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SocialistViewpoint

★ The philosophers have only *interpreted* the world in various ways; the point is to *change* it. —Karl Marx ★

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I am Tamir Rice's Mother

By SAMARIA RICE



January 28, 2016—Since the senseless killing of my son, Tamir Rice, by Cleveland Police Officers I have had many sleepless days and nights. For more than a year now, I have sought justice for my son but no one has been held responsible. My greatest disappointment has been the way Cuyahoga County Prosecutor, Timothy McGinty, has handled the case. Months ago, I asked McGinty to step aside so a special prosecutor could take over but he refused and attacked my family in the press instead.¹

Prosecutor McGinty never intended to hold anyone responsible for Tamir's death. Just last week, it was revealed that the grand jury never even took a vote on indicting the officers that killed my son after being told that the shooting was justifiable by the prosecutor.² Now it is McGinty who needs to be held accountable for his negligence in handling this case. It's time for the Department of Justice to investigate Tamir's killing and

the investigation and grand jury process that followed.

Please join me in telling the Department of Justice that my son, Tamir Rice, deserves a thorough investigation into his death and any potential prosecutorial misconduct in the handling of the case.

Prosecutor McGinty has stooped to a new low. Instead of doing his job

and recommending charges against the police who killed Tamir, McGinty intentionally influenced the grand jury process away from even the most minimal of punishments for the cops who killed Tamir. Throughout the grand jury process, McGinty released questionable expert reports justifying Tamir's killing.³ He used his press conference following the non-indictment to justify the officer's actions and is now saying he can't turn over the transcripts from the grand jury proceedings.⁴

Prosecutors are elected to uphold integrity and justice within our criminal justice system. Yet, it is incredibly hard to hold police accountable when they kill Black people. A prosecutor pressing charges against an officer is a rarity that often only occurs with a mass swell of protests and mainstream media attention. Meanwhile, far too many prosecutors go out of their way

to never indict police officers while over-prosecuting and incarcerating Black folks for far less damaging crimes.

I am committed to exposing and dismantling this corrupt system and I understand that we must hold local prosecutors responsible when they contribute to racism in the criminal justice system. The Department of Justice has the power to investigate prosecutors. Over 150,000 ColorOfChange members joined me in calling for a special prosecutor to take over Tamir's case. Although McGinty has continued to resist calls for accountability, the overwhelming pressure is beginning to chip away at political support for his reelection this year. If we continue the pressure, we can make sure he's held accountable.

Please join me in demanding justice for Tamir.

Samaria Rice, Mother of Tamir Elijah Rice

Sign the Petition for Justice for Tamir:

<http://act.colorofchange.org/sign/tell-doj-we-want-investigation-tamir-rices-case/?t=3&akid=5323.46097.3DJE5N>

1 EXCLUSIVE: McGinty questions Rice family motives, November 12, 2015 <http://act.colorofchange.org/go/5745?t=6&akid=5323.46097.3DJE5N>

2 Report raises questions about Tamir Rice grand jury

<http://act.colorofchange.org/go/5783?t=8&akid=5323.46097.3DJE5N>

3 Samaria Rice asks for special prosecutor for Tamir Rice investigation, *WEWS NewsChannel5* October 16, 2015

<http://act.colorofchange.org/go/5742?t=10&akid=5323.46097.3DJE5N>

4 Grand jury: No charges in Tamir Rice killing *USA Today*, December 16, 2015

<http://act.colorofchange.org/go/5743?t=12&akid=5323.46097.3DJE5N>



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www.socialistviewpoint.org

email: info@socialistviewpoint.org

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The Fight of Our Lives

By BONNIE WEINSTEIN

On February 4, 2016, an article in the *New York Times* by Eric Schmitt titled, “Obama Is Pressed to Open Military Front Against ISIS in Libya” demanded more U.S. intervention in Libya, and billions more dollars to carry that out.

I was surprised the *Times* published this comment I wrote:

“War, bombing, brute force of violence, oppression and austerity for the masses here and everywhere else are the *modus operandi* used by capital’s power elite (currently centered in the United States) so that the wealthy can conquer and rule the world. No wonder our children are killing each other over turf wars.



CAPITALISM

It’s what our government does routinely while spending trillions of our dollars—our money—the money of the masses—the wealth we produce through our labor—on war, police oppression and incarceration to preserve that wealth in the coffers of the .001 percent.

It’s not a matter of “evil people;” it is a matter of an inherently evil, unequal, dictatorial, economic sys-

tem—capitalism—where those with the most accumulation of wealth rule through force of violence to protect that wealth; and to protect their right to accumulate more no matter who else suffers. All the laws serve to funnel that wealth into their coffers.

We need a fundamental, economic, political and social change that will democratically redirect that wealth to fulfill the needs of all the people and the planet we share.

Capitalism can’t be reformed. It is a force unto itself. It must be dismantled and replaced by a truly democratic economic, social and political system where we, the masses of working people, control that wealth that we produced and use it to the best advantage of all of us, and our planet. That’s what socialism really is.”¹

It’s not for lack of money that our infrastructure is left to crumble. It’s that the money is being used to fortify the wealthy and arm and command their dominion over us. The fact is, the only hope to defend ourselves, and win this war capitalism is waging against us, is if a democratically unified army of the working class brings them to their knees. Our victory will end these wars; a capitalist victory will end the world.

¹ <http://www.nytimes.com/2016/02/05/world/africa/isis-libya-us-special-ops.html?comments#permid=17454253>



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Ethnic Cleansing

The ultimate environmental racism

BY GLEN FORD

It is imperative that the atrocity unfolding in Flint, Michigan sharpen the discussion of the true nature of the blitzkrieg that has been launched against Black America—as should have occurred a decade ago when Katrina laid bare the grand scheme to remove and disperse poor Blacks from the inner cities by any means necessary. The poisoning of Flint’s water supply is not simply a lethal by-product of some generalized, endemic white racism in the United States. And, although state and federal authorities surely displayed contempt for the welfare of Flint’s predominantly Black and deeply impoverished population, this was not a crime of indifference. Rather, the poisoning of the 100,000 residents of Flint—like the dispersal of 100,000 Black New Orleanians—is the logical result of a nationwide campaign by organized capital to boost the value of urban real estate through Black removal. The governor of Michigan, in the service of corporations and bankers, sought to rid Flint and other Michigan cities of Black and poor people, and deputized his emergency financial managers to act accordingly.

There is a profound difference between damage that is done through contempt or indifference to the harmed persons’ plight—acts of callous oblivion, such as whites not caring what happens on the Black side of town—and harms that occur as the predictable result of a deliberate course of action, a plan. Polluting industries purposely place their plants in Black neighborhoods because they know African Americans lack the political power to protect themselves from pollution, and that some are desperate for employment despite the risk to their health. This is an example of environmental racism. The industry’s motive is to profit from the operations of the plant.

The owner’s aim is not necessarily to harm his Black neighbors, but that is an acceptable (to him) by-product of his business model.

The ethnic cleansing of the cities, now sweeping the nation at a dizzying, near-frantic pace, is a far higher order of threat than your garden (or landfill) variety of environmental racism. Indeed, it is an existential threat to Black America. Unlike the industrial environmental racists, whose relationship to Black communities is, in some ways, perversely symbiotic (a place to park their foul facilities near metropolitan centers, and to hire cheap labor), the urban ethnic cleansers want Black people gone—period. Their purpose is to make life unbearable for the Black poor, to uproot them by creating as hostile an environment as possible, in order to clear the way for new, whiter, more affluent populations. The logic of the “marketplace” in racist, capitalist America dictates that the Black presence depresses land and housing values, impeding the artificial inflation of property assets that is the imperative of finance capital. Hegemonic capital—Wall Street—which is in command of both political parties, seeks an urban “renaissance” that is non-Black by design.

That’s why the Obama administration was an eager partner to the bankrupting of Detroit and did nothing to deter the disenfranchisement of half of Michigan’s Black population through installation of emergency financial managers like the one that switched Flint’s water source from lake Huron to the septic Flint River. That’s why emergency managers have trashed Detroit’s schools, so that no public institutional basis remains for anchoring the Black presence in the city—a theft of democratic and educational rights that has

been perpetrated in Democrat-controlled cities for the past two decades, and is almost always accompanied by gentrification. Activists against police lawlessness now understand the role that cops play in creating a hostile (and often fatal) environment for Blacks in neighborhoods targeted for gentrification by the banks.

They trash the schools, they trash public housing, and in Flint, they trashed the water—they are capable of anything to drive out those who would forestall the “renaissance.” And since, as Bruce Dixon reminds us, the capitalists have ensured that the only urban renewal idea allowed in America is Black removal, the ethnic cleansers have had the active support of the Black political (misleadership) class in all their destructive endeavors.

The events of Katrina told us where this leads: mass Black expulsion, to... where? Hitler’s original program for the Jews was expulsion from a German-dominated Europe. We know where that led. Which is why it is so urgent that the Black political conversation be centered on ethnic cleansing, the highest and most dangerous stage of contemporary U.S. environmental racism: the creation of an environment in which Blacks have been made to disappear.

—*Black Agenda Report*, January 27, 2016

http://www.blackagendareport.com/ethnic_cleansing_environmental_racism



Poisoning Black Cities

BY GLEN FORD

It has taken the poisoning of an entire city of 100,000 people—52 percent of them Black—to draw national attention to the human effects of systematic corporatization of the public sphere under neoliberal U.S. capitalism. Republican Governor Rick Snyder promises to “fix” the ruined water infrastructure of Flint, Michigan, now hopelessly corroded and saturated with lead—a repair that could cost as much as \$1.5 billion. But, even if Snyder is forced to resign, as demonstrators demand, or is jailed, as filmmaker Michael Moore would prefer, it won’t fix the irreparably damaged brains of the city’s children or prevent a cascade of Flint-like catastrophes from unfolding across the country.

We are experiencing another Katrina moment, a dreadful epiphany in which the nature of the beast that is preying upon us becomes horrifically clear. Michigan’s emergency financial manager system—a weapon of corporate dictatorship imposed selectively on heavily Black and brown cities and school systems—is the lead-tipped point of the spear that is gutting urban Black America. It is not a unique instrument—and certainly not a Republican invention—but part of Wall Street’s tool kit to starve, bulldoze, redline, over-price, oppressively police, and even poison Black people out of the urban centers.

Katrina should have been the wake-up call, a decade ago, but the hegemonic influence of the bankster-infested Democratic Party in Black America

They take pleasure in bringing Detroit low, and in the enforced shrinking of Black New Orleans, never considering that the weakening of democratic norms will ultimately expose whites to the whims of Capital, as well. It is the oldest story in the United States.

mutated the warning, that the Lords of Capital were determined to eject Blacks from valuable real estate by any means necessary. After their success in expelling 100,000 Black people from New Orleans under cover of a hurricane, the corporate designers of the New American City stepped up the pace of gentrification, deploying every soft and hard tool available to them. The Black-

removal machine was revved up to maximum, erasing Black urban majorities and pluralities with dizzying speed.

Having met little organized resistance, the corporate ethnic cleansers grew bolder. Republicans, like Rick Snyder, get elected by trashing Black people; they hardly need an economic motivation for race-baiting. Corporate Democrats are more subtle. Rick Snyder wasn’t the first governor to disenfranchise Black urbanites in Michigan; his Democratic predecessor, Jennifer Granholm, a reputed “liberal,” appointed emergency managers to lord it over mostly Black Benton Harbor, Highland Park, Pontiac, and the Detroit Public Schools (where teachers have been on a sick-out to protest the ghastly conditions wrought by that bipartisan legacy of plantation-like governance.)

The Obama administration was a full partner in the deal that finalized the bankrupting of Detroit, providing federal funds to protect prime city assets necessary for future “revitalization” (to benefit anticipated new residents) but uttering not a word in protest of the disenfranchisement of the current, 83 percent Black population. The U.S. Justice Department failed to file a brief in support of the local NAACP’s appeal to the federal courts, that Michigan’s emergency financial manager law is racially selective, sparing financially troubled “municipalities with majority-white populations” from financial oversight while negating the votes of more than half of the state’s Black citizenry. “You do not throw out the right to vote on the basis of economic distress,” said Detroit NAACP president Reverend Dr. Wendell Anthony.

On the contrary, that’s exactly what corporations do when they set an economic or political goal that cannot be achieved at the local ballot box: they



Privatizing Water

Atlantic City residents to lose their water—and what’s left of their right to vote

BY GLEN FORD

disenfranchise the uncooperative voters. In the United States, Black votes are the easiest to nullify, because huge numbers of whites don’t think Blacks are worthy of full citizenship. They take pleasure in bringing Detroit low, and in the enforced shrinking of Black New Orleans, never considering that the weakening of democratic norms will ultimately expose whites to the whims of Capital, as well. It is the oldest story in the United States.

White racism thus shapes the corporate model for direct rule by moneyed interests. Typically, the urban disenfranchisement process begins with the public schools, which become overwhelmingly Black and brown ahead of the general population. Locally elected inner city school boards are swept away in favor of state or direct mayoral control, while suburbanites retain the old, hands-on democratic model. (The Michigan legislature took over Detroit’s schools in 1999.) Corporate tentacles encroach upon the traditional powers of “too-Black” cities in ways not visible to ordinary citizens—through regional agencies, special industrial and development zones, targeted tax abatements, *etc.*—until there is little left for the local Black government to tax or administer except its largely impoverished constituents. Black governance is discredited—even though, in the last stages of urban distress, there are few resources with which to govern. The city writhes in protracted pain until “rescued” by the state for the purpose of corporate makeover (“renaissance”) and repopulation.

The corporate rulers and their minions must be held responsible for all of the pain that is inflicted on the people of intentionally distressed cities, whose residents are stripped of the means to defend themselves against the tortures, humiliations and various poisons of the state.

—*Black Agenda Report*, January 20, 2016

http://www.blackagendareport.com/poisoning_black_cities

After a state-appointed emergency financial manager poisoned the people of Flint, Michigan, with tainted water, you’d expect that other governors would think twice before tampering with the water supplies of poor cities. But, you’d be wrong. New Jersey Governor Chris Christy last year put Atlantic City under an emergency financial manager, and gave him a year to slash the ailing gambling town’s budget and prepare a full report. Kevin Lavin is a corporate turnaround expert with an international consulting firm. He was assisted in his dictatorial assignment by a fellow Black corporate type, also named Kevyn—Kevyn Orr, who had just finished stealing the last vestiges of democracy from the people of Detroit on behalf of Michigan Governor Rick Snyder. In fact, every heavily Black city in Michigan was taken over by Governor Snyder, effectively disenfranchising fully half of the state’s Black citizens.

Apparently, Governor Christy thought that would be a good move for New Jersey, too, and he set his sights on Atlantic City, an overwhelmingly Black and Brown town that had just lost four of its casinos, and is now about to lose another one. One-third of Atlantic City’s 40,000 people live below the poverty line. With whites comprising only about 16 percent of the population, Christy must have reasoned that nobody important would stand in the way of whatever he wanted to do to Atlantic City. And, he was right. Emergency manager Kevin Lavin’s report calls for regionalizing the police department and privatizing the fire department. But even worse, the Democratic president of the state senate, Stephen Sweeney, has introduced a bill that would sell most of Atlantic City’s assets, including its water department.

But, it gets worse than that. Not only is the top Democrat in New Jersey more enthusiastic about corporate privatization than Republican Chris Christy, but the president of the local Unite-Here union has also endorsed the sell-off of city property and the further disenfranchisement of its citizens—many of them union members.

The corporate party rules

Corporate Republicans, corporate Democrats, and corporate unions—all oppose the very concept of democracy, home rule and self-determination for poor Black and brown people. Indeed, New Jersey has a very long history of taking power away from local governments as soon as Blacks and Latinos become majorities. The takeovers are always cloaked as necessary to avoid financial disaster—but, since Black and brown cities are perpetually out of cash, what it really means is that poor people don’t deserve basic democratic rights.

Ron Rice, a state senator from majority Black Newark, sees the writing on the wall. “It’s Atlantic City today, it is Newark tomorrow,” he said at a rally against privatization. Senator Rice insists that “We have to mobilize people and shut down some things,” and “get back to doing what we did in the ’60s.”

Which is true. But, this time around, we must understand that everyone who serves the corporate master is the enemy: including Black corporate hitmen, corporate Democrats, and corporate hacks in union clothing.

—*Black Agenda Report*, January 19, 2016

http://www.blackagendareport.com/atlantic_city_water_privatization

Welcome to the United States of Flint

America's coast-to-coast toxic crisis

By DAVID ROSNER AND GERALD MARKOWITZ

"I know if I was a parent up there, I would be beside myself if my kids' health could be at risk," said President Obama on a recent trip to Michigan. "Up there" was Flint, a rusting industrial city in the grip of a "water crisis" brought on by a government austerity scheme. To save a couple of million dollars, that city switched its source of water from Lake Huron to the Flint River, a long-time industrial dumping ground for the toxic industries that had once made their home along its banks. Now, the city is enveloped in a public health emergency, with elevated levels of lead in its water supply and in the blood of its children.

The price tag for replacing the lead pipes that contaminated its drinking water, thanks to the corrosive toxins found in the Flint River, is now estimated at up to \$1.5 billion. No one knows where that money will come from or when it will arrive. In the meantime, the cost to the children of Flint has been and will be incalculable. As little as a few specks of lead in the water children drink or in flakes of paint that come off the walls of old houses and are ingested can change the course of a life. The amount of lead dust that covers a thumbnail is enough to send a child into a coma or into convulsions leading to death. It takes less than a tenth of that amount to cause IQ loss, hearing loss, or behavioral problems like attention deficit hyperactivity disorder and dyslexia. The Centers for Disease Control (CDC), the government agency responsible for tracking and protecting the nation's health, says simply, "No safe blood lead level in children has been identified."

President Obama would have good reason to worry if his kids lived in Flint. But the city's children are hardly the only ones threatened by this public

health crisis. There's a lead crisis for children in Baltimore, Maryland, Herculaneum, Missouri, Sebring, Ohio, and even the nation's capital, Washington, D.C., and that's just to begin a list. State reports suggest, for instance, that "18 cities in Pennsylvania and 11 in New Jersey may have an even

The Centers for Disease Control (CDC), the government agency responsible for tracking and protecting the nation's health, says simply, "No safe blood lead level in children has been identified."

higher share of children with dangerously elevated levels of lead than does Flint." Today, scientists agree that there is no safe level of lead for children and at least half of American children have some of this neurotoxin in their blood. The CDC is especially concerned about the more than 500,000 American children who have substantial amounts of lead in their bodies. Over the past century, an untold number have had their IQs reduced, their school performances limited, their behaviors altered, and their neurological development undermined. From coast to coast, from the Sun Belt to the Rust Belt, children have been and continue to be imperiled by a century of industrial production, commercial gluttony, and abandonment by

the local, state, and federal governments that should have protected them. Unlike in Flint, the "crisis" seldom comes to public attention.

Two, three...many Flints

In Flint, the origins of the current crisis lay in the history of auto giant General Motors (GM) and its rise in the middle decades of the twentieth century to the status of the world's largest corporation. GM's Buick plant alone once occupied "an area almost a-mile-and-a-half long and half-a-mile-wide," according to the *Chicago Tribune*, and several Chevrolet and other GM plants literally covered the waterfront of "this automotive city." Into the Flint River went the toxic wastes of factories large and small, which once supplied batteries, paints, solders, glass, fabrics, oils, lubricating fluids, and a multitude of other materials that made up the modern car. In these plants strung out along the banks of the Flint and Saginaw rivers and their detritus lay the origins of the present public health emergency.

The crisis that attracted President Obama's attention is certainly horrifying, but the children of Flint have been poisoned in one way or another for at least 80 years. Three generations of those children living around Chevrolet Avenue in the old industrial heart of the city experienced an environment filled with heavy metal toxins that cause neurological conditions in them and cardiovascular problems in adults.

As Michael Moore documented in his film *Roger and Me*, GM abandoned Flint in a vain attempt to stave off financial disaster. Having sucked its people dry, the company ditched the city, leaving it to deal with a polluted hell without the means to do so. Like other industrial cities that have suf-

ferred this kind of abandonment, Flint's population is majority African American and Latino, and has a disproportionate number of families living below the poverty line. Of its 100,000 residents, 65 percent are African American and Latino and 42 percent are mired in poverty.

The president should be worried about Flint's children and local, state, and federal authorities need to fix the pipes, sewers, and water supply of the city. Technically, this is a feasible, if expensive, proposition. It's already clear, however, that the political will is just not there even for this one community. Gina McCarthy, the Environmental Protection Agency's administrator, has refused to provide Flint's residents with even a prospective timetable for replacing their pipes and making their water safe. There is, however, a far graver problem that is even less easy to fix: the mix of racism and corporate greed that have put lead and other pollutants into millions of homes in the United States. The scores of endangered kids in Flint are just the tip of a vast, toxic iceberg. Even Baltimore, which first identified its lead poisoning epidemic in the 1930s, still faces a crisis, especially in largely African American communities, when it comes to the lead paint in its older housing stock.

Just this month, Maryland's secretary of housing, community, and development, Kenneth C. Holt, dismissed the never-ending lead crisis in Baltimore by callously suggesting that it might all be a shuck. A mother, he said, might fake such poisoning by putting "a lead fishing weight in her child's mouth [and] then take the child in for testing." Such a tactic, he indicated, without any kind of proof, was aimed at making landlords "liable for providing the child with [better] housing." Unfortunately, the attitudes of Holt and Governor Rick Snyder of Michigan have proven all too typical of the ways in which America's civic and state leaders have tended to ignore, dismiss, or

simply deny the real suffering of children, especially those who are Black and Latino, when it comes to lead and other toxic chemicals.

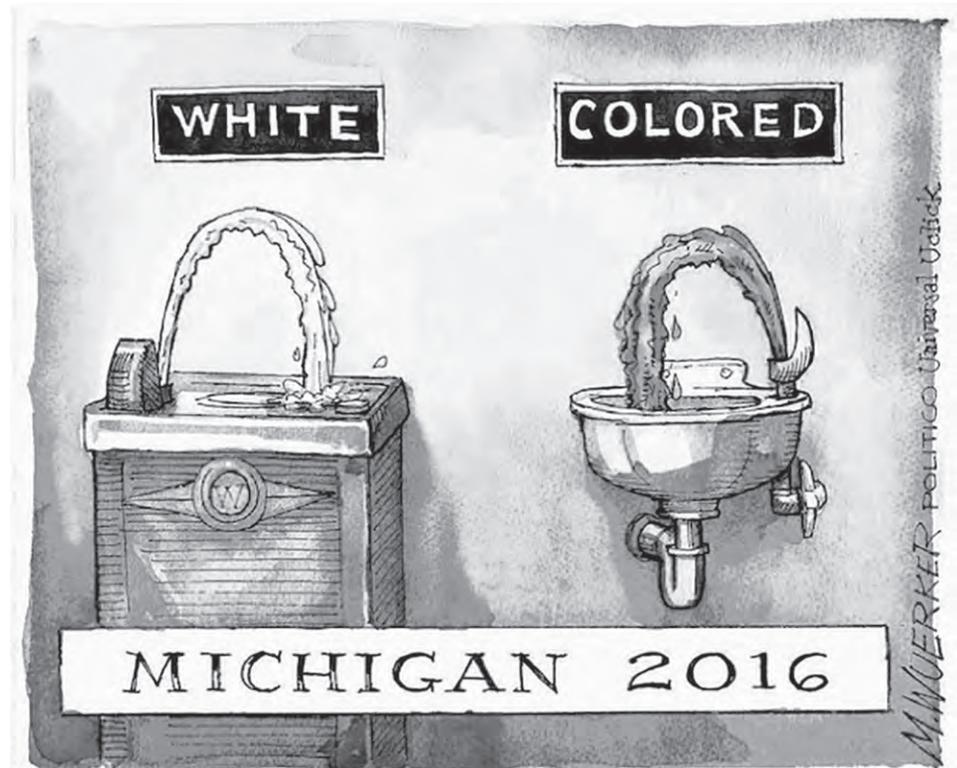
There is, in fact, a grim broader history of lead poisoning in America. It was probably the most widely dispersed environmental toxin that affected children in this country. In part, this was because, for decades during the middle of the twentieth century, it was marketed as an essential ingredient in industrial society, something without which none of us could get along comfortably. Those toxic pipes in Flint are hardly the only, or even the primary, source of danger to children left over from that era.

In the 1920s, tetraethyl lead was introduced as an additive for gasoline. It was lauded at the time as a "gift of God" by a representative of the Ethyl Corporation, a creation of GM, Standard Oil, and Dupont, the companies that invented, produced, and marketed the stuff. Despite warnings that this industrial toxin might pollute the planet, which it did, almost three-quar-

ters of a century would pass before it was removed from gasoline in the United States. During that time, spewed out of the tailpipes of hundreds-of-millions of cars and trucks, it tainted the soil that children played in and was tracked onto floors that toddlers touched. Banned from use in the 1980s, it still lurks in the environment today.

Meanwhile, homes across the country were tainted by lead in quite a different way. Lead carbonate, a white powder, was mixed with linseed oil to create the paint that was used in the nation's homes, hospitals, schools, and other buildings until 1978. Though its power to harm and even kill children who sucked on lead-painted windowsills, toys, cribs, and woodwork had long been known, it was only in that year that the federal government banned its use in household paints.

Hundreds-of-tons of the lead in paint that covered the walls of houses, apartment buildings, and workplaces across the United States remains in place almost four decades later, especially in poorer neighborhoods where



millions of African American and Latino children currently live. Right now, most middle class white families feel relatively immune from the dangers of lead, although the gentrification of old neighborhoods and the renovation of old homes can still expose their children to dangerous levels of lead dust from the old paint on those walls. However, economically and politically vulnerable Black and Hispanic children, many of whom inhabit dilapidated older housing, still suffer disproportionately from the devastating effects of the toxin. This is the meaning of institutional racism in action today. As with the water flowing into homes from the pipes of Flint's water system, so the walls of its apartment complexes, not to mention those in poor neighborhoods of Detroit, Baltimore, Washington, and virtually every other older urban center in the country, continue to poison children exposed to lead-polluted dust, chips, soil, and air.

Over the course of the past century, tens-of-millions of children have been poisoned by lead and millions more remain in danger of it today. Add to this the risks these same children face from industrial toxins like mercury, asbestos, and polychlorinated biphenyls (better known as PCBs) and you have an ongoing recipe for a Flint-like disaster but on a national scale.

In truth, the United States has scores of "Flints" awaiting their moments. Think of them as ticking toxic time bombs—just an austerity scheme or some official's poor decision away from a public health disaster. Given

this, it's remarkable, even in the wake of Flint, how little attention or publicity such threats receive. Not surprisingly, then, there seems to be virtually no political will to ensure that future generations of children will not suffer the same fate as those in Flint.

The future of America's toxic past

A series of decisions by state and local officials turned Flint's chronic post-industrial crisis into a total public health disaster. If clueless, corrupt, or heartless government officials get all the blame for this (and blame they do deserve), the larger point will unfortunately be missed—that there are many post-industrial Flints, many other hidden tragedies affecting America's children that await their moments in the news. Treat Flint as an anomaly and you condemn families nationwide to bear the damage to their children alone, abandoned by a society unwilling to invest in cleaning up a century of industrial pollution, or even to acknowledge the injustice involved.

Flint may be years away from a solution to its current crisis, but in a few cities elsewhere in the country there is at least a modicum of hope when it comes to developing ways to begin to address this country's poisonous past. In California, for example, ten cities and counties, including San Francisco, San Diego, Los Angeles, and Oakland, have successfully sued and won an initial judgment against three lead pigment manufacturers for \$1.15 billion. That money will be invested in removing lead paint from the walls of homes in these cities. If this judgment is upheld on appeal, it would be an unprecedented and path-breaking victory, since it would force a polluting industry to clean up the mess it created and from which it profited.

There have been other partial victories, too. In Herculaneum, Missouri, for instance, where half the children within a mile of the nation's largest lead smelter suffered lead poisoning, jurors returned a \$320 million verdict against Fluor Corporation, one of the world's largest construction and engineering firms. That verdict is also on appeal, while the company has moved its smelter to Peru where whole new populations are undoubtedly being poisoned.

President Obama hit the nail on the head with his recent comments on Flint, but he also missed the larger point. There he was just a few dozen miles from that city's damaged water system when he spoke in Detroit, another symbol of corporate abandonment with its own grim toxic legacy. Thousands of homes in the Motor City, the former capital of the auto industry, are still lead paint disaster areas. Perhaps it's time to widen the canvas when it comes to the poisoning of America's children and face the terrible human toll caused by "the American century."

David Rosner and Gerald Markowitz are co-authors and co-editors of seven books and 85 articles on a variety of industrial and occupational hazards, including Deceit and Denial: The Deadly Politics of Industrial Pollution and, most recently, Lead Wars: The Politics of Science and the Fate of America's Children, (University of California Press/Milbank, 2013). Rosner is a professor of history at Columbia University and co-director of the Center for the History of Public Health at Columbia's Mailman School of Public Health. Markowitz is a professor of history at John Jay College and the Graduate Center, City University of New York.

—Common Dreams, February 9, 2016

<http://www.commondreams.org/views/2016/02/09/welcome-united-states-flint>



Flint, Michigan and Democracy

BY MARGARET KIMBERLEY

Americans are browbeaten and propagandized into believing they live in a democracy. The word democracy is bandied about with such consistent ferocity that the expression “protesting too much” comes to mind. The story of the tainted Flint, Michigan water supply is Exhibit A in the prosecution of the American system. The sad story reveals the lie of government by and for the people.

Michigan voters rejected the emergency manager system in a 2012 referendum. Yet it still emerged with dictatorial powers over the lives of people living in Detroit, Flint, Pontiac and Benton Harbor. The Republican governor and the legislature made an end run around the will of the people that was expressed so clearly at the ballot box. They simply ignored what the voters wanted and passed emergency management legislation anyway.

It is impressive that people all over the world want to help Flint. Ordinary citizens, celebrities, and school children are pledging to send bottled water to the beleaguered city that is now unlivable. But it must be said that charity is a poor substitute for democracy and a Black political movement. The lead poisoned water in Flint speaks volumes about a sorry state of affairs.

Michigan was an economic power house, the heart of automobile and other manufacturing. As finance capital took over the nation’s economy and destroyed millions of jobs there was no longer a need for places like Michigan or frankly for the people who lived there. General Motors closed its plants in Flint and sent production overseas. The result was human and financial catastrophe, which has been replicated across the state. Michigan continues to lose population but everyone can’t or

won’t leave. Detroit, Flint and other cities went from bad to worse as their residents were consigned to poverty as a result of the neo-liberal triumph.

Anyone who wants to send water to Flint should do so, but should also lay blame and make demands where they belong. Flint could be saved quickly if the United States government would send money as quickly as it does to so-called moderate rebels in Syria. There is always money for empire in this country but rarely money for the people. As the Flint plight made headlines president Obama announced \$80 million to repair the city’s infrastructure. That is a large sum of money by any measure but it is mere peanuts for the federal government.

Uncle Sam footed the bill in the amount of \$500 million that was used to train a handful of anti-government fighters in Syria. Any amount used to destroy this nation is too much, but any amount is deemed worthwhile in the effort to keep American footprints all over the planet. The United States can always come up with money to kill people and control as much of the world as possible. Michiganders and all Americans should be up in arms. Clearly they don’t have the democracy they are hypnotized into thinking actually exists.

