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First Friday News & Views

THE HITS JUST KEEP ON COMING

by Jonathan Wilson

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Or, more accurately, the civics lessons just keep on coming, one after another; elementary principles underlying our constitutional democracy that should have been mastered thanks to competent instruction in elementary school. Yet these principles seem to have eluded many of our fellow citizens -- on the left and on the right; a testimony, perhaps, to the failure of our commitment to fund quality public education for far too long.

A case in point is the infamous Reverend [sic] Fred Phelps's protest at the funeral of an American soldier killed in Iraq. Now before the US Supreme Court, the case tests the constitutional right to free expression, free from the threat of offending the protest target and getting hit with a huge money judgment by a sympathetic jury. Like it or not, free expression only has meaning if it is recognized and protected for decidedly, even universally, *unpopular* views. It is otherwise illusory, available only to cheerleaders, and essentially meaningless. I, for one, celebrate such protests, however distasteful, because they (1) affirm my cherished right to express unpopular views and, in this case (2) actually generate allies for gay/lesbian citizens.

Like it or not, free expression only has meaning if it is recognized and protected for decidedly, even universally, *unpopular* views.

Another case in point is the recent decision of the Iowa Supreme Court endorsing the not-so-novel concept that "equal rights" guaranteed to us by the Iowa Constitution actually means *equal* rights. When the Iowa Legislature co-opted the term "marriage" as shorthand for access to a whole body of rights and privileges, it set up an inevitable test case. It should have been instructive to the discerning that this was a *unanimous* decision of a Supreme Court comprised of Democrats and Republicans. But the important civics lesson lies in the functioning of a truly independent judiciary. Folks would be naïve to think that the justices were not fully cognizant of their vulnerability to losing their jobs a few at a time with non-retention votes; despite that they did what they genuinely believed to be required by the plain language and meaning of our Constitution. That makes their unanimous decision all the more impressive; they could easily enough (if integrity meant nothing) made the decision 4-3, the latter being those up for the next retention vote. Integrity did mean something; an independent judiciary remains essential; and the vengeful non-retention vote will do nothing to change equal access to marriage in Iowa.

Yet another case in point is the infamous Defense of Marriage Act (DOMA),

CALENDAR

▼ The next FFBC meeting is 7:00 A.M., Friday, December 3, 2010 at Hoyt Sherman Place.

R.S.V.P. by November 30 to JonathanWilson@davisbrownlaw.com or 288-2500 by phone.

the statute adopted by Congress that purports to exempt states from the Full Faith and Credit Clause of the United States Constitution. Two suits have recently been filed to challenge that misguided piece of pandering legislation. The legislation is no more defensible than would be a similar statute supposedly letting individual states elect not to recognize interracial marriages lawfully performed in another state. Every fifth grader knows, or should know, that an act of Congress cannot amend the dictates of the United States Constitution. Members of Congress who voted for it, and the President who signed it -- all of whom are *sworn* first and foremost to defend the Constitution -- are an embarrassment and should be ashamed of themselves.

And yet another case in point is the recent federal court decision that declared unconstitutional the misguided “don’t ask, don’t tell” policy that has compromised the integrity of our military and the security of our nation since the first day it was implemented. The Obama administration, despite the President’s declared opposition to the DADT policy, has dutifully appealed the decision. That is as it should be *if the President’s opposition is based solely on a conviction that DADT is merely bad policy*. If, on the other hand, the President genuinely felt that the statute is more than bad policy, and is actually *unconstitutional* as held by the court, then as one sworn to uphold and defend the Constitution, Obama should have opted against an appeal. His decision either way should have been couched, and explained to the American people, in those terms. Only then would the appropriate civics lesson have been reinforced.

And to think that all of these, and companion civics lessons, are because of little ole us, gay and lesbian American citizens and children of God. Each of these lessons offers up a teaching/learning moment.

Bigotry, whether it be racist, sexist, homophobic, or otherwise, is simply prideful ignorance. These teaching/learning moments educate the ignorant and, over time, attack bigotry at its core. However distasteful the public discourse in sorting through them,

obvious progress continues to be made. We need to re-commit to funding quality public education, because every day more ignorant people are being born. We either get these lessons taught by fifth grade, or we’re destined to do this all over again.

