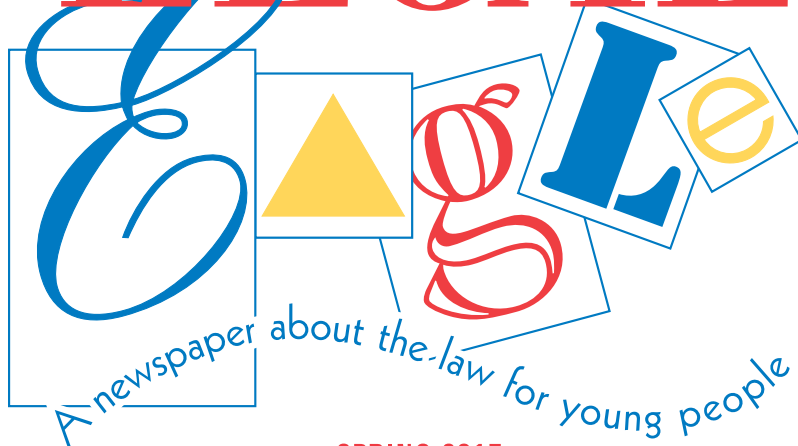


THE LEGAL



SPRING 2015

Magna Carta—800 Years Later Its Core Principles Still Endure

by Jodi L. Miller

Did you ever wonder why Jay-Z titled his 2013 album *Magna Carta Holy Grail*? At the time he was quoted as saying his album would usher in “new rules” of how hip-hop albums would be released in the future. Perhaps Jay-Z chose “Magna Carta” for its historical meaning. After all it was Magna Carta, written by the barons of Medieval England, which ushered in “new rules” for



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Keeping the Internet Neutral

by Cheryl Baisden



Posting a photo to Instagram, streaming the latest YouTube video or checking out a few new songs on Spotify may seem as simple as tapping an app on your iPhone or tablet, but there’s a lot more going on behind the scenes than you imagine. Having these apps—as well as anything else on the Internet—at your fingertips requires the support of an Internet service provider (ISP), like Comcast, Verizon or AT&T.

These ISPs helped build and maintain the infrastructure that allows your devices to connect to the networks that make up the

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Reciting the Pledge of Allegiance—Patriotic or Religious?

by Barbara Sheehan

Most Americans would agree that the U.S. is united as one nation. But are we “one nation under God?” A longstanding debate over the reference to God in our Pledge of Allegiance continues—and this time a New Jersey school district is at the center of the controversy.



Some may not realize that the phrase “under God” was actually not part of the Pledge of Allegiance when it was first published in 1892 in the juvenile magazine, *The Youth’s Companion*. Written by Francis Bellamy, a Christian socialist minister and author, as a way to increase patriotism among American youth, it stated: “I pledge allegiance to my Flag and the Republic for which it stands; one Nation, indivisible, with Liberty and Justice for all.”

It wasn’t until 1954 that President Dwight D. Eisenhower asked Congress to add the words “under God.” At the time, the United States was embroiled in the Cold War with the Soviet Union over differing beliefs and ideology: namely American capitalism versus Soviet communism. According to a 2002 *New York Times* article, the change to the pledge “was made to draw attention to the difference between the system of government in this country and ‘godless Communism.’”

“From this day forward,” President Eisenhower said at the time of the

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addition to the Pledge, “millions of our school children will daily proclaim in every city and town, every village and rural schoolhouse, the dedication of our nation and our people to the Almighty.”

Today, questions about this controversial change to the Pledge continue to be debated and recently a family in New Jersey’s Matawan-Aberdeen Regional School District took the argument to court, claiming that the phrase “under God” discriminates against children who don’t believe in God. Although the family has remained anonymous, their legal case was very much in the public eye.

Second-class citizens?

In New Jersey, as in other states, the law requires a daily recitation of the Pledge in public schools; however, students who prefer not to participate on principle may remain silent. The question raised by opponents concerns whether our nation’s public schools should be endorsing a practice that references God and puts some students in the potentially uncomfortable position of having to opt out.

