

Jesus Wins Again: Atheist's War on Christmas Flops

On the heels of their spirited hearing this morning before U.S. District Judge Tanya Walton Pratt, Thomas More Society has reached an agreement with the ACLU of Indiana that the Franklin County Nativity Scene will remain in place this Christmas. The agreement was reached on behalf of the two organizations' respective clients—Franklin County and the Freedom from Religion Foundation.

"We're pleased to secure the right to display the nativity scene on the Franklin County Courthouse lawn through Christmas," said Peter Breen, Thomas More Society vice president and senior counsel. "The parties will now litigate the case on a normal schedule, without the threat of an emergency injunction forcing the removal of the nativity scene just before Christmas."

The Freedom from Religion Foundation filed a lawsuit seeking an immediate injunction against Franklin County over the county's allowing private citizens to display a nativity scene on the Courthouse lawn. However, County Commissioners approve requests for displays and events in front of the Courthouse from different groups throughout the year, including a child abuse awareness group, garden club and private citizens who sponsor and set up a nativity scene each year at Christmastime.

Under the agreement, the Franklin County nativity scene will come down the day after Christmas, and the Freedom from Religion Foundation will drop its request for a preliminary injunction against Franklin County, which could have required Franklin County to remove the nativity scene before Christmas.

"The Constitutional right to free speech protects religious

speech in the public square, including nativity scenes, just as much as it protects nonreligious speech,” added Peter Breen. “We will continue working to protect the First Amendment rights of the people of Franklin County as they express themselves in the public forum in front of their Courthouse.”

