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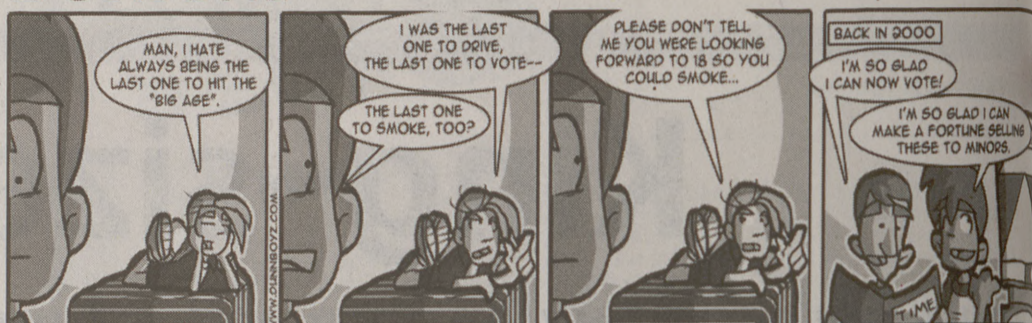
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by Will Lloyd

DUNNBOYZ



Court

Continued from page 1

Justices Sandra Day O'Connor and Clarence Thomas, made clear that they would have upheld the religious reference.

The court's ninth justice, Antonin Scalia, removed himself from the case after making off-the-bench remarks that seemed to telegraph his view that the pledge is constitutional.

The phrase "one nation under God" is more about ceremony and history than about religion, Rehnquist wrote. He likened the phrase to the motto "In God We Trust" on U.S. currency, and to the call that opens each session of the high court itself: "God save this honorable court."

"All these events strongly suggest that our national culture allows public recognition of our nation's religious history and character," Rehnquist wrote.

Nathan Diament, policy director for the Union of Orthodox Jewish Congregations of America, said most Americans would be relieved by the ruling.

"There is a consensus in this country that there is an appropriate place for expressions of religion in the public square," Diament said.

The First Amendment guarantees that government will not "establish" religion, wording that has come to mean a general ban on overt government sponsorship of religion in public schools and elsewhere.

The Supreme Court already has said schoolchildren cannot be required to recite the oath that begins, "I pledge allegiance to the flag of the

United States of America." The court also has repeatedly barred school-sponsored prayer from classrooms, playing fields and school ceremonies.

Before 1954, when the United States was in the middle of the Cold War, the pledge did not include a reference to God. In adding it, members of Congress said they wanted to set the United States apart from "godless communists."

In a ruling last year, the 9th U.S. Circuit Court of Appeals in San Francisco said the language of the First Amendment and the Supreme Court precedents make clear that tax-supported schools cannot lend their imprimatur to a declaration of fealty to "one nation under God."

That decision set off a national uproar and would have stripped the reference to God from the version of the pledge said by about 9.6 million schoolchildren in California and other Western states covered by the appeals court.

Children were never barred from saying the pledge, because the lower court ruling was on hold while the Supreme Court considered the issue.

Like most elementary school children, Newdow's daughter hears her teacher lead the pledge each morning. The case began when Newdow, a lawyer, doctor and self-proclaimed atheist minister, sued his daughter's Sacramento-area school district, Congress and President Bush to remove the words "under God."

In one of the many odd twists to an odd case, Newdow served as his own lawyer when the Supreme Court heard arguments in March. He argued that each day his daughter hears the pledge is another day that a teacher tells her, in effect, her father is wrong.

NEWS IN BRIEF

Car bombings kill 16 people in Iraq

BAGHDAD, Iraq (AP) — A car bomb exploded during rush hour Monday on a busy street in Baghdad, killing 12 people — five of them foreigners working to rebuild Iraq's power plants. Dozens of people were injured, including three other foreigners.

A second car bomb went off Monday near the town of Salman Pak southeast of Baghdad. Police said a gray Opel drove between police vehicles and exploded, killing four people and injuring four others.

Col. Adnan Abdul-Rahman of the Interior Ministry said the foreigners in the Baghdad bombing were French, but the British Foreign Office said two Britons died and added there could be other British casualties. The reason for the discrepancy was unclear.

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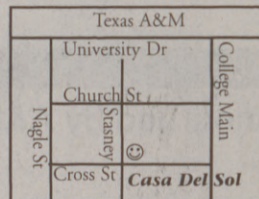
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