

The God Song - A Retrospective

-By Lee Torliatt

The kindergarten kids in Emilie Berruezo's class at Waldo Rohnert Elementary School in February, 1974, sang a short song called "Thanksgiving."

Martin Spiegel, an ACLU attorney located in Santa Rosa, filed suit against the school in behalf of Sarah Langford, age 5, and "all others similarly situated."

Spiegel argued that singing the song "constitutes an establishment of religion in violation of the First Amendment of the United States Constitution."

The school board, against the advice of County Counsel, gave its approval to the singing of the song in a board meeting Feb. 19, 1974. The Superintendent said

Sarah could leave the room while the song was being sung.

The ACLU said that approach would not do and the case went to court.

The lyrics:
 "Thank you for the world so sweet;
 Thank you for the food we eat;
 Thank you for the birds that sing;
 Thank you, God, for everything."

In June, 1974, Superior Court Judge Joseph P. Murphy ruled in favor of the Langfords and ACLU, saying that the song violated the concept of separation of church and state.

Murphy said a 1962 decision by the U.S. Supreme Court "squarely held that the inclusion of a classroom prayer composed by state of-

ficials in a daily program for public schools violated the First Amendment's prohibition against the making of a law *respecting an establishment of religion.*" (emphasis added)

He also pointed out that the song in question was twice held unconstitutional by high courts, including one case in which the word "God" was deleted from the "prayer."

Murphy said that while his decision might "irritate people who are rightfully concerned about the decline of moral values in today's society," that "it is no answer to a constitutional challenge to say that it asserts an unpopular or a minority viewpoint.

He said there was a constant
Song - continued page 2

FBI Surveils ACLU, Others

Editors Note: This article is from a Press Release issued by the National ACLU on July 18th. www.aclu.org

NEW YORK — The American Civil Liberties Union today revealed that the FBI has amassed more than 1,100 pages of documents on its organization since 2001, as well as documents concerning other non-violent groups including Greenpeace and United for Peace and Justice.

"We now know that the government is keeping documents about the ACLU and other peaceful groups - the question is why," said ACLU Executive Director Anthony D. Romero.

"We are urging the court to order that these documents be turned over immediately," he added. "If the FBI has nothing to

hide, it should release the documents promptly. The government's claim that it needs nine more months to turn over these documents is a stalling tactic," Romero said, referring to the FBI's request for more time to "process" the 1,173 pages of documents it says it has on the ACLU.

The ACLU also revealed today the contents of a report on United for Peace and Justice, a national peace organization that coordinates non-violent protests. The document, sections of which are redacted, is addressed to FBI "Counterterrorism" personnel and quotes from UFPJ's website calling for a public demonstration prior to the 2004 Republican National Convention.

The document was released in
FBI - continued page 2

ACLU of Sonoma County Board of Directors

- Ann Gray Byrd
Chair
- Dylan Alter
Vice Chair
- Patrick Band
Secretary
- Lori Rodriguez
Treasurer

- David Grabill
- Eva Chu
- Gregory Wonderwheel
- Judith Volkart
- Marvin Pederson
- Richard Coshnear
- Shira Haddit
- Wayne Gibb



In Memoriam

Lote Thistlethwaite, 53 – artist, teacher, and owner of Eeyore Books

FBI - continued from page 1

response to an ACLU lawsuit filed two months ago to expedite its FOIA request for FBI surveillance files on the ACLU, Greenpeace, United for Peace and Justice, Code Pink, People for the Ethical Treatment of Animals, the American-Arab Anti-Discrimination Committee and the Muslim Public Affairs Council.

“The UFPJ report underscores our concern that the FBI is violating Americans’ right to peacefully assemble and oppose government policies without being branded as terrorist threats,” said Ann Beeson, Associate Legal Director of the ACLU. “There is no need to open a counterterrorism file when people are simply exercising their First Amendment rights.”

