

FREEDOM FROM RELIGION *foundation*

P.O. BOX 750 · MADISON, WI 53701 · (608) 256-8900 · WWW.FFRF.ORG
January 15, 2015

SENT VIA MAIL & EMAIL: rprice@winfieldcity.org

Randy Price
Mayor, City of Winfield
P.O. Box 399
Winfield, AL 35594

Re: Proclamation declaring Winfield for your personal god

Dear Mayor Price:

It's dismaying that the mayor of an American city would officially declare that city the property of his personal god. Such a proclamation might be expected in a theocracy, but not in the country that invented the separation of state and church. I write on behalf of the Freedom From Religion Foundation to object to this proclamation. FFRF is a state-church watchdog with more than 21,500 members, with 200 members in Alabama, including Winfield, and a state chapter, the Alabama Freethought Association. FFRF protects the Establishment Clause and educates the public about matters relating to nontheism.

The official resolution declares that:

- ... God is the owner of the City of Winfield and that it is a City under God. ... that at all times, He is in control.
- ... through His leadership, the Mayor and City Council will seek his wisdom and knowledge to be good stewards of the city.
- ... through prayer, with His guidance and presence, that we will be able to trust that no problem will be too large or too small to overcome.
- ... the City of Winfield is where it is today because of God's grace and mercy.
- ... at all times and in all circumstances, His will shall be done.
- ... to God be the glory.

We understand you believe the response has been positive overall.¹ Of course pandering to the Christian majority is popular—that's why it's called pandering. But those who are serious about their faith should be alarmed when politicians cheapen their religion by using it as a political trick designed to score points with voters. Certainly the Father of the Constitution, James Madison, would not approve. Madison thought, "to employ Religion as an engine of Civil policy" was "an unhallowed perversion of the means of salvation."² He also thought "Religion and government will both exist in greater purity, the less they are mixed together."³

¹ Kelly Kazek, *AL.com* article, January 6, 2015, available at http://www.al.com/news/index.ssf/2015/01/reaction_mostly_positive_after.html

² *A Memorial and Remonstrance Against Religious Assessments*, Article 5.

³ Letter to Edward Livingston, July 10, 1822.

In the Virginia Statute for Religious Freedom (1786) Thomas Jefferson warned citizens about:

... the impious presumption of legislators and rulers, civil as well as ecclesiastical, who, being themselves but fallible and uninspired men have assumed dominion over the faith of others, setting up their own opinions and modes of thinking as the only true and infallible, and as such endeavoring to impose them on others...

We also understand that you think you are invoking the views of the founders, “Our forefathers said ‘One nation under God’ and we went so far away from that.” None of the founders uttered that phrase. It did not appear on coinage until 1864, the height of the Civil War, at the urging of a preacher. That’s more than 75 years after the Constitution was written and ratified. It wasn’t added to paper currency until the red scare of the 1950s when it replaced a truly unifying motto, *E pluribus unum*.

We further understand that you’ve claimed, “... our forefathers tried to build a nation on Christian principles.” I’d be surprised if you can name *one* uniquely Christian principle upon which the United States was founded. As I have shown on many occasions, the idea that America was founded on Judeo-Christian principles is a myth. See, e.g., <http://bit.ly/14wrkMc>.

Our nation is founded on a secular and godless constitution, not a religion. That constitution grants sovereignty to “We, the People,” not to a deity or a “holy book.” There is no mention of a deity, the bible, or the Ten Commandments in the U.S. Constitution. Its only references to religion are exclusionary, such as that there shall be no religious test for public office.

The proclamation has legal, factual, and moral problems.

Your proclamation is legally, factually, and morally problematic. First, It is a fundamental principle of the First Amendment that the government cannot in any way promote, advance, or otherwise endorse religion. The Supreme Court has said, “The touchstone for our analysis is the principle that the ‘First Amendment mandates governmental neutrality between religion and religion, and between religion and non-religion.’” *McCreary County v. ACLU*, 545 U.S. 844, 860 (2005), (quoting *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968); *Everson v. Board of Ed. of Ewing*, 330 U.S. 1, 15-16 (1947); *Wallace v. Jaffree*, 472 U.S. 38, 53 (1985)). Declaring a city for one particular religion clearly violates that principle. The Alabama Constitution contains a similar prohibition in Article 1, Section 3, “no religion shall be established by law; that no preference shall be given by law to any religious sect, society, denomination, or mode of worship...” Imagine for a moment if an American town had been declared the property of Allah. Would any Christian think that declaration constitutional?

Second, no supernatural being is in control of Winfield. If such a being exists, it is difficult to imagine why it would care about Winfield. This proclamation also smacks of abandonment. It looks like politicians with little or no idea of how to govern are seeking someone to assume their responsibilities. It looks like someone trying to abrogate his or her duty. The buck stops with the Mayor and Winfield City Council—they, not someone’s imaginary friend, are responsible for Winfield. If that responsibility seems too great, perhaps it’s time to look for another job.

God does not grant wisdom. Wisdom does not come to those who wait for it—we must seek out wisdom by consulting experts, reading books, analyzing our mistakes, conducting experiments and reasoning. We cannot expect supernatural beings to solve our problems. Nor should citizens expect their god to solve Winfield’s problems—that’s why they elected a mayor and city council.

FFRF’s advice is that pious politicians should get off their knees and get to work.

Third, this proclamation is immoral because it treats Christians as a favored class in Winfield. Religion is divisive, and declaring a city for one religion is even more so. Winfield used the full force and power of the government to send a message to every atheist, agnostic, Jew, Hindu, Buddhist, Muslim, Mormon—every non-Christian—that “they are outsiders, not full members of the political community, and an accompanying message to adherents that they are insiders, favored members of the political community.” *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O’Connor, J., concurring). This was exacerbated when you declared that “there are not enough godly people involved in day-to-day decisions.”⁴

Your proclamation takes a government established by “We the people” and declares it for a select group, excluding all others, including the nonreligious. Today 19% of adult Americans are nonreligious⁵ and 32% of Americans under the age of 29 are nonreligious.⁶ That 19% figure is up from 15% in 2007,⁷ and 7.5% in 1990.⁸

It is not within Winfield’s power to declare a city for the mayor’s particular god. The government must remain neutral on matters of religion. We ask for assurances that Winfield will not issue religious proclamations in the future.

Sincerely,



Andrew L. Seidel
Staff Attorney

⁴ Kazek, *supra* note 1.

⁵ The Pew Forum on Religion & Public Life, *Asian Americans: A Mosaic of Faiths*, 148 (July 2012), based on aggregated data from Pew Research Center for the People & the Press 2011 surveys. Available at <http://www.pewforum.org/Asian-Americans-A-Mosaic-of-Faiths-overview.aspx>.

⁶ “Nones on the Rise: One-in-Five Adults Have No Religious Affiliation,” Pew Research Center, The Pew Forum on Religion & Public Life (October 9, 2012) available at <http://www.pewforum.org/Unaffiliated/nones-on-the-rise.aspx>

⁷ *Id.*

⁸ Barry Kosmin, National Religious Identification Survey 1989-1990, available at <http://commons.trincoll.edu/aris/files/2013/11/ARIS-1990-report1.pdf>