It’s hard to decipher the fine line between boredom and hunger.

Cyndi Pederson

By Bruce Carr

Our speaker on November 5 was Cyndi Pederson, appointed director of the Iowa Department of Cultural Affairs in February 2007 by Governor Culver and Lt. Governor Judge. After a gracious acknowledgment of FFBC member William T. Jackson (who was her predecessor in that post from 1986 to 1998, under governor Terry E. Branstad), thanking him for his continuing counsel and collegue-ship, Pederson presented a most interesting and savvy account of her accomplishments as head of Cultural Affairs and her hopes for the department’s future.

The Iowa Department of Cultural Affairs, as Pederson noted, has primary responsibility for development of the state’s interest in the areas of history, the arts, and other cultural matters. Its mandates include:

- Developing a comprehensive, coordinated, and efficient policy to preserve, research, interpret, and promote to the public an awareness and understanding of local, state, and regional history.
- Stimulating and encouraging throughout the state the study and presentation of the performing and fine arts and public interest and participation in them.
- Implementing tourism-related art and history projects as directed by the General Assembly.
- Designing a comprehensive, statewide, long-range plan -- called “Imagine Iowa 2010” --

(Continued on page 5)

Nothing sucks more than that moment during an argument when you realize you’re wrong.

Easy A

Review by Gary Kaufman

Although by the time this review is published the movie will have already left town, a comedy certainly worth seeking out on DVD (probably available by Christmas) is **Easy A**.

The film begins with Olive (Emma Stone) announcing on a web cast that “the rumors of my promiscuity have been greatly exaggerated.” Olive is in high school in California and, until recently, the rest of the student body has been pretty much oblivious to who she was. When her best friend Marianne (Amanda Bynes) invites Olive to spend her birthday weekend camping with Marianne and Marianne’s parents, Olive declines and makes up a story that she already had a date that weekend. Truth of the matter, Olive thought that Marianne’s parents were just a little too weird even by California standards. When Olive got back together with Marianne after the weekend, Olive did not want to reveal how she had really spent her weekend – dancing and singing alone in her room to a birthday card she had gotten from her grandmother – and, instead, suggested that she had spent the weekend with a boy from a community college. When pressed by Marianne in the school bathroom inquiring whether Olive “had totally lost her V-card” (virginity), Olive didn’t deny it. Thanks to instant messaging, Twitter, and cell phones, almost instantaneously Olive’s story was known by the entire school, and she went from being someone who was totally ignored to a person that everyone is noticing. Olive enjoys the attention and does not deny any of the rumors, and actually magnifies them by dressing for the role with a red “A” on her wardrobe (after the Nathaniel Hawthorne book her class was reading, **The Scarlet Letter**).

Soon she is approached by her friend Brandon (Dan Byrd), a cute gay guy in her high school who is picked on every single day. Although Brandon knows that once he gets out of the high school environment his life will be better, he pleads with her to go out with him and act like they’re dating “because he just doesn’t know what he might do otherwise.” She then stages a scene that prompts everyone at a student’s party to think that she and Brandon are having wild sex in a bedroom, and Brandon is for-

ever grateful. Soon others are staging things with her to enhance their reputations. Olive goes from being a total unknown to being known as a slut, then a whore, and then even worse. She discovers what it is like to feel like a total outcast with people hating her even though they don’t really know her.

What really makes the movie is the writing. The writer is Bert V. Royal, and this is apparently his first film; I predict that he will have a great career. The film is permeated with jokes that make commentary on films, current teen practices, and various lifestyles. Every moment that Olive is with her parents (Stanley Tucci and Patricia Clarkson) are real gems, with witty repartee from all of the characters. In addition, Malcolm McDowell plays an over-the-top school principal at a public high school who thinks that as long as he keeps “the girls off the pole and the guys off the pipe,” he is doing his job, and he makes no bones about it.

The film is a total joy! And the homoerotic clip from **The Adventures of Huckleberry Finn**, with Mickey Rooney, is a real hoot as well!

The first testicular guard, the “Cup,” was used in hockey in 1874; the first helmet in 1974. It took 100 years for men to realize that their brains are also important.

