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Judge rules National Day of Prayer unconstitutional

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WASHINGTON -- Despite a Wisconsin federal judge's ruling that the National Day of Prayer is unconstitutional, this year's observance of the day will go forward just as it has since 1953.

The White House said the ruling does not affect plans by President Barack Obama to issue a proclamation for the day, May 6, as mandated by law.

U.S. District Judge Barbara B. Crabb in Madison, Wis., said in an April 15 ruling that the federal law designating the day and requiring a presidential proclamation for the day violates the First Amendment prohibition against laws respecting an establishment of religion.

However, she postponed enforcement of the decision until all appeals are exhausted.

The U.S. Department of Justice said it was reviewing the ruling before deciding whether to file an appeal.

The day was challenged by Madison-based Freedom From Religion Foundation.

Archbishop Jerome E. Listecki of Milwaukee, who has often criticized the "religion of secularism," told the Milwaukee Journal-Sentinel daily newspaper that the ruling was a "missed opportunity to acknowledge our nation's identity, which was founded on our dependence on God."

The roots of the National Day of Prayer can be traced to 1952 when the Rev. Billy Graham led a rally in Washington during which he called for a special day to be set aside for Americans to pray and meditate so that the country would experience a "great spiritual awakening."

Legislation authorizing the day was introduced in the U.S. House the next day and later in the Senate and was quickly passed. President Harry Truman signed the first National Prayer Day proclamation in 1953. President Ronald Reagan made it a permanent event. In 1988, Congress enacted legislation requiring the president to issue an annual proclamation.

Starting in 2001, President George W. Bush annually hosted a high-profile event to mark the day in the East Room of the White House. It was attended by numerous religious and political figures.

In 2009, President Barack Obama issued a proclamation for the day, but did not host a prayer service at the White House. The decision was criticized by Republicans and some religious leaders.

The Freedom From Religion Foundation filed its lawsuit against government officials in October 2008.

The group argued the day violated the separation of church and state because it said that government officials, in observing it, too often adopted the religious perspective of the National Day of Prayer Task Force, based at the headquarters of Focus on the Family, a Christian advocacy group based in Colorado Springs, Colo.

The ruling does not affect the National Prayer Breakfast, traditionally held in Washington on the first Thursday of February and organized by a private organization. Presidents and various religious, political, and celebrity figures have addressed the gathering.

The National Catholic Prayer Breakfast, a separate event usually held in Washington in mid-April, also is not affected by the ruling. The 2010 event has been postponed until September, according to the event's Web site.

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