

## No Freedom of Religion Without Freedom From Government-Promoted Religion

In the May 23, 2002 edition of the Winchester Edition of the Daily Times Chronicle, Chris Connelly writes a Commentary in response to the "Open Letter" distributed by Winchester Citizens United for Separation of Church & State (WCU) at the May 20th Winchester Town Meeting. A copy of the Commentary may be found at, <http://www.winchesterunited.org/connelly-dtc.pdf>

Most of Connelly's commentary shows why most Americans are ill informed about their First Amendment rights, responsibilities, and history. Connelly starts by stating that John Sullivan's opening prayer is "non-denominational", implying that it is not an assault on the First Amendment. We would point out that the First Amendment says: "Congress shall make no law respecting an establishment of religion" It does NOT say "... respecting an establishment of a specific Christian denomination". Religion in the broadest sense is defined as "*a personal set or institutionalized system of attitudes, beliefs, and practices towards an ultimate reality or deity*". **There is no such thing as a non-denominational prayer.** A prayer itself assumes a specific theology. One that acknowledges a supernatural Deity who listens to humans. There are many religions which accept a Deity but do not accept this type of personal God, let alone the 30 million Americans who do not accept the existence of a supernatural deity altogether.

Connelly presumes, without research, that WCU is a "one person" organization. WCU is an affiliate of the Massachusetts Chapter of Americans United for Separation of Church & State (AU). The Massachusetts chapter has over 1,630 members and the national AU, founded in 1947, has over 61,000 members. The local WCU affiliate currently has a dozen members, six of whom are also TM Members. We have made no effort to publicize WCU.

Connelly also sees "numerous problems" with the anonymous "attack". The open letter was not "anonymous". We saw no need to list members names on our web pages. The website however gives a postal and email address. Mr. Connelly, or anyone else, could have contacted us for further information. Instead, he chose to write a commentary based only on his perception of WCU and the single handout. A second issue is his statement that "there is no such need in this case" for anonymity. In our experience, there certainly

may be. The issues of public prayers, the Pledge, and creationism, appear to bring out the worst in some otherwise peaceful religious people. Many members of AU have been harassed or threatened by people who are convinced that they have the only and true words from God. In good faith, we have assumed that our community is above this type of self righteous narrow-mindedness and that we can work together with respect and civility in understanding each others viewpoints.

Mr. Connelly appears to miss the crux of the problem with having John Sullivan lead a prayer. Connelly states that "*Sullivan is not pushing a town-sanctioned religion, but it is an exercise of his own First Amendment rights....*" Mr. Sullivan is free to exercise his First Amendment rights as a private citizen at any time and any place he wishes. However, when he steps into his elected governmental role as Town Moderator, he represents the town government and the entire citizenry of Winchester. In his governmental capacity as Town Moderator, he DOES NOT have the right to lead the Town Meeting in prayer. **By doing this, he is using his official position to promote his specific belief and religion** When he accepted his elected position, he accepted the responsibility of executing his duties in accordance with the laws of the Commonwealth and the United States. The First Amendment, via the Fourteenth, applies to all states and municipalities.

The opening prayer is not secular as Connelly would have us believe. Sullivan is not just reminding us to give our best. **He is appealing to a specific Deity whom he presumes is listening and will in some way affect the TM assembly.** Thus, from both the message of the prayer and the intended communicant, it is clear the opening prayer is religious and only incidentally secular. It endorses and promotes a specific belief system. The courts have long held that government may not promote one religion or religious theory over another. The opening prayer is unconstitutional on several counts. In *Engel vs. Vitale* 370 U.S.421(1962) Justice Hugo Black wrote "*...it is no part of the business of government to compose official prayers.*" It is also invalid, as some would argue, that the prayer simply serves to put the TM members into a thoughtful and serious mind for the meeting. The majority of the U.S. Supreme Court in *Abington vs. Schempp*, 374 U.S.203 (1963) wrote that "*... the state cannot employ religious means to serve otherwise legitimate secular interests.*"

However innocuous the opening prayer may seem to some, it runs counter to the First Amendment establishment clause and counter to the disestablishment tradition of the past two centuries. Thus, we believe the opening prayer at TM to be unconstitutional.

The late Town Meeting member, Sally Kincade, may indeed have felt the same way about this issue. We personally do not know if she was a non-theist or a very religious person who did not believe in public prayer. That she was forced to sit in protest during the opening prayer, is a forceful reminder of why the writers of the constitution put the "establishment" clause in the First Amendment. **No one engaged in government business should have to differentiate themselves in public on religious grounds.** The opening prayer asks "in effect" Do you believe in a personal Judeo/Islamic/Christian God? This is totally un-American and un-constitutional.

The First Amendment and the interpretation of "establishment" over the years, if they mean anything, mean that government or its functionaries can NOT promote a specific belief system using governmental authority. It seems to us that in this period of time, **if religious freedom means anything, it means NOT having a government official in this capacity lead you in a prayer of his choosing.** Mr. Sullivan and any TM member is free to pray wherever and whenever they want. Before or after the town meeting. Silently during the town meeting. But, they can NOT ask everyone gathered there for the TM to rise and be lead in a religious service.

Town Counsel Wade Welch said he has heard all sorts of opinions and has an "open mind about them all". However, his comment that this is not a promotion of a particular religion is wrong. How is this not a promotion of a particular religion? Again, a prayer presupposes a God who is listening. It presupposes the existence of a personal God. It promotes a theology which allows for direct communication with a supernatural Deity.

The fact that the House and Senate have opening prayers does not make it right or constitutional. Just as the fact that slavery was condoned for over ninety years; women did not vote for over a hundred and fifty years; or that African-Americans were treated as second-class citizens for over a hundred years, did not make it right. Mr. Welch goes on to point out that our money says "In God We Trust" on it. However, the original motto on our currency, "E Pluribus Unum" proposed by Jefferson, Adams, and Franklin, in 1776, was

unconstitutionally altered by Congress in 1956. Likewise, the words, "under God," did not appear in the Pledge of Allegiance until 1954, when Congress, under McCarthyism, ignored the First Amendment and inserted them.

WCU is composed of both people who are religious and some who are not. The issue here is not the existence or non-existence of God, but the First Amendment and the protection it gives all of us to believe or not believe in whatever we want. The bottom line is that none of us would agree to having any government official ask us to stand and pray if we did not agree with the prayer. The issue should never arise because this is America. We are free to pray in our homes, in our churches, synagogues, temples, or wherever and whenever we want. What we are not free to do is use the government to promote or support our religion. **No one in a governmental role is free to force any American to identify themselves as not agreeing with a religious belief or to silently participate in a religious ceremony.**

Connelly's closing paragraph, advice from a colleague, clearly shows why the founders of this country tried to insure that state and church remained separate and why we feel that this "wall of separation" must always be kept strong, he states, "...the anger and bitterness sparked by something like this could make the Sachem logo debate seem like a friendly chat." There should be no "anger and bitterness". It seems reasonable to us that we should be able to all agree that our government has no place in promoting any religious belief. **Government must be the impartial meeting ground where we can all gather and feel equally welcome.**

We look forward to talking with Mr. Sullivan and Mr. Welch and listening to their responses to our above points, and hopefully, coming to a better understanding of each other's views. If you have any questions about WCU or would like to join, please visit us at : [www.WinchesterUnited.org](http://www.WinchesterUnited.org)

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