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The Revolution of 2006

By Jonathan Wilson

The

President wants us to think that in his role as Commander-in-Chief, at least during a war, he has unprecedented prerogatives to ignore the rule of law. He unapologetically acknowledges that he has violated the law regarding non-judicial wiretaps of American citizens in the name of prosecuting the war on terror. And, when Congress passed a statute expressly prohibiting torture of persons anywhere in the world in United States custody, he essentially signed it while muttering something called a “signing statement” in which he announced his purported exemption from the very law he was signing, again in the name of prosecuting war.



JONATHAN WILSON

The President has a weak argument that a state of war authorizes the President to ignore any and all laws and to do so secretly, too, so it’s harder to catch him at it or to have an open debate over proper accountability for his actions. He launched a criminal investigation against those responsible for revealing his unlawful wiretaps because he felt his violations of the law should have remained secret.

Civil liberties find their real importance only when they are protected and withstand the temptation to curtail them. The perfect example has been the repeated public protests against FFBC by the “Rev.” Fred Phelps. Freedom of expression means almost nothing when everyone in earshot agrees with you. That’s the cheerleaders idea of free expression (which is what President Bush was a Yale, which may explain his distorted view of free expression). All our rights to free expression gain credibility only when tested by the highly unpopular, and still stand protected. Our rights to privacy find their greatest importance only when the temptation to snoop is the greatest, in times of war.

That said, the President’s weak argument for a “war” exemption from all things lawful evaporates completely when there is no war, at least no war in the sense contemplated by the Constitutional framers. The war on terror is *not* such a war. Like the war on drugs and the war on poverty, the war the President has declared is war on an abstract *noun*. Such war was certainly not what the framers had in mind for the exercise of unusual, unspecified “war powers” of a Commander-in-Chief in time of war. Wars declared on abstract nouns can never achieve “victory” in any sense that’s meaningful. They can be declared on a whim and essentially go on without end. If the President were right on this subject, the “war” on terror would leave us utterly without any civil rights, any civil rights, claimed in the Declaration of Independence and purportedly guaranteed

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CALENDAR

- ▼ The next FFBC meeting is 7:00 A.M., Friday, February 3 @ Hoyt Sherman Place.
The speaker will be Des Moines Police Chief Bill McCarthy.
- ▼ R.S.V.P. by Tuesday, January 31 to <Jonathan.Wilson@lawiowa.com> or 288-2500 by phone.

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by the US Constitution.

This President has denied our citizens due process, the right to legal counsel, and the right to trial and to confront accusers. He has taken us into an ill-considered act of aggression against a sovereign nation based on faulty or manipulated intelligence. He has violated international law in addition to the laws of this nation. He has abused the patriotism of our men and women in arms, and needlessly sacrificed the lives of our children. He has squandered the public treasury and mortgaged the future of our grandchildren.

The imperial prerogatives claimed by this President would have resonated well with King George the Third to whom the Declaration of Independence was addressed. That Third George was told that people are endowed with "unalienable Rights" and, when any government becomes destructive of them, it is the peoples' "right, it is their duty, to throw off such Government, and to provide new Guards for their future security." The Declaration goes on, "A [person], whose character is marked by every act which may define a tyrant is unfit to be the ruler of a free People." I grew up thinking those principles were established immutably and understood by virtually everyone. A C-student President may have missed those important government lessons.

Our latter day George the Third (after George Washington and George H.W. Bush) is on a collision course with history as surely as was George the Third of England two hundred thirty years ago. Remember that you read it here first; the elections in 2006 will turn on whether or not to impeach this President. Republican Congressional majorities alone have prevented articles of impeachment from being filed thus far. That needs to change. It can change as early as November 2006.

Ask yourself the question that ends our national anthem, "Oh say does that star spangled banner yet wave o'er the land of the free and the home of the brave?" If your answer is no, what are you going to do about it? Are you a self-respecting American citizen? What would John Hancock do? Or Thomas Jefferson? Or Benjamin Franklin? Or the first George (Washington)? They pledged their lives, their fortunes, and their sacred honor to make sure that things were changed. Will we do less?

