

FREEDOM FROM RELIGION *foundation*

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

December 16, 2020

SENT VIA EMAIL & U.S. MAIL: governor@govreeves.ms.gov

The Honorable Tate Reeves
Office of the Governor
P.O. Box 139
Jackson MS 39205

Re: “Statewide Day of Prayer, Humility, and Fasting” Proclamation

Dear Governor Reeves:

We are writing on behalf of the Freedom From Religion Foundation (FFRF) and our Mississippi membership to object to proclaiming Sunday, Dec. 20, as a “Statewide Day of Prayer, Humility, and Fasting” (see attached). FFRF is a national nonprofit organization with more than 33,000 members across the country, including members in Mississippi. FFRF’s purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

You will recall that we wrote to you in March and again in April regarding your previous unconstitutional requests to Mississippians to pray, leading them in prayer and reading from the bible on Facebook live on multiple occasions.

It has been reported that more than 4,200 Mississippians have died from complications of the virus and 185,643 in the state have contracted the virus since your first prayer requests back in March.¹ Yet, Governor Reeves, you have failed to issue a new statewide mandate on social distancing and mask-wearing, only mandating masks for certain counties. It is more than ironic that as head executive of your state you misguidedly feel you have the right in our secular nation to direct citizens to “pray together” over the pandemic, yet eschew directing them to follow science by taking basic secular precautions to prevent the spread of COVID-19.

During your Facebook live event announcing the proclamation, you directed all Mississippians to pray and read from the bible:

We know that there is power in prayer. In fact, it is what God commands us to do. In Romans 12:12, “Be joyful in hope, patient in affliction and faithful in prayer.” Today, I will sign a proclamation to declare a day of prayer, humility, and fasting on this upcoming

¹https://msdh.ms.gov/msdhsite/_static/14,0,420.html

Sunday, December 20. As we have done throughout the history of the country, we will go to the Lord and ask for His protective hand over us as we conclude the year 2020 and as we enter the years 2021. At this time I am going to ask Reverend David Tipton to read the proclamation and to offer a prayer.

Reverend Tipton read the proclamation, which included lines such as:

Whereas, we acknowledge our trust in God in times of distress and the continued need for God's wisdom and protection for our state and nation, and;

Whereas, scripture instructs that the beginning of wisdom is the fear of the Lord. We seek wisdom and will strive to walk humbly in reliance on God's providence so that we may act with justice, courage, kindness, and love through all circumstances and whereas, with trust in God, we the people of Mississippi, acknowledge our many rich blessings, recognize our own transgressions, and in the face of challenges that may lie in the days ahead, we further acknowledge the need to pause in humility to seek God's guidance, wisdom, and favor, and;

Whereas, as President Franklin Roosevelt led the nation in prayer, I ask that our people devote themselves in continuous prayer as we rise to each new day and again when each day is spent. Let words of prayer be on our lips invoking Thy help to our efforts;

Now therefore, I, Tate Reeves, Governor of Mississippi, do hereby proclaim December 20, 2020, as a voluntary day of prayer, humility, and fasting in the state of Mississippi. We encourage all citizens to join him in this worthy observance.

Reverend Tipton then led a prayer in the name of Jesus. You signed the proclamation and then asked Reverend Danny Powell to lead yet another prayer "to the one true God."

We believe it's important to be there for our health care professionals and those who have suffered harm and lost loved ones during these turbulent times. We also hope that everyone dealing with the effects of COVID-19 will persevere. But your repeated prayer requests and proclamations do nothing to help Mississippians actually deal with the pandemic. As governor, you have many tools to actually help protect Mississippians, and you should use these tools rather than misusing your office and state resources to promote your personal religious beliefs. Your repeated prayer requests, prayers, and bible readings are not only useless, but exclude many citizens who do not believe in a deity, much less one who answers prayer. They also constitute inappropriate endorsements of religion by the highest executive in the

state. We, *once again*, ask that you refrain from making these ineffective and exclusionary requests and proclamations, and instead take real, meaningful actions to ensure that the state's response to the pandemic is based on methods grounded in science that will protect our healthcare workers and the citizens of Mississippi.

