieve:
For if the darkness and corruption leave
A vestige of the thoughts that once I had,
Better by far you should forget and smile
Than that you should remember and be sad.

Song
by Christina Rossetti

When I am dead, my dearest,
Sing no sad songs for me;
Plant thou no roses at my head,
Nor shady cypress tree:
Be the green grass above me
With showers and dewdrops wet;
And if thou wilt, remember,
And if thou wilt, forget.

I shall not see the shadows,
I shall not feel the rain;
I shall not hear the nightingale
Sing on, as if in pain:

And dreaming through the twilight
That doth not rise nor set,

Haply I may remember,
And haply may forget.

Epitaph
by George Santayana

O Youth, O Beauty, ye who fed the flame
That here was quenched, breath not your lover's name.
He lies not here. Where'er ye dwell anew
He loves again, he dies again, in you.
Pluck the wild rose, and weave the laurel crown
To deck your glory, not his false renown.

To W.P.
by Santayana

With you a part of me has passed away;
For in the peopled forest of my mind
A tree made leafless by this wintry wind
Shall never don again its green array.

Chapel and fireside, country road and bay,
Have something of their friendliness resigned;
Another, if I would, I could not find,
And I am grown much older in a day.

But yet I treasure in my memory
Your gift of charity, and young heart's ease,
and the dear honor of your amity;
For these once mine, my life is rich with these.

I scarce know which part may greater be,
What I keep of you, or you rob from me.

On Suicide
by Arthur Schopenhauer

It is quite obvious that there is nothing in the world
to which every man has a more unassailable title
than to his own life and person.

I Choose
by Seneca, 5-65 BCE

If I can choose between a death of torture and one
that is simple and easy,
why should I not select the latter?
As I choose the ship in which I sail and the house
which I inhabit,
So will I choose the death by which I leave life.

Excerpt from Hamlet
by William Shakespeare

Hamlet: O, I die, Horatio;
The potent poison quite o'er—crows my spirit:
I cannot live to hear the news from England;
But I do prophesy the election lights
On Fortinbras: he has my dying voice;
So tell him, with the occurrents, more and less,
Which have solicited. The rest is silence.

[Dies]

Horatio: Now cracks a noble heart. Good night sweet prince.

Sonnet CVIII
by William Shakespeare

Not mine own fears, nor the prophetic soul
Of the wide world dreaming on things to come,

Can yet the lease of my true love control,
Supposed as forfeit to a confined doom.

The mortal moon hath her eclipse endured,
And the sad augurs mock their own presage;
Uncertainties now crown themselves assured,
And peace proclaims olives of endless age.

Now with the drops of this most balmy time
My love looks fresh, and Death to me subscribes,
Since, spite of him, I'll live in this poor rhyme,
While he insults o'er dull and speechless tribes:
and thou in this shalt find thy monument,
when tyrants' crests and tombs of brass are spent.

Adonais
by Percy Bysshe Shelley

He outsoared the shadow of our night.
Envy and calumny and hate and pain,
And that unrest which men miscall delight,
Can touch him not and torture not again.
From the contagion of the world's slow stain
He is secure; and now can never mourn
A heart grown cold, a head grown gray in vain—
Nor, when the spirit's self has ceased to burn,
With sparkless ashes load an unlamented urn.

Prometheus Unbound
by Percy Bysshe Shelley

Gentleness, Virtue, Wisdom, and Endurance,
These are the seals of that most firm assurance
Which bars the pit over Destruction's strength;
And if, with infirm hand, Eternity,
Mother of many acts and hours, should free
The serpent that would clasp her with his length;
These are the spells by which to reassume
An empire o'er the disentangled doom.

To suffer woes which Hope thinks infinite;
To forgive wrongs darker than death or night;
To defy Power, which seems omnipotent;
To love, and bear; to hope till Hope creates
From its own wreck the thing it contemplates;
Neither to change, nor falter, nor repent;
This, like glory, Titan, is to be
Good, great and joyous, beautiful and free;
This is alone Life, Joy, Empire, and Victory.

Heritage
by Theodore Spencer

What fills the heart of a man
Is not that his life must fade,
But that out of his dark there can
A light like a rose be made,
That seeing a snow-flake fall
His heart is lifted up,
That hearing a meadow-lark call
For a moment he will stop
To rejoice in the musical air
To delight in the fertile earth
And the flourishing everywhere
Of spring and spring's rebirth.
And never a woman or man
Walked through their quickening hours
But found for some brief span
An interval of flowers,
Where love for a man or woman
So captured the heart's beat
That they and all things human

Danced on rapturous feet.
And though, for man, love dies,
And the rose has flowered in vain,
The rose to his children's eyes
Will flower again, again,
Will flower again out of shadow
To make the brief heart sing,
And the meadowlark from the meadow
Will call again in spring.

