

# the SHADOW

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## HOMELAND OFFENSE: PENTAGON DECLARES WAR ON AMERICA!

By Frank Morales

**"The military has no plans for a take-over"--  
Former Defense Secretary William Cohen,  
ABC-Nightline, October 12, 1999.**

### Homeland Defense: Military Operations Other Than War

With the looming passage of legislation establishing a Department of Homeland Security and the imminent repeal of the Posse Comitatus Act, a criminal statute which bars the military from becoming the police in America, the complete legal consolidation of a military police state in the US is about to transpire. Projected to occur in conjunction with the October 1st, 2002 "standing up" of the Pentagon's newly-formed Northern Command, which is tasked with the defense of "the homeland," the scenario of a military take-over of America is unfolding. As has become apparent since 9-11, "defense" of the homeland translates into increased repression in the homeland.

Since the mid-1980s, US military/corporate strategists have sought to define "military operations other than war" (MOOTW) doctrine. Their aim: to rationalize and justify increasing application of military "expertise" to a wider array of operations, to grow the list of situations vulnerable to corporate/military penetration. US Joint Chiefs of Staff pronouncements on the subject are contained in Joint Publication 3-07, Joint Doctrine for Military Operations Other Than War, dated June 1995. The

document states that "the wide range of MOOTW provides the National Command Authorities with many possible options during unsettled situations."

In other words, MOOTW, "an extension of warfighting doctrine," sets loose US imperialism to intervene anywhere it wants, under whatever pretense ("unsettled situations"), in order to meet the requirements of a voracious and frenzied corporate elite. Consequently, its major feature is that these military operations are "sensitive to political considerations," where the requirement is to "understand the political objective and the potential impact of inappropriate actions." To this end, MOOTW requires "restraint in order to apply appropriate military capabilities prudently," and "perseverance" which allows for "protracted application of military capability in support of strategic aims." The broad listing of MOOTW "types of operations" includes "military support to civil authorities," under which "homeland defense" and the recently commissioned Northern Command operations are to be conducted. "Civil disturbance operations" are also situated within the doctrinal sphere of "military support to civil authorities."

"Homeland defense," in the context of the "war on terrorism," is a political

war which translates into the tactics and politics of counter-insurgency on the homefront. Consequently, the proposed Department of Homeland Security, with its sweeping consolidation of local, state, and federal (militarized) police entities, facilitates and intensifies the apparatus of state repression. It completes a process begun some time ago with the utilization of military "assets" to suppress civil disturbances (Operation "Garden Plot"), to execute the "war on drugs" and the militarized southern border (Joint Task Force Six), and to carry out the "war on terrorism" (Joint Task Force Civil Support), earlier Pentagon MOOTW operations.

### Democracy and Militarism

While the incompatibility of democracy and the military state should be self-evident, a "war on terrorism," framed, interestingly enough, as both a law enforcement and military operation, grinds on, facilitating passage of repressive laws and the freeing up of the "intelligence community" to spy on Americans. And yet it should be recognized that the current "war on terrorism" is only the latest means devised by the corporate/military elite of masking their underlying race and class-based agenda, which is to mount a deepening counterinsurgency against anyone, anywhere that resists the requirements of their apocalyptic "new world order," an agenda devised and orchestrated by the oil-igarchy, the munitions industries and their banks.

Aside from being an industrial requirement of the Pentagon Inc. and its myriad commercial, media and academ-

ic appendages, making war is a political requirement as well. War-making obliterates from view the everyday class, sex and race-based antagonisms threatening to explode in 21st century America, while at the same time providing the pretext and panic culture so necessary for shrinking civil liberties, a tactical requirement in the suppression of dissent. The rightist and racist corporate agenda, which is the Bush agenda, amounts to more for the rich and less for the rest. The Bush Administration's repressive legislation and military tribunals dispense with democracy, or more specifically, the "protections" of the American Constitution at home, while raining death on millions abroad.

The American military state is a provocateur state. It creates terrorism as part of its so-called "war on terrorism," just as it creates dissent as readily as it seeks to suppress it. In both instances, it requires an enemy, in recent jargon, a "permanent" one, for war-making is the "permanent" economy in the "military-industrial complex" known as America, at least for now. Hence, the enemy, if one doesn't exist, has to be conjured up in order to provide cover for the widening pre-emptive, class-based dragnet against anyone who disagrees with current social (foreign and domestic) policies, particularly those who recognize the need for change, and set out to do something about it. In other words, the violence which is US militarism, a violence wed to capitalist/imperialist profit, is a pathological violence which breeds

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OPERATION SUBURBAN STORM



# EDITORIALS

## USA vs. IRAQ: Who is Responsible? By Issar

The best hope for peace and a real life in the Middle East is not "regime change" in Baghdad, but regime change in Washington and Tel Aviv. That is the first order of business. And not just a quick switch of Republican to Democrat, or Likud to Labor—but the complete uprooting and cleaning out of the decades-old corruption and conspiracy that has ruined Iraq, Iran, Egypt, Saudi Arabia and Israel.

The U.S. Government wants "democracy" in Iraq? It wants to liberate the Iraqi people? Was it not the U.S. Government that imprisoned the Iraqis in the first place with its complete and unconditional support for the Saddam Hussein dictatorship? Forget the delusional cartoons of TV journalism! U.S. Government support for totalitarian dictatorship is not an aberration or an unfortunate mistake—it is the consistent rule and policy of the U.S. Government all over the world.

Was it not the U.S. Government that overthrew democracy next door in Iran in 1954 installing a dictatorship that ruled with an iron fist for 25 years? And when the Iranians could no longer take it—the killings, disappearances and misery—wasn't it only then that they turned to the religious fanaticism of the Ayatollahs? Iranians held U.S. embassy employees hostage for a single year in 1979. The U.S. Government held an entire nation hostage for a quarter century. And they're wondering on television, "Why do they hate us so much?"

Didn't the U.S. Government then respond to that inevitable 1979 revolution in Iran by dispatching Jimmy Carter's National Security Advisor Zbigniew Brzezinski to a secret meeting with Saddam Hussein? (Ralph Shoenman, Taking Aim, WBAI-FM) And did that meeting not result six weeks later in the invasion of Iran by Saddam Hussein? Was Brzezinski acting as an agent for the United States or as a double-agent for David Rockefeller and the Trilateral Commission? Brzezinski's murderous chess move to counter the Ayatollah Khomeini—by this, did he not callously initiate an 8 year war that cost a million innocent lives? Was it not precisely at this time that the U.S. Government put 60 of its Defense Intelligence Agency employees at the full-time disposal of Saddam Hussein in order to aid the Iraqi Army with satellite photos, battlefield positions, battle planning and coordination? (New York Times)

Did the U.S. Government not also collaborate with the Iraqi Army in the use of poison gas against the Iranians? Did the U.S. Government not also secretly approve the shipment of anthrax to the Iraqis via the American Type Culture Corporation? And finally, isn't it clear by now that all this is done in the name of the American people?

They want to bring democracy to Iraq? Look at what they've done to

Nicaragua: Would it be too much to ask at this point what the American people are going to do about the outlaw government that they themselves have elected time and time again? Who is really responsible for this if not "us?"

It is precisely the continuous perpetration of injustice over a period of decades in the name of the American people that has brought this country to a dangerous crossroads—a choice we can no longer avoid and a truth we can no longer ignore...

Let's now look at the so-called 1991 "Persian Gulf War":

Toward the end of the 1980s, Saddam Hussein evidently assumed he was "in like Flint" for the admirable and loyal activities just described. To make a long story short, Saddam Hussein was simply double-crossed, fooled and betrayed by his U.S. Government sponsors. The age-old pattern of deception and intrigue involved things like the following:

1. Secret CIA direction of the Kuwaitis for 9 months in advance to drive up oil production and depress the price of oil—revenues badly needed by Saddam Hussein for the rebuilding of Iraq.

2. Blatant provocations such as "slant drilling" of Iraqi oil from Kuwait territory by companies in which Bush Sr. National Security Advisor Brent Scowcroft held direct stock ownership.

3. False signals of U.S. Government intentions by repeated public statements of the U.S. State Department that "we have no mutual defense treaties with Kuwait"—and through Ambassador April Glaspie, who told Saddam Hussein on her way to the airport that the U.S. was "not really concerned with your border disputes" or with the build-up of Iraqi forces on the Kuwaiti border.

Once the foolhardy and egotistical Saddam invaded, he evidently found it impossible to withdraw while there was still time. Meanwhile, those with an entirely different agenda were amassing a half-million American troops in Saudi Arabia through extreme pressure and false intelligence information foisted on the Saudis. This is how U.S. military bases were originally introduced into Saudi Arabia—one of the major goals of the entire exercise. (The whole diabolical plan had been first suggested by think tanks in an article in Foreign Affairs magazine 10 years earlier, and has been cited by Osama Bin Laden as one of his chief motivations for attacking the United States.) For all this, the Iraqi people have paid in blood, starvation and misery for over 20 years. 10 years of sanctions are estimated by the UN to have killed a half-million Iraqi children!

Do you believe the argument that the ongoing tragedy in the Middle East is the result of age-old hatreds and rivalries, ethnic conflicts, etc? All these exist. But it is the prime mover—the exploitation of rival factions, manipulation of whole populations, the trumping-up of wars, betrayals, double-crosses and subversion from the top levels of the U.S. Government, that holds primary responsibility.

## THE DILEMMA OF DISSENT: STALINIST ENERGY-VAMPIRES SUCK OFF THE ANTI-WAR MOVEMENT

Once again, the anti-war movement is faced with a tactical and ethical dilemma. By the time you are reading this, the bombs may already be falling on Iraq, and protest is imperative. Yet, the national mobilization called for in Washington DC on October 26 is dominated by the same Stalinist cult that has repeatedly attempted to monopolize anti-war opposition in this country and turn it into a morally bankrupt cheerleader for whatever despot happens to be on the White House shit-list at the moment—Saddam Hussein, Slobodan Milosevic, Manuel Noriega, etc.

At the center of the October 26 mobilization is **Act Now to Stop War and End Racism (ANSWER)**. At the center of ANSWER, in turn, is the **International Action Center (IAC)**, which is a front for the ultra-orthodox, cultish Soviet-nostalgist and genocide-apologist **Workers World Party (WWP)**. The use of elaborate front-group shell-games is the WWP's time-honored tactic, but it is clear who is really in charge in the October 26 coalition. How many of the participants at the October 26 rally will even be aware that the headlining speaker and spokesman, former US Attorney General (and current IAC figurehead) **Ramsey Clark**, is co-chair of the **International Committee to Defend Slobodan Milosevic**, and offers his political support and legal services to the ac-

cused war criminal? How many will remember that during Operation Desert Storm a WWP-led coalition provoked a split in the movement by refusing to condemn Saddam Hussein or his aggression against Kuwait? How many will know that they are marching in an event led by a group which hailed the Tiananmen Square massacre of 1989 with the headline in their newspaper "Workers and Peasants Crush Counterrevolution!"?

The SHADOW puts forth the following questions for consideration: Does the central role of ANSWER/IAC/WWP make October 26 a bogus "peace" march led by pro-war, pro-genocide, anti-democracy vanguardists? Is it time to call for a public boycott of this event before any more well-intentioned groups sign on to the coalition and find themselves cynically exploited in a hypocritical charade? Is it time to "divide the movement" (as many decided it was during Desert Storm) because coalition with IAC and marching behind Ramsey Clark HURTS the cause of peace, not aids it? Or, as many now apparently feel, is the situation so desperate that unity must be maintained at all costs? In the interests of furthering this long-overdue debate, in this issue of The SHADOW, we present a retrospective on the dubious career of the enigmatic Ramsey Clark. Make of it what you will.

Behind it all is the tacit consent of the willfully ignorant American public. This is what allows such immoral outrages to continue at a steady pace year after year, decade after decade. After all, can we really blame the media, the CIA, the Bush family, the Democratic party? These are simply the forces which must be defeated. In the final analysis, it's up to us. The facts are out there. Check it out! Find out whether we are lying, misinterpreting or misreading anything. It's up to you to decide!

Let's wake up as a real nation! Do you know that Osama Bin Laden and his groups are justifying the murder of innocent Americans by the argument that America is a democracy? That Americans elect their leaders and are therefore responsible for the actions of their leaders? Why, for instance, has the U.S. Government for 35 years paid for and supported in every way one country (Israel) to conquer and colonize another (Palestine)?

A lot of people like to use a lot of empty words like "freedom" and "liberty." Wouldn't a country that derives its very national identity from the concepts "freedom and liberty" be expected to apply these standards everywhere throughout the world? That's what they say they do. What does "freedom and liberty" mean in the case of the U.S. Government and Israel vs. the Palestinians?

A great battle is coming in this country. People know. They know deep in their bones why we were attacked. It's time to act.

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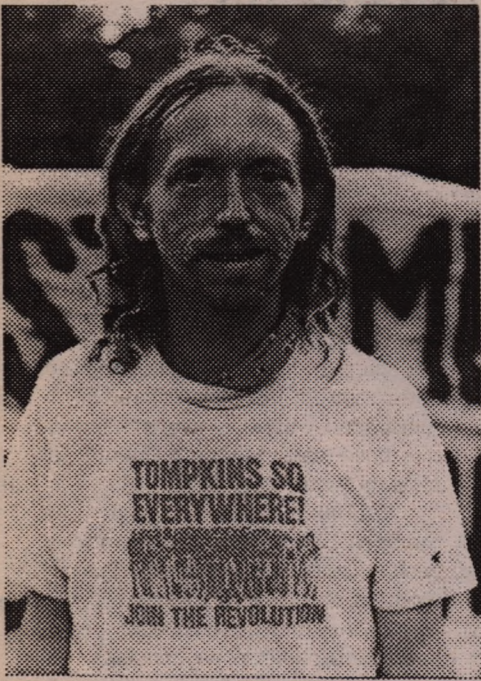
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## DON YIPPIE: 1957-1992

### ILLEGALIST EXTRAORDINAIRE



Donald Schnell, variously known as Don Miller, Don Yippie and "Uncle Don," passed away on October 11 after a lengthy illness.

Born and raised in Connecticut, Don made his way to the Lower East Side in the 1980s, as he participated and sometimes got busted in demonstrations across the country: White Night in San Francisco after gay city councilmember Harvey Milk and Mayor Moscone were murdered by a former cop, the Democrat and Republican conventions, Rock Against Racism/Reagan tours, and the Smoke-In in Washington, DC., to name just a few.

In New York City, Don would table for the Yippies, and he was involved in the squat scene developing on the East Side. When the Yippie scene at 9 Bleecker fell apart, Don could often be found hanging at the Anarchist Switchboard, located in a basement on East 9th Street. It was there that punks, squatters, homeless people, intellectuals and street fighting activists would mix, discuss issues, organize, get high, and sometimes even get into orgies!

Uncle Don, as he was named by the young radicals who were his favorite companions, was in some ways the embodiment of anarchy, even though he often denied being, politically speaking, an anarchist. He spoke more often of his private war with society than about any abstract political theory, and it is clear that rebellion was in Donnie's blood going all the way back. He hated bullies, and told hair raising stories of defying and being pursued by bullies as a teenager in rural Connecticut. His radical philosophy could be interpreted as pitting

the misfits, those for whom it is impossible to conform, against the forces of conformity. This is the theme that made Donnie so much an embodiment, not only of anarchy but of the Lower East Side, the misfit neighborhood that bred the Tompkins Square rebellion of which Donnie was one of the star participants.

Jerry the Peddler remembers that around this time, Don got one of his names when a cop attempted to ticket him for drinking a beer in public. When asked for his name, Donnie looked at the bottle in his hand and said "Miller."

Don was a self-proclaimed "demonstration junkie," always in the front lines of every demonstration, the rowdier and crazier and more illegal the better. One of his favorite expressions was "it's a game; sometimes they get you; sometimes you get them." He was arrested nearly a hundred times in his activist career.

As the scene heated up after the 1988 Tompkins Square Police Riot with weekly demos and riots, squats being torn down after suspicious fires, the homeless being attacked by armies of cops, Don was in the middle of it all, always maintaining a low profile in the background while quietly slashing tires and overturning garbage cans. Seth Tobocman says: "When Donnie said 'Let's have a riot,' he meant he was gonna riot and you were welcome to join him."

Donnie took crazy risks that many others who regarded themselves as rebels would never dare take. One memorable moment was when he danced around the fire in the middle of Avenue A at the Memorial Day riot of 1991, clad only in his boots, his gaunt, naked body taunting the oncoming cops. It was on account of this act, more of symbolic protest than of sabotage, that the forces of repression finally came down on Uncle Don. Charged with felony riot and forced to take a deal with five years probation, he was busted again, within a month, for possession of some M-80s, and then again a couple of months later for trying to "unarrest" one of his comrades at a demonstration. It was only when he was at the absolute brink of being sent to jail for five years that he quieted down for a little while. Some people joked that they finally had to bring in Giuliani just to save the city from Uncle Don.

Meanwhile, as Jerry remembers: "Don never turned his back on anybody." If someone was busted in a demo or riot and needed bail money,

Donnie was there for them, getting it collected.

Don was fiercely loyal to his friends and took blows for them. He was particularly intolerant of violence against women, and on several occasions found himself pitted against larger and strong-er men for this reason. His philosophy was that if you believed in something you were willing to put your body on the line for it, and even though he was forgiving of frailties in others he held himself to his own high standards. In spite of his impatience with theoretical radicals and intellectual snobbery, Donnie was quite an intellectual in his own right, and, with sufficient weed and tobacco on hand one could spend the night with him in rambling discussions that went from the decline of the Roman Empire to the chemistry of belladonna and the breeding of tropical fish.

According to Jerry, around 1997, Donnie began to "retire" somewhat due to feeling a lack of energy. By 1999, Donnie discovered that he had Hepatitis C after he went to a doctor to address sudden water retention in his legs. By then, it was too late, since the Hepatitis had traveled to his kidneys.

Donnie was told he had 3-5 years to live, since Hep. C is almost always fatal. For a while, he got treatments for his condition, but refused painful dialysis, which would have only prolonged his life for another 2 years or so.

In early August, Don got a transfusion so that he could make the trip from Connecticut to Tompkins Square Park to oversee the punk show he had organized with Jerry to commemorate the 1988 TSP Riot. When Jerry was busted by 9th precinct cops on a bo-

gus warrant on the day of the show, it was Don who took on the responsibility of making sure the show went on as planned. And it did.

In the months that followed, Don's condition got worse, with fluid entering his cardio sac, affecting his heart's ability to beat. After collapsing on Avenue B, Don went back to his family in Connecticut, where he passed away on October 11.

We activists on the Lower East Side were honored to be Donnie's second family. We will always miss his wit, intelligence, commitment, integrity and his terrific sense of humor with his unique hearty laugh. With Don no longer with us, there is a serious void in our community.

Donnie definitely died way too young, but up to the end, he lived the life he loved and he loved the life he lived.



## IN MEMORY OF CENÉN

I WAS BORN IN NEW YORK - MANHATTAN - JUNE 20th 1945 - I'M REALLY GLAD I HAD THE CHANCE TO HAVE MY FATHER & MY MOTHER EVEN THO MY MOTHER WAS A RACIST & MY FATHER WAS ENTHRALLED BY HER WHITENESS - ACTUALLY THEY WERE BOTH ENTHRALLED BY EACH OTHER'S COLOR - SO THEY WERE BOTH SOMEWHAT RACIST - THAT EXPERIENCE WITH THEM HAS REALLY COLORED MY LIFE & AT THE SAME TIME I RECOGNIZE THAT IS THE CENTER OF THIS NATION'S CONTROL OVER PEOPLE'S MINDS - ITS LIKE HOW MUCH MELANIN YOU HAVE DETERMINES YOUR VALUE - THE INTERESTING THING IS THAT THAT IS NOT REAL BECAUSE EVERYONE HAS A VALUE BECAUSE WE ALL EXIST IN THIS UNIVERSE & WE ARE ALL PART OF IT - EVERY SINGLE PERSON & PLANT HAS A PURPOSE - ITS A MATTER OF BEING ABLE TO RECOGNIZE IT & APPRECIATE IT - I'M LEARNING HOW TO LOVE MYSELF.

