

New York City Atheists

March 2002

Visit our Web site: <http://foody.org/atheist.html>
E-mail us: atheist@foody.org

Events

March meeting cancelled

Join NYC Atheists at Starry Nights

Friday, April 5, 5:45-8:15 P.M.
American Museum of Natural History
Rose Center for Earth and Space
(jazz café below the planetarium sphere)
Enter on West 81st Street, just west of CPW
Meet in the café, near the base of the stairs

Come to our April meeting

Sunday, April 28, 3:30 P.M. (new time)
Moonstruck East diner, upstairs
449 3rd Ave. (corner of 31 St.), Manhattan
Agenda: American Atheists affiliation; spending
For more information, contact Josh Karpf via e-mail at atheist@foody.org, or Joe Zamecki at aajoeyjr@aol.com or at the American Atheist Center, (908) 276-7300.

Museum Night on Friday, April 5

Our next regular meeting will be April 28, the last Sunday of that month, at 3:30 (note new time). March's meeting is canceled since the national convention of American Atheists meets in Boston on the same weekend.

Instead of an end-of-March meeting, we'll have a beginning-of-April "Starry Nights" evening at the American Museum of Natural History. Starry Nights, a café under the Rose Center planetarium sphere, is a casual, high-tech space that showcases ambient jazz from 5:45 to 8:15 on Friday evenings. It also sells drinks and snacks/tapas. Admission to the café is included in the museum's suggested donation of \$10, but the museum accepts any donation. For more information on Starry Nights, point your Web browser to <http://www.amnh.org/rose/specials/jazz/index.html> or call the museum at (212) 769-5100.

The direct entrance to the Rose Center is on the north side of the Museum on West 81st Street, just west of Central Park West. The museum is open till 8:45 so we also can see an exhibit.

Atheism on Parade

Members of the New York City Atheists, American Atheists, the Center for Inquiry—Metro New York, and Long Island Secular Humanists (LISH) marched behind LISH's banner at the alternative St. Patrick's Day parade in Queens on Sunday, March 3. NYC Atheists member Kirsten Sorderberg was star of the show in her four-sided sandwich board bearing atheist slogans. Parade organizers welcomed out groups, and we were cheered by many spectators, but we felt most valuable when we passed many religious demonstrators whose signs

read *Sodomites Keep Your Hands Off Our Children* -- ironic, considering recent news about child-molesting clergy (see "Clergy Sex Abuse" elsewhere in this issue). Kudos to LISH for leading this initiative.

February Meeting

Sixteen people attended. The restaurant requests that in the future we begin meeting at 3:30 rather than 3:00. This should ensure faster food service.

We talked about the planned WBAI radio show *Equal Time for Freethought*, and about *Newsday's* publication of our letter to the editor praising Home Depot for forbidding a "God Bless America" sign. We discussed such signs appearing on New York City mass transit, and whether we could document and oppose that. Most attendees favored at least investigating the issue; one advised caution during the conservative political climate. One member described being victimized by a proselytizing taxi driver.

We voted 10-0 to endorse a statement launched by the group Scouting for All: that since the Boy Scouts of America have forbidden participation of gays and have said that "duty to God" is a scouting obligation, boards of education should forbid public school teachers to promote that group. Local Ethical Culture, humanist, and Unitarian groups also have endorsed the statement. Thanks again to LISH for its initiative on this issue.

Also, we voted 9-0 to pursue the museum outing. No one at the meeting had a preferred date. So our members were later asked in e-mail about what date was best.

Passing the hat gave a \$149 boost to the treasury, resulting in a new balance of \$205.29 excluding this newsletter's printing and mailing. Thanks to all who donated.

April Meeting

March's meeting is canceled due to its conflict with American Atheists' national convention. We will gather at the American Museum of Natural History's Starry nights café on Friday, April 5, and will hold our diner meeting on Sunday, April 28, at 3:30 (note new time). At April's meeting, we will discuss and vote on whether to affiliate formally with American Atheists, which helped launch our own group.

