

# FREEDOM FROM RELIGION *foundation*

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

August 3, 2022

**SENT VIA EMAIL & U.S. MAIL: senator.gaskill@iga.in.gov**

The Honorable Mike Gaskill  
Indiana State Senator  
Indiana State Capitol  
200 W. Washington St.  
Indianapolis, IN 46204

Re: Your oath is to our secular Constitution, not Jesus

Dear Senator Gaskill:

We are writing on behalf of the Freedom From Religion Foundation (FFRF) to object to divisive religious comments you recently made in connection with an egregious anti-abortion law under consideration by the Indiana State Senate. FFRF is a national nonprofit association with more than 38,000 members across the country, including members in Indiana. FFRF protects the constitutional separation between state and church and educates about nontheism.

It is our understanding that you recently made public comments about your support of Amendment No. 58, which would have removed exceptions for abortions caused by rape and incest from S.B. 1. You defended this amendment, noting that “Senators who vote for the amendment will face consequences, such as not being re-elected,” and piously declared, “I am up here today to represent Jesus. Please don’t villainize those of us that are going to vote for this amendment. . . We’re holding to our deeply held beliefs on what we think our lord and savior wants us to do.”<sup>1</sup>

While the near-total abortion ban of Amendment 58 did not pass, you went on to vote against S.B. 1, not to protect women’s bodily autonomy, but because the bill did not go far enough and included exceptions for rape and incest.

---

<sup>1</sup> Val Ellis, *State Senate votes down removal of rape, incest exceptions*, KPVI News (July 28, 2022), available at [https://www.kpvi.com/news/national\\_news/state-senate-votes-down-removal-of-rape-incest-exception/article\\_da965e3e-511a-5946-8144-afb28fee035e.html](https://www.kpvi.com/news/national_news/state-senate-votes-down-removal-of-rape-incest-exception/article_da965e3e-511a-5946-8144-afb28fee035e.html).

Senator Gaskill, your remarks are shocking. You took an oath of office “to support and defend” the U.S. Constitution, which is an entirely godless secular document. Your duty as an elected official is not to “represent Jesus” or do what you “think our lord and savior wants us to do,” but to the Constitution.

The United States and its elected officials should be proud that ours was first among nations to separate religion from government. The Constitution’s only references to religion are exclusionary, such as barring any religious test for public office. The First Amendment’s Establishment Clause separates church from state at the federal level, extended to state citizens by the 14th Amendment. This was a revolutionary and deliberate act by the Founders, who were aware of the centuries of wars, pogroms, inquisitions and crusades in the Old World, and of religiously-based persecution in almost all of the original colonies in the “New World.” Wanting no part of this, they purposefully adopted the first constitution in the world not predicated on a divinity, but on “We the People.”

Reproductive tyranny is a linchpin of all totalitarian regimes — and theocracies. Despite the U.S. Supreme Court’s decision to overturn *Roe v. Wade*, which upended a long-established constitutional right along with decades of precedent, state lawmakers should take immediate action to resist this religiously motivated assault on reproductive health care. Instead, you have shown a total disregard for imperiled Hoosiers, citing your personal religious beliefs to justify a denial of basic human rights.

Most Americans, and Hoosiers, do not share your radical religious views on abortion rights. More than six-in-ten Americans say abortion should be legal in all or most cases.<sup>2</sup> Non-religious Americans are the fastest-growing segment of the U.S. population by religious identification — 35 percent of Americans are non-Christians, and this includes nearly 30 percent of adult Americans who now identify as religiously unaffiliated.<sup>3</sup> A recent survey found that 21 percent of Americans born after 1999 are atheist or agnostic.<sup>4</sup>

---

<sup>2</sup> About Six-in-Ten Americans Say Abortion should be Legal in All or Most Cases, June 13, 2022 <https://www.pewresearch.org/fact-tank/2022/06/13/about-six-in-ten-americans-say-abortion-should-be-legal-in-all-or-most-cases-2/>

<sup>3</sup> About Three-In-Ten U.S. Adults are Now Religiously Unaffiliated, Pew Research Center, Dec. 14, 2021, <https://www.pewresearch.org/religion/2021/12/14/about-three-in-ten-u-s-adults-are-now-religiously-unaffiliated/>

<sup>4</sup> *Atheism Doubles Among Generation Z*, The Barna Group (Jan. 24, 2018), <https://www.barna.com/research/atheism-doubles-among-generation-z/>.

Attempting to impose your personal religious beliefs through your elected position is an insult to those Hoosiers, as well as to the core American values of bodily autonomy and separation of state and church. If you cannot honor your oath of office to protect and defend America's secular constitution, you should resign.

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:jam