



Written by [Dave Bohon](#) on May 19, 2011

High Court Dismisses Atheist Challenge to “Under God” in Presidential Oath

The U.S. Supreme Court has dismissed the latest legal challenge of noted atheist Michael Newdow (left) to religious wording in government business, “refusing to hear a complaint about President Barack Obama adding ‘so help me God’ to his inaugural oath of office,” reported the Associated Press. On May 16 the High Court opted not to consider an appeal from Newdow, “who argued that government references to God are unconstitutional and infringe on his religious beliefs,” added the AP writer.



Newdow had sued to block Mr. Obama from adding the customary “so help me God” to his oath, something most Presidents have uttered when taking office. A lower court had earlier refused to order Chief Justice John Roberts not to add the words to Mr. Obama’s oath, “because the president could easily have found someone else to administer the oath,” reported the AP.

In the 2009 lawsuit Newdow, with a group of fellow atheists in tow, had also sued to keep the Revs. Joseph Lowery and Rick Warren from offering prayers at the incoming President Obama’s inauguration. [In 2005 Newdow unsuccessfully sued](#) to stop the invocation prayer at President Bush’s second inauguration.

The presidential oath of office dictated by the U.S. Constitution ([Article II, Section 1](#)) reads: “I do solemnly swear (or affirm) that I will faithfully execute the office of president of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States.” The National Archives records that upon taking the oath of office in 1789, [George Washington](#) added the words “so help me God,” a practice that has been repeated by most presidents since that time.

While Newdow has made something of a name for himself by bringing lawsuits against religious phraseology in official government concerns, he is probably most notorious for unsuccessfully suing to force students not to use the words “under God” when they recited the Pledge of Allegiance in his daughter’s classroom each morning. Reported the [Christian Science Monitor](#), “That case reached the Supreme Court in 2004, where it was dismissed on grounds that Mr. Newdow lacked the necessary legal standing to raise the issue on behalf of his daughter.”

More recently, in March the [Supreme Court refused to hear](#) a case the self-appointed atheist spokesman had brought to have the phrase “In God We Trust” stricken from the nation’s currency. As reported by [The New American](#), Newdow had argued, as in all other cases, that use of the phrase



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violates the Constitution's supposed separation of church and state. "Devout atheists are forced to choose between not using what is often the only available legal tender and committing what they consider blasphemy," Newdow declared in an unintended admission of his own "religious" beliefs.

"If there were points for being consistently wrong about what the Constitution allows with regard to governmental references to the Almighty, surely the litigious Mr. Newdow would be the all-time points leader," said Bruce Hausknecht, a judicial analyst with [Focus on the Family](#). "Unfortunately for secularists who want to re-write history, our Judeo-Christian heritage is woven into the fabric of our constitutional life, and we — including atheists and secularists — are a better country for it."

Photo: Michael Newdow at the Atheist Alliance International Convention in 2008



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