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First Friday News & Views

WHEN LIFE BEGINS: THE BIBLE IS RIGHT

By Jonathan Wilson

Supposedly based on the Bible, it is claimed by CHINOs (Christians In Name Only), and perhaps some others, that life begins at the instant of conception, thus pitting rights of an unborn fetus against rights of the pregnant woman who may have been raped (legitimately or not), who may have been the victim of incest, whose life and health may be in jeopardy, or who should not -- for a number of reasons -- carry an unintended and unwanted pregnancy to term.

With life purportedly beginning at that instant and clothed with "equal" rights, it's not just a little ironic that CHINOs jump so quickly to afford "equal" civil rights to two-joined-cells when they so tenaciously seek to deny equal civil rights to gay, already-born and law-abiding children of God. Go figure. God help us when they are able to figure out in utero which two-joined-cells will be gay.

Beyond that anomaly, clinging to the notion that life and equal human rights simultaneously begin at the moment of conception creates all kinds of prickly issues. For one, it draws into question the legitimacy of contraception by chemical means, which is of more recent vintage, as well as contraception by IUD that has been used in crude form since the beginning of the twelfth century at least. The modern form has been in use for almost 100 years. Both the "morning after" chemical approach and IUD act *after* conception has occurred. They both terminate a fertilized ovum. Are we really on a path to make that murder? Locking up doctors for that crime and the women for complicity?

If CHINOs really believed that life begins at the moment of conception, funeral directors should be reaping a bonanza from them since about 25% or more of human pregnancies, regardless of CHINO status, miscarry. If they're not having those funerals, it's like not taking an umbrella to a rain dance -- it betrays a disbelief in what is being said. A friend has suggested, rhetorically, that life should be said to begin when -- and only when -- you can buy a standard life insurance policy on the unborn fetus. Many of our legal structures in the estate planning arena trigger from a life "in being." For legal purposes, one must be *born* to gain full civil rights and full recognition as a human being.

And, if a pregnancy causes the death of the mother, but the baby survives, is it guilty of manslaughter -- the unintentional homicide of another person? Should Miranda warnings be read to that baby right away, or just any time before it's capable of talking and saying something incriminating?

It may come as a surprise to some that the Bible does speak authoritatively on the subject of when life begins, and it's not at conception. We who revere the Scriptures don't have to guess about this. In Genesis 2:7 it is said, "[T]hen the Lord God formed man from the dust of the ground, and breathed into his nostrils the breath of life; and the man became a living being." (emphasis added) Apparently, the man was not a "living being" before that moment. "Life" begins, therefore -- according to the Good Book -- when a fetus is capable of drawing breath. Paradoxically, Rowe v. Wade, puts protections in place in reliance on a similar threshold -- viability.

The CHINOs have some explaining to do. If God is responsible for every conception (even in cases of rape), and "life" begins at that moment, the miscarriage rate of about 25% or more of human pregnancies means that God -- by intervention or declining to intervene -- is responsible

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CALENDAR

- ▼ The next FFBC meeting is 7:00 A.M., Friday, October 5, 2012, at Hoyt Sherman Place, 15th & Woodland, Des Moines, IA.
- ▼ R.S.V.P. by October 3rd to JonathanWilson@davisbrownlaw.com or 288-2500 by phone.

Metaphor and a Lesson (cont.)

for pregnancy terminations in far greater numbers annually than Planned Parenthood, and by a long shot.

Logic, of course, is not a characteristic found in a CHINO and, sadly, neither is recognition of what the Bible actually says on the subject.

The so-called death tax is not a tax on the dead; it's more targeted to reduce the number of deadbeats in our society. The less they inherit from their ancestors, the more they will work to be productive members of society. J. Wilson

An Inside Look at a Martyr for Our Cause

By Bruce Carr

Our guest speaker on Friday morning, September 7, was Michael Streit, one of the three Iowa Supreme Court justices who were removed from office by well-funded right-wing forces in Iowa's November 2010 judicial retention vote. Justice Streit discussed that election and its implications for the next retention vote coming up this fall.

Justice Streit's fascinating and quick-witted remarks disclosed his deep thought and serious concern about the relation of law and politics. A highlight was his description of the John F. Kennedy Profile in Courage awards presented to him and his two colleagues (former



Justice David Baker and former Chief Justice Marsha Ternus) at the Kennedy Presidential Library in Boston last May.

