Atlanta Freethought News Dare to Think for Yourself.

An AFS Publication

- Volume 16 Number 9
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The September AFS Meeting

The September 12 AFS meeting will feature **Dr. Scott Lilienfeld**, a professor in the Dept. of Psychology at Emory University, speaking on "50 Great Myths of Psychology, Part 2." This is a continuation of his talk at AF Hall in July. This talk will focus on the *sources* of psychological myths.

Dr. Lilienfeld is a past president of the Society for a Science of Clinical Psychology, and a Fellow of the Association for Psychological Science. His principal areas of research are personality disorders, psychiatric classification and diagnosis, pseudoscience in mental health, and the teaching of psychology.

The meeting will be at 1:00 at Atlanta Freethought Hall, but please feel free to arrive early for refreshments and conversation with other freethinkers.

The September AFS Social

The next AFS Social will be at Atlanta Freethought Hall on Saturday, September 18, at 1:00. This time, we will order food from a local Chinese Restaurant, Peking House. \$10 per person will cover all food and drink expenses. Come and enjoy this fun time with other freethinkers.

AFS Meetings and Activities

Sept 12: AFS Board Meeting, AF Hall, 11:00AM.

Sept 12: AFS General Meeting, AF Hall, 1:00 PM.

Sept 18: AFS Social at AF Hall, 1:00 PM.

Atlanta Freethought Hall is located at 4775 N. Church Lane SE, in Smyrna, GA. To get there, take I-285 (the perimeter road around Atlanta) to Exit 16 (Atlanta Road). Turn toward Atlanta. Go ½ mile and then turn right onto N. Church Lane. Atlanta Freethought Hall is on the left.

Other Meetings of Interest

The **Fellowship of Reason** meets on the first Sunday of every month at 10:30 AM at AF Hall. They also have meetings for book discussion, philosophy, a classic film course, and other events. See http://www.fellowshipofreason.com.

The **Humanists of Georgia** will meet at AF Hall on Sunday, Sept. 19, at 1:00. Dr. Richard Bennett of Southern Polytechnic State University will talk about Afghanistan and Iraq. For details, see http://humanistsofga.esmartdesign.com.

The **Fayette Freethinkers** host a lunch that is open to the public at El Reposo Restaurant in Peachtree City, GA, on every first and third Saturday at 12:00 noon. For details, visit their website at http://www.fayettefreethinkers.org.

The **Fayette Freethought Society** meets on the first and third Thursday of each month at 7:00 PM at El Reposo Restaurant in Peachtree City, GA. For details, please visit www.meetup.com/Fayette-Freethought-Society/.

GUST (Gwinnett: Understanding Secular Truths) will meet at the Unitarian Universalist Church of Gwinnett (12 Bethesda Church Road, in Lawrenceville) on Monday, Sept. 13, at 7:00 PM. See http://gust.domek.org/. They will also meet on Saturday, Sept. 18 at 7:00 PM at the Olde Towne Tavern & Grill, 835 Lawrenceville/Suwanee Rd, in Lawrenceville.

The **Atlanta Skeptics** will have their **Skeptics in the Pub** meetup at 7:00 PM on Saturday, Sept. 18, at Manuel's Tavern, 602 N. Highland Ave, in Atlanta. (We don't know of a speaker yet.) See http://www.atlantaskeptics.com.

The **Atlanta Science Tavern** meetup will be at 7:00 PM on Saturday, Sept 25, at Manuel's Tavern, 602 N. Highland Ave NE in Atlanta. Daniel Goldman, Assistant Professor of Physics at Georgia Institute of Technology, will speak on "Locomotion on Complex Terrain – From Sand Lizards to Legged Robots." http://www.meetup.com/AtlantaScienceTavern/

There will be a **meetup** for Atlanta atheists on Sunday, Sept. 12, at 6:00 PM at Thinking Man Tavern, 537 W. Howard Ave, in Decatur. (http://www.meetup.com/Atlanta-Atheists/)

Another **meetup** for Atlanta atheists is scheduled for Sunday, September 26, at 4:00 PM at Five Seasons Brewery, 5600 Roswell Rd, in Atlanta. (http://www.meetup.com/)

Americans United for Separation of Church and State, Georgia Chapter, will be in the East Cobber Parade this Saturday, Sept 11, at 9:00AM to 1:00PM. Come join the fun! Please RSVP to americansunitedga@gmail.com if you plan to attend.

