

HUMANISTS OF FORT WORTH

*The*  
**Cowtown Humanist**

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## HOFW CELEBRATES WINTER SOLSTICE AT WESTSIDE

## DICK TRICE TO SPEAK ON “CONTROLLING HISTORY” AT JANUARY 20 HOFW MEETING

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**Court: Guantanamo Prisoners Have Rights**

**Death Penalty Updates**

**Florida Opens ‘Faith-Based’ Prison**

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## HOLIDAY FESTIVITIES AT WEST SIDE

Happily, there was no need for reconciliation at West Side Unitarian Universal Church on December 16. In our other festive activities we all inevitably associate with people of a different philosophy. Nor should we want it otherwise. Not as good Humanists, anyway. Even if it means submitting to orations to a higher power. I am happy to report that I heard only a couple, and both were pretty pro forma. And neither of these was given by the Catholic priest with whom I had the

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Strange to see how a good dinner and feasting reconciles everybody.

-Samuel Pepys (1665)

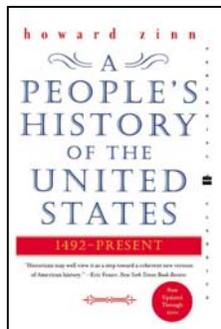
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pleasure of breaking bread with on one occasion. Defrocked (doffing the habit, not divested of it), he is scarcely more reverent than I. Just spare me the smug condescension of “true believers”! I hope you were so fortunate in your holiday feasting.

We were 25 at West Side, including three little Humanists. Our thanks go to everyone both for their

company and for their contributions of food and drink. Above all, we want to thank Dolores Ruhs for the arrangements, the decorations, the turkey, ham and delicious pumpkin soup. Don too, not just for his supportive role, but also for the occasion’s musical embellishments, warrants our gratitude. To those who couldn’t be with us, better luck at the next solstice!

## DICK TRICE TO SPEAK ON “CONTROLLING HISTORY” AT JANUARY MEETING



Our previously announced speaker, Dr. Jim Cornehl, has had to bow out of his commitment as January

speaker because of a conflict with a teaching obligation at UTA. Dick Trice, in his role as the ever-gracious fireman, has kindly offered to come to our rescue. He will be reviewing Howard Zinn's *A People's History of the United States*. Zinn's take on the societal role of history is perhaps best summed up in this quotation: "...if you can control history, what people know about it, if you can decide what's in people's history and what's left out, you can order their thinking. You can order their values. You can in effect organize their brains by controlling their knowledge. The people who can do that, who can control the past, are the people who control the present....We should have a history that enhances human values, values of brotherhood, sisterhood, peace, justice, and equality." Zinn is a champion of the notion that historical change occurs more through mass movements of ordinary people than through the wisdom and insight of so-called great men. With sales to date of some 400,000, *A People's History* has proved to be one of the most popular histories ever written. Howard Zinn is Professor Emeritus of Political Science at Boston University.

It promises to be a very stimulating evening. We hope to see all of you at West Side on January 20

## NEWS BRIEFS

### ON CIVIL LIBERTIES

#### APPEALS COURTS RULE AGAINST BUSH ADMINISTRATION

by Jim Cheatham and Michael Rivera

In a signal 2-1 ruling on December 13, the Second Circuit Court of Appeals in Manhattan denied the president has executive authority to hold Americans indefinitely in secret without access to lawyers, simply by declaring them "enemy combatants." If this decision is upheld, the government will either have to release Jose Padilla, the alleged "dirty bomber", or, by bringing charges against him, restore his constitutional rights.

