



FREEDOM FROM RELIGION FOUNDATION

P.O. Box 750 • Madison WI 53701 • (608) 256-8900 • www.ffrf.org

November 19, 2010

SENT VIA FAX & U.S. MAIL
(772) 978-4790

The Honorable Jay Kramer
Mayor
Vero Beach
PO Box 1389
Vero Beach FL 32960

Re: Christian Heritage Week Proclamation

Dear Mayor Kramer and Members of the Council:

I am writing on behalf of concerned City of Vero Beach residents and taxpayers, and other Florida members of the Freedom From Religion Foundation ("FFRF") who strenuously object to the Vero Beach City Council's issuance of a Christian Heritage Week proclamation. FFRF is a national nonprofit organization working to protect the constitutional principle of separation between state and church. We represent nearly 16,000 members across the country including over 700 in Florida.

It is our information and understanding that earlier this week the City Council of Vero Beach ("Council") issued a proclamation designating next week (Nov. 21-27) "Christian Heritage Week." The proclamation, which is attached for your recollection, includes quotes from three of our founding fathers, including Presidents George Washington and Thomas Jefferson, and Virginia statesman George Mason. It further states, "Whereas, these and many other truly great men and women of American, giants in the structuring of American history, where Christian statesmen of caliber and integrity who did not hesitate to express their faith." The proclamation is affixed with the seals of the City of Vero Beach and the State of Florida.

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 County, Ky. v. American Civil Liberties Union of Ky.*, 545 U.S. 844, 860 (2005); *Wallace v. Jaffree*, 472 U.S. 38, 53 (1985); *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968); *Everson v. Board of Ed. of Ewing*, 330 U.S. 1, 15-16 (1947). By issuing a proclamation celebrating our country's "Christian heritage" the Council abridges its duty to remain neutral. The proclamation adopted on November 16th sends a message that the City Council of Vero Beach prefers and endorses the Christian faith.

The quote from George Washington in the proclamation is particularly troubling. Not only is our first president misquoted, but the quote also omits key wording and is generally misleading and taken out of context. This was taken from President George Washington's letter to the Roman

Catholics of the United States (1789) after they had congratulated him on being elected president. In his response — demonstrating as he consistently did a tolerance for all faiths — he wrote “And may the members of your society in America, animated alone by the pure spirit of Christianity, and conducting themselves as the faithful objects of our free government, enjoy every temporal and spiritual felicity.” President Washington is only enunciating a tolerance for all faiths, particularly the Catholics, at a time when anti-Catholic sentiment was strong.

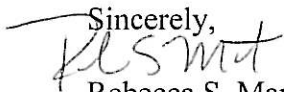
Furthermore, this proclamation perpetuates the myth that our country was founded as a Christian nation. This is patently false. As President John Adams noted, “...the government of the United States is not, in any sense, founded on the Christian religion...” Treaty of Tripoli (1797). It also ignores the reality that many of our founding fathers were not Christians — George Washington and Thomas Jefferson, who are quoted in your proclamation, were at most deists.

Moreover, the Council’s action excludes and offends a significant portion of the population, which is non-Christian or non-religious. This proclamation unconstitutionally “send[s] the ancillary message to members of the audience who are 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.’ ” *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 309-310 (2000)(quoting *Lynch v. Donnelly*).

Finally, the separation between state and church is among one of the most fundamental principles of our system of government. The United States Supreme Court has held that public officials may not seek to advance or promote religion. 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. Barnett*, 319 U.S. 624, 642 (1943)(emphasis added). Instead of issuing a proclamation celebrating a religious faith and group, the Council should instead issue proclamations celebrating our freedom of conscience and the separation between state and church. FFRF has enclosed a copy of a more appropriate Council proclamation for the week of November 21-27th which celebrates the First Amendment. Please find a copy of a draft proclamation enclosed.

As the elected body of City of Vero Beach, you are charged with great responsibility and have been given significant trust by its citizens, including those citizens who may not share your religious viewpoints. We ask that you rescind the “Christian Heritage Week” proclamation and refrain from issuing them in the future.

