

Pledge of Allegiance

Pledge Case Before Federal Appeals Court Dec. 4

The latest court challenge to the words "under God" in the Pledge of Allegiance, *Newdow v. Carey*, will be argued before a panel of the 9th U.S. Circuit Court of Appeals on Dec. 4 in San Francisco.

Fact Sheet

The Knights of Columbus and seven individual Knights and their families from the Sacramento area are parties to the lawsuit, and will be represented in the case by Kevin Hasson, a Knight and president of the [Becket Fund for Religious Liberty](#).

The Knights of Columbus was the leading proponent of the 1954 addition of the words "under God" to the Pledge of Allegiance. U.S. Knights began including the words "under God" in the Pledge of Allegiance in 1951 after the organization's board of directors adopted a resolution mandating that the amended pledge be formally recited in each of its 750 Fourth Degree assemblies.

A year later, the Supreme Council adopted a resolution that urged Congress and the White House to add the words "under God" to the Pledge. Supreme Knight Luke Hart, who was also president of the National Fraternal Congress, persuaded the other 110 fraternal societies to support the resolution as well.

The Pledge of Allegiance was formally amended by Congress and signed into law by President Dwight Eisenhower on Flag Day, June 14, 1954. In a letter following the action, President Eisenhower thanked Supreme Knight Hart for the K of C's work in making the addition of the words "under God," to the Pledge a reality.

Today the Order is directly involved in defending the Pledge against the most recent legal challenge to its constitutionality.

In 2005, atheist Michael Newdow, whose earlier lawsuit had been rejected by the U.S. Supreme Court because he lacked standing, filed a new challenge with a number of co-plaintiffs. He asked the U.S. District Court in Sacramento to declare the Pledge unconstitutional because it contains the words "under God." The Knights of Columbus and seven individual Knights and their families sought and were granted permission to join the suit as defendant-intervenors. The case, *Newdow v. Carey*, has several defendants in addition to the Knights, including the Rio Linda (California) Union School District and the U.S. federal government. In 2006, the District Court ruled against the Pledge, and the Knights immediately appealed the decision to the U.S. Court of Appeals for the 9th Circuit.

A brief filed on behalf of the Knights of Columbus notes that, in many other cases, the U.S. Supreme Court has referred to the Pledge of Allegiance as "the standard for evaluating the permissibility of other government expression that employs religious imagery."

The brief reminds the court that one of many indications that the nation's founders, who wrote and interpreted the Constitution, were comfortable with official references to God, including a tradition begun by former Chief Justice John Marshall, of opening Supreme Court sessions with the phrase, "God save the United States and this Honorable Court."