

FREEDOM FROM RELIGION *foundation*

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

March 19, 2020

SENT VIA EMAIL:

lhammett@sumter-sc.com

The Honorable Joseph T. McElveen, Jr.
Mayor
City of Sumter, South Carolina
PO Box 1449
21 N. Main Street
Sumter, SC 29150

Re: Unconstitutional government endorsement of religion

Dear Mayor McElveen:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding your unconstitutional endorsement of religion in your official capacity. FFRF is a national nonprofit organization with more than 30,000 members across the country, including over 200 members in South Carolina. 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.

On March 18, 2020, we understand that you, in your official capacity as Mayor, issued a proclamation declaring “a special community-wide day of thanksgiving and prayer in Sumter.”¹ The proclamation, which features the official seal of the City of Sumter and names you in your capacity as Mayor, cites to exclusively Christian religious texts² and explicitly encourages citizens to engage in religious ritual when you “suggest that our citizens” pray for a laundry list of items. The proclamation also makes much of the claim that “the Sumter Community is a community where a great majority of citizens are men and women of faith.”

We request that you rescind this misguided proclamation and ensure the citizens from which your government derives its power that that you will be evenhanded regardless of their faith tradition or lack thereof.

¹ See Enclosures.

² The proclamation quotes James 2:17 (“Faith without works is dead.”) and Philippians 4:7 (“the peace that passes all understanding”).

As Mayor, you represent a diverse population that consists of not only Christians, but also atheists and agnostics who do not believe in prayer. Your proclamation urging citizens to pray made in your official capacity unabashedly promotes a religious event, sending an official message of endorsement of religion over non-religion and of exclusion to the 24 percent of Americans, including 38% of young Americans, who are not religious.³ It alienates non-Christians and nonbelievers in Sumter by turning them into political outsiders in their own community.

The Establishment Clause in the First Amendment to the U.S. Constitution 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 Cnty., Ky. v. Am. Civil Liberties Union of Ky.*, 545 U.S. 844, 860 (2005); *see also Wallace v. Jaffree*, 472 U.S. 38, 53 (1985); *Epperson v. Ark.*, 393 U.S. 97, 104 (1968); *Everson v. Board of Educ. of Ewing*, 330 U.S. 1, 15-16 (1947). Your proclamation and participation in this event in your official capacity sends the message that you, as Mayor, and the City of Sumter prefer and endorse the Christian faith. This violates the Establishment Clause of the First Amendment.

The separation between state and church is among 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 to God with a document that relies on scripture (and especially scripture of a single faith), reasonable citizens will interpret this as government endorsement of religion—here, Christianity.

Government officials may worship, pray, and participate in religious events in their personal capacities. But they may not provide credibility or prestige to their religion by lending a government office and government title to religious events. Their office and title belong to “We the people,” not the office’s temporary occupant. As Mayor, you have taken an oath of office to uphold the secular U.S. Constitution and must scrupulously avoid using your public office to promote or advance your personal religious beliefs.

As a matter of policy, government sponsorship of any Day of Prayer event is inappropriate and unnecessary. Promotion of prayer by elected officials raises the distasteful appearance of political pandering to appeal to or appease a vocal Christian evangelical constituency, and even when other faiths are included in prayer events, the nonbelievers are still excluded.

³ Robert P. Jones & Daniel Cox, *America’s Changing Religious Identity*, PUBLIC RELIGION RESEARCH INSTITUTE (Sept. 6, 2017), available at www.prii.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf.

As Mayor, 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. (As an aside: government action which may suggest that such civic duties require divine intervention hardly inspires public confidence.)

We appreciate the courtesy of your attention to this matter, and we encourage you to stand up for the precious constitutional principle of the separation between state and church, which unites and protects all citizens, believers and non-believers alike.

Very truly,

A handwritten signature in blue ink that reads "Annie Laurie Gaylor Dan Barker". The signature is written in a cursive, flowing style.

Dan Barker and Annie Laurie Gaylor
Co-Presidents

DB/ALG:BCJ

Enclosures



City of Sumter, South Carolina

2 hrs · 🌐



The Mayor is hosting a "Day of Thanksgiving and Prayer" Thursday, March 19. We ask all churches and people of faith to lift up prayers for God's protection over our community that we will have few infections and that those infected will survive and be restored to health. Thank you and may God continue to bless our Sumter community. Join us tomorrow! #SumterSC #covid19 <https://www.sumtersc.gov/news/city-sumter-covid-19-updates>



49

3 Comments 58 Shares

City of Sumter

South Carolina

roclamation

STATE OF SOUTH CAROLINA)
COUNTY OF SUMTER)
CITY OF SUMTER)

WHEREAS, the Sumter Community is a community where a great majority of citizens are men and women of faith and faith instructs their lives; and

WHEREAS, Sumter is a community whose citizens understand the importance of prayer as a source of guidance and healing, and a way to show gratitude and love for a merciful and omnipotent Creator; and

WHEREAS, when challenges arise in our lives, we in Sumter know that this is a time for more focused and plaintive prayer, and that individual and community prayers are needed to overcome such challenges; and

WHEREAS, we in Sumter will not be satisfied simply to pray for protection and deliverance from our challenges, realizing that "Faith without works is dead." (James 2:17), and that prayer can lead us to do works that turn our challenges into opportunities to display the heart of our faith; and

WHEREAS, Sumter, South Carolina, as well as our country and most of our world, are presently faced with a pandemic as a result of the virus known as Covid-19, and

WHEREAS, despite the threat of catastrophe that is possible with the spread of Covid-19, citizens in Sumter know that we have been blessed beyond expectation and certainly beyond our merit; and

WHEREAS, numerous churches of Sumter, through their pastors, the Mayor's Prayer Breakfast Committee, and other faith groups, believe that Sumter should have a special community-wide day of thanksgiving and prayer in Sumter.

NOW, THEREFORE, BE IT RESOLVED that:

Thursday, March 19, 2020, be proclaimed to be a special Community-wide Day of Thanksgiving and Prayer in Sumter, during which time all churches and people of faith are asked to lift up prayers thanking God for his many mercies and blessings, and to ask for deliverance from the threat of Covid-19 and the consequences that can arise from mass infection. In proclaiming the Day of Thanksgiving and Prayer, I am confident that our religious leaders will develop ways to implement this Community Day of Thanksgiving and Prayer effectively within the guidelines for assembly promulgated by relevant state and federal agencies. These leaders have asked that I suggest that our citizens:

- Pray for God's protection over our community, that we will have few infections, and that those infected will survive and be restored to health;
- Pray for healing for those who may be infected;
- Pray for wisdom for our local leaders and leaders at all levels;
- Pray for protection over front line providers at hospitals, doctor's offices, and nursing homes;
- Pray for protection over first responders, such as emergency medical technicians, law enforcement officers and firefighters;
- Pray for those most vulnerable to the virus, that they be spared;
- Pray that people in Sumter will find ways to show their faith by serving those in need; and

- Pray that the peace of God, "the peace that passes all understanding," (Philippians 4:7) calms every heart in Sumter.

BE IT FURTHER RESOLVED, that all members of the Sumter Community be encouraged to continue in prayer during the duration of this crisis;

AND BE IT FINALLY RESOLVED, that when this crisis has passed, the members of the Sumter Faith Community will give thanks to our Creator for hearing our prayers, meeting our needs, and will continue to serve the "least of these" and "love our neighbors as ourselves."

MAY GOD CONTINUE TO BLESS OUR SUMTER COMMUNITY!


Joseph T. McElveen, Jr., Mayor

ATTEST:


Linda D. Hammett, City Clerk