BRIEFS & SHORTS

Be sure to RSVP for the December 3 meeting no later than November 30. E-mail JonathanWilson@davisbrownlaw.com or call him at 288-2500. Our speaker will be Reverend Dr. David Ruhe, Senior Pastor, Plymouth Congregational Church, Des Moines.



Save the date: The Red Party fundraiser will be February 4, 2011, with special guest Wayne Besen, Executive Director of Truth Wins Out (TWO), a national organization that tracks and challenges folks involved in ex-gay “ministry.”



Be sure to peruse the front table for a book you might like to read. Book donations are always welcome.



Consider a tax-deductible contribution to the FFBC Scholarship fund or designating FFBC for your United Way contribution, or both.



A Farmer's Wife

In memory of M. Wuebker (1925-2010)

By Tony Hansen

Part I

A spring flower,
 Radiant colors on the prairie.
A delicate breeze,
 Refreshing in the summer sun.
A farmer's fair lady,
 Devoted and loyal.
A family's center,
 Strength with a hug.

A Saturday,
 The warm fresh smell of baking bread.
Cows' milk,
 Creamed, and with sweet fruit jams saucing the air.
Field labors,
 Rewarded with lemonade, watermelon, sometimes even pie.
Falling asleep in the chair,
 Too exhausted for the "Main Event" tonight.
Seasoned stories,
 Of life, children and home,
A calling,
 Of duty, of family, and of faith.
A joyful laugh,
 Even during pain.
The loved shared, a seat at the table, blessings,
 There was always room for one more.

The blessed apple tree in the orchard,
Fruits nurtured with love and care,
Fruits preserved with compassion.

The rock, the foundation and the protection.
The rock of simplicity and firmness.
The rock of family and of love.

The table of plentiful dinners.
The table of long tales and earnest sharing.

The farm, of sustenance and labors,
 A framework for living.
The holiday, a house bursting with regaling and kinship.
The ages, of life lived, and purpose fulfilled.

Part II

A brisk wind from the north,
 Whispering softly and gently,
 Calling and waiting.
A spirit in wait,
 Longing and grateful.
Her nightly prayers,
 Answering the wind.

A cool breeze
 rustling tattered leaves
Thanking her for family,
 for companionship.
But she had more to see.
So she welcomed,
 with open arms and proud smile,
 more children in this world.
And she lived,
 She reminded us,
She loved her family,
 Her children and her faith.

Yet, her heart longed to be with the wind,
Though,
 Her strength was rooted in family;
 She could live another day.
But the cool wind blew.
And she knew,
 The time had come.
She found tranquility in that wind,
 And she ascended.

Yes, Her stressed and tempered hands from canning,
Her aching feet from tending,
And her always open and devoted heart
Answered the voice in the wind.
She laid back this time,
Closed her eyes in prayer,
And saw her farmer in the wind.
With a sigh of relief, she left her body for him

The Tea Party and the Republican Party

There was a young lady from Niger

Who smiled as she rode on the tiger;

They came back from the ride

With the lady inside,

And the smile on the face of the tiger.

FOR SALE: Encyclopedia Britannica. No longer needed, got married, spouse knows everything.

Cyndi Pederson (cont.)

with the assistance of the Iowa Arts Council to develop the arts in Iowa. (The department is designated as the state agency for carrying out the plan.)

- Encouraging the use of volunteers throughout its divisions.

Constantly evident in Pederson's talk was her ardent commitment to quantifying the value of history and the arts to the people and the legislature of Iowa, not simply in what are often rather vague "quality of life" terms, but in terms of real economic impact in the state. The wide-ranging and long-term projects she described are always grounded in the fact that "cultural affairs" is an industry, a commercial activity like any other, and must be promoted as economic development just like any other industry. These projects impact not just leisure and entertainment, but also education, tourism, even the health industry. Yet Iowa's commitment to history and the arts, as measured in the department's budget, remains a mere 34 cents per citizen -- dead last in the Midwest.

Be careful about reading health books. You may die of a misprint. Mark Twain

As one example among many, Pederson cited the huge change that the Des Moines Social Club has brought to its Western Gateway neighborhood: that area has now become so desirable that the club is in real danger of being priced out of its formerly near-relic building!