The North Alabama Freethought Association is having "Skeptics & Atheists Camping" at Lake Hypatia (near Talladega, AL) on Friday, Oct. 8 to Sunday, Oct. 10. Watch movies, hear great speakers, enjoy boating, swimming, hiking, catered lunch and dinner. To find out more, send an email to nafa@thenafa.org. Registering by Sept 30 is required.



Programs and Speakers

All programs are on the second Sunday of each month at the AF Hall, 4775 N. Church Lane SE, Smyrna, GA, unless otherwise noted. Programs start at 1:00 PM, but feel free to arrive at 12:00 for socializing. Visitors are always welcome.

Sept 12: Dr. Scott Lilienfeld will talk about "The Placebo Effect."

Oct 10: Joel Kollin will speak on "36 Hours in the Rice Street Jail."

Nov 14: TBD Dec 12: TBD

Jan 9: TBD

Feb 13: Mark Braverman will speak. (http://www.c-spanvideo.org/program/294468-1)

AFS Email Lists

The **AFS eNews** Announcement list provides subscribers with reminders and updates on AFS activities and news. The **AFS Forum** is a place for discussions of freethought, atheism, agnosticism, church-state separation, and religion. Visit the AFS website at http://www.atlantafreethought.org for more info or to subscribe.

The Atlanta Freethought Society is a member-run organization dedicated to advancing freethought and protecting the rights and reputation of free-thinkers, agnostics, atheists and humanists.

We welcome anyone who is interested in learning about living a good life free from religion through attending AFS speeches, debates, and discussions. We employ protests, letters to the editor, broadcast appearances, and any other reasonable and civil means available to achieve our mission.

We define *freethought* as "the forming of opinions about life in general and religion in particular on the basis of reason and the evidence of our senses, independently of tradition, authority, or established belief."

We actively support a strict separation of church and state as the best means to guarantee liberty for all, regardless of religious belief or lack of belief.

We seek to educate ourselves on many topics but especially on religion and non-religion. We do this through a series of thought-provoking speakers and programs, and by maintaining a web forum and an extensive library of freethought, religious, and related books, pamphlets, videotapes, and audiotapes.

We provide an organization where freethinkers and non-theists can develop friendships, talk freely, socialize and enjoy each other's company. We do not discriminate against anyone on such irrelevant grounds as race, sexual orientation, age, gender, class, or physical disability. We welcome members and leaders of all political parties and preferences.

Because we are designated by the IRS as a 501(c)(3) educational organization, contributions to AFS are tax deductible.

Any who are like-minded are welcome to join us.

Atlanta Freethought News an AFS publication

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Atlanta Freethought News

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Concern Over Ground Zero Mosque: A Big Culture War Issue

Gainesville, Florida Church Still Plans to Burn Qurans; Muslims Threaten the Church

he issue of whether to permit building of an Islamic Community Center (dubbed by many the "Ground Zero Mosque") has become a full-blown culture war issue affecting everything from political primary races to claims that President Obama is a Muslim.

And adding fuel to the fire—literally—is a Christian evangelical church in Gainesville, Florida that is still promising to incinerate copies of the Muslim holy book, the Quran to mark the 9-year anniversary of the infamous September 11, 2001 attacks.

The Gainesville church has been denied a permit by the local fire department to have a Quran burning, but has announced that it is going ahead with the project anyway.

The church is organizing an "International Burn a Koran Day" for the September 11 anniversary, but so far, no other churches have announced similar plans. That could change, however, as the 9/11 date approaches and this incendiary story gains more traction in the media.

According to breaking reports on several news sites, at least one Jihadist web site is proclaiming its intention to launch suicide bomber attacks against the Dove World Outreach Center in Gainesville to protest the book burnings. Other Jihadist sites are making unspecific threats of violence. One, quoted on the WOKV.com website¹ blustered: "By Allah, the wars are heated and you Americans are the ones who ... enflame it."

Meanwhile, over the August 22 weekend, hundreds of demonstrators in New York on both sides of the ideological divide took to the streets in vocal protest demonstrations over whether or not the construction of an Islamic Community Center should move forward. Opponents of the project say that building the center—which includes a prayer room, gym, performing arts center and a restaurant—say that its proximity to Ground Zero is a "slap in the face" at victims

of terrorism and surviving family members. Mayor Michael Bloomberg and other prominent figures, though, have cited freedom of religion and defend the construction of the mosque.

