

Federal Court Defends Phrase 'Under God'

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U.S. Court of Appeals recently upheld a New Hampshire law that requires teachers to schedule a voluntary recitation of the Pledge of Allegiance.

The unanimous three-panel decision was decided Nov. 12 after an agnostic and atheist couple—with children in the New Hampshire public school system—filed a suit claiming the pledge was an infringement on their children's rights because it said the United States was a nation "under God."

In the opinion brief, Chief Judge Sandra Lea Lynch stated that the Pledge of Allegiance was an act of teaching history rather than a religious exercise.

"In reciting the Pledge, students promise fidelity to our flag and our nation, not to any particular God, faith, or church," Lynch wrote. "It takes more than the presence of words with religious content to have the effect of advancing religion, let alone to do so as a primary effect."

A representative of the religious freedom advocacy firm American Center for Law

and Justice (ACLJ) said that this judgment sends a message to those that would try and “twist and distort the Constitution.”

“This decision regarding the pledge in New Hampshire schools represents a significant and sound decision that sends a message: patriotic, time-honored traditions should be embraced – not targeted for extinction – in our public schools,” the ACLJ representative said.

In another related incident that involves the issue of constitutionality, a school on Monday overturned its decision to ban a 13-year-old student from having an American flag on his bicycle after the Christian legal firm Liberty Counsel sent a letter to the school noting the unconstitutionality of their decision.

The student’s parent Robert Kisner said the letter made all the difference.

“One day they didn’t want to speak to us and then the next day they couldn’t talk fast enough to apologize,” he said. “They thought we were going to sue them. The school staff is very sorry now.”