Time permitting, we should also discuss how to spend our treasury to help New York City Atheists grow. Possibilities, some mentioned at February's meeting, include: a P.O. box, a phone line/answering machine, a domain name, a banner, newspaper advertising, and rented meeting space.

New Newsletter Design

This more professional newsletter look is thanks to Ileen Zovluck. Josh Karpf continues to write articles. The newsletter will be mailed a week earlier than before, in response to a member complaint about lateness.

Clergy Sex Abuse

The New York City area has been no less victim to sexual abuse of children by local clergy, a crime made newly and nationally prominent by the Boston trial of John J. Geoghan, who was convicted last month of sexual abuse of a minor. Geoghan, who faces many more lawsuits, was shuttled between dioceses over a 30-year period as the archdiocese received reports of him abusing over a hundred young boys. Last month's newsletter noted the *New York Post's* brave expose that in the 1980s, Brooklyn bishop Thomas Daily had helped move Geoghan between parishes. In a court deposition, Daily admitted to asking boys' relatives to stay silent to avoid a scandal.

Prosecutors and the family decided to delay till now the case against Nevison because the boy was so fearful of him — one article said he had been suicidal — and because of the difficulty of convicting clergy. "Like anyone else, we in law enforcement tend to believe that religious figures are beyond reproach. You want to make very sure before you go accusing one," said Philadelphia district attorney Bruce L. Castor, Jr.

In an unusual bail arrangement, State Supreme Court justice Arlene Goldberg quickly freed Nevison on a \$100,000 personal recognizance bond secured by \$10,000 cash, ordering him to surrender his passport and giving him until mid-March to surrender to Pennsylvania authorities. The Manhattan district attorney's office did not oppose the light conditions. This infuriated Castor, who said the Manhattan D.A., Robert Morgenthau, refused Pennsylvania's request for higher bail. Morgenthau is a trustee of Temple Emanu-El.

The synagogue supported Nevison, saying that he had previously brought "this issue" to the attention of its leaders, that they had "found nothing untoward," that they were "saddened by the allegations," and would take no action against Nevison unless he is found guilty. But synagogue officials remained silent afterward. Many articles quoted parishioners who supported him, but some Jewish leaders criticized Emanu-El for not distancing itself from Nevison earlier. "People wondered why, when he went to the hierarchy three years ago, why didn't anyone see this coming and take action to prevent a public relations catastrophe?" said one. "It's a huge mistake that they kept him on" after Nevison brought the issue to the attention of synagogue leaders, said a Jewish Theological Seminary director of pastoral psychiatry. "I hope they did some kind of in-house investigation of the allegations," said a psychiatrist who trains rabbinical students at an Upper West Side Orthodox seminary. "It's quite tragic if they didn't."

Nevison, after saying said he would continue with business as usual, disappeared from the synagogue, which then said he had taken "an unofficial leave of absence." The vice president of the Cantors Assembly, a professional group, advised members to make sure a parent is in the room during one-on-one sessions with children. Pennsylvania authorities arrested Nevison when he surrendered himself there on March 9.

A Plague of Aftermath Theism

Atheists aren't the only people unhappy about government-sponsored prayer for September 11 memorials. David Benke, a Lutheran minister who prayed with a Muslim imam, a rabbi, Cardinal Edward Egan, Sikh and Hindu clergy, and Oprah Winfrey at the Yankee Stadium national prayer service has been charged by the Lutheran Church-Missouri Synod with mixing Christian and non-Christian views, and could be dismissed for it. The Missouri Synod is a conservative branch of Lutherans that claims 2.6 million adherents and is the nation's ninth-largest denomination. It strongly opposes women pastors, abortion, and gay rights. Its charges against Benke created national headlines. The embarrassed Synod silenced the parties and ordered its church newspaper to stop reporting on the matter.

After a surge of bias incidents ranging from verbal taunts and threats to physical assaults, attacks against Arab-Americans and Muslims have dropped to pre-September 11 levels. Jewish groups that once supported liberal civil liberties are suddenly supporting conservative counterterrorism legislation, including public surveillance cameras, national identity cards, and ethnic/religious profiling.

