

# FREEDOM FROM RELIGION *foundation*

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August 31, 2021

**SENT VIA EMAIL & U.S. MAIL: [commissioners@williamsoncounty-tn.gov](mailto:commissioners@williamsoncounty-tn.gov)**

Board of County Commissioners  
Williamson County  
1320 West Main Street  
Franklin, TN 37064

Re: Removal of Bible and Latin Cross from County Seal

Dear Williamson County Board of County Commissioners:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to urge you to remove the image of a Bible and Latin cross from the Williamson County seal. FFRF is a national 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 principle of separation between state and church, and to educate the public on matters relating to nontheism.

It is our understanding that in 2020, many Williamson County residents called for the retirement of the existing county seal due to the Confederate battle flag displayed inside the top-left of the seal. We understand that the County voted to remove the flag in October 2020, but that the change requires approval by the Tennessee Historical Commission. We understand that the Tennessee Historical Commission has yet to vote on this issue. A concerned Williamson County resident has alerted us to the fact that the current Williamson County seal also includes a bible and church window, which appears to also be a Latin cross representing Christianity. Please see the enclosed photo.

While the County is appropriately removing the Confederate flag and changing the seal in order to better represent and respect the citizens of Williamson County, we urge you to also remove the divisive religious image from the County seal, either by completely redesigning the seal, or getting rid of the seal entirely.

The inclusion of religious imagery, particularly imagery promoting Christian notions of religion, on the official Williamson County seal violates the Establishment Clause of the First Amendment. The Establishment Clause, “at the very least, prohibits government from appearing to take a position on questions of religious belief or from ‘making adherence to a religion relevant in any way to a person's standing in the political community.’” *Cnty. of Allegheny v. Am. Civil Liberties Union*, 492 U.S. 573, 594 (1989) (quoting *Lynch v. Donnelly*, 465 U.S. 668, 687 (1984)). The seal signals an endorsement of Christianity. This “sends a message to nonadherents that they are outsiders, not full members of the political community, and an accompanying message to adherents that they are insiders, favored members of the political community.” *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984).

Federal courts have ruled that religious symbols on official city logos or representations violate the Establishment Clause. The Williamson County seal design is akin to numerous other unconstitutional municipal representations:

- *Robinson v. City of Edmond*, 68 F.3d 1226 (10<sup>th</sup> Cir. 1995) (City seal containing Latin cross in one quadrant violated Establishment Clause);

- *Ellis v. City of La Mesa*, 990 F.2d 1518 (9<sup>th</sup> Cir. 1993) (City insignia depicting “well-known local feature” containing a Latin Cross violated the No Preference Clause of the California Constitution);
- *Harris v. City of Zion*, 927 F.2d 1401 (7<sup>th</sup> Cir. 1991) (Cities’ seals that included a Latin cross violated Establishment Clause);
- *Davies v. L.A. Cty. Bd. of Supervisors*, 2016 U.S. Dist. LEXIS 71693 (County placing a Latin Cross on the apex of the roof of the depiction of the San Gabriel Mission on the County seal violated Establishment Clause);
- *Friedman v. Board of County Com’rs of Bernalillo County*, 781 F.2d 777 (10<sup>th</sup> Cir. 1985) (Latin cross with Spanish motto meaning “With This We Conquer” on county seal violated Establishment Clause);
- *Webb v. City of Republic, Mo.*, 55 F. Supp. 2d 994 (W.D. Mo. 1999) (City seal with religious fish symbol in one quadrant violated Establishment Clause);
- *American Civil Liberties Union of Ohio, Inc. v. City of Stow*, 29 F.Supp.2d 845 (N.D. Ohio 1998)(Finding city seal containing Latin cross in one quadrant violated Establishment Clause).

In *Friedman* and *Robinson*, the Tenth Circuit Court of Appeals considered not just the particular message conveyed by the actual elements of the seal, but also its pervasiveness, “the seal ... pervades the daily lives of county residents. It is not displayed once a year for a brief period ... [but r]ather it appears on all county paperwork, on all county vehicles, even on county sheriff’s uniforms.’ We therefore concluded that the seal violated the Establishment Clause.” *Robinson*, 68 F.3d at 1231(internal citations omitted). Similarly, the County’s seal is an official representation of the County used for important County business.

Regardless of the unconstitutionality of the seal, as a matter of policy, the County should remove exclusionary religious images from its official representations as it has the exclusionary confederate flag image. Changing the seal would show the citizens of Williamson County that their County and its leadership do not favor any one religion or belief system. Nearly 30% of adults in the U.S. are non-Christian and 24% practice no religion at all.<sup>1</sup> By remaining neutral on matters of religion, the County would embrace the diversity of its citizens, including non-Christian religious citizens and citizens who are nonreligious.

We urge the County to adopt a new representation of the County that is inclusive of all citizens.

Sincerely,



Christopher Line  
Staff Attorney  
Freedom From Religion Foundation

Cc: Rogers Anderson, County Mayor via [rogers.anderson@williamsoncounty-tn.gov](mailto:rogers.anderson@williamsoncounty-tn.gov)

Enclosure

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<sup>1</sup> Robert P. Jones & Daniel Cox, *America’s Changing Religious Identity*, Public Religion Research Institute (Sept. 6, 2017), available at [www.prri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf](http://www.prri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf).