While Flint drowns in lead tainted water the sad spectacle of the presidential election drags on and on. None of the Republican or Democratic candidates has said anything useful about Flint. Jeb Bush garnered negative headlines when he praised the awful governor Mitch Snyder but neither Hillary Clinton nor Bernie Sanders has done much better. Aside from saying that Snyder ought to resign the erstwhile socialist Sanders hasn’t come up with anything else. Hillary Clinton stated the

obvious, that the governor should ask for federal help. In return for stating the obvious Clinton received an endorsement from Flint’s mayor Karen Weaver.

That act shows that there is in fact no useful Black politics in this country. The mayor had a golden opportunity to advocate for her constituents. She could have said that Flint deserved at least as much as Syrian terrorists. She could have demanded full restitution for property owners and free healthcare for residents poisoned by the water supply. She could have made those demands and withheld any endorsement without a commitment to restore her city. She could have acted like the bankers who pushed Detroit into bankruptcy with derivative schemes and still elbowed their way to the front of the line to be paid first.

Instead she acted like the supplicants that all Black politicians end up becoming. Weaver was eager to get on the band wagon for some paltry reward like being a super delegate for Hillary while people in Flint can’t drink, wash or bathe without donated water.

Flint is ground zero in the campaign to get Black people out of the nation’s cities. Once that happens capital will suddenly reappear and Flint will be declared “up and coming” or “hot.” Those words will be a sign that the neo-liberal mission has been accomplished. The poisoned people will be gone and the people who should have represented them will still be in place. Unless of course someone is willing to fight for a truly democratic country.

—*Black Agenda Report*, January 26, 2016

http://www.Blackagendareport.com/flint_and_democracy

Lead Contamination

Lead contamination exists throughout the U.S.—but Flint has a special history

BY PHILIP BUMP

January 19, 2016—Lead tastes sweet. Hundreds of years ago, some forms of lead were actually used instead of sugar, with predictably negative results. That taste means that a kid in a house with peeling paint that contained lead—as many house paints did a century ago—might pick up a chip and pop it in his mouth.

In the late 1990s, I worked with a team of people that was dispatched by the Health Department of Columbus, Ohio, to houses in poor neighborhoods to do lead abatement. From a practical standpoint, that meant sanding down patches of peeling paint and cleaning the dust out of windowsills, where paint collected after it rubbed off as the window was opened and closed. Kids didn't just eat paint chips. These were old houses with young kids, and our goal was to limit the likelihood of lead exposure by children as

they crawled around in lead dust. In other words, it was to build as much of a barrier between the kid and the lead as possible, well after the point at which lead surrounded them.

The crisis that's still unfolding in Flint, Michigan, centers on the extremely bad decision to use water from the Flint River as a cost-saving measure for the city as it built a new supply line from Lake Huron. That transition resulted in vastly elevated levels of lead in the water flowing into people's homes, causing a spike in lead levels in local children. What's happening in Flint is also a reminder of the pervasiveness of lead in our environment—and the damage that the metal can do.

David Rosner, professor of public health and history at Columbia University and the author of *Lead Wars*, a history of the battle over lead in the environment, explained the special

significance of Flint in the history of American industry's embrace of lead when I spoke with him by phone Tuesday.

"Lead was introduced into gasoline as tetraethyl lead by General Motors," Rosner said, "the people that brought you Flint, Michigan." Meaning the city: Flint was home to GM at its inception. When the company created a new type of fuel that burned lead, it had a new advantage over its competitors at Ford. It was only the newest way in which the industry relied on lead in manufacturing its product.

"In the 1930s, 1940s, 1950s, the industry basically quenched concerns about low-level exposures by saying that lead was a 'gift of God,' essential to modern industry, essential to modern production. It had to go into everything and we couldn't live without it," Rosner said. "Gift of God" is not Rosner's phrasing; it was an expression used by a representative of GM. Lead, Rosner says, "became the basis for the new car industry"—even as concerns about it were increasing.

General Motors' success "led to the creation of a whole set of ancillary industries all along the Flint River, going up to Saginaw," Rosner said. "Battery plants, paint manufacturers, the soldering materials. The modern car is a giant industrial product that contains large amounts of all sorts of toxins. Not only oils and lubricants, but lead. Basically, the Flint River was the outlet for all this stuff." (In October 2014, General Motors stopped using Flint River water at its facility because it was worried about corrosion.)

Flint, in other words, was an epicenter of America's lead problem. But the problem predates Flint.

There's a reason people used to paint their houses with lead paints.



Lead paint offered a number of advantages, including durability. As recently as the 1990s, the paint used on roads contained lead. Lead was used to transport water in pipes (including in Flint). It was used in toys. It was used in industries besides automobiles. A hundred years ago, people saw the effects of acute lead poisoning—comas and convulsions—from workers at facilities producing lead products. Over time, it became clear that chronic exposure to lead created a different, more subtle set of problems.

Effects of lead on the body

Research in the 1970s, conducted in part by analyzing the levels of lead in children’s baby teeth, revealed that higher levels of lead in the body were linked to “lower IQs, less verbal competence, worse speech processing, and worse attention,” in the words of the American Psychological Association. (When ingested, lead replaces minerals in bones—like teeth—and seeps into the blood over time.) There were behavioral problems, too. Children with higher levels of lead in their bodies are more hyperactive and can act out.

There’s some speculation that the transition away from the use of lead, thanks to this research, may have contributed to the drop in the crime rate after peaking in the 1990s, though that’s not proven.

While it was once thought that low levels of lead in the blood were acceptable, that’s now come into question. The CDC used to track levels of blood poisoning by looking for children with 10 micrograms of lead per deciliter in their blood. Over the past few years, they’ve lowered that to 5 micrograms. In their data from 2014, the number of children tested with 10 micrograms or more was steady at about 0.5 percent. The number with 5 micrograms or more was much higher, at 4.2 percent.

“It’s down to a point where we no longer use any number as a line between healthy and diseased,” Rosner

said. “In other words, we don’t have any level below which lead is safe.”

A child suffering from acute lead poisoning goes through a treatment called “chelation,” in which an agent like EDTA is introduced into the bloodstream to bind to the lead and eliminate it from the body. Children are more susceptible to lead poisoning in part because they are still growing and in part because they are more likely to put their hands in their mouths after crawling through dust or dirt that was exposed to years of lead-filled car exhaust.

This is particularly true for children from lower-income homes, which overlaps with Black and Latino children. Older homes that haven’t been maintained are more likely to still have lead paint on the walls; the process of removing that paint is often cost-prohibitive. Homes closer to areas with a lot of traffic had more exposure to lead burned in cars.

Rosner’s book deals with the political fight that surrounds lead’s ubiquity. The extent to which lead exists around us and the extent to which it’s a danger to children is a “real conundrum,” he says. “Public health people often say it’s a housing problem—get rid of all

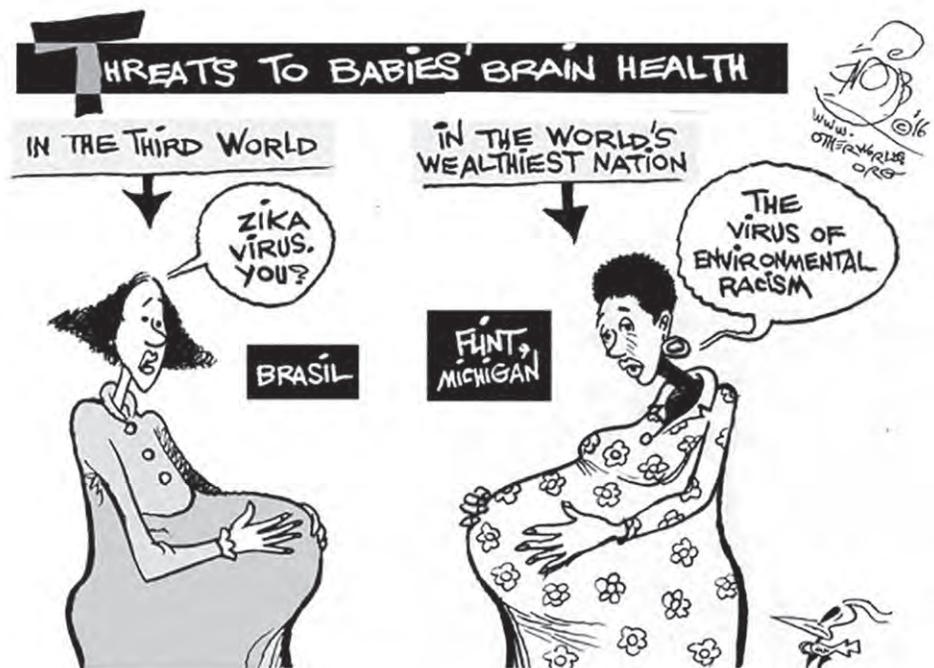
the lead in the housing, in the pipes and the wall, and therefore it’s a housing problem for HUD (Housing and Urban Development) to deal with. HUD turns around and says it’s a health problem; we can’t replace all the housing in the country.” Without spending a massive amount of money, we’re stuck.

The problem in Flint is far worse and far more immediate, but also one that epitomizes the path we took to get to this point. The Flint River, Rosner says, was “the sewer for these industries.” He added: “We’re in some sense suffering from a century of blowback—these children are suffering from a century of blowback from this industrial history that this community represented.”

That thrust of that statement could be applied to children—particularly poor children—everywhere else in the country.

—*The Washington Post*, January 19, 2016

<https://www.washingtonpost.com/news/the-fix/wp/2016/01/19/lead-contamination-exists-throughout-the-u-s-but-flint-has-a-special-history/>



Throw Off the Dead Weight of the Democratic Party

BY GLEN FORD

The following is a slightly edited version of remarks delivered by Glen Ford at a debate on Presidential Elections and the Key Issues of Our Time, held at the Unitarian Universalist Church, in San Francisco, February 6, 2016. The event was sponsored by the Socialist Action Party, the Green Party of Alameda County, the San Francisco Peace and Freedom Party, Bay Area Solidarity, and the San Francisco Progressive Democrats of America.

Power to the People!

The Bernie Sanders people are, naturally, quite excited by polls that say their candidate has drawn virtually even with Hillary Clinton among national Democrats. Some folks might think that we at *Black Agenda Report* might be upset with those numbers, since our managing editor, Bruce Dixon, has said that Bernie is a “sheep dog” for Hillary.

But, the truth is, it’s a good thing that Sanders is doing well in the polls. It’s a measure of public sentiment against corporations and Wall Street, among Democrats. We should all welcome such expressions of public sentiment. The problem is, the Democratic Party is not a vehicle that is capable of actually challenging Wall Street.

It is said that Wall Street is to the Democrats, what Big Energy is to the Republicans: their Sugar Daddy. And, that is accurate. It’s why Barack Obama’s 2008 race was the first billion-dollar presidential campaign.

That situation will not, and cannot change, even if Sanders continues to rely on \$27 individual donations in the primaries. He will still be sheep-dogging for the Democrats.

I said last night in Oakland that the best result that can occur from the Sanders campaign would be that it

leads to a split in the Democratic Party—somewhat like the split that occurred in the old Whig Party, over slavery, in the years before the Civil War.

That split led to the birth of a new, anti-slavery Republican Party, and the demise of the Whig Party—and, ultimately, to Black Emancipation.

I would love to see such a split in the Democratic Party, leading to the end of the rich man’s duopoly system and the creation of a new, broadly-based, anti-Wall Street and anti-imperialist party—and/or the blossoming of other left-wing parties. This would be an historical continuity of the Occupy Movement, which succeeded in popularizing the slogan of the one percent versus the 99 percent, which laid the basis for the mass public sentiment that is expressed, to some degree, in Bernie’s poll numbers.

There is also a lot of talk about how Bernie has succeeded in “moving Hillary to the Left.” That’s ridiculous. The Sanders campaign has only succeeded in forcing Hillary to tell the biggest lies of her non-stop lying career.

In any case, Clinton and the rest of her ilk will continue to lie about their plans for governance, because they serve the rich people that control the Republican-Democratic duopoly.

Let’s go back to Bernie’s poll numbers. These polls that show Sanders drawing even with Clinton, nationally, do not show the racial breakdown. Increasingly, pollsters don’t break down the numbers by race, or they lump all “minorities” together—which is almost as bad.

But, from what we do know, Blacks are the least likely ethnic constituency to vote for Bernie. This is historically consistent with Black voting behavior

in national Democratic primary elections, and presents a great paradox and contraction that goes to the heart of the Black political crisis.

Black people are the most left-leaning group in the United States, on issues of war and peace, and social justice. This fact is affirmed by every poll on peace and economic issues over generations, and most dramatically, it is affirmed by Black grassroots movement behavior—when such movements exist.

In terms of pro-union sentiment, at the top of the list is Black women, followed by Black men, then Hispanic women, followed by Hispanic men, then white women and, at the bottom of the list, white men.

This, too, has been the case for generations. The Black Radical Tradition not only exists, it is measureable in the present day—EXCEPT on national primary election days in the Democratic Party. Which is why the Bernie Sanders campaign is all but certain to be derailed by Black voters Down South, where Blacks are majorities of the Democratic electorate in a number of states, and the decisive bloc in many others.

This, despite the fact that Blacks most resemble the Scandinavian Social Democrats that Bernie Sanders sees as his model. The noted Black social demographer Michael Dawson’s studies have shown that the biggest bloc of Black voters are most like Swedish Social Democrats, and that a very large number of them are “more radical than that.”

However, in national primary elections, these Black Social Democrats—these pro-peace, pro-social justice, pro-union folks—fail to express their own political sentiments at the polls.

That's why the corporate media often list Blacks among the so-called "moderate" voters, as opposed to "liberal"—even though most Blacks are to the left of liberal.

My own studies have found that Blacks who describe themselves as "moderate" or even "conservative" are, in fact, to the left of whites who call themselves "liberal," on core issues of war and peace and economic justice. That's because the whole U.S. Black political spectrum is to the left of the white political spectrum. There are, in fact, two separate spectrums, and the self-defining labels do not match.

However, Black national voting behavior is inconsistent with Black ideological characteristics. Indeed, Black voting behavior often betrays Black people's politics. The reason lies in what Blacks perceive as the purpose for voting in national elections, and how they view the Democratic Party.

The nature of the American duopoly system is that one of the parties will always be the White Man's Party, with white supremacy as its organizing principle. In this era, it's the Republicans. In a past era, it was the Democrats.

Both of these parties are, of course, Rich Man's Parties.

Throughout U.S. history, Blacks have sought protection from the White Man's Party in the bosom of the other party, the one that is more inclusive of minorities. They want the party that opposes the White Man's Party to pick the strongest possible candidate. The question of whether that candidate actually agrees with them, ideologically, becomes secondary or even irrelevant. Blacks will vote against their own politics, in order to pick a winner.

Huge numbers will even vote against their own race, all things being equal, to pick what they believe is the strongest candidate against the Republicans—the White Man's Party. Which is why half of Black voters, and most Black elected officials, refused to support Barack

Obama against his ideological twin, Hillary Clinton, until after the Iowa primary, in 2008. Only after Obama won in a white state did Blacks abandon Hillary Clinton, wholesale.

Blacks are deeply antiwar, but they are quite willing to vote for Democratic warmongers. They may ideologically resemble Scandinavian Swedish Social Democrats, but they don't vote that way in national elections.

Blacks are the most re-distributionist constituency in the country, but they rejected Dennis Kucinich, a genuine social democrat, and John Edwards, who kicked off his campaign in New Orleans and pitched it directly to Blacks, in 2008. Instead, they rallied around the two corporatists, Clinton and Obama, as the antidote to the White Man's Party.

The Democrats ooze like pus from every orifice of the Black body politic.

Is there something wrong with African Americans? No, there is something wrong with America, its history and its race and class dynamics. There is something wrong about this two-party system, where both parties are Rich Man's Parties, and one of the parties is always the White Man's Party.

The duopoly system traps Blacks in the Democratic Party, and keeps them there on the premise that only Democrats can beat the White Man's GOP.

The numbers in 2016 show Black voters are operating under the same dynamic. They know Sanders is to the left of Clinton, but their priority is victory for the Democratic Party, and they are willing to sacrifice their own politics in its cause. This is the acute contradiction.

The Democratic Party is hegemonic in Black America. I'm not just talking about the fact that Black elected offi-

cialists are overwhelmingly Democratic. The mainline Black civic organizations—the NAACP, the Urban League and the rest—are annexes of the Democratic Party. So are most Black churches. The party's tentacles even reach down to the Black sororities and fraternities.

The Democrats ooze like pus from every orifice of the Black body politic.

And now, with the emergence of an incipient grassroots movement for the first time in two generations, the Democratic Party has moved quickly to absorb and render it harmless to the Rule of the Rich.

That's to be expected. What is worse, is that elements of the new movement appear eager to embrace the Democrats back. One leader of a faction of what is called the Black Lives Matter movement is running for mayor of Baltimore—as a Democrat, of course.

DeRay McKesson's Campaign Zero met twice with Hillary Clinton and failed to make anything that could be called a substantial demand. He is also a fanatical proponent of charterization of the public schools. His candidacy is getting more play in the corporate media than all of the other City Hall hopefuls in Baltimore.

Democratic Party politics kills Black politics. The two cannot coexist. If you want a real Black grassroots movement, you have to fight the Democratic Party, tooth and claw.

Bernie Sanders' supporters think they can transform the Democratic Party "from below." They are wrong.

Black people ARE the "below" in America, and we make up a quarter of the Democratic Party. But, Blacks haven't transformed the Democratic Party by our overwhelming presence. Instead, the Party has transformed us—and overwhelmed our radical politics.

The solution is to throw off the dead weight of that party.

Continued on page 15

How a Democrat Killed Welfare

Bill Clinton gutted welfare and criminalized the poor, all while funneling more money into the carceral state.

BY PREMILLA NADASEN

Bill Clinton's 1992 election was meant to be a turning point in American politics. Liberals breathed a sigh of relief, believing him to be a much-needed break from the Reagan-Bush era of "small government" and social welfare cuts. But the optimism surrounding Clinton's election—and favorable assessments of his time in office since—ignore the destruction his administration brought to poor and working people, especially African Americans, and masks not only the continuation but intensification of anti-poor policies. Rather than offering a reprieve from punitive austerity, Clinton took the Reagan-Bush agenda a step further. If his administration was a turning point, it turned us in the wrong direction.

In 1994, Clinton signed the Violent Crime Control and Law Enforcement Act, the largest crime bill in history, which allocated \$10 billion for prison construction, expanded the death penalty, and eliminated federal funding for

inmate education. The act intensified police surveillance and racial profiling, and locked up millions for nonviolent offenses such as drug possession. It helped usher in the era of mass incarceration that devastated communities of color (for which Clinton himself has recently apologized).

Clinton's simultaneous expansion of federal law enforcement and shrinking of the federal workforce to its lowest level in thirty years reallocated taxpayer dollars from employing people in social service jobs to putting more cops on the streets. The starkest example of the many racist and anti-poor measures directed at African Americans and passed during his administration was the 1996 welfare reform bill, which transformed welfare from an exclusive and unequal cash assistance system that stigmatized its recipients into one that actually criminalized them.

Ending Aid to dependent children

The Personal Responsibility and Work Opportunity Reconciliation Act ended traditional welfare by turning a federal entitlement, Aid to Families with Dependent Children (AFDC), into block grants, or Temporary Assistance to Needy Families (TANF). TANF established tougher mandates on poor single mothers and gave states more flexibility in how they spent welfare dollars (opening the door for increased discrimination against minorities). It prohibits anyone from receiving assistance for more than two consecutive years or for more than five years over the course of their life. The act also requires aid recipients to be employed, in most cases, at least thirty hours a week to get their welfare checks, amounting to an hourly wage well below the legal minimum.

Once recipients reach their program time limit, TANF forces them even further into the labor market with little consideration of how they could ensure their children are properly cared for or whether paid employment will earn them an adequate wage. Many more are not even able to find work. A 2012 report by the Urban Institute concluded that for recipients with barriers to employment, TANF did little to help them find jobs.

Sweeping in scope, TANF contains clauses to bolster marriage, mandate job training, and offer parenting classes. The "flexibility" that was a hallmark of the welfare reform bill enabled states to shift welfare funds away from direct cash assistance toward childcare programs or subsidies for companies hiring welfare recipients, meaning that a greater portion of public welfare dollars went to the private sector.

States were pressured to reduce welfare rolls—now the singular quantitative measure of success for the program—and used multiple strategies to deter the needy from applying for aid. They implemented complicated and demeaning application procedures and relied on fingerprinting and drug testing to weed out the "criminal element"—even though there was little evidence of widespread criminal activity among recipients.

The net result was that all recipients and applicants were assumed to be potential criminals. Surveillance of low-income women punished Black women in disproportionate numbers, resulting in more Black children in foster care and Black women in prison. Today, welfare and law enforcement work together to closely monitor the parenting of poor mothers.



Racialized welfare

These punitive policies were not new, but rather an extension of a long, racialized attack on welfare. AFDC was not controversial when it was instituted in the 1930s. Many people subscribed to traditional ideas about gender roles, believing that poor single mothers without a male breadwinner should be supported by the state in order to enable them to stay home and care for their children.

The overwhelming majority of recipients at the time, however, were white women. Women of color were considered less deserving of assistance. State and local social administrators of AFDC, especially in the South, systematically excluded African Americans and Mexican Americans from welfare receipt through “suitable home clauses” and “employable mother laws,” which denied assistance to mothers who didn’t keep “proper” homes or who it was believed could get a job and become self-supporting.

As Black migration to the North intensified, more women of color applied for assistance, resulting in opposition to the welfare program. Journalists wrote about welfare fraud and the “problem” of Black migration, and there were growing calls to get people off the rolls. In 1967, the Johnson administration instituted a Work Incentive Program (WIN), the first-ever mandatory federal employment rule for AFDC, requiring states to direct a portion of their welfare population to employment programs.

This landmark legislation shifted the role of welfare away from support for single mothers toward one of requiring those mothers to take paid employment outside the home. Although symbolically important because it signaled a new direction in federal policy, WIN was never adequately funded nor effectively enforced. The welfare rights movement in the 1960s and 1970s opposed the mandatory work rules and

fought for higher monthly benefits, tempering some of these regressive policies. But only temporarily.

The punitive approach to addressing poverty was a result of the way race and poverty had become intertwined in the national debate. In the 1960s, urban social disorder, Black demands for economic equality, and federal anti-poverty initiatives drew the nation’s attention to the persistent problem of Black poverty. But the dominant liberal approach explained poverty as a product of Black culture, reinforcing the notion that certain poor people were responsible for their own poverty.

Most notoriously articulated by Daniel Patrick Moynihan in “The Negro Family: The Case for National Action,” the culture of poverty argument suggested that a dysfunctional family structure—in particular single-parent families—was a primary reason for persistent African-American inequality.

The solution became one of attempting to instill proper values of work and marriage in Black men and women. Poor Black women were demonized as “welfare queens,” a trope popularized by Reagan in the 1970s and 1980s, which implied that Black women chose welfare over work and milked the system for all it was worth. This rhetoric was used to justify sweeping cuts in welfare spending.

Criminalization of the poor

Likewise, Clinton’s welfare reform bill was rooted in a culture of poverty argument, evidenced by his racially coded language of dependency and people taking advantage of the system. Stereotypes about women were the foundation of the 1996 welfare reform debate. Clinton alluded to the fear of Black street crime, drug use, crack babies, the breakdown of the family, and the drain on public dollars. His primary goal in dismantling AFDC, as

he put it, was to end the “cycle of dependence” and “achieve a national welfare reform bill that will make work and responsibility the law of the land.”

Clinton did not offer a departure from either earlier liberal policies that blamed the poor for their poverty or neoliberal economics. Instead, he turned what had been a few piecemeal reforms into a systematic overhaul of federal policy that led to the criminalization of the welfare poor. He redirected state resources away from financial support for the needy and toward surveillance and criminalization. In an era of market worship, those who couldn’t demonstrate self-reliance or independence were identified not only as unworthy of assistance, but as a potential threat to the core institutions of American society.

Clinton’s dismantling of welfare, couched in a language of personal responsibility and public policy correction, was the culmination of a trend among both Democrats and Republicans to deter and discourage poor women of color from applying for assistance. In this regard, there was little new about the “New Democrat.”

—*Jacobin*, Issue 20, Winter 2016

<https://www.jacobinmag.com/2016/02/welfare-reform-bill-hillary-clinton-tanf-poverty-dlc/?setAuth=9da10ef1bb7823b24cec984eab702f2c>

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Bernie Sanders, the Democrat, does not represent some kind of turning point in history, although his supporters seem to think so. The turning point in history comes with masses of people in the streets, fighting BOTH Rich Man’s Parties.

Power to the People!

—*Black Agenda Report*, February 10, 2016

http://www.blackagendareport.com/dead_weight_democratic_party

Hillary Doesn't Deserve the Black Vote

BY MICHELLE ALEXANDER

Hillary Clinton loves Black people. And Black people love Hillary—or so it seems. Black politicians have lined up in droves to endorse her, eager to prove their loyalty to the Clintons in the hopes that their faithfulness will be remembered and rewarded. Black pastors are opening their church doors, and the Clintons are making themselves comfortably at home once again, engaging effortlessly in all the usual rituals associated with “courting the Black vote,” a pursuit that typically begins and ends with Democratic politicians making Black people feel liked and taken seriously. Doing something concrete to improve the conditions under which most Black people live is generally not required.

Hillary is looking to gain momentum on the campaign trail as the primaries move out of Iowa and New Hampshire and into states like South Carolina, where large pockets of Black voters can be found. According to some polls, she leads Bernie Sanders by as much as 60 percent among African Americans. It seems that we—Black people—are her winning card, one that Hillary is eager to play.

And it seems we're eager to get played. Again.

The love affair between Black folks and the Clintons has been going on for a long time. It began back in 1992, when Bill Clinton was running for president. He threw on some shades and played the saxophone on “The Arsenio Hall Show.” It seems silly in retrospect, but many of us fell for that. At a time when a popular slogan was “It’s a Black thing, you wouldn’t understand,” Bill Clinton seemed to get us. When Toni Morrison dubbed him our first Black president, we nodded our heads. We had our boy in the White House. Or at least we thought we did.

Black voters have been remarkably loyal to the Clintons for more than 25 years. It’s true that we eventually lined up behind Barack Obama in 2008, but it’s a measure of the Clinton allure that Hillary led Obama among Black voters until he started winning caucuses and primaries. Now Hillary is running again. This time she’s facing a democratic socialist who promises a political revolution that will bring universal healthcare, a living wage, an end to rampant Wall Street greed, and the dismantling of the vast prison state—many of the same goals that Martin Luther King Jr. championed at the end of his life. Even so, Black folks are sticking with the Clinton brand.

What have the Clintons done to earn such devotion? Did they take extreme political risks to defend the rights of African Americans? Did they courageously stand up to right-wing demagoguery about Black communities? Did they help usher in a new era of hope and prosperity for neighborhoods devastated by deindustrialization, globalization, and the disappearance of work?

No. Quite the opposite.

When Bill Clinton ran for president in 1992, urban Black communities across America were suffering from economic collapse. Hundreds-of-thousands of manufacturing jobs had vanished as factories moved overseas in search of cheaper labor, a new plantation. Globalization and deindustrialization affected workers of all colors but hit African Americans particularly hard. Unemployment rates among young Black men had quadrupled as the rate of industrial employment plummeted. Crime rates spiked in inner-city communities that had been dependent on factory jobs, while hopelessness, despair, and crack addiction

swept neighborhoods that had once been solidly working-class. Millions of Black folks—many of whom had fled Jim Crow segregation in the South with the hope of obtaining decent work in Northern factories—were suddenly trapped in racially segregated, jobless ghettos.

On the campaign trail, Bill Clinton made the economy his top priority and argued persuasively that conservatives were using race to divide the nation and divert attention from the failed economy. In practice, however, he capitulated entirely to the right-wing backlash against the civil-rights movement and embraced former president Ronald Reagan’s agenda on race, crime, welfare, and taxes—ultimately doing more harm to Black communities than Reagan ever did.

We should have seen it coming. Back then, Clinton was the standard-bearer for the New Democrats, a group that firmly believed the only way to win back the millions of white voters in the South who had defected to the Republican Party was to adopt the right-wing narrative that Black communities ought to be disciplined with harsh punishment rather than coddled with welfare. Reagan had won the presidency by dog-whistling to poor and working-class whites with coded racial appeals: railing against “welfare queens” and criminal “predators” and condemning “big government.” Clinton aimed to win them back, vowing that he would never permit any Republican to be perceived as tougher on crime than he.

Just weeks before the critical New Hampshire primary, Clinton proved his toughness by flying back to Arkansas to oversee the execution of Ricky Ray Rector, a mentally impaired Black man who had so little conception of what

was about to happen to him that he asked for the dessert from his last meal to be saved for him for later. After the execution, Clinton remarked, “I can be nicked a lot, but no one can say I’m soft on crime.”

Clinton mastered the art of sending mixed cultural messages, appealing to African Americans by belting out “Lift Every Voice and Sing” in Black churches, while at the same time signaling to poor and working-class whites that he was willing to be tougher on Black communities than Republicans had been.

Clinton was praised for his no-nonsense, pragmatic approach to racial politics. He won the election and appointed a racially diverse cabinet that “looked like America.” He won reelection four years later, and the American economy rebounded. Democrats cheered. The Democratic Party had been saved. The Clintons won. Guess who lost?

Bill Clinton presided over the largest increase in federal and state prison inmates of any president in American history. Clinton did not declare the War on Crime or the War on Drugs—those wars were declared before Reagan was elected and long before crack hit the streets—but he escalated it beyond what many conservatives had imagined possible. He supported the 100-to-1 sentencing disparity for crack versus powder cocaine, which produced staggering racial injustice in sentencing and boosted funding for drug-law enforcement.

Clinton championed the idea of a federal “three strikes” law in his 1994 State of the Union address and, months later, signed a \$30 billion crime bill that created dozens of new federal capital crimes, mandated life sentences for some three-time offenders, and authorized more than \$16 billion for state prison grants and the expansion of police forces. The legislation was hailed by mainstream-media outlets as

a victory for the Democrats, who “were able to wrest the crime issue from the Republicans and make it their own.”

When Clinton left office in 2001, the United States had the highest rate of incarceration in the world. Human Rights Watch reported that in seven states, African Americans constituted 80 to 90 percent of all drug offenders sent to prison, even though they were no more likely than whites to use or sell illegal drugs. Prison admissions for drug offenses reached a level in 2000 for African Americans more than 26 times the level in 1983. All of the presidents since 1980 have contributed to mass incarceration, but as Equal Justice Initiative founder Bryan Stevenson recently observed, “President Clinton’s tenure was the worst.”

Some might argue that it’s unfair to judge Hillary Clinton for the policies her husband championed years ago. But Hillary wasn’t picking out china while she was first lady. She bravely broke the mold and redefined that job in ways no woman ever had before. She not only campaigned for Bill; she also wielded power and significant influence once he was elected, lobbying for legislation and other measures. That record, and her statements from that era, should be scrutinized. In her support for the 1994 crime bill, for example, she used racially coded rhetoric to cast Black children as animals. “They are not just gangs of kids anymore,” she said. “They are often the kinds of kids that are called ‘super-predators.’ No conscience, no empathy. We can talk about why they ended up that way, but first we have to bring them to heel.”