Volunteer chaplains at ground zero act more as counselors than preachers, but are often asked to support workers' failing faith, according to an article in southern Westchester's *Journal News*. The *Daily News* said that Fire Department chaplains overwhelmed by memorials and funerals are, for their own sanity's sake, limiting their involvement simply to planning those events.

Trinity Church, which has received much attention for its support of rescue workers at ground zero, was slammed by a civil court judge as "unconscionable" for trying to evict a print shop from a church-owned downtown building after the shop couldn't afford to pay its \$5,600 rent in the wake of the twin towers disaster. Grace Church in Canarsie, Brooklyn, insisted that a September 11 victim's memorial include hymns and a video of his baptism, and when his family objected, the church canceled the service on two days' notice.

At the Immigration and Naturalization Service jail in Newark, New Jersey, over 400 Muslims who are held mostly on immigration charges such as overstaying their visas were given special permission to pray together and eat special halal meals in celebration of an Islamic holiday. Detainees were denied permission to slaughter a lamb.

WNBC News investigated Mercy Band, an Albuquerque, New Mexico, church-based charity that is selling \$25 memorial bracelets engraved with names of September 11 victims. Mercy Band says it donates profits to such organizations, but has yet to choose any such

groups. It also claims that its bracelets cost \$15 to manufacture, though WNBC News quoted New York jewelers who said \$5 was a more reasonable cost.

Has the aftermath left New Yorkers more superstitious than usual? The *Daily News* has published three sensational articles about Zlatko Sudac, a Croatian priest who claims to have bleeding crucifixion stigmata. Sudac also says he can heal, levitate, be in two places at once, and know the future. A Long Island church canceled a mass featuring Sudac, saying it feared crowds after coverage in the *Daily News*. But that is the only newspaper reporting the priest's claims, so such crowds may be only the wishes of certain editors. The Roman Catholic Church, in a usual pattern of supporting miraculous claims without authenticating them, has had no comment about Sudac, and it has not restricted his movements.

The new attention to airline flight paths is not limited to protecting the living. The Israeli government has promised ultra-Orthodox Jews that El Al airliners bound for New York will fly around a Jewish cemetery south of Tel Aviv to avoid "desecrating" it. Under Jewish religious law, those of priestly descent, "cohens," are forbidden to enter or even pass above cemeteries. Some passengers had even asked to be wrapped in plastic body bags to protect the cemetery, but the airline refused, so the Israeli government changed the flight path.

Sources: "Seeing Heresy in a Service for Sept. 11," *New York Times*, 2/8/02; "Complaints of Anti-Arab Bias Crimes Dip, but Concerns Linger," *New York Times*, 12/22/01; "Jewish Groups Endorse Tough Security Laws," *New York Times*, 1/3/02; "INS to Let Detainees Pray, Eat Special Food for Muslim Holiday," *Newsday*, 2/21/02; "Chaplains Offer Solace at Ground Zero," *Journal News*, 2/9/02; "A Tough Time for Chaplains of Fire Dept.," *Daily News*, 1/1/02; "Is a Church-Run Organization Running a Scam?," WNBC News, 3/7/02; "Priest's Miraculous Claims Draw Crowds," *Daily News*, 2/11/01; "Stigmata Priest Canceled by Church Fearing Crowds," *Daily News*, 2/12/01; "Stigmata Priest Has Church Buzzing," *Daily News*, 3/5/02; "El Al Skirts Holy Cemetery," *Daily News*, 1/2/01; "Judge Smacks Trinity in Ground Zero Rent Flap," *New York Post*, 2/2/02; "Judge Nixes Church Bid to Evict Printer," *Daily News*, 2/2/02; "Victims' Kin Rip Church," *Daily News*, 1/24/02.

In Other Recent Local News of Clergy Crime

●The former rabbi of a New Jersey Conservative-associated synagogue, Juda Mintz, Jr., pleaded guilty in February to having child pornography on his temple computer. He faces 27 to 33 months in prison and a fine of up to \$250,000. He was freed on \$100,000 bond pending sentencing June 12 by a federal judge.

