

Pledge of Allegiance lawsuit grows

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Veterans and service organizations join a lawsuit in order to defend the use of "under God" in the Pledge of Allegiance.



(Photo: File photo)

MATAWAN – Allies are lining up to support a school district's courtroom battle to keep the words "under God" in the Pledge of Allegiance.

The American Legion, both the national and state organizations as well as Matawan Post 176, a Camden County family with kids in a New Jersey public school and the Catholic fraternal organization, the Knights of Columbus, which recalls its role in the addition of the phrase "under God" to the pledge in 1954 (<http://www.kofc.org/un/en/resources/communications/pledgeAllegiance.pdf>), all can actively participate in the case, according to orders from the state Superior Court in Monmouth County

[Pledge of Allegiance supporters challenge lawsuit \(/story/news/education/homeandschool/2014/08/02/pledge-allegiance-supporters-challenge-lawsuit/13528847/\)](#)

The motions to intervene were filed months ago as part of a civil case that challenges the constitutionality of the pledge launched back in March by the American Humanist Association and an unnamed family against the Matawan-Aberdeen Regional School District.

The lawsuit asks the court to remove the phrase "under God" from the pledge that is recited every school-day morning by students in the district, and in public schools all over the state. The school is discriminating against students who do not believe in God by keeping those two words in the pledge, according to the complaint.

The school district previously has submitted a motion to dismiss the complaint. According to the court docket, a hearing on whether or not to throw out the case was rescheduled from September 19 to October 23.

The "under God" addition to the pledge has proved resilient over the years.

The AHA previously unsuccessfully challenged the "under God" portion of the pledge in Massachusetts last year. ([/story/news/nation/2013/09/04/massachusetts-pledge-of-allegiance/2768071/](#)) A federal appeals court in San Francisco upheld the use of "under God" in a 2-1 ruling, which was announced on the same day that court also voted 3-0 to uphold the inscription of "In God We Trust" on U.S. coins and currency. (http://usatoday30.usatoday.com/news/nation/2010-03-11-pledge-allegiance-under-god_N.htm)

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American Legion joins fight to keep 'God' in the Pledge of Allegiance

Jones family Pledge of Allegiance

Frank and Michele Jones and their three children are intervening in a lawsuit that is trying to prevent students from saying "one nation under God" in the Pledge of Allegiance. The family feels it infringes on students' rights, according to the law firm. (The Becket Fund for Religious Liberty)

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MATAWAN – The American Legion Department of New Jersey and The American Legion Matawan Post 176 have been granted permission by a Monmouth County Superior Court to intervene in **a lawsuit aimed at ridding the words "under God"** from the Pledge of Allegiance.

The American Humanist Association, which filed the suit against the Matawan-Aberdeen Regional School District on behalf of an unnamed family in March, says the phrase "under God," added in 1954, "marginalizes atheist and humanist kids as something less than ideal patriots."

The court's order permits the American Legion to become a party in the lawsuit and to join the side of the school district in defending the use of the existing Pledge, according to a press release by the Liberty Institute, a nonprofit legal group representing the American Legion, along with Fishkin Lucks LLP, in the matter.

The Superior Court also previously granted an order to **allow a South Jersey family and the Knights of Columbus** to intervene in the case on the side of the Matawan-Aberdeen Regional School District.

"It is encouraging the Court granted our client, The American Legion, the right to intervene in this lawsuit to defend the Pledge of Allegiance," Jeff Mateer, general counsel for Liberty Institute, said in a release. "I am surprised and saddened that there are some who are saying the Pledge of Allegiance may be good enough for the U.S. Supreme Court and the rest of the nation, but it is not good enough for the citizens of New Jersey."

The American Legion, the nation's largest veterans service organization with 2.3 million members, was active in securing enactment of the Act of June 14, 1954, which added the words "under God" to the Pledge.

"We are thankful for the opportunity to defend the Pledge, though it is unfortunate that the school and the Court must waste precious time and resources on an obviously meritless lawsuit," Roger Byron, senior counsel for Liberty Institute, said in the release. "In May, the U.S. Supreme Court yet again used the Pledge of Allegiance as an example of a clearly lawful practice."

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