Almost simultaneously, the Ninth Circuit Court of Appeals court in California was ruling that prisoners held at the Guantanamo Cuba Naval Base should have access to lawyers and the American courts system. The court in the Ninth Circuit took exception to the "grave and startling" position of the Bush Administration with regard to the prisoners noting that:

[U]nder the government's theory, it is free to imprison Gherebi indefinitely along with hundreds of other citizens of foreign countries, friendly nations among them, and to do with Gherebi and these

detainees as it will, when it pleases, without any compliance with any rule of law of any kind, without permitting him to consult counsel, and without acknowledging any judicial forum in which its actions may be challenged. Indeed, at oral argument, the government advised us that its position would be the same even if the claims were that it was engaging in acts of torture or that it was summarily executing the detainees.

A Justice Department official characterized both decisions as "aberrations" and indicated that the administration will appeal.

Editorially, the New York Times commented: Together these could be signs that the administration's strategy of aggressively bypassing the traditional protections of the criminal justice system and meaningful judicial oversight is crumbling.

#### CLEARED 9-11 DETAINEE STILL BEING HELD

Benamar Benatta, the young Algerian avionics technician detained 27 months ago as a terrorism suspect, has now seen all charges dropped against him by the federal prosecutor in Buffalo, nonetheless, remains imprisoned because of inability to post \$25,000 bail. (He is subject to deportation proceedings.) His attorney has asked a judge to waive bail. A northern New York shelter serving immigrants has agreed to take him in while he appeals his case. (He is seeking political asylum.) Another organization has promised to find him a job. (WP)

## FEDERAL COMMISSION ON TERRORISM CONCERNED ABOUT CIVIL LIBERTIES

Aggressive anti-terrorism policies when combined with increasingly sophisticated surveillance technologies, could have a “chilling effect” on the right to privacy and other fundamental civil liberties, the Federal Commission on Terrorism has found. The Report recommends that the White House establish a bipartisan panel to review how constitutional guarantees would be affected by all new laws and regulations aimed at enhancing national security. The Federal Commission on Terrorism consists mainly of law enforcement and review officials and is headed by James Gilmore III, a former governor of Virginia and former Republican National Chairman. (NYT)

## ON THE DEATH PENALTY

### FEDERAL JUDGE CRITICIZES ASHCROFT’S DEATH PENALTY POLICIES

A prominent federal judge in Brooklyn has added his voice to those of prosecutors who have been quietly seething because Attorney General John Ashcroft regularly overrules them and directs that they seek capital punishment when they have recommended against it. In a broadside against Ashcroft’s approach, Judge John Gleeson writes in the Virginia Law Review that “the Attorney General’s attempt to achieve uniformity by

compelling U.S. attorneys to seek the death penalty is a bad idea.” It has the effect of “undermining the investigation and prosecution of violent crimes,” and may well lead to acquittals of heinous criminals by juries eager to be certain of avoiding the death penalty. Worse, he wrote, when Ashcroft’s policy is applied in cases involving criminals who made agreements with prosecutors to cooperate in exchange for leniency, other criminals may end up going free. “For the sake of seeking the death penalty in a few more federal cases, significant numbers of murderers and other criminals can elude investigation and prosecution, and thus remain at large, free to commit further crimes.” (NYT)

### ASHCROFT’S PLOY ON MALVO BACKFIRES

Attorney General Ashcroft’s decision to try juvenile serial killer Lee Malvo in Virginia has taken an unexpected turn. Thinking a death penalty decision would be easier gotten in Virginia than in Maryland, the Justice Department turned Malvo over to the Virginia authorities for prosecution.

A Virginia jury has now decided to impose life imprisonment without parole rather than the capital punishment Ashcroft anticipated in this case. Informed sources see a trend developing nationwide against the use of the death penalty against juveniles. Since Virginia is even more enamored of the death penalty than Texas and other “tough on killer” states, the Malvo decision may be the coup de grace for judicial execution of juveniles under 18 years of age.

Reportedly, the Supreme Court has been holding off revisiting the issue of capital punishment for juveniles pending the outcome of the Malvo case. (var.)

