



*(Bladensburg World War I Veterans Memorial, Bladensburg, Md.
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Fourth Circuit Orders Removal of 90-Year-Old Veterans Memorial *Decision threatens the removal and destruction of memorials across America.*

RICHMOND, Va.—The U.S. Court of Appeals for the Fourth Circuit today declared unconstitutional the historic cross-shaped Bladensburg World War I Veterans Memorial, which has stood since 1925 in honor of 49 Bladensburg-area men who gave their lives during WWI. Law firms of Jones Day and First Liberty Institute represent the American Legion.

“Today’s decision sets dangerous precedent by completely ignoring history, and it threatens removal and destruction of veterans memorials across America,” said Hiram Sasser, Deputy Chief Counsel for First Liberty.

Eight Republican and Democratic members of Congress filed a joint [amicus brief](#) with the Fourth Circuit in support of the memorial.

“This memorial has stood in honor of local veterans for almost 100 years and is lawful under the First Amendment,” Michael Carvin, lead counsel for The American Legion and Partner at Jones Day, says. “To remove it would be a tremendous dishonor to the local men who gave their lives during The Great War.”

A three-judge panel of the U.S. Court of Appeals for the Fourth Circuit decided the 90-year old war memorial violates the Establishment Clause of the First Amendment to the U.S. Constitution. Writing separately, Chief Judge Gregory wrote, “This Memorial stands in witness to the VALOR, ENDURANCE, COURAGE, and DEVOTION of the forty-nine residents of Prince George’s County, Maryland ‘who lost their lives in the Great War for the liberty of the world.’ I cannot agree that a monument so conceived and dedicated and that bears such witness violates the letter or spirit of the very Constitution these heroes died to defend.”

“The American Legion’s commitment to preserving the Bladensburg Memorial has been unwavering,” said Kelly Shackelford, President and CEO of First Liberty. “Their determination is appropriately illustrated by President Woodrow Wilson’s words engraved at the memorial’s base: ‘The right is more precious than the peace; we shall fight for the things we have always carried nearest to our hearts; to such a task we dedicate ourselves.’ We are exploring all of our options on behalf of the American Legion, including an appeal directly to the U.S. Supreme Court.”

Brief History of the Bladensburg WWI Veterans Memorial

In 1925, a local post of The American Legion—the largest veterans service organization in the country with approximately 2.2 million members—erected the [Bladensburg WWI Veterans Memorial](#), also known as “Peace Cross,” to honor 49 Bladensburg-area men who gave their lives serving in the U.S. Armed Forces in WWI. The memorial stood for almost 90 years without objection until the American Humanist Association filed a lawsuit in February 2014 alleging the cross-shaped memorial is unconstitutional and demanding it be demolished, altered, or removed.

In November 2015, the U.S. District Court for the District of Maryland ruled the memorial is constitutional, citing the use of the cross as a military symbol of courage, sacrifice, and remembrance. On December 7, 2016, the Court of Appeals for the Fourth Circuit heard the case on appeal from the American Humanist Association.

To learn more, visit FirstLiberty.org/Bladensburg.

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About First Liberty Institute

[First Liberty Institute](#) is a non-profit public interest law firm and the largest legal organization in the nation dedicated exclusively to defending religious freedom for all Americans.

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