New York Gov. David Patterson proposed using donated or discounted state land if project backers agreed to move the 13-story center further away from the former site of the World Trade Center. Spokesmen for Cordoba House, the umbrella group behind the community center, appear uninterested in that offer, however. Critics say that giving free or belowmarket-value real estate to the Muslim group would not pass constitutional muster anyway, since it violates the separation of church and state.

The conservative Wall Street Journal led the August 24 headlines with a story of Islamic jihadists exploiting the controversy over the NYC mosque for ideological gain. Writer Jonathan Weisman observed that the emotionally-charged rhetoric against the proposed \$100 million project two blocks from Ground Zero has become a "propaganda opportunity" and potential rationale for terrorist acts.

There are conflicting signals out of Washington over the mosque controversy. A White House homeland security official identified as John Brennan told reporters that intelligence agencies have seen no connection with the heated debate and specific terrorist threats. On the other hand, wrote Weisman, "A White House official on Sunday stressed that Mr. Brennan was addressing the narrow question of whether the debate in the U.S. over Islam was having an impact on U.S. counter-terrorism efforts, and that Mr. Brennan specifically declined to address whether those debates were energizing the jihadists..."

The anonymous White House source added that the Obama administration had noted an "upswing in anti-US chatter."

A PERFECT STORM FOR TERRORISM?
It appears that a cluster of develop-

ments, all linked to Islam, seem to be converging to create—potentially, anyway—a "perfect storm" for terrorism and deepening social division.

On the right, groups like the Tea Party movement and the traditional religious right have found in the Ground Zero mosque controversy a new "culture war" issue. There are disputes over the construction of mosques not just in New York but several other states including Tennessee and even California. In some cases, construction workers are breaking ranks and stating that they will not work on construction sites where mosques are to be built.

With older culture war issues cooling—witness, for instance, the controversy over gay marriage—the religious right is desperately searching for new issues. Islam bashing is tailor-made, and it dovetails nicely with spurious claims that President Obama is really a Muslim. Polls show that nearly 15% accept this claim, despite any clear evidence.

Acts of terrorism—or even terrorist threats—can further polarize American voters, and push people in one of two directions based on their religious and ethnic identities. Anti-Islam opponents can become "radicalized," and entertain strategies like those carried out by militant antiabortionists; look for threats and bombings of existing Muslim religious and cultural centers; a spike in "hate crimes" in the form of violent physical attacks on Muslims (homes, schools, places of business); even more anti-Islamic rhetoric heavily laced with nationalistic and religious overtones.

At the other end of the political spectrum, a growing anti-Muslim backlash is sure to place the vast bulk of American Muslims under stress, and create a lure for some of them—especially the younger, unemployed and dissatisfied males—to gravitate to Jihadist websites and groups.

(Continued on page 4.)

¹See the report at http://wokv.com/localnews/2010/08/islamic-radicals-threaten-suic.html.

RESPONDING TO ANTI-MUSLIM BOOK-BURNINGS & MORE

There has been debate within some quarters of the Atheist-Freethought-Humanist community over possible responses to the planned 9/11 anniversary Quran burning.

On one list, some pointed out that the Quran, like the Judeo-Christian Bible, was a text filled with hate, intolerance, misogyny and other evils. On the other hand, book burning is one of the most poignant symbols of Nazi behavior. Seeking a different tact, American Atheists sent out a press release urging the nonbeliever community to recommend books for all to read, and to organize dialogues, panels and debates over the issue of religion—including Islam—in civil society. The list included:

WHY I AM NOT A CHRISTIAN
by Bertrand Russell
WHY I AM NOT A MUSLIM
by Ibn Warraq
WHY I AM AN ATHEIST
by Madalyn Murray O'Hair

ATHEISM ADVANCED
by David Eller
BAUBLES OF BLASPHEMY
by Edwin Kagin
GOD IS NOT GREAT
by Christopher Hitchens
THE GOD DELUSION

by Richard Dawkins

Ed Buckner, President of American Atheists, urged nonbelievers and all other Americans to "Read, don't burn. Think, don't just swallow what anyone else is telling you."

[From the Aug 24 issue of AANews.]