### SEVEN YEAR LOW IN EXECUTIONS IN 2003

Fewer death sentences carried out in Texas and a nationwide ban on executing the mentally retarded led to a seven-year low in the number of executions in 2003. Texas carried out 24 executions in 2003, compared with 33 in 2002, and nationally executions fell from 71 in 2002 to 65 this year—the fewest since 45 convicted murderers were put to death in 1996. In Texas, 17 scheduled executions were stayed, including 10 that were postponed because of defendants claiming to be mentally retarded. As a result, Texas prosecutors are not seeking the death penalty in cases in which they think mental retardation could become an issue during the trial. Nationally, public support for the death penalty has declined from 78 percent in 1996 to 64 percent in 2003, according to a July poll conducted by the Pew Research Center. (FWST)

## MORE ON THE LAW

### TRIVIALIZING THE CONSTITUTION

Acutely conscious that the Republican Party is a wholly owned subsidiary of the religious right, Bush recently waded into the controversy over what legal rights gay couples should have. ...The president volunteered that he would support such an amendment (banning same sex

marriages), even though it is not clear how it would be worded. ...Engraving an anti-homosexual message in the Constitution would be a sorry legacy for the Bush administration. The president should be ashamed of himself for even thinking about trivializing the Constitution in this way. —Marianne Means, columnist for Hearst Newspapers

## **NEW HAMPSHIRE ABORTION LAW BLOCKED**

A federal judge on December 29 declared unconstitutional a New Hampshire law that requires notice to parents before a minor could get an abortion. The law requires abortion providers to notify a parent at least 48 hours before performing an abortion on a minor. The parent would not have had to approve the abortion. The judge said that the measure did not adequately address cases in which a girl might need an immediate abortion to protect her health. Supporters of the bill, including the governor, vowed to appeal or to rewrite the bill so as to withstand judicial scrutiny. Similar bills without health exceptions have been struck down in other states. (AP)

## **REHNQUIST CRITICIZES LAW SEEKING TOUGHER SENTENCES**

Chief Justice William Rehnquist blasted Congress in his annual assessment of the courts Wednesday, saying it passed a law that governs the federal sentencing process without consulting any judges. The Child Protection Act, passed in April to crack down on child sex crimes, also requires, under the Feeney Amendment, federal agencies to track how often judges mete out

lighter sentences than guidelines suggest. The law passed “without any consideration of the views of the judiciary,” Rehnquist wrote. “The tracking of judges sentences could appear to be an unwarranted and ill-considered effort to intimidate individual judges in the performance of their judicial duties.” At its most recent meeting in September, the Judicial Conference of the US, a group of 27 judges who make policy for the federal courts, voted unanimously to ask Congress to repeal the amendment. The prospect that it will do so is slight although Senator Kennedy has introduced a bill to repeal. (Knight Ridder & NYT)

## **CHURCH & STATE**

### **‘FAITH-BASED’ PRISON OPENS IN FLORIDA**

Gov. Jeb Bush has dedicated what is being called the nation’s first ‘faith-based’ prison, telling its nearly 800 inmates that religion can help keep them from landing in jail again. In addition to regular prayer sessions, the Lawtey Correctional Institution near St. Petersburg will offer religious studies, choir practice, religious counseling and other spiritual activities seven days a week. Participation is voluntary and inmates are allowed to transfer out. Both the AU and ACLU have challenged the constitutionality of government sponsorship of religious programs. Court challenges are likely to ensue. (AP and C&S)

### **GAY MARRIAGE: ‘LITMUS TEST’ IN ELECTIONS**

Religious Right leaders have vowed to make support for an

anti-gay marriage amendment a litmus test for all candidates in the 2004 elections. In an interview with the NYT, Concerned Women for America’s Sandy Rios said: “We fully intend to use this as a litmus test for offices from president to street sweeper.” She singled out President Bush for special pressure, saying that if Bush fails to back an amendment, many Christians will skip voting on Election Day. “We would see people staying home in droves if he does not show strength on this,” she added. (C&S)