Both Clintons now express regret over the crime bill, and Hillary says she supports criminal-justice reforms to undo some of the damage that was done by her husband’s administration. But on the campaign trail, she continues to invoke the economy and country that Bill Clinton left behind as a legacy she would continue. So what

exactly did the Clinton economy look like for Black Americans? Taking a hard look at this recent past is about more than just a choice between two candidates. It’s about whether the Democratic Party can finally reckon with what its policies have done to African-American communities, and whether it can redeem itself and rightly earn the loyalty of Black voters.

An oft-repeated myth about the Clinton administration is that although it was overly tough on crime back in the 1990s, at least its policies were good for the economy and for Black unemployment rates. The truth is more troubling. As unemployment rates sank to historically low levels for white Americans in the 1990s, the jobless rate among Black men in their 20s who didn’t have a college degree rose to its highest level ever. This increase in joblessness was propelled by the skyrocketing incarceration rate.

Why is this not common knowledge? Because government statistics like poverty and unemployment rates do not include incarcerated people. As Harvard sociologist Bruce Western explains: “Much of the optimism about declines in racial inequality and the power of the U.S. model of economic growth is misplaced once we account for the invisible poor, behind the walls of America’s prisons and jails.” When Clinton left office in 2001, the true jobless rate for young, non-college-educated Black men (including those behind bars) was 42 percent. This figure was never reported. Instead, the media claimed that unemployment rates for African Americans had fallen to record lows, neglecting to mention that this miracle was possible only because incarceration rates were now at record highs. Young Black men weren’t looking for work at high rates during the Clinton era because they were now behind bars—out of sight, out of mind, and no longer counted in poverty and unemployment statistics.

To make matters worse, the federal safety net for poor families was torn to shreds by the Clinton administration in its effort to “end welfare as we know it.” In his 1996 State of the Union address, given during his re-election campaign, Clinton declared that “the era of big government is over” and immediately sought to prove it by dismantling the federal welfare system known as Aid to Families With Dependent Children (AFDC). The welfare-reform legislation that he signed—which Hillary Clinton ardently supported then and characterized as a success as recently as 2008—replaced the federal safety net with a block grant to the states, imposed a five-year lifetime limit on welfare assistance, added work requirements, barred undocumented immigrants from licensed professions, and slashed overall public welfare funding by \$54 billion (some was later restored).

Experts and pundits disagree about the true impact of welfare reform, but one thing seems clear: Extreme poverty doubled to 1.5 million in the decade-and-a-half after the law was passed. What is extreme poverty? U.S. households are considered to be in extreme poverty if they are surviving on cash incomes of no more than \$2 per person per day in any given month. We tend to think of extreme poverty existing in Third World countries, but here in the United States, shocking numbers of people are struggling to survive on less money per month than many families spend in one evening dining out. Currently, the United States, the richest nation on the planet, has one of the highest child-poverty rates in the developed world.

Despite claims that radical changes in crime and welfare policy were driven by a desire to end big government and save taxpayer dollars, the reality is that the Clinton administration didn't reduce the amount of money devoted to the management of the urban poor; it changed what the funds would be

used for. Billions of dollars were slashed from public housing and child-welfare budgets and transferred to the mass-incarceration machine. By 1996, the penal budget was twice the amount that had been allocated to food stamps. During Clinton's tenure, funding for public housing was slashed by \$17 billion (a reduction of 61 percent), while funding for corrections was boosted by \$19 billion (an increase of 171 percent), according to sociologist Loïc Wacquant “effectively making the construction of prisons the nation's main housing program for the urban poor.”

When Clinton left office in 2001, the true jobless rate for young, non-college-educated Black men (including those behind bars) was 42 percent.

Bill Clinton championed discriminatory laws against formerly incarcerated people that have kept millions of Americans locked in a cycle of poverty and desperation. The Clinton administration eliminated Pell grants for prisoners seeking higher education to prepare for their release, supported laws denying federal financial aid to students with drug convictions, and signed legislation imposing a lifetime ban on welfare and food stamps for anyone convicted of a felony drug offense—an exceptionally harsh provision given the racially biased drug war that was raging in inner cities.

Perhaps most alarming, Clinton also made it easier for public-housing agencies to deny shelter to anyone with any sort of criminal history (even an arrest without conviction) and cham-

pioned the “one strike and you're out” initiative, which meant that families could be evicted from public housing because one member (or a guest) had committed even a minor offense. People released from prison with no money, no job, and nowhere to go could no longer return home to their loved ones living in federally assisted housing without placing the entire family at risk of eviction. Purging “the criminal element” from public housing played well on the evening news, but no provisions were made for people and families as they were forced out on the street. By the end of Clinton's presidency, more than half of working-age African-American men in many large urban areas were saddled with criminal records and subject to legalized discrimination in employment, housing, access to education, and basic public benefits—relegated to a permanent second-class status eerily reminiscent of Jim Crow.

It is difficult to overstate the damage that's been done. Generations have been lost to the prison system; countless families have been torn apart or rendered homeless; and a school-to-prison pipeline has been born that shuttles young people from their decrepit, underfunded schools to brand-new high-tech prisons.

It didn't have to be like this. As a nation, we had a choice. Rather than spending billions of dollars constructing a vast new penal system, those billions could have been spent putting young people to work in inner-city communities and investing in their schools so they might have some hope of making the transition from an industrial to a service-based economy. Constructive interventions would have been good not only for African Americans trapped in ghettos, but for blue-collar workers of all colors. At the very least, Democrats could have fought to prevent the further destruction of Black communities rather than ratcheting up the wars declared on them.

Of course, it can be said that it's unfair to criticize the Clintons for punishing Black people so harshly, given that many Black people were on board with the "get tough" movement too. It is absolutely true that Black communities back then were in a state of crisis, and that many Black activists and politicians were desperate to get violent offenders off the streets. What is often missed, however, is that most of those Black activists and politicians weren't asking only for toughness. They were also demanding investment in their schools, better housing, jobs programs for young people, economic-stimulus packages, drug treatment on demand, and better access to healthcare. In the end, they wound up with police and prisons. To say that this was what Black people wanted is misleading at best.

To be fair, the Clintons now feel bad about how their politics and policies have worked out for Black people. Bill says that he "overshot the mark" with his crime policies; and Hillary has put forth a plan to ban racial profiling, eliminate the sentencing disparities between crack and cocaine, and abolish private prisons, among other measures.

But what about a larger agenda that would not just reverse some of the policies adopted during the Clinton era, but would rebuild the communities decimated by them? If you listen closely here, you'll notice that Hillary Clinton is still singing the same old tune in a slightly different key. She is arguing that we ought not be seduced by Bernie's rhetoric because we must be "pragmatic," "face political realities," and not get tempted to believe that we can fight for economic justice and win. When politicians start telling you that it is "unrealistic" to support candidates who want to build a movement for greater equality, fair wages, universal healthcare, and an end to corporate control of our political system, it's probably best to leave the room.

This is not an endorsement for Bernie Sanders, who after all voted for the 1994 crime bill. I also tend to agree with Ta-Nehisi Coates that the way the Sanders campaign handled the question of reparations is one of many signs that Bernie doesn't quite get what's at stake in serious dialogues about racial justice. He was wrong to dismiss reparations as "divisive," as though centuries of slavery, segregation, discrimination, ghettoization, and stigmatization aren't worthy of any specific acknowledgement or remedy.

But recognizing that Bernie, like Hillary, has blurred vision when it comes to race is not the same thing as saying their views are equally problematic. Sanders opposed the 1996 welfare-reform law. He also opposed bank deregulation and the Iraq War, both of which Hillary supported, and both of which have proved disastrous. In short, there is such a thing as a lesser evil, and Hillary is not it.

The biggest problem with Bernie, in the end, is that he's running as a Democrat—as a member of a political party that not only capitulated to right-wing demagoguery but is now owned and controlled by a relatively small number of millionaires and billionaires. Yes, Sanders has raised millions from small donors, but should he become president, he would also become part of what he has otherwise derided as "the establishment." Even if Bernie's racial-justice views evolve, I hold little hope that a political revolution will occur within the Democratic Party without a sustained outside movement forcing truly transformational change. I am inclined to believe that it would be easier to build a new party than to save the Democratic Party from itself.

Of course, the idea of building a new political party terrifies most progressives, who understandably fear that it would open the door for a right-wing extremist to get elected. So we play the

game of lesser evils. This game has gone on for decades. W.E.B. Du Bois, the eminent scholar and co-founder of the NAACP, shocked many when he refused to play along with this game in the 1956 election, defending his refusal to vote on the grounds that "there is but one evil party with two names, and it will be elected despite all I do or say." While the true losers and winners of this game are highly predictable, the game of lesser evils makes for great entertainment and can now be viewed 24 hours a day on cable-news networks. Hillary believes that she can win this game in 2016 because this time she's got us, the Black vote, in her back pocket—her lucky card.

She may be surprised to discover that the younger generation no longer wants to play her game. Or maybe not. Maybe we'll all continue to play along and pretend that we don't know how it will turn out in the end. Hopefully, one day, we'll muster the courage to join together in a revolutionary movement with people of all colors who believe that basic human rights and economic, racial, and gender justice are not unreasonable, pie-in-the-sky goals. After decades of getting played, the sleeping giant just might wake up, stretch its limbs, and tell both parties: Game over. Move aside. It's time to reshuffle this deck.

—*The Nation*, February 10, 2016

<http://www.thenation.com/article/hillary-clinton-does-not-deserve-Black-peoples-votes/>



“What About Sierra Blanca, Bernie?”

From radioactive waste on the Rio Grande to Reparations

By Eoin Higgins

Bernie Sanders made a cold political calculation in 1998 that affected the lives of hundreds of poor, powerless people half a country away. He did it because it would benefit his affluent, politically engaged constituency, and, in turn, benefit him.

Two decades later, Sanders is making another political calculation. He's choosing to disregard African-American demands for reparations because he believes he can concentrate on empowering his affluent, politically engaged constituency, who will, in turn, empower him.

This is not a “political revolution,” and Sanders is no revolutionary.

Back in the early 1990s, the state of Vermont had a problem. The Vermont Yankee nuclear plant was generating tons and tons of radioactive waste, but there was nowhere palatable in the state to store it. The only town, which was willing to study the possibility, Vernon, was deemed “geologically unstable.” No other towns in Vermont, quite reasonably, wanted the waste.

By October of 1998, Vermont had a solution.

A deal had been worked out between Vermont's Congressional representation, Texas Representative Joe Barton, and then-Governor George W. Bush. The legislation, which was cosponsored and championed by then-Representative Bernie Sanders, was signed by President Bill Clinton in 1998.

Senator Paul Wellstone, who is often mentioned in the same breath as Sanders among the latter's supporters, was opposed to the legislation.

The people of Vermont didn't have much of a problem with the deal. But Texans and their Mexican neighbors over the Rio Grande were outraged.

A delegation from Texas reached out to Sanders and tried to reason with him, citing the environmental and human degradation the waste site would create. They thought they would get an empathetic response from the nominal socialist.

They were wrong.

Sanders' reply was curt, abrupt, and final:

“My position is unchanged and you're not going to like it.”

When asked if he would at least visit the proposed site in Sierra Blanca, he said: “Absolutely not. I'm going to be running for re-election in the state of Vermont.”

The real costs of generating nuclear energy for Vermont,

would be borne by a small, poor, majority-Hispanic community in Texas. The politically powerless people of Sierra Blanca—where the median income is only \$10,500—were chosen to bear the toxic burden of Vermont's electricity.

In the end, however, the Sierra Blanca site was rejected by the Texas state legislature. It wouldn't be until 2012 that Vermont would begin shipping its radioactive waste to Texas. The waste goes to a facility in a barren stretch of desert in West Texas, in Andrews County on the New Mexico border.

Still, Sanders' callous indifference to the political impotence of the constituents of Sierra Blanca is telling. Not only does it show that the now Senator from Vermont doesn't practice what he preaches when it comes to issues of economic inequality, it also shows blunt ignorance on privilege, race, and class.

He doesn't seem to have learned much in the past two decades.

On February 12, 2016, now-Presidential candidate Sanders was attending “A Community Forum on Black America” in Minneapolis when Felicia Perry, a panelist on stage, asked him about reparations.

“Can you talk about, specifically,” Perry asked, “Black people and reparations?”

Sanders appeared flustered and pivoted quickly to a more comfortable topic: white people.

“What I just indicated, in my view,” Sanders said, holding up his hand to quell the applause for Perry's question, “Is that... it's not just Black. It's Latino, there are areas in America, poor rural areas, where it's whites!”



Blood Traces: Bernie's Iraq War Hypocrisy

By JEFFREY ST. CLAIR

It's hard to understand exactly what Sanders means here, but he appears to be indicating that reparations—long identified as penance for centuries of slavery in the United States—should be open to white people as well.

It's a step in the right direction. Sanders rejected the idea of reparations outright as politically unfeasible the last time he was asked. But while he's engaging with the concept, it's also the "All Lives Matter" of reparations.

Sanders regularly tells cheering crowds that he is working toward a "political revolution" and to effecting real change in the American political system.

There's nothing more revolutionary than talking about reparations. The question is shunned in Washington. There's nothing more consequential to effecting real change in the American political system than standing up for the powerless, even when they're half-a-country away.

If Sanders wants to be the champion for the working poor, he's going to have to do better. Pivoting on reparations to include whites and attempting to create a sacrifice zone in South Texas for the affluence of his home state of Vermont aren't going to cut it.

Sanders is either tone-deaf on these issues, or he has made a political calculation that he can get through the primary process without them.

He won't be the first candidate to make that calculation. But he was supposed to be different.

Eoin Higgins is a writer and historian from upstate New York.

—CounterPunch, February 15, 2016

<http://www.counterpunch.org/2016/02/15/what-about-sierra-blanca-bernie-from-radioactive-waste-on-the-rio-grande-to-reparations/>

Bernie Sanders has been tagging Hillary Clinton for her 2002 vote in support of George W. Bush's war against Saddam Hussein. Here Sanders is closely following Obama's 2008 play-book, where Obama used the Iraq war vote to repeatedly knock Clinton off balance.

But Sanders's shots at Clinton haven't inflicted much damage this time around, largely because there's so little breathing space between the two candidates on foreign policy. Both Clinton and Sanders are seasoned interventionists, often advancing their hawkish policies under the ragged banner of "humanitarianism." (See: *Queen of Chaos* by Diana Johnstone.)

Sanders supported Bill Clinton's war on Serbia, voted for the 2001 Authorization Unilateral Military Force Against Terrorists (AUMF), which pretty much allowed Bush to wage war wherever he wanted, backed Obama's Libyan debacle and supports an expanded U.S. role in the Syrian Civil War.

More problematic for the Senator in Birkenstocks is the little-known fact that Bernie Sanders himself voted twice in support of regime change in Iraq. In 1998 Sanders voted in favor of the Iraq Liberation Act of 1998, which said: "It should be the policy of the United States to support efforts to remove the regime headed by Saddam Hussein from power in Iraq and to promote the emergence of a democratic government to replace that regime."

Later that same year, Sanders also backed a resolution that stated: "Congress reaffirms that it should be the policy of the United States to support efforts to remove the regime headed by Saddam Hussein from power in Iraq and to promote the emergence of a democratic government to replace that regime."

These measures gave congressional backing for the CIA's covert plan to overthrow the Hussein regime in Baghdad, as well as the tightening of an economic sanctions regime that may have killed as many as 500,000 Iraqi children. The resolution also gave the green light to Operation Desert Fox, a four-day long bombing campaign striking 100 targets throughout Iraq. The operation featured more than 300 bombing sorties and 350 ground-launched Tomahawk cruise missiles, several targeting Saddam Hussein himself.

On the rare occasions when Sanders has been confronted about these votes, he has casually dismissed them as being "almost unanimous." I went back and checked the record. In fact, many members of the progressive caucus in the House, as well as a few libertarian anti-war Members of Congress, vote against the Iraq regime change measures. Here's a list of the "no" votes on the Iraq Liberation Act of 1998: Abercrombie; Bartlett; Brown (CA); Carson; Chenoweth; Clay; Conyers; Davis (IL); Doggett; Everett; Ewing; Ford; Furse; Hastings (FL); Hilliard; Hostettler; Jackson (IL); Jefferson; LaHood; Lee; Lewis (GA); McKinney; Miller (CA); Mink; Paul; Payne; Pombo; Rivers; Rush; Sabo; Serrano; Skaggs; Skelton; Stark; Towns; Vento; Walsh; Waters.

So what changed? Only the party in power. In 1998, Bill Clinton was president, pursuing his own effort to take-down Saddam's government. In Clinton's State of the Union address of that year he laid the political groundwork for Bush's war:

"Saddam Hussein has spent the better part of this decade, and much of his nation's wealth, not on providing for the Iraqi people, but on developing nuclear, chemical and biological weapons and the missiles

to deliver them. The United Nations weapons inspectors have done a truly remarkable job, finding and destroying more of Iraq's arsenal than was destroyed during the entire gulf war. Now, Saddam Hussein wants to stop them from completing their mission. I know I speak for everyone in this chamber, Republicans and Democrats, when I say to Saddam Hussein, 'You cannot defy the will of the world,' and when I say to him, 'You have used weapons of mass destruction before; we are determined to deny you the capacity to use them again.'"

Recall that over the eight years of Clinton Time, Iraq was bombed an average of once every four days.

Even though Sanders markets himself as an "independent socialist," in fact, he has rarely dissented against the Democratic Party orthodoxy, especially when it comes to military intervention. That should permanently settle the notion of whether Bernie is a real Democrat. With the blood of 500,000 Iraqi children on his hands, surely Sanders has already won the "Humanitarian Warrior Seal of Approval," which leaves us with only one haunting question: Was it worth it, Senator Sanders?

Jeffrey St. Clair is editor of CounterPunch. His new book is Killing Trayvons: an Anthology of American Violence (with JoAnn Wypijewski and Kevin Alexander Gray).

—CounterPunch, February 16, 2016

<http://www.counterpunch.org/2016/02/16/blood-traces-bernie-iraq-war-hypocrisy/>

Feds Punk Out

Why the feds punk out when confronting white rightwing insurgents

BY GLEN FORD

The armed right-wing activists that seized control of a federal wildlife sanctuary compound in eastern Oregon have already committed—and conspired to commit—enough serious criminal violations of U.S. law to land each of them in federal prison for the rest of lives. Of course, as Wajahat Ali points out in the *Guardian* newspaper, if the gunmen were Muslim or Black, they'd already be dead.

This is not a great revelation. Every Black child knows that white lives carry a premium value in the United States, while Blacks are casually killable. In a society where Walking While Black, Driving While Black or simply Breathing While Black is so often treated as a capital crime, the racial double standard is the norm. That's why it's insane to think that this society can be made worthy of Black habitation through tinkering with the system, piecemeal reforms, and appeals to the federal government for protection and relief. This is the same federal government that framed poor Black men from Miami and Newburgh, New York, on terrorist conspiracy charges, and that condones conspiracy indictments carrying life in prison for 100 Black youngsters from New York City housing projects based on their postings in Facebook. But the white, rightwing land grabbers who are in armed occupation of federal property can't seem to buy a confrontation with President Obama's FBI or any other armed federal agency. How is it, the people of the world must be wondering, that a country that runs by far the world's biggest prison system, with the most heavily armed cops on the planet, equipped with the most advanced evidence gathering devices known to man—how is it that the Superpower of Policing and Prosecution seems to fear a confrontation with

groups with names like the Oregon Bearded Bastards?

The reason is really quite simple: the U.S. criminal justice system was not created to control white militias or greedy ranchers or gun-toting racists and Bible-thumpers. For most of U.S. history, these were prime stakeholders in the American project to build a White Man's Nation. The gunmen in Oregon have plenty of historical reasons to believe that land-grabbing is their birthright—and that a significant segment of white America empathizes with them. The federal government treads lightly, because white Christian lives do matter.

For almost 50 years, the primary mission of the U.S. criminal justice system has been to control, contain and incarcerate Black Americans. It has spent half-a-century refining the tools to terrorize Black people on the streets, in their homes and in their schools. It is so efficient at what it does, that one out of every eight prison inmates on the planet is an African American. The Mass Black Incarceration State was designed to pre-empt any insurgency by Black people—not to deal with the Bundy family and the Bearded Bastards of Oregon.

That's why I think the Lords of Capital are much more afraid of Donald Trump than they are of Bernie Sanders. They think Trump might stir up more of those white bearded bastards, many of whom hate Wall Street almost as much as they do the federal government—which is a real problem for U.S. law enforcement.

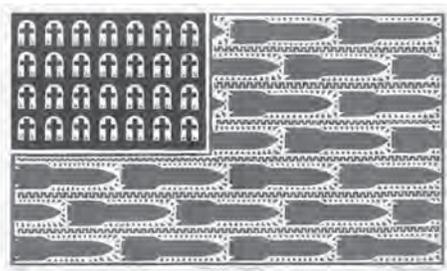
—Black Agenda Report, January 6, 2016

http://www.blackagendareport.com/feds_punk_out_rightwing

Bomb-Happy Obama

U.S. dropped 23,144 bombs on Muslim-majority countries in 2015

BY ADAM JOHNSON



Council of Foreign Relations resident skeptic Micah Zenko recently tallied up how many bombs the United States has dropped on other countries and the results are as depressing as one would think. Zenko figured that since January 1, 2015, the U.S. has dropped around 23,144 bombs on Iraq, Syria, Afghanistan, Pakistan, Yemen, and Somalia, all countries that are majority Muslim.

The chart, provided by the generally pro-State Department think tank, puts in stark terms how much destruction the U.S. has leveled on other countries. Whether or not one thinks such bombing is justified, it's a blunt illustration of how much raw damage the United States inflicts on the Muslim world:

It does not appear to be working either. Despite the fact that the U.S. dropped 947 bombs in Afghanistan in 2015, a recent analysis in *Foreign Policy* magazine found that the Taliban control more territory in Afghanistan than at any point since 2001. The U.S. has entered its 16th year of war in Afghanistan despite several promises by the Obama administration to withdraw. In October of last year, President Obama reversed his position and decided to keep American troops in Afghanistan until the end of 2017.

The last four U.S. presidents have bombed Iraq, and that includes the current one since airstrikes were launched on August 7, 2014. The war against ISIS was originally framed as a "limited," "humanitarian" intervention. Since then, former Defense Secretary Leon Panetta has insisted it will be a "30-year war" and the White House has spoken vaguely of a "long-term effort" in both Iraq and Syria.

Another red flag Zenko noted was the complete lack of civilian deaths being tallied as a result of those 23,144 bombs.

Remarkably, they also claim that alongside the 25,000 fighters killed, only six civilians have "likely" been killed in the seventeen-month air campaign. At the same time, officials admit that the size of the group has remained wholly unchanged. In 2014, the Central Intelligence Agency (CIA) estimated the size of the Islamic State to be between 20,000 and 31,000 fighters, while on Wednesday, Warren again repeated the 30,000 estimate. To summarize the anti-Islamic State bombing calculus: $30,000 - 25,000 = 30,000$.

So after more than 20,000 bombs, the U.S. Defense Department only cops to the deaths of six civilians. This is a position largely accepted by the media, which rarely asks who is actually being extinguished by the airstrikes in Syria and Iraq.

In October, 30 civilians died after the U.S. bombed a hospital in Kunduz, Afghanistan. The incident is still being investigated, but it has already been revealed that many elements of the original story were either false or deliberately misleading.

Adam Johnson is an associate editor at AlterNet.

—AlterNet.org, January 8, 2016

<http://www.alternet.org/news-amp-politics/us-dropped-23144-bombs-muslim-majority-countries-2015?akid=13867.229473.EenSsE&rd=1&src=newsletter1048699&t=4>

U.S. BOMBS DROPPED IN 2015

(All Weapons Platforms)

Iraq/Syria	22,110
Afghanistan	947
Pakistan	11
Yemen	58
Somalia	18
Total	23,144

Dum-Dum Bullets

U.S. police are killing people with war-crimes ammunition

By ROBERT WELLS

In 2011, the police force of the Oakland Unified School District shot and killed 20-year-old Raheim Brown. Revisiting the case in 2015, Raheim's mother Lorianne Davis determined with photographs obtained from the police—and the Oakland Teachers for Mumia determined with material from a California Public Records Act demand—that Raheim Brown had been killed with a fusillade of high-velocity hollow-point Black Talon dum-dum bullets, which are the standard service ammunition of the Oakland Schools police and of virtually every police agency in California and the nation.

The dum-dum bullet is a soft lead slug with a hollow-point and a copper coated base. When it hits, the impact causes the lead to mushroom back over the copper jacket, expanding the bullet to roughly .60-caliber in the first two inches of flesh. This violent expansion, and the extremely high velocity, gives the bullet an explosive effect in the victim.

Not willing to leave bad enough alone, in the 1990s the Winchester Arms Company “enhanced” the dum-dum, running copper strips up the side to the lip of the hollow-point (the soft lead can still be seen down inside.) When this spinning bullet hits, and erupts, it splays into six razor-sharp

claws that tear their way through the body. Winchester christened this bullet the “Black Talon;” The *New York Times* called it “the razor-fingered bullet” in a November 13, 1993, editorial.

Cops estimate that 99 percent—that is, all—of the police agencies in the U.S. use the high-velocity half-jacketed hollow-point dum-dum bullet as their standard handgun ammunition.

Virtually every person shot to death by police handguns in the U.S. in the last 20 years has been killed with a bullet that international law has declared to be a war crime.

In the 1960s, most of the police agencies in Los Angeles County used the dum-dum; by now they essentially all do. As the chief surgeon of the jail ward, Dr. Margaret McCarren of the L.A. County-USC Medical Center had more experience at the time with gunshot victims of high-velocity dum-dums than any other doctor in the country.

“In my experience,” she wrote in 1969, “the type of wounds caused by these bullets is definitely more severe and represents a radical change from the type of wound inflicted by the old type bullet. The high-velocity hollow-point bullet shatters the flesh.”

She compared the effect of the dum-dum to “an explosive charge going off inside the victim’s body.” A doctor in New York State who performed an autopsy on a dum-dum victim said the internal shock had been so great that it was impossible to distinguish one organ from another.

It was the “shattering of flesh” that Dr. McCarren referred to, the gross physical destruction caused by the dum-dum, that led to the bullet being banned in international warfare.



The dum-dum gets its name from the old British arsenal in the Dum Dum suburb of Calcutta, where in the 1850s the noses of bullets were clipped off to make them expand. By 1874, the Declaration of Brussels had prohibited the use in warfare of “weapons, projectiles or substances calculated to cause superfluous injuries.”

At the Hague Conference of 1899, a declaration was adopted stating that “the contracting parties agree to abstain from the use of bullets which expand or flatten easily in the human body, such as bullets with a hard envelope which does not entirely cover the core, or is pierced with incisions”—the classic dum-dum, used by police everywhere in the United States.

After ratification by Congress, the Hague Declaration was signed into law by President Theodore Roosevelt in 1909, becoming part of the United States Statutes at Large (61st Congress, 36 Stat. 2277).

In the 1960s, when the dum-dum bullet first came on the market in pistol calibers, cops everywhere considered themselves to be at war with the Black community: The COINTELPRO campaign, directed from the very highest levels of American government, was an actual shooting war against Black people.

Nevertheless, even while admitting that the dum-dum bullet was an international war crime, police agencies all across the country rushed to adopt it as their standard service ammunition, with the excuse that there was nothing illegal about it domestically.

Even so, they tried to keep it quiet. “This is a tough subject,” said one manufacturer. “A lot of minority groups might object. We like to keep the discussion within law-enforcement circles.”

Police resist the word “dum-dum” because they know it’s a term of revulsion to most Americans. But any high-velocity, soft-nose, half-jacketed hollow-point bullet designed to expand or flatten easily in the human body is

exactly the bullet condemned for use against human beings by international law. It’s a dum-dum.

The police rationale for using the dum-dum is that it’s “safer”—it will not “exit a suspect” and go on to hit an “innocent civilian.” It’s doubtful this was much of a problem even in the ’60s, but today, with the six-shot police revolver replaced by the semiautomatic sidearm with a clip holding 15 or more bullets, police shooting doctrine is now to unload dozens of rounds at a time at a suspect.

Virtually every person shot to death by police handguns in the U.S. in the last 20 years has been killed with a bullet that international law has declared to be a war crime.

Amadou Diallo was killed in New York with 19 bullets—police shot at him 44 times; in 2010 Stockton police killed James Rivera Jr. with 19 bullets—they shot at him 48 times; in an incident in Queens, police fired 284 times and succeeded in knocking over one civilian; just this August, Stockton police opened up on bank robbers and a hostage with 600 shots. That’s a lot of dum-dum bullets flying around the neighborhood without ever “exiting a suspect.”

The other police rationale, more to the point, is that the dum-dum is more likely to kill. What seems to be another police doctrine, called the same thing everywhere in the country—“bleeding out”—is to leave a gunshot victim unattended on the ground for hours: Michael Brown in Ferguson, Kenneth Harding Jr. in Bayview Hunters Point, Filiberto Ojeda Rios in Puerto Rico.

In fact, the police shooting dum-dum bullets is completely indefensible; there is nothing that can be said about it that could make it legitimate. Once any Black Lives group made certain that their local police used the dum-dum—the odds are 99 to 1; in this state they could use a document demand under the California Public Records Act—it would be a worthwhile reform to campaign to get the bullet out of the policeman’s gun, even while he’s still shooting. Especially while he’s still shooting.

Along with reform is the political question: Cops’ rushing to adopt the dum-dum while in an open state of war against Black America, knowing full well the bullet is a war crime and making excuses, is an example of the vindictive and genocidal attitude of white America toward Black people.

By challenging the police dum-dum, the Black Lives movement could assert, even by implication, that Black people, under assault from racist police and the white supremacist state, should be entitled to at least some of the protections of international law.

Oakland Teachers for Mumia—Jack Gerson, Bob Mandel and Bob Wells, all retired—were among the organizers, along with teacher Craig Gordon, of the controversial 1999 Oakland Schools Teach-in on Mumia Abu-Jamal and the death penalty. Over the summer of 2015, they and Craig Gordon pressured the school district into reinstating an Oakland Unified School District social justice website called “Urban Dreams” that the school administration had taken down because of intimidation by the Fraternal Order of Police and Fox News. As a news reporter in the 1960s, Bob Wells broke the first story about the police dum-dum.

—San Francisco Bay View, January 25, 2016

<http://sfbayview.com/2016/01/us-police-are-killing-people-with-war-crimes-ammunition/>

Drone Protestor Heads to Jail

BY BILL MOYERS

Mary Anne Grady Flores is in jail today and American citizens everywhere can surely breathe a sigh of relief that we are safe from her criminal behavior at least for the next six months.

That's the length of the sentence this 59-year-old peace activist in upstate New York began on Tuesday—one day after the United States honored Dr. Martin Luther King, Jr., for his commitment to nonviolent civil disobedience. If he were here today, the martyred Dr. King would surely be shaking his head that America still has a problem with peaceful dissenters of conscience.

