

FREEDOM FROM RELIGION *foundation*

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August 6, 2021

The Honorable Bill Lee
Governor
State Capitol, 1st Floor
600 Dr. Martin Luther King, Jr. Blvd.
Nashville, TN 37243

Re: Divisive religious promotion on social media

Dear Governor Lee:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to alert you to citizen concerns over the promotion of religion on your official gubernatorial Twitter, Facebook, and YouTube accounts. FFRF is a nationwide nonprofit organization with more than 35,000 members across the country, including more than 400 members and a local chapter in Tennessee. Our purposes are to protect the constitutional separation between state and church, and to educate the public on matters related to nontheism.

A concerned Tennessee resident contacted us to report that you regularly post religious messages on your official Facebook, Twitter, and YouTube accounts. For instance, a post on your official Twitter from December 25, 2019 quotes Luke 2.14, “Glory to God in the highest, and on earth peace, good will toward men.” A May 6, 2021 post on your official Facebook account quotes Psalms 90, “Let the favor of our Lord God be upon us, and establish the work of our hands upon us; yes, establish the work of our hands.” These are just a few examples of dozens of religious posts you have made over the past three years. Please see the attached screenshots, which include these and many more.

As governor, you represent a diverse population that consists of not only Christians, but also minority religious and nonreligious citizens. Religious endorsements made in your official capacity send a message that excludes the 30% of Americans who are non-Christians,¹ either practicing a minority religion or no religion at all, and the 44% of millennials and younger Americans who are non-Christian.² Religious endorsements coming from your office needlessly alienate the non-Christian and nonreligious citizens you represent, turning them into political outsiders in their own community.

It would be entirely possible, of course, for you to send uplifting and motivational messages to your constituents without ostracizing a significant portion of those you represent. By couching your sentiments in exclusively religious terms, and by quoting exclusively from one religion’s holy book, you unnecessarily exclude a significant portion of the community. Regardless of your intent, these social media posts send the message to your minority religious and nonreligious constituents that their participation in the political process is less valued than that of their Christian counterparts.

Sticking to secular messages is inclusive of everyone and honors our Constitution, the document you swore to uphold when you took your oath of office. It should be a matter of pride that the United States

¹ Robert P. Jones & Daniel Cox, *America’s Changing Religious Identity*, PUBLIC RELIGION RESEARCH INSTITUTE (Sept. 6, 2017), available at www.ppri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf.

² *America’s Changing Religious Landscape*, PEW RESEARCH CENTER (May 12, 2015), available at www.pewforum.org/2015/05/12/americas-changing-religious-landscape/.

was first among nations to adopt an entirely secular constitution, in which the only references to religion are exclusionary, such as barring religious tests for public office and separating religion from government. Our Constitution's Establishment Clause, which protects all Americans' religious freedom by ensuring the continued separation of religion and government, dictates that the government cannot in any way endorse religion. The First Amendment prohibits even the *appearance* of religious endorsement by government officials. *See, e.g., Capitol Square Review and Advisory Bd. v. Pinette*, 515 U.S. 753, 787 (1995) (Souter, J., concurring) ("Effects matter to the Establishment Clause, and one, principal way that we assess them is by asking whether the practice in question creates the appearance of endorsement to the reasonable observer."); *Cty. of Allegheny v. ACLU Greater Pittsburgh Chapter*, 492 U.S. 573, 593–94 (1989) ("The Establishment Clause, at the very least, prohibits government from appearing to take a position on questions of religious belief . . ."). Promoting your personal religious beliefs on your official social media pages violates your obligation under the Constitution as a public official.

The Supreme Court has described the power of social media sites as "the principal sources for knowing current events, checking ads for employment, speaking and listening in the modern public square, and otherwise exploring the vast realms of human thought and knowledge." *Packingham v. North Carolina*, 137 S. Ct. 1730, 1737 (2017) (internal citations omitted). Government officials must be particularly diligent not to entangle their personal religious beliefs with official government pronouncements made in this "modern public square."

Even the private social media accounts of people who assume government office can become accounts that speak for the government, unless these officers carefully distinguish their public and private roles. Courts are willing to treat accounts that politicians believe to be private as official government accounts when they are used to disseminate official communications. *See, e.g., Hawaii v. Trump*, 859 F.3d 741, 773 n. 14 (9th Cir. 2017) (noting that the President's personal Twitter feed is composed of "official statements by the President of the United States"); *Davison v. Randall*, 912 F.3d 666 (4th Cir. 2019) (holding that chair of county supervisors acted under color of state law in maintaining "Chair Phyllis J. Randall" Facebook page); *Robinson v. Hunt Cty.*, 921 F.3d 440 (5th Cir. 2019) (finding that a county sheriff acted with final policymaking authority when he created a Sheriff's Office Facebook page). We see no legal reason why your social media pages would be treated differently.

