



# CONGRESSIONAL PRAYER CAUCUS FOUNDATION

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August 7, 2017

The Honorable Michael Hunter  
Attorney General  
Oklahoma Attorney General's Office  
313 NE 21st Street  
Oklahoma City, OK 73105

Dear General Hunter:

I have the honor of serving as the Executive Director of the Congressional Prayer Caucus Foundation. The Foundation serves nearly 100 members of Congress who are part of the Congressional Prayer Caucus (the names of those members of Congress who serve on the Congressional Prayer Advisory Team are listed on the left).

In addition, the Foundation serves Legislative Prayer Caucuses in 31 states, which have over 750 state senators and state representatives as members. These leaders are working together to preserve the integrity of our Founding Principles and to protect First Amendment rights for all.

We recently learned from news reports that an out-of-state organization threatened East Central University with a lawsuit, primarily due to the fact that Boswell Chapel's steeple bears a cross at its apex, has crosses within the building, features a Christian altar, and provides Bibles on display, which has been the case for approximately 60 years. We understand that you stood firm and pledged to defend the University against these threats. We applaud you, sir, and stand firmly beside you on this issue.

As you know, there is nothing within our Constitution or the laws of the United States or the decisions of the United States Supreme Court that requires all references to religion and its symbolism to be removed from public buildings and grounds. Our nation and its institutions are replete with such references and symbols, particularly Christian in nature, and some of these same symbols (particularly the cross) have broader meaning in the public at large.

Universities have a special duty to develop not only the minds of students, but also their social and cultural awareness. It is a "marketplace of

ideas" as the Supreme Court noted in *Healy v. James*, 408 U.S. 169, 180 (1972). In keeping with this mission, institutions of higher learning have an obligation to ensure that they avoid creating an atmosphere of hostility toward religion and its influence. In fact, the State of Oklahoma, along with most states, has policies that provide non-profit status to religious institutions because of the beneficial relationship between religious activity and the community at large, leading to its moral, mental, and social improvement. The Supreme Court has recognized that government grants tax exemptions to religious organizations "because they uniquely contribute to the pluralism of American society by their religious activities." *Walz v. Tax Commission of City of New York*, 397 U.S. 664, 689 (1970). Universities are a microcosm of this pluralistic culture. See also *Widmar v. Vincent*, 454 U.S. 263, 277 n. 5 (1981).

East Central University's accommodation of an authentic Christian chapel on its campus is well within the spirit of the *Widmar* decision, dealing with a religious liberty claim at a university, and of *Zorach v. Clauson*, 343 U.S. 306, 313-314 (1952), which upheld a voluntary Christian Released Time program in public schools.

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 groups. . . . [W]e find no constitutional requirement which makes it necessary for government to be hostile to religion and to throw its weight against efforts to widen the effective scope of religious influence.

In this benevolent spirit of religious accommodation, there are a great number of chapels on public university campuses throughout America, many of which are authentically Christian in appearance and atmosphere. The inclusion of permanent symbols, such as crosses, is sometimes part of their permanent architectural features. Willard Memorial Chapel at Auburn University and Evans Chapel at the University of Denver are two such examples.<sup>1</sup> East Central University certainly is not unique in this respect.

East Central University should be commended for ensuring that students have access to an authentic religious setting for various designated purposes. It is available for use without regard for anyone's religious viewpoint and also without discriminating against the religious

<sup>1</sup> <http://www.willard-chapel.org>; <http://www.du.edu/studentlife/religiouslife/evans-chapel>.

viewpoint of the benefactor who memorialized his wife by building a Christian chapel. Students use the chapel in a voluntary manner; therefore, there is no government coercion of any sort. This private gift to the university does not imply any government sponsorship of a particular religion or even religion itself. It is the passive accommodation of a chapel, which rightly acknowledges the important role religion plays in American culture and which serves as a place for students to further their moral, mental, spiritual, or social improvement as well as enjoy special occasions during their collegiate life.

We hope this letter emboldens you to continue standing strong against their threats. Feel free to contact me with questions or for additional legal support from our team at 757-353-9141.

For Faith and Freedom,



Lea Carawan

Executive Director

Congressional Prayer Caucus Foundation