★ - BEING WILLING TO RESPECT MYSELF IN SPIKE OF ALL OF THE IMAGES & VALUES THAT SAY THAT I AM NOT OF VALUE - & I'VE GOTTEN TO THE POINT OF BEING SO HAPPY WITH MYSELF THAT I CAN SMILE & DANCE AROUND WHEN I'M ALONE & I CAN ALSO APPRECIATE OTHER PEOPLE - THIS IS A PROCESS & I'M WORKING ON IT SO OBVIOUSLY I'LL BE WORKING ON IT FOR THE REST OF MY LIFE - ART HAS HELPED ME GET HERE - & THE STARS IN THE SKY - WE CAN ALL LEARN TO LOVE OURSELVES - I'M GLAD TO HAVE COME TO THIS AREA BECAUSE I FEEL THE SPIRIT OF THIS AREA HAS REALLY HELPED ME TO COME OUT



## SEARCH AND DESTROY

BY TED RALL



1945 - 2002



# WILL PATAKI ATTACK ME?

## Tenant Paranoia on High Alert

By A. Kronstadt

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New York City tenants living in apartments protected by government rent control and rent stabilization laws are again facing an insecure situation. A victory for incumbent NYS governor George Pataki in the November 4 elections may encourage upstate politicians like State Senate Majority Leader Joseph Bruno to make another push against rent regulations like the one in 1997. In that year, the laws were greatly weakened, allowing 20% and sometimes greater rent increases for vacant apartments. The rent stabilization and control laws, which limit rent increases for a large number of apartments especially in NYC but also elsewhere in the State, have continued to exist in a watered down form. Many apartments have been withdrawn from the system by landlords taking advantage of the "luxury decontrol" loophole added by the Republicans to the rent laws, whereby apartments whose rents rise above \$2000 per month are no longer subject to any controls. Doing away with the rent control laws has been an obsession among State Republicans since the days of Nelson Rockefeller, and with Pataki newly re-elected he may very well decide to make this dream a reality and thereby win the political good will of New York City landlords, many of whom reside upstate, or pay off old debts to his supporters in the real estate business.

Part of the 11th hour "compromise" between Bruno and Democratic State Assembly Speaker Sheldon Silver, brokered by Pataki in June of 1997, was that the rent laws, which need to be renewed for a specified number of years by the State legislature in order to remain in effect, would be renewed for the then unusually long term of six years. Although satisfied not to have to worry about the rent regulations again for such a long time, many tenants did not realize that by making the laws expire in 2003, the first year of a re-elected governor's new term, the rent deal was giving the upstate Republicans a green light to attack the laws with relative impunity. In 1997, Pataki had to run for re-election the following year and was less inclined to confront the city's 2,500,000 strong population of tenants protected by rent control and stabilization. Next year, who knows?

In a city where apartments that a generation ago rented for \$150 per month, are now going for over \$2,000 per month, it has been the rent control and rent stabilization laws that have allowed stable communities to exist in New York City. It is clear that blind market forces will not work in the case of a commodity that is both so scarce and so vital to human survival as a home in New York City, and that the present flimsy controls are not nearly enough to stem the tide of human suffering caused by the real estate boom in New York City. In the debates that took place on the floors of the two chambers of the legislature in 1997, the Republicans did not even propose

to do a study on what the social effects would be of allowing landlords to raise the rents freely on over a million apartments, housing over two and a half million human beings. It is one of the many insanities of New York State politics that a system which is vital to the survival of New York City should be decided on a state level. New York City residents should demand "home rule," at least in regard to the issue of the rent regulations, because rent regulations concern life in New York City and the abolition of them would wreak havoc with people's ability to live here.

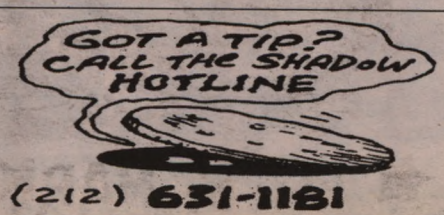
There is an eerie silence on the part of Democratic and Republican politicians regarding the renewal of the rent laws. Metropolitan Council on Housing, New York City's tenant union, is calling for a vote for Pataki's opponent Carl McCall. McCall has responded favorably to tenant questions about rent control, but has failed to make the renewal of the rent regulations an issue in his campaign, something that would force Pataki out of his silence on the issue. Neither side wants to make the rent regulations an issue because their campaign war chests are all filled by contributions from New York's "permanent government" of real estate and financial interests who would stand to gain from the abolition of the rent laws.

Will Pataki go after the rent regulations in 2003? Is he irresponsible enough to allow Joseph Bruno, a large rural land owner from Troy, NY, to dictate his policy in regard to New York City? Pataki has refused to meet with tenant groups supporting renewal of the laws, but has taken no position either for or against renewal in 2003. In the 1997 battle, Pataki proposed a "vacancy decontrol" compromise in which the rent laws would continue for tenants still in their apartments, but would be abolished completely for vacant apartments. Pro-tenant Assembly members blocked Pataki's vacancy decontrol scheme, but were sold out by Assembly Speaker Silver, who gave in to Bruno's continued demands and settled for the compromise allowing rents on vacant apartments to be raised by 20%. This time around, Pataki faces less pressure because he is not up for re-election. It is not clear how far to the right he will move on the issue, but there is little doubt that he will move further to the right.

In 1997, there was a decisive mobilization of tenants to defend their rights. Headlines screamed "Rent Rage" the morning after thousands of demonstrating tenants broke through police lines and flooded the streets in front of Pataki's office. It was this willingness on the part of tenants to take risks and defend their rights that defeated Joe Bruno and his gang of home wreckers.

The aggressive demonstrations made the issue visible, showed that people felt strongly about defending their homes, and gave the Albany Republicans an inkling of the social price that they would have to pay. It will ultimately be the response of the millions of tenants themselves that will decide the fate of rent control and rent stabilization, and the fate of the communities that these just laws protect.

[You can get involved in renewing the rent laws by contacting the Metropolitan Council on Housing at: 212-979-6238. You can find out more at: <<http://tenant.net>> and <<http://www.rentwars.com>>]



## New York City Quadruples the Number of Community Gardens to be Preserved

By Sarah Ferguson

Carolyn Ratcliff let out a blood-curdling scream, then wept with joy when she heard that La Plaza Cultural, a 27-year-old community garden on East Ninth Street in Manhattan, would not be razed. Under a long-awaited legal settlement reached this month between Mayor Michael Bloomberg and State Attorney General Elliot Spitzer, her garden was among 198 community oases to be offered permanent preservation.

"It's such a relief," said Ratcliff, who had been bombarding the mayor's office with letters trying to stave off a plan to build over La Plaza's stone amphitheater and towering willow trees.

Only three years ago, New York's previous mayor, Rudolph Giuliani, was seeking to auction off hundreds of garden plots to the highest bidder as part of his campaign to privatize as much city-owned property as possible.

Spitzer filed suit to block the auctions, resulting in a three-year stalemate that kept the status of gardens in limbo while stalling the construction of much-needed low income housing.

But under the legal settlement announced on September 18, the Bloomberg Administration agreed to quadruple the number of community garden plots that could become permanent. A total of 198 previously threatened gardens will be either transferred to the Parks Department, where they will be managed in concert with the city's Green Thumb program, or offered for purchase by a nonprofit land trust for a "nominal sum."

The city also gave additional protections to 193 gardens that are currently under the jurisdiction of the Parks Department, the Department of Education, and other city agencies.

All told, the settlement brings the total number of gardens that could become permanent citywide to 496. (After a court fight in 1999, the city sold 105 gardens to the Trust for Public Land and to Bette Midler's New York Restoration Project.)

At the same time, the settlement allows for developers to immediately proceed with construction of more than 2,000 units of affordable housing on 36 garden sites.

"We need open spaces and we need housing, and we believe that the balance we've achieved is the right balance," said Mayor Bloomberg. "Most of the pieces of property that will be left green probably wouldn't have been developed anyway," Bloomberg added.

Another 110 city-owned plots still slated for housing and neighborhood facilities will be given new measures to defend themselves during the city's land use review process.

Previously, gardens presented to the City Council for development approval were often listed as "vacant" lots. Now, the city must create a "Garden Review Statement," documenting each garden's history and membership in Green Thumb, with photos which will be circulated to community boards, City Council members and the City Planning Commission.

"For the first time, gardeners and their contributions to the community are being officially recognized in the land use process," notes Green Thumb director Edie Stone.

If a plot is targeted for development, the city must also provide gardeners with a list of nearby available city-

owned lots where they might relocate. Attorney General Spitzer said he hoped that the new review process would encourage both the city and private developers to seek ways to accommodate open space. Several gardens, he noted, are being saved because private owners and non-profit developers made arrangements with local gardeners to either build around them or relocate the plots to nearby land.

On 110th Street and Lexington, for example, Elmo Realty agreed to scale back its apartment complex to make room for the Catano Garden, which will be relocated to a lot next door. "We lose a lot of apartments and floor space, but we felt that this would be better in the long run," said Chris Jochim, vice president of Elmo Realty. "When you fight with the community, nobody wins."

While the settlement preserved more green space than many advocates had hoped for, many well-established plots remain under threat, including Rincon Criollo, one of the founding Latino "casita" gardens in the South Bronx, and Jes Good Rewards, a 16-year-old children's teaching garden in Brownsville, Brooklyn.

"We took a big hit," said Justine Roper of the Brownsville Garden Coalition, whose community could lose up to 23 of its 42 oases, including nine that are on the list for development without review. "Some of the gardens they decided to preserve are really just weedy lots, while a lot of the other ones in our coalition are very active. So we're trying to figure out how the decisions were made," says Roper of her local gardens, which constitute the only real parks her neighborhood has. "Where was our input? The majority of gardens in our coalition are going to be immediately destroyed. Why is it that we're not worthy of green space?"

[Sarah Ferguson is a freelance writer and gardener based in New York City. For a complete list of gardens and their fate, check out: <[http://www.oag.state.ny.us/environment/community\\_gardens\\_sum.html](http://www.oag.state.ny.us/environment/community_gardens_sum.html)>]

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# SQUATS SURVIVE YUPPIE ONSLAUGHT

By Issar



SETH TOBOCMAN

The once villified Lower East Side squatters have finally succeeded in legalizing 11 Lower East Side buildings, some of which have been fully occupied for 20 years. The two year process has been shepherded through by the Urban Homesteading Assistance Board (UHAB), an organization that helps people renovate their buildings up to NYC building codes and turn them into low-income, not-for-profit co-ops. A process is now underway to accomplish the goal in the next year and a half.

After the deliberately-planned fire and abandonment process of the 1970s ("planned shrinkage"), the Lower East Side, like dozens of other NYC neighborhoods, was left with a massive number of vacant lots and abandoned buildings. The Department of Housing Preservation (HPD), the city agency in charge of fencing-off formerly occupied land, developed a particularly elaborate method of dealing with many of the approximately 10,000 abandoned residential buildings left in its "care." The roofs would be cut open by the fire department as a "training exercise." The second floor joists would be clipped and the whole building sealed up tight as a drum. Often giant decals were placed over the boarded-up windows showing cartoon-like people watering plants or waving to cars going by on the freeway.

The only problem with this happy scene was that, unbeknownst to anyone on the street, the open roofs would allow an endless amount of rain and snow to come in. Within a few years, the heavy plumbing would pull down the undermined joints and whole building would collapse internally. Not to worry! Somebody in a black mercedes would eventually show up and make \$50,000 in two days tearing the building down--thereby making room for another beautiful vegetable garden!

There were actually two major waves of squatting on the Lower East Side: one from the mid 1970s and the other beginning in the mid-1980s. Once the original squatters got their buildings, many formed housing organizations that began to plan for a more orderly development process than they themselves had followed and one that did not foresee or welcome the evil second wave of squatting. What actually happened though, was that by the mid 1980s, the real consequences of "planned shrinkage" began to hit New York like a ton of bricks. By 1983, general market rents in NYC had doubled. By 1985, they tripled. And "market rate" rents have stayed at triple levels ever since.

It was around 1985 that the issue of the rent made its first and only appearance in the New York papers. Even the Mayor had to deal with it. A wonderful and amusing fellow named Ed Koch happened to be Mayor at the time. Asked at a press conference about the rents, he gave such a great answer that in twenty years not another question on

the subject has ever been asked again.

"If you can't afford to live in New York," Koch said, "puhleeze moove!"

At the end of the 1970s, vast areas of the city literally looked like Dresden after WWII. Half-standing buildings, endless vacant lots, boarded-up windows, piles of bricks twenty feet high, etc. Actually, the condition of New York City became an international sensation for a time. People from Japan would come over just to take pictures. All the big-time politicians, even Ronald and Nancy Reagan, did a press conference with the South Bronx as a backdrop.

Nobody mentioned that the Rand Corporation, a Pentagon planning contractor, had been given de-facto control of the NYC Fire Department in 1972; that over four dozen fire companies had been closed in four years; that a quarter million housing units had been burned to the ground; that a million people had been forced to move in the mass urban burnout that ensued in the wake of the firehouse closings (Roderick Wallace, NY Academy of Medicine Bulletin, Spring 1989). As the rents went up, the marginal people went homeless. In fact, mass urban homelessness set in at this time and never left.

A lot of the people who could no longer afford to live in Noo Yawk did in fact "moove"--right into dozens of the Lower East Side abandoned buildings. The sledgehammer became a symbol. "Squat or Rot" became a slogan. In the parlance of HPD, they were "crossing the line." But what was this line, really? Whole areas of the city had been demolished, fenced-off and sequestered--taken off-market. Could this have anything to do with the rents going up?

By the summer of 1988, dozens of busy squats dotted the Lower East Side landscape, many concentrated just east of Tompkins Square Park on Eighth Street. The amazing mass of rubble and debris was dumped out the back windows. Beams and floors were shored-up or replaced. Blue tarps were tied onto the roofs. Once your space was cleared out, you could find a metal door in a dumpster or on the street. (After the 1988 riot, there were hundreds of police barricades available right in front of the buildings. Many of these became window frames, steps, loft beds, etc.) The HPD would often show up at the buildings. If they could find a way to break in, they'd throw the squatters out by threatening them with arrest. Once HPD was gone, the people would go back in.

One day in the summer of 1988, an interesting message was discovered spray-painted on the ground near the entrances of Tompkins Square Park: "Park Closes at Midnight." Unknown at the time, a series of secret meetings had been held between the 9th Precinct and selected members of the so-called "Community Board." Since the park had never been closed at night before, when

the police tried to enforce the curfew, their heretofore unquestioned authority was challenged by a large number of people who didn't feel like leaving on a hot summer evening. The ignominious retreat apparently became the currency of a genuine vendetta by the NYPD. So, when the police returned a week later on August 6, 1988, they were ready for trouble. Many had covered their badges with black tape so they wouldn't be identified. To make a long story short, that night, hundreds of police were chased around--and vice versa--by hundreds of people, and the police took out their rage and frustration on anyone who just happened to be walking down the street. When the sun came up, the park was still open, the police were gone and the whole city was in an uproar. The park stayed open for four long, turbulent years.

Seven months later, at 8:00 in the morning, a massive fire suddenly roared up the back of the squat at 319 East 8th Street. Climbing down the front fire-escape, the people saw that another fire was burning in the next squat three doors away down the street. The fire was still smoldering at 11:00 am when a demolition order was filed downtown. Was somebody trying to send the squats a message? What could it be? Who can ever forget the drumming and shouts of the crowd when the demolition crew showed up three days later? How Willie Butler jumped up onto the fire escape and how minutes later he dumped a bucket of vintage fermented squat piss on the demolition crew? How Frank Morales roped the sidewalk scaffold and how the crowd pulled it down right in front of the police? HPD drove off in their cars with flat tires that day. The Borough Commissioner of Buildings had to negotiate his way in by publicly promising not to tear the building down. Four days later, 1000 police were suddenly filtered back into the neighborhood. Three square blocks were quickly cordoned off around Eighth Street. The streets stayed barricaded with police for five days as the demolition resumed around the clock with machinery beyond the reach of the crowd. Despite its ultimate success, the city didn't bother coming back for the next seven years...

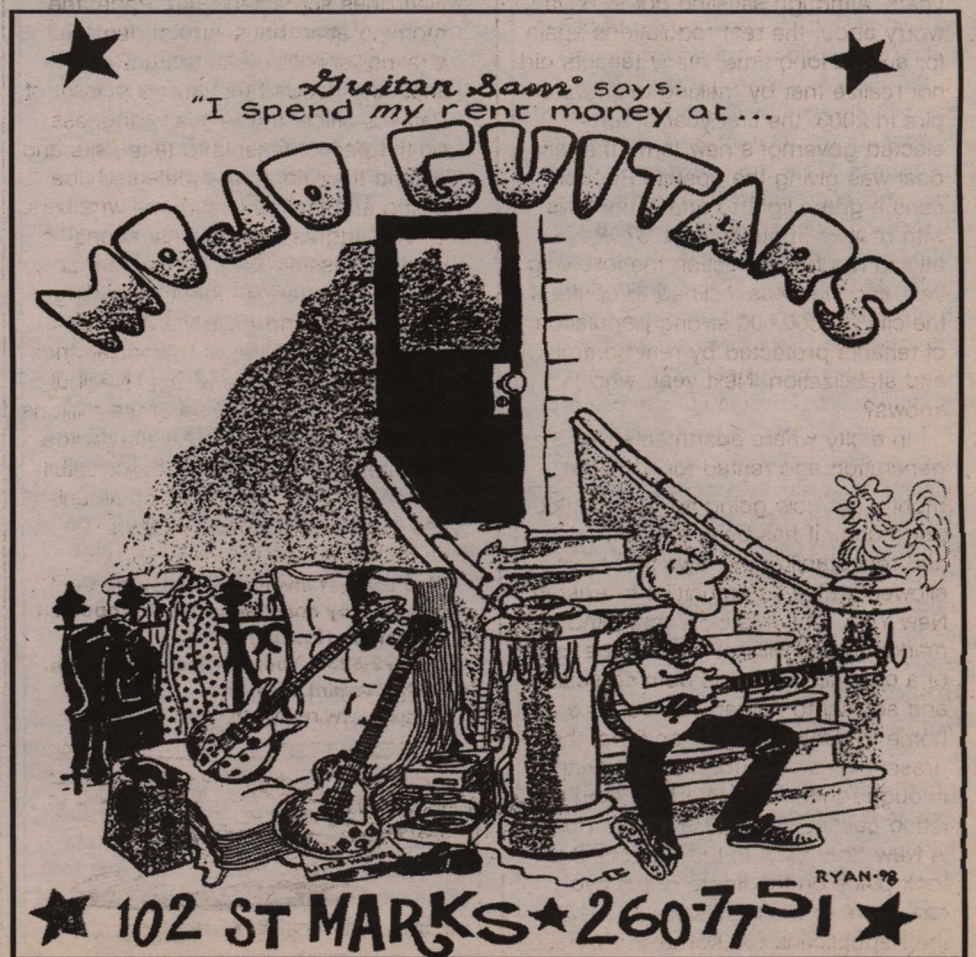
Hundreds of homeless refugees in the park; the fire-barrels; the tents; the rain and the snow; dozens of concerts from the bandshell; Pat Storm reading "Pig Man" from the stage "talking 'bout the damage that the Trump-whores had done"; the May Day riot; leaflets; exposés; speeches from park benches; 30

foot bon-fires in the Avenue A night with crowds of 500 people running around; taking over the abandoned school on Fourth Street and opening it for winter with Tent City from the park; Father Kuhn crossing the police lines to bring food to the school; the incredible engravings of Eric Drooker; WWII Illustrated; Seth Tobaceman coming on and off the fire-escape to save the darkened Umbrella House from the wrecking ball; Michael Shenker questioning "perceived truths" through a bullhorn from the top of 319...

So that's a bit of the story, folks. All of it's in the past--but is it really? There are more homeless families in the shelters now than ever before. They closed the park, but they didn't bring the rents down.

As far as what's happened with the squatted buildings, the incredible UHAB organization with the patience of all true saints, finally decided to take on the project after a spell was cast on them by a travelling shaman (it's not a joke). Of all people, Mayor Rudy Giuliani, while in his usual role of destroying gardens and dumping all city-owned property in the hands of his real estate contributors, also decided to let the buildings go, probably after a cost/benefit analysis--or was it the voodoo treatment?

This is not a real estate "market." It's the artificially-inflated result of a 30 year attack on the inner cities of America. The rents are at triple levels because the city's natural housing infrastructure has been systematically attacked on a racist model for the last three decades. Suffice it to say that the Land Trust Plan--any permanent consolidation of land with total freedom and a not-for-profit stipulation--must be expanded. And it must be expanded to the limit necessary to permanently house every single man, woman and child in New York City without a home. Then and only then will the accounts balance. Supply and demand will meet; the wounds of the past will heal; the misery of the present will abate; the extreme pressure artificially imposed will come out of the market; rents will fall back to natural and normal levels throughout the city. Let's think it over. Is there any other answer?





# HOMELAND OFFENSE

CONTINUED....



violence in whatever manner is required in order to feed the addiction of the war profiteers.

The "war on terrorism" is in reality a war on dissent. It allows for the generalization and implementation of pre-existing corporate/military strategies of suppressing dissent under the mantle of fighting terrorism. The criminalization and repression of dissent, utilizing the latest draconian measures and military/police lethal and "non-lethal" technology, is the unheralded intent of the "war on terrorism." By elevating the notion of pre-emptive strike, the elite specialists of counterinsurgency sign the death warrant of a democracy too widely distributed, too much in "excess." By acting pre-emptively, the elite seek to dissolve whatever democratic space exists within which movements of dissent can grow, nipping them in the bud. In short, the military state, designed at present to suppress dissent pre-emptively, will no longer tolerate the niceties of due process, free speech and assembly. Nor will it tolerate an independent judiciary, press or politician.

