Rechoboth Baptist Church

"A New Well of Living Water for Thirsty Hearts"

Alan Stewart, Senior Pastor

October 1, 2013

Mr. Andrew L. Seidel, Staff Attorney
Freedom From Religion Foundation
P.O. Box 750
Madison, WI 53701

Dear Mr. Seidel,

Please allow me to introduce myself. My name is Alan Stewart, and I am the Senior Pastor of Rechoboth Baptist Church in Soddy-Daisy, Tennessee, just outside of Chattanooga. Our church membership is just over 700 and is one of more than 46,000 Southern Baptist churches across America with 15.9 million members. The reason for my letter is to address the multiple objections made by the Freedom From Religion Foundation (FFRF) organization regarding prayer at school functions in our regional area, and one in particular which has involved me personally.

I like how the preamble begins in the Declaration of Independence: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men..." Our founding fathers believed there was a God who made man, and that God gave man rights which are to be protected by the government.

The FFRF's stated claim of purpose is "protecting the constitutional principle of the separation of church and state." The phrase "separation of church and state" is never found in any governing document, but the founding fathers of our nation did believe in a government that would not establish, financially support, or legislate the function of the church. So, rightly understood, they may have believed in "separation of church and state," but never for a moment did they believe in the separation of God and government.

Consider the *United States Supreme Court* decision in the 1952 case, *Zorach v. Clauson*, 343 U.S. 306 (1952), as delivered by Justice William O. Douglas. "The First Amendment, however, does not say that in every respect there shall be a separation of Church and State. Rather, it studiously defines the manner, the specific ways, in which there shall be no concert or union or dependency one on the other. That is the common sense of the matter. Otherwise the state and religion would be aliens to each other – hostile, suspicious, and even unfriendly...We are a religious people and our institutions presuppose a Supreme Being...When the state encourages religious instruction or cooperates with religious authorities by adjusting the schedule of public events to sectarian needs, it follows the best of our traditions. For it then respects the religious nature of our people and accommodates the public service to their spiritual needs. To hold that it may not would be to find in the Constitution a requirement that the government show a callous indifference to religious group. That would be preferring those who believe in no religion over those who do believe..."

When our founding fathers were voting to accept the wording of the First Amendment, it was Congressman Benjamin Huntington who verbalized a fear when he said, "The words might be taken in such latitude as to be extremely hurtful to the cause of religion." It would seem his fear has become a reality in our day. Huntington went on to say, "The amendment be made in such a way as to secure the rights of religion, but not to patronize those who professed no religion at all."

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The Constitution never meant that little children could not pray in school. An American ought to be free to pray anywhere, anytime. What our Bill of Rights stood for is that nobody should be forbidden to pray, and nobody should be coerced to pray. That's what American's stand for. In the 1969 case *Tinker v. Des Moines Independent School District,* 393 U.S. 503 (1969), the court stated, "It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate. [Student's right apply] in the cafeteria, or on the playing field, or on campus during authorized hours...School officials do not possess absolute authority over their students."

However, there are those who would say, "but the times have changed," and indeed they have. In our culture that boasts of being diverse, refined, and politically correct, the course of direction we have charted is one which allows pornographers and radical protestors to enjoy broad First Amendment protection while the display of a nativity scene is said to violate First Amendment values. It would seem the only thing no longer given equal protection by the First Amendment is anything that involves God.

I suppose the question that has been raised so often in our generation is this: "What if your offering a prayer is offensive to me?" It should be understood that a fundamental expectation of freedom is that one man's right of action may be deemed offensive to another man. However, the First Amendment has no provision to protect anyone from being offended at the right of another. Have we become such a thin-skinned society that laws, rules, and regulations have to be established to protect a minority of offended ones?