And what exactly did Grady Flores do to warrant spending the next six months in jail? She photographed a peaceful protest outside Hancock Field Air National Guard Base near Syracuse, New York. The base is where the U.S. trains pilots to launch drone strikes in the Middle East, particularly in Afghanistan, Pakistan and Yemen. It wasn't a crime for her to be taking pictures of the demonstration, but when she briefly and unintentionally—yes, unintentionally—stepped onto a road that belongs to the base, she violated what authorities called “an order of protection,” which had been issued in 2012 to forbid protesters from approaching the home or workplace of Colonel Earl Evans, a commander of the 174th Attack Wing of the Air National Guard. She had never met Evans, never threatened him, never showed any intention of harming him.

Nonetheless, a town justice, David Gideon, issued the order to “protect” the Colonel from the activists. That's right—the commander of a major military operation, piloting drones on lethal missions half-way around the world, requested a court order of protection against a group of mostly gray-haired demonstrators whom he had

never met. In stepping briefly on the roadway at the base, Grady Flores violated that order, despite the fact that, as she says, “We weren't at the security gate. We were out at the roadway.”

Now get this: The order issued by Judge Gideon was of the sort commonly used against victims of sexual or domestic abuse. “The legal terms ‘victim’ and ‘witness’ have been expanded in this case in a way that's new and unique in the state of New York,” said attorney Lance Salisbury at a press conference yesterday before Grady Flores was hauled off to jail.

Grady Flores had protested outside the base before. She belongs to The Upstate Coalition to Ground the Drones and End the Wars, which has criticized the drone program since 2010, calling for a change in policy to uphold life and law.

President Obama and the Pentagon insist that using drones in pursuit of terrorists causes minimal civilian casualties and protects American troops, but Grady Flores takes issue with that justification. She told us she had been moved, in particular, by reports of the staggering numbers of civilians killed by U.S. drones, and she says her fears were confirmed by documents recently leaked to journalists at *The Intercept* revealing that during one five-month stretch, 90 percent of those killed in one part of Northeastern Afghanistan were not the intended target.

Grady Flores says she was also shaken by the 2013 testimony before Congress of a family from Pakistan that had suffered a drone strike in North Waziristan. A grandmother of three herself, Grady Flores listened as Rafiq ur Rehman recounted his mother's death in the presence of her grandchildren. “She was out in the fields picking okra with the kids around and

a drone strike happened, and she was sent to four winds... now the kids live in terror,” Grady Flores recalls.

“That's why citizens are at the gates of Hancock,” says Grady Flores. “That's why we're there.”

Grady Flores was arrested in 2012, when she and 16 others blocked the entrance to the base, prompting the request from the military for the order of protection. When she was arrested again a year later—not for protesting herself but for stepping on the road outside the base and taking pictures of others who were protesting—she was found to be in violation of that protection order. And the protestors she was photographing? They were acquitted.

Justice David Gideon threw the book at her. He sentenced her to a year, claiming in his five-page ruling that he didn't buy her First Amendment argument. Instead, he thought she “was willing to ‘break the law’ to seek publicity for her cause.” After an appeal, her sentence was shortened to six months.

Before she went to jail yesterday she told us: “I asked my grandchildren, ‘Do you know where I'm going?’ and they said, ‘yeah, you're going to jail, Nana.’” She told us that it is difficult to leave her 88-year-old mother who is ailing, but that her mother appreciates her carrying on in the tradition of Dr. Martin Luther King and the iconic Catholic activist Dorothy Day, with whom her mother once worked. Day famously said, “No one has a right to sit down and feel hopeless. There is too much work to do.”

Grady Flores says her mother's good-bye shared that sentiment, “Mom said to me, ‘I'll pray for you, I'll be with you in that cell.’ She said it in a whisper, but she's grateful that I'm continuing the work.”

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Black Homes Matter

San Francisco's vanishing Black population

BY CARL FINAMORE

This story is prompted by a picket sign I saw at a recent anti-police brutality protest sponsored by two San Francisco families, one Latino and one Black, whose sons were shot dead in separate incidents following a barrage of police bullets.

Among the crowd of 150 activists standing in the pouring rain in front of the police-barricaded Bayview police station, were four young people holding a sign that simply read, "The Last 3 Percent."

I thought their message was both powerful and poignant.

The words refer not directly to police violence but to the broader problem of the mass exodus of African Americans from San Francisco. Thousands have left their city of birth not because of any personal preference but because of political decisions and economic policies, many set into motion several decades ago.

Certainly, being one of the most expensive places to live in the entire world poses a challenge to the budgets of all working-class residents.

But, Black families are hit in particularly harsh and uniquely racist ways.

In a nutshell, as prominent San Francisco historian and veteran community activist Calvin Welch described to me, the city's vast construction boom is designed to increase the value of property and to boost the profits of

private developers instead of improving the lives of people and communities, especially those living on the sidelines of this great prosperous city.

It does not have to be this way, you can improve and upgrade property without displacing people, but there would not be the same egregious profits of real estate interests and their wealthy, corporate and banking partners.

San Francisco Mayor Lee is most responsible for housing policies and, according to Welch, responsible as well for most of the problems because the city, in short, "invests in buildings instead of in people."

Karl Kramer agrees. Kramer is from the San Francisco Living Wage Coalition that played a big role in the union/community coalition successfully promoting the city's \$15-an-hour living-wage proposition that benefits around 100,000 residents, especially by July 2018 when the incremental wage increases mandated will actually reach the top bracket.

But, Kramer says, "the mayor has largely abandoned providing any real job training in welfare-to-work programs and there is no strategy on how to move people into long-term employment. They are dead-end programs."

Of course, this means chronically underemployed Black families and single mothers, in particular, leave the city because they can neither find work nor be trained for employment. "We are losing a whole generation," Kramer predicted, "and it profoundly affects the diversity of the city."

Black removal happened before

Destruction of one of the most vibrant Black communities in the nation began in the early 1960s as the

Fillmore neighborhood, the "Harlem of the West," was demolished as part of that era's urban renewal.

Several years later when the "new" Fillmore finally opened with its refurbished housing and commercial buildings, several hundred of the traditional Black businesses and most of the previously displaced residents had already gone on with their lives, for better or worse, and never returned to the neighborhood.

In any case, after their dislocation, there was simply insufficient economic assistance for the former residents and the minority businesses to return. And, without the booming Black business economy that previously included 300-400 jazz clubs, bookstores, clothing shops and all kinds of other retail stores, unskilled Black youth found it difficult to find a job in the "new" Fillmore.

"In the old Fillmore," Archbishop Franzo King, from St. John Coltrane African Orthodox Church, said with great pride during our conversation, "you did not have to go downtown, you could get a job in our community and get paid with a check signed by a Black business owner."

No more.

"Redevelopment destroyed the Black middle class in the city," historian Welch decried, representing a tragic example of increasing property values of a neighborhood while decreasing the living conditions and social status of the original residents.

It's true, even though some African Americans still reside in the area, there are no identifiable cultural symbols reminiscent of its great past when the Fillmore hosted every prominent Black celebrity, politician and entertainer in the country.

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Reporting by Gail Ablow and John Light.

—*Common Dreams*, January 21, 2016

<http://www.commondreams.org/views/2016/01/21/drone-protestor-heads-jail>

And, only a few years after the Fillmore was again opened for business, the 1980 census recorded the city's Black population at 86,000, its first decline since before WW11.

The descent continues unabated with the Black population in 2006 reported at 51,000, a reduction of 35 percent since the 1990 census. The most recent government census several years ago indicates Black residents represent six percent of the city's population but fair-housing advocates and some city officials have been recently using the much-lower figure of "four percent and declining," while other activists cite three percent.

Regardless of the exact number, no question, it all started with redevelopment of the Fillmore adversely impacting the economics of the Black community and, thereby, the demographics of the whole city.

The experience begs the question, who benefits from redevelopment?

Building up, pushing out

After the Fillmore implosion, the Bay View working-class neighborhood became the area with the largest concentration of Black homeowners, mostly because it was near the Hunters Point Naval shipyards where around 10,000 Black workers had been employed since WW11, through the Korean War and after.

These workers had money to spend and the area thrived for some years. But, around the same time as the Fillmore was being torn down in the 1960s, a number of factors combined to shake the economic foundations of the Bay View.

Most devastating was when offloading of containerized cargo at the Hunters Point shipyards shifted to the Oakland docks across the Bay.

Now, once again, another thriving Black community was jolted, with thousands of good-paying shipyard jobs eventually lost in the Bay View; all

the result of political and economic decisions made from the top.

As shipping technology began to change in the 1950s, San Francisco port authorities declined to upgrade their docks to accommodate containerized-cargo shipping, preferring instead to treat the land around the Bay docks as prime, coastal property investments, initially geared to tourism and, later, to upscale housing development.

Consistent with this vision, city planners and politicians also decided San Francisco would be a leading financial and commercial center. Of course, this also influenced who these planners saw as living in the city and it was their appointed Redevelopment Agency that carried out their designs.

Years later, as the city currently enhances its standing as a national tech center, there is a new redevelopment plan for how to accommodate the anticipated influx of tens-of-thousands of highly skilled and highly paid employees.

So, once again, reminiscent of the Fillmore, private property managers and city planners have instituted economic and political programs in the Bay View that accelerate the decline of the low-income Black community, leading to the further hemorrhaging of the population we see today.

Foreclosures, loss of public housing, and police violence

San Francisco is geographically quite small, only seven square miles, making its limited vacant land a premium in the extremely inflated real estate market.

So, the race for land is on. This is how unscrupulous property speculators come into the picture, devising any and all ways of acquiring new property for development, which can be sold for astronomical profit.

It began anew with the displacement of longtime Black homeowners in the Bay View.

In fact, the Bay View became ground zero in the last decade for the now discredited and often illegal predatory lending system in place at the time. Salesman actually knocked on doors offering slick and dishonest pitches concealing reviled hidden mortgage balloon payments down the road.

These sleazy agents were better able to lure in Black homeowners who were mostly unable to obtain normal bank loans due to their debt or poor credit rating—again, accumulated economic hardships partially stemming from the closing of the shipyards decades ago. As a result, this vulnerable group, many of them seniors, was targeted for predatory loans more than any other neighborhood in San Francisco.

It led to an explosion of foreclosures.

Next, with land becoming ever more precious and scarce, private interests turned their attention to public lands which, amazingly, includes the demolition of public housing in the Hunters Point section of the Bay View and its conversion by private developers into "mixed-use" development.

This is truly highly valued public land, sitting atop hills that offer some of the best views and best climate in the city.

But, as one city housing official told me, "The government is out of the business of building public housing" and has turned it over to private developers.

In plain language, "mixed-use" means building some portion of extremely profitable market-rate homes on land that was previously reserved exclusively for public, subsidized housing.

"What all this means to me," *San Francisco BayView* editor Mary Ratcliff told me, "is that Blacks are being bulldozed from the Hunters Point section of Bay View. Simply put, Lennar and other private developers with city contracts believe they can more easily sell pricey upscale units if there are fewer

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Free Muhammed al-Qeq

Palestinian journalist and political prisoner on hunger strike

By STEVEN KATSINERIS

Update: Palestinian prisoner, Muhammed al-Qeq, ended 94 days of his hunger strike on Friday, February 26, 2016, after reaching a deal with Israeli authorities that says he will be released in three months' time.

January 2016—Muhammed al-Qeq (33-years-old) is a Palestinian journalist who is being held for six months in administrative detention without charge or trial in an Israeli prison has been on a hunger strike since November 25, 2015. Muhammed al-Qeq, was arrested November 21, 2015 by Israel's internal security agency Shin Bet and is protesting his extrajudicial detention by refusing food. Israel's Shin Bet security service, accused him of links to the Palestinian resistance group Hamas.

His condition is rapidly worsening, his family and Palestinian political prisoners groups say. al-Qeq has been taken to an Israeli hospital as he continues to refuse food and is only drinking water in protest at being imprisoned by Israel without due legal process, a Palestinian official has stated.

Muhammad al-Qeq, a journalist from the occupied West Bank village of Dura, launched his fast on November 24 in protest against his administrative detention, a practice in which Israel imprisons Palestinians on "secret evidence" and without trial or charges.

His father exposed appalling details of al-Qeq's health saying, "he is about to die now, and he vomits and urinates blood." The only way to save al-Qeq's life, his father said, is to set him free. "For those who have consciences, and human rights organizations in the west and east, please try to save the life of my son," he appealed.

According to Palestinian sources, Israeli forces tortured al-Qeq during his interrogation, when he was subjected to beatings, sleep deprivation, exposure to cold, and other forms of abuse.

al-Qeq's wife, Faiha'a Shalash, said the Israelis arrested him citing as justification alleged media incitement to violence. She said al-Qeq was made to suffer inhuman and degrading treatment while in an Israeli detention center.

"We knew that he was subject to all kinds of threats and torture methods, like being beaten on a small chair when he was handcuffed and blindfolded for long hours," his wife said.

"They insulted and shouted at him in a humiliating manner and he was put in a very small prison that is not suitable to a human being. He also was threatened with sexual assault and internment for seven years if he doesn't admit his accusation of incitement to violence," Shalash added.

Shalash, who is a journalist herself, said the accusation of incitement to violence does not fit with reality. She says al-Qeq was detained because he described the Israelis as an occupying force committing crimes against humanity in the West Bank.

Ashraf Abu Sneneh, al-Qeq's lawyer, reported that he lost over 40 pounds after 50 days on hunger strike and

described al-Qeq's health condition as critical. The lawyer added that he suspects the Israeli authorities are going to use force-feeding, a practice widely recognized as torture.

"I think if the Israeli occupiers feed Muhammad according to the law that came into effect two months ago, he will die," al-Qeq's lawyer warned. The contentious Israeli law passed last year allows for the force-feeding of a hunger striker if his life is in danger, even if the prisoner refuses.

The Palestinian Center for Development and Media Freedoms (MADA) called on the international community to press the Israeli authorities to free al-Qeq. "MADA urges all international human rights and freedom of expression organizations to put pressure on the Israeli occupation government to release al-Qeq to save his life, which is under imminent threat due to his hunger strike," it said in a statement.



Ramy Abdu, director of the Gaza chapter of the Euro-Mediterranean Human Rights Monitor, says that Israel uses administrative detention to “shut up” influential members of society “who speak out loudly against the Israeli occupation.”

“Israeli forces target academics, professionals, journalists, student activists and other influential leaders in the community by using administrative detention,” he told reporters.

Administrative detention is a sort of imprisonment without trial or charge that allows Israel to incarcerate Palestinians for up to six months. The detention order can and has been renewed for indefinite periods of time.

According to prisoners’ rights group ADDAMEER,* Muhammad al-Qeq is one of 660 Palestinians held by Israel without trial or charges. ADDAMEER states that there are an estimated 6,800 Palestinians being held in prison in Israel. Of these 470 are children.

Another Palestinian hunger striker, Abdullah Abu Jaber’s condition is also deteriorating and he has been moved to hospital. Hunger strikes are a common tactic for Palestinian prisoners to secure their release or to protest against the unjust and harsh conditions of their imprisonment.

Sources: ADDAMEER* *Palestine Chronicle*, *Electronic Intifada* and *Al Jazeera*.

*ADDAMEER (Arabic for conscience) Prisoner Support and Human Rights Association is a Palestinian non-governmental, civil institution that works to support Palestinian political prisoners held in Israeli and Palestinian prisons. Established in 1992 by a group of activists interested in human rights, the center offers free legal aid to political prisoners, advocates their rights at the national and international level, and works to end torture and other violations of prisoners’ rights through monitoring, legal procedures and solidarity campaigns.



Mexico: State Terrorism As Governance

BY SCOTT CAMPBELL

On January 11, 2016, five young people returning home from a weekend birthday gathering were detained by police in Tierra Blanca, Veracruz, Mexico, where they had stopped to get something to eat. Susana Tapia Garibo, 16; José Benítez de la O, 24; Mario Orozco Sánchez, 27; José Alfredo González Díaz, 25; and Bernardo Benítez Arróniz, 25, can be seen on surveillance footage being taken into custody by members of the Veracruz State Police. Following their detention, nothing more was heard of them until Monday, February 8, when the burned remains of two of them, José Alfredo González Díaz and Bernardo Benítez Arróniz, were found on a ranch in Tlalixcoyan, 40 miles from Tierra Blanca.

Prior to finding the bodies, several members of the State Police were arrested, including Marcos Conde Hernández, the district chief for the area including Tierra Blanca. According to the government version, the police handed the youth over to the Cartel Jalisco Nueva Generación, some of whose members have also been detained.

The disappearance in Veracruz immediately calls to mind the case of Ayotzinapa, when on September 26, 2014, police in Iguala, Guerrero attacked a group of students, disappearing 43 of them and leaving six people dead. The Ayotzinapa 43 remain missing to this day, though the government insists that police handed the students over to the Guerreros Unidos cartel, who then killed them and burned their bodies. The government’s version of events regarding Ayotzinapa was widely dismissed, including by the

Inter-American Commission on Human Rights, which deemed the explanation as “scientifically impossible.” Under the banner of #FueElEstado (It was the State), a militant protest movement emerged in Mexico and around the world calling for the return of the disappeared students and placing blame for the killings and kidnappings directly on the shoulders of the Mexican state.

Tierra Blanca and Ayotzinapa are but two examples of a much larger crisis in Mexico: that of the impunity and terrorism of a neo-liberal narcostate. The Mexico Global Impunity Index, a report released this month by the Universidad de Las Américas, found that impunity levels in

**less than one
percent of crimes in
Mexico result in
someone being
punished**

Mexico have reached 99 percent. Leaving aside the broader discussion of the desirability of laws, courts, police and prisons to be the mechanism of social control, this means that less than one percent of crimes in Mexico result in someone being punished.

Such a statistic would seem to indicate the abject failure of the Mexican government to carry out one of its primary tasks of governability, that of ensuring the safety and security of its citizens. Yet to view it as a failure presumes that the state has any interest in the well-being of its citizenry. Rather, the land, territory, culture, knowledge and people of Mexico are viewed by the elite as resources to plunder, to extract the maximum amount of profit from, and then to discard. Should their neoliberal project encounter resistance, then terror, repression, murders and disappearances become the rule of law, as the law is

impunity. The headlines generated by Ayotzinapa and Tierra Blanca serve as useful reminders to the Mexican populace of who is in charge, of the precariousness, fragility and ultimate valuelessness with which their lives are regarded.

The seeds of terror are sown in a myriad of ways by the Mexican state; most don't make their way into the international news. Perhaps no politician has used this atmosphere to their advantage more than Javier Duarte de Ochoa, the governor of Veracruz and ally of Mexican President Enrique Peña Nieto. On the ranch in Tlalixcoyan, where the bodies of the two youth disappeared in Tierra Blanca were found, investigators identified at least 300-400 other human remains. Marcos Conde, the detained police chief, is suspected in the disappearance of at least 18 other people, in addition to the five from Tierra Blanca. In September 2011, 35 people were found tortured and murdered outside a meeting being held by Duarte. At least thirteen journalists in Veracruz have been killed, and four more disappeared, during Duarte's reign. Duarte critic Rubén Espinosa fled to the seeming safety of Mexico City, only to be executed on July 31, 2015, along with Nadia Vera, Yesenia Quiroz, Mile Virginia Martín, and Alejandra Negrete. In an interview before her murder, Vera, an activist from Veracruz, stated that if anything should happen to her, it would be Duarte who was responsible. The incident leading to Espinosa's decision to flee was the harassment he received following his coverage of the brutal beating and maiming of eight students from the University of Veracruz on June 5, 2015, by masked men that the students insist were sent by Duarte. On Tuesday, February 9, the day the human rights group Article 19 released a report documenting the disappearance of 23 journalists in Mexico since 2003, a body presumed to belong to disappeared Veracruz journalist Anabel Flores was found in the neighboring state of Puebla. According to

Article 19's report, local, state or federal authorities were involved in the disappearance of 16 of the 23 journalists.

With more than 164,000 killed and 27,000 disappeared since the latest manifestation of Mexico's "drug war" in 2006, and a rampant phenomenon of femicides, with seven women being killed per day, it is easy to say events are spiraling out of control in Mexico. Yet the very same Mexican state has shown itself capable in applying itself when it wants to. For example, under pressure from the U.S., Mexico launched the Southern Border Plan in 2015. Targeting migrants and refugees from Central America, Mexico doubled the number of people it deported during the same period in 2014 and for the first time exceeded the U.S. in the number of Central Americans deported. The Mexican state also excels at enforcing its interpretation of the law when it comes to imprisoning members of social movements. According to

CENCOS (National Center for Social Communication), 2015 saw the release of 16 political prisoners, while in the state of Puebla alone there are at least 225 individuals either imprisoned or with arrest warrants issued against them for their political work.

The impunity and terrorism at play in Mexico are not examples of the state's failure of governability, but rather the means by which it governs. Yet despite its spectacular efforts to impose silence and surrender, each new atrocity adds fuel to the rage burning amid growing segments of civil society. As the Mexican proverb rejuvenated by the Ayotzinapa struggle says, "They sought to bury us, but they forgot we were seeds."

—*El Enemigo Comun*, February 11, 2016

<http://elenemigocomun.net/2016/02/state-terrorism-governance/>

**HIJITOS
SEGUIMOS ESPERANDO
SU REGRESO A CASA.**

Susy, José, Bernardo, Mario y Alfredo.
“Por ustedes seguimos en pie y no nos moveremos
hasta que volvamos a estar juntos”

#NOSFALTAN5
f Ayúdenos a encontrarlos

An Appalling Injustice

Israel sentences five Hares boys to 15 years in prison.

By STEVEN KATSINERIS

On November 26th 2015, an Israeli court charged the Palestinian teenagers known as the Hares Boys, Ali Shamlawi, Mohammed Kleib, Mohammed Suleiman, Ammar Souf and Tamer Souf with manslaughter. They were originally charged with stone throwing, which itself is a serious charge in Israeli military courts.

The Israeli military court sentenced the boys to 15 years in prison, provided they each pay NIS 30,000 (approximately \$7,750) by January 28, 2016 or another ten years of prison time could be added to each boy's sentence. The boys have been in an adult Israeli prison for the past two years and eight months already, charged with throwing stones at an Israeli settlers' car. The boys' arrest stemmed from an accident in March 2013, when a settler driving with her three daughters crashed into the back of a truck parked on an Israeli highway (Route 5). She later said that the collision was due to stone throwers. The settler's children were severely injured. One child died afterwards from the injuries she sustained in the accident, compounded by pneumonia. Though the truck driver initially stated that he had stopped on the road because he had a flat tire, he later claimed that he had also seen rocks on the side of the road. Subsequently, several other Israeli drivers came forward to report alleged stoning incidents to police. There are no witnesses that the five Hares Boys were anywhere near the scene of this particular accident. There is an astounding lack of evidence against the boys and witnesses nearby have stated they saw no stone throwing in the area. Originally no Israelis made any claims that stones were thrown. A search of the settler's car by Israeli police found no evidence of any stones, but two days later another search uncovered a single stone in the vehicle.

Nevertheless, Israeli authorities labeled the accident as a "terrorist attack" and conducted night raids in the nearby West Bank village of Hares and detaining nineteen boys, all aged between 16 and 17 years old. After subjecting the minors to solitary confinement and denying them legal representation for days or even weeks at a time, the Israeli authorities released all but five boys, claiming that they had confessed to the crime. However, the five imprisoned boys and their families maintain that the boys are innocent and that the confessions were extracted by violent interrogations, abuse and threats.

The Israeli military court, like the great majority of cases against Palestinians that go through the Israeli military system did not call a single Palestinian witness. Instead the court focused on an Israeli woman who was driving nearby and a passing truck driver, neither of who reported that they actually saw anyone throwing stones. The sentencing of the Hares boys is another instance of the way the Israeli court system works, to find Palestinians guilty without any effort of due legal process or any notion of justice. The Israeli military court system convicts 99.7 percent of the Palestinians that come before them. No genuine police investigation was carried out in this case. The boys had an unfair trial. The Hares Boys were victims of an Israeli frame-up.

While acts of resistance against armed settlers and Israeli soldiers often happen in the Israeli occupied West Bank, including incidents of stone throwing, the Hares Boys have been convicted for things they didn't do. Their harsh treatment is being used as an example to attempt to deter Palestinians from resisting the illegal

Israeli occupation. The logic of Israel is that Palestinians that oppose its illegal settlement building, occupation, and apartheid state are criminals. Like all such colonial settler projects Israel faces determined resistance from the indigenous peoples who refuse to submissively accept their displacement, dispossession and ethnic cleansing from their homeland. The prosecution of the Hares Boys is part of the Israeli policy to try to stifle and crush the Palestinian people's resistance. Please join in the struggle to free the Hares Boys. They need your support and solidarity to fight this grossly unjust verdict.

In a recent press release, the Free the Hares Boys campaign has called for local and international human rights organizations and people of conscience to fight for justice for the Hares Boys.

"If we stop demanding justice, five young men are to spend the next 15 years of their lives in prison. For them and other prisoners, their families, communities and their people, we must continue to struggle." (Part of Free The Hares Boys Campaign press release.)

Hares Boys Press Release:

<http://english.pnn.ps/2016/02/01/the-hares-boys-15-years-in-prison-for-a-crime-that-never-happened>

For more information and to help, contact Free The Hares Boys campaign at either of these two websites:

<https://www.facebook.com/FreeTheHaresBoys>

<https://haresboys.wordpress.com>

For more articles on the Hares Boys case:

<https://haresboys.wordpress.com/media/hares-boys-in-the-media>

Ashraf Fayadh

Saved from execution, but still faces torture and long prison sentence

By STEVEN KATSINERIS

February 11, 2016—After international protests over his sentence, Palestinian poet Ashraf Fayadh, 35, has been saved from execution. His death sentence has been reversed by a Saudi Arabian court, but he has now been sentenced to 800 lashes and eight years in prison. He has also been told to make a public statement repenting his apostasy, which is the rejection of religious beliefs.

Fayadh was arrested in August 2013 after a Saudi citizen alleged he was promoting atheism and spreading blasphemous ideas. The charge apparently related to his collection of poetry, *Instructions Within*, published in 2008, which critics said questioned religion and spread atheist thought. Fayadh, was also charged with violating Saudi Arabia's anti-cyber crime law by taking and storing photos of women on his mobile phone.

In April 2014, a Saudi court in Abha sentenced Mr Fayadh to four years in prison and 800 lashes for violating the anti-cyber crime law. But it found his repentance in relation to the charge of apostasy to be satisfactory and not requiring further punishment. However, an appeals court overturned the ruling and sent the case back to the original court, which sentenced him to death for apostasy on November 17, 2015.

Fayadh has continually denied the charges, but was convicted of apostasy. His death sentence caused an international outcry with Amnesty International, PEN International, Human Rights Watch and other human rights groups and hundreds of writers, actors, artists and others appealing against his sentence and urging his release. In January, hundreds of writers took part in a worldwide reading of selected poems and other texts in support of Fayadh.

The International Literature Festival Berlin called on the U.S. and UK governments to intervene on Fayadh's behalf and also demanded that the UN suspend Saudi Arabia from the Human Rights Council "until its abysmal record on upholding civil liberties improves."

Fayadh's lawyer is appealing against the court's new ruling. He has already been languishing in prison for the past two years as this court process has dragged on.

Fayadh, who was born in Saudi Arabia to Palestinian refugee parents, is credited with taking Saudi contemporary art to a global audience.

"It is a relief that Ashraf Fayadh no longer faces execution, but this is a wholly disproportionate and shocking sentence...The charges against him should have been dropped and he should be a free man today. We will continue to campaign for his release," said Jo Glanville, the director of *English PEN*.

Please take action to help support and free Ashraf Fayadh. Publicize his

case and write to the Saudi Arabian Embassy in your country and contact the human rights organizations that are campaigning for his release.

To help Ashraf Fayadh and get more information contact:

<http://www.pen-international.org/newsitems/saudi-arabia-reduced-sentence-and-flogging-for-palestinian-poet-ashraf-fayadh-remains-wholly-unacceptable>

<http://www.amnestyusa.org/get-involved/take-action-now/saudi-arabia-release-prisoner-of-conscience-ashraf-fayadh-ua-26515>

Please Sign these two Petitions:

<https://www.amnesty.org.uk/actions/free-ashraf-fayadh-saudi-arabia-palestinian-poetry-apostasy-execution>

<https://www.change.org/p/barack-obama-department-of-states-u-s-department-of-state-secretary-general-of-u-n-human-rights-organizations-save-palestinian-poet-ashraf-fayadh-life>

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Black folks living next door up here on the hill."

Ratcliff's respected national newspaper has published in the Bay View community since 1976. She has seen a lot and pointed out from her own intimate experiences that it was during this latest phase of redevelopment that "police occupation of the community intensified to fever pitch with gang injunctions, mass imprisonment of our youth and more targeted acts of police violence, all designed, I believe, to further push us out."

This story does not yet have an ending and it won't until the emerging

voices of young Black community activists and organizations that stood in front of the Bay View police station have their say, in alliance with the growing coalition of fair housing advocates and progressive unions taking a stand for a more inclusionary vision of prosperity.

Carl Finamore is Machinist Lodge 1781 delegate, San Francisco Labor Council, AFL-CIO.

—Counter Punch, January 11, 2016

<http://www.counterpunch.org/2016/01/11/black-homes-matter-san-franciscos-vanishing-black-population/>

Arrested Adolescence

On the interrupted development of Palestinian minors in prison

BY DR. SAMAH JABR

The Israeli parliament has recently approved a law that allows the sentencing of up to 20 years in prison for Palestinians who throw stones, individuals who are usually minors. This development was followed by a law that would allow for the imprisonment of Palestinian children as young as 12, if they are found guilty of “nationalistically-motivated” violent offences.

As a clinician, I am often confronted with adolescents whose social and psychological growth has been suspended by experiences of political detention. I observe that many such youths have become anxious and depressed following this experience, whereas others manifest stoicism and fail to express any emotion.

“Majed” (all names have been changed) is a boy of 14; he has been arrested 14 times and often beaten brutally in detention. On one occasion, the Israeli forces broke his teeth and

inflicted a number of head injuries. Majed was brought to my clinic by an older sister who had just finished medical school. She explained that he did not listen to anyone at home, no longer respected his teachers and frequently missed school. Instead, he befriended men of 30 or 40 and accompanied them to spend time in coffee shops. I found in Majed an adolescent experiencing a hypertrophic growth of his status as a hero, at the expense of compromising other areas of personality development. This profile of adolescent ex-detainees is typical. Less commonly, we see reactions such as that of Mufeed, in whom the experience of detention brought a deeper destruction, at least with regard to his image of his father. Mufeed claimed that “the prison guard was better than my father; he gave me cigarettes to smoke.”

Majed and Mufeed are just two among the 700 Palestinian youths

arrested each year. The average age of arrest is 15 and the average duration of their detention in prison is 147 days. Ninety percent of these minors have been documented as having been exposed to traumatic experiences and sixty-five of them have developed diagnosable psychiatric disorders. For these minors and adolescents, the experience of arrest is superimposed upon a childhood already rendered difficult due to the Israeli occupation, in which social services and educational support systems are poor, nutrition and health-care are inadequate and political violence is rampant.