“Public schools should not engage in an exercise that tells students that patriotism is tied to a belief in God,” said David Niose, attorney for the American Humanist Association’s Appignani Humanist Legal Center, in a press statement. The American Humanist Association is the organization that filed the lawsuit on behalf of the Monmouth County family. “Such a daily exercise portrays **atheist** and **humanist** children as second-class citizens, and certainly contributes to anti-atheist prejudices,” Niose said.

Roy Speckhardt, executive director of the American Humanist Association, which is based in Washington, D.C., said in the press statement, “It’s not the place of state governments to

take a position on God-belief. The current Pledge practice **marginalizes** atheist and humanist kids as something less than ideal patriots, merely because they don’t believe the nation is under God.”

Patriotism or religion?

The Pledge has withstood legal scrutiny before, including a recent case in Massachusetts, where the state Supreme Court considered a challenge similar to the New Jersey case in May 2014. In that case, which was also brought by the American Humanist Association, the court unanimously found that the inclusion of “under God” in the Pledge does not violate the state equal-protection rights of atheist and humanist students. Despite the controversial phrase, saying the Pledge is a patriotic exercise, not a religious one, the Massachusetts court decided.

That decision follows other challenges, including a California case that concerned an atheist father, who filed a legal challenge on behalf of his daughter. In his case, he argued that the reference to God in the Pledge represents the government’s endorsement of religious beliefs and does not belong in schools. Like other Pledge challenges, his argument centered on the establishment clause of the First Amendment to the U.S. Constitution, which says: “Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof...”

While the Ninth Circuit Court of Appeals in the California case ruled in favor of the father, controversially declaring in 2002 that the Pledge is unconstitutional, a San Francisco-based federal appeals court disagreed and upheld the use of the words “under God” in the Pledge of Allegiance. The U.S. Supreme Court would later dismiss the father’s appeal

on a technicality. The Court ruled that because the father did not have custody of his daughter, he therefore was not in a position to petition the Court on her behalf. The Court made no decision on the merits of the case.

Decision in New Jersey

The case of *American Humanist Association v. Matawan-Aberdeen Regional School District* was heard in November 2014 in a Monmouth County superior court and New Jersey Superior Court Judge David F. Bauman rendered a decision in February 2015 in favor of the school district. Just like the Massachusetts decision, Judge Bauman found that reciting the Pledge is a patriotic exercise, not a religious one and noted that “any child is free to refrain from the Pledge for any reason, whether it be religious, political, moral, or any other principle.”

Judge Bauman also noted that the New Jersey Constitution, written in 1947, references “Almighty God” several times. “The very constitution under which **plaintiffs** seek **redress** for perceived atheistic marginalization could itself be deemed unconstitutional,” Judge Bauman wrote in his decision, a notion that the judge called “absurd.”

“Expunging the words ‘under God’ from the Pledge of Allegiance does not and will not serve a public need because the overriding purpose of public education in public schools is to foster, not restrict, ideas without requiring adherence to those ideas,” Judge Bauman wrote.

As yet, no supreme ruling

Unless or until the U.S. Supreme Court takes on this issue of “under God,” challenges will continue to be addressed on a state-by-state basis, notes Brian M. Cige, a constitutional law attorney in Somerville.

The U.S. Supreme Court did issue a decision on a related matter in a

famous 1943 case known as *West Virginia State Board of Education vs. Barnette*. That case involved a school board measure that required all public school students to salute the flag and say the Pledge of Allegiance or be expelled. Jehovah’s Witnesses, whose religion forbids them from saluting or pledging to symbols, claimed the school policy conflicted with their beliefs and challenged the requirement. The Court, while not addressing the religious aspect of the case, decided the case on the basis of free speech. In a



6 to 3 ruling, the Court said the state did not have the power to compel anyone’s speech in that manner and the school’s compulsory policy was a violation of the First Amendment. Today, students continue to have the freedom to opt out of reciting the Pledge because of this decision. It should be noted that the case was decided before ‘under God’ was added to the Pledge.