### **ROBERTSON SAYS GOD FOR BUSH RE-ELECTION**

Pat Robinson told his 700 Club program on January 2 that he believes God has told him President Bush will be re-elected in a “blowout”. “The Lord has just blessed him. I mean, he could make terrible mistakes and comes out of it. It doesn’t make any difference what he does, good or bad, God picks him up because he’s a man of prayer, and God’s blessing him.” (Christian Broadcasting Network)

### **U.S. HOUSE APPROVES SCHOOL VOUCHERS FOR D.C.**

The omnibus spending bill approved by the U.S. House in early December includes a provision setting aside \$14 million for a pilot voucher program. The scheme would provide vouchers worth up to \$7,500 to pay for tuition for some students to attend religious and other private schools. The Senate has announced it would not consider the spending bill until it returns from holiday recess on January 20. (C&S)

### **BUSH ISN'T 'THEOLOGIAN IN CHIEF,' SAYS RELIGIOUS RIGHT**

President Bush has peeved some of his Religious Right allies by telling a British reporter that he believes Christians and Muslims worship the same God. Richard Land, president of the public policy division of the SBC, said the president was "simply mistaken." "We should always remember that he is commander in chief, not theologian in chief." The Rev. Ted Haggard, President of the National Association of Evangelicals, commented: "The Christian God encourages freedom, love, forgiveness, prosperity and health. The Muslim god appears to value the opposite." (C&S)

### **NOTHING FAILS LIKE PRAYER**

A 3-year study by cardiologists at Duke University Medical Center disclosed that heart patients who were not prayed for recovered from surgery at the same rate as those who were prayed for by strangers. Prayer groups included nuns in a Carmelite convent in Baltimore, Christian moms, Sufi Muslims, Buddhist monks in Nepal, British doctors and medical students in Manchester. Subjects were even prayed for via email appeals to Jerusalem placed at the Wailing Wall. An analysis found no significant differences in the recovery and health of patients. (Freethought Today)

### **BETTER LATE THAN NEVER**

The Tarrant Baptist Association has unanimously approved an apology for slavery in Texas as part of a broader effort to see a

resolution passed by the Legislature. The resolution calls for the State Board of Education to study how slavery is taught in schools and for the establishment of scholarship fund, a museum and a memorial. Critics faulted the resolution because it does address possible reparations for the descendants of slaves. The Tarrant Baptist Association barred "people of color" from joining until the 1970s. (FWST)

### **A NEW YEAR'S WISH FROM A DISTINGUISHED COLUMNIST**

We also would be most grateful for a rebirth of genuine patriotism, the kind that acknowledges our debt to the genius of the founding generation and respects the unique edifice of representative government it created—a patriotism that welcomes the duties of citizenship (such as voting) and its costs (such as taxes) as a small price to pay for the blessings we enjoy. —David Broder (WP)

## **HoFW NEWS & ANNOUNCEMENTS**

### **HOFW BOARD MEETING**

The HoFW board will meet immediately following the regular meeting on January 20 at 7pm.

### **DARWIN DAY TRASH BASH**

Save the Date for the Darwin Day Trash Bash  
Scheduled for Saturday February 7th from 10am to 12N  
We need at least 10-15 people to be able to get the job done

Check in at the Osteopathic Family Medicine Clinic Parking

Lot on the corner of Granbury Road and South University Drive. The address is 3750 S. University.

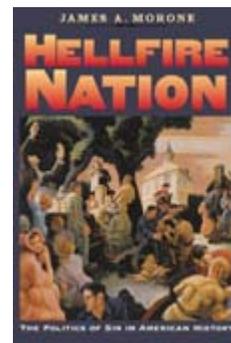
Long-sleeved shirts, long pants, and gloves are recommended. With any luck, we will have a couple of the long-handled trash pick-up devices for the early birds! And, I hope to get there early with doughnuts and coffee.

Afterwards, we went meet for lunch at Old South Restaurant on University Dr.