The Center for Inquiry's Statement on the Ground Zero Controversy

From the CFI website, http://www.centerforinguiry.com/, posted August 28

he Center for Inquiry fully supports the free exercise of religion; protecting the rights of believers and nonbelievers is central to CFI's mission. Accordingly, CFI endorses President Obama's recent statement reminding the country that Muslim Americans enjoy the same rights as other Americans and should not be treated as second-class citizens. There should be no legal impediment to the placement of an Islamic community center near Ground Zero, just as there should be no legal impediment to the placement of a church, temple, or synagogue near Ground Zero.

Further, CFI laments the effort by some to turn the proposed Islamic center into a political issue. Government officials and candidates for office should not intervene in disputes over the alleged offensiveness of a place of worship. Such conduct violates the spirit, if not the letter, of the Establishment Clause. Government officials should not be deciding who is a "moderate" Muslim any more than they should be deciding who is a "moderate" Christian or Jew.

A number of private individuals have protested the proposed Islamic center. The tone and substance of the protests covers a wide range. Some protesting the Islamic center have raised legitimate questions, but to the extent the objections to the Islamic center mistakenly equate all Muslims with Muslim extremists, CFI condemns them.

CFI maintains that an Islamic center, including a mosque, near Ground Zero, in and of itself, is no different than a church, temple, or synagogue. It is undeniable that the 9/11 terrorists were inspired by their understanding of Islam, and that currently

there are far more Islamic terrorists in the world than terrorists of other faiths, but those facts are not relevant to the location of the Islamic center, absent evidence that terrorists are involved in this endeavor, and there is no such evidence.

CFI's unequivocal support for the legal right of Muslims to place a community center near Ground Zero does not imply that CFI views the new center as an event to be celebrated. To the contrary, CFI is committed to the position that reason and science, not faith, are needed to address and resolve humanity's problems. All religions share a fundamental flaw: they reflect a mistaken understanding of reality. On balance, CFI does not consider houses of worship to be beneficial to humanity, whether they are built at Ground Zero or elsewhere.

Be Careful What You Wish For: Islamic Center Not a State/Church Violation From an August 17 letter to FFRF members by Co-President Annie Laurie Gaylor

The Freedom From Religion Foundation is receiving a new variation on crank mail — religious-right folk filling out our online form facetiously to report the same so-called state/church violation: the "mosque being built at Ground Zero." They demand to know why FFRF isn't suing over this "violation."

It is telling that the group that *is* suing is the American Center for Law & Justice, founded by the Rev. Pat Rob-

ertson. The ACLJ specializes in complaining any time the government tries to distance itself from advancing or showing favoritism toward Christianity. For instance, right now the ACLJ, a group of legal pitbulls for Jesus, backed by 67 U.S. senators and representatives, is demanding the right to argue the government's case against FFRF over the National Day of Prayer. These born agains have a lot of gall.

Now the ACLJ has gone to court representing a first responder firefighter who claims "the land use process of New York City now threatens to do what the terrorists failed to ac-complish and destroy a building."

The Islamic Center is not being built "at Ground Zero," contrary to hysterical claims. The Sufi Muslim center will replace an old building 2 blocks from the area, which the Landmark Commission has determined does not meet its criteria for architecttural preservation. The Islamic Center meets pre-existing zoning requirements; it is not asking for preferential treatment.

Would the ACLJ be suing if this building were being purchased by the Roman Catholic Church or the Southern Baptists or even the Mormons? If we can't allow a mosque in New York City, then neither should we allow churches. Look what the invading Christians did to the Indian tribe that used to live in *Manahatta*, which became Manhattan. These Europeans arrived with a gun in one hand and a bible in the other.

Mayor Michael Bloomberg in his eloquent Aug. 7 speech pointed out that in the mid-1650s a small Jewish community was denied the right to build a synagogue in Manhattan. Next it was the Quakers who were denied a meeting place. It was not until the 1780s that Roman Catholics were permitted to build a church in New York City.

Bloomberg's speech on this controversy says it best:

"Whatever you may think of the

proposed mosque and community center, lost in the heat of the debate has been a basic question—should government attempt to deny private citizens the right to build a house of worship on private property based on their particular religion? That may happen in other countries, but we should never allow it to happen here. This nation was founded on the principle that the government must never choose between religions, or favor one over another.