The Faerie Queen
by Edmund Spenser

What if some little paine the passage have,
That makes fraile flesh to feare the bitter wave?
Is not short paine well borne, that brings long ease,
And lays the soul to sleep in quiet grave?
Sleep after toyle, port after stormie seas,
Ease after warre, death after life does greatly please . . .

Requiem
by Robert Louis Stevenson

Under the wide and starry sky,
Dig the grave and let me lie:
Glad did I live and gladly die,
And I laid me down with a will.

This be the verse you, 'grave for me:
Here he lies where he long'd to be;
Home is the sailor, home from the sea,
And the hunter home from the hill.

From the Garden of Proserpine
by Algernon Charles Swinburne

We are not sure of sorrow,
And joy was never sure;
To-day will die to-morrow;
Time stoops to no man's lure;
And love, grown faint and fretful,
With lips but half regretful
Sighs, and with eyes forgetful
Weeps that no loves endure.

From too much love of living,
From hope and fear set free,
We thank with brief thanksgiving
Whatever gods may be
That no life lives for ever;
That dead men rise up never;
That even the weariest river
Winds somewhere safe to sea.

Then star nor sun shall waken,
Nor any change of light:
Nor sound of waters shaken,
Nor any sound or sight:
Nor wintry leaves nor vernal,

Nor days nor things diurnal;
Only the sleep eternal
In an eternal night.

Into the Heart
by Rabindranath Tagore

This song of mine will wind its music around you
like the fond arms of love
This song of mine will touch your forehead
like a kiss of blessing.
When you are alone it will sit by your side

and whisper in your ear;
 When you are in a crowd it will fence you in with aloofness.
 My song will be like a pair of wings to your dreams;
 It will transport your heart to the verge of the unknown.
 It will be like a faithful star overhead
 when dark night is over your road.
 My song will sit in the pupils of your eyes,
 and will carry your sight into the
 heart of things.
 And when my voice is silent in death,
 my song will speak in your living heart.

As Sometimes in a Dead One's Face
 by Lord Alfred Tennyson

As sometimes in a dead one's face,
 To those that watch it move and more,
 A likeness, hardly seen before,
 Comes out—to someone of the race.

So, dearest, now thy brows are cold,
 I see thee what thou art, and know
 Thy likeness to the wise below,
 Thy kindred with the great of old.

But there is more than I can see,
 And what I see I leave unsaid,
 Nor speak it, knowing Death has made
 All darkness beautiful with thee.

To Toussaint L'Ouverture
 by William Wordsworth

... Thou has left behind
 Powers that will work for thee; air, earth and skies;
 There's not a breathing of the common wind
 That will forget thee; thou hast great allies;
 Thy friends are exultations, agonies,
 And love, and man's unconquerable mind.

References:
 Memorial Services For Women by Meg Bowman
 A Humanist Funeral Service by Corliss Lamont
 Funerals Without God: A Practical Guide to Non-religious Funerals by Jane Wynne Willson

MUSIC SUGGESTIONS

The favorite music of the person being memorialized is an obvious choice, and/or family favorites. There is no right or wrong. Foundation member (and brave church/state plaintiff) Phyllis Grams, who was known for being organized and fearless, planned her own memorial service down to the final period, and chose as her selection a Frank Sinatra recording of "I Did It My Way" (causing a roomful of friends to erupt in affectionate laughter).

If you want your memorial service to include the music of freethinkers, please note the impressive roster of classical composers (and popular standards composers) who have been free of religion. (They may have been commissioned to write requiems, etc., but that was because the wealthiest clients were often churches and religious monarchs)! Nonreligious composers include: Faure, Bizet, Berlioz, Brahms, Copland, Debussy, Delius ("Over the Hills and Far Away"), and Verdi. Classical composers who were not devoutly religious, rejected church teachings, or who were Deists include Beethoven, Mozart, and Tchaikovsky. Chopin was not an atheist, but he had given up the Catholic Church at his death.

Songwriters who are/were not religious: Gershwins, Irving Berlin, Richard Rodgers, Hammerstein, Stephen Sondheim and Scott Joplin. The lyrics to "Somewhere Over the Rainbow," a comforting song that is a favorite worldwide, were written by atheist Yip Harburg. "Imagine," by John Lennon, is another international favorite. Robert Burns was also an irreverent Deist who wrote many beautiful and meaningful songs.

Other ideas: "Danny Boy," "To a Wild Rose" from Woodland Sketches by Edward Alexander MacDowell; "Wandering Westward" from Mark Twain by Jerome Kern; Fifth Symphony (New World), Second Movement, first third by Antonin Dvorak (a believer but he wrote beautiful music); "The Last Spring" by Edvard Grieg, Eine Kleine Nachtmusik by Wolfgang Amadeus Mozart, Old Man River by Jerome Kern.

