

FREEDOM FROM RELIGION *foundation*

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

June 8, 2017

SENT BY EMAIL AND U.S. MAIL:
LaShonda.Hart@mecklenburgcountync.gov

Board of County Commissioners
Charlotte Mecklenburg Government Center
600 East 4th Street
Charlotte, NC 28202

Re: County's Ramadan proclamation inappropriate

Dear Chairwoman Scarborough and Members of the Board:

I am writing on behalf of the Freedom From Religion Foundation regarding a constitutional concern over the recent Ramadan proclamation issued by Mecklenburg's Board of County Commissioners. FFRF is a national nonprofit organization with more than 29,000 members across the country, including over 600 in North Carolina. Our purpose is to protect the constitutional principle of separation between state and church.

We have learned that on June 6, the County Board issued a resolution declaring May 26 – June 24 as “The Month of Ramadan” in Mecklenburg County. It is further reported that the resolution contained a series of declaratory statements by the Board, including that the purpose of the holiday is for Muslims to “become closer to God” and that “each day of fasting teaches the soul to struggle with the self.”

We recognize the Board's interest and responsibility to welcome minority groups into the Mecklenburg County community. But there are other, better ways to do this, which do not cross the line between religion and government. The County has exceeded its authority as a civil, secular government entity by impermissibly appearing to endorse religion, in violation of the Establishment Clause of the First Amendment.

The Establishment Clause 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 Cnty. v. American 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 an official proclamation recognizing an inherently religious holiday, the Board of Commissioners risks sending the message that the County endorses religion over nonreligion or Islam in particular above other faiths.

Some have observed that the government, including Mecklenburg County, observes other holidays with religious significance, e.g., closes on national holidays such as Dec. 25. But there is a fundamental difference between recognizing a holiday and celebrating the religious aspects of that holiday. The former is permissible while the latter violates the government's constitutional obligations. *See Cnty. of Allegheny v. Am. Civil Liberties Union Greater Pittsburgh Chapter*, 492 U.S. 573, 601 (1989) ("The government may acknowledge Christmas as a cultural phenomenon, but under the First Amendment it may not observe it as a Christian holy day by suggesting people praise God for the birth of Jesus.").

Several statements from the proclamation go beyond mere recognition of Ramadan as a cultural phenomenon. The resolution includes statements about drawing closer to "God," the revelations of the "Prophet Muhammad," and even the existence of a "soul," all without the qualification that these are mere beliefs of those who celebrate the holiday. The government must scrupulously avoid making declarations as to the veracity of religious beliefs.

FFRF has likewise objected in the past to county proclamations around the country that laud Christianity or its holidays in ways that appear devotional, promotional, or cheerleading, or that appear to confer the government's blessing upon a particular religion or denomination. In order to avoid the appearance of religious endorsement, the Board of County Commissioners must take steps to disassociate the County from promotion of religious beliefs, whether espoused by Muslims, Christians, Jews, Hindus, Satanists, or others.

By the way, we have never heard of a county declaring "A Month of Atheism" or a "Day of Dissent from Religion" even though atheists and agnostics now make up 7% of the total U.S. population, which is more than Mormons, Jews, Hindus, Muslims, Jehovah's Witnesses, and Buddhists combined.¹ Imagine the uproar! Religious proclamations are equally inappropriate. County boards should stay out of the religion business, which is divisive and beyond their scope.

It was a mistake to pass this proclamation with this wording. We urge that this not become an annual violation of the First Amendment. May we hear from you at your earliest convenience?

Very truly,



Annie Laurie Gaylor
Co-President
Freedom From Religion Foundation
ALG:stg

¹ *America's Changing Religious Landscape*, PEW RESEARCH CENTER (May 12, 2015), available at www.pewforum.org/2015/05/12/americas-changing-religious-landscape/.