●Rabbinical colleagues of a New Jersey Orthodox rabbi, Baruch Lanner, who was indicted in March 2001 for abusing teenage girls at a Jewish high school where he was principal for 15 years, are trying to arrange a plea bargain in which Lanner pleads guilty and is sent to an Israel prison's rehabilitation program in order to avoid serving approximately 10 years in an American prison.

New York State cited for widespread problems a Salvation Army home for teenaged girls with behavioral and emotional problems, the Wayside Home School for Girls in Suffolk County, Long Island. Residents said they were sexually harassed and in some cases physically abused there.

●A woman whose family was shunned after she reported sexual abuse by a Jehovah's Witness leader claimed in a civil lawsuit that the denomination protects pedophiles. The negligence suit, filed in Spokane, Washington, says that the Brooklyn-based denomination has a policy that gives pedophiles "sanctuary, protection, sympathy, and support," while blaming and shaming the victims. The church leader is serving an 11-year sentence after being convicted of raping and molesting Rodriguez between the ages of 4 and 11.

●The Roman Catholic Diocese of Albany has secretly paid hundreds of thousands of dollars to settle cases of priests accused of sexually abusing children, reported the Associated Press. Settlements ranged from \$50,000 to \$150,000, depending on how much counseling the victim needed. The diocese rarely reported the accusations to police or other law-enforcement agencies.

●Patrick Delzoppo, an executive with the Roman Catholic diocese of Rockville Center on Long Island, was arrested on grand larceny charges for allegedly writing \$69,000 worth of fake checks on church funds. Detectives say Delzoppo wrote the checks to himself and several friends since 1998.

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CLERGY SEX ABUSE

Dillon also joined Brooklyn district attorney Charles J. Hynes in supporting changes in state law that would make it mandatory for clergy to report suspected sex abuse of children. "If the faithful ever supported self-policing by the church, they wouldn't support it today," said Dillon, who is Roman Catholic. "Changing the law would give people assurance that clergy are treated the same as anyone else." Currently, no New York City area dioceses require that sex abuse complaints be reported to civil authorities. Victims rights advocates said that making religious groups more accountable "is long overdue," in the words the director for Parents for Megan's Law in Stony Brook. "Had they done that long ago, we probably would have spared many children from victimization at the hands of priests and clergy," she said.

Sources: "NYC Cantor Arrested on Sex Abuse Charges," Associated Press, 2/20/02; "Cantor at Temple Emanu-El Is Accused of Molesting Nephew," *New York Times*, 2/21/02; "Charges for Cantor," *Newsday*, 2/21/02; "Molestation Left Boy Suicidal: Complaint," *Daily News*, 2/22/02; "In 2 Communities, Concern Over the Arrest of a Cantor," *New York Times*, 2/22/02; "Emanu-El Criticized over Cantor Case," *Jewish Week*, 3/1/02; "Accused Cantor Skips Service," *Daily News*, 2/23/02; "Accused Cantor Skips Service," 2/23/02; "Cantor Is Arrested in Molesting Case," *New York Times*, 2/9/02; "Rabbis Seek Lanier Plea Deal," *Jewish Week*, 2/8/02; "B'klyn Bishop Shuttled 'Sex' Priest," *New York Post*, 1/25/02; "Perv-Linked Cleric Marks Anniversary," *New York Post*, 1/27/01; "Pope Orders Tribunals for Pedophile Cases," *Daily News*, 1/19/02; "Church Played Role in Changes to Sex-Abuse Bill In Conn.," *New York Post*, 8/1/01; "Pedophile Priests Cost Church Moral Authority," *Daily News*, 2/5/02; "Rabbi Pleads Guilty to Kid Porn Charges," Associated Press, 2/26/02; "Priest Pleads Guilty to Sexually Abusing Teen Boy," *Newsday*, 2/7/02; "Priest Confesses to Sodomizing Boy," *Daily News*, 3/8/02; "Priest Guilty in Sex Case," *Newsday*, 3/8/02; "Lawsuit Claims Jehovah's Witness Church Protects Pedophiles," *Newsday*, 1/23/02; "Allegations of Abuse Plague Girls Center," *Newsday*, 2/21/02; "Church to Aid DA," *Newsday*, 3/7/02; "Albany Diocese Paid Big Bucks to Hush Pervy-Priest Claims," *New York Post*, 3/4/02; "Catholic Family Ministry Leader Arrested For Grand Larceny," *Newsday*, 3/8/02; "A Crime Hardly on the Record," *Newsday*, 2/10/02.