Adolescence, everywhere, is characterized by an accelerated movement towards social independence and identity formation, as well as by emotional liability and impulsive behavior. However, the context of the occupation makes the risks greater and the consequences heavier for Palestinian adolescents. Some youngsters find the dangers inherent to resistance to be more exciting than a passive surrender to oppression. Such young people empathize and identify with the suffering of the community as a group and seek to establish a special status for themselves by acting on its behalf. While adolescents elsewhere may romanticize and model themselves on media stars, some Palestinian adolescents romanticize freedom fighters, like the figure of Muhannad Elhalaby, who countered his sense of helplessness by grabbing the gun of an Israeli settler and killing two settlers in the midst of attacks on the mosque.

The reality of detention is a story of horror, helplessness and humiliation for minors. It is usual for dozens of armed soldiers and their dogs to invade the family home in the middle of the night, interrupting the sleep of the



whole neighborhood and demonstrating through their excessive aggression that resistance is meaningless. The child's father is intimidated through threats to hand over his boy to the soldiers, and often does so despite the tearful pleas of the mother and siblings. Snatched in this way from his warm bed, the boy is exposed to unnecessary disorientation and physical violence as he is transferred to an unknown destination, often for an unknown reason as well. Typically he is handcuffed painfully and blindfolded, unable meanwhile to communicate with or to understand people who are shouting at him in Hebrew. He is slapped, kicked, punched and shoved as he is tied up and rendered completely powerless. Then, alone without a lawyer or a parent present, he is interrogated for a period of time extending from hours to weeks, with deprivation of relief for physiological needs such as the availability of food, drink, toilet facilities and sleep. He is exposed to excessive heat or cold, forced into the horror of witnessing others being tortured, and stripped naked before being subject to the same procedures himself.

Interrogators inflict guilt by threats made to his family members: "We will bring your mother and sisters here" and "We will demolish your home." Leaving the horror to the child's imagination, the interrogator might play with a rubber glove while telling the minor, "If you don't tell us the names of your friends who throw stones, something really bad will happen to you." Interrogators often threaten, "I'll take you to room Number Four, where people enter on two legs and come out on all fours." Detained youngsters are often told that their friends or neighbors have already informed on them and many break down in response to this lie; they end up signing their names to Hebrew documents that they are not able to read. Many such children and

adolescents recall these moments especially with unbearable feelings of shame. These youngsters are then relegated to isolation and uncertainty within the hostile prison environment, where the passage of time and life processes are frozen. Here their human attachments are destroyed, as few families succeed in gaining permission to visit their children.

In March 2013, during a period of relative political calm, the United Nations Children's Fund (UNICEF) described the ill-treatment of Palestinian minors held in Israeli military detention centers as "widespread, systematic and institutionalized." UNICEF examined the Israeli military court system and found evidence of "cruel, inhuman and degrading treatment or punishment." There are reports of circumstances in which dogs were utilized to attack children; where children and adolescents were sexually violated; and where youngsters were forced to witness or to perform acts that degraded their religious symbols.

The process of arresting minors targets the future of the Palestinian nation. It is an attack on the body, the personality, the belief system, the hopes and the dreams of young Palestinians, rendering their families dysfunctional and breaking the bonds of their connection with their community.

Many of these minors emerge from prison unable to learn in school or to pursue a profession. In their eyes, their parents and teachers are damaged as authority figures. Their trust in their friends and neighbors is destroyed. Their own community may not trust them either, because other children would have been told that they had implicated them to their interrogators. They live with the ongoing and realistic fear of further detention. And the family often experiences the arrest of the minor as extremely traumatic; they feel

guilty for failing to protect him and thereby may indeed grow incapable of guiding the minor in a safe journey from childhood to adulthood. Unable to develop, left without education or family guidance, many adolescents thus fail to develop a mature and multifaceted adult identity. The ex-detainee clings to his identity as a prisoner. Such youngsters are stuck in perpetual limbo, unable to return to the innocence of childhood or to move forward as functional adults.

A feeling of ineffectiveness often seeps into clinicians who treat these youngsters. The psychological consequences of minors' arrest do not lend themselves to diagnostic labeling, pathologizing and medicalizing. These youngsters require us to act as witnesses, to join them in solidarity and to accompany them and their families in the exploration of the meaning of experience. It is our goal to help them reprocess this meaning, and to integrate it into their current life and in their plans for the future.

Hippocrates told doctors 25 centuries ago that we are not often able to cure; that we are sometimes able to treat; but that we are always able to offer comfort. We, clinicians, cannot liberate these children from Israeli prisons, but we may succeed in liberating them from the prison within as they come back to our community.

(The author is in the process of making a documentary, Behind the Fronts, about the psychological consequences of Israeli occupation. Find out how you can help at:

<http://www.kisskissbankbank.com/fr/projects/derriere-les-fronts-resistance-et-resilience-en-palestine/contributors>)

Samah Jabr is a Jerusalemite psychiatrist and psychotherapist who cares about the wellbeing of her community—beyond issues of mental illness.

—December 30, 2015

Corporate Tax Avoidance

Think corporate tax avoidance is bad? It could be about to get even worse.

BY NICK DEARDEN

Paying less tax than the cleaners they employ is mainstream practice for big business today. The close-to-zero tax rate of some of the world's biggest corporations is widely acknowledged, as is the role of British territories like the Cayman Islands in helping make this possible.

Less well-known is how trade agreements are giving corporations the ability to successfully challenge taxes in secret "courts" around the world. Whether it's a sugar tax in Mexico, a windfall tax on profits in Ecuador or the removal of tax holidays in Romania, corporations are using special clauses in trade deals to challenge—and often lower—their tax bill. What's more, they're often using British tax havens to do it.

If you're not worried, you should be, because under new trade deals being negotiated (including TTIP) the British government's ability to introduce certain taxes could similarly be challenged by U.S.-based corporations.

The research that *Global Justice Now* has released today shows that foreign investors—usually multinational corporations—have already sued at least 24 countries from India to Romania in tax-related disputes. To do this, they use something known formally as an Investor-State Dispute Settlement (ISDS), a sort of secret court system only accessible to foreign corporations, which is embedded in hundreds of trade agreements.

The idea of ISDS was to allow corporations to take action if a foreign government expropriated that company's assets. Only a rapidly growing legal industry has interpreted an "act of expropriation" as virtually anything that "unfairly" damages a company's profits. Which could be pretty much anything from putting health warnings

on cigarette packages to introducing a new piece of environmental protection to...a new tax on their profits.

In 2007, Vodafone took over much of India's telecoms industry. The company is now one of the largest mobile network operators in the country, with more than 180 million customers. But it gained its stake through a complex \$11-billion deal which used offshore companies that allowed it to pay no capital gains tax.

Indian tax officials understandably weren't happy, and insisted that Vodafone retroactively pay a multi-billion dollar bill. Vodafone responded with an ISDS claim, arguing that the state was breaching a trade treaty signed between India and the Netherlands in 1995. The case is ongoing.

As part of long-running legal proceedings that began in 2005, Mexico has been successfully sued by a consortium of U.S.-based agribusiness giants, including Cargill and Archer Daniels Midland, after introducing a new tax on the sales of soft drinks containing high-fructose corn syrup. Campaigners claim the tax was helping to impede an obesity epidemic. But the tribunals ruled in favor of the corporations, and Mexico was ordered to pay millions of dollars in damages.

There are dozens of other cases (all of which can be found towards the end of *Global Justice Now's* latest report). Multinational oil, gas and mining companies use these tribunals more than any other industry. Ecuador was sued by Anglo-French oil company Perenco for windfall profits levied on the oil sector. UK oil company Tullow sued Uganda over a disputed \$400-million capital gains tax bill.

What's worse, a corporation doesn't need to have a genuine presence in

Britain in order to take advantage of a British trade agreement. That's because British overseas tax havens are usually covered by these deals. All a company needs to do to make use of a British trade agreement is set up a "mail-box" presence on one of these islands—and multinational law firms have advised companies to do just this.

The current government is well aware this is happening. Their response? "Nothing to do with me Gov." But that's not true. At least 20 of the UK's bilateral investment agreements, signed with countries from Belize to Turkmenistan, were expressly extended to cover investors from Jersey, Guernsey and the Isle of Man. Several UK's treaties have been extended to cover investors from Hong Kong, the Cayman Islands, or the Turks and Caicos.

In one ongoing case, Canadian mining group Gabriel Resources used its "presence" in Jersey to sue Romania for halting a controversial gold mine in Transylvania after it was the subject of mass opposition from local communities.

If this all sounds worrying, it's about to get a lot worse under a new set of trade agreements being negotiated, such as TTIP. This deal would extend access to corporate courts to tens-of-thousands of corporations. U.S. big business would be able to directly take British or other European governments to task in these secret tribunals. Any promise political parties might make about taxes designed to improve the environment or national health, or to tax excessive profits, could be up for challenge.

The British government will promise tax is exempt from TTIP. But we've heard this before. Almost all trade agreements have tax "carve-outs." But

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Outrage Against Big Pharma!

Activists protest at JP Morgan's "Healthcare" conference in San Francisco

BY CHRIS KINDER

"This conference that we are picketing... is an obscene reflection of the reality of this country today, that the most important thing is money and profit, and not human needs!"

—Carole Seligman, speaking at the demonstration.

It was in their fancy tailored suits and with suspicious eyes that Big Pharma CEOs and investors got interrupted by protestors and speeches such as the above, as they came and went from the (too-big-to-fail) JP Morgan-sponsored conference on "healthcare" (read: profitcare) at the elite Westin St. Francis hotel on Union Square in San Francisco on January 11, 2016.

Public health not corporate wealth!

Called out by OASIS, a not-for-profit clinic in Oakland, California that specializes in treating patients with Hepatitis-C, the demonstration was organized in collaboration with the Labor Action Committee To Free Mumia Abu-Jamal (LAC) and supported by numerous other groups. Some 70 protestors, including OASIS staff, patients and medical professionals, marched outside the hotel, as the pharmaceutical investors came and went, to demand proper treatment for the three million victims of Hep-C in the U.S., including 700,000 prisoners; and to give the CEOs a warning: we are watching! Profiteering must stop!

As Carole Seligman, speaking for Prison Radio and Labor Action Committee To Free Mumia Abu-Jamal explained,

"We know how to feed people who are starving, and we know how to cure people with hepatitis-C and AIDS and many other diseases, but... this obscene conference (is about)

not how to cure people, not how to distribute these life saving drugs, but how to make money! This is obscene...we know how to do it! It does not involve profit-making!"

Gilead Charges 100 times its cost for the Hep-C cure

The big pharma company Gilead Sciences (based in Foster City, California) was a chief target of this action. Gilead is the owner and manufacturer (but not the developer—that was a company that Gilead bought) of the new drug, Harvoni, which has a 95 percent cure rate for Hep-C in a 12 (or more)-week treatment of one pill per day. This is a vast improvement over the previous treatments for Hep-C, but Gilead charges the outrageous price of \$1,000 per pill for the drug, which costs from \$84,000 to nearly \$100,000 for a full curative treatment, or more than twice what the developing company's suggested price was. Gilead charges about 100 times the cost of production of the pill!

Demonstrators chanted "Public Health, Not Corporate Wealth" and "Pills cost pennies, greed costs lives!" right outside the heavily-guarded private entrance to this invitation-only conference, on the executives' Noon lunch break. Chants and signs also included: "Gilead's profits are rising, Hep-C patients are dying!" and, with reference to prisoners such as Mumia Abu-Jamal, "No Execution By Medical Mistreatment!" and "Jail Drug Profiteers, Jail 'Em All! Free Mumia Abu-Jamal!"

The reaction inside the conference, and the anger outside

We thought we had induced some indigestion, and sure enough, we had!

We were told by one journalist covering the conference that the demonstration had really shaken them up. Reaction inside the conference was immediate. Of course, we (protestors and patients) weren't allowed in to hear this, but according to the report, "Drug Makers Dismiss Outrage Over High Prices As 'Abomination'," from *Stat News* (January 12, 2016), because of our demonstration...

"(It) wasn't surprising that during a panel discussion here Monday, a Gilead executive was asked how he lives with himself. Gregg Alton, the [Gilead Sciences] executive vice president for corporate and medical affairs, joked that he goes running. Then his tone turned serious as he talked about research, innovation, and the value of life-saving new drugs. 'I sleep quite well,' he concluded."

Anger at drug companies called an "abomination!"

Even more outrageous was the following from a conference participant: "Public anger at drug companies is 'an abomination'!" The speaker was Ron Cohen, chairman of the big industry group BIO (allegedly "the world's largest biotechnology trade association" <https://www.bio.org>). All the talk about pharma profiteering is "a perversion of reality," according to Cohen.

Protest is an abomination? Anger over big pharma profiteering is a perversion of reality? The truth is millions of Hep-C sufferers are being denied the curative treatment because they cannot afford it, or their health plans refuse to cover it due to its cost; or because they are prisoners—Mumia Abu-Jamal among them—who are denied it

because prison administrations refuse to supply it until they are deathly sick! This is an abomination! Healthcare for all is a right, but not for these greed-driven big corporate executives!

Big pharma price gouging runs amok!

Many drug makers besides Gilead—Pfizer, Ely Lilly, Amgen, Allergan and Vanda Pharmaceuticals, among many others—have raised prices recently, according to the *Wall Street Journal* and the *New York Times*. “And a slew of new drugs have hit the market with eye-popping price tags: cancer drugs at more than \$11,000 a month; cholesterol drugs at more than \$14,000 a year,” according to the *Stat News* piece. “Then there’s Martin Shkreli, the pharma executive who bought up a decades-old drug and hiked the price 5,000 percent, turning himself into a target of nationwide protests before he was arrested last month on securities fraud charges.”¹

All this comes in addition to the already over-the-top high drug prices in the profit-driven U.S. “health” system, which is more costly than in virtually any other country! As protest coordinator Jack Heyman pointed out, “Shrekli should have been arrested for profiteering. But in capitalist America, profiteering is not illegal.” Where is the perversion, if not in this system, in which profit is god, and the rest of us—the working masses—are sacrificed on the altar of corporate greed?

Mumia’s radio commentary, “Medications for the Money, Not Patients,” January 6, 2016, deals with the outrageous profiteering of Gilead Sciences in its pricing for the Hepatitis-C cure. The commentary was played at the rally.²

Our demonstration was fired up

Speakers included Dr. Dianne Sylvestre, Executive Director, and Orlando Chavez and Ana Turetsky of the OASIS Clinic; Dick Becker of the ANSWER Coalition, which provided

the sound system; Gerald Sanders of the Oscar Grant Committee; Marsha Feinland of the Peace and Freedom Party; and Robin Roth of the Hep-C Task Force of San Francisco. The Single Payer Now group, along with numerous others also supported this demonstration with their signs and banners. Jack Heyman, ILWU longshoreman (retired) and member of both the Labor Action Committee To Free Mumia Abu-Jamal and the Transport Workers Solidarity Committee, led the demonstration.³

Angela Davis’ comment

Former political prisoner Angela Davis, who was on a speaking tour, sent the following message to the demonstration:

“It is more important than ever to join the campaign both to free Mumia and to protest the fact that capitalist profit is ranked as far more important than human health. Mumia’s health situation demands that we take action immediately. As we know, Mumia has Hepatitis C—along with 10,000 other prisoners in Pennsylvania and approximately 500,000 all over the U.S. They are not receiving treatment because the pharmaceutical companies producing drugs that are capable of curing Hep-C value profit over human health.

“Mumia continues to struggle against [the] prison industrial complex and the larger capitalist system. It is up to us to Free Mumia and to eventually abolish the prison industrial complex. Free Mumia! Free them all!”

No execution by medical mistreatment!

Mumia Abu-Jamal, the world’s best-known political prisoner, like 10,000 prisoners in Pennsylvania (where Mumia is incarcerated for a crime he did not commit), and at least 700,000 other U.S. prisoners, suffers from a debilitating Hepatitis-C infection, which is not being properly treated by the prison administration.

The LAC’s signs saying “No Execution By Medical Mistreatment,” referred to the fact that the Pennsylvania police/prison complex have been trying to kill Mumia since 1981, when they found him, and shot him almost fatally at a crime scene with which he had no involvement! On death row and beyond, the authorities have been trying to kill Mumia. Hugo “Yogi Bear” Pinell, one of the longest serving and most brutally treated political prisoners in the U.S., was set up and murdered in 2015. This is what they are trying to do to Mumia now, by medical mistreatment, and if that fails, by other means! Mumia must be freed from prison!

Support the Prison Radio legal fund for Mumia’s case!

The LAC linked this struggle with the potentially precedent-setting court case of Mumia versus the Pennsylvania Department of Corrections (*Abu-Jamal v. Kerestes*), which seeks injunctive relief for immediate treatment with the new (Harvoni) curative medication for Hepatitis-C. Currently, Mumia is being treated with a bogus heat-lamp therapy for his painful body-wide skin inflammation, while being denied treatment for the hepatitis, which is the cause of this and all his symptoms.

Mumia is the first one to point out that prisoners throughout the U.S. are, like him, not being properly treated for this debilitating and fatal disease. A victory for Mumia in this suit could extend a precedent throughout the prison system. The lawyers for Mumia in this case are supported through a fund organized by Prison Radio, the organization which publishes Mumia’s regular audio commentaries. We urge you to help! Go to www.prisonradio.org for more information, and to donate.

Mumia must be free!

Like so many other prisoners, Mumia needs to receive the life-saving cure for Hep-C. And, as an innocent political

Albert Woodfox Free

Last of Angola 3, who spent decades in solitary, released

BY ANDREA GERMANOS

prisoner, framed for a crime he did not commit, he must be free. But like Leonard Peltier and other political prisoners who are targeted by the state at all its levels, from local police through state and national politicians and the Justice Department itself, Mumia needs a mass mobilization and workers' struggle to free him from this unjust incarceration. In 1995 masses mobilized to stop the planned execution of Mumia, and in 1999, Oakland teachers, and West Coast longshore workers set an example by conducting labor actions to free Mumia, which included the shutting down of all West Coast ports! Today, with Mumia's life at stake, labor and the community need to build a mass mobilization to Free Mumia Abu-Jamal!

Public Health, Not Corporate
Wealth!

No Execution By Medical
Mistreatment!

Free and Proper treatment for All
Hep-C Prisoners Now!

Jail Drug Profiteers, Not Mumia!
Mumia Is Innocent! Free Mumia
Abu-Jamal!

*Chris Kinder is the coordinator of
The Labor Action Committee To Free
Mumia Abu-Jamal.*

1 <http://www.statnews.com/2016/01/12/public-outrage-drug-prices/>

2 It can be heard on the Prison Radio site, at:
<http://www.prisonradio.org/media/audio/mumia/medications-money-not-patients-221-mumia-abu-jamal>

3 A video by Labor Video Project can be viewed at:

<https://www.youtube.com/watch?v=j8i7pCEMScw>

Albert Woodfox, the last of the men known as the Angola 3, was released from a Louisiana prison on Friday, February 19, 2016.

He had spent over four decades in solitary confinement at the notorious Louisiana State Penitentiary formally a slave plantation known as "Angola."

His release, on his 69th birthday, comes after he pleaded no contest to charges of manslaughter and aggravated burglary in the 1972 death of a prison guard. Though his previous convictions of murder for the death were thrown out, the state had blocked his release. He had always maintained his innocence.

As Amy Goodman previously wrote, Woodfox and the other members of the Angola 3, Robert King Wilkerson and Herman Wallace, believe the decades they spent locked in solitary were "retaliation for forming the first prison chapter of the Black Panthers in 1971. They were targeted for organizing against segregation, inhumane working conditions and the systemic rape and sexual slavery inflicted on many imprisoned at Angola."

Ahead of his release, Woodfox issued this statement to supporters: "Although I was looking forward to proving my innocence at a new trial, concerns about my health and my age have caused me to resolve this case now and obtain my release with this no-contest plea to lesser charges. I hope the events of today will bring closure to many."

His "release is long overdue and undeniably just," stated Jasmine Heiss, Senior Campaigner at Amnesty International USA's Individuals and Risk Campaign.

"Nothing will truly repair the cruel, inhuman and degrading solitary con-

finement that the state of Louisiana inflicted upon him. But this belated measure of justice, on Woodfox's 69th birthday, is something he has been seeking for more than half his life," she stated. "His release should also be put in the wider context of the continued practice of solitary confinement," Heiss added.

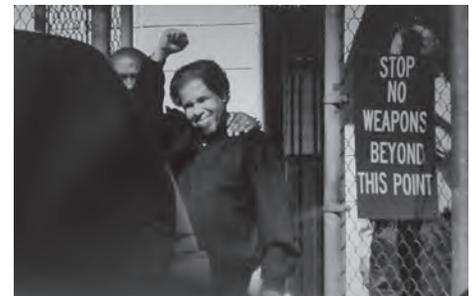
"Today should also mark a pivotal new chapter in reforming the use of prolonged solitary confinement in U.S. prisons and jails. Moving forward, Woodfox's case must serve as a tragic reminder of the cruelty inflicted by the prison system at its most extreme. Louisiana must commit to making urgent reforms to solitary confinement, and chart a course toward doing its part in ending the overall crisis of mass incarceration."

The International Coalition to Free the Angola 3 said that his release "should motivate us to stand up and demand even more fervently that long-term solitary confinement be abolished, and all the innocent and wrongfully incarcerated be freed."

A United Nations expert has said that solitary confinement, such as when it is used "indefinitely or for a prolonged period," can amount to torture.

—Common Dreams, February 19, 2016

<http://www.commondreams.org/news/2016/02/19/albert-woodfox-free-last-angola-3-who-spent-decades-solitary-released>



Mumia in the Crosshairs

Stop efforts to murder him by medical neglect

BY KEVIN "RASHID" JOHNSON



Kevin "Rashid" Johnson

On October 21, 2015 Patrick Le Hyaric, a member of the European Parliament and Vice Chair of the European United Left, sent a formal letter to Michael Nutter, mayor of Philadelphia, Pennsylvania. Mr. Le Hyaric's letter announced that he'd be traveling with a French delegation to Pennsylvania to meet with Mumia Abu-Jamal in person, and would like also to meet with Mr. Nutter about Mumia's condition.

The letter and visit were prompted by the expressed "alarm" of people all over Europe, at Mumia's suffering months of debilitating complications from a potentially fatal but very treatable and curable illness (hepatitis C), for which he has been denied care. And this is occurring within a prison sys-

tem, among many others within the U.S., that outright refuses to treat prisoners for this and other deadly and highly contagious viruses.

Why the French?

Why, in the face of Amerika's incessantly denouncing the human rights violations of its enemies, would a delegation of its own European allies feel need to visit the U.S. to bring attention to Mumia's and other U.S. prisoners' medical situations? Why indeed? Perhaps it's because Amerika's behavior amounts not only to human rights violations, but replicates mistreatments of prisoners by the German Nazis, for which several were tried and imprisoned or hanged as war criminals following World War II. Perhaps, too, it's because Europe, France in particular, sees frightening reminders in Amerika's actions, of their own terrible intimate experiences with overt fascism and terroristic violence against critical journalists.

The world knows that Mumia has been living in the U.S. officials' crosshairs for decades, all because of his critical journalism which has frequently and fearlessly exposed the lies, hypocrisies and outright murderous anti-human practices and designs of the U.S. government in service to wealthy corporate interests.

From police gunning him down in cold blood on the streets of Philly, to

trumped up kangaroo court proceedings presided over by a racist judge who went on record vowing to help hang "the nigger" (referring to Mumia) that landed him on death row for decades, to his having contracted the deadly hepatitis C virus for which he is being denied basic necessary treatment and curative care.

The world also knows that the only reason Mumia has so far narrowly survived these repeated efforts to murder him, is because the voices of its collective masses have been raised in continuous chorus in defense of his life and against Amerika's vile designs against him.

French sensibilities cannot but be disturbed by Mumia's plight as a targeted critical journalist.

Undressing U.S. fascism

On January 7, 2015, France suffered a deadly attack against its satirical magazine *Charlie Hebdo*, which saw its staffers gunned down, much as U.S. police had targeted Mumia. The world joined the French masses in a united mass assembly in protest of such efforts to silence critical media with violent terror, just as many mass rallies have convened across the world and in France over the decades in protest of Mumia's plight.

It's no wonder, then, that U.S. President Barack Obama, was conspicuously absent from the gathering of heads of other world states in France, in their show of unity with the French masses' assembly against the *Charlie Hebdo* attacks and in symbolic defense of critical speech.

The French also cannot but recall the crimes of the Nazis, who occupied and set up the puppet Vichy government in France, which the French masses rose up against in a civil war.



"-With it I'll live,
Without it I'll die"

- Mumia Abu Jamal

They, and all of Europe, must remember the Nazi concentration camps—of Holocaust notoriety—in which millions, including those who spoke out against and criticized the Nazis, and “racial” minorities, were tortured, butchered and massacred.

They certainly remember the Nuremberg Trials after the War where Europe and Amerika put Nazi officials on trial and imprisoned or executed many of them for crimes against humanity, including deliberately allowing contagious diseases to go untreated and run rampant in those concentration camps, exactly as the U.S. is doing now to its racially targeted prisoner population in general and to Mumia in particular.¹

Recall, during the Nuremberg Trials, U.S. officials announced, in embodying the Nuremberg Code, that the U.S. will be accountable for the same violations in the future for which the Nazis were. As U.S. Supreme Court Justice and Nuremberg prosecutor Robert H. Jackson stated:

“If certain acts and violations of treaties are crimes, they are crimes whether the United States does them or whether Germany does them. We are not prepared to lay down a rule of criminal conduct against others which we would not be willing to have invoked against us.”²

Of course this pronouncement was purely rhetorical. In fact, in 1946, when the U.S. led in establishing the World Court, it created a condition that it cannot be prosecuted under international treaties and the United Nations Charter; and has since held the International Criminal Court has no jurisdiction over it. This explains why a European delegation is confined to making a humble appeal to low level officials, rather than taking high level ones before an international tribunal on human rights violations and crimes against humanity, such as for the present treatment of Mumia and other U.S. prisoners.

But of course, France also remembers U.S. “handing” over of the worst Nazi War criminals like Klaus Barbie, who headed the Gestapo in Lyons, France and slaughtered Slavs, Jews, and French Resistance Fighters (including Jean Moulin, the head of the Resistance).

The U.S. used Barbie, also known as “The Butcher of Lyons,” to spy on France and Germany after the War, and to protect him from war crimes prosecutions, helped sneak him out of Europe to Bolivia *via* the Vatican—run “ratline,” where he continued his bloody career until France finally got ahold of him (despite efforts of the CIA to protect him) in 1983. He was there prosecuted, found liable for the deaths and deportations of many thousands, and sentenced to life imprisonment.³

Certainly, the French have not forgotten nor overlooked Amerika’s sordid practices and its continued implications in the treatment of Mumia and its millions of others imprisoned. The thing is, most Americans don’t know of these things, and it is by design that they don’t, which is why officials determinedly persecute and aim to kill critical messengers like Mumia. This is why he has been under attack for decades, and why we cannot allow them to now succeed in murdering him by medical neglect.

Dare to struggle! Dare to win!

All Power to the People!

Kevin Rashid Johnson’s writings and artwork have been widely circulated. He is the author of a new book, Panther Vision: Essential Part Writings and Art of Kevin “Rashid” Johnson, Minister of Defense, New Afrikan Black Panther Party, (Kersplebedeb, 2010).

Write or email:

Kevin Johnson, TDCI # 01859887

Clements Unit 9601 Spur 591

Amarillo, TX 79107

krj.nabpppc@gmail.com

¹ For classifications of crimes for which the Nuremberg defendants were tried, see “Agreement for the Prosecution and Punishment of the Major War Criminals of the European Axis

Powers and Charter of the International Military Tribunal” (“Four Powers Agreement”, 59. Stat. 1544, 82 U.N.T.S. 279, September 10, 1945) in Burns H. Weston *et al.*, eds., *Basic Documents in International Law and World Order* (St. Paul, MN: West, 1990), pp. 138 -139

² Quoted in Richard A. Falk, “The Circle of Responsibility”, *Nation*, January 26, 1970, p.77

³ See, e.g., *Christopher Simpson, Blowback: America’s Recruitment of Nazis and its Effects on the Cold War* (NY: Weidenfeld & Nicolson, 1988), pp. 185-195; Erhard Dabringhaus, *Klaus Barbie: The Shocking Story of How the U.S. Used This Nazi War Criminal as an Intelligence Agent—A First Hand Account* (Washington: Acropolis, 1984); John Loftus, *The Belarus Secret* (NY: Knopf, 1982), ch. 5; Tom Bower, *Klaus Barbie: The “Butcher of Lyons”* (NY: Pantheon, 1984); Kai Hermann, “A Killer’s Career,” *Stern* (Germany), May 10 and following, 1984 (six part series based upon declassified U.S. government documents and interviews conducted in Bolivia); Alexander Cockburn *et al.*, *Whiteout: The C.I.A. Drugs and the Press* (London: Verso, 1998), chs. 6 and 7; *etc.*

Continued from page 36

they have failed to stop the cases. As one veteran arbitrator has written, “In an investment dispute, the very legitimacy of the tax is put into question.”

Of course, individual tax policies aren’t necessarily good. But raising and structuring taxation is a key element of sovereignty. Allowing corporations to challenge these policies—in secret and without the right to appeal—is a threat to the state’s ability to fund public services, redistribute income or just balance the books. As such, deals like TTIP are a clear attack on our sovereignty.

Nick Dearden is the director of Global Justice Now (formerly World Development Movement) and former director of Jubilee Debt Campaign.

—*Common Dreams*, February 15, 2016

<http://www.commondreams.org/views/2016/02/15/think-corporate-tax-avoidance-bad-it-could-be-about-get-even-worse>

Sisterhood Can Bring Us Together

Prison keeps us isolated. But sometimes, sisterhood can bring us together

By CHELSEA E. MANNING

Prisons function by isolating those of us who are incarcerated from any means of support other than those charged with keeping us imprisoned: first, they physically isolate us from the outside world and those in it who love us; then they work to divide prisoners from one another by inculcating our distrust in one another.

The insecurity that comes from being behind bars with, at best, imperfect oversight makes us all feel responsible only for ourselves. We end up either docile, apathetic and unwilling to engage with each other, or hostile, angry, violent and resentful. When we don't play by the written or unwritten rules—or, sometimes, because we do—we become targets. It's easy enough to make us go away; it's easy enough to make us “someone else's problem.”

The unique problem for transgender women in prison is that our health and welfare are also the responsibility of those charged with overseeing us. We live in an environment in which the same staff given the job of keeping us in prison for lengthy periods of time

and occasionally “teaching us a lesson” are the same ones given the job of ensuring our transitions, when we're allowed to transition at all. The first job always takes precedent over the other, seemingly more annoying one.

The day I first arrived at the United States Disciplinary Barracks in Leavenworth, Kansas on August 22, 2013, I announced my status as a trans woman intent on transitioning as soon as possible. At the time, the idea of a trans woman in a U.S. military prison was considered unprecedented and even outlandish to the military brass and the outside world. However, when I arrived at the prison—and for nearly a year afterward—I was not the only trans woman at the facility, nor was I the first one to make such requests for treatment.