Defending the Pledge

While some people oppose the phrase “under God,” others embrace it. Groups that came out in support of the New Jersey school district in the Pledge case included the Knights of Columbus and the American Legion, the nation’s largest wartime Veterans service organization.

Private individuals, like New Jersey student Samantha Jones,

also expressed their support for the Pledge. Jones, of Highland Regional High School in Blackwood, was widely quoted in the news media about her opinion on the subject.

“This is about protecting our freedom as Americans,” Jones said. “‘Under God’ sums up the history and values that I’ve always learned make our country great, because it does acknowledge our rights don’t come from the government, but rather from a higher power, so they can’t take away the basic human rights they did not create.”

According to Cige, in response to Jones’ opinion, while it’s true that our Founding Fathers were inspired by their personal religious beliefs, which included a higher power, it is as true that having been part of a religious minority in England they were equally concerned to separate religion from American law. “This separation does not take away from basic human rights, but, rather, helps protect them,” Cige says.

As with so many other legal issues, the real challenge is in understanding what the Founding Fathers meant when they drafted the U.S. Constitution and interpreting their intent as it relates to matters today.

In a commentary for *The Washington Post*, John Ragosta, author of *Religious Freedom: Jefferson’s Legacy, America’s Creed*, wrote about Thomas Jefferson’s dilemma over pressure to proclaim a national day of fasting and prayer. He refused to do so.

“Jefferson understood that such a proclamation would have no sanction; those who refused to join in public prayer would face no fine or imprisonment,” Ragosta wrote. “Still, he was adamant that a proclamation would violate the words and spirit of the First Amendment by creating ‘some degree

Internet. As a result, ISPs are essential to the Internet's speedy and smooth operation, and most people today expect them to provide seamless Internet access.

But that wasn't always the case. Twenty years ago, when the Internet was in its infancy, access to the "World Wide Web" relied on paid subscriber services that provided a "dial-up" Internet connection through a telephone landline, and connection speeds were measured in minutes, not seconds. You could wait for several minutes to connect to a website, and once online the only available content was text, simple graphics and a few basic games.

A whole new world wide web

In 2002, the Federal Communications Commission (FCC), the independent federal agency that regulates radio, television and telephone services, studied the Internet's basic, information-based offerings and decided it did not qualify as an essential telecommunications utility. As a result, companies providing Internet access were not subject to the FCC's complex requirements regarding fees and content control, according to Brett Harris, a Woodbridge attorney who practices in the technology field.

Over the years things have changed. Today, music, high-definition movies, graphics-intense games, and much of the content available on TV are available for streaming over the Internet, and people have come to rely on ISPs to provide the fast speeds required to access them. As a result, for several years the FCC tried unsuccessfully to implement new policies so it could oversee how ISPs manage the data they provide. The goal was to preserve what the FCC refers to as "net neutrality," meaning that all data, no matter who created it, must be treated equally.

"Net neutrality is often compared to open access to the roads," explains Harris. "With net neutrality, all lanes are open to all. Without net neutrality, some lanes are restricted to only permit certain traffic, such as those who pay to ride in an express lane. If net neutrality is not enforced and Internet providers do not have to treat all content equally, they can give preference to certain media sources. The preferred content could be from companies that have contracts with the Internet providers (and are paying to have their

content favored) or from sources affiliated with the cable or telecommunications company providing Internet access."

For example, suppose the cable company providing your high-speed Internet service is affiliated with Netflix. The company could allow Netflix programming to stream faster and reduce or block the signal for Hulu and other video-streaming competitors. Or depending on their arrangements with specific ISPs, high-speed music downloads might be available for iTunes while other music services are bogged down by slower speeds.

Battle lines are drawn

The concept of net neutrality was first introduced in 2010, when the FCC implemented its Open Internet Order, designed to prevent ISPs from blocking or "unreasonably discriminating" against any legal website or online content. The order sparked opposition from ISPs and some lawmakers, who claimed the policy would stifle innovation and service expansion and increase costs to consumers. Interestingly, supporters of net neutrality presented similar arguments.