"... I believe that this is an important test of the separation of church and state as we may see in our lifetime—as important a test—and it is critically important that we get it right."

"On September 11, 2001, thousands of first responders heroically rushed to the scene and saved tens of thousands of lives... In rushing into those burning buildings, not one of them asked 'What God do you pray to?' 'What beliefs do you hold?'"

"The attack was an act of war—and our first responders defended not only our City but also our coun-

try and our Constitution. We do not honor their lives by denying the very Constitutional rights they died protecting. We honor their lives by defending those rights—and the freedoms that the terrorists attacked."

The Foundation works to buttress the beleaguered Establishment Clause. But there are two religious freedom clauses in the First Amendment, and we are a firm exponent of the free exercise clause as well—granting *individuals* freedom of conscience. The distinction, always lost on the religious right, is that the *government* may not exercise a religious point of view. Religious speech or action by the government showing religious favoritism chills the rights of the disfavored classes in violation of the Establishment Clause.

The same hysteria that has most Americans opposing the Islamic Center could equally be directed to oppose an atheist center or freethought hall. The Bill of Rights happily protects the rights of minorities and enshrines personal conscience into our Constitution.

Use of Government Property to Relocate NYC Mosque Raises Serious Legal Questions, Says Americans United

The Government Cannot Subsidize Religion Or Give It Preferential Treatment

ew York Gov. David Paterson's proposal to offer public property to relocate the so-called "Ground Zero mosque" raises serious constitutional issues and could spark litigation, says Americans United for Separation of Church and State.

"I understand that some people are not happy with the prospect of an Islamic center opening in Manhattan, but relocating it to public property raises significant legal issues," said the Rev. Barry W. Lynn, executive director of Americans United. "Whether the governor is talking about a gift of public land or a sweetheart deal that gives one religious group a special right to purchase government property, it's wrong."

"In America," continued Lynn, "government does not subsidize reli-

gion or give religious groups preferential treatment."

Controversy has flared recently over plans by a Muslim group to build an Islamic center two blocks from the site of the Sept. 11, 2001, terrorist attacks. Paterson proposed resolving the matter by offering public land elsewhere for construction of the Islamic facility.

But Paterson's proposal is legally flawed, AU says.

Lynn pointed out that the Supreme Court has repeatedly held that government may not subsidize religious facilities. Any attempt to use public resources to relocate the Islamic center would undoubtedly lead to a legal challenge.

In addition to the U.S. Constitution, Lynn noted that New York's constitution contains strong language barring any diversion of public resources for religious purposes. Article XI, for example, bans public support of institutions "wholly or in part under the control or direction of any religious denomination..."

Lynn urged Paterson to drop the proposal. The solution, Lynn said, is to respect the Muslim group's right to build its center on private property using private funds.

"Local authorities in Manhattan have cleared the way for construction of the Islamic center," Lynn said. "It's up to the Islamic group to decide whether they want to proceed. I'm sorry that this situation has become so politicized."

[From an August 18 AU press release. See http://www.au.org/.]

Americans United Applauds Court Ruling Against Proposition 8

Minority Civil Rights Should Never Be Taken Away By Referendum, says AU

A mericans United for Separation of Church and State applauded a federal district court decision on August 4 striking down California's Proposition 8, a measure that withdrew the civil marriage rights of same-sex couples in the state.

Chief U.S. District Judge Vaughn Walker ruled that the state constitutional amendment imposes a private moral viewpoint without a legitimate governmental interest and tramples on the equal rights of gay and lesbian couples.

Said the Rev. Barry W. Lynn, "This is a tremendous step forward for individual freedom and church-state separation. Aggressive and well-funded religious groups conspired to take away the civil marriage rights of same-sex couples in California. That

was wrong, and I am delighted that the court has ruled the way it has."

In a November 2008 referendum, voters narrowly approved Proposition 8, a ballot measure that removed the right of same-sex couples to obtain civil marriages. The referendum was dominated by lavishly funded political front groups representing the Roman Catholic bishops, the Church of Jesus Christ of Latter-day Saints (the Mormons) and fundamentalist Protestant churches.

Lynn said powerful religious interest groups should never have been allowed to change civil marriage laws to reflect their doctrinal teachings.