The ACLU has launched a nationwide effort to expose and prevent FBI spying on people and groups simply for speaking out or practicing their faith. In addition to the FOIA request on behalf of the national organizations, the ACLU has filed similar requests on behalf of more than 100 groups and individuals in 16 states and the District of Columbia. The ACLU is seeking information about the FBI’s use of Joint Terrorism Task Forces and local police to engage in political surveillance. The requests were filed in response to widespread complaints from students and political activists who said they were questioned by FBI agents in the months leading up to the 2004 political conventions.

For more information on the FOIA requests, go to www.aclu.org

Song - continued from page 1

need to “reexamine practices which most of us take for granted, and indeed, which many of us are unwilling to subject to constitutional scrutiny.”

He concluded his opinion by stating, “We must never forget that the ideal of religious freedom was one of the impelling forces in this country’s early history, and particularly in the formal setting of the public classroom, any governmental intrusion must be resisted.”

Supporters of the song did not go quietly. Dawn Scherba, a mother of three children at the elementary school, called for a protest, which took place at the Sonoma County Hall of Justice. A good number of TV

and newspaper reporters and cameramen showed up, but the crowd was estimated at something less than 30. A Press Democrat reporter indicated it was something close to a non-event, although Mrs. Scherba was interviewed. She argued that the word “God” was a song and not a prayer. She added, “If my children want to share their experiences with church and sing a song about God, then no one has the right to say they cannot.” In this case, the court disagreed.

Issues of the separation of religion and politics have become apparent in recent efforts by the U.S. government to tighten the relationship between church and state, raising fears among civil libertarians.

Board Notes

During the Annual Meeting, the Board said “*Thank You!*” and “*See you soon,*” to Steve Fabian for his many years of devoted service as Board Chair. The service of two long-time directors, Marvin Pederson, Secretary and Nancy Thompson, Treasurer were also acknowledged.

Election of officers for the coming year took place at the May Board Meeting: Ann Gray Byrd, Chair, Dylan Alter, Vice Chair, Patrick Band, Secretary and Lori Rodriguez, Treasurer. Three new members were elected: Lee Torliatt, Eva Chu and Shira Haddit. Returning Board Members are: Richard Coshner, Wayne Gibb, David Grabill, Marvin Pederson, Judith Volkart and Greg Wonderwheel. The ACLU-Northern California Representatives are Dylan Alter, Representative and Judith Volkerts, 1st Alternate, Patrick Band, 2nd Alternate.

with at least three members each: Newsletter, mailing, media, jail/police, Safe & Sane Patriot Act, Website, First Amendment Privacy, Legal, Education, Economic Justice and Board Development. All Board Members will serve on the Annual Dinner Meeting Committee. All ACLU Members are encouraged to attend Board Meetings and serve on a committee of interest.

Ann Gray Byrd, newly elected Chair, has resided in Santa Rosa for over 50 years, is a former NAACP President, ordained minister, and well-known Civil Rights Advocate. She said, “Over the years, my ACLU interest has been a constant. Local founder, Rex Sater is a family friend and one of the few people I call a “hero.” My philosophy is one of shared leadership – dues paying members want to be involved and many times are just waiting to be asked to fill some need. I believe in asking, and then giving them full opportunity to do the work.”

Committees are now structured

Thanks to Ann Gray Byrd for composing Board Notes for this issue.

Five Point Plan for Academic Success

Several months ago, a coalition of parents, educators, students, policy makers, and everyday citizens gathered to discuss the root cause of the disconnection that leads to poor academic performance, and youth violence.

After exploring the problem in depth, they have developed a five point plan to guide school districts in efforts to make the educational process more relevant and empowering to youth.

Now they call on the community to provide input, share stories, and develop solutions to meet this crisis.

The purpose of each summit is to discuss and formulate effective strategies and policy to deliver excellent educational resources to all students in the North Bay.