Finally, "homeland defense," set within the Pentagon's doctrinal arena of "operations other than war," executed by a domestic military command, in the making for some years now, is the flip-side of current Pentagon Incorporated military "operations" abroad. War abroad requires war at home. Social movements which oppose the corporate/militarist foreign and domestic agenda of the Bush forces are targets in this war being waged in America on its own citizens. In the final analysis, the evolving growth of the American military police-state, conveniently referred to as "homeland defense," is really about the ruling elite defending itself, its power, profits and privilege. There is no intent to protect workers, the poor and oppressed in America from "terrorists" who our government helped to set up (ie. bin Laden, Hussein etc.) In essence, "homeland defense" is simply another stage, a more repressive stage, in the ongoing class war in America. Only now, post 9-11, the fascist architects of repression and counter-insurgency are in the driver's seat, sitting right behind the imbecile posing as President, pontificating in front of a terrorized public.

## Homeland Defense: Some Recent History

"I personally believe that the next decade is a decade of homeland defense"--John Hamre, Former Deputy Secretary of Defense (1999)

Years before the destruction of the

World Trade Center, the *New York Times* stated in a January 23, 1999 editorial that "there have been discussions in the Pentagon, but no decision, about creating a new domestic military command to combat terrorism." The new "command" would, according to the *Times* report, "erode the long-established legal principle that America's armed forces should not be involved in domestic law enforcement." And yet, according to the report, the military has "no intention of usurping civilian control." A few days later, according to another *Times* report (1/28/99), under the euphemistic banner of "homeland defense," the Pentagon "decided to ask President Clinton for the power to appoint a military leader for the continental United States," a commander to coordinate US military operations within the United States.

Note that the Pentagon "request" occurred on the heels of the anti-World Trade Organization "Battle in Seattle," protests which took place in early December 1999. At that time, the military was already assigning some domestic security roles to its "special operations" forces. Specifically, according to the *Seattle Weekly* (12/23/99), a Justice Department official, "asking anonymity," confirmed that the elite US Army Delta Force, "operating under its cover name of Combat Applications Group (CAG), was in Seattle a week in advance" of the protests. "Under the control of the Joint Special Operations Command at Fort Bragg, North Carolina, the contingent took up residence in a motel and fanned out downtown dressed as demonstrators, some wearing their jungle greens." The Delta Force, a violent global strike force, was operating under the rubric of the Joint Task Force--Civil Support, forerunner of and incorporated within the newly-christened Northern Command.

Back on October 2, 1998, Frank J. Cillufo, of the Center for Strategic and International Studies (CSIS), an influential (along with the Council on Foreign Relations) corporate/military "think tank," testified before the congressional committee on National Security, International Affairs and Criminal Justice. He stated that "it may be worthwhile to create a new Commander-in-Chief (CINC) USA." His testimony noted that the "CINCUSA would be responsible for all Department of Defense-related strategies and activities related to homeland defense issues and would serve as a focal point and facilitate coordination within the Department of Defense and between the many federal, state and local law enforcement, intelligence and medical communities with related re-

## A HISTORY OF THE POSSE COMITATUS ACT

By A. Kronstadt

The Posse Comitatus Act of 1878, passed by Congress states, in part: "...it shall not be lawful to employ any part of the Army of the United States, as a posse comitatus, or otherwise, for the purpose of executing the laws, except in such cases and under such circumstances as such employment of said force may be expressly authorized by the Constitution or by act of Congress."

The Latin expression Posse Comitatus translates as "power of the county." In other words, the power of the local government to enforce laws. Voted into law by Congress as a rider to an appropriations bill, the Posse Comitatus Act was introduced by Southern legislators concerned about the abuses committed by the U.S. military when it was placed in charge of enforcing laws in the South under Reconstruction. Federal troops, for example, had been stationed at polling places to prevent former Confederate soldiers, legally disenfranchised by the Yankee occupation, from voting. The arbitrary manner in which this law was enforced influenced the outcome of elections and created great anger in the South.

Ultimately, Southern members of the Senate and House gained the support of some Northern legislators who objected to the abuses of military law enforcement in the Western territories, where soldiers massacred large numbers of Indians and others under the excuse of pursuing criminals.

The language of the Act makes it possible for the Posse Comitatus prohibition on military enforcement of the laws to be suspended by a Congressional vote, and this has happened on several occasions. In 1919, federal troops were authorized to quell race rioting in Chicago; in 1932 they were used to evict the "Bonus Marchers" (World War I veterans demanding back pay) from federal property where they had set up encampments; during the administration of Harry S. Truman, the army was placed in charge of the U.S. railroad system which had been idled by a nationwide strike.

sponsibilities." A few months later, in January 1999, CSIS released a study entitled *Defending the Homeland*, authored by Fred Ikle, former under Secretary of Defense in the Reagan administration, in which he stated, alluding to the Posse Comitatus Act, that there were "insufficiently understood legal authorities for a military role in homeland defense," and that "legislation can overcome this deficiency."

At the time of the Pentagon "request," White House officials, according to the *Times* report cited above, "reacted favorably, characterizing the proposed step as a relatively minor adjustment of the lines of military authority and organization." Then-President Clinton, whose nominal approval was required in order to move ahead with the appointment of a domestic military chief, commenced to "weighing the issue carefully," and promised a response. His objectivity in the matter was doubtful all along, given his authorship of various directives on the matter, including, in particular, Presidential Decision Directive 62, entitled *Protection Against Unconventional Threats to the Homeland and Overseas*, dated May 1998.

Meanwhile, Gregory T. Nojeim, legislative counsel on national security for the American Civil Liberties Union, concerned about the Pentagon proposal and its impact on law enforcement, stated at the time that "it's hard to believe that a soldier with a suspect in the sights of his M-1 tank is well-positioned to protect that person's civil liberties." The *Times* report goes on to note that the Pentagon's new role has been "criticized by civil libertarians who argue that any homeland defense plan might open the door for the military to assume the role of domestic police, which is prohibited by law." ACLU Attorney Nojeim: "Our concern is that there be a bright line drawn between law enforcement and the military. This not only blurs that bright line," he warned, "but virtually guarantees further involvement of the military in civilian law enforcement activity." (*NY Times* 10/8/99).

Nonetheless, on October 8, 1999, the Pentagon "request" was granted, its insight (and foresight) rewarded, when Admiral Harold W. Gehman Jr., NATO's Supreme Allied Commander, Atlantic (SACLANT), was put in charge of defending the homeland. According to script, President Clinton "approved these new changes made by the Pentagon's top officials as part of a routine revision of the responsibilities and roles of its nine commands scattered across

the globe." According to this "routine revision," Admiral Gehman's new job was "to coordinate military actions, should an enemy target this country." Apparently, they didn't do a very good job.

## The Posse Comitatus Act

"By law, the military cannot make arrests or act in civil law enforcement. The Posse Comitatus Act, passed after the Civil War to reign in the military, bars federal troops from doing police work within United States borders."--*NY Times*, 1/28/99.

Strictly speaking, the 1878 Posse Comitatus Act refers only to the Army and the Air Force, not to the Marines or the National Guard in "state status." And yet, even though militarism has become increasingly embedded within domestic law enforcement by way of its drug war and civil disturbance "operations other than war," the Act has functioned to preclude overt military-police consolidation, and has helped to bolster an American civil-military tradition that some would argue ensures our democratic liberties.

The Act, (18 U.S.C. 1385), often cited as a barrier to the normalization of domestic military/law enforcement activity, reads as follows: "Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or Air Force as a posse comitatus or otherwise to execute the laws shall be fined not more than \$10,000 or imprisoned not more than two years or both."

The Act was intended to protect the citizenry from an overreaching military, prohibiting the armed forces from directly enforcing civilian laws. Accordingly, military personnel may not arrest people, conduct search and seizures, or plan an operational role in police actions--unless the president signs an executive order sanctioning such activity.

Unfortunately, under the so-called "drug war," the war on dissent, and the more recent "war on terrorism," various "exceptions" to the Posse Comitatus Act have proliferated. Since 1981, Congress and the White House have methodically widened the military's role in domestic law enforcement, especially in the war on drugs, and in the equipping and training of local police. In 1981, Congress enacted the Military Cooperation

Continued On Next Page





**Spies in the Sky:** The US Military is lending a hand to civilian police when it comes to surveillance, especially ARL (Aerial Reconnaissance Low) support using aircraft such as the DHC7 tuboprop and the Merlin helicopter. Both of these aircraft are usually equipped with extensive all-condition surveillance equipment, far more sensitive than that used by civilian police, including FLIR (Forward Looking Infrared Radar) which detects objects by "seeing" heat in the form of infrared light which is not visible to the naked eye, air-to-air and air-to-ground data communications, and pilot night vision. First used by the Military to locate submarines and attack them, the Merlin helicopter became popular in the "War on Drugs" and along with the DHC7 airplane have been deployed recently as part of "Plan Columbia" and now can be seen in the skies over Manhattan as well as in the air above Maryland, Virginia and DC, in search of the elusive "Beltway Sniper". Pentagon officials stated on Oct. 16, that concerns were raised as to whether such assistance would violate the Posse Comitatus Act, the 1878 law that bars the military from performing civilian law enforcement. The authorization, signed Oct. 15 by Defense Secretary Donald Rumsfeld, is within the law, Pentagon officials said. Military pilots would be accompanied by federal agents during surveillance flights, officials said.



With Law Enforcement Officials Act. Amending Posse Comitatus, the legislation injected the Pentagon directly into the drug war, authorizing the transfer of equipment and expertise in the blatantly fraudulent "war on drugs." In 1986, the Pentagon implemented DoD Directive 5525.5, "Department of Defense Cooperation With Civilian Law Enforcement Officials."

One year later, Congress set up a streamlined procedure for police departments to obtain military hardware. In 1989, President Bush Sr. approved setting up military drug units now consolidated under the so-called Joint Task Force Six.

In 1994, the Clinton administration weighed in by approving the transfer of high-tech gear to the police, by way of its technology transfer agreement, codified in a "Memorandum of Understanding Between Department of Defense and Department of Justice on Operations Other Than War and Law Enforcement," which states that the memorandum reflects "a growing convergence between the technology required for military operations and the technology required for law enforcement." Over this period, the Posse Comitatus Act has been greatly weakened not only by the militarization of the police, but by the policization of the military, via its "peacekeeping" missions abroad.

The military, for its part, has been very vocal on the subject of Posse Comitatus for some time. US Army Colonel Sean J. Berne argued in a 1997 article for *Military Review*, entitled "Defending Sovereignty: Domestic Operations and Legal Precedents," that "there

continues to be considerable concern over the legal authority and limits of using the Armed Forces in domestic actions," and that some would even "argue against virtually any involvement by the military in domestic operations." Col. Berne believes otherwise, asserting that "under specific circumstances, use of military forces in domestic operations, while controversial, is not only appropriate, but legal and warranted." The Colonel has little patience for "pre-conceived notions concerning civil-military relations based on incomplete information."

The Posse Comitatus Act is not, according to the Colonel, "the final word on the subject." He states that "based on emergency situations and emerging threats to national security, Congress passed a number of exceptions clearing the way for significantly increased involvement by the Armed Forces in domestic activities."

These "exceptions" to Posse Comitatus, better described as these new missions for the military inside America, include "Title 10, US Code, Sections 331-335 dealing with civil disturbances and insurrection." These sections, and other "exceptions," according to Berne, also provide the Executive and Legislative branches with a standing force involved with domestic law enforcement on a day-to-day basis." Berne notes that "at first blush, it would appear these amendments could be in conflict with the intent of the Declaration of Independence, Constitution and the Posse Comitatus Act by placing a potentially unchecked military in a position to infringe on Fourth and Fifth Amendment rights." The Colonel would have us take

comfort in the notion that our "Congress went to great lengths to ensure that civil-military relationships would not be subverted." But, "no case has been found involving criminal prosecution of anyone for Posse Comitatus violations."

The July 21, 2002 edition of the *New York Times* reported that "Wider Military Role in US is Urged." Apparently, the "generals and others back changing law to add domestic power." The law that they are referring to is none other than the 1878 Posse Comitatus Act, the object, as we have shown, of much Pentagon concern during the latter part of the 1990s. According to the July 21 *Times* report, "the Bush administration has directed lawyers in the Department of Justice and Defense to review the Posse Comitatus Act of 1878 and any other laws that sharply restrict the military's ability to participate in domestic law enforcement." The *Washington Post* put it a bit more starkly, stating that the Bush administration "has called on Congress to thoroughly review the law that bans the Army, Navy, Air Force and Marines from participating in arrests, searches, seizure of evidence and other police-type activity on US soil."

Bush's Jrs. "review" of Posse Comitatus is due any day now. What we can expect is something along the lines of a February 2002 report by the ANSER *Journal of Homeland Security*, a publication of the so-called Institute for Homeland Security. An article entitled, "The Posse Comitatus Act and Homeland Security," authored by John R. Brinkerhoff, a former FEMA official, states that "it is time to rescind the existing Posse Comitatus Act and replace it with a new law. President Bush and Congress should initiate action to enact a new law that would set forth in clear terms a statement of the rules for using military forces for homeland security. Things have changed a lot since 1878, and the Posse Comitatus Act is not only irrelevant but also downright dangerous to the proper and effective use of military forces for domestic needs."

Utilizing any and all means to prepare the public for the outright repeal of Posse Comitatus, Secretary of Defense Donald Rumsfeld, along with General Richard Myers, chairman of the Joint Chiefs of Staff, signed a recent order approving the use of military reconnaissance and surveillance equipment to be used in tracking down the Washington DC sniper who, as we go to press, is still on the loose. Characterized by Bush as a form of "terrorism," the incident has conveniently opened the door to yet another military incursion into law enforcement.

#### Northern Command 2002

General Ralph E. Eberhart, head of the newly-established Northern Command, based at Peterson Air Force Base in Colorado, which was "tasked" as of October 1, 2002 with the homeland security "mission," stated in the July 21 *NY Times* report cited above that, "we should always be reviewing things like Posse Comitatus and other laws if we think it ties our hands in protecting the American people," and that "Posse Comitatus will constantly be under review as we mature this command, as we do our exercises." His job, according to the *Washington Post* (11/21/01), is to "coordinate federal troops used in homeland defense, part of a broad reorganization that Pentagon officials say could change some forces' primary mission from waging war overseas to patrolling at home." Patrolling at home is the kind of "protection" you don't refuse.

General Eberhart's Northern Command or NORTHCOM is somewhat different from the rest of the regional "unified commands" that control military

operations around the world (and beyond), for example the European, Southern and Space Commands. This is because that beyond its central mission of deterring and defending against military threats to the United States, which is common to all the commands, NORTHCOM will have the distinct task of providing so-called "military assistance to civil authorities."

"Military Assistance to Civil Authorities" or MACA, as codified in various Pentagon directives and congressional legislation, enables the Pentagon to function in the sphere of policing America, wherein the troops act as force multipliers to "civilian" forces, amounting to the precipitous militarization of police forces within America which has occurred over the last two decades. Integrating heretofore separate entities into a single, consolidated entity of force, the trend has acted as a slow torture of the Posse Comitatus Act. The emergence of the Northern Command institutionalizes this trend.

In addition, the MACA mission, the core of so-called "homeland defense," allows for the use of "US military personnel to suppress insurrections," as well, another exception to the Posse Comitatus Act, thus set down in such directives as DoD 3025.12, "Military Assistance for Civil Disturbances" (1994). In other words, in coordinating "military support to civil authorities," the Northern Command will coordinate domestic response to "civil disorder," "instances of national concern," and other "illegitimate" activities, ie. social protest. In doing so, NORTHCOM will adhere to the already operative Department of Defense Civil Disturbance Plan 55-2, Code-named "Garden Plot," which was originated in 1968 and last updated in 1994.

[See <[www.cryptome.org/garden-plot.html](http://www.cryptome.org/garden-plot.html)>]

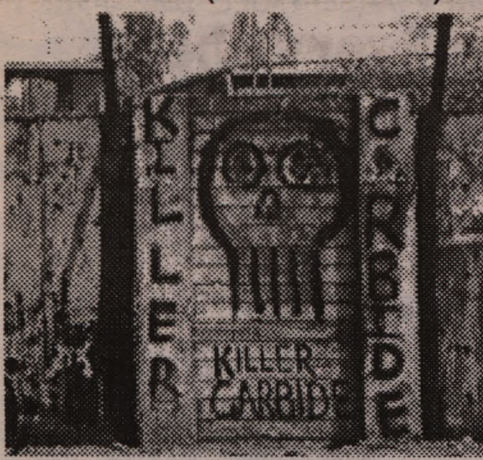
In reference to the 1976 Church Committee congressional findings which exposed massive military surveillance of political dissidents throughout the period, General Eberhart stated during a PBS interview on September 24, 2002 that "when you look at the 50s and 60s, some ugly things happened, and and I can assure that as we stand up this command, we're not involved in those kinds of activities, we're not going to be in the intelligence gathering mode, we're not going to be out there listening, we don't do those kinds of things," despite the fact that the command has 200 people focusing on domestic intelligence. And why is that? Because "we get information from people who do" the spying, for example, the 11,000 FBI agents out there, unfettered in their intelligence gathering efforts.

As Attorney General John Ashcroft recently put it, "you can't limit your investigators to investigating only crimes that have been committed. You have to authorize the investigation to develop information that might help signal that a crime is about to be committed or might be committed."

NORTHCOM will report to the Joint Force Headquarters--Homeland Security, headquartered in Norfolk, Virginia, which according to the NORTHCOM website <[www.northcom.mil](http://www.northcom.mil)> "coordinates the land and maritime defense of the continental United States, and military assistance to civil authorities." Set up this past January, the new unit directs the Joint Task Force--Civil Support, an earlier "anti-terror" strike force, as well as Joint Task Force Six, which is the Defense Department's southern land border counter-drug force, based at Fort Bliss, Texas, which "provides Department of Defense counter-drug support to regional, state and local law enforcement agencies throughout

Continued On Page 15





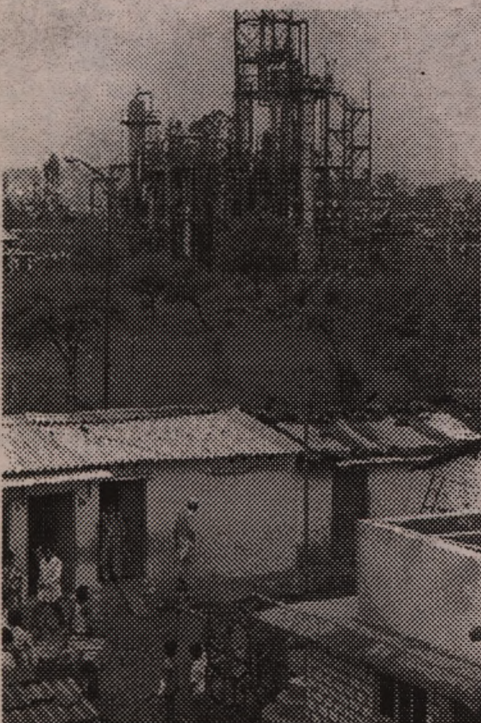
The body count from the World Trade Center/Pentagon attacks of September 11, 2001, is far exceeded by the victims of a 1984 explosion at a Union Carbide pesticide plant in Bhopal, India. Estimates suggest that as many as 10,000 may have died immediately, and tens of thousands more in the 18 years since.

In the early morning hours of December 3, 1984, a gentle wind carried a poisonous gas cloud over a 40 km area. No alarm sounded a warning. According to an eyewitness account, "Many died in their beds. Those who awoke to clouds of suffocating gas staggered from their homes, blinded and choking, to die in the street. Breathless and blind victims fled desperately through the pre-dawn streets, only to arrive at hospitals where doctors did not know how to treat them. People died in agony as their eyes and lungs burned, and urine and feces ran down their legs. Only when the sun rose did magnitude of the devastation become clear. Thousands of dead human and animal bodies blocked the streets."

When emergency physicians called Union Carbide, they were told by Jackson Browning, Director of Health, Safety and Environmental Affairs, that it was "nothing more than a potent tear gas, just wash with water."

Approximately 120,000 people still suffer serious health problems, including blindness, cancers, lung fibrosis, brain damage, miscarriages, depression, panic attacks and neurological disorders. Chromosomal aberrations found in the exposed population indicates the likelihood of serious birth defects in generations to come. Though 40 tons of toxic gases, including Methyl Isocyanate (MIC), were released in Bhopal, Dow Chemical, the new owner of Union Carbide, considers the chemical make up of MIC to be a "trade secret" and has refused to share the results of over 15 studies on the effects of MIC poisoning on humans and animals, despite repeat requests from Indian doctors.

