

FREEDOM FROM RELIGION *foundation*

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SENT BY US MAIL & EMAIL TO: ray.cross@uwex.uwc.edu

Chancellor Ray Cross
UW Colleges and UW Extension
432 N. Lake St.
Madison, WI 53706

Re: Bibles in UW-Extension Conference Center Rooms

Dear Chancellor Cross:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to alert you to a constitutional concern regarding the placement of religious literature in the University of Wisconsin-Extension's Lowell Center guest rooms. FFRF is a national nonprofit organization with nearly 20,000 members nationwide, including more than 1,300 members in Wisconsin. Our purpose is to protect the constitutional principle of separation between state and church and to educate about nontheism.

It is our understanding that guest rooms in the Lowell Center contain bibles from Gideons International. We were contacted by a concerned complainant who informs us that the bibles are in every guest room. We understand that the bibles include a statement noting that they were placed by Gideons International. There are no other religious or nonreligious books in guest rooms.

It is a fundamental principle of Establishment Clause jurisprudence that a government entity cannot in any way promote, advance, or otherwise endorse religion. Permitting members of outside religious groups the privilege of placing their religious literature in public university guest rooms constitutes state endorsement and advancement of these Christian publications. Providing bibles to Lowell Center guests sends the message that the UW-Extension endorses the religious texts. Including bibles sends the message to non-Christian or non-religious guests that they should read the Gideon Bible. Certainly, if a guest wants to read this religious text during their stay, they can bring their own copy or access any of the numerous churches or libraries within walking distance of the Lowell Center. The State of Wisconsin should not promote certain religious beliefs by placing bibles in guest rooms.

State-run colleges have a constitutional obligation to remain neutral toward religion. When a government entity like the UW-Extension distributes such material to visitors, it has unconstitutionally entangled itself with a religious message, in this case a Christian message. State sponsorship of a religious message "is impermissible because it sends the ancillary message to members of the audience who are nonadherents 'that they are outsiders, not full members of the political community and 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, 309-10 (2001) (quoting *Lynch v. Donnelly*, 465 U.S. at 668) (O'Connor, J., concurring).

Such a practice alienates non-Christian guests whose religious beliefs are inconsistent with the message being promoted by the bibles, including the 19% of American adults who are non-religious and the 27% of American adults who are non-Christian. Distributing bibles for Gideons International also sends a sexist message, since the Gideons ban women from full membership. Additionally, the state's endorsement of one translation of the bible is not even representative of all Christians. Notably, Wisconsin courts long ago resolved disputes over state-sanctioned translations of the bible. *See State ex rel. Weiss v. Dist. Bd. of Sch. Dist. No. 8 of City of Edgerton*, 44 N.W. 967 (1890)(Holding that readings from the King James Bible in public schools constituted impermissible sectarian instruction under the Wisconsin Constitution.)

As you may know, the mission of the Gideons is to "win the lost for Christ." The Gideon Bible and the Gideons' efforts to proselytize have frequently brought about conflict with non-religious persons and persons from minority faiths. As the Seventh Circuit Court of Appeals has said, ". . . the Gideon Bible is unabashedly Christian. In permitting distribution of 'The New Testament of Our Lord and Savior Jesus Christ' along with limited excerpts from the Old Testament, the schools affront not only non-religious people but all those whose faiths, or lack of faith, does not encompass the New Testament." *Berger v. Rensselaer Central Sch. Corp.*, 982 F.2d 1160, 1170 (7th Cir. 1993).

Regardless of whether the bibles were donated by a private party, the placement of a holy book in guest rooms for guests to read demonstrates government endorsement of a religious message. It is legally insignificant that state money was not expended to purchase the bibles. *See e.g., Stone v. Graham*, 449 U.S. 39, 42 (1980) ("It does not matter that the posted copies of the Ten Commandments are financed by voluntary private contributions, for the mere posting of the copies under the auspices of the legislature provides the 'official support of the State . . . Government' that the Establishment Clause prohibits.").

We request that the UW-Extension immediately remove bibles from each guest room in the Lowell Center, Pyle Center, and all other UW-Extension guest facilities. Individuals, not the state, must determine what religious texts are worth reading. Please provide us with a written response outlining the actions that are being taken to remedy this constitutional violation.

Sincerely,



Patrick C. Elliott
Staff Attorney

PCE:stg

cc: Luis Fernandez, Facilities Management Director
(Via email: luis.fernandez@uwex.edu)