It was, he noted, a large and valedictory occasion -- the audience included three sitting Iowa Supreme Court justices and enough friends and relatives of the honorees that Carolyn Kennedy, president of the library foundation's board of directors, thanked "half the state of Iowa" for attending. But the three ousted justices all struck warning notes in describing their firing for an unpopular decision that they still regard as correct.

Streit recounted a handwritten letter that the justices had received a few days after the unanimous *Varnum* decision on gay marriage was issued. He showed us a framed blow-up of

that repulsive (and frightening) letter -- addressed, simply, to "Cocksuckers!" -- in which the writer recounted that he had "defended the likes of you" as an American soldier in Korea and elsewhere, "but I now think I served the wrong side.... Hitler treated queers the way they should be treated -- in the gas chamber.... You are bastards."

"This brought home to me what the gay community and their family members struggle with every day," Streit said. But he hoped that the awards would act as "a ripple of hope that creates a current, and this current will sweep away such prejudice and paranoia."

Speaking and interacting with people has been extremely important to Justice Streit since he began his career as a lawyer, and then over 28 years as a judge and justice. He continually enjoys presenting to a diversity of groups from law school students to attorneys, from Rotary Clubs to trade associations. For 15 years, he has also taught Iowa contract law in the bar review school for new lawyers taking the bar exam.

Justice Streit received the Distinguished Alumni award from the University of San Diego for his service to the profession and the Iowa courts. He has served on a wide range of boards and committees, including the Board of Counselors of Drake Law School, and he founded the Iowa Judicial Institute in 1992. The Institute provides in-depth educational opportunities for Iowa judges at the Drake and Iowa Law Schools each year seeking to improve the professionalism and knowledge of judges as they serve Iowa citizens.

As a member of the Blackstone Inn of Court, Justice Streit served for two months in the British courts in London, Oxford, and Birmingham. As part of that experience he sat both on the bench with judges and in court with the barristers. "I don't look good in the traditional British wig," he quipped.

Born in [Sheldon, Iowa](#), Michael J. Streit received his Bachelor's Degree from the [University of Iowa](#) in 1972. In 1975, he graduated from the [University of San Diego School of Law](#). He practiced law in Chariton until 1983, then served as assistant Lucas County attorney and Lucas County attorney before being appointed as a district court judge in 1983. Justice Streit was appointed by Gov. Terry Branstad to the Court of Appeals in 1996, then by Gov. Tom Vilsack to the [Iowa Supreme Court](#) in 2001. He was removed from the Iowa Supreme Court in 2010 by failing to win a retention vote, after a national campaign in protest of the Court's unanimous 2009 decision in *Varnum v. Brien*, which struck down a statutory [same-sex marriage](#) ban as [unconstitutional](#). Justice Streit and his wife live in Johnston and have one son. He can be reached through Ahlers & Cooney, P.C., where he is Of Counsel in the firm's Litigation, Dispute Resolution, and Investigations practice area: 515-243-7611 and [www.ahlerslaw.com](#).

*Moderation is the last refuge for the unimaginative.-
Oscar Wilde*

*Yes, there are lots of decent Republicans; there are
many more decent former-Republicans.* J. Wilson

The Dark Knight Rises

Review By Gary Kaufman

There is a new masked man in Gotham, and it is not Batman. It is perhaps the most evil character ever portrayed in a film, called Bane, played by Tom Hardy. He kills those that are against him; he kills those who are helping him. He is the personification of evil that will do whatever it takes to achieve his goal.

The Dark Knight Rises is the conclusion of the Batman trilogy directed by Christopher Nolan. Since it has been 4 years since the previous movie, it is probably best to view that movie before seeing **The Dark Knight Rises**. Remember that at the conclusion of **The Dark Knight** (the previous film), rather than revealing that Arthur Dent, the district attorney who was waging war on the hoodlums of Gotham, had turned evil, Batman chooses to be known as the person who killed Arthur Dent and goes into hiding in order to keep the populace of Gotham hopeful. Thus the populace made a hero of Arthur Dent, and Gotham was successful at crushing the criminal activity by enacting the anti-crime "Dent Act." As that prior film itself prophesies, "There is a storm rising."

The Dark Knight Rises is structured much like a James Bond film, with the initial opening, jaw-dropping sequence to introduce Bane, the new evil character. Throughout the film, characters often have one-liner comments in order to add a little humor to the script. Michael Caine does an excellent job as Alfred, the loyal butler and is the emotional focus of the film. But the main focus of the film is action, and there is plenty of that. The director prided himself that the movie actually used a cast of thousands to create its intense crowd scenes, rather than using current animation techniques, and it does add to the intensity of the action scenes.