No Room at the Church, Part 2

New York City is still monitoring the situation at Fifth Avenue Presbyterian Church, which largely won a December 2001 court battle to allow homeless people to sleep on its steps instead of going to city shelters. In January, new mayor Michael Bloomberg said the city might appeal the federal ruling favoring the church. On a bitterly cold February night, the police department evacuated the homeless to city shelters for safety reasons, and New York 1 reported that city did plan to appeal.

Sources: "Mike Mulling Appeal of Homeless Ruling," *New York Post*, 1/6/02; "Homeless Removed from Street Due to Extreme Cold," *New York 1*, 2/5/02.

Anti-Gay Religious Attack

A man was shot in the chest on a Harlem street by one of two men who attacked him and his roommate and shouted religious antigay remarks at them, said police. The incident is being investigated by the Hate Crime Task Force. The two men were walking on West 126th Street and confronted around 7:15 P.M. by two men who became enraged at the sight of the couple. "They said, 'Black men shouldn't be gay,'" said the shooting victim, who noted that his assailants were black. "Then they started throwing rocks at us. . . . He kept saying, 'Fire, fire,' that I should burn in hell."

Source: "Man Shot in Antigay Incident, the Police Say," *New York Times*, 1/14/02.

A Bishop's Religious Right to Fire?

An Episcopal priest is suing the bishop who ordained her, accusing him of inventing fiscal-fraud charges against her so he could appoint one of his friends to her job at Grace Church in Manhattan. Priest Janet Broderick Kraft (also the sister of Matthew Broderick) sued Bishop Richard F. Grein, the former bishop of New York, in United States District Court in Manhattan in August, charging breach of contract, wrongful discharge, denial of benefits, and defamation. She is seeking \$6.8 million in damages. The church seeks dismissal, saying that a secular court should not challenge a purely pastoral decision.

Kraft took over as Grace Church's vicar, a prestigious position junior to the rector, in 1997. In September 2000, she was told her job was ending because a new rector was expected to arrive with a new staff. Kraft had been given 18 months notice, but she claims that Grein conspired before then to have her fired before he retired, to ensure that his friend would get her job. Kraft charges that in April 2001, Grein accused Kraft of abusing the church's credit card. She says he told her to leave in two weeks, and that he issued a "pastoral direction" — a command from bishop to priest — to obey or risk a charge within the church that she was violating her vows. Kraft also charges that Grein threatened to blacklist her from ever working again in the Episcopal church.

Grein's lawyers dismiss the suit on the grounds that the First Amendment clause that Congress shall make no law prohibiting the free exercise of religion "prohibits civil courts from intervening in disputes concerning religious doctrine, discipline, or internal organization." Kraft's lawyers counter that the First Amendment arguments do not apply to employment cases. If the bishop wins the First Amendment argument, contracts signed by priests around the country would be meaningless, Kraft said. "Can you imagine that?" she asked. "You sign a contract with the parish and when the bishop wants to get rid of you it becomes a First Amendment issue. This is a contract case. What in God's name does this have to do with doctrine?"

Source: "Challenging the Bishop, in Court," *New York Times*, 1/14/02.