Said Lynn, "A growing number of American denominations and faith groups perform same-sex marriages. Why should the state refuse to recognize those ceremonies while approving of ceremonies by other clergy? A decent respect for church-state separa-tion means the government should not play favorites when it comes to re-ligion."

The August 4 ruling in *Perry v. Schwarzenegger* is certain to be taken to the 9th U.S. Circuit Court of Appeals, and many expect the case to go to the U.S. Supreme Court.

Americans United is a religious liberty watchdog group based in Washington, D.C. Founded in 1947, the organization educates Americans about the importance of church-state separation in safeguarding religious freedom.

[From an August 4 press release by Americans United for Separation of Church and State.]

Interesting New Videos and Links on the Internet:

Pat Condell: Freedom is my religion: http://www.youtube.com/watch?v=mC35KHol6_E

Chris Rodda Exposes David Barton's Lies: http://www.youtube.com/watch?v=ewwWM4psFo8

Fayette Freethought Society members practice for the Dragon Board Race on Peachtree Lake: http://www.youtube.com/watch?v=Z3LbouBp7Fo (Thanks to our Cinematographer, Mark Refuss!)

Anderson Cooper's Interview with Christopher Hitchens on his cancer: http://www.cnn.com/video/#/video/bestoftv/2010/08/06/ac.hitchens.intv.ext.cnn

Christopher Hitchens: Christianity is a Sick Death Cult: http://www.youtube.com/watch?v=BEgJAKIiQG8

Sean Faircloth speaks about public school textbooks being edited by the Texas School board:

http://www.youtube.com/watch?v=mHszvVm05Mo

A new video from The Thinking Atheist: Divine Protection:

http://www.youtube.com/watch?v=m12mZiiaWuw&feature=youtube_gdata_player

Rachel Maddow: "The War On Brains Is Still Being Waged Every Day":

http://tpmmuckraker.talkingpointsmemo.com/2010/08/rachel_maddow_the_war_on_brains_is_still_being_wag.php

American Freethought Podcast #98 by John Snider and David Driscoll, recorded at the August 8 AFS meeting: http://www.americanfreethought.com/wordpress/2010/08/09/podcast-98-the-crescent-and-the-moonpie/#more-2159

"Multiculturalism and Its Discontents: Why are liberals excusing religious abuses on grounds of cultural relativism?" by Susan Jacoby at: http://www.bigguestionsonline.com/columns/susan-jacoby/multiculturalism-and-its-discontents

Atlanta Church in Foreclosure: http://www.wsbtv.com/video/24471479/?taf=atl

Preacher Wants Warner Robins Mascot Changed: http://www.ajc.com/news/preacher-wants-warner-robins-580434.html

Faith and Foolishness: When Religious Beliefs Become Dangerous: http://www.scientificamerican.com/article.cfm?id=faith-and-foolishness

God did not create the universe, says Hawking: http://news.yahoo.com/s/nm/20100902/lf nm life/us britain hawking

Jehovah's Witnesses Mad That Atheists Won't Keep Their Views to Themselves:

http://blogs.alternet.org/speakeasy/2010/09/06/jehovahs-witnesses-mad-that-atheists-wont-keep-their-views-to-themselves/

Awake, the Jehovah's Witnesses' strange little magazine: http://download.jw.org/files/media_magazines/g_E_201011.pdf

Saturday, Oct. 16, is Freethought Day at Disney World: http://freethoughtdayatdisney.info

Federal Appeals Court Says Highway Crosses Unconstitutional

American Atheists Lawsuit Finally Achieves Desired Result

emorial crosses erected along Utah public roads to honor fallen state highway troopers have been found unconstitutional by a federal appeals court.

A three-judge panel of the 10th Circuit U.S. Court of Appeals ruled on August 18 that the 14 large crosses would be viewed by most passing motorists as "government's endorsement of Christianity."

"We hold that these memorials have the impermissible effect of conveying to the reasonable observer the message that the state prefers or otherwise endorses a certain religion," concluded the Denver, Coloradobased court. The state of Utah and a private trooper association have the option of appealing to the U.S. Supreme Court.

American Atheists successfully sued five years ago to have the nonprofit memorial project scrapped and the crosses removed from public property.

At issue was whether the crosses violated the Establishment Clause of the Constitution, by having the government endorsing the Christian symbols, even if indirectly.

Although the suit went against the memorial project, the crosses were allowed to remain pending appeals in the case. They are still in place.