According to Dow PR spokesperson Kathy Hunt, "We give that info to the



**BHOPAL VILLAGERS  
IN THE SHADOW OF DEATH—  
THE UNION CARBIDE PLANT**

## **BHOPAL TRAGEDY CONTINUES/ GREENPEACE ACTIVISTS NAIL UNION CARBIDE FUGITIVE CORPORATE KILLER**

By Warcry

folks in West Virginia," who also live near a Carbide plant. Two years earlier, in October 1982, a small amount of gas escaped from the same plant and only injured a few workers. This incident warned of potential public risks, but Union Carbide officials took no action to increase safety precautions. Carbide's works manager at the time, J. Mukund, stated, "Our technology just can't go wrong."

Before the Bhopal massacre, Union Carbide was responsible for the deaths of nearly 2,000 mine workers in West Virginia in 1934, most of them poor and black, who died of Silicosis—an occupational disease caused by hazardous working conditions in the construction of the Hawk's Nest Tunnel. At the Carbide plant in Indonesia, in 1978, more than 450 workers were suffering from kidney diseases attributable to workplace contamination, according to the company's doctor Dr. Maizar Syafei. She was asked by Union Carbide not to disclose that there was mercury in their drinking water, or else the workers "would become anxious."

Workers reported that prior to the 1984 Bhopal explosion, there had been massive cutbacks on staff and safety training, which was reduced from 6 months to 2 weeks. Union Carbide also failed to provide the neighboring community with information on emergency procedures. In addition, according to Greenpeace, on the night of the explosion, six safety measures designed to prevent a gas leak had either malfunctioned, were turned off or were otherwise inadequate, and the safety siren, intended to alert the community should an incident occur at the plant, was turned off.

### **Corporate Killer Nailed**

Called "the man who turned Bhopal in to a graveyard," Warren Anderson, then-CEO of Union Carbide, was initially arrested on charges of culpable homicide and criminal conspiracy. Anderson was released the same day on bail and fled India. Despite an Interpol alert and a request for extradition from the Indian government, Anderson has evaded all criminal penalties. He is considered a fugitive by Indian courts.

In August, Greenpeace activists found Anderson living a life of luxury in upstate New York and handed him an arrest warrant—Anderson refused to comment on the disaster. Greenpeace USA Toxics campaigner Casey Harrell, who confronted Anderson at his home, said, "If a team of journalists and Greenpeace managed to track down India's most wanted man in a matter of days, how seriously have the US authorities tried to find him all these years? The US has reacted swiftly on curbing the financial corporate crimes of Enron and WorldCom, but has clearly not made much of an effort to find Anderson, responsible for the deaths of 20,000 people in India."

Calling on both governments to act swiftly, Ganesh Nochur, of Greenpeace in India stated, "Now that Anderson's address is known, India must immediately and formally push for his arrest and extradition on charges of culpable homicide. In return, Greenpeace de-

mands that the US honor this request, per the two nations' extradition agreement. Anderson and the rest of Union Carbide, now Dow Chemical, should take responsibility for their crimes in Bhopal."

"Culpable homicide, is an extraditable offense punishable up to twenty years in prison," said Raj Punjwani, an Indian lawyer representing the victims of Bhopal. "The gas victims' testimony has never been heard. There has been no chance to cross-examine the company executives. In Indian, as in US and British law, one is innocent until proven guilty. If Anderson and Dow-Carbide are blameless, they have nothing to fear from appearing before the court, and until they do," said Punjwani, "there is no hope of justice." "Dow must first clear all its pending liabilities related to the Bhopal gas disaster and then quit India," declared the National Campaign for Justice in Bhopal.

### **Inadequate Settlement**

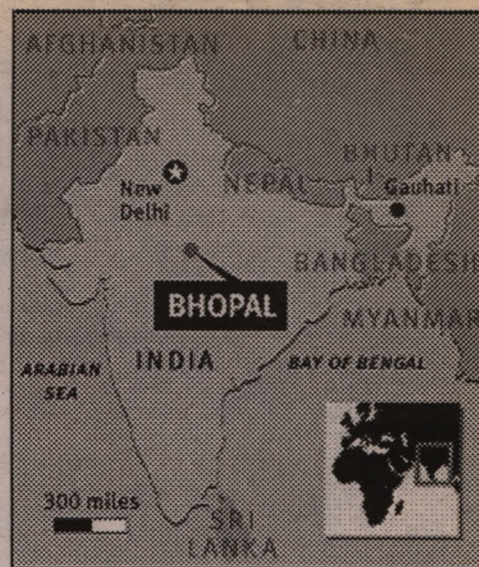
After a \$470 million dollar settlement was reached in 1989 between Union Carbide and the Government of India, 95 percent of the victims received 25,000 Rupees (\$500) as "lifetime compensation." Dow's annual sales exceed \$30 billion—more than the national economies of more than two-thirds of the world's nations, according to a World Bank report. Dow-Carbide's public affairs officer Kathy Hunt said that "\$500 is plenty good for an Indian."

In sharp contrast to its stand in India, Dow paid \$10 million to the family of toddler Joshua Herb in an out of court settlement for Herb's brain damage from exposure to the pesticide Dursban. Banned in the US, Dursban continues to be marketed by Dow in India. Union Carbide workers in Beaumont, Texas exposed to asbestos, also received multi-million settlements from Dow.

Union Carbide's victims in India are "among the poorest people on earth, yet they are expected to find medical treatment and survive on "compensation" that amounts to 7 cents a day," said Ganesh Nochur of Greenpeace India. Car-



**INFANT KILLED BY  
KILLER CARBIDE CHEMICALS  
IN BHOPAL DISASTER**



bide abandoned the Bhopal pesticide factory after the explosion, leaving behind hundreds of tons of toxic wastes. In 1995, Dow dumped chemicals contaminating ground water used by thousands who live around the abandoned factory.

In 1999, Greenpeace tested Bhopal's groundwater and discovered mercury at up to 6 million times the acceptable levels. The US has a "polluters pay" Superfund for toxic clean ups, but India does not. The money for toxic clean ups is going to come from the \$280 million remaining in the Bhopal Gas Affected survivors' account, initially earmarked for victim health care and rehabilitation.



**CORPORATE KILLER ANDERSON  
CAUGHT AT HIS  
LUXURIOUS LONG ISLAND HOME**

The Government of India, in a bid to protect potential foreign investment in India, has offered to clean up soil and groundwater contaminated with toxins that have been leaking from Carbide's abandoned pesticide factory in Bhopal by using the survivors' compensation funds. By allowing this, and not paying for clean up themselves, Dow is in effect robbing survivors of their compensation money."

Ganesh Nochur adds that "the Indian government is concerned that pursuing stronger legal recourse against Union Carbide would jeopardize the investment climate." Bhopal survivors are now asking that Dow Chemical pay for the toxic clean up, secure long term medical treatment facilities, provide fair economic compensation for gas-affected people, and provide clean drinking water to communities that are forced to consume contaminated groundwater near the factory.

At the recent Earth Summit in Johannesburg, Greenpeace released a document called the Bhopal Principles on Corporate Accountability, which calls on the government of India to "act rapidly to hold Dow Chemical, responsible for the pending medical and environmental rehabilitation liabilities in Bhopal." A Greenpeace spokesperson added that "transnational corporations have learned to downplay damage and elude criminal and/or civil liability. The Bhopal tragedy illustrates the need for governments, who are ultimately responsible for public welfare, to force corporations to uphold the law and become more accountable to the public."

[For more info, check out <Bhopal.net> and <[http://www.greenpeace.org/news/details?news\\_id=23837](http://www.greenpeace.org/news/details?news_id=23837)>]





## Naval Sonar Kills Whales

By Paul Garrin

On July 16, 2002, the Bush administration granted the US Navy a permit to deploy its Low Frequency Active Sonar system (LFAS) in as much as 80 percent of the world's oceans--and signed the death warrant against undersea life on Earth.

On July 29, 2002, more than 50 pilot whales beached themselves on the shores off Cape Cod, Massachusetts. Nine of them died before tourists and beachgoers could help them. Despite all efforts to assist the surviving whales by pushing them into deeper water as the tides rose, and encouraging them to swim away, all of the whales ended up back on the beach and died. Two years earlier, 10 whales beached themselves in the shallow waters off Nantucket Island and died, also despite the efforts of rescuers.

Since the mid 1990s, there have been increasing reports of mass strandings and deaths of marine mammals, including whales and dolphins, throughout the world. Most media reports about these ecological disasters call them "mysteries" and usually say that scientists are not sure why these mass strandings and die-offs occur. Other reports speculate about whales chasing food into shallow waters, often getting stranded in large numbers because their social nature causes them to travel and feed in groups.

SHADOW ecological investigations have turned up evidence that the US Military's use of Ultra Low Frequency (ULF) and Low Frequency Active Sonar (LFAS) could be the major cause of these massive losses of marine life. ULF and LFAS technology are used primarily by the US Navy to track underwater activity such as submarines, and to map the ocean floor.

The ULF/LFAS devices work by blasting extremely loud low-frequency sounds underwater through powerful speakers that are towed behind ships. The sonar blasts exceed levels high enough to cause death in humans and, apparently, in marine mammals too.

A Navy diver pulled from the water during a 120 decibel test was described by doctors to be suffering from acute trauma. Real harm to humans, including psychological stress and permanent hearing loss, starts at around 160 decibels and fatal effects include death from lung hemorrhage or other tissue trauma.

The LFAS system works by regularly emitting sound at levels of 240 decibels (DB) (equivalent to the level of the sound of a Saturn rocket at a distance of 20 feet) and receiving the echos that bounce off anything in the sound's path, creating an image on a sonar display at a monitoring station. The effect is an unbearably loud, noise-polluted ocean where the natural sounds of the deep are drowned out by the din of the US Military technology dominating the sea and disrupting the natural balance of life there.

Whales "sing" not only as a form of communication, but also as a form of navigation. Blue whales use their low frequency songs to navigate the oceans. The echos of their voices travel long distances over time, bouncing back from distant islands enabling the whales to chart their course by following the echos of their song. Exposing marine life to the 240 DB blasts from the Navy's ULF/LFAS systems is known to cause hearing damage to whales and dolphins, resulting in prolonged or permanent deafness. This in turn disrupts their sonic navigational abilities, disorienting them and causing them to run aground.

A mass stranding and death of 12 Cuvier whales who beached themselves in the Kyparissiakos Gulf in Greece in 1996 was linked to NATO tests of LFAS in the 230 DB range. Post mortem examinations of dolphins and whales beached in the Bahamas in 2000 revealed hemorrhages in and around the ears of all but one of them.

Further research has concluded that the loud sounds caused a "resonance phenomenon" in the air cavities of the whales' heads. The sound vibrations literally tore apart delicate tissues around their brains and ears, leading to hemorrhage and death.

Scientists and environmentalists have been trying to block the US National Marine Fisheries Service from issuing a permit to the US Navy to deploy and use LFAS before a full environmental impact study has been completed. So far, tests by independent scientists have demonstrated that ULF/LFAS is harmful and fatal to marine life, and that to use it would be to create an ecological catastrophe.

Scientists have also noted that LFAS is not a necessary technology because much more effective "passive" systems are currently available which do not interfere with the natural acoustic environment of the sea. Navy scientists counter that the technology is "safe," while Navy attorneys have sought exemption from the Federal Laws that forbid the harassment or killing of whales.

The Bush signing of the Navy's permit is a setback in the efforts to stop the carnage that ULF/LFAS will inevitably cause in our oceans, and could be the death warrant for Earth's sea life.

(If you want to do something about this, get everyone you can to fax a message to Gordon R. England, Secretary of the Navy, urging him to halt plans to deploy LFA sonar and stress that respect for our environment and life on the planet is in the best interest of national security: Hon. Gordon R. England, Secretary of the Navy, Washington, DC, 20350-1000. Fax: 703-614-3477)

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## Water Water Everywhere 3<sup>rd</sup> World Water Forum, 2003 Call to Action and Participation

By Missy Galore

"Water water everywhere and not a drop to drink". This rhyme sounds so cliché and yet its more true than we think--our ecosystem is so overworked its almost at the brink! We must act fast and wise before there's nothing left to drink! This fundamental human need is a worldwide link-- demand global cooperation if you don't want to go extinct.

Water quantity and quality are among the most vital environmental issues that we face in the 21st century. In many regions water is already more precious than oil.

By 2015 the CIA predicts that control of and access to pure drinking water will be a major source of world conflict. World Bank Vice President, Ismail Serageldin states "the wars of the twentieth century were fought over oil, the wars of the next century will be fought over water." (It's no wonder that the IMF and World Bank are pushing so hard to privatize what precious fresh water is left! They are setting the agenda for future war over water, already!).

The UN has declared 2003 the Year of Fresh Water. As more than 1/2 of the world's rivers are polluted or drying up, the situation is critical.

"Paradoxically, this is a time of both information overload and lack of information" states [worldwaterforum.org](http://worldwaterforum.org). That's exactly what they hope to change. At the 3rd World Water Forum to be held in Japan from March 16 to March 23, 2003, the focus is moving from topical discussions to direct actions and problem solving the multidimensional issues comprise the global politics of water. <environment, agriculture & fishing, access & ownership and natural disasters to name a few>

Water Water Everywhere, is a three day festival of "activism," information and water celebration that will take place in NYC <and netcast worldwide> in conjunction with and parallel to the 3rd World Water Forum. The forum seeks to bring the issues home to inform and inspire actions, with the goal to protect and celebrate this precious resource. We welcome participation at all levels: water specialists, artists and concerned citizens. For more information contact: [info@waterwater.org](mailto:info@waterwater.org) for more information.

There.  
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# DOWN BY LAW

## Bloomberg vs. Street Artists: It's Personal



By Robert Lederman, President of A.R.T.I.S.T.  
(Artists' Response To Illegal State Tactics)

When Mike Bloomberg was elected Mayor of New York City, the media suggested that the repressive atmosphere former Mayor Giuliani had created during eight false arrest and media censorship-filled years would now be a thing of the past. Were they ever wrong. Who would have guessed that within months of getting into office, media tycoon and billionaire art collector Mike Bloomberg would turn out to be an even bigger enemy of the First Amendment and of street artists than Rudy Giuliani had been?

It now seems clear that an anti-street artist position was lurking in Bloomberg's background for years and that for him it's personal. Long before becoming Mayor, Mike Bloomberg was already deeply involved in the city's blatantly illegal street artist arrest policy. Bloomberg was one of the wealthiest and most influential people in the city, actively complaining that street artists were in front of their buildings.

Mayor Bloomberg lives across the street from where artists show their work in front of the Metropolitan Museum of Art on Fifth Avenue. This is the location where street artists staged a 65 day long protest in 1998 against the Parks Department and is the specific focus of an ongoing federal lawsuit, Lederman et al v. Giuliani, which recently struck down an artist permit requirement in and around all NYC parks.

Mayor Bloomberg is also a long-time member of the Central Park Conservancy, a named defendant in that ongoing lawsuit. As Mayor of New York City, Mr. Bloomberg is now himself a defendant in the lawsuit, which is now before the 2nd Circuit Federal Appeals Court after five previous rulings in favor of the artist-plaintiffs. It is one of the few federal lawsuits the Bloomberg administration has inherited from the previous administration that they have not moved to settle.

According to officials in both the Bloomberg and Giuliani administrations, the Central Park Conservancy is the or-

ganization which actually initiated the artist permit. You can't get any more political than the Central Park Conservancy, which epitomizes the corporate privatization of public space. The current Director of the Central Parks Conservancy is Regina Perrugi, former Mayor Giuliani's 2nd cousin. Ms. Perrugi was also Mayor Giuliani's first wife. Mayor Bloomberg is also a long-time active participant on the Board of Directors of the Metropolitan Museum of Art, which in 1998 issued a press release publicly denying they were in favor of the artist permit. However, according to published interviews with former Parks Commissioner Henry Stern, the exact same museum directors who issued that press release were telling city officials an entirely different story in private and were actively pressing them to impose the artist permit requirement.

Despite the supposed threat of an imminent terror attack on NYC, under Mayor Bloomberg, the resource-strapped NYPD has launched an aggressive campaign involving hundreds of police officers centered on arresting and harassing street artists and vendors of jewelry and crafts in every borough of the city. Much of this enforcement surpasses the worst excesses and illegality of the Giuliani administration and most recently included ordering police officers to steal momentarily-unattended fine art displays when artists leave to get food or use a bathroom.

At his swearing in as NYPD Commissioner, Raymond Kelly listed dealing with vendors "the merely annoying" and other non-criminal "quality of life violators" as one of his top priorities.

On April 24, 2002, Mayor Bloomberg submitted Intro #160 to the Parks Committee of the City Council. This newly-proposed law seeks to overturn the First Amendment-based exemption from all licensing or permits for written matter (books, newspapers, leaflets) that has been in effect in NYC since 1982. Since 1996, the exemption has also applied to visual artists, based on a Second Circuit Federal Appeals Court ruling in two

consolidated federal lawsuits by street artists (Bery et al v. City of NY and Lederman et al v. City of NY). The landmark ruling in that lawsuit granted visual artists selling paintings, prints, photographs and sculptures the exact same free speech rights as newspaper publishers and the media in general--including Bloomberg News Service CEO, Mayor Mike Bloomberg.

In August 2001, Federal judge Lawrence M. McKenna issued an injunction in Lederman et al v. Giuliani, striking down the Parks Department's artist permit as an illegal violation of that same written matter exemption.

Mayor Bloomberg's press secretary, Ed Skyler, formerly a political operative for Mayor Giuliani, was the press spokesman for Parks Commissioner Henry Stern and routinely had to deal with embarrassing local, national and international publicity that the Parks Department earned itself for having hundreds of street artists arrested based on an illegal artist-permit requirement that directly violated NYC law. Intro #160 is directly aimed at changing that law.

Like the earlier artist arrest policy based on a vending license that NY City's own law department had determined in 1993 was unconstitutional before making the first artist arrest, none of the hundreds of parks artist-permit arrest cases were ever brought to trial. The cases were dismissed because they were all illegal arrests under both NYC law and under the NY State and U.S. Constitutions. Many of those arrests were carried out by high-ranking Parks Department officials, not just by the NYPD.

Intro #160 is nothing more than a self-serving effort by a billionaire media tycoon and so-called patron of the arts to eliminate street artists from the public sidewalk across the street from his apartment. Intro #160 is also a full frontal assault on every single New Yorker's First Amendment right to free speech on public property. If Intro #160 is passed into law, not only the sale of written matter and art on public sidewalks in NYC will be severely restricted or eliminated, but even freely handing out political leaflets will be subject to a permit requirement.

In September, City Councilmember

Bill Perkins withdrew his name from the bill in protest. According to Councilmember Perkins, "I did not intend to support in any way legislation that restricts freedom of speech and this bill has a tendency to do that."

Why does the City want to make artists get permits after we already won so many legal battles about this? The Parks Department has been trying to privatize all NYC parks while the city is also trying to privatize the right to free speech on the streets. While Intro #160 alludes to "keeping the Parks free of commercial activity," it is the Parks Department itself which is aggressively soliciting corporations to commercialize and privatize the parks. For example, Target stores paid the Parks Department \$1 million to stage an art show in Madison Park, which is in a neighborhood where Target wants to open a store. Local community activists oppose the store being located there, and Target believes sponsoring an art show will make them look like art patrons. The show is nothing more than a public relations gimmick intended to overcome the opposition of the local community.

Chase Bank, Disney, McDonalds, Nike and the Gap all want to do similar corporate promotions in city parks and are willing to pay any amount of money. For now, artists can show their works for free, but once permit requirements are imposed on them, artists will never be able to get one.

[You can contact every City Council Member and the Mayor about opposing this bill. NYC Mayor Mike Bloomberg fax: 212-788-2460; Parks Department fax: 212-360-1373; Councilmembers on the Parks Committee/sponsors of Intro #160: Joseph P. Addabbo, Jr: 718-738-1111 + 212-788-7069; Alan J. Gerson: 212-788-7722/7259, fax 212-788-7727; Martin J. Golden: 718-238-6078 + 212-788-7390; Bill Perkins: 212-662-4440 + 212-788-7396; Leroy G. Comrie: 718-776-3700 + 212-788-7084; Ruben Diaz: 718-892-7513 + 212-788-6854; Helen D. Foster: 718-588-7500 + 212-788-6856]

[You can get more street artist information and Federal Court rulings from 1998-2002 at: <<http://baltech.org/lederman/1994-1998>> and <<http://www.openair.org/alerts/artist/nyc.html>>]

[You can see the verbatim text of Intro #160 on the NY City Council website at: <<http://www.council.nyc.ny.us/textfiles/int%20160-2002.htm>>]

[You can contact Robert Lederman at: <[robert.lederman@worldnet.att.net](mailto:robert.lederman@worldnet.att.net)> or call him at: 201-896-1686]

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## THE URGE TO PURGE: AMERICA'S FIRST DRUG CZAR AND HIS WAR ON JAZZ

By A. Kronstadt

From 1931 to 1962, Harry Anslinger was Commissioner of the Federal Bureau of Narcotics (FBN). Before that, he had been a top enforcer in the federal alcohol prohibition bureaucracy. As top drug cop Anslinger acquired a reputation as an eccentric, dictatorial figure much like that of his fellow secret police chief and sometimes rival, J. Edgar Hoover of the FBI.