Those who oppose government regulation of the industry argue they can keep consumer costs down by having content providers pay a premium for faster speeds, and this, in turn, will allow them to expand services. Consumer groups and content providers like Netflix, Amazon, Google and Facebook, say without net neutrality costs will rise because the premium fees charged by ISPs will have to be passed on to consumers. Supporters of net neutrality also contend that smaller companies will not be able to afford to pay premium ISP fees, which will reduce the likelihood of startup businesses launching new services to compete with established content providers.



The court steps in

In opposition to the FCC's Open Internet Order, Verizon filed a lawsuit against the commission, and in January 2014 the U.S. Court of Appeals for the District of Columbia ruled in favor of Verizon. The court found that since ISPs were not classified as telecommunications utilities, the FCC overstepped its authority in passing its net neutrality policy. The FCC could, however, reclassify the Internet as a telecommunications service

and then draft new rules, according to the court.

“This decision opens the door now for the companies that control the money on the Internet to drive what websites, what news and information is available at what price and to whom,” Gene Kimmelman, director of the Internet Freedom and Human Rights Project at the New America Foundation, told *The Washington Post* following the ruling.

“It leaves consumers at the mercy of a handful of cable and phone providers that can give preferential treatment to the content they profit from,” Delara Derakhshani, counsel for Consumers Union, told *The New York Times*.

In a statement released after the ruling, Verizon emphasized its commitment to open access: “Verizon has been and remains committed to the open Internet, which provides consumers with competitive choices and unblocked access to lawful websites and content when, where and how they want. This will not change in light of the court’s decision.”

FCC takes new approach

Following the court’s ruling, FCC Chairman Tom Wheeler said in a statement that the FCC was, “committed to maintaining our networks as engines of economic growth, test beds for innovative services and products, and channels for all forms of speech protected by the First Amendment.”

“We will consider all available options, including those for appeal, to ensure that these networks on which the Internet depends continue to provide a free and open platform for innovation and expression, and operate in the interest of all Americans,” Wheeler added.

Rather than appeal the ruling, the FCC chose to take the court’s suggestions. In February 2015, the commission voted 3-2 to adopt new policies for ISPs, and to classify them under Title II of the Telecommunications Act as telecommunications utilities, like television, radio and telephone service. The 332-page policy was released to the public on March 12, 2015, and includes provisions to protect net neutrality.

During the press conference announcing the FCC’s decision, Wheeler said, “The action that we take today is an irrefutable reflection of the principle that no one, whether government or corporate, should control free and open access to the Internet.”




Following the vote, American Civil Liberties Union attorney Gabe Rottman told National Public Radio (NPR), “This is a victory for free speech, plain and simple. Americans use the Internet not just to work and play, but to discuss politics and learn about the world around them. The FCC has a critical role to play in protecting citizens’ ability to see what they want and say what they want online, without interference. Title II provides the firmest possible foundation for such protections. We

are still sifting through the full details of the new rules, but the main point is that the Internet, the primary place where Americans exercise their right to free expression, remains open to all voices and points of view.”

Not everyone supports the FCC’s action. Broadband for America, a group whose membership includes ISPs, wants Congress to intercede.

“The FCC’s decision to impose obsolete telephone-era regulations on the high-speed Internet is one giant step backwards for America’s broadband networks and everyone who depends upon them,” the group pronounced in a statement following the vote. “These ‘Title II’ rules go far beyond protecting the Open Internet, launching a costly and destructive era of government micromanagement that will discourage private investment in new networks and slow down the breakneck innovation that is the soul of the Internet today.”

Lawmakers on both sides of the debate were contemplating legislative action before the FCC’s February policy shift. Both in Congress and among the FCC’s commissioners the debate is split along political party lines, with Republicans opposing categorizing ISPs as telecommunications utilities and Democrats favoring the move. The recent FCC vote was along those same party lines.