Government officials can worship, pray, or quote any religious text they wish when acting in their personal capacities. But they are not permitted to provide prestige to their personal religion by lending a government office and government title to religious ideology. Their offices and titles belong to "We the people," not the offices' temporary occupants. As governor, you are charged with great responsibility and have been given significant trust by citizens of the great state of Tennessee, including those citizens who do not share your religious viewpoint. We ask that in the future you disassociate the Office of the Governor of Tennessee from your personal religious beliefs and refrain from posting religious messages on your official social media pages.

Sincerely,



Christopher Line
Staff Attorney
Freedom From Religion Foundation

Enclosures



Gov. Bill Lee  @GovBillLee · Dec 25, 2019

...


"Glory to God in the highest, and on earth peace, good will toward men."
Luke 2:14


From our family to yours, Maria and I wish all Tennesseans a Merry
Christmas & a joy-filled holiday season!



19 41 396



Gov. Bill Lee 

Public Official · May 6 · 

...


Sharing a special prayer that sits by my desk - Psalm 90:17
[#NationalDayofPrayer](#)




  2K

137 Comments 119 Shares

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Write a comment...



Michelle Campbell

Yes, when we seek His Kingdom First!
Keep your eyes on Him, so He will direct your path.
Praying for you!!!!
Gods opinion is the only opinion that matters.

   17



Gov. Bill Lee ✓ @GovBillLee · Mar 28

...

Happy **Palm Sunday**, Tennessee. This year, let's remember that God does some of His best work in difficult seasons and strengthens those whose hearts are fully committed to Him.

68

107

1K



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Gov. Bill Lee ✓ @GovBillLee · Dec 25, 2020

...

.@MariaLeeTN and I pray that Peace and Hope are found in the midst of this day. Merry **Christmas** and God bless our great state.

14

7

110



[Show this thread](#)



Gov. Bill Lee ✓ @GovBillLee · Dec 25, 2020

...

On this **Christmas** Day, we reflect on all the ways the Lord has carried our state this year, even through pain and struggles. Eternal hope remains steadfast, because of the birth of Him who we celebrate today.



37

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322



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Gov. Bill Lee  @GovBillLee · Nov 30, 2020

...

Tonight, [@MariaLeeTN](#) and I lit the annual **Christmas** tree at the TN State Capitol. This tradition is a great reminder of the **Christmas** season and the hope that comes with celebrating the birth of Christ.



56

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391



Gov. Bill Lee  @GovBillLee · Nov 24, 2020

...

No matter what challenges we face, with prayer and thanksgiving, we can make our requests known to **God**, and He will grant us peace.



202

131

804





Gov. Bill Lee  @GovBillLee · Oct 1, 2020

...

Prayer strengthens our families, our communities and our relationship with **God** himself.

[@MariaLeeTN](#) and I would like to invite all Tennesseans to join us for an official Day of Prayer and Fasting on Thursday, October 15th.



124

149

464



Gov. Bill Lee  @GovBillLee · Apr 12, 2020

...

While **Easter** looks different this year, we still remember God's promises for good and celebrate eternal hope today. Maria and I wish Tennesseans a joyful **Easter** and hearts filled with peace.



77

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910



Gov. Bill Lee  @GovBillLee · Jul 4, 2019

...

37. "And on the 8th day, **God** looked down on his planned paradise and said, 'I need a caretaker.' So **God** made a farmer." - Paul Harvey, 1978. I love that speech so much because I have a passion for farming and the rural way of life in America, but most especially rural Tennessee.

5

16

106





Gov. Bill Lee ✓

Public Official · April 4 · 🌐



As I contemplate the events of Holy Week, the sacrifice of Christ and His resurrection, I want to share an experience that had a profound impact on me.

At the end of last year, I requested a Presidential pardon for a man who had been imprisoned years ago and has since used his life to help men re-entering society from prison. One night, I was notified that the pardon had been granted. I called the man and informed him he had been pardoned. My words were met by a prolonged period of silence, then interrupted with sobs, then broken words of disbelief and unspeakable gratitude. He described how that pardon would change his life forever. No matter his admirable actions, his efforts at rehabilitation, his commitment - it took that pardon to give him freedom. And subsequent forgiveness and hope.

