



Written by [Dave Bohon](#) on December 30, 2010

New Jersey City Sued by ACLU Over Prayer

The ACLU of New Jersey has been granted a temporary court order forcing the city council of Point Pleasant Beach, New Jersey, to halt its 60-year practice of opening council meetings with prayer.

According to the community's mayor, Vincent Barrella, the council has been opening meetings with the Lord's Prayer since the late 1940s or early '50s, and he told the state's [Star-Ledger](#) newspaper that he didn't understand the problem with offering a short prayer before the beginning of official government business. "If the [New Jersey] Assembly and the Senate can open their session with an invocation, I don't see why a municipality should not be able to do the same thing," he said.



Apparently, however, the ACLU found a local resident to agree with its secular view that all public prayer is offensive and unconstitutional. In November the liberal legal group filed a lawsuit on behalf of resident Sharon Cadalzo to stop a policy, implemented by the council a month before, which allowed council members to open meetings with prayers that reflected their own religious persuasions. The policy was implemented after the council grew concerned that someone would sue the community over the decades-long practice of opening the meetings with the Lord's Prayer.

The concession by the council to broaden its perspective beyond a strictly Christian prayer was apparently not enough for the ACLU, which quickly sued the city to stop the practice altogether. "The policy clearly violated the New Jersey constitution, which obligates the government to not show a preference for one religion over another," said Jeanne LoCicero of ACLU-NJ. "We support the right of government officials to pray on their own time, but when they act as the voice of government, they cannot promote their own religious beliefs."

Of course, under the ACLU's reading of the New Jersey Constitution, even a public reading of that state's constitution would have to be found unconstitutional. The state's constitution opens with these words: "We, the people of the State of New Jersey, grateful to Almighty God for the civil and religious liberty which He hath so long permitted us to enjoy, and looking to Him for a blessing upon our endeavors to secure and transmit the same unimpaired to succeeding generations, do ordain and establish this Constitution." Likewise, the constitutions of every state in the United States open with similar phrases.

According to news reports, the ACLU first filed suit on behalf of Cadalzo back in September in an attempt to stop the council from its custom of having the city clerk open the meeting with the Lord's Prayer and the sign of the cross. The council responded by implementing the policy allowing other council members to open the meeting with other prayers, including non-Christian ones. But after the November 9 meeting was convened with a specifically Christian prayer, the ACLU responded by asking



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Superior Court Judge Vincent Grasso to issue an injunction forcing city council to halt all prayers until the lawsuit has been settled.

Cadalzo, who is Jewish and has been attending council meetings since 2007, said that because she had chosen to stay seated during the Christian prayer over the years, other residents had made her feel “truly uncomfortable.”

“I was just sick to my stomach when attending council meetings,” she recalled. “Using that prayer is not inclusive and I have been opposed to it for a long time.” She added that Point Pleasant Beach “practices and celebrates many different faiths and beliefs. The borough’s actions and policy ignores [sic] our diversity and can have a chilling effect on residents who are not a member of the ‘preferred’ religion.”

Another ACLU attorney in the case, Frank Corrado, said he was pleased that the court had put a stop to the city council’s attempt to include faiths other than Christianity in its long-time prayer tradition, calling the policy “a transparent attempt at circumventing the constitution.” Added Corrado, “I sincerely hope borough officials will recognize that promoting one religion over another is alienating, divisive, and unconstitutional.”

But Mat Staver of the [Liberty Counsel](#), which often defends the religious liberties of individuals and groups attacked by the ACLU, noted that the U.S. Supreme Court “has authorized prayer at the beginning of deliberative bodies such as legislative bodies [and] city councils,” and said the latest ACLU assault is merely another attempt by liberal secularists to make a group knuckle under to its campaign to eliminate prayer from the public arena.

“The ACLU ... wants to literally eliminate prayer — particularly Christian prayer — because they don’t like our [nation’s] heritage, they don’t like our history, and they don’t like the Christian foundations of America,” he said. “I’m sure that the ACLU would have no problem if this were recast in, say, Dearborn, Michigan, and perhaps all the city council members were Muslim and they had Muslim prayers. You never hear a peep from the ACLU when it comes to non-Christian religions.”

Four days after Judge Grasso’s ruling, as the ACLU was gloating over its temporary victory, members of the Point Pleasant Beach community showed up at the city’s next council meeting and boldly recited the Lord’s Prayer. According to the New Jersey [Daily Record](#) newspaper, approximately 12 to 15 individuals stood following the roll call and Pledge of Allegiance, and recited the Christian prayer as three of the council members stood silently until the prayer was concluded.

Although Mayor Barrella attempted to begin the meeting during the prayer, no one was removed because of the action, which one participant said was a free speech issue. “I don’t think saying a prayer has anything to do with religion,” said one of the participants, Dorothy O’Reilly. “It’s about freedom of speech.”

While the Point Pleasant Beach attorney said that the ACLU lawsuit could cost the city around \$40,000, and an appeal of Grasso’s ruling would be costly, the Liberty Council’s Matt Staver offered that his organization is prepared to represent the city against the ACLU assault.

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