Anslinger's most noteworthy escapade, however, was his abortive plan for a mass arrest of jazz musicians, the ultimate "bad examples" for America's youth--a dream that he had apparently harbored since the beginning of his career as a drug cop. Starting in his earliest months as the head of the FBN, even before marijuana had been outlawed on a federal level, Anslinger began compiling files on the marijuana-related activities of dozens of jazz and swing musicians. Figuring among the artists mentioned in Anslinger's "Marijuana and Musicians" files, as these dossiers were later named, were Louis Armstrong, Dizzy Gillespie, Thelonius Monk, Count Basie, Jimmy Dorsey, Duke Ellington, Lionel Hampton, and Cab Calloway. Personal information on hundreds of lesser known figures in the jazz community was included in Anslinger's files, and it was clear that Anslinger's deputies were selectively targeting people involved in one particular type of music that Anslinger detested for ideological reasons.

In the 1930s and 40s, jazz was the vanguard of American music--the popular taste was dramatically changing in favor of this new and exiting means of expression. As a bold reconciliation between the African and European roots of American musical expression, jazz was, even at that time, an unconscious prophet of social change. Some influential people in America were frightened by the music itself, because of its ability to evoke emotions that the accepted popular music of the day could not. Young white people had been turning to jazz since the beginning of the 1920s, aptly-named the Jazz Age. In the 1930s and 40s, jazz was commercialized as swing music with an even wider audience.

Many jazz musicians, including Louis Armstrong, spoke of the benefits of marijuana in composing and appreciating jazz and that marijuana smoking was very much part of the culture. Armstrong is listed in Anslinger's file as having been arrested in Los Angeles in 1930 for pot possession and having been held for ten days in the county jail before being ordered to leave California and not return for two years.

In a directive to all branches of the FBN, dated October 24, 1947, Anslinger ordered his agents to "prepare all cases in your jurisdiction involving musicians in violation of the marijuana laws." He went on to say "We will have a great national round-up arrest of all such persons on a single day. I will let you know what day." The following year, Anslinger went before a Senate committee to demand vastly-increased funding for the FNB, not specifically mentioning his plan for mass arrests of jazz musicians, but telling the Senators he believed that there were between 50,000 and 100,000 marijuana smokers in the US, most of them Mexicans, blacks, and "artists." When pressed for a tighter definition of the latter category, he specified "musicians," and then added, "And I don't mean good musicians; I mean jazz musicians."



On other occasions, Anslinger had written on the subject of narcotics that marijuana and jazz were inseparable because it was the slowing-down effect of the herb that enabled the musician to "syncopate" the music, in effect, to add additional notes in between those ordinary allowed by formal western music. This "degeneracy" in musical taste, according to Anslinger, was something that jazz had in common with African music, and that meant it was step in the direction of the degeneration of American tastes in general.

Anslinger's shameless narrow-mindedness was too much, even for the public opinion of the late 1940s. Within 24 hours of his Senate testimony, he was the subject of 72 separate editorial pieces slamming him. The following weeks brought a stream of letters to the editor protesting Anslinger's remarks, as well as 15,000 nasty letters to the drug chief himself.

Furthermore, his plan met with resistance from within the ranks of the FBN itself. An agent wrote to Anslinger: "Dear Commissioner Anslinger, I have your letter of October 24. Please be advised that the musical community here in Hollywood is unionized and very tight, we have been unable to get an informant inside it. So, at the present time, we have no cases involving musicians in violation of the marihuana laws." Shortly thereafter, Anslinger's bosses came down on him, and little more was heard about the plan for mass arrests of jazz musicians. Anslinger's boss at the Treasury Department, Secretary Foley, called Anslinger in for a chat and expressed his disapproval of the mass arrest proposal.

A number of jazz musicians were, however, targeted by the FBN for pot violations in the late 40s and early 50s, and local authorities focused police attention on the jazz community. The mini-witch hunt of jazz musicians for marijuana, less notable perhaps than the contemporaneous McCarthyite persecution of Communists, was significant enough to become one of the themes of a classic Broadway play "Sweet Smell of Success" by Clifford Odets. In this play from the mid-1950s, a jazz musician is set up for a pot bust by a corrupt detective instigated to do so by a malicious newspaper columnist, as part of a personal vendetta.

Anslinger continued as head of the FBN (later replaced by the Drug Enforcement Agency) until his retirement in 1962. He had fallen into disrepute with many of the more liberal drug officials in the Kennedy Administration, and was under attack for using political pressure to suppress studies that presented alternative views of drug addiction.

It is heartening to remember that in spite of 70 years of pot prohibition, drug czars, and crusades against deviants, pot continues to aid creativity and artistic inspiration. As Louis Armstrong himself said: "Marijuana is a hundred times better than whiskey. It's agreeable, it doesn't cost much, it's good for asthma and it relaxes the nerves." Marijuana will outlast all of the drug wars because it is good stuff.

## KAFKAESQUE NIGHTMARE FOR PALESTINIAN ACTIVIST DETAINED BY INS

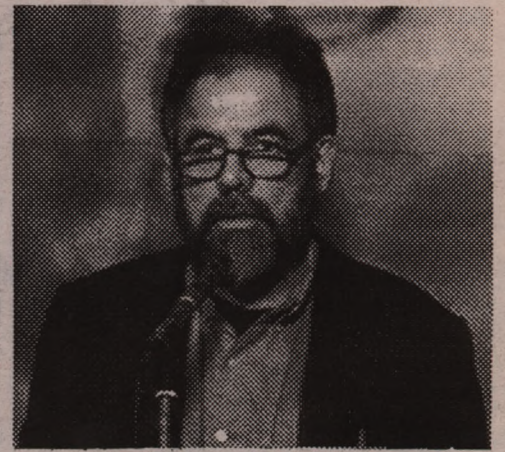
By Bill Weinberg

55-year-old Palestinian activist Farouk Abdel-Muhti, detained for six months on an immigration violation, is apparently still being held at New Jersey's Passaic County Jail--but when the Herald News tried to set up an interview with him, it was faced with confusion about his whereabouts. Since his arrest on April 26, Abdel-Muhti has been moved three times, between the Camden, Middlesex and Passaic jails. Jeannett Gabriel, a friend and organizer of a recent protest at the Passaic jail, fears that if he continues his criticism of INS policy, Farouk will continue to be moved around--perhaps to Louisiana, away from his family and his network of supporters.

A member of the Palestine Aid Society, Palestine National Alliance and the Palestine Education Committee, Abdel-Muhti has organized and participated in several protests around the NYC area. He lived for several years in Central America and speaks fluent Spanish. Gabriel credits Abdel-Muhti with helping to bridge the Latino and Middle Eastern communities in New York City, and suggested that work might be the reason he was targeted for arrest.

He was also a key Palestinian contact for New York's non-commercial WBAI Radio. "He knows people all over the place. If you wanted to talk to the mayor of Nablus or the mayor of Jericho, Farouk was the one to call," said Bernie McFall, a friend who shared his apartment in Queens with Abdel-Muhti and his son. Abdel-Muhti was appearing live on WBAI's Wake Up Call morning news show the first time the INS came knocking at his home in Queens April 9. McFall said that after he told the INS agents that Abdel-Muhti was out, they became abusive and threatening. He said the agents said that I was a disgrace to the American people, "that he wanted to throw me out the window."

After that first visit, Abdel-Muhti consulted with his attorney and decided it would be better to offer to sit down with the agents in their office, with his lawyer present. But the offer was ignored, say both Abdel-Muhti and McFall. At 5:00am on April 26, the agents came knocking again. This time, Abdel-Muhti was home and the agents were insistent on speaking with him, according to McFall. After a brief standoff with authorities--who, according to McFall, never provided a search warrant--Abdel-Muhti was taken to



**FAROUK ABDEL-MUHTI**

New York City's federal building, where authorities made him an offer. "They told me, 'If you cooperate with us, we will help you--get you out,'" Abdel-Muhti said. "What they wanted in exchange was a list of Palestinian aid organizations and the people who supported them. Abdel-Muhti said he told them 'You are playing with my dignity, you are playing with my principles.' He added that after his refusal, the agents became angry and beat him.

Abdel-Muhti was then taken to the Middlesex County Correctional Facility, only to be moved to the Camden and Passaic facilities after he began agitating for the rights of the detainees. "It appears that the transfer to Passaic was in retaliation for Farouk's constant advocacy on behalf of himself and other detainees," said friend and supporter David Wilson.

Abdel-Muhti told the Herald News, "[The INS] wants me to shut my mouth, they want to keep any Palestinian from talking about his rights. They told me, 'If you don't cooperate, we're going to send you to Israel, to the Mossad.'"

Abdel-Muhti said that on October 2, he was taken to the Honduran Consulate, to see if he could be deported to that country. Because he is not Honduran, the consulate refused to accept him and he was taken back to the jail. But this time he was admitted as "Farouk Mahmoud," he said. Although he protested that this was not his name, he says the jail has yet to change it.

[Farouk's supporters are asking people to call or fax INS New Jersey District Director Andrea Quarantillo (Phone: 973-645-4421; Fax: 973-297-4848) to ensure that Farouk is not moved or harassed]

Get your copy of the book:

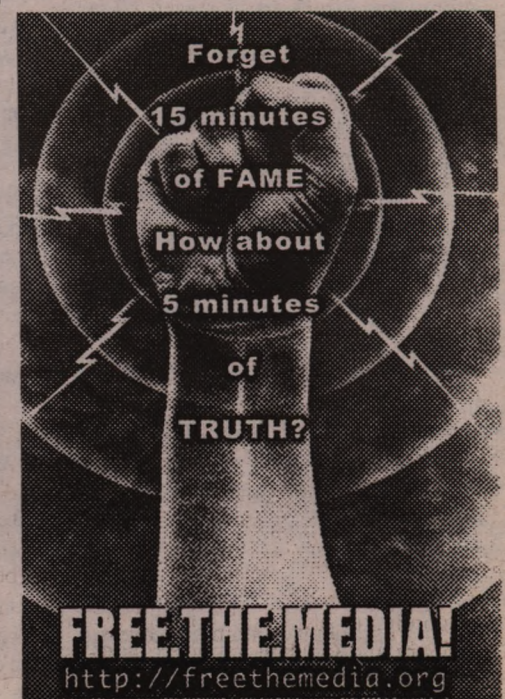
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# TACTICAL MEDIA

By Info.War

## ATT Makes Spying Easier!

AT&T Wireless Services Inc. now provides a digital picture service that will allow its customers to use their mobile phone to take pictures, and instantly send them to any e-mail address. Perfect for TIPsters and Homeland Offenders...so watch out next time you're in sight of any cellphones while reading the SHADOW... your image may be on its way to the FEDS!

## Video Surveillance for Macintosh

SecuritySpy is a new multi-camera video surveillance software product for the Macintosh. Set it up in your own space and catch the spooks when they black-bag your space! (Be careful to turn it off when you're with your lover or engaged in anything you wouldn't want recorded!)

(Note: This is a commercial product and the SHADOW does not endorse it here. We're just letting you know that this stuff is out there, so beware of it, and use it wisely where appropriate.)

## Not Only Does Micro\$oft SUCK, They Also SPY on You!

If you use M\$ Windows Media Player (WMP), you may be under surveillance by Micro\$oft! The default settings of the WMP allow it to communicate with Microsoft tracking servers and other Web sites to report whatever you play on it, including web-video clips and music. To stop the corporate fascists in Redmond from monitoring your personal life, and assuming that you're

just not ready to stop using EVIL M\$ products, then you must learn how to turn OFF the spyware!

How to Disable the Windows Media Player Spyware:

- Open the Windows Media Player
- Click the Tools menu and then click the Options command
- Remove the checkmark from the Allow Internet Sites
- Click Apply and then click OK
- Close the WMP and then open it again.

Of course, the best way to protect yourself from the EVILS OF MICRO\$OFT is to BOYCOTT THEM!

## Spying Is ILLEGAL for YOU!

Congress has just passed a law on the interception of cell and cordless telephone calls. The first time offense of intercepting an unscrambled and unencrypted radio communication that is not supposed to be listened to (eg. AMPS cellular calls, commercial pagers, cordless phones, common carrier communications) for hobby purposes (eg. not a tortuous or illegal purpose, direct or indirect commercial advantage or private commercial gain) is no longer a misdemeanor (one year or less prison time)--it is now a federal FELONY, punishable by 5 years prison time. So if you're a hopeless voyeur and avid scanner buff who likes to listen in on peoples' conversations, it looks like it's time to join the FBI if you want to spy on anyone with impunity! (From cypherpunks.org.)

## EXPLOSIVE POSTINGS LAND WEBKEEPER IN PRISON

By Info.War

On January 24, 2002, the FBI raided the home of Sherman Martin Austin, the 18 year old owner/operator of the anarchist web site RaisetheFist.com. In an email interview posted on the web, Austin stated: "They [the FBI] told me the main reason for the raid was because of the content on the site, and they wanted to see who was looking at it. This was not the main reason. It was an excuse. The alledged content which they claim they were so concerned about is from the Reclaim Guide."

The "Reclaim Guide" is an underground anarchist publication that contains information on defensive weapons, understanding and defeating police tactics, security culture, demo strategies, and information about the black bloc. <<http://www-2.cs.cmu.edu/~dst/raisethefist/exit/reclaim.html>>

Austin was ultimately convicted on September 23 after pleading guilty to a felony:

18 U.S.C. 842 (p)(2)(A): DISTRIBUTION OF INFORMATION RELATING TO EXPLOSIVES, DESTRUCTIVE DEVICES, AND WEAPONS OF MASS DESTRUCTION WITH THE INTENT THAT SUCH INFORMATION BE USED IN FURTHERANCE OF A FEDERAL CRIME OF VIOLENCE.

The plea bargain gave Austin a felony conviction with 1 month in jail, 5 months in a half-way house and 3 years of supervised release. Had he gone to trial and been convicted, Austin would have been sentenced to a maximum of 4-5 years in prison.

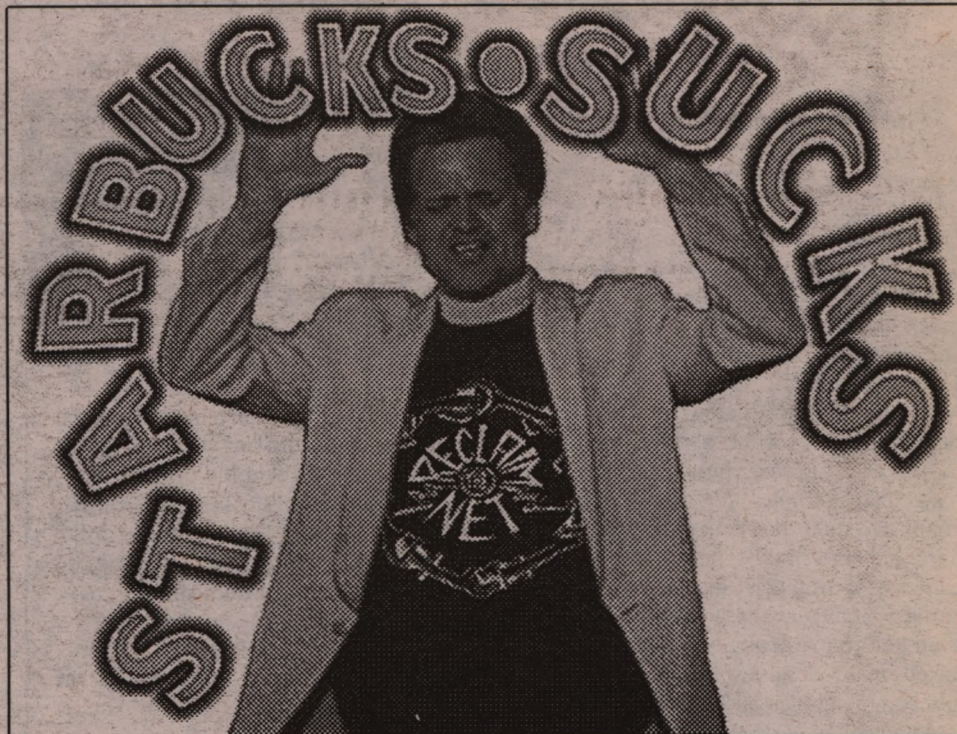
John Young of cryptome.org spotlighted some troubling details in the FBI's search warrant:

- iii. Any data that is encrypted and unreadable will not be returned unless law enforcement personnel have determined that the data is not (1) an instrumentality of the offense, (2) a fruit of the criminal activity, (3) contraband, (4) otherwise unlawfully possessed, or (5) evidence of the offense specified above.

One interesting fact remains that the very same "Reclaim Guide" is still posted and mirrored on many sites around the web, and none of them are known so far to have been harassed by the FBI. Some have argued that Austin was singled out for prosecution because he posted the guide on the same site as his anarchist protest rhetoric, and that had he published the info on a separate site he may not have been in violation of the statute which contains language regarding advocacy of violent acts in conjunction with information on how to commit them.

[You can read the USG's report on the Constitutionality of the 18 U.S.C. 842 statute at: <<http://cryptome.org/abi.htm>> and get background information on how it was passed in 1997: <<http://cryptome.org/bombmake.htm>>]

## Join the Campaign to ReclaimThe.Net



REVEREND BILLY'S "STARBUCKS.SUCKS" DOMAIN

The Campaign to RECLAIMTHE.NET is a movement to reclaim public space on the internet by asserting the public's right to have a say in the creation, publication and operation of new Top Level Domains (TLDs), and the right to set the policies that govern them in a way that protects the rights of all individuals, non profits, and commercial entities equally, with an emphasis on publishing and not on speculation.

There's no more true "public space" on the Internet.

The publicly-funded portion of the Internet was shut down in 1995 and reverted back to corporations such as IBM, AOL, ATT, MCI, and Sprint, who originally formed the US Government-funded development teams under DARPA (Defense Advanced Research Projects Administration) and the NSF (National Science Foundation). The growth of the internet as we know it today is the result of private corporations (many with publicly-traded stock) investing in hardware and technology THAT THEY OWN.

Currently, a handful of private corporations--with close ties to the military-intelligence-corporate-industrial complexes--are in control of the domain name system of the Internet. By holding the key to assigning domains, these companies have the power to control access on the net, and are reaping the economic benefits that come from the subscription fees charged for second level domain name registrations and assignments. These chosen few also oversee the (whois) database that contains your identity, as well as your payment information (i.e. credit card) and have no problem selling that information to spammers and advertisers, or openly sharing it with law enforcement without due process.

The policies set by these corporations cause you to waive your rights rather than protect them. Their contracts and policies have greater regard for the rights of trademark holders than they do for one's rights to justly criticize corporations by parodying their brands. This "logic" causes these corporations to artificially limit the number and content of Top Level Domains in order to maintain control in their own interests.

Why can't we have millions of unique Top Level Domain names?

What determines which and how many domains appear on the global internet is a simple text data file called the 'ROOT.DOMAIN' which is the master list of available TLDs and the hundreds of computers around the

world that run the various domain databases for each TLD. Copies of the ROOT run on 13 computers around the world, run by private operators under agreement with the US Government through an office at the Department of Commerce called the NTIA (National Telecommunications and Infrastructure Administration).

The NTIA can order changes to be made to the ROOT.DOMAIN to include or exclude domains through written directive to its corporate contractors. But the policy process by which new domains have been added to the ROOT has been corrupted by corporate and government interests that have colluded to artificially limit the number of new TLDs and to exclude any independent publishers and operators, especially non-profit and political groups.

If there is a "public" space on the Internet, it is the ROOT.DOMAIN. In a sense, the ROOT.DOMAIN is the "main thoroughfare" on the "information superhighway." Since the US Government has declared itself in charge of the ROOT, they can not exclude the public's right to PUBLISH in it. As long as there is no challenge, the only ones who will be allowed to publish and operate Top Level Domains are the small handful of corporate players currently favored by the US Government.

The First Amendment, which should protect you from the corporations, instead protects the corporations from YOU. The same corporations who pri-

Continued On Next Page

## GET THIS TSHIRT FREE!



With artwork by WW3 Illustrated Artist FLY

When you join the Campaign to ReclaimThe.Net

In support of publishing NEW DOMAINS like .SUCKS, .ART and more!

Go on the web to: <http://ReclaimThe.Net> to find out more and to join today!



## Update on the City's Plan to Bulldoze 295 Bowery

By Theresa Byrnes

After spending a week at the tree farm in Poughkeepsie where she runs a women's art colony, Kate Millett, acclaimed feminist author of *Sexual Politics*--and a dozen other books--returned home to 295 Bowery, a city-owned building where she has lived for over forty years, only to find a letter of eviction on her doorstep.

Some days later, Kate went to City Hall to see the Public Advocate for the City of New York. There she made a formal complaint to Ombudsman Eulalia M. Brooks about the city's Department of Housing, Preservation and Development (HPD).