—Jonathan Wilson



BRIEFS & SHORTS

Be sure to RSVP by January 31 to Jonathan.Wilson@lawiowa.com for the February 3 meeting. He may also be reached by phone at 288-2500. February's speaker will be Des Moines Police Chief Bill McCarthy.



Thanks to John Schmacker for his introduction of our January speaker, Carolyn Washburn, Editor of **The Des Moines Register**.



"Claiming the Promise," a welcoming Bible study regarding homosexuality and the church, will be offered on the eight Monday evenings of February and March at Grace United Methodist Church, 3700 Cottage Grove Ave.

Sessions will be from 7:00 to 8:30 p.m., beginning Feb. 6, 2006. The program is open to all persons with an interest or concern about homosexuality as it affects the various Christian church denominations.

For more information, call Larry Hoch at 515-253-3920.



Katrina may have put a damper on Mardi Gras this year in the Big Easy, but luckily for Des Moines, you don't need to travel all the way to New Orleans to celebrate. PROS for February will be a Mardi Gras party, complete with beads, cajun food, a king cake, and hurricanes (drinks, not storms!). Jim Anderson and Byron Huff will host the party on Saturday, Feb. 18 from 7-10 p.m. R.S.V.P. to Denny Schrock at denny-schrock@prodigy.net or 515-986-3966.



Register ASAP to secure your place at the Governor's Conference on LGBT Youth!

To enhance public understanding about lesbian, gay, bisexual, and transgender (LGBT) students, Governor Vilsack and Lt. Governor Pederson have joined the GLBT Youth in Iowa Schools Task Force to present the Governor's Conference on LGBT Youth on February 21, 2006, at Drake University (Olmsted Center) in Des Moines. The conference is the first of its kind in the state of Iowa and is designed to explore multiple aspects affecting the safety and well-being of LGBT students in schools and communities throughout Iowa.

The conference is \$35 (before 2/1/05) for adults and \$25 for students. If you have questions, please contact Brad Clark at brad.clark@iowasafeschools.org or 515-243-1221.

January Speaker Review

By Bruce Carr

My Most Unforgettable Lunch Date

by FFBC Member John Tompkins

January's guest speaker was Carolyn Washburn, since last September vice president and editor of the *Des Moines Register*. A native Midwesterner and a graduate of the University of Indiana, Washburn has pursued her journalistic career primarily in the Gannett chain, most recently as executive editor of *The Idaho Statesman*. She had been managing editor of that newspaper from 1993 to 1995.



Washburn began her newspaper career in 1984 as a business reporter for the *Lansing State Journal*. She moved to the *Rochester Democrat and Chronicle* in 1987 and held several positions there, moving then to Boise as managing editor in 1993. She returned to Rochester as managing editor in 1995 and back to Boise as executive editor in 1999. She was awarded a Gannett President's Ring in 2001, and *The Idaho Statesman* was named a Gold Medal newspaper that same year.

Deciding that she's ready to stop "flying over" her native Midwest, Washburn and her husband and three children are now settled in Des Moines, and she noted that our breakfast meeting would mark her first live public appearance in her new role.

Washburn devoted her time to presenting and explicating the *Register's* statement of ethical conduct and professional standards for itself and its reporters and writers, which states that they are "committed to:

- ▼ Seeking and reporting the truth in a truthful way
- ▼ Serving the public interest
- ▼ Exercising fair play
- ▼ Maintaining independence, and
- ▼ Acting with integrity."

"We will be curious," she said, "neutral but not 'objective'. We want to shed light, not heat on the issues. We will pay particular attention to the historical and geographical context behind and beneath the apparent 'facts' of a story. We will have an attention span."

Washburn answered several questions from attendees with thoughtfulness and care, and she encouraged listeners and readers to be in direct touch with her with their issues of concern, accuracy, and fairness.