In 2009, another trans woman (who I'll call Alice) had arrived at the same prison. She was not the first openly trans woman to arrive at the prison either, but she was the first woman to have documented a request for hormones and other treatments. Unsurprisingly, her requests were

ignored and even mocked by the very same staff members who today oversee the decisions about the conditions of my transition.

Though Alice had multiple diagnoses of “gender identity disorder”—which was changed to gender dysphoria in the fifth edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM-5)—the medical and mental health providers at the prison acknowledged and denied her request. They told her what they told me four years later: the Army and the U.S. Disciplinary Barracks do not provide hormone treatments or other gender-confirming healthcare.

Without any financial resources, personal support inside or outside, any knowledge of the legal complexities of making such a complaint and “exhausting” all administrative hurdles before doing so, any access to lawyers with knowledge of trans issues in prisons, or even knowledge that such resources existed, Alice stopped trying to get the medical treatment she deserved.

That was, of course, until I made my announcement. After seeing an outpouring of support for me and my request, Alice restarted her battle.

After spending about 40 days in a “reception” status in a self-contained portion of the prison, I finally met Alice in October 2013. She hurriedly and excitedly approached me in the prison dining area and described at machine-gun speed her own battle to receive healthcare, and how her enthusiasm to continue was re-ignited by my own efforts.

Alice told me the rest of her story, about her diagnosis and about how she had been ignored for all these years. I felt sick hearing her speak about being forced to live so many years without



medical care; I tried to keep the tears, the concern, the anxiety, and the anger from boiling out of me.

I told Alice that I would do everything that I could to help her out. She smiled, and then she frowned and said, “I don’t want a lot of attention.” I told her that I understood, but that I could help not by shining a media spotlight on her, but by showing her how to make another formal request, how to appeal the expected denial—an arcane and required bureaucratic process that many prisoners don’t understand—and how to petition for a change of name.

I didn’t tell her then, but Alice was one of the few trans women with whom I had actually interacted with for more than a few fleeting moments. And then, even though we were housed in different parts of the prison, she instantly became my closest friend and confidante.

Over the next six months, we bonded more and more. As promised, we started Alice’s paperwork and, by the beginning of 2014, she finally started seeing a psychologist in the prison regularly.

She then began the same evaluation process that I had gone through earlier in late 2013. Because she was without any money or meaningful way of earning it, I also showed her how she could file for recognition of her indigence before a state court as part of her name change petition.

Though Alice had years of frustration and despondency behind her, she was starting to feel better. She became more outgoing and vocal as a person. Before, she told me, she had just given up and “stayed quiet.” From what I saw, though, she was clearly not going to be doing that anymore.

Unfortunately, our friendship and the assistance I gave her created a problem for prison management. Instead of only having to deal with one legal challenge over gender-confirming health-care, the prison and the military had to

deal with two. And, to make matters worse for administrators, Alice’s documented request dated back over four years earlier.

Fearing the possibility of potential liability and providing healthcare for which they had no existing expertise, the military prison sought to transfer me to a civilian prison in April through July 2014. At the same time—unknownst to either of us—Alice was considered for a similar transfer.

Still, we moved ahead with our requests and, in July 2014 after exhausting all of my administrative appeals, the American Civil Liberties Union (ACLU) began representing me and submitted a demand letter to the senior prison and military officials.

A few weeks later, my best friend and ally at the prison was suddenly approached by prison officials on her way to work one morning. They pulled Alice aside and told her that she was going back to her cell to gather her belongings and “pack out.” She was being transferred to a federal prison.

I happened to be walking by as a guard led Alice to the same area for people being processed in and out from the prison. She was pushing a large cart filled with what few belongings she had, looking scared but confident. I asked her what was going on and she explained the transfer. I stalled her, trying to say a longer goodbye, but the guard escorting her told her to start moving again. I wanted to hug her, but the best I was allowed was a quick high

five, a sad head-nod and a little wave.

In my cell during lunch break, the reality that Alice was gone and that I would probably never see her again sunk in. I broke down and cried behind my closed door for at least an hour: I wanted her to get the treatment that we both need to survive, but I also wanted us to be able to be friends.

I often still think about Alice and wonder how she is doing in a civilian prison. The times we spent together make me smile; the thought of seeing her with an uncertain look on her face pushing that big cart makes me sad.

While we came from different backgrounds and had different access to resources, we faced the same system. Alice started to become more confident and empowered once she became connected with more support and resources on the outside; that power she found from our friendship and from the hope that she might finally get the medical treatment she needed made prison administrators nervous, and they took it away from both of us.

But even though helping Alice ended up limiting my time with her, I have but a single regret: I wish I’d told her that I love her as a sister. I wish I could tell her that I still do.

—*The Guardian*, February 8, 2016

<http://www.theguardian.com/commentisfree/2016/feb/08/chelsea-manning-prison-keeps-us-isolated-sisterhood-transgender-friendship>



Flint: Crimes of Capital

BY MUMIA ABU-JAMAL

From the beginning of human communal time, people built cities adjacent to rivers, for water. Fresh water was the source of life.

Cairo (and before it grew into Cairo, Fustat,) relied on the Nile; London (and before that, the Roman colonial city of Londinium) was built upon the banks of the Thames; Paris (originally known as Par-Isis, or the House of Isis) grew from the flow of the Seine; Rome rose to become an empire along the banks of the River Tiber.

Cities feed upon, and grow from, the waters beside them.

Flint, Michigan is named after the Flint River, for the hard, dark flint stones that formed its riverbed.

For decades, General Motors drew from it, and then poured into it its chemical wastes and effluvium, until it became the corrosive, toxic brew that it is now. Indeed, after the waters became so acidic that it damaged automobile parts, GM bailed out, closing their operations there.

These are the waters that Michigan officials, under so-called emergency management powers, to save money, routed into Flint homes: waters that damaged and dissolved metals, were found fine enough to feed the population of human beings in a modern American city.

Thousands; tens-of-thousands of people, poisoned, for profit.

Why is that not a crime?

Why was it not a crime to poison a river in the first place?

For the same reason that it is not a crime today to order the poisoning of thousands of people for corporate and state profit.

Thousands of people—many of them children—poisoned in their brains, their livers, their kidneys, their lungs, their bones—for life, in many

cases, and even the talking heads on corporate media outlets are speaking of lawsuits and civil damages—more money—that can't cure.

When is a crime not a crime?

When corporations do it. When governments do it.

The U.S. government, through its military, committed genocide in Iraq, destroying one of the oldest civilizations on earth, based on lies, ignorance and arrogance. It tortured Iraqis in American-run hellholes, and busted a few low-life guards.

It opened up a torture chamber in Cuba, and suspended the Constitution—and called it justice. (There's actually a joint called Camp Justice in Guantanamo Bay—I kid you not.)

In a capitalist society, only capital matters. It's all about the Benjamins—bucks over bodies. Profit. Period.

In Michigan's prisons, there ain't a single prisoner who committed a more vicious crime than the Governor of that state.

Their crimes, no matter what, were retail. The government, for a few bucks, committed crimes against thousands—wholesale.

But these are crimes of the powerful.

They don't count.

These are crimes of capitalism.

—*Prison Radio*, January 21, 2016

For The Youth: Hope

BY MUMIA ABU-JAMAL

The U.S. Supreme Court issued another landmark ruling recently when it announced, in *Montgomery vs. Louisiana*, that life imprisonment without parole was unconstitutional for juvenile prisoners, and that they should be

granted new sentences or parole eligibility, in accord with the U.S. Constitution.

In a 6-3 decision, the Court extended its ruling from other cases, specifically the 2012 *Miller vs. Alabama* decision, by making it retroactive and applicable to the states.

The recent Montgomery opinion, written by Justice Anthony Kennedy, was joined by the Chief Justice, John Roberts, as well as other associated justices from what is considered its more liberal wing.

And while a six-person court formed a majority, the three remaining justices fought it bitterly. Justice Antonin Scalia ridiculed the majority's "sleight of hand" decision-making, a case of the Latin term "*ipse dixit*," "they said it, and it is so."

But Montgomery rides in on a string of recent precedents, all limiting the exposure of juvenile prisoners to harsh sentences, because, as children, they've not reached the age of maturity, and are intrinsically, not possessed of maturity.

The Montgomery decision means that juvenile lifers (the majority of which are in Pennsylvania, by the way), now have a chance of leaving prison one day, by parole or resentencing.

Pennsylvania is distinct from many other states because it carries life sentences for first, second, and third degree, (under some conditions), murder.

When I was back in the infirmary, a man named Nash (I hope he'll forgive me for using his name,) was entering his seventh decade of life. He was arrested as a teenager. Today, he has spent over 55 years in prison.

When he got arrested, Dwight D. Eisenhower was President!

His body has failed him. A wheelchair is his only way to move; and his strength ebbs daily.

Continued on page 48

My 40 Years in Prison

BY LEONARD PELTIER



Leonard Peltier

What can I say that I have not said before? I guess I can start by saying “see you later” to all of those who have passed in the last year. We Natives don’t like to mention their names. We believe that if we speak their names it disrupts their journey. They may lose their way and their spirits wander forever. If too many call out to them, they will try to come back. But their spirits know we are thinking about them, so all I will say is “safe journey and I hope to see you soon.”

On February 6th, I will have been imprisoned for 40 years! I’m 71-years-old and still in a maximum-security penitentiary. At my age, I’m not sure I have much time left.

I have earned about four to five years good time that no one seems to want to recognize. It doesn’t count, I guess? And when I was indicted, the average time served on a life sentence before being given parole was seven years. So that means I’ve served nearly six life sentences and I should have been released on parole a very long time ago. Then there’s mandatory release after serving 30 years. I’m ten years past that. The government isn’t supposed to change the laws to keep you in prison—EXCEPT if you’re Leonard Peltier, it seems.

Now, I’m told I’ll be kept at USP Coleman I until 2017 when they’ll decide if I can go to a medium security facility—or NOT. But, check this out, I

have been classified as a medium security prisoner now for at least 15 years, and BOP regulations say elders shall be kept in a less dangerous facility/environment. But NOT if you’re Leonard Peltier, I guess.

As you’ll remember, the history of my bid for clemency is long. My first appeal was with Jimmy Carter. He denied it. Ronald Reagan promised President Mikhail Gorbachev that he would release me if the Soviet Union released a prisoner, but Reagan reneged. George H.W. Bush did nothing. The next appeal was with Bill Clinton. He left office without taking action even though the Pardon Attorney did an 11-month investigation (it usually takes nine months) and we were told she had recommended clemency. George W. Bush denied that petition in 2009. And in all of the applications for clemency, the FBI has interfered with an executive order. That’s illegal as hell!

Today, I’m facing another dilemma—an abdominal aortic aneurysm (AAA). It’s the size of an AAA battery. The doctor told me if it bursts, I can bleed to death. It’s also close to my spine and I could end up paralyzed. The good news is that it’s treatable and the operation has a 96-98 percent success rate. BUT I’m in a max security prison. We don’t get sent for treatment until it is terminal.

As President Obama completes the final year of his term, I hope that he will continue to fight to fulfill his promises, and further the progress his Administration has made towards working in partnership with First Peoples. It gives me hope that this President has worked hard to affirm the trust relationship with the Tribal Nations. With YOUR encouragement, I believe Obama will have the courage and conviction to commute my sentence and send me home to my family.

Looking back on the 40 years of efforts on my behalf, I am overwhelmed and humbled. I would like to say thank you to all the supporters who have believed in me over the years. Some of you have been supporters since the beginning. You made sure I had books to read and commissary funds to buy what I may need to be as comfortable as one can be in this place. You made donations to the defense committee so we could continue fighting for my freedom, too. You all worked hard—are still working hard—to spread the word about what is now being called the most outrageous conviction in U.S. history. There are good-hearted people in this world, and you’re among them. I’m sorry I cannot keep up with answering all of your letters. But thanks for the love you have shown me. Without it, I could never have made it this long. I’m sure of it.

I believe that my incarceration, the constitutional violations in my case, and the government misconduct in prosecuting my case are issues far more important than just my life or freedom. I feel that each of you who have fought for my freedom have been a part of the greater struggle of Native Peoples—for Treaty rights, sovereignty, and our very survival. If I should be called home, please don’t give up on our struggle.

In the Spirit of Crazy Horse...

—*Counter Punch*, February 5, 2016

<http://www.counterpunch.org/2016/02/05/my-40-years-in-prison/>

Write to:

Leonard Peltier #89637-132

USP Coleman I, U.S. Penitentiary

P.O. Box 1033

Coleman, FL 33521

Donations can be made on Leonard’s behalf to the International Leonard Peltier Defense Committee, PO Box 24, Hillsboro, OR 97123

Our Time to Unify is Now

By MAHMUD KHABIR AL-MATIN

Rashad Abdur Rahman, formerly known as Robert Vickers is a former Black Panther and comrade of Anthony White (Kamu) and Harold Russell and Assata Shakur, Nuh Washington, Kuwasi Balagoon and many other known freedom fighters such as Dhoruba Bin Wahad.

Rashad Abdur Rahman a.k.a. Robert Vickers was recently incarcerated in 2014 after the New York City police department came to Albany and conspired with the Albany police department to entrap him on phony, trumped up drug charges under the pretext of an investigation of a 42 year old cold-case that involved the killing of officers Gregory Foster and Rocco Laurie by members of the Black Liberation Army.

For numerous years the NYPD came to Saratoga Springs, New York, where Rashad resided, to interview, and interrogate and harass Vickers in relation to the deaths of these officers. However, after continued unsuccessful attempts, Vickers was then set-up and entrapped with numerous alleged drug charges, and sentenced to 21 years, which at 66 years old, amounted to a life sentence. Rashad never sold any drugs to these officers, which was clearly brought out in the trial in Albany County. Rashad Abdur Rahman was convicted based on the sensationalism of his past membership in the Black Panther Party that was brought out at trial, which he never denied.

The so-called drug trial was based solely on Rashad's revolutionary activities and subsequent incarceration 42 years ago.

Rashad, upon his release from prison relocated to Saratoga Springs, New York. At this time he re-entered society, and was gainfully employed by the Department of Public Works, from which he subsequently retired. He had

his own business and was a member of the Chamber of Commerce, a property owner of several houses that catered to people in recovery who came to Saratoga to start new lives. Rashad got married and raised three children, and became a single parent in 1995 after his wife passed away. Rashad cared for his elderly mother until her transition.

In 2013 the NYPD and Albany Police Department conspired to send a confidential informant to Saratoga Springs who posed as Rashad's cousin to entrap him into phony drug charges because they could find no evidence that they could use to charge and convict him for any involvement in the deaths of Foster and Laurie. The whole motive behind this conspiracy against Rashad was, as the media stated, "He was the last one left," of a group of freedom fighters born out of the civil rights movement and struggle for freedom and justice for all American people, and not just a select few who benefited from and supported not only American, but world oppression.

The motive for this conspiracy was clearly revenge for his political beliefs, associations and activities in standing up and defying American corruption and oppression as it was then, and continues to this day, as evidenced by the mass incarceration and the blatant abuse of the powers that they were given post 9/11.

Rashad has never denied his past political beliefs or past association with members of the Black Panther Party, although he has publicly denied being a member of the Black Liberation Army. There has never been any evidence linking him to the deaths of the officers Foster and Laurie or involvement with the Black Liberation Army.

In 1972 after the assassination of Foster and Laurie a total of nine freedom fighters were lumped together as

being members of the Black Liberation Army without any evidence. The Government sought to utilize and take advantage of the hysteria to gain maximum resources to apprehend and not capture, but assassinate all those Black Panther Party members who slipped through the COINTELPRO network of assassination and neutralization.

COINTELPRO was programmed in the '60s and '70s (and in many respects continues to this day) to silence all dissent. There has been absolutely no proof or evidence linking Rashad Abdur Rahman to the assassination of Foster and Laurie. However, being one of the last members of the original group of Freedom Fighters, after completing his prison term in 1978, Rashad has been harassed and questioned throughout the 36 years since.

After going on trial twice in 1973 and 1974 for shooting two police officers around the corner from the Panther office in Harlem, in which Harold Russell was killed and Anthony White (Kamu) was captured, escaped and later assassinated, Rashad was found not guilty.

The NYPD felt cheated and was determined to find revenge, and since they could not get him a life term in prison one way, they conspired with the Albany police department and Saratoga Springs to send a lackey who posed as his cousin to lure Rashad down to Albany and set him up on phony drug charges, in which Rashad pleaded innocence to and went to trial. However, when his explosive past and political activities 44 years ago came out at trial—which Rashad never denied—along with careful manipulating by the District Attorney and the total unpreparedness of Rashad's trial attorney, Rashad was found guilty of multiple counts of selling a controlled substance, although Rashad claimed,

and evidence showed, Rashad never sold drugs in his life. The drug issue was lost in the trial, and it came to be all about his past 43-years-ago.

With the news cameras, TV, and a courtroom packed to standing room only law enforcement from all branches was publicly represented: FBI, State Police, NYPD, District Attorneys from New York City, Albany, Saratoga Springs, and more. The Judge, as expected, sentenced Rashad to 21 years in prison, in spite of the fact that Rashad has not seen a prison since 1972, over 40 years ago. What Law enforcement could not accomplish legally they used Albany, New York as a stage for the circus performance. Albany has been notorious for mass incarceration of African Americans and abuse of powers to accomplish this aim of giving Rashad what amounts to a life sentence. Many of his constitutional and statutory rights were violated in their haste to arrest, convict, and sentence him.

He now stands in need of whatever legal assistance he can get.

You may contact him at the below address with any assistance and help that is desperately needed or just to discuss what this freedom fighter has learned through the years of continued struggle.

Please note that since his incarceration he came to prison walking and in a matter of months he has lost the ability to walk, and is now wheelchair bound as well as losing the ability to use his hand, especially for writing. Not wanting to complain about the medical care that is almost non-existent, which is prevalent throughout the massive prison system in America, if you do decide to write please allow some time for response.

A Luta Continua (The Struggle Continues)

Write to:

Rashad Abdur Rahman #15A0497
Shawangunk Correctional Facility
Box 700
Wallkill, New York 12589

Why Are Black Girls Dying in Police Custody?

BY TASASHA HENDERSON

Gynna McMillen was brought into the Lincoln Village Regional Juvenile Detention Center in Elizabethtown, Kentucky, on January 10, 2016, after police were called to her mother's house about a "domestic incident." The next morning she was found unresponsive in a cell. What happened to her? Why is she dead after less than 24 hours in the detention facility? These are questions being asked by Gynna's family and others concerned about the deaths of Black people in police custody.

Slowly, investigators are releasing information, and what we know so far is horrifying. Gynna McMillen, a 16-year-old Black girl, died in a detention center where staff used martial arts to restrain her when she refused to remove her sweatshirt. Gynna McMillen died while isolated in a cell. Gynna McMillen died alone: No one followed the protocol to check on her every 15 minutes.

Black children have always faced disproportionately brutal treatment in jail. "Opportunities Lost: Racial Disparities in Juvenile Justice in Kentucky and Identified Needs for Systems Change," a 2009 issue brief written and published by Kentucky Youth Advocates, details disproportionate contact with children of color at every level of the juvenile legal system, from complaints against youth to arrest and detainment. Despite representing only 9.5 percent of the Kentucky youth population, African-American youth are more than twice as likely as white youth to have complaints filed against them, four times more likely to be detained during any point in court processing and more than four times as likely to have their cases referred to adult courts.

In 2013, the rate of African-American youth detained in juvenile detention, correctional and/or residential facilities was 495 per 100,000, the

highest of any racial or ethnic group, according to National Kids Count data. For African-American girls specifically, the rate was 78 per 100,000, according to the Office of Juvenile Justice and Delinquency Prevention.

While the arrest rate has declined for boys in the juvenile legal system, it has not fallen as sharply for girls. African-American girls represent 33.2 percent of girls who are detained, although they are only 14 percent of the population. Many incarcerated girls have experienced one or more traumas, including abuse, poverty, mental illness and being funneled through child welfare systems. Instead of receiving the help they need, girls are routed into the juvenile legal system because of their victimization. Sometimes, their response to trauma is itself criminalized. As Monique Morris wrote in *America's Wire*, African-American girls are often criminalized for qualities associated with survival, such as being loud and defiant.

Violence visited upon the bodies, souls and spirits of Black girls whom society deems "defiant" is all too common. For a Black girl, "defiant behaviors" may include refusing to leave her desk, her presence at a pool party in a white neighborhood or refusing to remove a sweatshirt. When committed by Black girls, these acts are deemed to justify brutality.

Sandra Bland, Raynette Turner, Joyce Curnell, Ralkina Jones, Kindra Chapman, Alexis McGovern, Natasha McKenna and Sheneque Proctor: All were Black women who died while in police custody. Sadly, Gynna McMillen's name now joins a growing list of Black women dead at the hands of the state.

The state has many apparatuses to control, discipline and finally to disappear Black people, especially those deemed most deviant by the state,

including women and girls, poor folks, queer, trans and gender-nonconforming folks, sex workers and people with a disability. Whether it's through incarceration in jails and prisons, the funneling of children into the foster care system, decreasing food stamps, not expanding Medicaid eligibility or allowing a community to drink lead-poisoned water, the tentacles of state violence are far reaching. As we mourn McMillen's death, we must recognize the interconnectedness of all of these systems of control and oppression.

What might justice look like for Gynna McMillen's family and friends? For one thing, it seems, it would involve the state being held accountable and forced to reveal the truth about how Gynna wound up dead in a juvenile detention center after less than 24 hours of entering. How do we hold schools and other institutions accountable to end the arrest and incarceration of African-American girls? The African American Policy Forum, in its 2015 report, "Black Girls Matter: Pushed Out, Overpoliced and Underprotected," provides recommendations to address the needs of African-American girls, including: reviewing and revising policies that funnel girls into the juvenile legal system, developing protocols to ensure school personnel enforce all students' rights to an environment free from sexual harassment and bullying, developing programs that identify the signs of sexual victimization in order to support girls who have been traumatized, and advancing and expanding programs that support girls who are pregnant and/or parenting, or otherwise assuming familial responsibilities.

The lives of Black girls matter. Let's fight alongside them to end the state-sanctioned violence that results in their premature death.

—*Truthout*, February 8, 2016

<http://www.truth-out.org/news/item/34741-why-are-black-girls-and-women-dying-in-police-custody>

This Rotten System Must Go

By KERRY "SHAKABOONA" MARSHALL

For too often, politicians think they can just say, "I'm sorry" after they are busted for doing wrong to Black people, and everything will re-set and return to business as usual. Chicago Mayor Rahm Emanuel, State's Attorney Anita Alvarez, and Police Superintendent Garry McCarthy are just three of many politicians who think this way.

Immediately after the October 20, 2014 shooting death of 17-year-old Laquan McDonald by Chicago Police Officer Jason Dyke, a yearlong massive cover-up began, which involved the entire Chicago Police Department, Mayor Emanuel and State's Attorney Alvarez. The cover-up consisted of police officers at the scene lying for Officer Van Dyke by claiming McDonald attacked police, the police's dash-cam video that captured the incident had its audio disabled, the District Manager of Burger King Restaurant testified before a federal grand jury that Chicago police officers deleted their surveillance video footage of the incident, and Mayor Emanuel, Police Superintendent McCarthy, and State's Attorney Alvarez blocked the release of the police dash-cam video of the reprehensible murder of McDonald for a year.

It was only after Judge Franklin Valderrama ordered the release of video footage of the October 2014 police involved shooting death of McDonald [and] large protests by the Black community, that Mayor Emanuel got in front of cameras to say, "I'm sorry." Well, that should've been said immediately after McDonald's death, and not more than a year later. So it's obvious that Mayor Rahm Emanuel is only sorry for getting caught covering-up a murder by Officer Van Dyke.

The ugly truth about all of this is Black people in America have been fall-

ing for the "I'm sorry" routine from deceitful politicians for so long, that politicians now arrogantly believe all they have to do is utter the magic words, "I'm sorry" when things get out of their control, and all is forgiven and it's back to the business of exploitation and oppression as usual. Politicians play Black people for fools, and laugh behind their backs when they get out from a jam, because any person endowed with common sense knows that while an apology can be given, it means absolutely nothing if it is not followed by actions that redress the wrongs done.

The massive cover-up of Officer Van Dyke's premeditated murder of Laquan McDonald points to a system of corruption within the Mayor's office, State Attorney's office and Chicago's Police Department. The removal of a politician isn't going to make a difference if the rotten system is still in place. Chicago's politicians and institutions are corrupt to the core, so Mayor Rahm Emanuel and the entire rotten system must go and be replaced by the people with something new and better.

—*Prison Radio*, January 22, 2016

Continued from page 44

Pennsylvania has more juvenile lifers than any other jurisdiction in the world: over 500!

Today, some of that number can dream again.

They'd better hurry—before the door shuts again.

—*Prison Radio*, January 27, 2016

Write to Mumia at:
Mumia Abu-Jamal AM-8335
SCI-Mahanoy
301 Morea Road
Frackville, PA 17932

Environmental Racism in Michigan

BY KERRY "SHAKABOONA" MARSHALL

Let's begin with the premise that Michigan Governor Rick Snyder must be charged with federal and state criminal violations of criminal negligence and a hate crime, for he knowingly forced the majority Black-populated City of Flint, Michigan to use contaminated Flint River water, which inflicted immeasurable and irreparable injury on the populace. Because without such an understanding of the matter, the public may very well allow Governor Snyder and his administrative staff to slip through their clutches and walk away scot-free with political careers intact from their dastardly crime, based on a politically expedient and meaningless apology.

The facts are too powerful to ignore. The Flint community knew for decades that the Flint River was poisoned and could not be used. The Flint City administration also knew, and the governor's appointed Emergency Manager over Flint knew about the contaminated river water. Even still, the Emergency Manager—a numbers-puncher only concerned about Flint's fiscal management and not the health of the people—switched Flint's water supply from Lake Huron to the contaminated Flint River water despite complaints and opposition to the move.

The Mayor of Flint sent complaints to Governor Snyder, which he dismissed. The Environmental Protection Agency (EPA), a federal agency, got involved by investigating the Flint River matter. Scientific testing revealed extremely high levels of lead contamination of the river water and strongly suggested that it not be used in any manner. Governor Snyder rejected the EPA's scientific findings, produced an opposing State Report by doctors he found saying the water was safe and can be used, and continued subjecting

the people of Flint to poisonous water for over a year

After a groundswell of opposition from the people, and seeing the political peril before him, Governor Snyder now wants to end Flint's use of contaminated water and to say he's "sorry." But a simple apology without sincere action behind it just doesn't cut the mustard. A truly sincere apology to the people of Flint would be Governor Snyder proverbially falling on his sword by resigning office to save face and sacrifice his political life to the Gods of politics for causing so much pain to others and disgracing himself.

Governor Snyder's actions towards the City of Flint is utterly disturbing because we know that were Flint a wealthy, mostly white-populated city, the "thought" to subject such a city to contaminated waters wouldn't have even crossed Governor Snyder's mind! But such thoughts are clearly enter-

tained and acted upon by wicked people like Governor Snyder when it comes to the treatment of poor, Black people.

This is just another example of how black lives don't matter to the white-majority political establishment in America.

—Prison Radio, January 22, 2016

FREE
KERRY
"SHAKABOONA"
MARSHALL



A Black National Party is Needed

BY KERRY “SHAKABOONA” MARSHALL

The one main thing Black people in America seem to be cognizant of in the recent Democratic and Republican party presidential debates, is those parties candidates’ disregard of issues Black people want addressed. None of the Democratic or Republican presidential candidates have yet to debate topics relating to the concerns of the Black national community in America. The presidential candidates appear to be self-interested and ignorant, or indifferent to the concerns of Black people, which also is an indictment of the Democratic and Republican parties they represent.

The Republican Party has not represented or addressed the concerns of Black people since they helped enact the post-slavery Civil Rights acts but then later betrayed Black people in the Tilden-Hayes Great Compromise of 1877 that made deep concessions to the then white supremacist Democratic Party to re-establish white supremacy and new forms of slavery in the South.

Today, the Republican Party spews inflammatory racist political rhetoric about Black people to its constituent

base of working class and poor white people, place token Black Republican faces in a few managerial positions as spokespersons and window-dressing for the Party, and remains totally ignorant or indifferent to Black peoples’ collective concerns.

The Democratic Party is the mirror image of the Republican Party minus the overt inflammatory racial rhetoric, and is just as poisonous. Historically, the Democratic Party had been the party of the wealthy, white supremacist elites, and was against any economic or political freedoms and gains of the Black national community in America. It wasn’t until the rise of presidents John F. Kennedy and Lyndon B. Johnson that Black people left the Republican Party to join the Democratic Party *en masse*. However, the Democratic Party has not represented or addressed the concerns of Black people since they pushed Congress for the enactment of the 1964 Civil Rights Act and the 1965 Voting Rights Act.

Today, the Democratic Party acts as the friends of Black people by day and

the enemies of Black people by night. They stifle the concerns of Black people in Congress. They place token Black Democrats in positions to be seen and not heard and are devoid of any decision-making power. And to add insult to injury, they take Black people for granted every election cycle. The Democratic Party views and treats Black people as if they are their property.

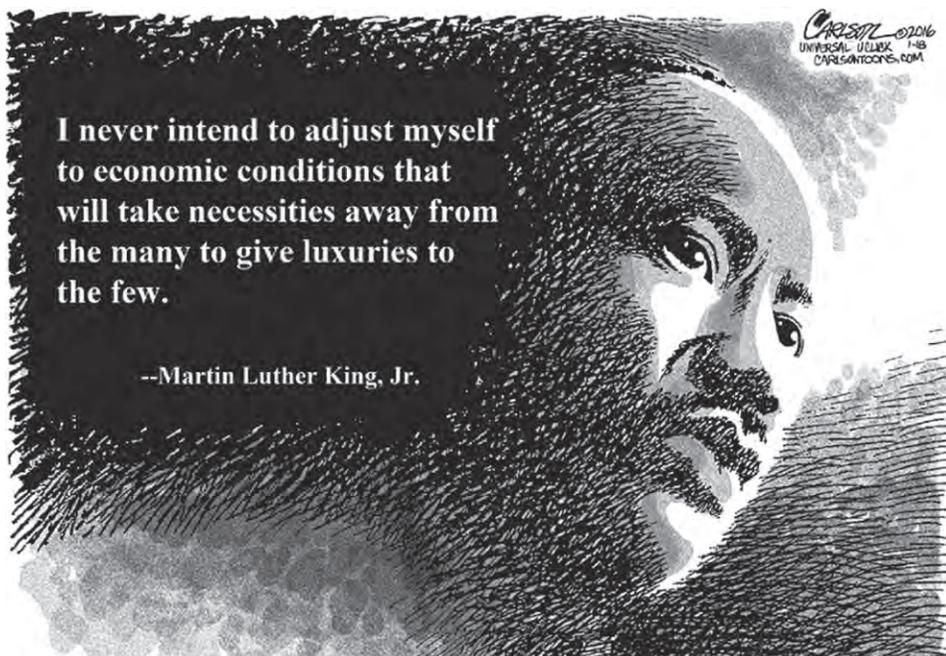
So how should the Black national community deal with the two-party, con-artist game of America, is the million-dollar question?