On its face, the FCC’s ruling seems like a win for net neutrality proponents; however, the issue is far from settled. Legislation—both for and against net neutrality—as well as a flurry of lawsuits is expected before the issue is put to rest, a process that could take years. What remains uncertain is who will file a lawsuit against the FCC seeking to have its rules **overturned**. That may be left up to smaller cable associations, since Comcast, AT&T and Verizon all have billion-dollar mergers in the works that need FCC approval. 

the king, informing him that no one (including a king) is above the law.

Considered by some to be the first written constitution in European history, Magna Carta, Latin for “Great Charter,” was signed by King John 800 years ago (June 15, 1215) on a field called Runnymede located by the River Thames west of London in what is now the county of Surrey. This year we celebrate the document’s anniversary, as well as its enduring legacy.

History made on a field in England

Led by Baron Robert FitzWalter, the barons captured the city of London forcing King John to negotiate. The barons objected to being taxed so heavily in order to fund King John’s invasion of France, which most did not support. The barons also generally objected to what they thought was the king’s abuse of power. The original document that King John signed at Runnymede was called Articles of the Barons. Four days later he would give his royal seal to a revised document containing 63 chapters, four of which are still in effect today in whole or in part, primarily relating to **due process** provisions.

Not long after the Articles of the Barons was signed, Pope Innocent III condemned the document calling it “shameful” and declared it null and void. King John died the next year. When his nine-year-old son King Henry III ascended the throne, the document would be reissued and signed in King Henry’s name. This document would come to be known as Magna Carta. The 63 chapters of the original document would be reduced to 37. Magna Carta would again be reissued in 1297 by King John’s grandson, Edward I. In the 19th century, the British Parliament **repealed** various clauses of Magna Carta and **codified** others. At best, three or four chapters retain their force of law.

One chapter that still remains on **statute** in England deals with the freedom of the English church, another deals with the “ancient liberties” of the city of London. However, the most important chapter remaining on the books (number 39 from the 1215 version and number 29 in the 1297 version) reads: “No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any other way, nor will we proceed with force against him, or send other to do so, except by the lawful judgment of his equals or by the law of the land.” This chapter has been interpreted to mean that citizens are entitled

to due process and trial by a jury of their peers, even though the concept of a jury trial was not in existence in 13th century England.

According to *Meeting at Runnymede—The Story of King John and Magna Carta*, published by the Constitutional Rights Foundation, “The barons only wanted King John to satisfy their complaints against his abusive rule, not overthrow the **monarchy**. The real significance of this document lies with the basic idea that a ruler, just like everyone else, is subject to the rule of law. When King John agreed to [what would eventually become] Magna Carta, he admitted that the law was above the king’s will, a revolutionary idea in 1215.”

To understand the importance of Magna Carta, you have to understand the context of the time, notes the Hon. C. Judson Hamlin, a former New Jersey Superior Court judge and avid history buff. “Government, to the extent it could be so considered [in the 13th century], was based on the model of the perceived idea of divine right,” Judge Hamlin says. “The King was designated with the approval of God and to question the authority was to question or challenge God.” Judge Hamlin contends that the idea of indirectly opposing “he who God had selected” was “pretty powerful stuff” at the time and the fact that anyone did and went so far as to put it in writing “gave validity to the right of the governed to limit the rights of the **sovereign** without God’s punishment.”

Evolving into common law

While Magna Carta was groundbreaking for its time, it essentially protected church officials, nobility and “free men,” such as merchants, or about 25 percent of England’s population, ignoring the remaining 75 percent or the “common man.” In the 17th century, Magna Carta, which had largely been forgotten over the centuries, would be re-interpreted by Sir Edward Coke, a celebrated jurist of the time, who fought for the supremacy of common law over the monarchy. Through Sir Edward Coke’s efforts, Magna Carta would become the foundation of English common law and eventually provide Americans with many of our individual rights.