We're all in need of a clean slate, whether we recognize it or not. God alone, because of the sacrifice of His son, made a way for any person to be pardoned, to be forgiven and to be free. Today we celebrate the gift of an eternal pardon that is open to all of us - all you have to do is acknowledge and ask. May the Lord bless you and your family today.

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Bill Lee



3.1K

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Gov. Bill Lee ✓

Public Official · April 2 · 🌐



Maria and I join Tennesseans across the state to pause and reflect on the sacrifice He made. Have a blessed Good Friday, Tennessee.

Have a blessed
Good Friday



2.3K

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Michelle Campbell

To Him and Him alone are all glory and honor and praise



Gov. Bill Lee ✓

Public Official · March 28 · 🌐

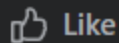


Happy Palm Sunday, Tennessee! This year, let's remember that God does some of His best work in difficult seasons and strengthens those whose hearts are fully committed to Him.



1.2K

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Sandy Carrel

Thank God for a governor who has a strong faith in God and is not afraid to speak of it! As a Tennessean, it calms my heart and gives me hope!

Like · Reply · 13w · Edited



12

↳ 1 Reply

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1 of 88



Gov. Bill Lee ✓

Public Official · March 27 · 🌐

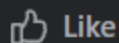


Wishing a happy and healthy Passover to every Tennessean celebrating tonight. Chag Sameach!



  518

72 Comments 41 Shares



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Write a comment...



Angela Gregory

Thank you! Wishing you the same. God bless~

Like · Reply · 13w

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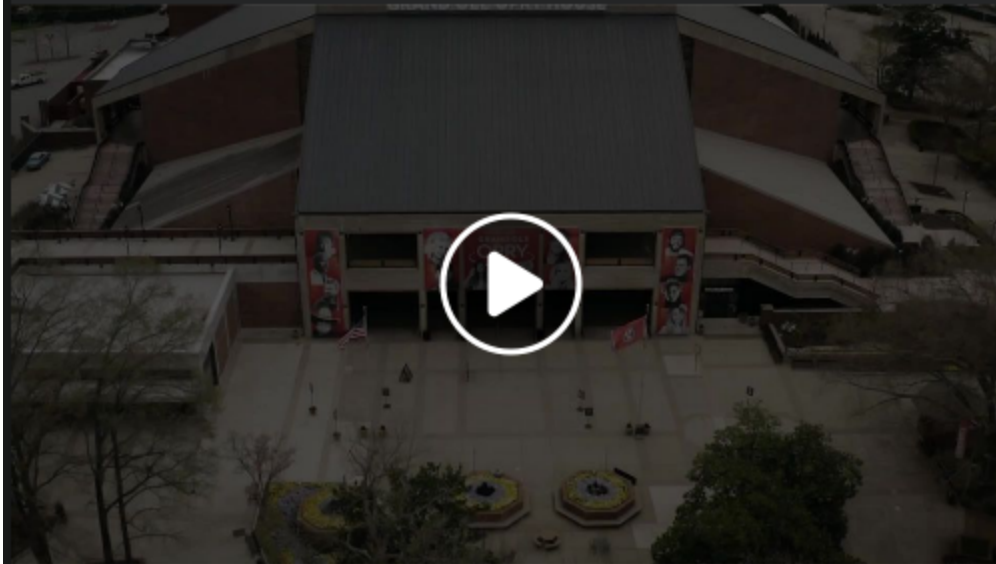
Gov. Bill Lee ✓

Public Official · March 27 · 🌐



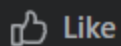
For 50 years, the Tennessee Prayer Breakfast has brought Tennesseans together for prayer, praise, and worship. Honored to be part of this year's event and join faith and community leaders from across our state.

: [Natalie Grant](#)

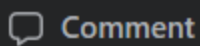


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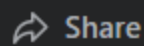
72 Comments 85 Shares



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Write a comment...



Michelle Campbell

Yes. Hopefully it is Spirit led. Praying God will lead, direct, give you wisdom, and discernment to lead well. Keep your eyes on the One True God. Be filled with the Holy Spirit. Stay grounded in the Word of God. Pray, pray pray.

Like · Reply · 13w



4



Gov. Bill Lee ✓

Public Official · March 24 · 🌐

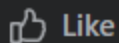


Wonderful time at the 46th Annual Tennessee Prayer Breakfast at the [Opry](#). I look forward to this event every year, and it was great to come together with so many Tennesseans for prayer, praise, and worship for our great state and communities.



👍❤️ 767

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Merry Christmas from Governor Bill Lee & First Lady Maria Lee

3,791 views • Dec 19, 2019

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Gov. Bill Lee

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Governor Bill Lee and First Lady Maria Lee wish all Tennesseans a Merry Christmas!