I could use a volunteer to check people in at the parking lot and assign a "section of street". And, for those with kids, we will reserve the section of road by the train tracks with a wide median away from the road for families with "little helpers". Contact Kimberly or Michael Rivera.

We hope to see you there.

## **BOOK CORNER**



***Hellfire Nation: The Politics of Sin in American History.***

By James A. Morone. 2003.

It seems to me that I can see the entire destiny of America contained in the first Puritan who came ashore.  
--De Toqueville

"Whatever lies ahead, the past offers one final lesson. When the

established faiths - political, social, religious - begin to grow stale, there is always another hot American revival in the wings. Americans play many roles and believe many different things. But after more than three and a half centuries - for better or for worse - we remain Puritans all." Thus Morone concludes a very readable account of America's moral crusades. A bit overblown in my judgment, since we have had some fairly lengthy stretches in our history when religious and moral fervors were simmering, not boiling. Take the last quarter of the 18th century and the first quarter of the 19th: Did religion play a very important role much less a decisive one in the making of American institutions? The Revolution was not a moral crusade; a constitution was written without mention of the Almighty. (The absence did not go unnoticed at the time. The Rev. John M. Mason, a hellfire and brimstone New York City preacher, denounced the absence of God in the preamble as "an omission which no pretext whatever can palliate. ... We will have every reason to tremble, lest the governor of the universe, who will not be treated with indignity by a people more than individuals, overturn from its foundations the fabric we have been raising and crush us to atoms in the wreck." Apparently this Cassandra was ignored, although many religious people would probably aver that it was not done with impunity.) Wars were fought without declaring any crusades and the legal foundations were laid without the Almighty playing any very prominent part.

This is too strong a book, however, to cavil about the author's enthusiasm for his thesis. John Winthrop's evocation in 1636 "we shall be as a city on a

hill, the eyes of all people are upon us" no doubt has found resonance throughout American history. Somehow, we have never been able to live up to his injunction, but we keep on remembering and trying. Unlike other western nations that have gone from a strongly religious orientation of public life to a strongly secular one, America's religious avocation remains undiminished to the present day. From a liberal's point of view, moral fervor is perhaps more likely to serve us badly than well. After all, the Puritan's little moral utopia was to collapse within a few decades after Winthrop announced his vision, but not before Anne Hutchinson was prosecuted for heterodoxy and feminist presumptions, 17 witches were hanged at Salem and brutal wars of extermination were launched against New England Indian tribes. The catalog of moral failings in the community enunciated at the 1679 Puritan synod—"sloth, heavy drinking, bastardy, rampant sexuality, failing schools, the ruthless pursuit of profit, and lawsuits out of hand"—have a contemporary ring. *Le plus ca change, le plus la meme chose.*

The individualistic side of the American character was not to be reined in by visions of God's city on earth, certainly not as long as an "empty" (as far as white settlers were concerned) continent lay to the west. The Great Awakenings of the mid-18th and early 19th centuries were addressed to remedying personal failings and to finding personal salvation, not to establishing heaven on earth. Even slavery was seen to reflect the shortcomings of slaveholders (abolitionists viewed southerners as more or less irredeemably degenerate) than being a great social evil. While the abolitionist

crusade was to lead to emancipation after the bloodiest war of our history, the result for most of the freed scarcely constituted a major improvement. "Forty acres and a mule" was soon forgotten. President Andrew Johnson strongly implied that the freed blacks were on their own even while pontificating that justice would not be denied to them. The latter part of the 19th century was to see crusades against John Barleycorn, "white slavery", and smut that culminated in legislative and constitutional prohibitions only archconservatives could feel any nostalgia for today.