For example, in the original 1215 document, chapter 38 speaks to our Fifth Amendment right against self-incrimination. It reads: “In future no official shall place a man on trial upon his own unsupported statement, without producing credible witness to the truth of it.” Chapter 20 references excessive bail and reads: “For a trivial offense, a free man shall be fined only in proportion to the degree of his offense.” Chapter 40 deals with fairness and a speedy trial. It reads: “To no one will we sell, to no one deny or delay right or justice.”

Judge Hamlin also notes that Magna Carta was the beginning of a “professional and independent judiciary,” pointing to chapter 45, which reads: “We will appoint as

justices, constable, sheriffs, or other officials, only men that know the law of the realm and are minded to keep it well.”

Professor William Jordan, chair of the History Department at Princeton University, whose field of study is Medieval History, says the Magna Carta “arose out of conflict and is poorly drafted.” Ironically, Professor Jordan contends that this is what allows for the document’s many interpretations, which “could respond to changing political and social circumstances.”

“The common law as a set of procedures and principles originated before Magna Carta, but the Charter expressly incorporated many of the most technical of these principles and procedures,” Professor Jordan says. “It was no great leap of the imagination for people to think that the charter itself carried the force of the common law. The phrase ‘free men,’ which had to mean ‘barons’ in context of 1215, after a while lost this technical meaning in popular speech, and men (and later women) came to think of the principles in the Charter as applying to everyone, especially after serfdom died out in the later Middle Ages.”

So, you want a revolution?

Before colonists ever set foot on American soil in 1607 with the establishment of the first English settlement at Jamestown, King James assured them that they would have the same rights as if they lived in England. In an essay for *The History Teacher*, David W. Saxe, associate professor of education at Penn State University, wrote, “The First Charter of the Virginia Company signed under seal by King James on April 10, 1606, bound the Crown in perpetuity to respect the rights of his American colonists.” The charter states: “[All] and every person being our subjects which shall dwell and inhabit within every and any of the said several Colonies and plantations and every and any of their children...shall have and enjoy all liberties, franchises, and immunities as if they had been abiding and borne with this realm of England.”

Just like the barons rebelled against King John in the 13th century, the colonists rebelled against King George III in the 18th century. Professor Saxe wrote, “In our Revolutionary era, the colonists frequently invoked Magna Carta. For example, when Parliament passed the Stamp Act in 1765, the Massachusetts Assembly declared the act null and void as a violation of their natural rights outlined in Magna Carta; namely, no parliament could by right tax subjects without representation and thus without consent.”



The Stamp Act required colonists to pay a tax on all pieces of printed paper, including legal documents, licenses, newspapers, and even playing cards. Colonists objected to other taxes as well, including the Sugar Act of 1764, which taxed sugar, molasses, certain wines, coffee as well as other items and the Townshend Acts of 1767, which taxed glass, lead, paints and tea.

For their part, Parliament was perplexed by the colonists’ reluctance to pay and did not understand their claim that the imposed taxes infringed on their rights. According to Professor Saxe’s essay, Parliament summoned Benjamin Franklin, who was living in London at the time as an agent of the Pennsylvania colony, for an explanation. Franklin said, “...they [the colonists] find in the Great Charter [Magna Carta]...that one of the privileges of English subjects is, that they are not to be taxed but by their common consent...that the parliament never would, nor could, by colour of that clause in the charter, assume a right of taxing them.”

While many of these taxes were repealed by Parliament to appease the colonists, the seeds of revolution had already been sown. And, it should be no surprise that the seal adopted by Massachusetts just prior to the Revolution depicts a minuteman with a sword in one hand and a piece of paper in the other with the words “Magna Carta” clearly visible.

A new nation

Even in declaring independence of the American colonies from Great Britain, it is interesting to note that our Founding Fathers looked to Magna Carta when establishing a constitution for their new nation. It’s hard to believe that a document signed by a king on a field in England at the behest of 13th century barons would have so much meaning to Americans centuries later.