Following her fast-moving talk and a short Q&A session, Cyndi Pederson went home to compose the required post-election resignation letter to former governor/governor-elect Terry Branstad. She said she is hoping to be asked by him to stay on in her Cultural Affairs post and -- after the fine impression she made on us -- we're all hoping so, too.

A Des Moines native, Cyndi Pederson earned her Bachelor of Arts in art education from Iowa State University in 1979, and a degree in Management from Drake University in 2008. In 1998, she served as a member of Governor Vilsack's transition team and was named Chief of Staff to First Lady Christie Vilsack. In 2005, she joined the Department of Cultural Affairs as Coordinator for the Iowa Great Places initiative (an outgrowth of Christie Vilsack's Iowa Libraries project), which combines state resources with local assets to make Iowa communities great places where people want to live, work, and play. In July 2006, she was appointed interim deputy director of the Cultural Affairs department, and was named interim director in January 2007 and director the following month. Pederson also worked with the Secretary of State's office to develop "Capitol Project," which brought Iowa high school students to Des Moines to learn about government at first hand. She is married to John Pederson, a lobbyist in the areas of natural resources, water quality, commerce, and agriculture.

Seasons Greetings!

Happy Bodhi Day! Happy Hanukkah!
Happy St. Nicholas Day! Winter Solstice--
Yule! Merry Christmas! Joyeux Noel! Happy
Kwanzaa! Happy New Years!

**What ever you celebrate, have a safe,
peaceful, and happy holiday season!!**

FFBC

*First Friday
News & Views
Des Moines, Iowa*

DECEMBER 2010

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My M.O. (Monthly Observations)

How Low Can They go?

Steve Person

I hope all of you had the opportunity to read retired **Des Moines Register** Editor Richard Doak's op ed piece in the November 7 edition of the newspaper. "Every member of the Iowa Legislature is a despicable human being. I know this because I sometimes watch TV. Every minute in recent weeks the ads informed viewers about some liar, cheat, or generally awful person running for the Legislature." He went on to say that there is ample reason for the public not to respect those who get elected. I couldn't agree more. Part of my job description as a Capitol tour guide is to portray the Legislature in a positive light. That task becomes increasingly difficult, especially after this year's election.

The contemptible television ads are one of the negative consequences of our First Amendment right to free speech. Fortunately, we also have the right not to listen, and we can do something about it.

I would like to propose the establishment of a movement entitled "Muzzle Unwanted Trash Electronically" ("MUTE" for short). In addition to encouraging individuals to hit the mute button on their remote when these ads appear, I believe we should call the Republican or Democratic headquarters as soon as one of these things airs and let them know in no uncertain terms that we want them pulled. From there, we need to organize pickets that will meet daily and demonstrate outside party headquarters.

The talking heads on TV like to point out that negative ads get people elected. I have not talked to a single voter who was swayed by any of these ads. The only people who benefit from them are the ad agencies that produce them and the television stations that air them. Both of those entities have other sources of revenue and should require some basic standards of decorum before they agree to make or air any candidate's ads.

In other matters: on Veterans' Day, the Capitol tour guides had their annual field trip. Our supervisor always finds interesting places for us to visit so we can increase our knowledge of Iowa. This year we had Iowa author and historian Rosa Snyder take us on a tour of central Iowa "ghost" towns. None of these towns actually exist any longer, and their lands have been incorporated into larger communities and townships. We visited what used to be Marquiseville, Casey, Enterprise, and Oralabor in northern Polk County and then went to visit cemeteries in southern Story County where the remains of many Civil War soldiers are interred. We visited Byers Cemetery and the cemetery in the small community of Iowa Center which, it is believed, vied to become the capital city upon the move from Iowa City in the 1850s. It is hard to envision a capitol standing there, but stranger things have happened.

We ended our day in the town of Maxwell. If you want to wile away an afternoon, contact the museum in Maxwell. The curators will open it for you. It is one of central Iowa's best-kept secrets. It is so extensive that it is housed in two buildings on the main street of the town. Items are displayed in a well-ordered manner, and the community obviously supports this gem of local color and history. You won't be disappointed.

*I want to die peacefully in my sleep like my grandfather; not
screaming like the passengers in his car.*