The Utah Highway Patrol Association in 1998 began erecting the monuments, which contain the fallen trooper's name, rank, and badge number. A picture of the officer and some biographical information is included on a separate plaque placed where the two bars of the cross meet. The state insignia is also included, which the judges in particular raised with constitutional concerns.

The service group said their main message was not religious in nature, but among other things, to serve as "a lasting reminder to UHPA members and Utah highway patrol troopers that a fellow trooper gave his life in service to the state" and to "encourage safe conduct on the highways."

While placed on public land and with the state's permission, the crosses themselves are privately owned and maintained. The state expressly noted it "neither approves or disapproves of the memorial marker."

In rejecting the crosses, the appeals court made several arguments, such as the large size and location of the crosses—on busy public highways where motorists cannot help but notice. Other similar memorial crosses have been erected on public land such as Arlington National Cemetery to honor fallen war dead. But the judges noted those markers are generally accessible or visible only to those who expressly choose to visit them, unlike roads where citizens cannot help but see them.

The Supreme Court has in recent years taken a case-by-case approach to Establishment Clause cases. The justices in 1947 said the government needed to be "neutral" but "not an adversary" toward religion. The court has upheld legislative chaplaincies, tax exemptions for churches, and the mention of "God" on U.S. currency and in oaths of office.

At the same time, governmentsponsored school prayer is banned, and limits imposed on aid to parochial schools.

The 10th Circuit rejected arguments from the UHPA that many roads contain crosses or other religious symbols placed by private individuals honoring a dead relative killed in car accidents.

"The mere fact that the cross is a common symbol used in roadside memorials does not mean it is a secular symbol," said the panel. "The massive size of the crosses displayed on Utah's rights-of-way and public property unmistakably conveys a message of endorsement, proselytization, and aggrandizement of religion that is far different from the more humble spirit of small roadside crosses."

The judges also disregarded suggestions that since most of the deceased troopers were Mormon, where the Utah-based Church of Jesus Christ of Latter-Day Saints does not use the cross as a religious symbol, the highway memorials were merely symbols of death and did not promote a particular faith.

The case is *American Atheists v. Duncan* (08-4061).

[From an Aug 18 CNN.com article and the Aug 18 issue of *American Atheists News*.]

American Atheists president Ed Buckner wrote the following about the Utah Cross lawsuit. (The text is from the Frequently Asked Questions section of the American Atheists website, http://atheists.org/blog/2010/08/29/lots-of-fags.)

The Utah Cross lawsuit was brought because the State of Utah gave special preference and endorsement to the Roman Cross, the symbol of the Christian faith. The State denied that it was a poignant religious symbol and claimed it was now secular like a Christmas tree. They did so in order to allow its display on the front lawn of a government building and adjacent to state highways as memorials to Utah Highway Patrol Troopers killed in the line of duty. These crosses were not in cemeteries; had they been, this lawsuit would not have been successful.

The State prohibits the general public from erecting small informal crosses where family members have died in highway accidents but allowed the Utah Highway Patrol Association to erect the twelve-foot-tall stark white crosses emblazoned with the official UHP logo. The UHPA was given special privileges not allowed to others.

The lawsuit is not about free speech of the family of the deceased Troopers. The State's position is that only the Roman Cross could be used by the UHPA as the memorial. If a Jewish Trooper were killed in the line of duty he would be memorialized only by the symbol of Christianity. Utah dictates the religion of memorials to be used by the families of deceased troopers. (Continued on page 8.)

Even after the 10th Circuit decision, the families may continue to remember the troopers in the manner appropriate to their beliefs. However, they should not do so with the assistance of government and on government property when doing so endorses Christianity. The crosses can be displayed on private property.

At Arlington National Cemetery, the families are allowed many different religious symbols to be placed on the headstones of the veterans. The federal government does not mandate that only a Roman Cross may be used on the headstones.

The families of these Utah troopers have every right to honor these troopers. Let's do it in a way that does not involve endorsing religion and especially not endorsing one religion.

Moving these memorials to private land in no way harms the memorials. The original program and the first few crosses erected were on private land.

Making the memorials non-religious in no way dishonors the memories of these troopers. There is a beautiful memorial at the Utah State Capitol grounds honoring all fallen law enforcement officers that is not religious in nature. The Viet Nam Memorial in Washington, D.C., is non-religious.

