

“From Prairie to the East Coast: One Mennonite Woman’s Journey”
By Susan K. Goering to SMCHA Banquet
At Faith Mennonite Church
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I live in Baltimore, Maryland where for the past 30 years I have been working for the American Civil Liberties Union (ACLU). So my job is to explain how I ended up so far from our community of origin and how what I’m doing qualifies as service.

1. Our Anabaptist roots and the Swiss Mennonite community had a strong influence on my choosing my work.
2. Highlight the history of the national ACLU and some of the ways it intersects with Mennonite values
3. Some of the consequential work that the ACLU of Maryland is doing these days.

- I. Our Anabaptist roots and the Swiss Mennonite community had a strong influence on my choosing my work.

How I became a civil rights attorney? Confluence of 2 things: A national civil rights movement and our Swiss Mennonite Community’s teachings of Jesus.

In the summer after sixth grade in Wichita, Kansas, I heard a calling.

I had never known an African American personally, and the only lawyer I knew was Dale Stucky from the Lorraine Ave Menno Church who did not practice civil rights work. But in the courtyard of my home, through the screen door of our house I heard Dr. Martin Luther King, Jr. give his “I Have a Dream” speech. And I came to a decision on the spot that being a lawyer would be a key to social change. It was my father’s values instilled in him by our Anabaptist teachings and our Swiss Mennonite Community that were a huge influence on him and then me.

My cousin, Gary Schrag, has studied Anabaptist history deeply and reports that the way we learn the Gospel in our community is different from the way that other Christians learn the Gospel. A key understanding of the Gospel for Anabaptists is that we are to be *nachfolgerin*. We are to be followers, disciples of Jesus. Eden church pastors and Bethel professors to be sure influenced him. But also young men and women from our community who served through MCC in other countries. Their messages, their actions spoke deeply to my father and his generation. They modeled what the Mennonite leaders taught.

This Anabaptist take on Jesus and how it was exemplified by community was the launching pad for everything my father did: His decision to be a Conscientious Objector; his continued work with MCC after the War, accompanying a boat load of cattle to a starving Poland, his years at Bethel College; his extensive work with habitat for humanity, his work with Mennonite Disaster Service, his

involvement with Amnesty International; his work on behalf of Memorial Home's residents with dementia; his advocacy for civil rights, not just for ethnic people, but for gays and lesbians. This list is just my father's list and what I took from his model. Your families have their own plentiful lists of devotion to service.

I was personally humbled by the remembrance from Dale R. Schrag that I read this week on your website of his uncle and Aunt Harold and Ellen Schrag and their service in Gulfport LA. Then I remembered having met them. My father took us to meet his cousins Harold and Ellen when we were coming back from visiting relatives in Florida and I'll never forget that moment. The ocean lapping near what seemed a simple camp of sorts. But it was not a vacation spot...it was a community.

My father was a liberal in both politics and religion. But his liberalism and his Christian faith were firmly integrated. He read the Gospels of Jesus as requiring that we love our neighbors as ourselves—a teaching made tangible by the story of the Good Samaritan.

A story in which a Priest and a Levite (a lawyer, I hope not an ACLU lawyer) refused to come to the aid of a man that had been robbed and beaten and left half dead. And the hero is a Samaritan from a group deeply loathed by the Jews, who was the "good neighbor" ...the "one who showed mercy."

Our community is clearly full of people "who show mercy."

II. The history of the national ACLU and some of the ways it intersects with Mennonite values

The origins of the ACLU date to World War I era—were a dark era for civil liberties.

At the turn of last century the Constitutional rights we take for granted were mere paper rights. Pacifists who refused to enlist were imprisoned, where they were often beaten; some killed. Women couldn't vote. Government officials regularly censored books. Child labor laws were non-existent. Workers' rights were unheard of. Anyone who joined a march to oppose government policies was often beaten and jailed. The police were unconstrained in breaking into homes, seizing personal property, arresting the inhabitant- And African Americans in the South lived in terror for their lives. Jim Crow was slavery by another name. Southern states passed "Jim Crow" laws that controlled virtually every aspect of Black lives. State Loitering laws allowed police to arrest men for standing on a street corner: Jailors then regularly "lent" Black prisoners to private companies where they performed the most back-breaking work for free. And Lynching was pervasive

In 1917, War fever gripped the US, and official hostility toward dissent ran high. Attorney General Mitchell Palmer ordered crack-downs on protesters, breaking strikes, prosecuting conscientious objectors, and deporting thousands of immigrants.

One group in particular that stood up to Palmer was: the American Union against Militarism (AUAM) which was a precursor to the American Civil Liberties Union. The group was led by social reformers and radicals. Among its founders was the pacifist Roger Baldwin who served time in prison himself rather than go into the military.

As the United States prepared to enter the war, Baldwin renamed the group the Civil Liberties Bureau, and gave it a broader mission to defend those the government saw fit to crush and corral.

Between 1919 and 1920, Anti-Communist hysteria worsened the civil liberties picture. There were massive police raids that netted thousands of alleged subversives. The arrestees were brutally treated and held in horrible conditions. No criminally accused person in any state court had the right to appointed counsel to defend him. So this was all done without the US Constitution's protection of due process.

In 1920, the Civil Liberties Bureau became the American Civil Liberties Union. Its leadership included author Hellen Keller, attorney and future United States Supreme Court Justice Felix Frankfurter and socialist clergyman Norman Thomas.

III. Some of the consequential work that the ACLU of Maryland is doing these days.

What attracted me to the ACLU mission was that it was created to defend the rights of minorities, including religious minorities like the Jehovah's Witnesses who were routinely ridiculed, beaten and jailed for standing on soapboxes to preach their understanding of the Gospel. In fact the ACLU backed the Jehovah's Witnesses in a series of key Supreme Court cases that established religious and free speech rights for all of us.