It seems that from those offended ones have risen some revisionists who would like somehow to extract all belief in God from our American way of life. But, you cannot do it. It is written into the fabric of who we are as Americans. As the *Zorach v. Clauson* court so eloquently stated, "we are a religious people whose institutions presuppose a Supreme Being." Do you wonder why the average work-week in America is Monday through Friday while the rest of the world is Sunday through Thursday? It is because the church celebrates the fact Jesus resurrected on the first day of the week. Every time you see a child walk across the stage receiving a diploma or a degree, you can thank the church which founded the school system of America. Every time a life is saved or a cancer is cured in a hospital, you can thank the church which founded the hospital institution in America. Every time justice is served in courtroom, you can thank the church which established the structure and laws for the judicial system of America. Perhaps that is why the Supreme Court declared in *Lee v. Weisman, 505, U.S.* 577 (1992), "A relentless and all-pervasive attempt to exclude religion from every aspect of public life could itself become inconsistent with the Constitution."

It is clear that the FFRF has presumed upon a fact that most Americans, including those within the Christian community, are not educated well enough to defend these issues and are prone to accepting at face value any written statement placed before them. Sadly, you are correct. However, as I have read through the noted objections of the FFRF, many of the citations used as a defense are either misapplied or misinterpreted. For example, it is stated that in the June 25, 1962 decision, *Engel vs. Vitale,* "declared prayers in public schools unconstitutional." That was not the decision rendered in that case. In that case, the state board of regents were writing prayers that were to be read in public schools in New York. The decision rendered by the Supreme Court was this: "It is not part of the business of government to compose official prayers for any group of the American people to recite as part of a religious program carried on by government."

It is then stated as a defense in the *Lee v. Weisman* decision, "ruled prayers at public school graduations an impermissible establishment of religion." Again, that was not the decision rendered. In that case, Jewish Rabbi Gutterman was asked to give a commencement prayer and it was ruled prayer could not be given by clergy at graduation ceremonies. In a strong dissenting opinion, the four dissenting Justices stated that invocations and benedictions may continue to be offered, provided a notice is included in the

commencement program that participation is voluntary. However, further clarification was given by the Supreme Court in their June 7, 1993 decision in the case of *Jones v. Clear Creek Independent School District* when they upheld the Fifth Circuit Court of Appeals decision permitting student-initiated prayer at high school graduation ceremonies, providing a majority of the class votes to do so. The court stated, "A majority of students can do what the State acting on its own cannot do to incorporate prayer in public high school graduation ceremonies."

As a further objection, it is stated that "including prayer and references to a Christian God (I took editorial liberties in changing the "g" to "G') at a school assembly is divisive and isolating." This gives the appearance of the FFRF taking a stand out of a concern for students. Now, there is a common ground upon which both of us can stand. It troubles me that in the last 20 years, there have been more deaths from school shootings than occurred in the first 203 years of our nation. It troubles me that one million teenage girls become pregnant every year. It troubles me that teenage drinking, illicit drug use, and suicide are on the rise. All of these issues are the tip of the iceberg when it comes to the things those in education must face on a daily basis. I know this first-hand, as my wife has been an educator for over 14 years. It is doubtful that we could ever stand together in this venture of what is truly best for children because the FFRF organization would risk exposing that the higher motive possessed is making inroads to further promote the agenda of the organization.

I am of the strong opinion that the actions of the FFRF organization are unconstitutional based upon Justice Tom Clark's declaration in the Supreme Court decision in the 1963 case, *School District of Abington Township vs. Schempp,* 374 U.S. 203 (1963). "Secularism is unconstitutional...preferring those who do not believe over those who do believe...It is the duty of government to deter no-belief religions...The State may not establish a 'religion of secularism' in the sense of affirmatively opposing or showing hostility to religion, thus preferring those who believe in no religion over those who do believe."

Based upon this declaration and the fact the FFRF has repeatedly used misinterpreted rulings by the Supreme Court as the basis for their intimidating demands, it is both right and proper that every school district, superintendent, principal, teacher, staff, and student affected by these actions receive an apology. My desire is to ensure our educational leaders are able to use their professional training, life skills, and experience to enrich and equip their students for life without the fear of retaliation and suppressing the dictates of their own conscience.

Sincerely,

Alan Stewart, Senior Pastor

cc: Mr. Dan Barker, Co-President of FFRF
Mrs. Annie Laurie Gaylor, Co-President of FFRF