

FREEDOM FROM RELIGION *foundation*

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January 9, 2020

SENT VIA EMAIL AND U.S. MAIL

Pete.Ricketts@nebraska.gov

The Honorable Pete Ricketts
Office of the Governor
P.O. Box 94848
Lincoln, NE 68509

Re: Inappropriate Day of Prayer proclamation

Dear Governor Ricketts:

We are writing on behalf of the Freedom From Religion Foundation to object to your proclamation declaring a “Statewide Day of Prayer to End Abortion.” FFRF is a national nonprofit organization with over 30,000 members, including members in Nebraska who are highly offended by your proclamation. FFRF works to protect the constitutional principle of separation between state and church, as well as educating the public about matters related to nontheism.

We have written you twice in the last year about misusing gubernatorial proclamations to unconstitutionally promote Christianity. We wrote about your prayer proclamation declaring April 7, 2019, a “statewide day of prayer,” pointing out how divisive and unscientific it was. Last month, we wrote objecting to your Christmas proclamation, which excluded and alienated non-Christian Nebraskans. It violated the simple rule that: “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.” *Cty. of Allegheny v. Am. Civil Liberties Union Greater Pittsburgh Ch.*, 492 U.S. 573, 601 (1989).

Your recent proclamation declaring the anniversary of *Roe v. Wade* a “Statewide Day of Prayer to End Abortion” declares that it is “right and fitting that the citizens of the State of Nebraska are urged to pray for an end to abortion...” This proclamation is unconstitutional, un-American and simply wrong.

The Nebraska government has no business—and no power—to tell citizens when or whether to pray, much less what to pray about. Thomas Jefferson wrote that since “that the legitimate powers of government reach actions only, and not opinions, I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should ‘make no law respecting an establishment of religion, or prohibiting the free exercise thereof,’ thus building a wall of separation between Church & State.” Our Founders even rejected a proposal to pray during the constitutional convention, when they adopted our godless Constitution. The Constitution’s only references to religion are exclusionary, and granted sovereignty not to a deity, but to “We, the People.” Whether to pray, or believe in a god who answers prayer, is an intensely precious and personal decision protected under our First Amendment as a paramount matter of conscience.

In issuing this call to prayer, you have abridged the freedom of conscience of citizens in your state. Nor does the Nebraska Constitution empower the governor to act as a *muezzin* for the people.

Egregiously, your proclamation treats a constitutionally protected right—a right the U.S. Supreme Court recognized in *Roe v. Wade*—as though it were unlawful. The proclamation falsely declares that “Nebraska is a pro-life state.” In fact, more Nebraskans think abortion should be legal in all or most cases, 50 percent, than think it should be illegal, 46 percent.¹ You are erroneously declaring a minority anti-abortion position, based on a religious ideology, to be an official state policy.

Today, more than one-quarter of Americans, 26 percent, are religiously unaffiliated and nearly 30 percent are non-Christians, either practicing a minority religion or no religion at all.² A recent survey found that 21 percent of Americans born after 1999 are atheist or agnostic.³ It is actions like yours, displaying an overt Christian nationalism, a bend toward theocracy, that are contributing to the growing secularization of citizens who see the necessity of keeping religion out of government.

If you wish to be a “good Christian,” you should know that your bible says nothing about abortion. Not a word. However, in his Sermon on the Mount, Jesus condemned public prayers as hypocrisy: “When you pray, do not be like the

¹ *Religious Landscape Study*, “Views about abortion by state,” PEW RESEARCH CENTER (2014) available at <https://www.pewforum.org/religious-landscape-study/compare/views-about-abortion/by/state/>.

² Robert P. Jones & Daniel Cox, *America’s Changing Religious Identity*, Public Religion Research Institute (Sept. 6, 2017), available at www.prrri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf.

³ *Atheism Doubles Among Generation Z*, The Barna Group (Jan. 24, 2018), <https://www.barna.com/research/atheism-doubles-among-generation-z/>.

hypocrites, for they love to pray standing in the synagogues and on the street corners to be seen by others.” Matthew 6:5–6.

We would encourage you to get off your knees, and instead get to work to protect established constitutional rights, such as the right to privacy, instead of misusing your office to promote your personal religious views.

Very truly,

Handwritten signature in blue ink, reading "Annie Laurie Gaylor Dan Barker". The signature is written in a cursive style.

Annie Laurie Gaylor & Dan Barker
Co-Presidents

ALG/DB:als