Kate stated that just a few days before they delivered her eviction notice, the city had accepted her check, which included past rent they had previously refused. Kate had been holding her denied rent payments in an escrow account in the hope that the day would come when the city would again accept her money, making her a legal tenant again.

The city is now accepting Kate's rent payments. "The other tenants are not moving and I think the city may have given up on me. It seems the developers went broke and the city can't afford to take it on," Kate said, referring to the city and state-subsidized luxury housing development planned for the site of her home and the rest of her block.

Kate Millett now has a little respite. And her vision for the future gains force. She continues to research the names of the teenaged prostitutes once held captive in the basement of her building, formerly the location of McGuirk's Suicide Parlour, one of the most notorious of the Bowery bars proliferating in the area around the turn of the century.

Kate plans to have the names of the girls who signed a death pact in McGuirk's engraved on the door of her building, where she intends to establish New York City's first Women's Museum. Stay tuned for further progress.

[For more info, check out <<http://295Bowery.com>>; See SHADOW #46; Call 212-539-1519; Read *Mother Millett*, by Kate Millett, now out in paperback]



## Winston Smith: Untouched By Human Hands

By Carlo McCormick

Take apart this consensus reality, seductive pic by manipulative bit, scramble up all the banal visual detritus from our quotidian consumer culture existence, and rearrange the mundane in shocking juxtapositions that reveal darker hidden truths--if you don't actually come up with the smiling double face of corporate America, you will certainly come very close to approximating the subversive pictorial strategies of master mondo-montagist Winston Smith.

The devil is definitely in the details, and it is the unholy work of Winston Smith to turn the iconographic powers of persuasion against those very same malevolent mind-fuckers who make us desire what we do not need, trust who we shouldn't, believe in lies, fight in futile wars, hate the innocent and admire the culpable. And he does so not by manning the barricades or launching sophisticated media campaigns. Winston Smith has for more than a quarter of a century been the underground's revelatory little Toto pulling back the red velvet curtain like a veil of lies to show the nasty little men with their sneaky agendas. And he's done so with little more ammunition than a razor blade and a pot of glue. The answers are all there, his work reminds us, you just have to read the textual imagery another way.

With a rare New York showing of Winston Smith's prescient and influential collages at Fuse Gallery (93 2nd Avenue) from October 26th through December 7th, this grand-pappy of Punk graphix will show some of his timeless classics along with his latest batch of visual vitriol in a mini-retrospective survey. First coming to prominence as one of the most politically outspoken designers to impact popular culture in the repressive early Eighties with his landmark album cover and tee shirt graphics for his hometown punk rock cohorts The Dead Kennedys, including the endlessly reproduced DK logo from 1980s Fresh Fruit and the infamous Cross of Dollars for their 1981 *In God We Trust* album, Winston now sarcastically thanks "all those guys from the Reagan Era [for] coming back have

made me relevant again."

Tireless and fearless all these years in calling the pomp of US politics for the emperor's new clothes farce that it is, Smith does admit of times like these that "it does seem to get the creative juices flowing when you're outraged." As for more recent projects, there will be plenty to satisfy the most ardent Smith fans, with promises of the original "God Told Me To Skin You Alive" that was reproduced on the platinum selling Green Day album *Insomniac*, as well as his latest for the new album from co-median George Carlin.

Now called Complaints and Grievances, Smith told us that Carlin's original title, *I Kind of Like it When a Lot of People Die*, got scrapped after 9-11. But by the same token that most of Smith's gulf-war era parodies appear like they were made for today's crisis, we'll just have to attribute this to the seemingly uncanny capacity for predicting the future that all the most dire of pessimists now enjoy.

That Winston's art is conjured through such meager analog means as old school cut and paste is of course the joke behind his title appropriation of that old Fifties era ad slogan *Untouched by Human Hands*. "They promised a sanitary world where everything was factory made and wrapped by robots," Smith recalls, "but as much as my work may look today like it was done in photoshop, I can't even operate a computer."

As much as he's responsible for inspiring decades of punk and political flyers, as frequently hitting the mainstream in the likes of *The New Yorker* and *Rolling Stone* as his art is found tattooed on kids around the world, Winston Smith stands at the most recent pinnacle in a legacy of image mediation spanning over a hundred years. Not strictly collage, but more specifically montage, because he's working with pre-existing pictures, Smith follows in the adventurous path set by Dada and Surrealism's Kurt Schwitters and Max Ernst, pursued by the great anti-fascist propagandist John Heartfield, and con-

tinued by fellow Bay Area artists of the Fifties and Sixties (most notably Bruce Conner and Jess), this often neglected medium remains the first truly modern form of mass media art--the first chance artists had to reprocess the visual glut produced by the advent of printing presses.

Computers may in fact make such expository trickery seem more facile than it really is, but Winston Smith's modus operandi, to "try to construct a new reality and new meanings out of all these bland images," posits a visionary ideal and revisionist paradigm that is even more aesthetically relevant and urgently needed today than ever before.

## ReclaimThe.Net CONTINUED...

vately own the network infrastructure that we depend on as we interact over the net--the cables, wireless and satellite links, switches, servers, hardware etc--set the rules on their own terms, largely unregulated by the government.

We can not stand by as our rights to free speech and access to the means to publish our media are being choked off by an ever encroaching commercialization and corporate domination of all communications, at the expense of culture and community. We need to take effective action to assure the public's right not only to access and use the media for communication, but also to have a voice in its governance.

Become a part of the CAMPAIGN TO RECLAIM THE NET by joining FREE.THE.MEDIA!, registering the subject of your choice in the NAME.SPACE new domains and declaring your rights to publish it under the First Amendment, in the PUBLIC ROOT.DOMAIN.

As a new domain publisher and member, you will be provided with web space where you can publish your site under your NAME.SPACE domain. The publication of your site then becomes part of a petition that includes printouts of all the participating citizens' sites, along with a formal request that the existing new Top Level Domains published by NAME.SPACE and FREE.THE.MEDIA! be accepted into the ROOT DOMAIN so that they become

a permanent part of the global Internet.

Some existing sites include: w.sucks, disaster.almanac, repo.history, starbucks.sucks, narco.news, fluxus, manifesto, freepeltier.now, b92.radio, acronym.soup, bayer.sucks, dizzy.world, info.war, disney.sucks, reclaimthestreets.now. (See the listing at:

<<http://namespace.org/gTLDs>> or see what others have registered at: <http://WE.RECLAIMTHE.NET>>)

The only way we can reclaim public space in this privately-owned world is to create a collectively-owned people's network.

Join a community of artists, activists, and technologists who are working together to build a better world. The fees and donations received from registrations and member dues will help pay to run the servers that carry the new domains, and to print, copy and deliver the petitions to RECLAIMTHE.NET's Representatives in DC.

With a critical mass of member/publishers RECLAIMTHE.NET will have a powerful presentation to bring to members of Congress who have been monitoring this issue, and to let the US Department of Commerce know that the people have spoken and they want freedom of speech.

The future of public access is at stake here and the window of opportunity is closing fast--so we must act now to ensure that this opportunity to create a truly open and free digital commons is not lost by our own failure to act in time.

[You can find out more at:  
<<http://RECLAIMTHE.NET>>]

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## THE MYSTERIOUS RAMSEY CLARK:



### STALINIST DUPE OR DEEP-COVER SPOOK?

By Manny Goldstein

*Take a close look and there is some-thing downright suspicious about former Attorney General Ramsey Clark, now the darling of certain sectors of the radical left. His journey has taken him from the heights of federal power to outer orbits of the political fringe. In the process, he has seemingly transformed from a shill for the most corrupt elements of the US elites to a shill for any foreign despot who claims to oppose the US elites.*

*Who is Ramsey Clark really working for?*

#### Dynasty of Mediocrity

Ramsey Clark was born to power. In 1945, the Clark family made its leap from Dallas to Washington, DC when Ramsey's dad Tom Clark, a lobbyist for Texas oil interests, was appointed attorney general by President Harry Truman. In his Texas days, the politically ambitious Clark was cultivated as a useful connection by New Orleans mafia kingpin Carlos Marcello, and many feared Clark's new job would afford organized crime access to higher levels of power. AG Clark was repeatedly mired in corruption scandals. In 1945, he was accused of taking a bribe to fix a war profiteering case. In 1947, after he had four convicted Chicago mob bosses sprung from prison before their terms were complete, Congress appointed a committee to investigate and was effectively roadblocked by Tom's refusal to hand over parole records. Truman admitted to a biographer that "Tom Clark was my biggest mistake." But, he insisted: "It isn't so much that he's a bad man. It's just that he's such a dumb son of a bitch."

AG Tom Clark played along with the post-war anti-communist hysteria, approving federal wiretaps on Alger Hiss, the State Department official accused being a Soviet mole. In 1949, he moved over to the Supreme Court. Carlos Marcello biographer John Davis asserts that the mafia kingpin continued to funnel money to Clark when he sat on the high court.

Tom stepped down from the Supreme Court when young Ramsey was appointed Attorney General by President Lyndon B. Johnson in 1967. Ramsey was likely appointed precisely because he was Tom's son. And not because LBJ was impressed with Tom, but just the opposite: Johnson knew that Ramsey's appointment would maneuver Tom into stepping down. This cleared the way for the appointment of Thurgood Marshall, a comparative moral and intellectual titan who was strategic to the White House's effort to buy peace with the civil rights movement.

AG Ramsey got into a famous showdown with FBI Director J. Edgar Hoover when he attempted to block the Director's wiretaps of Martin Luther King Jr.--apparently the first stirrings of Ramsey's conscience. Hoover, considering Clark a spineless "jellyfish," went over his head and ordered the wiretaps without the AG's approval. However, Clark later told Curt Gentry, author of a critical biography of Hoover, that the FBI

director had "very strong human qualities" and "was not at all evil by any means. He really believed deeply in integrity, as he defined it, as he saw it."

Despite his unwillingness to approve the snooping on King (who, after all, had been a guest at the Kennedy White House), Clark was complicit with Hoover's COINTELPRO. Following the 1967 riots in Newark and Detroit, he directed the FBI to investigate whether the unrest was the result of some "scheme or conspiracy." He instructed Hoover to develop "sources or informants in black nationalist organizations, SNCC and other less publicized groups." The result was Hoover's extensive "ghetto informant program."

In 1968, Clark prosecuted Dr. Benjamin Spock for advocating draft resistance. "As late as 1968, while campaigning for Lyndon Johnson in Wisconsin, Clark was shouting at anti-war protesters to take their grievances to Hanoi rather than Washington," wrote John B. Judis in a 1991 exposé on Clark in *The New Republic*.

Clark also dutifully backed the official findings that Lee Harvey Oswald and Sirhan Sirhan each acted alone in the assassinations of the Kennedy brothers. But when LBJ stepped down in 1968, Clark was iced from his farewell luncheon. The humiliated White House isolated him as King's Resurrection City protesters occupied the DC mall and Republican candidate Richard Nixon baited the AG for undermining "law and order." He had become a convenient whipping boy for both parties.

#### Leftward, Ho

An embittered casualty of the 1960s, Clark assumed a leftist posture after leaving the Justice Department. He became the lawyer for anti-war protestor Philip Berrigan, headed a private probe into the FBI killings of Black Panthers Fred Hampton and Mark Clark, and traveled to Vietnam to condemn the bombing.

In a 1974 bid for Senate in New York, he played the centrist in the Democratic primary, with Bella Abzug on the left and Daniel Moynihan on the right. Moynihan won. Clark, now 46, appeared to burn his bridges with the establishment at this point.

In June 1980, with America mesmerized by the Iran hostage crisis, he joined a forum on "Crimes of America" in Tehran--the first of many such junkets. The 1980s saw Clark globetrotting to schmooze with any dictator who

happened to be on the White House shit-list. After the US bombing of Libya in 1986, he met with Col. Mommar Qaddafi in Tripoli. He also went to Grenada to advise Bernard and Phyllis Coard, leaders of the clique accused of murdering Maurice Bishop, who were facing treason charges.

Things started to smell really fishy in 1989, when Clark represented ultra-right cult-master Lyndon LaRouche and six cohorts on conspiracy and mail fraud charges. The LaRouchies had been bilking their naive followers of their savings by getting them to cough up their credit card numbers. Clark, who had been silent when the real COINTELPRO was conducted under his watch at the Justice Department, now charged that the LaRouche case was an "outgrowth" of COINTELPRO. He said the case was manufactured by LaRouche's "powerful enemies within the establishment" who targeted the cult because of its crusade "to combat the traffic in so-called 'recreational drugs'...and the practice of usury." Clark was echoing the standard line of the LaRouche organization, which paradoxically decries government persecution while boasting of its connections to the intelligence establishment (uniquely merging paranoia with delusions of grandeur).

In fact, the cult has exchanged information with the FBI, and farmed out its "intelligence" services to Panama's General Manuel Noriega. LaRouche's 1970s campaigns for a "War on Drugs" and space-based missile defense eerily predicted Reagan-era programs. Clark couldn't keep his client from a conviction and brief prison term, but Clark's relationship with LaRouche went beyond legal representation to actual advocacy. Researcher Chip Berlet, who monitors radical right groups, told *The New Republic* that Clark's brief was a "political polemic." Clark's new coziness with LaRouche took Berlet and others by surprise. Just a few years earlier, Clark had represented German Green Party leader Petra Kelly in her libel suit against the LaRouche organization, which had called her a "terrorist" and "whore" in its propaganda.

In June 1990, a LaRouche front organization, the Schiller Institute, flew Clark to a cult-organized conference in

Copenhagen. His speech there claimed that the US government had moved against LaRouche because he was "a danger to the system," and that he was a victim of "vilification." The speech was printed in full by the LaRouchie New Federalist propaganda rag.

Clark also represented Palestine Liberation Organization (PLO) leaders in a suit brought by the family of Leon Klinghoffer, the elderly vacationer who was shot and thrown overboard from the hijacked Achille Lauro cruise-ship by renegade Palestinian terrorists in 1986.

Another Clark client was Karl Linas, an ex-Nazi concentration camp guard in Estonia (where he had overseen the murder of some 12,000 resistance fighters and Jews), who was being deported from the US to the USSR to face war crimes charges. Clark lost the case, but again went to bat for his client in the public arena, questioning the need to prosecute Nazis "forty years after some god-awful crime they're alleged to have committed."

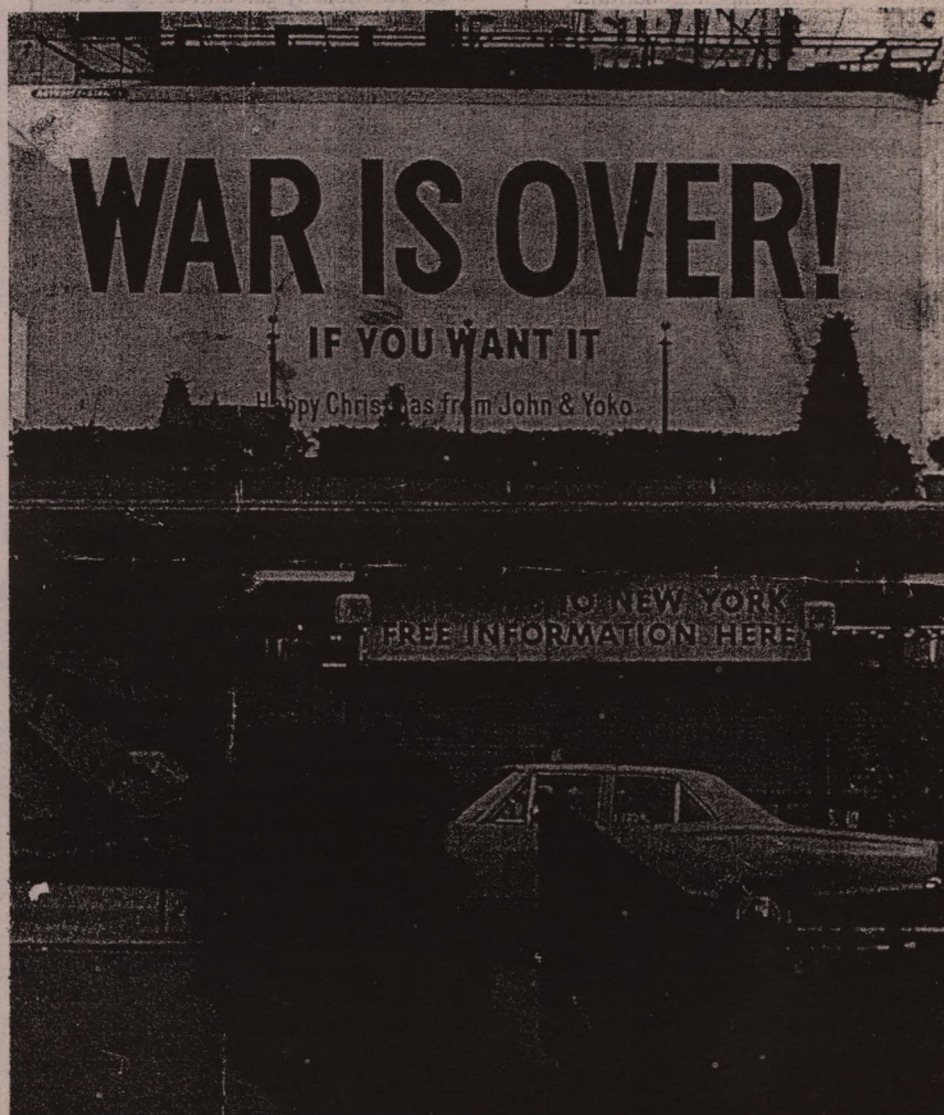
#### The Devil's Pact

In August 1990, two months after his return from the LaRouche conference in Copenhagen, with US troops mobilizing to Saudi Arabia, Clark accepted an invitation to lead the National Coalition to Stop US Intervention in the Middle East.

This invitation had been extended by members of an orthodox Stalinist sect, the Workers World Party (WWP). Clark had finally found a new home. The Clark-WWP alliance has lasted to this day.

A brief look at the doctrinaire sect's history: WWP is the brainchild of Sam Marcy, intellectual guru at the party's helm until his death in 1998. In 1956, Marcy led the faction in the Socialist Workers Party (SWP) that supported the Soviet invasion of Hungary, attacking the popular uprising and general strike there as "counter-revolutionary." In 1959, the Marcy clique broke from the Trotskyist SWP to found the more

Continued On Page 17





# HOMELAND OFFENSE:

CONTINUED....

the continental United States."

Finally, NORTHCOM, according to its "factsheet," will provide "assistance to a lead federal agency when tasked by DoD. Per the Posse Comitatus Act, military forces can provide civil support, but cannot become directly involved in law enforcement," unless of course that involvement is classified as "passive" rather than "active." In providing "civil support," NORTHCOM will generally operate through "established Joint Task Forces subordinate to the command," in other words, local "civilian" groupings "subordinate" to Pentagon control. And "when the scope of the disaster is reduced to the point that the lead federal agency can again assume full control and management without military assistance," only then will "NORTHCOM exit, leaving the on-scene experts to finish the job."

## TIPS

Typical of the need for "tactical (on the ground) intelligence," the first requirement of both "anti-terrorist" and civil disturbance "suppression," is the creation of TIPS, or the Terrorism Information and Prevention System. Set up this past January by Attorney General Ashcroft's Justice Department, TIPS, according to their website <[www.citizen-corps.gov/tips.html](http://www.citizen-corps.gov/tips.html)>, is a "national system for concerned workers to report suspicious activity."

In fact, TIPS is a hotline to the National White Collar Crime Center, a Justice Department organization that deals with "economic crime" and cyber attack. For a little under a million bucks, they plan to register all "suspicious, publicly observable activity that could be related to terrorism" and forward it to law enforcement and other agencies "opting to receive TIPS information." These agencies "would be responsible for determining how to respond to the tips they receive." The "workers" that TIPS is willing to offer its hotline service are those in the transportation, trucking, shipping, maritime, and mass transit industries.

It seems that the Bush administration concern for workers knows no bounds. On August 14, 2002, the *New York Times* reported that Bush wants to exempt all homeland security coordinated agencies "from collective bargaining requirements if (he) were to determine that our national security demands it." Little known to the public, the President is seeking not only to "exempt agency employees from federal labor relations rules and prohibit them from joining unions," but he's also prepared to force them to work, under the conditions he chooses, if "national security demands it." The "flexibility" that Bush is calling for, a "fast moving homeland security department unfettered by work rules and red tape" is sure to result in a lot less "flexibility" on the part of workers who may soon be confronted with a form of involuntary employment during "times of war," all set out in pre-existing Department of Defense directives.

TIPS, part of the CitizenCorps/ FreedomCorps/AmeriCorps axis of patriotic, police-loving do-gooders, is buttressed with funds, via the Washington DC-based Corporation for National and Community Service (CNCS), which has been around since the mid-90s, but has only recently, post 9-11, become linked to "homeland defense efforts." This past March, the Corporation issued a "notice of availability of funds to strengthen communities and organizations in using service and volunteers to support homeland security." With an emphasis on

"public safety" and "freeing up police time," the grants offered under the announcement "are to assist communities in getting involved in the war against terrorism on the home front." In the area of "public safety," the grants "will help provide members to support police departments in tasks and other functions that can be performed by non-sworn officers." The volunteers "are not armed, nor can they make arrests, but they carry out vital tasks including organizing neighborhood watch groups." They also "organize communities to identify and respond to crime and disorder problems."

