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## Pledge or prayer?

### Court takes on fight over Pledge of Allegiance

By Anne Gearan  
THE ASSOCIATED PRESS

WASHINGTON — The Supreme Court agreed Tuesday to decide whether it's unconstitutional for children in public schools to pledge their allegiance to "one nation under God."

The Pledge of Allegiance case pushes the court into an emotional argument over religion, patriotism and schools. Activists on both sides of the church-state divide immediately predicted one of the most significant, and wrenching, rulings in the court's modern history.

Generations of schoolchildren have begun each day by standing, hand on heart, to recite the oath that begins, "I pledge allegiance to the flag of the United States of America."

Sometime next year, the high court will hear the case of a California atheist who objects to the pledge his 9-year-old daughter's teacher leads daily. The 9th U.S. Circuit Court of Appeals in San Francisco agreed with Michael Newdow last year, and the ruling set off a national uproar.

Democrats and Republicans in Congress criticized the decision and quickly passed a law affirming references to God in the pledge and the national motto, "In God We Trust." President George W. Bush, who signed the measure, called the appeals court decision ridiculous.

The ruling is on hold pending

the court challenge.

Newdow, a doctor and lawyer representing himself in the case, was pleased the court agreed to hear the appeal.

"As a father, it's important that my child should be able to choose which religious beliefs are most appropriate without the government weighing in," he said.

The Constitution guarantees there will be no government "establishment of religion," wording that has come to mean a general ban on overt government sponsorship of religion in public schools and elsewhere.

The line between God and government can be fuzzy, however, as attested by recent public furor and legal debate over display of the biblical Ten Commandments in courthouses and on public squares.

The Supreme Court already has said that schoolchildren cannot be required to recite the Pledge of Allegiance. The court also has repeatedly barred school-sponsored prayer from classrooms, playing fields and school ceremonies.

"This case represents an important opportunity to put a

halt to a national effort aimed at removing any religious phrase of reference from our culture," said Jay Sekulow, chief counsel of the American Center for Law and Justice, a law firm founded by the Rev. Pat Robertson.

Most lawyers who watch the court had predicted the justices would not take on the highly divisive pledge case. The court could have resolved the matter without hearing the case on its merits.

The court still could do that, if it should find that Newdow lacks proper legal footing to bring the case. Newdow does not have physical custody of the girl, whose name is not part of the Supreme Court record. The girl lives with her mother, Sandra Banning.

**"...It's important that my child should be able to choose which religious beliefs are most appropriate without the government weighing in."**

— Michael Newdow  
plaintiff

who has told the court she has no objection to the pledge.

In another surprise, Justice Antonin Scalia said he will not take part in the case. He did not explain why, but Newdow had challenged Scalia's impartiality based on remarks Scalia made at a "Religious Freedom Day" observance this year. Scalia said the issue would be better decided by lawmakers than judges.

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OPEN LATE

## Bush campaign raises \$84 million

By Sharon Theimer  
THE ASSOCIATED PRESS

WASHINGTON — President Bush has raised \$83.9 million since beginning his re-election campaign in May, and has \$70 million of that left to spend, his campaign said Tuesday.

The campaign raised about \$49.5 million from July through September. Bush and Vice President Dick Cheney had a new round of fund-raising events scheduled this week, including two in California headlined by Bush.

Bush is aiming to raise \$150 million to \$170 million for the 2004 primaries, in which he faces no Republican challenger as nine Democrats compete for their party's nomination.

Bush is spending money at about half the rate he did in 2000, when he faced competition in the primaries, and currently has about 130 full-time staff members.

Bush campaign manager Ken Mehlman declined to say whether Bush would stop holding fund-raisers if he gets to \$170 million, but added that the

campaign thinks it will need every dollar it gets.

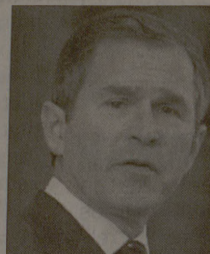
"I think we are likely to face a very strong barrage of soft money from special-interest groups that are already out there" on the Democratic side, Mehlman said.

Democrats have been trying to figure out how to help whoever emerges as their presumptive nominee to survive throughout next summer, when that candidate may well be short on cash as Bush has most of his money left to spend.

Democratic National Committee Chairman Terry McAuliffe has urged his party's hopefuls to seriously consider skipping public financing so the presumptive nominee could keep raising money after the primaries, before the general election fund-raising period starts. The DNC also is trying to raise about \$16 million to spend on the nominee-to-be's behalf.

Much of Bush's money has come from \$2,000-per-ticket fund-raisers. He has raised about \$2.4 million on the Internet, far less than the Democratic money leader, former Vermont Gov. Howard Dean.

Fueled largely by online contributions, Dean raised about \$15 million in the third fund-raising quarter that ended Sept. 30. Dean is considering following Bush's lead and opting out of public financing for the primaries and the \$45 million spending limit he would face if he took it.



BUSH

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