—Bruce Carr

On Monday, October 10, 2005, I arrived at the *Subway* at 27th and Euclid at about 12:30 P.M. I had inadvertently driven past the driveway from the west and nearly opted to continue down the street but decided instead to turn around and go back. That day that was the wrong choice. When I arrived there was only one other customer in the restaurant.

Having placed my sandwich order, I sat at a booth that allowed a clear view of the entrance so I could watch other customers arrive. I had barely unwrapped my sandwich when a fairly average looking, tall, lanky man arrived. He approached the counter hesitantly where 3 employees were ready to take his order. Instead of placing an order, he mumbled something that was inaudible to me and then walked to the back taking a seat at a booth behind me. He was slightly disheveled and nervous. I was a little nervous myself having him seated behind me and out of sight.

Soon, a stocky African-American man walked in. He placed his order and was waiting for it when suddenly the man behind me rose from his seat and approached the counter. He seemed to turn slightly to the African-American man as if he were going to greet him, but instead he plunged either one or two knives that appeared from nowhere into this unsuspecting man's torso. The attack victim was bleeding profusely and the shocked employees pulled him behind the counter and seated him on a chair where they attempted to slow the bleeding while calling 911.

The perpetrator (I'll refer to him by his initials JD) immediately turned his attention to escape. He strolled somewhat calmly over to the one other customer in the store. The customer continued to eat his lunch almost as though he didn't want to be disturbed by all of this. JD demanded his car keys, and the man replied either that his car was not there or that JD wouldn't want his car, something to that effect. Unruffled, JD strolled over to me, his only other choice, and demanded my keys. By this time, I had frozen in place. Taking my cue from the other customer, but without the same poise, I also said that I had no vehicle. That didn't work twice. JD produced a pair of knives that he waved in the general direction of my neck saying that he would kill me if I didn't give him my keys. Figuring I had run out of options, I complied.



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Before he reached the door, he determined that he didn't know how to eject the ignition key from the keypad and returned demanding instruction. I complied again.

I didn't let the moment pass, though, without making one statement to him, knives or not. My car was a 2005 Volvo with about 2300 miles. I told him that I would rather he not take my almost new car. He seemed a bit stunned by this and responded with, "*I understand.*"

Despite his understanding, and flush with instructions on how to use the ignition key, JD left the restaurant, started the car, and sped west on Euclid Avenue. Paramedics, and police arrived in what seemed like only seconds after he was out of sight. I had the presence to remember my license plate number, which helped.

He was spotted shortly on Beaver Drive, and a chase ensued. At one point, JD actually slowed down, lowered the window, and attempted to wave the Polk County Sheriff's vehicle, lights flashing and sirens blaring, around him. When they didn't go around him, JD resumed speed. The deputy sheriff used what is called the PIT maneuver, which taps the vehicle being pursued in a way that causes it to lose stability, which it dutifully did. The car came to rest on its roof in the middle of a residential front yard. Minutes later, when I arrived with a DMPD officer, JD was out of the car, handcuffed, and sporting a grin no less.

JD's charges included attempted murder for the stabbing, two counts of aggravated robbery (one of the counts for the man who didn't produce car keys; the other for me) and a host of traffic charges. Since that fateful day, JD has been housed at the Polk County Jail, has been through psychological testing, and by the time this article appears will have had a competency hearing to determine if he is fit to stand trial. The stabbing victim has apparently recovered.

I have tried to figure out why an individual would commit such acts. Robbery wasn't an apparent motive, and he didn't appear intoxicated or under the influence of drugs. The most plausible explanation might be a form of mental illness, perhaps not medicated or medicated improperly.

I was lucky. I wasn't physically injured and cars are replaceable, and mine has been. I've gone through the typical emotions following an incident like this, from shock and dismay, to anger, and to feeling a degree of compassion for someone with perhaps untreated mental illness. One can only hope that whatever decisions are made regarding JD, he and society will both be served.