The Black national community in America must follow the example of the UNIA (Universal Negro Improvement Association), OAAU (Organization of African American Unity), Mississippi Democratic Freedom Party, and the Black Panther Party by disconnecting our political affiliation with the Democratic and Republican parties and begin establishing a non-partisan, independent Black National Party (BNP). A Black National Party that would unapologetically pursue Black people’s interests, put forth a Black National agenda, and run candidates from our party in local and statewide elections.

It’s political suicide for Black people to remain as a subservient political appendage of the Democratic or Republican parties. It is high time for a Black National Party to represent Black people and our interests in America.

Kerry “Shakaboona” Marshall is Co-Founder and Editor of The Movement magazine, Prison Radio correspondent, founding member of the Human Rights Coalition (HRC) and a Child Life-sentenced prisoner.

—Prison Radio, January 22, 2016



Jim Crow Justice

The frame-up of Corey Walker and the attempt to remove his lawyer

BY CHARLES BROVER

“[The accused] was essentially convicted the day he was arrested, and his trial is only a formality. The dumb and desperate cops trumped up the charges and fabricated the evidence. The prosecutor knows this... The judge is asleep... The jurors are wide-eyed at the process and ever so anxious to believe the lies their proud authorities are producing on the witness stand... It’s just as well that we don’t believe in fair trials because we damned sure don’t have them. The presumption of innocence is now the presumption of guilt. The burden of proof is a travesty because the proof is often lies.”
—John Grisham, *Rogue Lawyer* (2015)

A SWAT team raided Corey Walker’s home in July 1996, and arrested him on a 1995 frame-up murder charge from Harrisburg, Pennsylvania. He has been behind bars ever since. Evidence of his innocence was withheld. He is the victim of prosecutorial misconduct and incompetent legal representation. And now the state is trying to deny him the attorney of his choice, Rachel Wolkenstein, who has defended Mumia Abu-Jamal.

Corey Walker is flesh and blood, not a statistic. He is son, father, brother and lifelong companion. He cries out for freedom and justice and tries to keep body and soul together under excruciating conditions. Imagine if you, like Corey, had spent every long, dreadful day of the past 19 years locked up in a Pennsylvania prison cell, knowing you are innocent. Knowing you were framed up for a murder you did not commit, could not have committed. Hoping every day for a chance to prove it, hoping people would listen. You see your most fundamental rights denied to cover up the lies, the cop and prosecutorial violations that resulted in your frame-up conviction. And now they are even trying to deny you the legal repre-

sentation of your choice. You know that if the cops and prosecutors have their way, you will spend what is left of your life in prison without parole—shut away till death from your loving, anguished family and the full life that should have been yours. Corey Walker is the tormented human face of racist mass incarceration in the U.S.

We all know the statistics. The U.S. incarcerates more people than any other country in the world—2.3 million women and men languish in U.S. prisons and jails, a 500 percent increase over the last 30 years—60 percent are members of racial and ethnic minorities. One-out-of-three Black men spend part of his life in U.S. prisons and jails. We know about the myriad ways the brutality of the prison system devastates Black lives and families even after release—the felony disenfranchisement and the systematic persecution in everything from housing to employment. Not since the days of the infamous post-slavery convict labor system in the Deep South has there been this kind of machine of grinding racist oppression. In her best-selling book, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* Michelle Alexander calls modern mass incarceration, the “New Jim Crow.”

Now in the U.S. we are having yet another “conversation” about race—and the connection to police brutality and mass incarceration. It seems key sectors of the ruling class are coming to the conclusion that the prisons are too overcrowded and expensive. Both capitalist parties are talking about reform of the policies that led the U.S. to be “No. 1” in imprisonment. President Obama gives speeches, visits prisons, and proposes cosmetic reforms. We hear about the excesses of mandatory minimum sentencing and disproport-

ionate sentencing policy that account for the current conditions of prison expansion. There’s even some mention of the intensified and concerted racist policies spearheaded by the ruthless “war on drugs” and “war on crime.”

What we hear less about is the war run by cops and prosecutors that fakes evidence and coerces witnesses to convict so many young Black men. And when the cops and prosecutors are caught out, they double down and cover up their racist criminality. Corey Walker was one of those men ensnared in that dual “war” on crime and drugs. And the Pennsylvania judicial system will apparently do anything to stop Walker’s appeal from exposing their dirty game.

Swept up

Corey Walker was swept up in the mass incarceration net. When he was 15-years-old he started dealing in crack cocaine which dominated economic life on the ghetto streets in Yonkers, New York in the ’80s and ’90s. He has never denied that he was a dealer, noting that, “I cannot deny I wasn’t good at it... I don’t claim to be an angel.” Yet until the frame-up he was never involved in or charged with a crime of violence or weapons possession. When he left Yonkers to sell drugs in Harrisburg, Pennsylvania, the cops arrested him and his friend Lorenzo Johnson—not for drug dealing, but for the December 1995 murder of Tarajay Williams. They were arrested months after the murder. Corey was at a bar at the time of the murder and plenty of witnesses would attest to that fact. Lorenzo Johnson wasn’t even in Harrisburg. He was in New York.

The phony murder charges appear to have been part of the state’s strategy to force Walker and Johnson to implicate others. The cops were particularly

interested in throwing a wider net around dealers who had come into Pennsylvania from New York. The Harrisburg police and County Drug Task Force called them “New York n---rs.” But Corey and Lorenzo knew they were innocent, so they rejected plea deals and went to trial in 1997. They did not expect that the prosecutor would coerce false testimony from snitches and petty criminals who were promised leniency for their manufactured testimony. It’s taken almost 20 years for Walker and Johnson to learn about the evidence the prosecution withheld that showed they were innocent. Corey’s ineffective lawyer did not even talk to the witnesses at the bar who could have testified to Corey’s whereabouts at the time of the murder.

Gross prosecutorial misconduct

The prosecutors offered up an unbelievable circumstantial case: no eyewitnesses to the shotgun killing, no blood evidence, no fingerprints, no investigation of more likely suspects who were at the scene of the murder; nothing but lying testimony under the coercive influence of the cops and prosecutors. This was the mid-1990s. It was “tough on crime” time, “get ‘em off the streets” and into prison time. So in two days in March 1997, with a predominantly white jury, Walker and Johnson were convicted of first-degree murder and sentenced to life in prison without the possibility of parole.



Years after his conviction, Lorenzo Johnson learned how to file his own *pro se* legal papers and then found legal help to pursue a *habeas corpus* action in federal court. In 2011, the Third Circuit Court of Appeals reversed his conviction on the grounds of insufficient evidence. He went home for four-and-a-half months, got a construction job, and spoke out against judicial wrongdoing. But the Pennsylvania Attorney General’s office petitioned the politically motivated U.S. Supreme Court. The Supremes ruled unanimously with the prosecution to reinstate Johnson’s conviction; they sent him back to prison. The Supreme Court decision *Coleman v. Johnson* (2012) is now the legal precedent for rejecting appeals based on insufficiency of evidence from state prisoners throughout the country. Johnson, along with Corey Walker, continues to fight for justice for himself and others ensnared in the Jim Crow system.

Walker and all prisoners appealing wrongful convictions—particularly those condemned on death row—are victims of the 1996 Anti-terrorism and Effective Death Penalty Act (AEDPA), the culmination of “war on crime” legislation. Signed into law by “law-and-order” Democrat Bill Clinton, the AEDPA gutted federal *habeas corpus* appeals. A writ of *habeas corpus* is a legal recourse going back to English common law and included in the U.S. Constitution permitting a challenge before a court of a person’s detention as unlawful. The AEDPA, particularly given the Supreme Court’s punitive interpretation of it, has sharply narrowed this constitutional protection, permitting only one *habeas* appeal and requiring for success proof that a conviction was contrary to “clearly established federal law” or based on an “unreasonable determination of the facts in light of the evidence.” In the words of Ninth District federal appeals judge Stephen Reinhardt, “constitutional rulings by state courts” are “nearly unreviewable by the federal

judiciary.” In a law review article Reinhardt wrote that *habeas corpus* “has been transformed over the past two decades from a vital guarantor of liberty into an instrument for ratifying the power of state courts to disregard the protections of the Constitution” (*New Yorker*, June 21, 2015).

Actual innocence no defense in Jim Crow legal system

Now there is more evidence of the innocence of Lorenzo Johnson and Corey Walker, and stunning proof of grievous misconduct by police and prosecutors. Vital new information in the case is being brought to light through the state post-conviction relief appeals (PCRA) process. Corey tried to get his lawyers to investigate some of this years ago but they neglected to do so. New witness statements, disclosed police records and the trial record itself lay bare the suppression of evidence of innocence and cop/prosecutorial coercion and corruption.

The state had no credible case to begin with: Without an eyewitness or physical evidence, the prosecution relied on two low-level dealer/addicts who testified as to motive and opportunity. It turns out that these witnesses were coerced to manufacture testimony. The main witness, Carla Brown, was a suspect in the murder, and she was worked over by detectives for months until she told the story the prosecution wanted to hear. Her transcribed pre-trial interview contradicted her trial testimony, so the state simply suppressed it.

The motive witness, Victoria Doubs, was promised a lighter sentence in an unrelated robbery charge in exchange for her false testimony. Ten days after the conviction of Walker and Johnson, she got probation rather than the five-year mandatory prison sentence for the robbery. Yet in his trial summation to the jury, Deputy Attorney General Christopher Abruzzo vouched for these coerced witnesses saying they had no reason to lie.

Although the prosecution claimed otherwise, there were identifiable fingerprints at the murder scene, but they hid this evidence from the defense. After the murder, witnesses identified other men on the street with the victim, but the detectives didn't investigate these leads. The first detective assigned to the case was the father of Corey Walker's girlfriend; he was furious that Walker was with his daughter. The lead detective who brought the case against Walker and Johnson maintained a close family relationship with the motive witness and acted as her "protector" on the streets.

The prosecution concealed abundant evidence of Walker's innocence from the defense in violation of legally established "Brady rules" that stipulate that the prosecution must turn over all evidence favorable to the defense. Having gotten a conviction by suppressing exculpatory evidence during the trial, the prosecutors will try to rely on a U.S. Supreme Court decision, *3rd Judicial Dist. vs. Osborn* (2009), to uphold their continued suppression in post-conviction hearings. As few rights as accused have for their trial, they have even fewer post-conviction.

Prosecutors hiding exculpatory evidence from the defense (thus violating Brady rules) is standard operating procedure throughout the court system, not only in this case. Even the *New York Times* (January 4, 2014) editorialized against this widespread prosecutorial misconduct. The *Times* quoted Chief Judge Kozinski of the United States Court of Appeals for the Ninth Circuit, who declared that "There is an epidemic of Brady violations abroad in the land," citing dozens of examples. The *Times* editorial commented, "Those are surely the tip of the iceberg. According to the National Registry of Exonerations, 43 percent of wrongful convictions are the result of official misconduct." The editorial notes the systematic failure to punish such misconduct:

"...prosecutors are virtually never punished for misconduct. According to the Center for Prosecutor Integrity, multiple studies over the past 50 years show that courts punished prosecutorial misconduct in less than two percent of cases where it occurred. And that rarely amounted to more than a slap on the wrist, such as making the prosecutor pay for the cost of the disciplinary hearing."

The liberal newspaper calls upon the courts to "stop it." Don't bet on it. In Brooklyn the District Attorney is investigating 70 cases out of 90 brought by one detective, Louis Scarcella. So far, six have been overturned. These convictions were based on police misconduct and lack of reliable evidence. This is a small example of the prevalence of misconduct in getting convictions in the state and federal courts. Neither the courts nor prosecutors can stop this misconduct because they, along with the cops, and their prisons, are part of the same frame-up system.

The Pennsylvania Attorney General promised to examine the new evidence in Johnson's case back in December 2013, but a year later filed a lengthy answer unequivocally defending the cop/prosecutor frame-up. In December 2014 in response to Johnson's claim, Attorney General Kathleen Kane, a Democrat, made it clear her main objection was the threat of exposure. What she found "most disturbing" in the appeals was that Johnson "has recklessly unleashed the hounds of defamatory hell, publically accusing and branding the career prosecutors and career police detective...as corrupt and malevolent."

No lawyer for you

Because the post-conviction appeals assert police and prosecutorial misconduct, the Pennsylvania Office of the Attorney General has retaliated against Walker and his lawyer. Vengeance shall be mine, says the OAG. Corey Walker's case exposes the racist mechanisms of the new Jim Crow justice system. Such

exposure and publicity represent a big problem, particularly in Pennsylvania, where authorities are well-known for their relentless legal efforts—even up to the U.S. Supreme Court—to cover up the routine police and prosecutorial lying and manufacture of evidence, coercion of witnesses, and suppression of evidence of innocence.

That requires silencing Corey Walker and short-circuiting his legal appeal. As a crucial part of this strategy, the prosecution is seeking to deny him the lawyer of his choice. The last thing the OAG wants is a vigorous legal defense and publicity of the Walker case that will further reveal their criminal behavior. Thus the Corey Walker case now yields the unconstitutional political witch-hunt of Corey Walker's *pro bono* attorney, Rachel Wolkenstein. First they framed him up, then they act to silence him and his attorney in an attempt to stop the further exposure of the frame-up that led to his conviction.

Rachel Wolkenstein came to the Walker case through her advocacy, support and legal assistance for Lorenzo Johnson. Wolkenstein is an attorney admitted to practice law in New York State since 1974 and a member of the United States Supreme Court bar since 1985. On the motion of Philadelphia criminal trial and appeal lawyer J. Michael Farrell, Esq., she was admitted *pro hac vice* by Judge Todd A. Hoover on September 19, 2014 to represent Corey Walker. *Pro hac vice* (Latin for "on this occasion") is a generally accepted way for an out-of-state attorney to represent a client in a particular case.

Beginning in May 2014 Wolkenstein began assisting Walker, Johnson's co-defendant, with investigation and his *pro se* post-conviction legal appeals. Walker's new filings were based not only on grounds of ineffective assistance of counsel. The appeals to overturn his conviction made a forceful case that Walker is completely innocent, that his conviction was a deliber-

ate frame-up by the police and OAG. Only a few weeks after Wolkenstein was admitted *pro hac vice* and formally became Walker's lawyer, the attorney general's office retaliated by asking the judge to deny Walker's right to have her as his lawyer. On February 9, 2016 the evidentiary hearing concluded after the Attorney General's office presented only one witness, Lorenzo Johnson's lawyer Michael Wiseman, whose testimony supported that both Lorenzo Johnson and Corey Walker declared their innocence and that the state had suppressed significant favorable evidence at their 1997 trial.

Judge Lawrence Clark, who made numerous remarks during the hearing indicating his opposition to the basic right of Corey Walker to have the lawyer of his choice, ordered legal briefs to be filed 45 days after the transcript of the proceeding is received. Meanwhile, the OAG has not bothered to file a response on the substantive challenge to the frame-up conviction of Walker.

Corey Walker has made it clear that he wants attorney Wolkenstein to represent him in his appeal. In his brief autobiographical statement about the case ("A Call for Justice,") Corey has written about the difficult hurdles he faces in his fight for freedom and exoneration, but notes hopefully: "I have the help of a lawyer, Rachel Wolkenstein, who believes in my innocence and knows my case inside and out." The OAG intends to crush Corey's hopes and to cover up its own malfeasance.

It is not surprising that the OAG wants to banish Rachel Wolkenstein from the courtroom. She has fought for the oppressed and for civil rights for 40 years. The Pennsylvania authorities are acutely aware of her well-known and groundbreaking work in defense of class war prisoner Mumia Abu-Jamal. From 1975 to 2010, Wolkenstein was staff counsel for the Partisan Defense Committee (PDC), the legal defense organization founded

on the principles of class struggle that initiated the first international campaigns in defense of Mumia. She was co-counsel for Mumia in his post-conviction appeal proceedings (PCRA) from 1995 to 1999. She was instrumental in discovering and bringing to light evidence that proved Mumia was innocent. And she has continued to fight for Mumia, unabashedly pointing to the thoroughgoing police corruption at the center of the frame-up against him.

Lawyer denounces racist, class-biased system

In August 1995, less than three weeks before Mumia's date of execution, the racist hanging judge Albert Sabo had Wolkenstein dragged out of the courtroom in handcuffs and jailed. Why? Because she insisted that she be allowed to introduce evidence of racial disparities in the jury selection and in the implementation of the death penalty. That's the nub of the problem for the OAG. Wolkenstein has forcefully denounced the inherently racist and class-biased character of the U.S. justice system.

Even those who get their understanding of the court system from TV shows like *The Good Wife* or John Grisham novels know it is biased against the poor, Blacks and Latinos swept up in the net of state coercion. But heaven help the lawyer, that "officer of the court," who utters aloud such descriptive statements of reality. The no-clothes emperors of capitalist class "justice" will not have it. They will not allow their naked racism to be acknowledged for all to see. And the blindfolded lady with the scales? She doesn't exist. In *voir dire* jury selection judges regularly ask prospective jurors, "Can you be fair?" They never ask if the criminal justice system can be fair.

The Pennsylvania Office of the Attorney General has made it clear that it is Wolkenstein's openly expressed left-wing political views and her legal public defense of Mumia Abu-Jamal that make her representation of Walker

"intolerable." The AG's "Motion to Vacate Order Admitting Rachel Wolkenstein to represent Corey Walker *pro hac vice*" listed a number of patently phony "irregularities" of professional conduct before getting to the heart of the objections: Wolkenstein's "contempt" in Judge Sabo's courtroom and her "intolerable" politics:

"Ms. Wolkenstein's prior public statements and conduct reflect a disdain and repudiation of the authority, integrity, and legitimacy of the courts and the established criminal justice system, and Ms. Wolkenstein has publically communicated her conviction that the judicial system is an organ of oppression of racism controlled by, and subservient to, elite capitalists that must be overborne through a socialist revolution."

So socialists cannot practice law in Pennsylvania? It brings to mind Gandhi's famous quip when asked what he thought of Western Civilization after a visit to Europe: "I think it would be a good idea." So also for the integrity and color-blindness of the capitalist courts. In fact, the racist and class nature of the "justice system" is at the heart of the persecution of Corey Walker, and an understanding of that is key to mounting a vigorous defense for him. And as a simple matter of law, Wolkenstein's political views should be constitutionally protected under the First Amendment. All lawyers and their clients should be very, very afraid of such political tests.

The attempt to bar Rachel Wolkenstein from representing Walker *pro hac vice* is a transparent and unconstitutional ploy. Eminent Professor Geoffrey Hazard, Emeritus Professor of Law at the University of Pennsylvania, Hastings College of Law, University of California and Yale University provided a July 1, 2015 Opinion Letter, incorporated into Petitioner Corey Walker's Supplemental Memorandum in Opposition filed on July 7, 2016, stating in part:

“In summary, in my opinion the situation does not justify termination of your *pro hac vice* admission....The situation as a whole illustrates the importance of *pro hac vice* representation in prisoner cases. In my opinion, there is a corresponding need to avoid over-strict application of rules of professional conduct. No part of your conduct involved the core principles of professional ethics, which are maintenance of loyalty and confidentiality and, in litigation, zealous representation.”

Professor Hazard added knowingly: “I can well understand that the AG would not like having to deal with your representation of Mr. Walker, but that is not a basis for revoking your *pro hac vice* admission.” It’s not hard to understand why the OAG fears zealous representation. And no one understands the stakes better than the prisoner himself. Corey Walker responded to the OAG motion to disqualify his attorney:

“I am outraged that my attorney Rachel Wolkenstein’s integrity is being questioned by the AG. I’m an innocent man who’s sentenced to life in prison because the prosecution and police manufactured false evidence. That in itself tells you whose integrity should be questioned. Yes, the police and prosecution!”

Professor Hazard’s letter highlights the OAG’s very real fear that Wolkenstein will provide her client with a vigorous defense that will expose their misconduct, perhaps even criminal misconduct. Her defense of Mumia Abu-Jamal buttresses this, revealing the racist injustice that undergirds the lies and frame-up. Although Mumia was targeted for his political views and Corey Walker is not political, just someone caught up in the “drug wars,” police corruption and the Pennsylvania frame-up justice system lies at the heart of both cases.

During the infamous McCarthy anti-red witchhunts of the 1950s, the

government rounded up suspects based on the books in their libraries, dragged them through the suffocating mud of star-chamber court proceedings, and then often arrested their lawyers. It was dangerous work to legally represent those accused of the sin of communism during that period of anti-communist hysteria. But there was a certain perverse logic in the practice of threatening and terrorizing the lawyers of the victims. The vulnerable were made even more vulnerable, less able to assert their constitutional rights, and silenced in the court of public opinion.

Many now look back on that period with shame and regret, although liberals played a key role in it just as much as the Joe McCarthy reactionaries. But for the pillars of the criminal justice system, the edifice of injustice is still intact. That system targets lawyers such as Lynne Stewart, defender of the poor and marginalized, sentencing her to ten years in prison on phony charges in a government vendetta for representing the “blind sheik” accused of terrorism. And applying that logic to Rachel Wolkenstein, they seek to nail down the frame-up of Corey Walker.

Yes, we all know the statistics. But behind those statistics are living men and women whose Black lives matter. Corey Walker’s life matters. Lorenzo Johnson’s life matters. Corey and Lorenzo are what the mass incarceration looks like in the flesh: two actually innocent men behind bars for 19 years, their lives wasted in pain and prison torture, their families tormented, and yet they keep on fighting because they are innocent and need our help.

I am a man

We must insist on the humanity of our brothers and sisters in prison. Against the grain of U.S. racist history, we must demand that those Black people are entitled to democratic rights. The legacy of slavery carried forward through the brutal machinery of the

capitalist state denies that humanity. The simple assertion of African American humanity has deep political resonance. That is why the Memphis sanitation workers, in 1968, carried the now iconic poster, “I AM A MAN.” Why the Attica prison rebels proclaimed, “We are men, not beasts.”

The fight for Corey Walker’s day in court with the counsel of his choice, Rachel Wolkenstein, to provide a vigorous legal defense for his freedom and for justice, is a fight for all of us. But we cannot rely on the capitalist legal system that has racism embedded in its pores and sinews. It will take nothing less than a mobilization of working class power and the oppressed to confront the machinery of the capitalist state that has locked up Corey Walker and so many other innocent men and women.

But we have the truth on our side, and when Corey walks out of that awful prison a free man at last, it will be an important victory for all of those locked away under the U.S. racist policy of mass incarceration.

Charles Brover was Co-chariman of the Partisan Defense Committee from its founding in 1973 to 1995 as it built the international campaign to save Mumia Abu-Jamal. Co-author and editor of the video, “From Death Row, this is Mumia Abu-Jamal” (1990).

—Free Corey Walker, February 7, 2016

<http://www.freecoreywalker.org/jim-crow-justice.html>

www.freeCoreyWalker.org

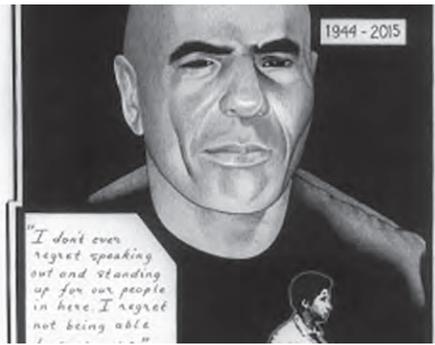
www.RachaelWolkenstein.net



Hugo “Yogi Bear” Pinell (1945-2015)

Love and lessons in memory of a comrade

BY KEVIN RASHID JOHNSON



Comrade Hugo “Yogi Bear” Pinell was murdered on August 12, 2015 at California’s New Folsom State Prison. He was a veteran and much loved leader of the Prison Movement against oppressive prison and social conditions. On behalf of the New African Black Panther Party Prison Chapter (NABPP-PC), I would like to share some thoughts in his honor and memory, and to also point out important lessons our movement must learn and carry on from his legacy.

The love

Enough has been reported about circumstances surrounding Comrade Hugo’s death for us to conclude that he was set-up by California prison officials and assassinated by their inmate lackeys. But by murdering him, the pigs have given our struggle yet another martyr and hero whose memory and example will inspire us today and for generations to come, just as his own comrade and mentor George L. Jackson’s has.

In death as in life, Hugo stands out as a shining example of one transformed by a love and dedication to the cause of the oppressed and to “serve the people,” that only a conscious revolutionary awakening and practice can bring.

He was confined in California’s inhumane solitary confinement units

for 43 years. Places whose primary purpose was to break the will and sanity of those who dared to oppose the oppressive order and divisive prison culture created and cultivated by our captors. But Hugo was never broken.

He had been a leader, alongside Comrade George, of the first wave of the Prison Movement (of the 1960s and 70s), that was based largely in California’s prison system. Following Comrade George’s own assassination by prison guards on August 21, 1971, Comrade Hugo faced the system’s backlash against, and suppression of that movement. Which included an unprecedented wave of construction and expansion of “super-maximum” security and solitary confinement prisons and units across the U.S.—places designed and used to isolate and torture participants in that movement and those with potential to revive it in future, including Hugo.

Ironically, it has been resistance against these very places and their torturous conditions that sparked today’s second wave Prison Movement, again based largely in California, and which comrade Hugo, in his advanced years and even while in uncertain physical health, joined and helped lead without hesitation. He continued to set the example, as he had for decades, of practicing and building unity and giving freely of himself, to the cause of all oppressed people regardless of nationality or race.

Today’s movement has united tens-of-thousands of prisoners in three historical hunger strikes (in 2011 and 2013), to end racial and group conflicts, and has prompted prisoner-initiated lawsuits, all of which have won broad and international public support for prisoners and opposition to the

widespread use of torturous solitary. As a result, prison officials in California and across the country have been induced to change their policies on the use of, and to release many prisoners from, solitary. Comrade Hugo was among those released, but with sinister designs.

Just within two weeks after he was released and secretly transferred to New Folsom, he was killed.

Since his death an outpouring of letters, articles and poems from both prisoners and non-prisoners, have paid tribute to his memory and the infectious love and integrity he extended to others.

It was this love and his political awakening that gave him the fortitude to endure the system’s cruelest oppressions in its failed attempts to crush his spirit, and inspired him to struggle relentlessly to transform himself into a revolutionary “new man,” to embody in himself the principles and morality of the future cooperative people-centered, not property-centered, society and world that our broader revolutionary struggle aims to create. As he stated in 2013:

“In 1967 when I joined the liberation movement in San Quentin, one of the goals was to build a new man, the way Brother Malcolm X showed we could. We don’t know how long it will take to create that new, beautiful world. It might take generations. But if we continually work at it and try to create the new man in ourselves, we can achieve a personal freedom. I go through different changes to stay human for I will never get used to isolation and desperation.”

We must hold comrades like Hugo aloft as standard bearers of the sort of character, consciousness, commitment

and love that we must cultivate within this struggle for the elimination of all forms of oppression against all peoples and not merely for those who look like us or have similar backgrounds.

The lessons

Like Comrade George, who founded the first prison chapter of the original Black Panther Party, Comrade Hugo came to the struggle from the streets. They were not from the traditional layers of the working class (proletariat), nor academia, nor any privileged strata of society. Instead, they came from the criminalized element that many in society look down on and reject as social pariahs, predators, and the “underclass”—the “lumpen proletariat”—whom Karl Marx recognized as politically malleable and thus “as capable of the most heroic deeds and the most exalted sacrifices as the basest banditry and the foulest corruption.”

Comrade Hugo represented that “heroic” element, while those who were used to kill him represented those subject to the “foulest corruption.”

In this we find the significance of his and comrade George’s mission within the prison movement and the BPP-PC, to “transform the criminal mentality into a revolutionary mentality” (to paraphrase Comrade George). We in the New Afrikan Black Panther Party—Prison Chapter (NABPP-PC) recognize this as a fundamental principle of “Pantherism” and means of remolding the lumpen proletariat. Which is by no means a trivial matter. In fact our success in reaching and remolding the lumpen is essential to the success or failure of our struggle against this oppressive system. Why? Because if we don’t transform or remold the class values and world outlook of the vast numbers of lumpen in favor of the broader revolutionary struggle, the Establishment will bribe, manipulate and use them against the struggle and its organizers just as it did in assassinating Hugo and many other comrades.

They tried it for many years with Comrade George. As his editor Gregory Armstrong wrote in the preface to his book, *Blood in my Eye*:

“[Comrade George] paid a heavy price for his activities. When the prison couldn’t break him through solitary confinement, they attempted to have him killed by other inmates: ‘They were forced to frame me and set me up for the final kill.’ The word was out among white convicts: ‘Get Jackson. it will do you some good.’ Once he remarked that there had been twenty setups on his life inside prison. It got so that when he left his cell he was always ready to parry an attack.”¹

I’ve also faced the same pig games upon being interstate transferred from my home state of Virginia to the Oregon prison system in 2012, and then to Texas in 2013, where I remain.²

Indeed, it is standard operating procedure of police and prison “gang” unit officials to manipulate and instigate oppressed community youth to endlessly war with each other while regarding the pigs with fear and awe. In this manner the youth have been converted from struggling against the oppressive system and uniting to improve their communities, to fighting each other, destroying their own communities, and thereby giving the pigs the needed pretexts to justify the system’s increasingly militaristic and police state posture, occupation, surveillance, murderous violence and mass imprisonment targeted against us all.

As Crips co-founder Stanley “Tookie” Williams observed in his 2004 book *Blue Rage, Black Redemption*:

“Yes, America, as unbelievable as it may seem, ‘hood cops, with impunity, commit drive-by’s, and other lawless acts, it was common practice for them to abduct a Crip or Bounty Hunter and drop him off in hostile territory, and then broadcast it over a loudspeaker. The predictable outcome was that the rival was either beaten or killed on the spot, which

resulted in a cycle of payback. Cops would also inform opposing gangs where to find and attack a rival gang, and then say, ‘Go handle your business!’ Like slaves the gang did exactly what their master commanded. Had they not been fueled by self-hatred, neither Crips, Bounty Hunters, nor any other Black gang, would have been duped

“The hood cops were pledged to protect and serve, but for us they were not there to help, but to exploit us—and they were effective. With the cops’ Machiavellian presence, the gang epidemic escalated. When gang warfare is fed and fueled by law enforcement, funds are generated for the so-called anti-gang units. Without gangs, these units would not exist.”

The same games are played by prison officials to foment racial and gang violence inside U.S. prisons.

Furthermore, it has been specifically admitted in response to Congressional investigations that the government has manipulated such groups to violently target and kill members of revolutionary groups like the BPP, in its efforts to destroy them and counter their struggles to help the urban poor meet their economic, political, social, and security needs that this racist, imperialist system will not, and cannot. This practice was exposed in Congressional investigative reports on the FBI-led Counterintelligence Program (COINTELPRO)—a secret war waged against the BPP and other New Afrikan/Black civil rights and liberation groups. The report by Congress admitted:

“This report does demonstrate... that the chief investigative branch of the Federal Government, which was charged by law with investigating crimes and preventing criminal conduct, itself engaged in lawless tactics and responded to deep-seated social problems by fomenting violence and unrest...”

“The select committee’s staff investigation has disclosed a num-

ber of instances in which the FBI [manipulated] violence prone organizations...in an effort to aggravate 'gang warfare'...equally disturbing is the pride which these officials took in claiming credit for the bloodshed that occurred...

