

## COLUMNS

# Solid jurist, solid ruling

## Conservative judge's decision on Pledge correct

It is hard to imagine how a member of the Florida Legislature can issue a public statement that is so contemptuous of the facts.

Case in point:

The June 6 guest column titled "A defeat for common sense" written by Sen. Mike Haridopolos, R-Indian River, about the ruling that no student could be forced to stand and recite the Pledge of Allegiance.

Haridopolos calls the ruling of U.S. District Court Judge Kenneth L. Ryskamp "another example of judicial activism." To anyone the least bit familiar with Ryskamp's conservative judicial career, such a charge is ludicrous.

Haridopolos might learn something from Gov. Jeb Bush who, last following the ruling, called Ryskamp "a solid, solid jurist."

Could there be a clearer example that the label "activist judge" means nothing more than a judge who doesn't rule the way a politician wants him to rule?



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The senator hopes that "an appeals court will overturn this ridiculous decision." But Bush said the state is unlikely to appeal the decision.

While this may come as news to Haridopolos, the governor said "individuals do have a right to dissent or the right not to say the Pledge of Allegiance."

Haridopolos also claims the ruling rewards "disruptive and defiant behavior in the classroom."

While such a charge may fit neatly into a set of biases, there has never been so much as an accusation of disruption. The student in question respected the rights of his fellow students to recite the Pledge, but wanted to exercise his right not to.

The right to recite the Pledge of Allegiance or not to recite the

Pledge has been recognized by the U.S. Supreme Court for more than 60 years.

The flag to which we pledge our allegiance is a symbol of freedom, which includes — as Gov. Bush recognizes, but Haridopolos apparently does not — the right to dissent.

Sixty years ago, in the middle of World War II when the need for expressions of patriotism was perhaps greater than ever, the Supreme Court — upholding freedom for all, including our men and women in uniform — ruled that "no official, high or petty, can dictate what is orthodox in politics or religion."

Ryskamp simply applied these constitutional principles to Florida law — something that true conservatives should applaud.

Of course, patriotism should be encouraged, but a great democracy does not depend on, nor does it need coerced expressions of patriotism.

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