Secular Jewish Humanism

The decade-old City Congregation for Humanistic Judaism, which meets in rented space in the Village Community School on West 10th Street in Manhattan, was profiled by *Jewish Week*, which was intrigued by the congregation's nontheistic prayers, songs, and ceremonies. The congregation holds regular sabbath services, potluck dinners, and cultural programs, and like many synagogues also features community Passover seders, plus programs for Purim, Hanukkah, and High Holy Days services. But "as befits a movement that 'embraces a human-centered philosophy that affirms the power and responsibility of individuals to shape their own lives independent of supernatural authority,' there is no mention of God in the congregation's services."

Peter Schweitzer, the "non-rabbi rabbi," offers rewritten songs ("Let us make peace" instead of "let Him make peace"), Torah passages that don't mention God ("Nation shall not lift up a sword against nation"), and deity-neutral blessings on sabbath candles, challah, and wine ("Praised are those who bring forth the fruit of the vine.") "We're not blessing God, we're blessing the farmers," Schweitzer says. "It's a statement of thanks." Forty to 80 people usually show up for sabbath services. "We have members who are atheists. We have members who are agnostics," Schweitzer says. "Our members do not rely on a transcending, intervening God in their lives. I believe that most Jews share these beliefs with us, even those who are identified with other movements."

To contact the group, call (212) 713-5031 or e-mail info@humanistjew.org. Their Web site is www.humanistjew.org.

Source: "The Humanist Touch," *Jewish Week*, 8/31/01.

Church Worker Charged with Child Abuse

Robert Greene, of Saranac, New York, who worked with youths at a Rhode Island church, has been charged with three counts of second-degree child molestation, to which he pleaded innocent. He was released after his arraignment on \$2,000 cash bail. The attorney general's office said the alleged sexual assaults occurred over two years, ending in 1993. Greene no longer works at the church.

Source: "Former Church Worker Charged with Child Molestation," *Newsday*, 1/9/01.

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In other recent local news of clergy crime:

Michael Hands, a Catholic priest who worked in East Meadow and Northport, Long Island, pleaded guilty this month to repeated sex with a 15-year-old boy between December 2000 and January 2001. As part of the plea bargain, he is expected to serve not twelve years in a Nassau County jail, as he might under a normal conviction, but only six months, plus five years' probation. Hands' lawyer blames the boy for the sexual contact, calling him "the aggressor." The boy's father was upset that the Nassau County district attorney, Denis Dillon, did not notify him that Hands was going to plead guilty, and told *Newsday* that he was also upset with the agreed-upon sentence: "I think it's ridiculous. A recommended sentence of six months in a county jail. . . . No state prison? And five years' probation! It's more like a slap on the wrist than a punishment." Dillon has exacted a pledge from William Murphy, the new bishop of Rockville Centre, to share diocese personnel records that include sex abuse complaints.

A *Newsday* commentary complains that the priest's confession, "The victim and myself had engaged in a sodomy act," suggests not rape but "incomprehension of the crime, at best, defiance and self-righteousness at worst. Imagine the robber who told the judge that 'the victim and myself engaged in a robbery act.'" *Newsday* also says that the church's cooperation with Dillon's investigation of the church "is Enron asking Arthur Andersen to investigate its books. . . . A former member of the super-secret and arch-conservative lay organization known as Opus Dei, Dillon [is] a staunch and activist Catholic with close ties to the diocese. His official spokesman, Rick Hinshaw, is the former spokesman for the state Catholic Conference, and a regular columnist for the *Long Island Catholic* newspaper."

For Atheists: One Nation, Not under God

By Gary Stern

Journal News, March 7, 2002

Donna Cayot does not want to be portrayed as a victim. She is not looking to be liked. And she is not asking for sympathy.

It's a good thing, because she's not likely to get much.

Cayot is an atheist who objects that her son's public school in Somers gathered students to sing "God Bless America" three days after the Sept. 11 terrorist attacks. She says her 9-year-old son's constitutional rights were violated because he felt forced to pray.

"All I wanted was a half-hearted apology," Cayot said recently. "I wasn't looking to offend. But the message was clear: Anyone who doesn't believe in God is a bad person who doesn't have values and isn't a patriot."

The God-fearing may not be moved, but this is a trying time to be a nonbeliever.