Steven M. Richman, an international law attorney and incoming president of the New Jersey State Bar Foundation, who has written on Magna Carta, notes that prior to the American Revolution, the constitutions of East Jersey and West Jersey, as well as the New Jersey Constitution embodied core principles of Magna Carta.

“For 800 years, the core principles of a few chapters of Magna Carta have withstood the test of time and remain an integral part of New Jersey and American jurisprudence,” Richman says.

Harlow Giles Unger, who has published 20 books on the subject of the founding of America, wrote in a blog post for the National Constitution Center, “Unlike the Magna Carta, the U.S.


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Constitution itself did not deal with individual rights; it was simply a framework for a federal government. The Bill of Rights, written by the First Congress two years later in 1789, not only reaffirmed the Magna Carta's guarantee of the right to trial by jury, but added such guarantees as individual rights to free speech, free press, freedom of worship, freedom of assembly and freedom to petition government."

In an essay for TeachingAmericanHistory.org, Dr. Gordon Lloyd, a professor at Pepperdine University, wrote, "Nine

of the 26 provisions in the Bill of Rights can be traced back to Magna Carta. These provisions are heavily concerned with the right to petition and the due process of law." In addition, the U.S. Supreme Court has reportedly cited Magna Carta in more than 175 cases over the years.

So, why should we celebrate an 800-year-old English document? Judge Hamlin says, "Like all ancient documents their importance is not so much related to the document itself but rather the expression of the principles that were and still are important to us as a society and as individuals. That's why our

Declaration of Independence is still so revered. Because it recognizes the individual as having importance in an organized society." 

Pledge CONTINUED FROM PAGE 3

of **proscription** perhaps in public opinion' against those who did not participate."


Controversy comes to Maine

The latest Pledge controversy can be found in Maine. Lily SanGiovanni, senior class president of South Portland High School, sparked outrage in January 2015 when, during her daily address, she invited students and faculty to recite the Pledge this way: "At this time, would you please rise and join me for the Pledge of Allegiance if you'd like to." Part of a campaign to inform students that reciting the Pledge is optional, started by SanGiovanni and two other student leaders in the school, the stand generated a backlash from community members against the students.

Several hateful messages were posted on Facebook, which called into question the students' patriotism. One of the tamer messages stated: "Spoiled brats looking for attention...you don't want to say the pledge of allegiance feel free to move to another country where you have no rights or freedom."

"The reference to 'under God' makes us uncomfortable because it's a public school," SanGiovanni told *The Press Herald*. "It has nothing to do with our patriotism. We really want to enlighten our students. We believe they should be learning what the Pledge actually means and choosing [whether] to say it."

The students told *The Press Herald* they have no regrets about taking their stand and noted they received positive feedback as well. A retired teacher wrote them a letter, stating: "I salute your efforts to respect each school community member's right to choose whether to join in the pledge. Aren't our schools supposed to be creating critical thinkers rather than people who will blindly follow without discernment?"

Clearly this is a highly charged issue with no solution readily in sight. While he did not offer a personal opinion on the issue, Cige believes the courts are doing the right thing by trying to decide this question in accordance with the U.S. Constitution. 



atheist—a person who does not believe there is a God.

codify—organize as laws.

due process—legal safeguards that a citizen may claim if a state or court makes a decision that could affect any right of that citizen.

humanist—someone whose philosophy values human beings, individually and collectively, and generally prefers critical thinking and evidence over faith. A humanist is not necessarily an atheist and an atheist is not necessarily a humanist.

marginalize—to relegate to an unimportant or powerless position within society.

monarchy—a government ruled by a monarch (king or queen).

overturned—in the law, to void a prior legal precedent.

plaintiff—person or persons bringing a civil lawsuit against another person or entity.

proscribe—to denounce, condemn or prohibit.

redress—satisfaction, in the form of compensation or punishment, for an injury or wrongdoing.

repealed—revoked. A law that is repealed has been withdrawn or cancelled and is no longer a law.

sovereign—indisputable power or authority.

statute—legislation that has been signed into law.