On December 19, with another person, I did return for lunch at the same *Subway*, sitting in the same booth. The experience was uneventful.

—John Tompkins

Two Tales of “Unnatural” Love: King Kong & Brokeback Mountain

King Kong opens with the song “Sitting On Top of the World” as the camera pans across a Hooverville in Central Park in New York City. It is the 30s, the depression has hit, soup lines are forming; it's a scary time to live. The heroine, Ann Darrow (Naomi Watts), is a Vaudeville performer, doing skits, dancing, and juggling, but dreaming of being an actress. When the theater closes, she finds herself out on the streets without money and without many choices.



Carl Denham (Jack Black) is a motion picture director with a scheme to make it big by tricking his cast to follow him to an uncharted place called Skull Island with legends of gigantic beasts and primitive inhabitants. His backers decide to pull the picture and sell the footage he has already filmed as stock footage to another studio. Jack steals the film and heads for the tramp steamer headed to Skull Island. He comes across Ann Darrow and tells her, “I'm someone you can trust Ann, a movie producer!” Once she discovers that the movie will be written by playwright Jack Driscoll (Adrien Brody), she is eager to join. He tells her, “Your whole life has been a prelude for this moment. . . You were born to play this role . . . It was always going to be you, Ann Darrow . . . It was cast by Fate.” Which was more prophetic than he knew.

The film has a slow, ominous pace until the cast makes it to Skull Island. On Skull Island, it becomes a wild, heart-pounding adventure. The inhabitants of Skull Island are unfriendly primitives. It is a society based totally on fear, and what is portrayed is probably what such a society would be like. It is so intense and so brutal that I wouldn't recommend that young children see this movie. The inhabitants did have plenty to fear. On the other side of a fence was not only Kong, but a seemingly endless succession of life-threatening animals. The cast is subjected to a dinosaur stampede, attacks from insects and worms that will suck a person's head off, pterodactyl-like bats, etc.

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The film is really two love stories—that between Ann Darrow and Jack Driscoll and one between Ann and Kong. Initially Kong takes Ann and treats her like a plaything. When Ann realizes that escape is not likely, she takes an opportune moment to go into her vaudeville routine to amuse Kong. He develops an affection for her and for the rest of the movie Kong rescues Ann from harm at almost any cost and every turn.

The animation is so good that you can feel Kong's emotions. The actor, Andy Serkis, played Kong by going through the motions of Kong with sensors on his body and the resulting output is phenomenal. He also plays Lumpy, the ship cook, if you want to check out what Kong looks like without the animation. Peter Jackson has produced an incredible homage to a great film classic, adding his own touches. If you like adventure and a great story, you will enjoy this film.

Brokeback Mountain is a totally different tale of “unnatural” love. Enlightened people today know there's nothing unnatural about love between two men, but out west from the 60s through the 80s it was dangerous even to contemplate. Maybe still is. **Brokeback Mountain** is a tale of two men forced by the strength of their feelings to deal with that reality.



The movie begins with two men who meet in a parking lot signing up for work as ranch hands. Jack Twist (Jake Gyllenhaal) shows up sizing up the other cowboy as if ready for cruising, but the object of his attention, Ennis (Heath Ledger), acts as if he has no idea that's occurring, and barely pays attention to Jack. Soon they are hired and paired up on Brokeback Mountain. Ennis is assigned the relatively easy duty of maintaining a base camp halfway up the mountain. Jack has the duty of sleeping with the sheep at night in a tent up high on the mountain to keep away predators.

At first, the men hardly talk. Eventually, alone together in the mountains weeks at a time, they break the ice. They do playful wrestling, get drunk together, and talk. Although they had been admiring each other while bathing in the creek, no physical action other than wrestling had occurred. On one of their drunken nights together, however, Ennis was too drunk to make it up to the sheep camp. He tries sleeping by himself around the camp fire, but the incredible cold prompts him to accept Jack's invitation to join him in the tent. They fall asleep together, but soon Jack initiates things, and Ennis surrenders to his physical needs and they have intense intercourse

high on the mountain.