Perhaps my favorite case we took was to represent Jehovah's Witnesses in the middle of World War II at the peak of the patriotic fervor. The JW's were in West Virginia and they deeply believed that saluting the US flag was against their religious belief that God, not country, comes first. Indeed JW's were tarred and feathered because of their deeply held beliefs.

In a tribute to our tri-partite form of government, which allows the courts to have the last say about what the Constitution means, the USSC ruled in favor of the JW's. In doing so, it spoke lyrically of the rights of minorities in America:

"To believe that patriotism will not flourish if patriotic ceremonies are voluntary and spontaneous instead of a compulsory routine is to make an unflattering estimate of the appeal of our institutions to free minds....freedom to differ is not limited to things that do not matter much. That would be a mere shadow of freedom. The test of its substance is the right to differ as to things that touch the heart of the existing order."

Once the ACLU began filing cases in the courts slowly what had been mere paper rights were given life by the courts. One of the particular liberties that affected men from the historic peace churches was the exemption from military service based on religious beliefs. That right was clarified in the Second World War and then expanded in 60s and 70s by a United States Supreme Court case that said people were exempt from military service based on deeply held philosophical and moral objections.

How does my work qualify as doing service? The ACLU of Maryland does not provide direct services as do so many church organizations, including MCC. We don't necessarily feed and clothe the people, except perhaps metaphorically. But I try to concentrate my life on loving God, and without discrimination, being a good neighbor.

Our clients are the beneficiaries of our work.

1. Violinist Bill Hassay challenged Ocean City, Maryland's overly broad restrictions on musicians playing their instruments on the city's board walk. First Amendment artistic expression.
2. The young high school student Enidris, refused to stand for the Pledge of Allegiance in protest of federal policies on immigration.

3. Immigrant child in detention...and without a lawyer to defend him in deportation proceedings. Boy from Central America running for his life to escape violence. 70% of Americans want sane immigration policy. Some are asked to represent themselves in court and they can't speak English. With ACLU intervention, they now had a safe place to be and they had a lawyer.
4. ACLU client one of first B reps to county council of the ES. First black elected official on eastern shore since Civil War. MD was south but not confederate. Middle MD was protected by troops because of Washington D.C. East shore very conservative. ACLU divided up counties so that blacks had a chance to be able to elect someone or this could never have happened for them.
5. Marriage Fairness. 2 lesbian women had a chance to be married in MD. They didn't deserve to be marginalized since they are people. 2005 ACLU lost the case: wasn't quite time yet. Following 2010 allowed people in MD to vote on this; it was on the ballot and passed. Then Supreme Court ruled in favor at national court and it is now the law of the land.
6. Coalition member - we abolished the death penalty 5 years ago. Coalition 2011 to stop the death penalty. We believe that we should not take another person's life.
7. Privacy - cell phone - passed law to require that police have to get a warrant from court before intercepting phone calls. Cell phone. Police overreaching. MD legislature passed law that police have to get a warrant before they listen to your phone.
8. ACLU uncovered aerial surveillance is focused predominantly in poor, mostly Black neighborhoods. In the air plane surveillance over particularly the black neighborhoods (where Susan lives too), the west side of Baltimore much more than white neighborhoods. It is a form of discrimination
9. Bumper sticker asking support for ACLU's work on getting the legislative branch to pass a 1 billion bond to renovate or build new public schools in Baltimore City. Bumper sticker: Build Schools, Build Neighborhoods. 60% of Baltimore is black. They have black leadership too. Much white flight happened in 60s. Schools need attention desperately. Baltimore got more money through ACLU. A billion dollars helped to renovate or build schools
10. Criminal justice - over-incarceration plagues the entire US, but Blacks bear the brunt of it. We have in this country a flawed criminal justice system at every stage. Criminal justice. Over incarceration. In part because of drug wars in Bill Clinton's era (1993-2001) and privatizing jails. Changes needed all along from police on the streets to administration. Systemic racism. Blacks are arrested five times more. Very tough issue. Structural racism. System of public policies.
11. In 2015 April uprising, Freddie Gray, transported under brutal circumstances to jail and died.
12. The criminal justice system is one of the best examples, as are government housing policies dating back to the 1930's FDR-led government. Housing discrimination, most egregious. Franklin D. Roosevelt to stimulate economy provided a system of mortgages. Otherwise people would have to pay cash for housing. Government would stand behind mortgages companies if someone failed to pay. In the suburbs, people built houses using these mortgage helps. In the Underwriting Manual though were words that a mortgage couldn't be given to black person or a black neighborhood or to a white neighborhood if one black lived there. Government underwrote segregation. Mortgage companies benefitted. White people left and the area became a ghetto. In 1995 14,000 African American families live in high rises downtown. Now not an area of opportunity. ACLU intervened. Families got

counseling. 3,000 families moved there for the most part was good. Now getting kids out of harm's way is the emphasis. Violent neighborhoods. Kids suffer posttraumatic stress and cause actually them to lose a year behind in schools because of these experiences' effect on the brain. White people's houses appreciated and that was our wealth. These in the city have no wealth.

Structural or institutional racism is one of our deeply held priorities.

Institutional or Structural Racism is defined as a *system* of

- *public policies,*
- *institutional practices,* and
- *cultural representations*

that reinforce and perpetuate inequality among racial groups. ACLU doesn't always go to court but sometimes works with legislature.

I live in a neighborhood where around dusk helicopters (police department "crime copters") zoom overhead with eerie frequency. Where now and then there are knocks on the door from kids wanting a snack or adults needing help getting to the hospital themselves or getting their children to the dentist.

I ask myself regularly: If I am an attorney who cares about those in deep, structural poverty, how might I conduct my life?