Although the movie is intended to be the "final chapter" of the series, perhaps that just means the final chapter of the *trilogy*, because at its end it gives the audience a glimpse of where the franchise might go for future films.

It is probably the best film of the trilogy.

The greatest trick the Devil ever pulled was convincing us that we need to spend more money on war, and less on the poor. ~ Whiskey and the Morning After Blog

My S. O. (Sporadic Observation)

By Rick Davis

I have had the experience of living with both a cat and a dog in my home for the last 6 years and couldn't help but think how different the outcome would be had I experienced the same two misfortunes Steve Person wrote about in last month's newsletter.

The only difference is both animals are living with me at the same time so, in my case, both incidents could happen on the same night and test the reaction of both my feline and canine friends.

I can imagine enjoying a deep slumber when a water pipe in my basement bursts, producing an immediate gusher. The cat hears the gusher but decides not to wake me due to the fact she is more interested in finding a comfortable and preferably lofty position to watch as an unknown perp pry's his way into my home. Although my hound would normally sleep through the night, the sound from the gusher wakes her immediately and, knowing full well the sound of water, opts to pass by the open window and head to the basement for a night of water sports, oblivious to the presence of the perp.

I awake from my sleep fully rested, but to find a basement full of water and all my worldly possessions missing. Worn from a full night of entertainment and soaked like a sponge, the hound is in her bed sound asleep wearing a slight grin. The cat is also bushed and has found a new spot to bask in the morning sun where once sat a 48" flat screen.

Not all pets are created equal.

BRIEFS & SHORTS

Be sure to RSVP for the October 5 meeting no later than October 3. Email JonathanWilson@davisbrownlaw.com or call him at 288-2500. Our speaker will be Carol Greta, former in-house attorney for the Iowa Department of Education.

Consider a tax-deductible contribution to the FFBC Scholarship Fund. Also, consider designating FFBC as a targeted recipient of your United Way pledge; FFBC is an approved designee. You'll get credit at work for your participation and help FFBC at the same time.

Out Networking meets the second Wednesday of every month at 5:30 p.m. at the Kirkwood Lounge (the new home of The Des Moines Social Club), 400 Walnut Street. It is the social, business, and philanthropic networking organization for anyone who is gay, bisexual, transgendered, questioning, or supportive.

Be sure to peruse the front table for a book you might like to read. Book donations are always welcome. Thanks to **Barry McGriff** for coordinating the book exchange.

Form Follows Function: An Energy Strategy

By Tony E Hansen

www.tigersndragons.com



The phrase “form follows function” comes primarily from architecture, but we can see applications in music, literature, and software development. This suggests that the shape of a building or “form,” for example, should be based upon the “function” or purpose, and ornamentation may vary from the proposed function. In recent weeks, we have seen considerable attention paid to mining and to wind farms by the different political campaigns. Both have said, rhetorically, we should have an “all of the above” approach, but those “above” approaches tend to favor one form of energy generation over another. All proposals will mean a measure of jobs and technology that will be created (or not) at the expense of others. We need to consider what form is following which function of energy policies both from the past, the present, the proposed, and the potential future of each.

Author Tim Berglund suggests that form and function are important, considering how we build things. He seems to agree with the notion that we build things to a form that is prevalent but, at some point, we become that form. Next, someone comes along and introduces a twist on the idea. Then, we get another “form” where new designs and new innovations are spurred by that idea. Until that twist, we are beholden to the limits of the current form and the associated functions. Yet there has to be willingness in the environment that fosters new ideas because: 1) reverting to an old idea is based upon the paradigms of its time, 2) those paradigms may not exist anymore, and 3) the old idea may not be appropriate for the future. We can think of many applications of this, but we can see this principle particularly in energy production strategies, both historic and proposed.

First, let us review what each party is proposing. We can then consider what has been the rule or policy for the past century and better envision what is possible in the future. Romney wants to end tax breaks for wind energy, wants to remove safety regulations, and wants to promote the coal and gas industries, which has primarily been our energy policy for the last several decades. That approach stinks like the old and stale “form” of the past century without doing anything to reduce consumption. That policy was written by the oil and coal companies, especially since Reagan’s term. On the other hand, Obama wants to expand tax credits for renewable energy, to expand all domestic generation, and to promote new efficiency standards to bring down overall energy use.