"Approximately 28 percent of the [FBI's domestic covert action] efforts were designed to weaken groups by setting members against each other or to separate groups which might otherwise be allies and convert them into mutual enemies. The techniques used included...encouraging hostility up to and including gang warfare between rival groups..."³

Remember, the German Nazi's original armed enforcers and shock troops (the "SA" in full *Sturmabteilung*, also known as Storm Troopers, or Brown shirts) came from the *Freikorps*, which was composed largely of Germany's youth gangs and lumpen (poor unemployed and "criminal" street youth), whom the Nazis used to stir up racial discord and violence, attack and terrorize their political opponents and enemies, violently suppress revolutionary elements, and generally foment the social chaos and race-based hysteria, fear and animosities that carried the Nazis to power.

But as Frantz Fanon recognized, the power structure recognizes the lumpen are ideologically weak, and while they may therefore be manipulated so long as they remain politically ignorant and opportunistic, this also makes them unreliable and impulsive. For this reason they are typically bribed and used by the pigs, but once their purpose is served, the pigs violently repress and/or imprison them for the "crimes" they were used to commit.

This is what Hitler did to the SA. Once the SA served his violent ends, he turned on them and their leadership and used his well-indoctrinated elite "SS" corps (in full *Shutzstaffel*) to slaughter and "purge" the SA.

Those of us who live in oppressed communities and prisons see these tactics used every day by the pigs at all levels. But mainstream Amerika does not, and therefore suffers cognitive dissonance when the true murderous face of the overall police and prison establishment is put on display, as it has been of late, due to mass protests and social media exposures by the victimized communities.

It should be noted that the police response to these exposures has been to foment and "allow" a heightened level of violence and insecurity to reign in our communities, in efforts to silence and quell protests and make their own militaristic posture and murderous violence appear justified and needed to "control" our communities.

The BPP's theoretical leader and co-founder Huey P. Newton understood the essential need to transform the lumpen from a force of mass reaction subject to the misuse and abuses of the pigs, into a revolutionary force who would instead serve their oppressed communities and expose the true role of the pigs within them. Comrade Huey grasped Frantz Fanon's insights on the lumpen, that if those struggling to change oppressive conditions did not win the lumpen over to their cause, then the enforcers of that oppressive system would organize the lumpen against those fighting for change. Comrade Bobby Seale, who co-founded the BPP with Huey, pointed this out:

"Huey understood the meaning of what Fanon was saying about organizing the lumpen proletariat first, because Fanon explicitly pointed out that if you didn't organize the brother who's pimping, the brother who's hustling, the unemployed, the downtrodden, the brother who's robbing banks, who's not politically conscious—that's what lumpen proletariat means—that if you didn't relate to these cats, the power structure would organize these cats against you."⁴

This is why we must actively reach the lumpen, open their eyes, and remold their world outlook.

Recognizing this, we can understand why when the pigs could no longer keep Comrade Hugo locked away, isolated from the prisoner masses in solitary, they opted to kill him. He could not be allowed to awaken those in the general prison population, to transform their criminal, lumpen and "gangsta" mentality into a revolutionary mentality. This too is why since the first wave Prison Movement, Comrade George's books have been increasingly banned from entering the prisons, especially California's, as has my own book and NABPP-PC literature. The pigs want to nurture and preserve the gangsta and criminal mentality amongst us. They have worked actively to counter efforts to politically awaken the oppressed. And they have largely succeeded. This is why the system expended more resources and manpower on destroying the BPP than against any other group in U.S. history. And alongside its assault on this leadership, the gangsta and criminal mentality was promoted. "We" didn't do this. The gangs didn't do this. The pigs did! And BPP comrades saw it in the making. As BPP Comrade Geronimo Ji-Jaga (Pratt) reflected in a 1993 interview:

"Huey Newton gave a lecture on that one time and we had foreseen that this was gonna happen. After the leadership of the BPP was attacked at the end of the '60s and the early '70s, throughout the Black and other oppressed communities, the role models for up-coming generation became the pimps, drug dealers, etc. This is what the government wanted to happen. The next result was that the gangs were being formed, coming together with a gangster mentality, as opposed to the revolutionary progressive mentality we would have given them."⁵

Comrade Hugo represented the sort of political consciousness that officials

see need to ensure doesn't take root amongst broad numbers of prisoners and especially not within the oppressed communities.

To this end prison officials have applied a dual tactic of not only suppressing literature which would open prisoners' eyes politically, but they've worked to portray "gangsta" values as revolutionary. In the void of revolutionary consciousness, various youth groups have been able to pass off lumpen behavior and ideas as resistance to "oppression" and even "revolutionary." Often this has come from officials isolating the groups' more conscious leaders and "allowing" apolitical and opportunist ones to rise in their place. As I've written elsewhere, many of today's so-called gangs began with or at some point pursued noble aims of serving their communities, but were derailed and led down counter-productive paths.⁶ Indeed, on many, many occasions, after I've talked and/or shared literature on the NABPP-PC and the BPP with prisoners who belong to various groups, they express they'd joined those groups under the misguided belief that they were liberation groups like the Panthers actually were, and that they'd been falsely taught that the Panthers were/are criminal gangs.

This has come about, because the system has, since the 1960s and 70s, engaged in a campaign of disinformation, a program counter to the work of Comrades Hugo, George and the BPP-PC. The system's aim has been to transform the revolutionary mentality that gained prominence under their leadership back into a criminal mentality.

Conclusion

This is why we must, along with memorializing the life and memory of these comrades, also reclaim and consciously carry on their work and legacy of revolutionizing the values and practice of prisoners and our oppressed communities. In this way we give the highest honor and praise to their lives

and sacrifices, and ourselves embody the values they exemplified and showed us can be lived by us today, in pursuit and reflection of the beautiful world we are building toward for tomorrow.

Dare to struggle, Dare to win!

All power to the People!

1 George Jackson, *Blood in My Eye* (Baltimore: Black Classic Press, 1990)

2 In 2009 the Virginia State Police in collaboration with federal agencies compiled an "intelligence" (sic!) report purporting to identify "terrorist threats" in Virginia. I, as co-founder of the NABPP-PC was identified as such a "threat" under the bogus profile of a Black Separatist and racial "hate group"—although we specifically oppose both racial separatism and discrimination

The reason I was thus profiled was because (get this!), I'd had numerous articles published exposing officials' abuses of prisoners. The report found this objectionable because my writings were receiving significant public attention and generating negative public views of the law enforcement (sic!) establishment. There was no concern about the abuses nor that they were the actual cause of the lowered public opinion. The report then criticized me—totally contradicting its bogus claim that I am a separatist—as a proponent of a "brotherhood of the oppressed" philosophy. Also, because the NABPP-PC aspires to carry on the work of the BPP. Recall, one of the tactics of the illegal FBI-led Counterintelligence Program (COINTELPRO) against the BPP, was trying to discredit the group by falsely portraying it as an anti-white racist "hate" group. So this game rings familiar. Another of its dirty tactics, (most relevant here), was to try to violently incite other groups and gangs against the BPP and its leaders

In this regard, following falsely profiling me as a Black racist, Virginia officials had me interstate transferred across the country in 2012 to the Oregon prison system, one of Amerika's very few systems that has a predominantly white (and small Black minority)

prisoner population. Oregon's system also boasts over a dozen white supremacist prisoner groups

After having spent 17 years in solitary in Virginia, I was immediately released to Oregon's general prisoner population, whereupon officials began circulating false rumors to the white groups claiming I was the leader of an anti-white group that wanted to engage whites in a race war and that I was a sexual offender. (I've never been charged with, nor convicted of, any sex crimes.) Their intentions were obvious, but didn't pan out as they'd planned. Instead of a racial clash occurring, I was able to politically engage many of the prisoners and groups, and link them up with the prison movement in California. Oregon prisoners joined the 2013 California-based prisoner hunger strike

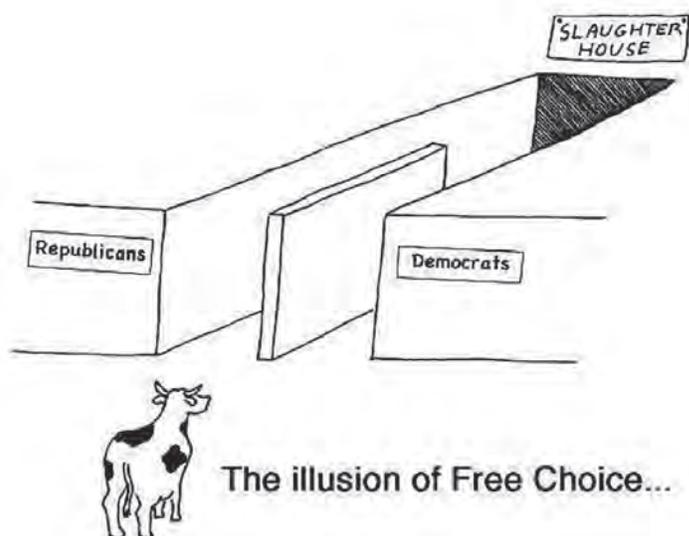
That same year I was interstate transferred again. This time from Oregon to Texas, where I remain, and where the same sort of pig games and bogus racial profiling of me continues.

3 See Book III, especially of Church Committee, U.S. Congressional Report: Intelligence Activities and the Right of Americans, 94th Congress, 2nd Session, Report No. 94-755 (1976).

4 Bobby Seale, *Seize the Time: The Story of the Black Panther Party and Huey P. Newton* (Baltimore: Black Classic Press, 1991), p. 30

5 Quoted in Mumia Abu-Jamal, *We Want Freedom: A Life in the Black Panther Party*, (Boston: South End Press, 2004), pp 237-238

6 See Kevin Rashid Johnson, "Kill Yourself or Liberate Yourself: The Real I.S. Imperialist Policy on Gang Violence vs. The Revolutionary Alternative," <http://rashidmod.com/?=626>; also, *Panther Vision: Essential Party Writings and Art of Kevin "Rashid" Johnson* (Montreal: Kersplebedeb, 2015, pp 97-131



Prosecutors' Vested Interests vs. the Truth

BY BRYANT ARROYO

In the government, the prosecutor's office represents the state in each of the federal judicial districts. The District Attorneys and Attorney Generals are vested with the power to represent "we the people" on behalf of the commonwealth's interest. Before becoming an elected official, they begin kicking the political football by using their propaganda machine to influence the votes of "the people" with the promise of protecting the victims of crime, and safeguarding the actually innocent from wrongful conviction. The D.A. and Attorney General's office are sworn to "search for the truth" during every trial—not just to obtain an outright conviction.

There are three concepts of truth: 1) Agreement of thought and reality; 2) Eventual verification; and 3) Consistency of thought with itself. Most D.A.s and Attorney Generals fail to "seek the truth" in accordance with both the spirit and letter of the law. If you think the truth doesn't matter, think again. When one's life is in the

hands of an authority figure you can only hope this elected official is vested in, and stands firm in, the truth. Otherwise, you can end up being the next unsuspecting victim subjected to our fractured judicial system, represented by these empty suits who decline to adhere to the oath they were sworn to uphold with integrity in every trial.

On the other hand, every elected official will be confronted with the dilemma of choosing to either "seek the truth," and thus commit political suicide, or manipulate and misrepresent the facts to seek a wrongful conviction to secure their political careers. They must choose to stand for the unpopular notion of being on the side of truth or choose popularity and untruth. This question remains unanswered, and will only become clear once the elected official has taken office. Then, the people will get to know where this elected official stands when it comes to searching for the truth during his tenure performing his elected duties.

This reminds me of the old adage "The lie travels halfway around the world before the truth puts on its shoes." It is unconscionable that there are so many citizens that have been wrongly imprisoned for years, especially, when one day spent in prison for a gross miscarriage of justice is one day that can potentially be their last. How many more actually innocent citizens wrongfully convicted will it take before the taxpayers and politicians will initiate the proper legislation to make the necessary changes to our fractured criminal justice system and hold the D.A.s and Attorney Generals accountable for their failure to live up to

their sworn oaths to search for the truth in every trial?

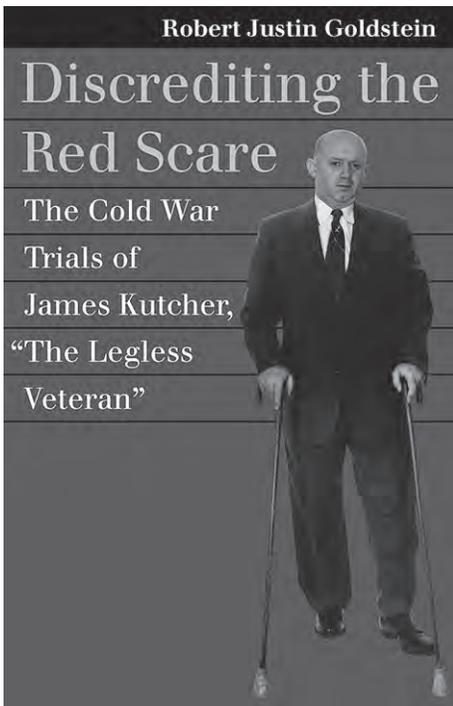
In the article featured in *Socialist Viewpoint* entitled: "Our Broken Judicial System," written by Lorenzo "Cat" Johnson, (Vol. 15, No. 6, pp 72-73), he highlights a grim history that is replete with the outrageous number of 125 wrongfully convicted men and women who were formally exonerated in the nation, up to the year of 2014. The record further substantiates the Prosecutors' and Attorney Generals' egregious practice of failing to seek the truth to prevent the actually innocent from suffering a gross miscarriage of justice. Our broken judicial system continues to rear its ugly head by wrongfully imprisoning innocent people who, years later, are found to be innocent and are finally released. There is a timely quote by the late Senator Barry Goldwater (1909-1998) about this: "Now those who seek absolute power even though they seek it to do what they regard as good are simply demanding the right to enforce their own version of heaven on earth, and let me remind you, they are the very ones who always create the most hellish tyranny." It is frightening to know that our lives are subjected to these elected officials who are sworn to uphold their oath to seek the truth at all cost, but refuse to do so. Historically, these elected officials have obviously engaged in misrepresenting the truth by twisting the laws to trap taxpaying citizens, to pad their resume with convictions of innocent victims. Do our lives really matter to these elected officials?

—Prison Radio, January 4, 2016

Write to:
Bryant Arroyo #CU-1126
SCI Frackville
1111 Altamont Blvd.
Frackville, PA 17931



Discrediting the Red Scare



Discrediting the Red Scare, The Cold War Trials of James Kutcher, "The Legless Veteran"

By Robert Justin Goldstein
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During the Allies' invasion of Italy in the thick of World War II, American soldier James Kutcher was hit by a German mortar shell and lost both of his legs. Back home, rehabilitated and given a job at the Veterans' Administration, he was soon to learn that his battles were far from over. In 1948, in the throes of the post-war Red Scare, the hysteria over perceived Communist threats that marked the Cold War, the government moved to fire Kutcher because of his membership in a small, left-wing group that espoused

revolutionary ideas. Kutcher's eight-year legal odyssey to clear his name and assert his First Amendment rights, described in full for the first time in this book, is at once a cautionary tale in a new period of patriotic one-upmanship, and a story of tenacity in its own right.

The son of Russian immigrants, James Kutcher came of age during the Great Depression. Robbed of his hope of attending college or finding work of any kind, he joined the Socialist Workers Party, left-wing and strongly anti-Stalinist, in his hometown of Newark. When his membership in the SWP came back to haunt him at the height of the Red Scare, Kutcher took up the fight against efforts to punish people for their thoughts, ideas, speech, and associations. As a man who had fought for his country and paid a great price, had never done anything that could be construed as treasonous, held a low level clerical position utterly unconnected with national security, and was the sole support of his elderly parents, Kutcher cut an especially sympathetic figure in the drama of Cold War witch-hunts. In a series of confrontations, in what were highly publicized as the "case of the legless veteran," the federal government tried to oust Kutcher from his menial Veterans' Administration job, take away his World War II disability benefits, and to oust him and his family from their federally subsidized housing. *Discrediting the Red Scare* tells the story of his long legal struggle in the face of government persecution—that redoubled after every setback until the bitter end.

"The case of James Kutcher, the 'legless veteran,' is all but forgotten today, but it deserves to be a reminder of the mass hysteria that overtook the country during the Red Scare of

the 1940s and 1950s. Robert Goldstein's prodigious research and careful analysis do not hide the anger that he and we should feel about this case. It is a brilliant indictment of a country that forgot what the Bill of Rights meant, as well as the story of an 'ordinary man' who showed extraordinary courage."

—Melvin I. Urofsky, author of *Dissent and the Supreme Court: Its Role in the Court's History and the Nation's Constitutional Dialogue*

"The celebrated—Arthur Miller, Lillian Hellman, and J. Robert Oppenheimer—as well as ordinary librarians, teachers, and bus drivers—all suffered through the anti-communist hysteria of the Truman-McCarthy-Eisenhower years. Robert Goldstein's well-researched and lively monograph helps to rescue two of the unsung heroes of this tragic era who stood up against the government witch-hunters: James Kutcher, the legless World War II veteran and outspoken Trotskyite, who triumphed over the loyalty machinery of the Veterans Administration, and his redoubtable lawyer, Joseph L. Rauh, Jr., who made that victory possible."

—Michael E. Parrish, Distinguished Professor of History, Emeritus, University of California, San Diego

Robert Justin Goldstein is emeritus professor of political science at Oakland University. His many books include Flag Burning and Free Speech: The Case of Texas v. Johnson and American Blacklist: The Attorney Generals List of Subversive Organizations, both from Kansas.

—University Press of Kansas, March 2016

<https://kuecprd.ku.edu/~upress/cgi-bin/978-0-7006-2225-2.html>

Dear Editors,

**Alan Rickman—February 2,
1946-January 14, 2016**

Alan Rickman was born in London and grew up in a working class council estate in west London. He died of cancer in London this week, aged 69, surrounded by his family and friends. He was a talented and adaptable actor, a decent and kind human being, but also had a keen social conscience and was politically active. He gave his time, energy and money campaigning for human rights, refugees and many other worthy causes.

In December 2015, Alan Rickman lent his famous voice to a video of a tortoise eating a strawberry. He was working with Save the Children and the Refugee Council to create a viral video that would help raise money for the two charities. By watching the video, viewers can help raise money for children and refugees.

“It works like this,” Alan Rickman’s says in the video. “The more views the

video gets, the more advertising revenue YouTube will give us. Together, you and this tortoise can make a difference.”

Alan Rickman was also an ardent supporter of the Palestinian people’s rights and their struggle for justice. In 2005, he edited and directed the award winning play; “My Name is Rachel Corrie,” with the help of journalist Katharine Viner. The play is based on the diaries and emails of Rachel Corrie. The focus of the play is around the events leading up to Corrie’s death, which her family members and eye witnesses say was an intentional killing and Israel claims was “accidental”.

Rachel Corrie (April 10, 1979-March 16, 2003) was a young American student, peace activist and member of the International Solidarity Movement (ISM) who traveled to Palestine during the Second Intifada (uprising). She was killed by a Caterpillar D9R armored bulldozer operated by the Israel Defense Forces (IDF) while protesting against the destruction of a Palestinian house by the IDF in the Gaza Strip. An Israeli

military investigation ruled the death to be an accident, but the ISM maintains that Corrie was run over deliberately. In 2012 the Haifa District Court ruled in a lawsuit filed by Corrie’s parents that her death was an accident.

Alan Rickman’s political involvements during his life meant he did make a difference. Alan Rickman left behind a legacy of a life well lived. Though his wonderful film roles, caring efforts and projects, he lives on. Alan Rickman and Rachel Corrie were both compassionate and righteous people who stood up for just causes. For these reasons, Alan Rickman’s important contributions to the liberation of Palestine and work to help other deprived people will never be forgotten. He will be remembered and will live on in our hearts. Thanks and RIP Alan Rickman.

—Steven Katsineris

Free Oscar Lopez Rivera

Puerto Rican political prisoner

BY STEVEN KATSINERIS

“I don’t have any blood on my hands. I haven’t victimized anyone. And I’ve devoted most of my life serving a just and noble cause and struggling to help make this world a better and more just one.”
—Oscar Lopez Rivera, in a February 2011 letter.

For over 32 years Puerto Rican Political Prisoner Oscar Lopez Rivera has been imprisoned in the United States for his activities in support of freedom and independence for his country, the island of Puerto Rico.

Oscar Lopez Rivera was arrested on May 29, 1981 and accused of seditious





Oscar Lopez Rivera

conspiracy. He was later sentenced to 70 years in prison. He has now served 33 years in prison, 12-and-a-half years of that in total isolation. These harsh conditions did not break Oscar's spirit, which they were seemingly intended to do. He remains a strong and principled man despite his long ordeal. But despite the lengthy time served Oscar still remains in prison.

Oscar was not accused or convicted of causing injury or taking life. During his presidency stated that Oscar Lopez Rivera's sentence was disproportionately lengthy and that Oscar should be released in September of 2009. Oscar's co-defendants were released as a result of the 1999 Clinton clemency. The other of Oscar's remaining co-defendants, Puerto Rican political prisoner Carlos Alberto Torres was released in July 2010.

Oscar has the support of a broad section of Puerto Rico's civil society, as well as the Puerto Rican and Latino communities across the USA. The decision to keep him in prison ignores the express will of the Puerto Rican people and those who believe in justice and human rights, including the tens-of-thousands of voices supporting his immediate release.

Among these many ignored voices are, the Puerto Rican Governor, members of the United States Congress; the state legislatures of New York, Illinois, Ohio and Pennsylvania; the city councils and county boards of many locales in the U.S. and Puerto Rico; the mayors of many towns in the U.S. and Puerto Rico, including the Association of Mayors of Puerto Rico; bar associations including the Puerto Rico Bar Association, the National Lawyers Guild and the American Association of Jurists; clergy and religious organizations, including the Ecumenical Coalition representing every religious denomination in Puerto Rico; human rights advocates, academics, students, artists, community organizations and workers.

The United States government consistently demands that other governments, in order to establish their democratic credentials, release political prisoners in their custody. The U.S.'s conduct is totally inconsistent with what the U.S. demands of other governments. The White House has recently proposed to initiate a process to resolve the status of Puerto Rico. A true process of self-determination under interna-

tional law should be accompanied by the goodwill gesture of releasing all political prisoners. This seems such an essential step towards a positive resolution to the Puerto Rican situation.

Oscar is now 70 years old and over 32-years is more than enough time served. Another 15-years or more in prison is utterly cruel and excessive. Together we can make a difference to ending this gross injustice. Help publicize this worthy cause and support the ongoing international campaign demanding the release of Oscar Lopez Rivera. We need everyone to continue to apply the pressure. We need everyone to continue to write letters, post on your websites, Facebook and tweet. We need to continue to apply the pressure. We can make a difference and your calls and letters will have an impact. Please act to help Oscar. Request that President Obama grant Oscar clemency and pardon him.

"His sentence, far too excessive, violates the most elemental principles of humanity, sensitivity and justice." — Puerto Rican Governor and Attorney Alejandro Padilla, October 2014.

Justice Scalia leaves some very big shoes to fill.



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SOCIALIST VIEWPOINT

Where to find us:

www.socialistviewpoint.org

info@socialistviewpoint.org

(415) 824-8730

EDITORS

Carole Seligman, Bonnie Weinstein

GRAPHIC & WEB DESIGN

Mykael

BUSINESS MANAGER

Carole Seligman

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Note to Readers:

Socialist Viewpoint magazine has been edited and distributed by a group of revolutionaries who share a common political outlook stemming from the old Socialist Workers Party of James P. Cannon, and Socialist Action from 1984 through 1999.

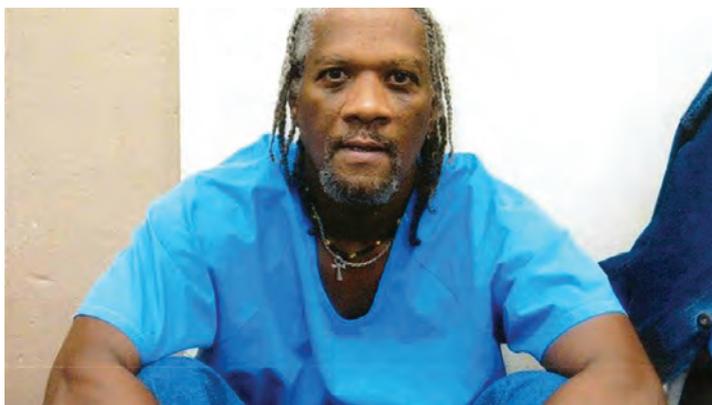
After being expelled from Socialist Action in 1999, we formed Socialist Workers Organization in an attempt to carry on the project of building a nucleus of a revolutionary party true to the historic teachings and program of Marx, Engels, Lenin and Trotsky.

What we have found is that our numbers are insufficient for this crucial project of party building. This problem is not ours alone; it is a problem flowing from the division and fragmentation that has plagued the revolutionary movement in capitalist America and the world since the 1980s.

What we intend to do is to continue to promote the idea of building a revolutionary Marxist working class political party through the pages of *Socialist Viewpoint* magazine. We continue to have an optimistic outlook about the revolutionary potential of the world working class to rule society in its own name—socialism. We are optimistic that the working class, united across borders, and acting in its own class interests can solve the devastating crises of war, poverty, oppression, and environmental destruction that capitalism is responsible for.

We expect that revolutionaries from many different organizations, traditions, and backgrounds will respond to the opportunities that will arise, as workers resist the attacks of the capitalist system and government, to build a new revolutionary political party. Just as we join with others to build every response to war and oppression, we look forward to joining with others in the most important work of building a new mass revolutionary socialist workers' party as it becomes possible to do so.

Petition: An Innocent Man Could Be Put to Death



Kevin Cooper

“The State of California May Be About To Execute An Innocent Man.”
Judge William A. Fletcher—Ninth Circuit Court

In 1983, a family was brutally murdered, slashed over 144 times in 4 minutes. The only survivor was their eight-year-old son, who was left with his throat cut. According to five federal judges and many experts, the wrong man will be executed for these murders. Kevin Cooper, an African American man, was convicted of the killings despite two witnesses who said they saw white men driving away from the home in the family’s stolen car. Even the surviving child told the police that it was three white or Latino men who killed his family.

Cooper’s only hope is Governor Jerry Brown. Unless Governor Brown intervenes and commutes his death sentence, Kevin Cooper will be put to death. The facts of the case make it clear that a great injustice has occurred and must be corrected. We ask Governor Jerry Brown to exercise his constitutionally mandated power to grant clemency. After the murders, a local woman went to police with the belief that her estranged husband, a convicted killer, was responsible for these murders. She said his hatchet was missing and turned over a pair of bloody overalls she found that night.

The police never tested the overalls. Instead, they threw them in a dumpster. Eleven years later, in 2004, the Ninth Circuit Court halted Cooper’s execution only hours before it was to occur,

ruling that some evidence used against him had been flawed and illegal: bloody shoe prints that couldn’t have belonged to Cooper, the destruction of the overalls, and other issues with the investigation. It was also discovered that the blood at the crime scene that the prosecution had said was Cooper’s actually had the DNA of two different people in it, a strong indication of lab error or deliberate tampering. Still, the California Supreme Court upheld Cooper’s conviction, and he could get his new execution date any day now. There is no doubt justice hasn’t been served. When it comes to the death penalty, we should be 100 percent certain of the person’s guilt.

Even some of the jurors that sent Cooper to death row regretted. “I let the police misconduct go and sentenced Mr. Cooper to death,” one wrote in 2004. “I now regret that decision.” The evidence surrounding these murders, and the actions of the prosecution make it clear that Kevin Cooper should not be put to death due to overwhelming doubt.

On April 29, 2011, Cooper’s attorneys Norman C. Hile and Katie C. DeWitt of Orrick, Herrington and

Sutcliffe LLP (a global law firm that represented Cooper for decades on pro bono basis) filed petition and request for precautionary measure with the Inter-American Commission on Human Rights (“IACHR”). There’s no doubt that Kevin is deprived of fair trial and due process of law—a cornerstone of every functioning society. After four years of deliberation and thorough investigation of Kevin Cooper’s petition, on September 12, 2015, the IACHR concluded in its 32-page report that Cooper’s right to due process (substantive and procedural) had been violated. The Commission recommended: (a) review of Cooper’s trial in accordance with the guarantees of due process and fair trial, (b) Cooper be tried in accordance with the rights enshrined under the American Declaration- as it applies to people accused of capital crimes.

Regardless of IACHR’s findings, the five Federal Judges’ well-reasoned dissent, overwhelming doubt, evidence tampering, pre-trial publicity of the case by the San Bernardino County Sheriffs, Kevin Cooper is slated to die.

Please sign the petition calling on Governor Brown to intervene. Kevin Cooper is an innocent person and should be set free, not executed.

Learn more about Kevin Cooper and donate to his legal defense fund at:

<http://www.savekevincooper.org/>

Sign the petition at:

<https://www.change.org/p/an-innocent-man-could-be-put-to-death>

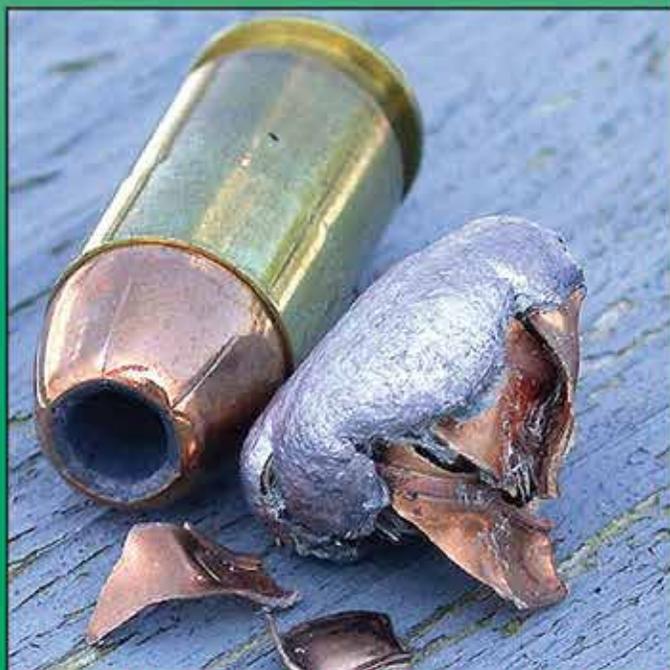
Note: Kevin Cooper’s lawyers have submitted a new petition for clemency to Governor Brown on February 18, 2016.

FREE KEVIN COOPER



Israeli parliament approves new laws that allow the imprisonment of Palestinian children as young as twelve for up to 20 years for throwing stones. Read *Arrested Adolescence* on page 34.

On the Front Cover: Residents in Flint, Michigan are using bottled water until their tap water is safe for them and their children. Read *Welcome to the United States of Flint* on page 6. ▶



U.S. police are killing people with war-crimes ammunition. Read *Dum-Dum Bullets* on page 24.

**HIJITOS
SEGUIMOS ESPERANDO
SU REGRESO A CASA.**



Susy, José, Bernardo, Mario y Alfredo.
"Por ustedes seguimos en pie y no nos moveremos hasta que volvamos a estar juntos"

#NOSFALTAN5

 Ayúdenos a encontrarlos

Less than 1% of crimes in Mexico result in someone being punished. Read *Mexico: State Terrorism As Governance* on page 30.