The first of two scheduled Summit's on education in the North Bay was held at Sonoma State University on June 25th. Nearly thirty community members attended, listened to speakers, and provided valuable feedback on the process.

Panelist Dr. Carl Wong, Sonoma County Superintendent of Schools agreed that action must be taken, and highlighted the issue with discussion around the multitude of independent school districts in the county.

Also on the panel were Nadir Vissanjy, President of SSU Associated Students, a representative from the NAACP, and others.

Next Summit

The next summit is to take place August 20th at Redbud Library, in Clearlake. Registration starts at 10:15am, and the event will run until 2:00 pm. All are invited to this important event.

The Five Point Plan

1. **Community Engagement** - Increase student and community engagement by celebrating the culture, history, and accomplishment of *all* students.
2. **Accountability** - The Board(s) of Education must hold itself and the administration of North Bay schools accountable for failing to address the persistent patterns of institutionalized racism in our school system.
3. **De-Colonization of Curriculum** - Ensure that every North Bay graduate takes a course that addresses racism, bias, and expands his or her knowledge of the various cultures that make up our community and society. Develop a training model with community input to train school staff and parents on how to create an empowering learning environment for students.
4. **Restorative Justice** - Develop a restorative justice approach to student discipline that focuses less on punishment and more on transformation. In-House suspensions should be the norm, and mediation, workshops, community service and non-violence trainings should constitute the curriculum.
5. **Hiring Practices** - Increase outreach and recruitment of faculty and staff of color who can relate to students' backgrounds and life experiences.

-this is an abridged version

SRJC Lecture on McCarthyism

Join the ACLU, and the SRJC Arts & Lecture Series in an afternoon of lectures by Ellen Schrecker, noted scholar and leading expert on McCarthyism on Monday, October 17, 2005.

At 12:15, she will discuss "Origins of the 50's Red Scare and Implications for Today," and at 7:00, will talk on "McCarthyism, Higher Education, and the New Assault on Academic Freedom."

This is a Free event. For more information on this or other SRJC Arts & Lectures events, please call 527-4372.

Supporters Needed for ACLU Page

Want to help out the Sonoma County Chapter of the ACLU, but don't have the time to spend

tabling or volunteering on the Board?

Well, you can help us out by supporting the ACLU page in the North Bay Progressive. For less than the price of a dinner out, you can have your name or business listed in the premier progressive paper of Sonoma County.

With half a page of news and analysis of pressing Civil Liberties issues every month, we continue to work to keep the community up to date on news that matters.

Just fill out the form on Page 3, and send it with a check made out to the ACLU. We appreciate your support.

Video & Discussion on Civil Rights Era

Come participate in a Video and Discussion series of America's Fight for Civil Rights, *Eyes on the Prize*. First and Third Thursdays of August and September, at Free Mind Media, 546 Pacific Ave, in Santa Rosa.

Films start at 7pm, with snacks and beverages. Discussion from 9 to 10pm. For more info, call Free Mind Media at (707) 579-1605.

Remind yourself what we're all fighting for. Come out and join in!

Get Involved In Your Local Chapter

Ever wanted to get more involved with the ACLU, but weren't sure what to do? With the constant attacks on out Civil Liberties, we need your support and input more than ever. Check out the Committee's list on Page 2, or volunteer to host or table an event.

To get involved, or let us know what you've been doing for civil liberties locally, email us at aclu@sonic.net, or call the Hotline at 765-5005.

"Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has."

-Margaret Mead



SONOMA CIVIL LIBERTIES

NON PROFIT ORG.
U.S.POSTAGE
PAID
SANTA ROSA, CA
PERMIT 165

Sonoma County Chapter

P.O. Box 14181

Santa Rosa, CA 95402

Hotline: (707) 765-5005

www.aclusonoma.org

In This Issue:

The God Song, A Sonoma
County Retrospective

FBI Surveils ACLU

Board of Directors Notes

The Five Point Plan for
Academic Success

Call for Supporters of The
ACLU Page