If we follow the old “form” of energy production rather than getting the innovation seen in the computer industry over the past few decades, we see lower innovation in favor of milking the current profit models using aging infrastructure. The computer industry went from large, inefficient, and room-sized units to small compact handheld devices with an exponential

increase in computing power. The old form of energy policy does not value dynamics and competition, in preference for lining the pockets of the Koch brothers and other Romney friends. Those people (and unfortunately, society at large) have become (or been beholden to) that limited “form.” Obama, by contrast, seems to be pushing toward a more opportunistic model (form) where everything is more competitive and that competition will spur innovation. If society does eventually *become* the “form” by adopting the opportunistic approach to energy production, we may discover more opportunities in other areas as well.

The libertarian side of me thinks we should eliminate all government subsidies, including corporate welfare, and let the markets decide which will flourish. This might work, but the market forces have been rigged to support the entrenched (e.g. Koch Brothers and friends). The progressive side of me wants more emphasis upon sustainable energy with a strong focus upon eliminating our dependence upon foreign resources while reducing pollution. This might favor more diversified portfolios of folks like Warren Buffet (via MidAmerican Energy) and T. Boone Pickens with his so-called Pickens Plan.

The truth is that the oil, coal, and gas industries have already enjoyed many tax breaks to encourage the widespread use of these fuels as part of that old “form.” Only recently have we seen government promotion of alternative energy, thanks in part to Obama. There is clear political and financial motivation that favors West Virginia coal mines over Iowa wind turbine plants. The money trail leads back to a specific profit-making formula that relegates our energy industry to stagnate innovators, and America to reliance upon that stagnation. Since there also is no incentive to make those mines better or safer, we are confronted with a “lose-lose” proposition. Moreover, the lack of interest in new forms locks us into the mindset of the current or past functions and forms. Imagine what would be possible if we could power devices through the air instead of wires.

With energy, we have been using essentially the same techniques for decades. Our society has become beholden to that “form” and, correspondingly, limited to the functions and capabilities of those technologies. If we intend to have the economy of the future, we cannot continue to limit ourselves in this respect. Reverting to old ideas is completely contrary to finding new or better ones. With that old form, we will never be more than what we were, and we will never discover what we could be. If we want a competitive economy, we have to “think differently” and beyond what we know today because the paths to the past only lead us backwards.

From the Pastor's Pen

Gay: Our Essence or a Construct

By Rev. Jonathan Page

Sometimes old debates are worth revisiting, like, “who is the greatest gay diva?” Judy? Barbra? Madonna? Lady Gaga? (gasp!) Amidst myriad salon discussions, one in particular underlies so much of current gay politics that it demands some attention. Enough hangs in the balance that perhaps thinking about it again might lead us to new places, and that alone makes the repetition worthwhile. I am talking about the classic debate between essentialists and constructionists.

“Gay” is a loaded concept by any standard. Ask anyone on the street what gay means and that person might give you a whole host of responses. At its most basic, gay describes a sexual orientation, a propensity to feel sexual attraction for someone of the same sex. Yet, as we all know, the term gay means far more than that, and it means different things to different people. To a group of rabid Steve King supporters, gay means a sexual predator who lurks near school yards a la Brian Cox’s character in **L.I.E.** Interestingly, to them it also means an extremely effeminate man who hates America, goes to endless circuit parties, and resides near Judas in the ninth circle of hell. For your average suburban mother, gay means a man with unparalleled aesthetic taste who came highly recommended at the last neighborhood cocktail party as “the must-have” hair dresser in town. “And he has the cutest little dog!”

So what does it mean to be gay? Is it a social construct derived from the unique history and circumstances of being gay *in America*, or is there something essential about gayness beyond sexual attraction? Anyone who knows gay people will tell you that there is a vast range of gay behaviors, mannerisms, and ways of being. Trying to place “gay” within any one stereotype is laughable. Yet, at the same time, people claim that they can identify someone who is “obviously gay.” What underlies this “obviously gay” distinction? Is it purely the result of a societal construct, or is it something more?