On July 18, Homeland Security Director Tom Ridge announced, while sitting in a Washington DC police station, the first round of CNCS homeland security grants totaling \$10.3 million, an "initiative" that is to involve some 37,000 volunteers nationwide. One recipient of a \$484,000 Corporation grant, based in NYC, is the Center for Court Innovation. Linked to the NYC Public Safety Corps, the grant "will enhance homeland security by assisting criminal justice officials (police, probation officers, judges) as they perform their duties (while) 40 full time AmeriCorps members will free up police to address conditions of disorder that, if left unchecked, create a climate where crime would flourish."

In New York City, ground zero for the attack, homeland defense equates to the same old thing, cracking down on "disorder" (protest) and "quality of life crimes," which is racist police code for arresting and jailing more poor people. As for the "crime" of dissent, recently, the NYPD made a move to overturn the restrictions on political surveillance.

According to *New York Newsday* (9/26/02), "it appears that the city wants to start engaging in political surveillance without any evidence of unlawful activity." For the past two decades, the so-called Handschu Agreement has protected the rights of the dissenting public against unwarranted police surveillance of Constitutionally-guaranteed rights to dissent. Now, given the "war on terrorism," the city is asking a federal judge to abolish this protection. According to the police department's legal bureau, "before, investigators needed a criminal predicate or suspicion of criminal activity," but today, stated NYPD assistant deputy commissioner Tom Deopfner, terrorists don't do anything illegal for a long time." Some reasoning. Apparently, permanent war requires permanent spying, from the cradle to the grave.

## Military Tribunals

In early June of this year, the Bush administration jailed a New York City man of Puerto Rican descent, Jose Padilla--or as he now calls himself, Abdulah al Muhajir. He is presently being held in a military jail in South Carolina. He has yet to be charged with any crime. Like the hundreds of Muslim and other immigrants still being held in detention since September 11, he is considered a "material witness" to the 9-11 investigation. And yet, rather than have him subject to the discretion of federal courts, he was handed over to the military as a "enemy combatant" after Attorney General Ashcroft and the Pentagon talked it over.

At that moment, Padilla was taken out of his New York prison cell and transferred to a US Navy brig in South Carolina. His attorney, Donna Newman, was not informed of his transfer and has been denied access to her client. Even

the *Washington Post*, which has backed virtually all of the repressive measures of the Bush administration since September 11, wrote at the time of Padilla's jailing that "the government's actions in this latest case cut against basic elements of life under the rule of law" and that "if its positions are correct, nothing would prevent the president--even in the absence of a formal declaration of war--from designating any American as an enemy combatant. If that's the case, nobody's constitutional rights are safe." And yet, this "chilling legal precedent" is but the tip of the iceberg of the complete subsuming of normal judicial processes to the growing militarization of law enforcement and jurisprudence.

Declaring an "extraordinary emergency" on November 13, 2001, President Bush signed an unprecedented order authorizing the creation of special military tribunals to try non-citizens suspected of terrorism. The order violates the constitutional separation of powers, because according to the National Legal Aid + Defender Association, the order "has not been authorized by the Congress and is outside the President's constitutional powers." And further, "the

order strips away a variety of checks and balances on governmental power and the reliability and integrity of criminal judgments." In addition, "by its example, the order undermines the rule of law worldwide, and invites reciprocal treatment of US nationals by host nations utilizing secret trials, a single entity as prosecutor, judge and jury, no judicial review and summary executions."

According to Barbara Olshansky (*Secret Trials and Executions: Military Tribunals and the Threat to Democracy*, Seven Stories Press, 2002), the "tribunal" system "radically abandons the core constitutional guarantees at the heart of American democracy." "With the single swipe of his pen, President Bush replaced the democratic pillars of our legal system with that of a military commission system in which he, or his designee, is rule-maker, investigator, accuser, prosecutor, judge, jury, sentencing court, reviewing court, jailer or executioner." Yes, executions, where the entire process is carried out in secret, executions without any accountability to Congress, the courts or the American

Continued On Page 17

## BLOOD, MONEY, OIL, WAR

### Rockefeller Heir Spills Nazi Ties

By Robert Lederman

David Rockefeller's newly-released autobiography reveals the Rockefeller family's long standing Nazi connection. David Rockefeller himself is directly tied to countless controversies, including Enron (Chase was its main bank), West Nile Virus (Rockefeller University was experimenting in NYC with WNV since the early 1950s and claims to have "discovered" it in Uganda in 1937), the WTC (David Rockefeller conceived of it and built it to enhance Chase Bank's new downtown headquarters), Rudolph Giuliani (America's Mayor got all his ideas from Rockefeller's Manhattan Institute), eugenics (aside from being half owners of the Auschwitz slave labor, death camp in Nazi Germany, owning part of Nazi Germany chemical firm IG Farben and being heavily involved with Adolph Hitler and the Nazis, Rockefeller has been the world's #1 promoter of eugenics. The Manhattan Institute hosted and promoted author Charles Murray throughout the writing of the Bell Curve, a book contending that African-Americans are innately inferior to Caucasians), and the coming war with Iraq. David Rockefeller is also connected with the Saudis who financed Al Qaeda and the entire Bush family--which has its own very well-documented Nazi connections. (See SHADOW #46--Ed.)

"In 1936, the Rockefellers entered into partnership with CIA head Allen Dulles' Nazi front, the Schroder Bank of New York. In 1939, the Rockefeller-controlled Chase National Bank secured \$25 million for Nazi Germany and supplied Berlin with information on ten thousand Nazi sympathizers in the United States. Except for a few months interruption, the Rockefeller-owned Standard Oil Company of New Jersey (Esso, now known as Exxon), shipped oil to the Nazis through Spain during the second world war. In 1942, Senator Harry Truman described the behavior of Standard Oil as treasonous. On September 22, 1947, Federal Judge Charles Clark, issued the following opinion in a civil case: "Standard Oil can be considered an enemy national in view of its relationship with I.G. Farben after the U.S. and Germany had become active enemies." (From *The Secret War Against the Jews*)

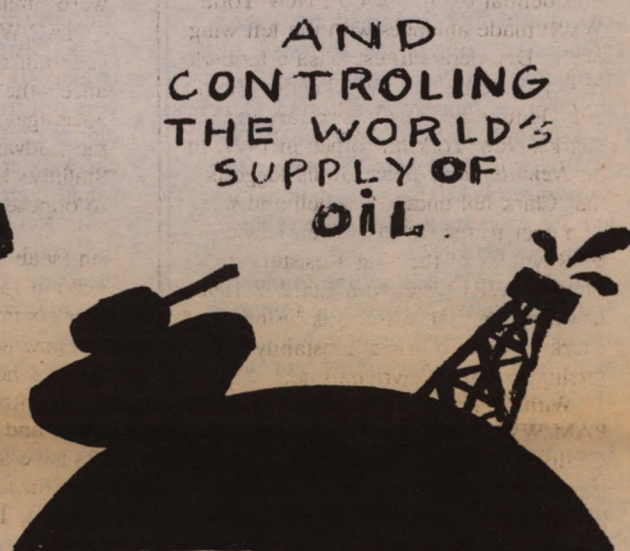
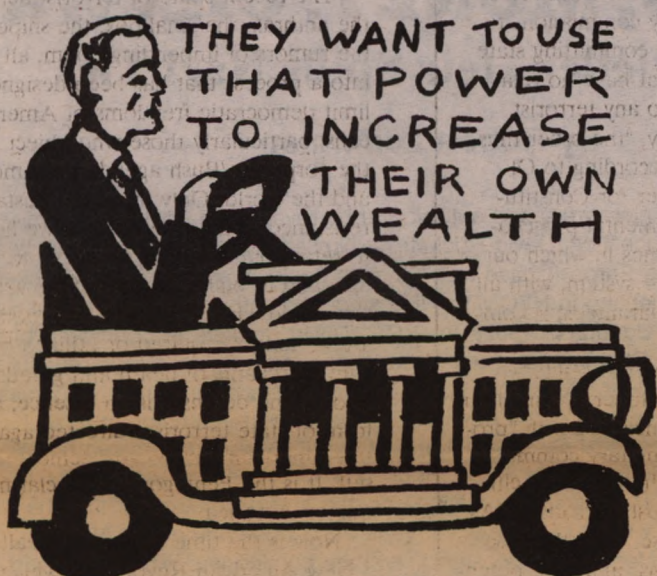
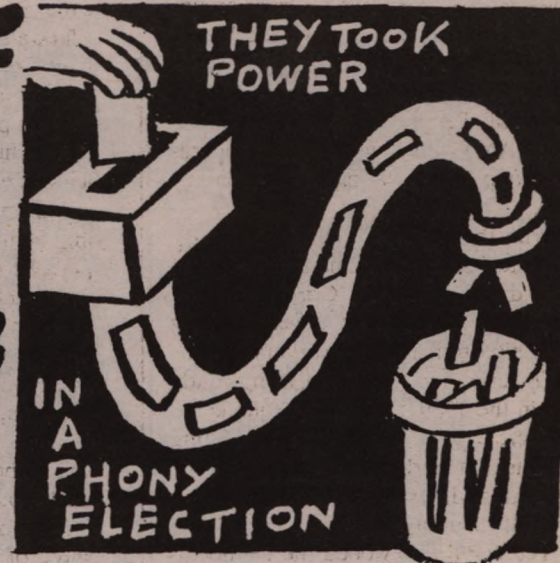
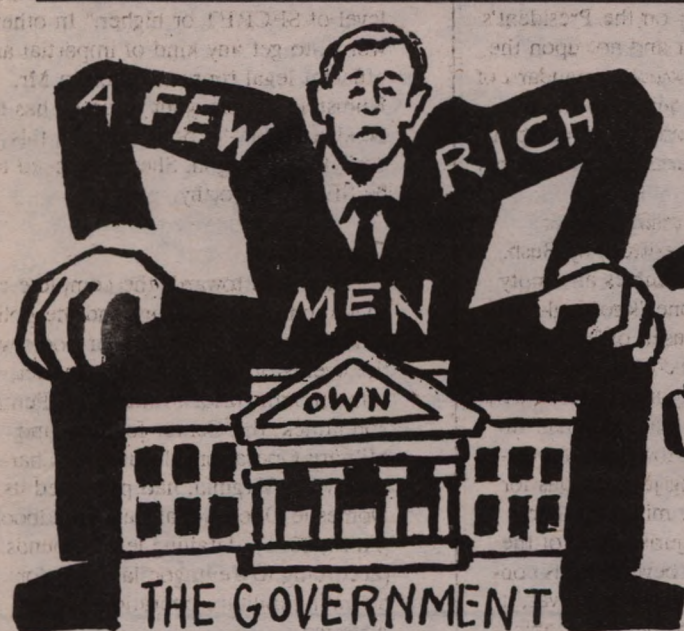
"During the war, Rockefeller foreshadowed the anticommunist policies of the Cold War by cozying up to dictatorial regimes in Latin America. Niccola Tucci, head of the State Department's Bureau of Latin American Research, resigned and asked Secretary of State Cordell Hull to abolish his bureau.

According to Tuccio, "My bureau was supposed to undo the Nazi and fascist propaganda in South America and Rockefeller was inviting the worst fascists and Nazis to Washington." Tucci took his objections to Rockefeller and was told: "Everybody is useful and we're going to convert these people to friendliness to the United States." Tucci says, "And then, Rockefeller's lawyer Larry Levy said to me, 'Don't worry, we'll buy those people.'" (From *The Rockefellers: An American Dynasty*, by Peter Collier and David Horowitz, Holt, Rinehart & Winston, 1976, and from *The Belarus Secret*, by John Loftus).





# THE POWER IS IN THE HANDS OF...



WE CAN FOLLOW THEM  
TO WAR AND DISASTER





## RAMSEY CLARK: CONTINUED...

Stalinist WWP. The new group wasted little time in cheering on the brutal Chinese repression of the indigenous culture in Tibet that year (which sent the Dalai Lama and 80,000 refugees fleeing into exile).

Vying with SWP and other parties for top dog position on the radical left, WWP always maintained a front group to suck in neophytes. During the Vietnam era, this was Youth Against War & Fascism (YAWF). In the Reagan-Bush era, it was People's Anti-War Mobilization (PAM)—which would be the operative group in the National Coalition in 1990.

With the coming of glasnost, WWP supported the Kremlin hardliners who resisted Soviet Premier Gorbachev's reforms and disarmament moves. Insisting that China remained a "workers state," WWP supported Chairman Deng Xiaoping in the 1989 Tiananmen Square massacre, again attacking the protesting students and workers as "counter-revolutionaries." In 1991, WWP supported the KGB coup against Gorbachev.

Yet WWP also wooed the Democratic party, supporting Jesse Jackson's presidential bid in 1984. In New York, WWP made alliances with the left wing of the Democrats to establish a foothold in key trade unions. WWP cadre Gavriella Gemma became a secretary in Clark's New York law office in 1977. In his *New Republic* piece, Judis suggests that Clark fell under her spell and was won over to the WWP. When David McReynolds of the War Resisters League (WRL) met with Clark in 1990 to warn him that WWP was "using him," Clark refused to listen, constantly referring to what "Gavriella said."

With Clark as the figurehead and PAM/WWP at the helm, the National Coalition provoked a split in the protest movement against Operation Desert Storm through its refusal to condemn Saddam Hussein or Iraq's invasion of Kuwait. The other established anti-war groups (War Resisters League, CISPES, SANE/Freeze, National Organization for Women, etc.) formed the rival National Campaign for Peace in the Middle East, which condemned both Bush and Saddam. Soft-peddling their pro-Saddam line, WWP's National Coalition won endorsements from celebrities like Spike Lee and Casey Kasem, sucking in numbers even after the split. The two groups held separate marches on Washington in January 1991, allowing the media to portray a divided movement.

WWP went to extreme lengths to maintain control of the National Coalition. At an April 1991 protest in New York City, WWP thugs attacked a Lower East Side squatter contingent and ejected them from the rally for refusing to take down their unapproved homemade anti-war banners. WWPers then called in the police and had the squatters arrested. [See SHADOW #17]

In November 1990, Clark flew to Baghdad to meet with Saddam Hussein, who allowed him to return with a few hostages. In February, with the bombs falling, Clark was in Basra, Iraq's southern port, witnessing the destruction. But his consistent failure to complain about Hussein's regime made it clear that he was there at its invitation.

With Clark's name recognition and homespun, avuncular image, WWP had the opportunity to form a new front group to win over naive liberals. This was the International Action Center (IAC), which remains the top vehicle for Clark's ego and WWP's play for hegemony over the fragmented remnants of the left.

IAC/WWP's politics went from bad to worse as Yugoslavia descended into

chaos in 1991. It soon became obvious that Clark's legal work now closely followed the WWP line. In 1992, Radovan Karadzic, the leader of the Bosnian Serbs, was served with federal subpoenas when he arrived in New York for meetings at the United Nations. The National Organization for Women and the Center for Constitutional Rights, acting on behalf of Bosnian refugee women, were charging him with ordering mass rape and war crimes. Clark immediately came forward to represent Karadzic. Clark also made junkets to Serb-occupied Bosnia to schmooze with Karadzic (as did various Russian neo-fascists, such as politician Vladimir Zhirinovskiy). Meanwhile, International Action Center leaflets engaged in blatant historical revisionism over Serb war crimes, portraying them as lies perpetrated by an imperialist conspiracy.

"What about all those reports of 'Serbian atrocities'?" asked an IAC leaflet in 1993, which then answered its own question: "Before the bombs can be dropped, the lies must be told." It then went on to cite fabricated atrocities which the Kuwaiti regime's paid PR hacks had attributed to the Iraqi occupation forces in 1990—without offering a shred of evidence that the reports of Serb rape camps and "ethnic cleansing" were similarly fabricated.

IAC/WWP embraces what is now called in Europe the "Red-Brown Alliance"—the notion of a left-fascist alliance against the West. This alliance is most advanced in Russia, where neo-Stalinists and neo-Czarists joined forces to oppose Russian President Boris Yelt-

sin (seen as a stooge of the West). In an echo of the 1939 Hitler-Stalin Pact, former communists and anarchists in Russia, now work with figures like Zhirinovskiy, who have themselves sought alliances with German neo-Nazis. Like Clark and WWP, these Russian extremists have avidly rooted for the Serb armies throughout the wars in former Yugoslavia. The "Red-Brown Alliance" was seen on the streets of New York during the 1999 NATO air strikes against Yugoslavia, when Clark led rallies which brought WWP communists together with right-wing nationalists and Orthodox clergy from the Serb immigrant community. Serbian flags were proudly waved at these New York rallies, while meetings at IAC's 14th Street offices degenerated into mass chants of "Serbia! Serbia! Serbia!" This at a time when Serbian police and paramilitaries were forcing 800,000 Albanian refugees to flee their homes in Kosovo at gunpoint.

Again, WRL and other anti-war groups broke away to form their own coalition that rejected both NATO's bombing and Serbian aggression against the Kosovo Albanians. But this time it was only IAC/WWP which held a national rally in Washington.

In October 1999, Clark met with Yugoslavia's President Slobodan Milosevic in Belgrade, and said everything the dictator wanted to hear. Milosevic, by then facing war crimes charges before the UN tribunal at The Hague, called his guest "brave, objective, and moral."

The case against Radovan Karadzic has languished since the UN brought war crimes charges against him, forcing him into hiding in Serbia. Clark, meanwhile, has represented Elizaphan Ntakirutimana, a Rwandan Hutu fighting extradition from the US to face charges of genocide collaboration before the UN tribunal. The WWP line simultaneously (and predictably) tilted to the genocidal Hutu militias as the UN wrote up war crime charges against their leaders for ordering the slaughter of half a million Tutsi civilians in 1994. Clark lost the case, and in March 2000, Ntakirutimana was deported to Tanzania, where the

## HOMELAND OFFENSE

CONTINUED....

public. Who can be charged? Anyone whom Bush thinks is a terrorist. Olshansky states that the language of the military order "tells us that the decision of who to prosecute by military tribunal will be based entirely on the President's subjective assessment and not upon the more stringent and objective standard of probable cause as required by the Supreme Court's decisions interpreting the constitutional boundaries of our criminal laws."

According to the military order signed (certainly not written) by Bush, whose subjectivity resembles an empty bottle of booze, anyone "knowingly harboring" someone accused of "terrorism," although ostensibly a civilian criminal act, and not a military-like terrorist act, may be tried by a military tribunal. In addition, with an eye towards suppressing dissent by shifting jurisdictions for "political crimes," the military order seeks to "extend the jurisdiction of the military commissions beyond trials concerning 'violations of the law of war,' to those concerning all 'other applicable laws.'" In other words, the Bush forces intend "to use military commissions to try people accused of committing state and federal crimes that have no relationship whatsoever to any terrorist activity." Consequently, "the order thus appears to permit," according to Olshansky and the Center for Constitutional Rights, "governmental prosecutions for common crimes in which our civilian criminal justice system, with all of its constitutional guarantees, is completely bypassed."

Department of Defense Military Commission Order Number 1, issued on March 21, 2002, is concerned with "procedures for trials by military commissions of certain non-United States citizens in the War Against Terrorism." As we have seen of course, as in the case of Mr. Padilla, "citizens" alike are potential targets of the tribunals. The "commissions," according to the order, "shall have jurisdiction over violations of the laws of war and all other offenses triable by military commission."

Overseen by a "military officer" who will "admit or exclude evidence at trial," the "prosecutor" would be a "special trial counsel of the Department of Justice." On the defense side, well, one could opt to go with the DoD's version

UN tribunal on Rwanda was held.

What is Ramsey Clark: dupe, kook or spook? Has a well-intentioned but none-too-bright Clark been duped by the WWP cadre? Or has his reasoning become unhinged for reasons of per-

of the public defender, namely another "military officer," or one could secure an attorney. However, although "the Accused may also retain the services of a civilian attorney of the Accused's own choosing at no expense to the United States Government," this would only be possible once it "has been determined" that the civilian attorney is "eligible for access to information classified at the level of SECRET or higher." In other words, to get any kind of impartial and efficient legal representation in Mr. Rumsfeld's court, your attorney has to be cleared by the opposition, in this case, the Pentagon. She or he need to be SECRET worthy.