The Establishment Clause of the First Amendment to the U.S. Constitution wisely prohibits government sponsorship of religious messages. The Supreme Court has said time and again that the "First Amendment mandates government neutrality between religion and religion, and between religion and nonreligion." *McCreary Cty., Ky. v. Am. Civil Liberties Union of Ky.*, 545 U.S. 844, 860 (2005); *Wallace v. Jaffree*, 472 U.S. 38, 53 (1985); *Epperson v. Ark.*, 393 U.S. 97, 104 (1968); *Everson v. Bd. of Educ. of Ewing*, 330 U.S. 1, 15-16 (1947). By issuing a proclamation calling on Mississippi citizens to pray, you abridge your duty to remain neutral and to respect the freedom of conscience of all your citizens. Whether to pray, and whether to believe in a god who answers prayer, is an intensely personal decision protected under our First Amendment as a matter of conscience.

Even if this proclamation is intended to include those of non-Christian faiths, which seems unlikely given the deluge of Christian prayers and references during your announcement event, it excludes those of no religious faith, as noted above. Nonreligious Americans make up the fastest growing segment of the U.S. population by religious identification — 35 percent of Americans are non-Christians,² and this includes the more than one in four Americans who now identify as religiously unaffiliated.³ Any prayer proclamation "sends the ancillary message to . . . nonadherents 'that they are outsiders, not full members of the political community, and an accompanying message to adherents that they are insiders, favored members of the political community.'" *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 309-310 (2000) (quoting *Lynch v. Donnelly*).

The separation between state and church is one of the most fundamental principles of our system of government. The Supreme Court has specifically stated, "If there is any fixed star in our constitutional constellation, it is that **no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein.**" *West Virginia Board of Education v. Barnette*, 319 U.S. 624, 642 (1943) (emphasis added). When the government urges its citizens to pray, reasonable citizens will interpret this as government endorsement of religion.

During times of crisis, citizens look for leadership. You were elected governor, not preacher. People look to you for civic leadership, not religious support. They may decide to turn to a church, but the state may not turn into a church. Using official state resources and the power of your office to ask citizens to pray and fast is a

² *In U.S., Decline of Christianity Continues at Rapid Pace*, PEW RESEARCH CENTER (Oct. 17, 2019), available at <https://www.pewforum.org/2019/10/17/in-u-s-decline-of-christianity-continues-at-rapid-pace/>.

³ *Id.*

misuse of your civil and secular authority. Instead you should be instructing Mississippians to stay at home, engage in social distancing, wear masks, and take other recommended precautions. It is incumbent on the governor to impart secular and medical advice, not religion. Your actions are not only inappropriate and unconstitutional, but counterproductive to public health.

In conclusion, we ask that you, as governor of Mississippi, remain cognizant that you have taken an oath to uphold and defend the U.S. Constitution, an entirely godless and secular document, and are charged with great responsibility over citizens, including those citizens who may not share your personal religious viewpoints. Leaving religion as a private matter for private citizens is the wisest public policy. Observing a strict separation of church and state offends no one and honors the First Amendment to the U.S. Constitution.

We appreciate your attention to this matter. We encourage you not only to stand up for the constitutional principle of the separation between state and church, which unites and protects all citizens, in good times and in bad, but to enact appropriate mandates on social distancing and masking.

And we leave you with the advice we offer all pious politicians — It's time to get off your knees and get to work.

Very truly,

A handwritten signature in blue ink, consisting of two names: "Annie Laurie Gaylor" and "Dan Barker". The signature is written in a cursive, flowing style.

Annie Laurie Gaylor & Dan Barker
Co-Presidents

ALG/DB:cal



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