In 1990, Judith Butler published her famous book **Gender Trouble** in which she argued that both sex and gender were constructed categories. Especially in a world in which gender reassignment surgery and hormone treatments blur the lines between the genders on a biological level, can gender and sex be said to be anything other than a historical construct? Even our language is gendered to such an extent that it shapes the way we see gender and sex. Words like “man” and “woman” or “gay” and “straight” immediately shift our focus to binaries of sex and gender expression that some, especially in the gay community, find oppressive. Even a cursory reading of gay history in America shows the tremendous pressure that gender constructs have on expressed sexual identities. In the early 20th century terms like “fairy” or “trade” helped determine how gayness was lived and embodied. Similarly, the advent of gay

marriage is increasingly limiting what it means to be gay in popular culture. As predicted, with the rise of this new category of being in society, younger gays are tripping over themselves to out-mainstream the straights. Unlike their straight peers, gays in college are obsessively looking for a husband because that is the best way to exhibit what it means to be gay today. Suburban straights want gay married neighbors because they are the uber-neighbors, the very best expression of the middle class suburban social community.

Clearly, societal constructs and vocabulary have an immense impact on what it means to be gay. But, is it all a construct? Is being gay, as we think of it, rooted in anything deeper?

Some would say that a long-term monogamous relationship is essential to what it means to be human. Marriage is not a constructed term, but a “natural” one. By allowing gays to marry with society’s blessing, we are merely unleashing the “normal” impulse within the gay community, something that has been repressed through various forms of oppression and marginalization. Similarly, those same people might argue that oppression and marginalization led to what we think of as gay characteristics: a highly sexualized culture, transgressive gender expressions (think of the limp wrist), expressive ways of dressing and acting, artistic pursuits born of isolation and the need of an outlet for deeply held feelings. Perhaps gay marriage is one more step on the road to true “normalcy” where “gay” might cease to be a category at all. Then again, maybe there is something essential to being gay that makes us different from straights, something more than simply attraction.

Whichever way you cut it, these ruminations have a profound impact on gay ethics, those usually unwritten norms that govern our behavior. The essentialist vs. constructivist debate also has major consequences for civil rights because the debate frames how straight people perceive us. While the resolution of the debate is unclear, it is still important to consider. Any thoughts?

FFBC member Jonathan Page is senior pastor of the Ames United Church of Christ, 217 6th Street, Ames, Iowa. Sunday service at 10:45. He can be reached at jon@Amesucc.org.



Our civil rights may derive from our Creator as the Declaration of Independence asserts; defining and protecting them is the job of government and the governed. J. Wilson

*You can see a lot by just looking. Yogi Berra
You can understand a lot by just thinking about what you see. J. Wilson*

FFBC

*First Friday
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Des Moines, Iowa*

OCTOBER 2012

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My M.O. (Monthly Observations)

From the Soil
By Steve Person

A few weeks ago, I attended an event at what I consider to be one of Iowa's best-kept secrets: The Henry A. Wallace Country Life Center near Orient, Iowa, in Adair County. Located in the beautiful rolling hills of south central Iowa, the center is 40 acres of the original 160-acre farmstead where former U.S. Secretary of Agriculture and Vice-President, Henry A. Wallace, was born.

The original Wallace farmhouse is there, now converted as a gift shop and staff offices for the center. A "gathering barn" was constructed in 2003. Resembling the original Wallace barn in appearance, it is used for programming and meal service and is available to rent. It also houses an array of memorabilia from Henry A. Wallace's life.

The grounds include nine acres of restored Iowa prairie that includes 20 native grasses and 120 forbes (wildflowers). Pathways through the prairie showcase environmental-themed sculptures by Iowa artists at strategic stops along the route. The path winds around the 1.5 acre pond. Constructed in 1996 by volunteers of the Iowa Land Improvement Contractors Association, the pond is fed by three grassed waterways and a terrace. Henry A. Wallace, a pioneer in the soil conservation movement, encouraged terraced farming practices. In addition to the restored prairie, the center includes seven themed flower gardens, an orchard, and produce gardens. Fruits and vegetables from the gardens are used for food preparation in the "gathering barn's" kitchen.

At the same event was another FFBC member, Paul Sadler. I have known Paul for many years since he was one of the original attendees of the breakfast club. During our sojourn around the restored prairie, we discovered in our conversation that we had first met each other more than 25 years ago through a mutual acquaintance. I suppose stranger things have happened in the bygone days of the Iowa prairie before it was destroyed in less than one generation, but it was enlightening to know that the gay underground is alive and well in rural Adair County!

The Wallace Centers of Iowa include this slice of rural Americana and also the Wallace family home in Des Moines's Sherman Hill district. The Wallace Centers are supported through tax-deductible donations, and entry to the Country Life Center is free. For further information, go to www.wallace.org or call in Des Moines at 515-243-7063 or in Orient at 641-337-5019. You will not be disappointed in a visit to either location.