A Freethought Epitaph

Below is a suggestion by Foundation Member Andrew Gaylor:

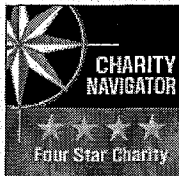
In contrast to the ponderous paeons to an imaginary deity and the unfamiliar descriptions of the deceased that accompany the death of a religionist stand these rapturous words of Wall Whitman, which could serve as a lovely memorial for a life-embracing freethinker:

I depart as air, I shake my white locks at the runaway sun,
I effuse my flesh in eddies, and drift it in lacy jags.
I bequeath myself to the dirt to grow from the grass I love,
If you want me again look for me under your boot-soles,
You will hardly know who I am or what I mean,
But I shall be good health to you nevertheless,
And filter and fibre your blood.
Falling to fetch me at first keep encouraged,
Missing me one place search another,
I stop somewhere waiting for you.

Leaves of Grass, 1891



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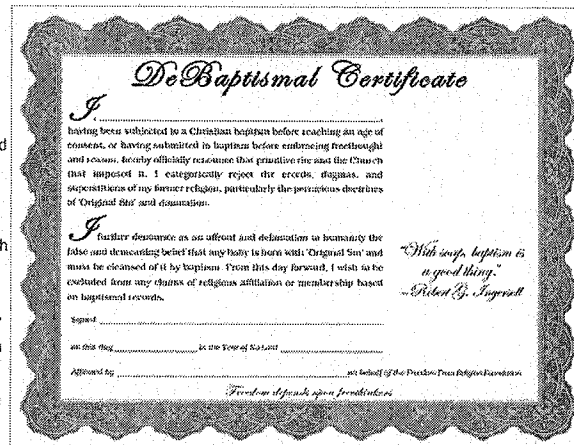
DeBaptism Certificate

• Download the free DeBaptism Certificate (minus embossed seal, Dan's signature)

• Buy 2 copies (or more!) with embossed seal, and Dan's "authoritative" signature.

Still smarting over having been dunked in a church baptismal tub at age 12? Indignant that a congregation still claims you as a believer based on baptismal records? Wishing you could formally renounce a religion that was imposed on you as a helpless babe in swaddling clothes?

The Freedom From Religion Foundation has the answer: a genuine "DeBaptism Certificate."



The certificate bears the tongue-in-cheek saying of 19th century freethinker Robert G. Ingersoll: "With soap, baptism is a good thing."

The certificate reads:

"I, having been subjected to a Christian baptism before reaching an age of consent, or having submitted to baptism before embracing freethought and reason, hereby officially renounce that primitive rite and the Church that imposed it. I categorically reject the creeds, dogmas, and superstitions of my former religion, particularly the pernicious doctrines of 'Original Sin' and damnation.

"I further denounce as an affront and defamatory to humanity the false and demeaning belief that any baby is born with 'Original Sin' and must be cleansed of it by baptism. From this day forward, I wish to be excluded from any claims of religious affiliation or membership based on baptismal records."

There's room for the debaptized's name, signature and date of debaptism "in the Year of No Lord." The certificate is signed by Dan Barker, a former ordained minister who is now co-president of the Freedom From Religion Foundation. The motto at the bottom reads: "Freedom depends upon freethinkers."

"With a majority of Foundation members growing up in religious homes," noted Annie Laurie Gaylor, Foundation co-president, "we know there are a lot of freethinkers out there who wish they could be debaptized." Annie Laurie, by the way, is one of the lucky 18% of FFRF members who grew up in a freethinking home and was spared baptism by water, fire or Sunday school.

"Although our DeBaptism Certificate has some light touches, we think it's time to spur some serious public debate over the meaning of baptism," Gaylor added. "We would like to remind the public that people have been killed, schisms fostered and 'holy' wars sparked over debates on when to baptize and how to 'sprinkle' babies. Childhoods and peace of mind are still being blighted today by ignorant and vicious sermons promising hell and damnation as a punishment for not being baptized.

"It should be utterly repugnant to people of conscience to tarnish newborns with the idea of 'original sin' or to subject any child or young person to this primitive ritual."

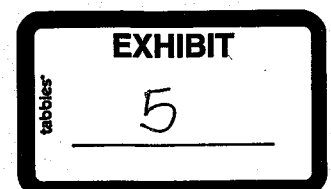
Two original embossed frameable copies on parchment signed by Dan Barker may be ordered online. Or send \$5 to FFRF, Attn: DeBaptism, Box 750, Madison WI 53701. Be the first on your block to frame a "DeBaptism Certificate!"

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