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Lillian Gobitas Klose, 90; Stood Against Mandatory Pledge

By DOUGLAS MARTIN

Lillian Gobitas Klose, whose refusal, on religious grounds, to recite the Pledge of Allegiance as a seventh grader in a Pennsylvania public school in 1935 ignited national indignation, as well as a roiling legal fight that led to an expansion of First Amendment rights, died on Aug. 22 at her home in Fayetteville, Ga. She was 90.

Her daughter, Judith Klose, confirmed the death.

Lillian Gobitas's family belonged to the Jehovah's Witnesses and heeded a leader's call to refuse to recite the pledge in compliance with biblical commands against idolatry. On Oct. 22, 1935, Lillian's brother William Gobitas, a fifth grader, refused to say the pledge at his public school in Minersville, Pa. The next day, Lillian did the same thing. The town school board responded by passing a resolution calling refusal to recite the pledge an act of insubordination. It then expelled the Gobitas children.

"They expelled us right then and there," Mrs. Klose said in an interview with *The Philadelphia Inquirer* in 2003. "They said, 'Don't come back.'"

For 12-year-old Lillian, the sting from her act of conscience — which she said was entirely the result of her own thinking, not her parents' — was sharp. Children threw rocks at her, *The Washington Post* reported in 1988.

She overheard two girls talking. "We used to be friends with her," one said. People jeered the family on the streets. William was beaten by schoolmates. Local churches led a boycott of the family's grocery store.

"It got real ugly," Mrs. Klose told *The Morning Call*, a daily newspaper published in Allentown, Pa., in 1988. "They thought we were Communists, Nazis. They felt real righteous about it."

The controversy led to an



JEHOVAH'S WITNESSES

Lillian Gobitas Klose, left, above, in 1940 with her brother William and father, Walter. In 1935, both siblings refused to say the Pledge of Allegiance.



JEHOVAH'S WITNESSES

eight-year legal battle. It pitted the virtues of a strong national government — unified by patriotic sentiment as the country was edging toward war — against the protection of individuals from being coerced by that government. The Supreme Court decided 8 to 1 in 1940 that compelling students to say the pledge was not a violation of religious freedom, with Justice Felix Frankfurter writing the majority opinion.

The ruling sparked attacks on 1,488 Witnesses in 44 states, the American Civil Liberties Union reported.

In West Virginia, Witnesses were forced to swallow large amounts of castor oil. In Wyoming, they were tarred and feathered; in Nebraska, they were castrated. In Maine, a mob of 2,500 burned down a local Witness place of worship, known as a

Two Supreme Court rulings after a refusal, on religious grounds, to recite in school.

born in Minersville, in a rural coal region, on Nov. 2, 1923, the oldest of six children. Her father was famous for the homemade sausage he sold in his store.

"I loved school," she said in the book "The Courage of Their Convictions," by Peter Irons, as quoted in *The Los Angeles Times* in 1989. "I was actually kind of popular. And I felt that, 'Oh, if I stop saluting the flag, I will blow all this!' And I did."

After the children's expulsion, their father drove them to one of the numerous so-called kingdom schools the Witnesses had established so their children could continue their education without reciting the pledge.

After high school, Mrs. Klose attended a school in Pottsville, Pa., to study secretarial skills, which she used at several jobs. She worked at the Jehovah's Witnesses' world headquarters in Brooklyn from 1946 to 1953.

While attending conventions of Witnesses in Europe in 1951, she met Erwin Klose at a Witness office in Germany. Both became missionaries in Vienna. She learned German, and they married in 1954.

In addition to her daughter, she is survived by her sisters, Jeanne Fry and Grace Reinisch, and her brother Paul Gobitas. Her brother William died in 1989; her husband in 1997; their son, Stephen, in 2002; and her sister Joy in 2013.

Like his wife, Mr. Klose put himself on the line for his religious beliefs — but in the even more hostile territory of Nazi Germany. He had been sent to a concentration camp for refusing to salute national symbols.

Kingdom Hall.

On the other side, Eleanor Roosevelt and editorials in 170 newspapers strongly defended the Witnesses' rights. The New Republic suggested that compelling the pledge created the risk of "adopting Hitler's philosophy" of ultranationalism. The case would end in 1943 with the Supreme Court, with different membership, reversing the 1940 ruling by a 6-to-3 vote in a near-identical case — a startlingly rapid judicial about-face.

The First Amendment, which had previously been used mainly as a defense against overreach by the federal government, was forcefully employed to protect a minority from majority tyranny.

In some of the most famous words interpreting the Bill of Rights, Justice Robert H. Jackson wrote in the decision, issued on Flag Day 1943, "If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion or other matters of opinion, or force citizens to confess by word or act their faith therein."

Lillian Emma Gobitas was