

FREEDOM FROM RELIGION *foundation*

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June 4, 2021

SENT VIA FAX & U.S. MAIL: 801-538-1133

The Office of Gov. Spencer J. Cox
350 N. State Street, Suite 200
P.O. Box 142220
Salt Lake City, UT 84114

Re: Unconstitutional “Weekend of Prayer” Proclamation

Dear Governor Cox:

We are writing on behalf of the Freedom From Religion Foundation (FFRF) and our Utah membership to object to your “Weekend of Prayer” declaration calling on all Utahns to pray for rain. FFRF is a national nonprofit organization with more than 36,000 members across the country. 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.

Multiple concerned Utah residents have reported to us that you have issued a declaration and official press release inviting all Utahns to join you in a weekend of prayer for rain to relieve Utah from the current drought. Your official website explains:

We need more rain and we need it now. We need some divine intervention. That’s why I’m asking Utahns of all faiths to join me in a weekend of prayer June 4 through the 6th.

In your declaration, you state: “Prayer is powerful and I encourage all Utahns regardless of religious affiliation to join together on this weekend of prayer...”

Many of our nonreligious members living in Utah are affected by this drought crisis. It is a helpless feeling to watch even from a distance. Our hearts go out to everyone affected. Yet that does not excuse the use of the civil and secular

gubernatorial office to sponsor a religious ritual, particularly such a useless one.

As Mark Twain said, “It is best to read the weather report before praying for rain.” It is inappropriate for Utah’s highest officials to rely on or encourage prayer as a solution to crises. It is the strong feeling of our membership that public officials are in error to boast that they have prayed about a problem, which is tantamount to doing nothing. Nothing fails like prayer. Wishful thinking cannot suspend natural law, much less cause precipitation. Utahns do not need prayers, they need real solutions.

Faith that the environment and rainfall are controlled by a supernatural deity who listens to our pleas is one of the stumbling blocks that prevents our country from addressing challenges underlying environmental disasters, such as global climate change.

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 declaration calling on Utah 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.

Though you encourage “all Utahns regardless of religious affiliation” to participate, this government-sponsored religious event still excludes those of no religious faith. Non-religious Americans make up the fastest growing segment of the U.S. population by religious identification—35 percent of Americans are non-Christians,¹ and this includes the more than one in four Americans who now identify as religiously unaffiliated.² Any prayer proclamation or activity “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

¹ *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/>.

² *Id.*

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.

As a matter of policy, an official weekend of prayer is inappropriate and unnecessary. Promotion of prayer by elected officials raises the distasteful appearance of political pandering to appeal to or appease a vocal religious constituency. As the state’s highest elected official, you are charged with great responsibility and have been given significant trust by citizens, including those citizens who may not share your personal religious viewpoints. Leaving prayer as a private matter for private citizens is the wisest public policy.

We request on behalf of our Utah members that in the future the Governor’s Office refrain from asking citizens to pray. We encourage you 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.

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