

DIRECTIONS: READ THE INFO AND FOLLOW DIRECTIONS AT THE END OF THE SECOND PAGE.

## The Pledge of Allegiance

***I pledge Allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with Liberty and Justice for all.***

The original Pledge of Allegiance was written by Francis Bellamy (1855 - 1931), a Baptist minister, in August 1892. The Pledge was published in the September 8th issue of The Youth's Companion, the leading family magazine and the Reader's Digest of its day. In 1892, Francis Bellamy was also a chairman of a committee of state superintendents of education in the National Education Association. As its chairman, he prepared the program for the public schools' quadricentennial celebration for Columbus Day in 1892. He structured this public school program around a flag raising ceremony and a flag salute - his Pledge of Allegiance.

### TABLE TALK: THINK ABOUT THIS

With your table groups, discuss the constitutionality of the phrase "under God" in the Pledge. The clauses in the First Amendment that you may want to reference include: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof...abridging the freedom of speech".

WESTERNERS: Be sure and discuss both sides of the issue—those arguing for keeping the phrase in, and those arguing that it should be taken out.

### **Court Rulings on the Pledge**

- Note that the voluntary nature of the pledge isn't just a matter of state law. The Supreme Court ruled in 1943 that, because of the Free Speech Clause, any recital of the pledge cannot be legally required of students. That is at least equally true for the "under God" part.
- On June 14, 2004, the Supreme Court rejected a challenge to the Pledge, holding that the plaintiff, atheist activist Dr. Michael Newdow, did not have proper standing to challenge the Pledge.
- On March 11, 2010, a second challenge from Dr. Newdow in California was rebuffed by the federal appeals court for the 9<sup>th</sup> Circuit, which held "that the Pledge of Allegiance does not violate the Establishment Clause because Congress' ostensible and predominant purpose was to inspire patriotism."
- On November 12, 2010, a third challenge by Dr. Newdow, this time in New Hampshire, was flatly rejected by the federal appeals court for the 1<sup>st</sup> Circuit because "both the choice to engage in the recitation of the Pledge and the choice not to do so are entirely voluntary."
- On May 9, 2014, Massachusetts' highest state court unanimously rejected the American Humanist Association's attack on the Pledge, finding that "the pledge, notwithstanding its reference to God, is a fundamentally patriotic exercise, not a religious one."

### **WRITE ABOUT THIS:**

On your paper, write a paragraph defending the original text of the Pledge or supporting the removal "under God" from the text. Support your reasons with t.e.