Sincerely,


Rebecca S. Markert
Staff Attorney

Enclosures

PROCLAMATION
DESIGNATING NOVEMBER 21 THROUGH NOVEMBER 27 AS
GIVE THANKS FOR STATE/CHURCH SEPARATION WEEK

Whereas, We have cause to give thanks to our nation's founders as our Constitution celebrates its two hundred and twenty first year as the world's longest-lived constitution ensuring liberty and justice for all;

Whereas, We reflect on the first Thanksgiving harvest feast in 1621, celebrated in gratitude to Native Americans by refugees to the shores of America;

Whereas, Many refugees to America were fleeing religious persecution, yet all but one of the original colonies soon embraced religious persecution, attempting to establish by law the religion of the majority--banning, arresting, jailing, even executing heretics or dissidents;

Whereas, The founders of the republic of the United States of America in 1789, wanting to avoid the religious wars, inquisitions, crusades, tyranny, persecution, and bloodshed that had devastated Europe and later the 13 Colonies, very purposefully and deliberately established the first nation in the history of the world to separate state from church, adopting an entirely secular Constitution;

Whereas, The Constitution's only references to religion in government are exclusionary, such as that there shall be no religious test for public office;

Whereas, The Establishment Clause of the First Amendment forbids any government support of religion, leaving citizens free to worship as they please or not at all;

Whereas, Tragic current events in this country and around the world attest to the urgent need to reaffirm and re-establish a strict separation of church and state;

Whereas, We can applaud our progress in rejecting religious persecution since the first Thanksgiving;

Now, therefore, let this Thanksgiving act as a reminder of the precious tradition of freedom of religion--and, if we so choose, freedom from religion--and the wisdom of keeping government and religion forever separate.

I _____ Mayor of _____ do hereby proclaim November 21-27, 2010 as

"Give Thanks For State/Church Separation" Week

in _____ and urge all citizens to honor the constitutional principle of separation of church and state, and to contemplate with reverence the vision of our founders in forming a nation where citizens, regardless of religion or irreligion, are equal before the law.



Proclamation



WHEREAS, *the Preamble to the Constitution of the State of Florida states that "We, the people of the State of Florida, being grateful to almighty God for our Constitutional liberty, in order to secure its benefits, do ordain and establish this Constitution"; and*

WHEREAS, *George Washington enunciated; "animated alone by the pure spirit of Christianity, and conducting ourselves as the faithful objects of our free government, we may enjoy every temporal and spiritual felicity"; and*

WHEREAS, *Thomas Jefferson, author of the Declaration of Independence, wrote: "Can the liberties of a Nation be secure when we have removed the conviction that these liberties are the gift of God"; and*

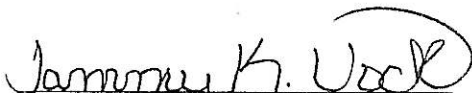
WHEREAS, *George Mason, in his Virginia Declaration of Rights; forerunner to our U.S. Bill of Rights, affirmed: "That it is the mutual right of all to practice Christian forbearance, love, and charity towards each other"; and*

WHEREAS, *these and many other truly great men and women of America, giants in the structuring of American history, were Christian statesmen of caliber and integrity who did not hesitate to express their faith.*


NOW, THEREFORE, *I Jay Kramer, Mayor of the City of Vero Beach, Florida, do hereby proclaim the week of November 21st through November 27th, 2010 as "CHRISTIAN HERITAGE WEEK".*


ATTEST:

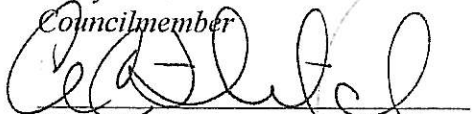
CITY OF VERO BEACH

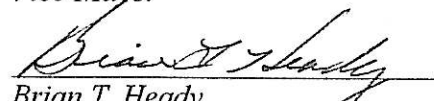

Tammy K. Vock
City Clerk


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Mayor


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Councilmember


Pilar E. Turner
Vice-Mayor


Craig Fletcher
Councilmember


Brian T. Heady
Councilmember