UHPA and the State of Utah were asked to reconsider the design of the memorials shortly after the program began and long before the lawsuit was filed. They chose not to.

The Roman Cross is a revered and poignant symbol of Christianity that should not be displayed in a prominent and exclusive manner on government property. It belongs on private property. If the current 10th Circuit Court of Appeals decision stands, the UHPA crosses can be moved to private land and the official UHP logo can be removed. The memorials will not be destroyed, they will be moved.

The appeals court rejected the state's blasphemous claim that the cross had lost most religious meaning. Questions of religion are not based on majority vote. That most Utahns may not use the cross as their religious

symbol does not mean that it is no longer a poignant religious icon. The Star of David is not found in Mormon chapels but that does not mean it is now a secular symbol.

These deceased troopers should be honored. They gave the ultimate sacrifice in service to the people of Utah. They can be honored in such a way that does not emphasize religion or one religion. A new non-religious design should be found. All wise Utahns, religious and non-religious, want to and should honor the troopers. The current memorials give the impression that all troopers are Christians. The current memorials give the impression that only Christians are honoring the troopers.

Small homemade roadside crosses erected by private citizens are prohibited next to Utah highways and are ordered to be immediately removed by the Utah Department of Transportation. These large UHPA crosses are given special permits to be erected on the state right of way.

John Q. Public is oblivious to church/state issues as long as and especially when he is comfortable with the religion at issue. "I'm in favor of public prayer, as long as the prayer is to my God. I sure as hell don't want anybody praying to Satan before a city council meeting."

The First Amendment protects everyone's rights by keeping church and state separate. Government must stay out of the business of religion. That ultimately protects all religions and all who practice religion or no religion. Government property must not be used to endorse religion or one religion. If these crosses are allowed to remain on government land, what's next?

The following is taken from the appellate brief that American Atheists filed with the 10th Circuit Ct. of Appeals; the citations are to the record of the trial court which was submitted as an Appendix to the Appeals Court.

Arlington National Cemetery has a web site with extensive photos which

demonstrate a lack of crosses; similarly the US Military Cemeteries *outside* the United States (mainly WW II sites in Europe) have web sites with extensive photos. Those cemeteries have extensive crosses with some Stars of David here and there. Most of the citations to the Appendix are photos from those web sites.

http://www.arlingtoncemetery.org/phto_gallery Non-US Military Cemeteries Web site: http://www.abmc.gov/cemeteries/cemeteries.php

Arlington Web site:

atheists.

The current grave markers at Arlington National Cemetery are not crosses but more traditional tombstone shapes and contain small religious (or non-religious) symbols selected by the deceased's family and made part of the marker. There are currently ~39 different symbols that may be selected, including one for

(http://www.cem.va.gov/hm/hmemb.asp)

CEMETERIES IN UNITED STATES DO NOT CONTAIN ROW UPON ROW OF CROSSES

Row upon row of uniform small white crosses are found in certain United States Military Cemeteries located *outside* the United States. Appendix 483, Exhibits 5 (A) - (X). Similar rows of uniform small white crosses are not used in United States Military Cemeteries in the United States nor at the National Cemetery at Arlington, Virginia. Id.; Appendix 619, ¶ 16; Appendix 533.

The graves of Jewish soldiers in United States Military Cemeteries located outside the United States are marked by the Star of David and not by Roman crosses. Appendix 488 (Ex. 5-C) and others.

White crosses are a time-honored medium to memorialize Christian soldiers. Appendix 484 (Ex. 5-A); Appendix 488 (Ex. 5-C), and others.

A Roman cross as a grave marker instantaneously conveys the religious affiliation of the deceased. Appendix 717-718, ¶¶ 6-7; John Gary Brown, Soul in Stone: Cemetery Art From America's Heartland 20 (Univ, Press of Kan. 1994).

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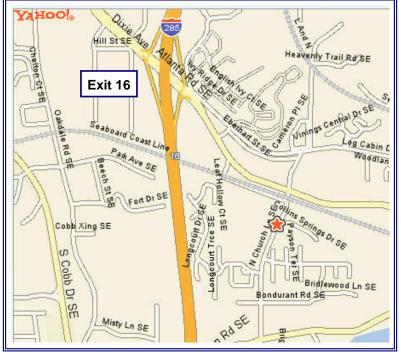
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