One of the few crusades of this period with which liberals can feel comfortable was the effort in the late 19th century to help those left behind. "The Social Gospel" arose out of the slums and tenement houses of New York, Chicago and other urban conglomerations and the rural poverty of the mid-West and South. For a time blame might be apportioned to the fecklessness of East and South European immigrants, but to the morally sensitive they were reflections of social ills and the concentration of economic power not to be overcome by individual efforts. It took several decades before meaningful social and economic reforms were to be embodied in Franklin Roosevelt's New Deal. There was strong resistance by religious and economic conservatives, especially in the Supreme Court and progress was not steady, however, an impressive catalog of legislation and judicial decisions was racked up over four decades promoting civil rights, equal opportunity, and income redistribution. Morone regards the 1973 *Roe v. Wade* decision as constituting the high tide of liberalism in American politics since that decision was to

rally the right to the political ramparts. The rest is too well known to warrant recounting here.

I commend Hellfire to all humanists and especially to anyone who shares my fascination with the American political drama. Not the least of its virtues are the many little known details that lend pungency to his story. (How many of us are aware that pre-Civil War Indiana, Illinois and Oregon had constitutional bans on blacks, not just slaves, settling within their frontiers?)

### **HoFW Events**

For an up-to-date listing of meetings and events, see the calendar on the HoFW e-list group page.

### **January Meeting**

Our own Dick Trice will be reviewing Howard Zinn's *A People's History of the United States*. The meeting is scheduled for Tuesday, January 20 at Westside Church.

### **Board Meeting**

The next quarterly meeting of the Board of Directors is set for January 20, 2004 after the regular monthly meeting at Westside Church.

### **February Meeting**

The regular HoFW meeting will be held Tuesday, February 17, 7:00pm at Westside Church. Speaker TBA.

### **Darwin Day Trash Bash**

Our next Adopt-a-Street pick-up will be February 7, 2003 at 10 a.m. Kimberly Rivera will coordinate this effort. The meeting place is at the

Osteopathic Family Medicine Clinic parking lot on the corner of Granbury Road and South University Drive. The address is 3750 S University Dr, Fort Worth. Contact Kimberly or Michael Rivera with questions.

### **YOUR OFFICERS, AND HOW TO REACH THEM**

#### **Chairman and Webmaster:**

Russell Elleven, 6120 Comfort Dr., Fort Worth TX 76132; 817-370-2171; [info@hofw.org](mailto:info@hofw.org)

#### **Vice Chair and Newsletter**

**Editor:** Jim Cheatham, 1582 CR 2730, Glen Rose, TX 76043; (254) 797-0277; [halfrey@hyperusa.com](mailto:halfrey@hyperusa.com)  
**Newsletter Editor:** Michael Rivera, 4004 Fox Trot Dr, Fort Worth, (817) 294-1143, [mjrivera\\_3@earthlink.net](mailto:mjrivera_3@earthlink.net)

**Secretary:** Reed Bilz, 6316 Walburn Ct., Fort Worth 76133; 817-292-7974, [rbilz@earthlink.net](mailto:rbilz@earthlink.net)

**Treasurer:** Dolores Ruhs, 1036 Hill Top Pass, Benbrook 76126-3848; 817-249-1829, [ruhds@sbcglobal.net](mailto:ruhds@sbcglobal.net)

**Immediate Past Chair:** Mike Haney, 924 Roaring Springs Rd., Fort Worth 76114; Ph. 817-737-7047; [mhaneyinfw@charter.net](mailto:mhaneyinfw@charter.net)

**Past Chairman and Programs Director:** Jeff Rodriguez, 4901 Bryce Ave., #5, Fort Worth TX 76102; 817-732-4235; [jeff@appifw.org](mailto:jeff@appifw.org)

### **Call to Humanists**

Is there something we forgot to mention in the newsletter? Do you have a comment or suggestion? E-mail [Michael Rivera](mailto:MichaelRivera) with:

- Newsletter story ideas.
- Photos for the newsletter.

- Events to include on the newsletter or Internet Group.
- Subscribe/Unsubscribe requests.

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HUMANISTS OF FORT WORTH  
% MICHAEL RIVERA  
4004 FOX TROT DR  
FORT WORTH, TX 76123

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