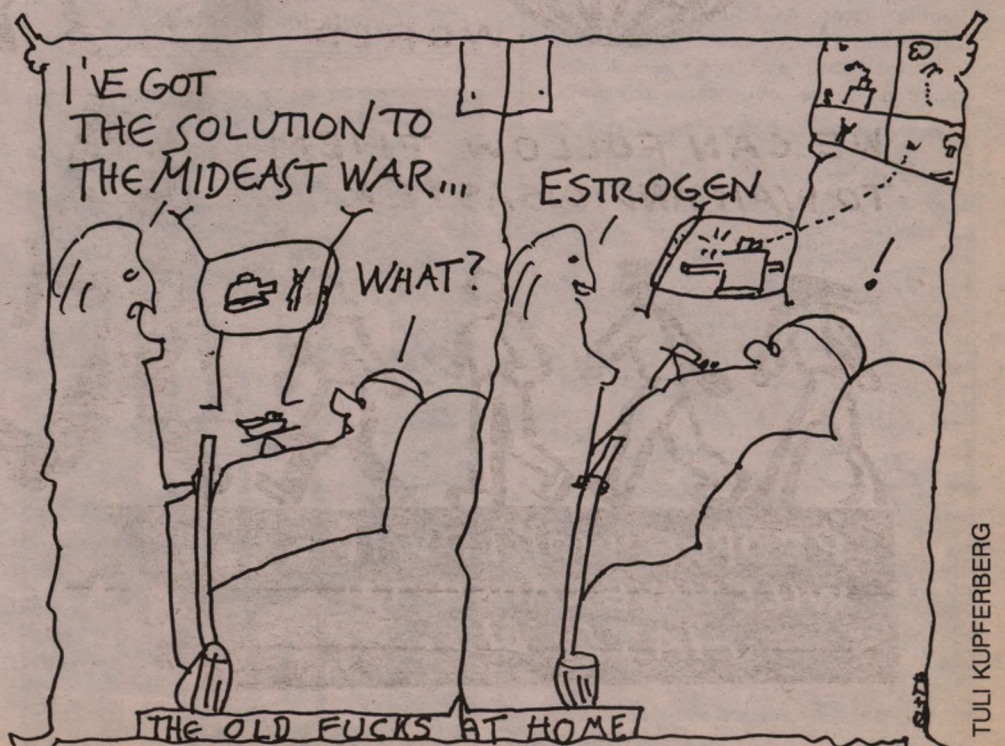
### Conclusion

The trend towards the complete consolidation of the military and the police in America received a major boost with the events of September 11. In fact, some months prior to the WTC/Pentagon attack, the Center for Law and Military Operations, located in Charlottesville, Virginia, had published its Domestic Operational Law Handbook (April, 2001), detailing legal grounds (according to Pentagon lawyers) for mounting military operations within America.

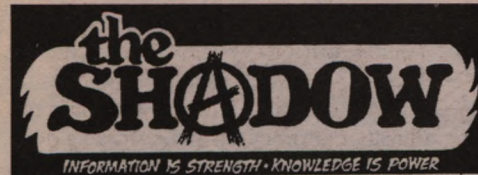
The recent spate of terrorist actions, the anthrax, the smallpox, the snipers, the rumors of impending doom, all feed into a process that has been designed to limit democratic freedoms of Americans, particularly those who object to the corporate/Bush agenda for America and the world. Only through a sustained resistance to these trends can we hope to retain our freedom, to speak, to protest, and to build the kind of America and world where militaries and police are no longer required or utilized by elite merchants of death and greed. "Homeland defense" is, in essence, a form of state terrorism directed against the American people and democracy itself. It is the Pentagon Inc. declaring war on America.

Now is the time to issue the call for a New American Revolution, which deconstructs the deadly symbiosis between militarism and profits.

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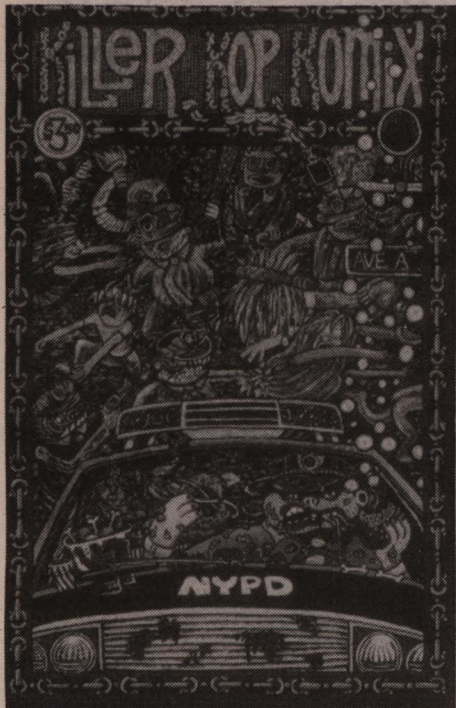






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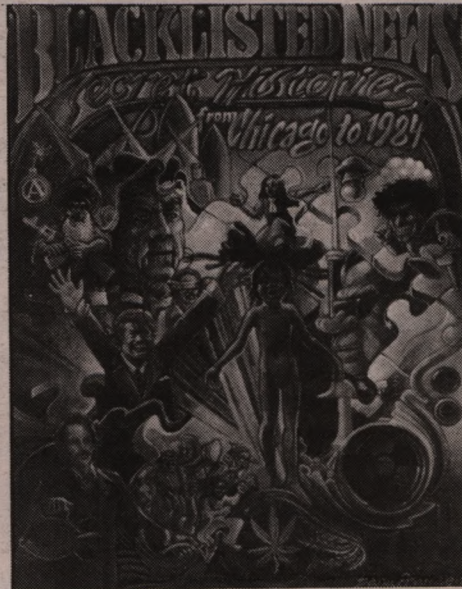
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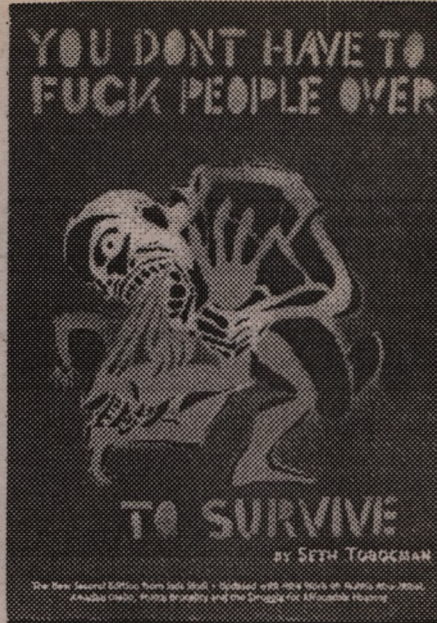
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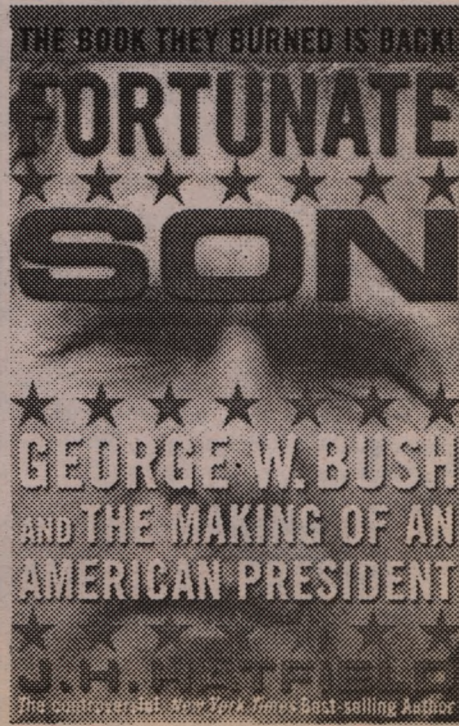
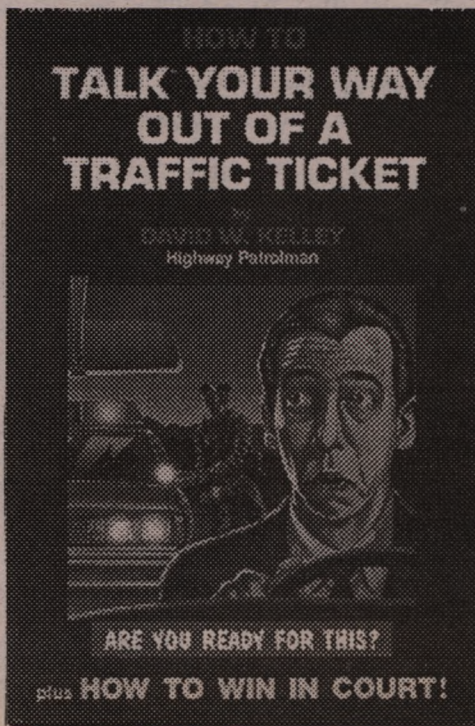
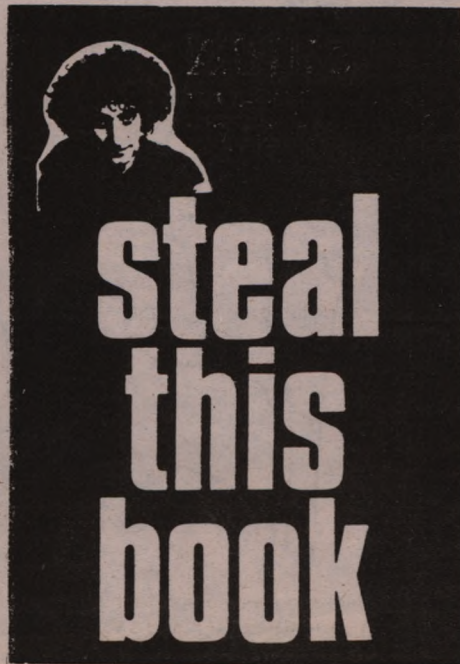
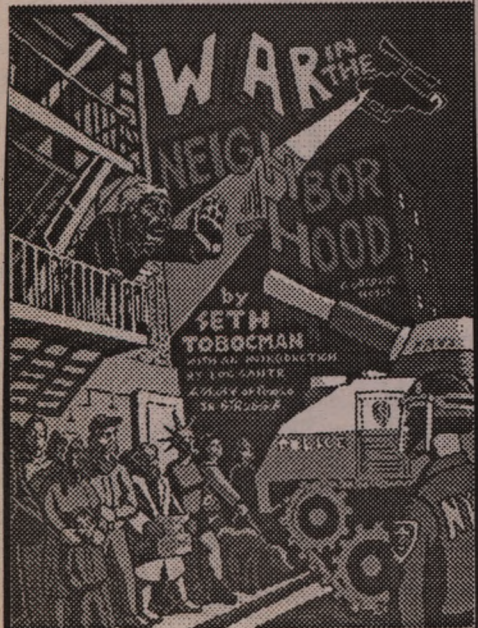
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**YOU DON'T HAVE TO FUCK PEOPLE OVER TO SURVIVE (Seth Tobocman):** Political cartoons and comic strips by World War Three Illustrated co-founder and editor Seth Tobocman protesting the materialism of American culture, homelessness, police brutality, gentrification, nuclear war, environmental destruction and more. Seth's graphics have been used as icons around the world in acts of protest from South Africa to Seattle. 212 pgs (book). \$15.00 + \$2.50 shipping.

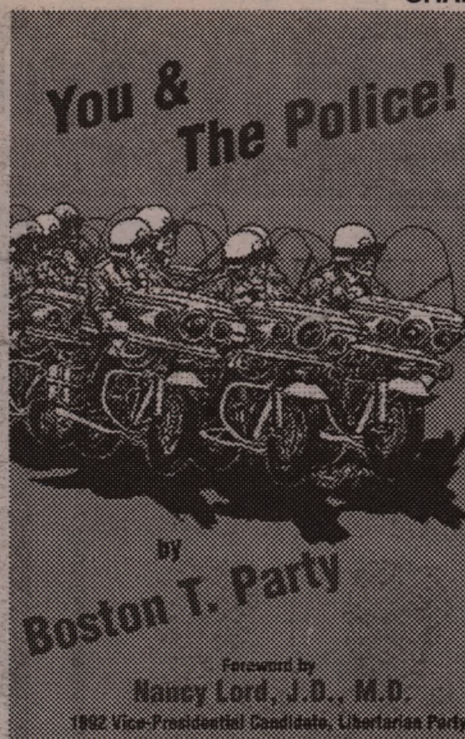
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**FORTUNATE SON: George W. Bush and The Making of an American President (J.H. Hatfield):** Researches George W.'s draft-dodging, cocaine habit, Bush family's anti-Semitism, connections to the BCCI Scandal, SEC investigation for insider-trading, and more. After a media trashing of the author, this book was pulled by its former publisher, but was re-published by Soft Skull Press. 415 pgs (book). \$16.50 + \$3 shipping.

**THE OUTLAW'S BIBLE:** A real life civics lesson for citizen lawbreakers. Covers detention, interrogation, searches and seizures. The only non-violent weapon for those on the wrong side of the law. 336 pgs (book). \$16.95 + \$3 shipping.

**THE POLITICS OF HEROIN: CIA Complicity In The Global Drug Trade (Alfred McCoy):** Proves CIA and diplomatic involvement in the opium and heroin trade as an integral part of the agency's efforts to maintain US power abroad. 654 pgs (book). \$19.95 + \$3 shipping.

**SEX, DRUGS + THE TWINKIE MURDERS (Paul Krassner):** Realist publisher and



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Foreword by Nancy Lord, J.D., M.D.

1992 Vice-Presidential Candidate, Libertarian Party

Yippie! co-founder's essays include: I Was An Abortionist for the FBI; Persecution of Lenny Bruce; Disneyland Memorial Orgy; Parts Left Out of the Patty Hearst Trial; Memoirs of Monica Lewinsky; Allen Ginsberg's Last Laugh; World Pornography Conference. \$19.95 + \$3 shipping.

**WAR IN THE NEIGHBORHOOD (Seth Tobocman):** Documents a decade of struggle against police brutality + gentrification on the Lower East Side through stories told in Tobocman's unique black and white drawings. 328 pgs (book). \$20.00 + \$2.50 shipping.

**BLACKLISTED NEWS: SECRET HISTORIES FROM CHICAGO TO 1984:** A compilation of underground news, stories, flyers, photos, art and more, published by the Youth International Party (YIPPIE!) from 1967-1984. **This is out of print and cannot be found anywhere else!!** 735 pgs (book). \$20.00 + \$3 shipping.

## VIDEOS

(Videos are non-returnable. Defective tapes will be replaced. All tapes are VHS)

**BUSH KNEW (Guerilla News Network):** See Bush hanging with kids in Florida classroom for 25 minutes after the second plane hit the World Trade Center as victims families speak out on their suspicions and attempts to buy them off and cover up what happened. Also: Peter Dale Scott on The War Conspiracy. Approx. 30 min. \$10.00 + \$3 shipping.

**HOW TO CREATE A COMPLETE NEW IDENTITY:** Simple directions on how to start over with a clean slate and cover up past credit, employment or legal problems; how to travel overseas safely without a US passport; get a new driver's license, birth certificate and SS Number. 35 min. \$20.00 + \$3 shipping.

**BY ANY MEANS NECESSARY (Paul Garrin):** From 1988-1991, the City of New York spent millions destroying housing and creating homelessness behind a wall of police violence. The community fought back in the courts and in the streets. This video eye-witness account by video activist Paul Garrin, along with multi-layered images and sounds, portrays events as they happened, from the 1988 Tompkins Square Riot to the evictions and demolitions of homes for real estate interests. 28 min. \$20.00 + \$3 shipping.

**COPS + VIDEO: An Activist Primer (Paul Garrin):** 30 min. \$20.00 + \$3 shipping.

**GUERRILLA VIDEO PRIMER:** How-to guide for documenting protests, demos, copwatch, etc. Includes basic editing, camera techniques, prepping for cable access TV. 30 min. \$20.00 + \$3 shipping.

**EMPEROR OF HEMP:** The story of hemp activist Jack Herrer, author of "The Emperor wears No Clothes." 59 min. \$20.00 + \$3 shipping.

**URBAN WARRIOR: The Militarization of American Law Enforcement:** Investigates the erosion of the Posse Comitatus Act, which provides for the separation of the military and police, by numerous Executive Orders and congressional actions. Examines the Seattle WTO protests, the Elian Gonzalez raid, and the SWAT Team shooting of Miami resident Richard Brown and more. **Well produced and highly recommended!** Approx. 90 min. \$20.00 + \$3 shipping.

**WACO: The Rules of Engagement:** Explosive documentary exposes the ugly truth behind the botched BATF raid on and subsequent incineration of Branch Davidians in

# How to Open Handcuffs Without Keys



Waco, Texas on April 19, 1993. This film not only punches holes in the outrageous lies told by the BATF, FBI and gov't officials, but it also shows army tanks starting the fires that killed the Davidians, as well as machine gun fire by gov't snipers at the rear of the buildings as fires raged, all out of view of media film crews. Includes graphic video of burnt and mutilated bodies, caused by inhalation and burning of military CS gas. **Highly recommended--this is a must see!** This will make you sick and angry at the same time!! 136 min. \$25.00 + \$3 shipping.

**WACO: A NEW Revelation:** The film that triggered a new Congressional investigation and got the FBI to change their story. Features evidence from WACO evidence lockers; FBI/Special Forces/CIA testimonies; interviews with Branch Davidian survivors. **Highly recommended!** 110 min. \$25.00 + \$3.00 shipping.

**9-11: THE ROAD TO TYRANNY:** A comprehensive and revealing documentary covering what really happened on 9/11/01 and who stands to gain. 144 min. \$30.00 + \$3 shipping.

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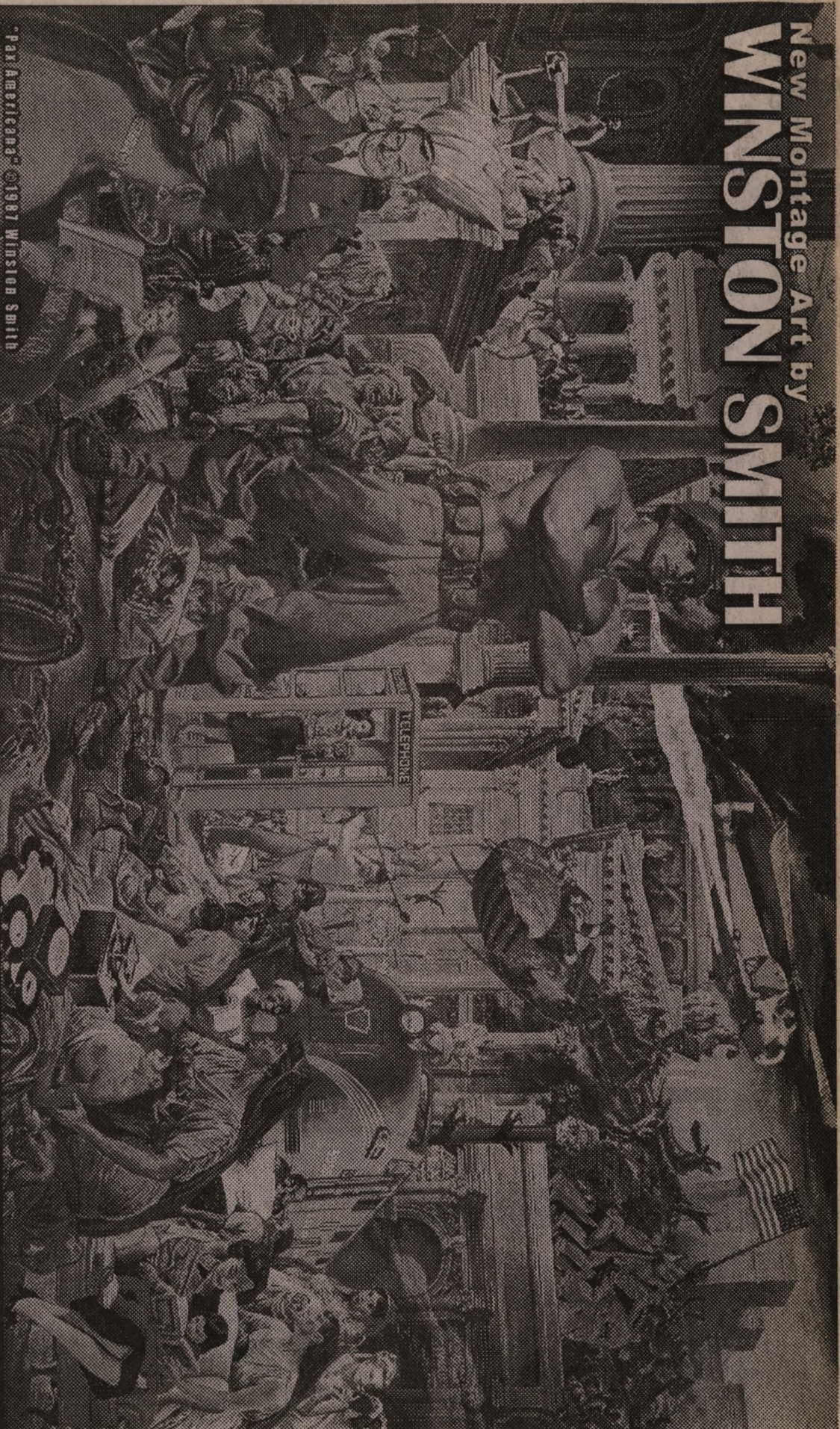
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ISSUE #47

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