Since Sept. 11, politicians from President Bush on down have evoked religion, usually in a general way, to help rally the nation. At least eight states are considering proposals to post "In God We Trust" in public schools. Nonbelievers, who insist they are the most openly disliked minority in America, say they are made to feel excluded from the nation's recovery.

"If you go by percentages, we figure there were about 600 atheists killed in the Twin Towers," said Chris Morton of Yorktown, the state director of American Atheists. "We can't prove it, since the majority of those people were in the closet, afraid of victimization. We sent several letters to Mayor Giuliani asking for a memorial service for atheist victims. He never answered."

Tired of being slighted and worse, Morton and Cayot are working with atheists around the country to form a support network. They hope to offer guidance and legal aid to atheists who feel victimized for wanting to be part of one nation, but not under God.

Morton said the network would, for instance, tell school officials that it is not good enough to give students the chance to opt out from singing "God Bless America."

"By excluding a child, you discriminate against him," Morton said. "The message we have to get out is that schools have to be neutral on religion."

Charles Haynes of the First Amendment Center in Arlington, Va., a leading scholar on how public schools deal with religious matters, said there has been an overlooked backlash against the common singing of "God Bless America" and other songs.

"I cannot think of any other time when so many parents have come out and said they do not want their children singing a patriotic song because of religious messages," Haynes said. "In most cases, public schools are sensitive not to overemphasize religion and to offer a variety of patriotic expressions. Problems arise when communities fail to treat voices of dissent with respect."

Cayot, 44, found out where she stood soon after making her complaint to the Somers schools in September.

Before she appeared on the Fox News gabfest "Hannity and Colmes," liberal talking head Alan Colmes confided that he could not support her so soon after Sept. 11. Then Cayot couldn't find an ACLU lawyer who would even listen.

Then came the crank calls at home. Cayot was told to burn in hell, to go join Osama bin Laden. One caller bellowed "God Bless America." Another said Cayot would feel differently if she lost someone on Sept. 11.

Cayot, born in the Bronx and raised in Greenburgh, shakes her head in a way that says they just don't get it. "If I lost someone on Sept. 11, I would feel even stronger," she said. "People don't like to admit that the terrorists thought God was on their side. There is a reason we have separation of church and state in America. I am very grateful to live in this country. I can only have a case like I do because I live in this country."

She is asking state Education Commissioner Richard Mills to ban public schools from having students sing songs that include prayer. A ruling is likely within months, and Cayot pledges to head for the courts if she loses.

Cayot particularly objects that students at Somers Intermediate School sang a preamble to "God Bless America," which includes the line, "As we raise our voices in a solemn prayer."

Somers Schools Superintendent Richard Brodow has never pretended to have any patience with Cayot's argument. In a terse September letter to Cayot, he wrote that "no apology will be forthcoming now or ever."

"It mattered little to me whether Donna Cayot was an atheist or not," Brodow said. "I felt her argument was without merit and not deserving of an apology. I would have felt that way at any point, but certainly given the timing, I feel strongly our position was correct."

Polls are inconsistent on the percentage of Americans who do not believe in God. A recent City University of New York poll found that 14 percent of Americans identified with no religion and 6 percent disagreed with the statement that "God exists."

Atheists say that most nonbelievers stay quiet about their views, not wanting to be seen as un-American or simply strange. They often talk of being in the closet and of needing atheist celebrities to "come out." Many are perplexed that believers are willing to tamper with the separation of church and state, even after Sept. 11.

"People seem to be missing the point these days that the spiritual power of our society comes from tolerance," said Dr. Dariusz Gawronski of White Plains, an atheist neurologist. "Using the current situation to push for slogans like 'God Bless America' in classrooms seems like a political ploy that will not help anyone."

Jared Silbersher, an atheist metalsmith from Pound Ridge, said he was less surprised that Sept. 11 would be used as an excuse to proselytize the nation.

"This society is not as pluralistic as people like to think," he said. "People don't like to hear that we're not all believers. This woman has the right to be offended that her son had to pray in school. Whether anyone listens to her, that's another story."