

29 June 2020

Via U.S. Mail and email

Hon. Lynn Fitch
Attorney General
State of Mississippi

Department of Justice, P.O. Box 220
Jackson, MS 39205
<lynn.fitch@ago.ms.gov>

Re: Religious Concerns Regarding the Mississippi State Flag

Dear Attorney General Fitch:

This law firm proudly serves as First Amendment Counsel to the Satanic Temple. Our Client has asked us to bring an issue of constitutional importance to your attention.

We understand that your state is planning to take the very positive step of removing the Confederate battle flag from the Mississippi state flag. However, it is our understanding that the proposal calls for it to be replaced with "In God we Trust", a proposal you seem to endorse. While the Satanic Temple supports the removal of the Confederate flag, removing one divisive symbol of exclusion only to replace it with a divisive phrase of exclusion does not eliminate exclusion, but rather moves it from one group to a collection of others.

My client would like to suggest that if Mississippi is going to place a religious phrase on its flag, it should include reference to Satan. Before you hand wave this idea away, I would like to draw your attention to the seven tenets of the Satanic Temple. The Seven Tenets seem to be more consistent with Mississippian values than even the Ten Commandments.¹

The Seven Tenets of the Satanic Temple are as follows:

I One should strive to act with compassion and empathy toward all creatures in accordance with reason.

II The struggle for justice is an ongoing and necessary pursuit that should prevail over laws and institutions.

¹ For example, Mississippi has capital punishment, but the Commandments say "thou shalt not kill." A prohibition on the creation of graven images would certainly run afoul of the First Amendment. We could go on, but you get our drift.

III One's body is inviolable, subject to one's own will alone.

IV The freedoms of others should be respected, including the freedom to offend. To willfully and unjustly encroach upon the freedoms of another is to forgo one's own.

V Beliefs should conform to one's best scientific understanding of the world. One should take care never to distort scientific facts to fit one's beliefs.

VI People are fallible. If one makes a mistake, one should do one's best to rectify it and resolve any harm that might have been caused.

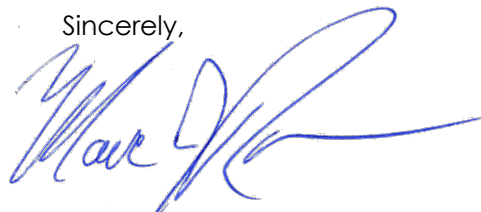
VII Every tenet is a guiding principle designed to inspire nobility in action and thought. The spirit of compassion, wisdom, and justice should always prevail over the written or spoken word.

As you can see, none of the tenets should be controversial with respect to representing all Mississippians. On the other hand, we can imagine that there would be some Mississippians who would be a bit put off by the words "**In Satan we Trust**" on the state flag. If you can imagine that, then you might imagine how atheists, Satanists, and other people of non-theistic faiths could feel excluded by the addition of "In God we Trust" to the state flag.

We trust that you will take our request under advisement. However, should the state of Mississippi insist on placing this exclusionary religious phrase on its flag, we do intend to file suit and seek injunctive relief against this act. We are aware of the *O'Hair v Blumenthal*, 588 F.2d 1144 (5th Cir. 1979) decision. However, we believe that the facts in that case and the particular act we would seek to enjoin are distinguishable. We will move forward with that understanding.

Thank you for your attention to this matter.

Sincerely,



Marc J. Randazza

cc: The Satanic Temple