The next morning, Ennis ignores what happened. When finally approached by Jack, Ennis says, “This was a one shot thing. I am getting married when I get down from Brokeback Mountain.” “No one else needs to know,” says Jack. Ennis implores, “You know I ain't a queer!” “Me either,” responds Jack.

Events keep them together and soon the men are kissing and making love with abandon. When they are forced to break camp and come down from the mountain, each goes his own way—one to Montana, the other to Texas. Ennis marries and tries out the American dream of a wife and two kids. Jack gets married eventually as well.

But their thoughts of each other, and their emotional detachment from their female companions, eventually bring the two together again and they spend decades periodically seeing each other for “fishin' trips”, where they never catch any fish, but certainly catch each other on Brokeback Mountain.

The film visits the pain of everyone with this situation. Ennis's wife once saw Jack and Ennis kissing with a passion unfamiliar to her. Each trip to Brokeback became a stake in her heart. Jack's wife was more oblivious to her husband's cavorting, but soon their marriage becomes sexless. Jack wants Ennis to join him. On Brokeback he tells Ennis, “It could be like this always. We could farm together!” Ennis looked at the practical side saying, “I told you it ain't gonna be that way. If this thing gets hold of us at the wrong place and the wrong time, we are dead!” So the men continue having their relationship up where no one would see them, where it was safe, up on Brokeback Mountain.

This movie deals successfully with the issue of same gender relationships between men who desire each other and need each other, but must fit only the societal mold that was accepted at the time. The emptiness of not fulfilling their bond by living together, and the pain of the wives who live with their husbands while they are bonding physically and emotionally with someone else, is all too painful for everyone. We find out the threat Ennis feared is real when Jack is assaulted and killed.

It's an emotional and strikingly beautiful film. It is great that a film about “two gay cowboys” can be such a hit with the movie-going public. It is destined to receive many Academy award nominations. America has come a long way from the time when the sight of two men kissing in a movie theater would create uncomfortable giggling. America is realizing these feelings between men are real. Violence is no longer an acceptable response. Thank you, director Ang Lee, for making such a potent statement through this film.

—Gary Kaufman

FFBC

*First Friday
News & Views*

Des Moines, Iowa

FEBRUARY 2006

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From the Editor

January 10, 2006: The Day After

My friend died yesterday at the age of eighty-four. He was an extraordinary man, and I was fortunate to get to know him during his later years. He was legally blind, afflicted by macular degeneration. Words were his life and the loss of his sight was a great blow to him, but it also brought new experiences. He used to say if it weren't for the blindness that he would never have known those people like me whom he hired to read **The Des Moines Register** and **The New York Times** every day for him. I read for him at least once a week, usually on Sundays at his home, but sometimes at his office in downtown Des Moines.

You see, this was no average man. He was one of the most intelligent and insightful persons I ever knew. He was wealthy, but he used his wealth to better the lives of everyone in his community. He had a wonderful sense of humor tinged with a sense of cynicism, and even when I read to him in the hospital a few days before he died, he was still asking questions and making observations about the world in which we live.

He was educated at the best private academies and universities in the United States: Phillips Exeter Academy, Yale, and Harvard Business School. He was a world traveler, a World War II hero, newspaper and magazine publisher, philanthropist, and bon vivant. I had the privilege of spending three days with him and some other friends in Paris three years ago where his French beret and cashmere socks made him look like a native Parisian boulevardier. He believed in quality: good wine, good food, and good friends. He loved to play bridge, and when he discovered that he could just make out the numbers and faces on the over-sized decks of cards that I bought, we played bridge regularly on Sunday afternoons. I think those are the times I will miss and remember most.

My friend gave of himself and to others. He understood the power of money and yet used that power for the benefit of others, including untold numbers of people he never knew or met. "Benevolence" is a word that barely begins to describe his generosity. I doubt we will ever see the likes of him again.

Such a man was David Kruidenier.

—Steve Person