

# clamor

The Revolution of Everyday Life

Corporate Fraud | Billboard Liberation  
Environmental Pollution | Graffiti  
Eco-Terrorism | Shopdropping  
Fake News | Criminal Transmission

July/August 2005 • Issue 33

## 101 WAYS to COMMIT a CRIME

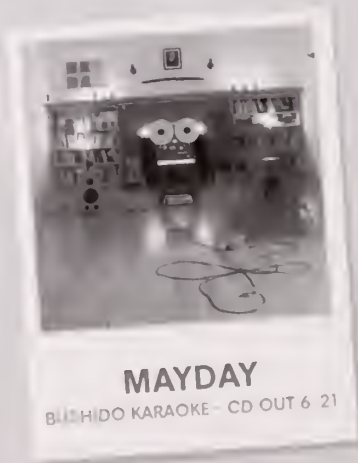
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-SC-



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# from your editors

Okay, so we don't exactly have a list of 101 ways to commit a crime in this issue. First, you have to deal with the sticky issue of the difference between "criminal" and "illegal." There are plenty of things that while not technically illegal, are downright criminal. The fact that over 45 million Americans were without health insurance in 2003 (according to the National Coalition on Health Care), while not illegal, is most certainly criminal. But on the other hand, graffiti, while technically illegal in many areas, is also a valuable form of artistic and cultural expression that many people do not consider criminal.

So let's think about this for a second. Like most Americans, you probably break laws every day, from driving over the speed limit to consuming marijuana. Do you deserve to be punished? Maybe so. The ability to define what is criminal is powerful. How is it that all of these everyday acts are criminal yet injustice, such as the healthcare crisis, goes unpunished? This contradiction seems to be the basis of the American criminal justice system, does it not?

But in five short years of existence, **Clamor** has come to be known for its positive response to a political and cultural environment that is all but fucked. We could spend an entire issue dwelling on the dark sides of criminality (that would actually be kind of fun), but that's just not our style. Ok, so we do talk about graffiti, criminalizing HIV transmission, eco-terrorism, trespassing, and corporate pollution. But, in keeping with our tradition of shining a light on the poorly lit margins, this issue has plenty of stories about individuals and communities responding to criminality in a way that shifts the balance of power toward people who have been denied access to individual and collective power. Abby Sewell (p. 32) invites us to Portland, Oregon where the community developed a response to crime in their neighborhood when the police exacerbated rather than diffused a crisis. Cary Miller (p. 60) highlights a number of examples where the countercultural punk/activist individuals have developed strategies for dealing with sexual assault within their communities rather than rely on the police or the U.S. judicial system to mediate conflict. Ben Tanzer (p. 38) and Michael Brooks (p. 49) highlight individuals and organizations that are working to provide crucial public defense resources for individuals who find themselves on the "wrong" side of the law — often as the result of conditions that have nothing to do with committing any crimes.

While we have you here, we'd like to introduce you to our brand new Politics Section editors Chad Jones and Mariana Ruiz. We're very fortunate to have them join the ever-growing **Clamor** editorial team, and we're confident that they will continue to bring the insightful, challenging, and innovative perspectives on politics-as-usual that you've come to expect from us. You can read more about Chad and Mariana, along with the rest of the **Clamor** crew at [www.clamormagazine.org/about](http://www.clamormagazine.org/about).

Finally, you may notice that this issue is out a bit earlier than normal. We're making some room on the newsstand for our exclusive "five years of **Clamor** interviews" issue that will be released this summer on the newsstands. This issue won't only be available on the newsstands and via our online infoSHOP, so subscribers and loyal **Clamor** readers can pre-order their copies at [www.infoshopnow.com](http://www.infoshopnow.com).

Thanks for reading!

*Jen Angel* *Jason Kucma*

## our mission

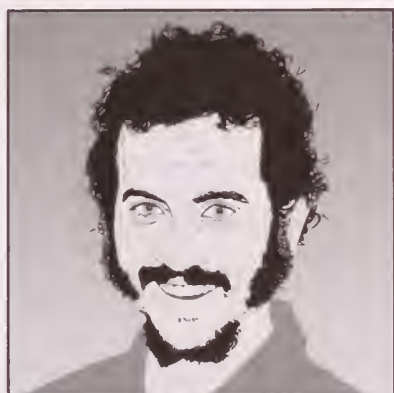
**Clamor's** mission is to provide a media outlet that reflects the reality of alternative politics and culture in a format that is accessible to people from a variety of backgrounds. **Clamor** exists to fill the voids left by mainstream media. We recognize and celebrate the fact that each of us can and should participate in media, politics, and culture. We publish writing and art that exemplify the value we place on autonomy, creativity, exploration, and cooperation. **Clamor** is an advocate of progressive social change through active creation of political and cultural alternatives.

# clamor

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# Letters, etc.

Please address letters to [letters@clamormagazine.org](mailto:letters@clamormagazine.org)  
or write us at PO Box 20128 Toledo, OH 43610  
Letters may be edited for length.  
Not all letters received will be printed.

## SELLING OUT THE REVOLUTION?

*(We recently received this note regarding Clamor's online distribution project called "infoSHOP.")*

The word "Infoshop" has a historicity and continuity to the present that precludes it from denoting a capitalist endeavour such as selling literature. Infoshops have been and continue to be a meeting place for the community to find speaking engagements, lending libraries and community discussions surrounding questions such as to how best effect change in ones community. To co-opt this word and use it for this endeavour will muddy the revolutionary essence and will further commodify those things that we hold sacred and are something apart of capitalism's ever expansionary and exploitative touch. I implore you to reconsider your use of this word for what amounts to an online retail operation. Please do not inadvertently help sell out yet another struggling movement whom you have been speaking to and for. I believe I can safely say that I speak for a very large number of folks when I ask this of you as there has been much discussion online as well as in person about this particular instance.

A reader, distributor of Clamor and collective member the Crossroads Infoshop in Kansas City.

Thanks for your time,  
Jeremy  
Kansas City, MO

*Thanks for the note, Jeremy. We always prefer to have conversations about this sort of thing rather than let speculation and rumors trump dialogue. We chose the name infoSHOP for our independent distribution project very intentionally to identify ourselves with the infoshop movement we see ourselves as being a part of — a movement that works to make progressive/radical culture accessible and widely distributed. The choice to use infoSHOP is at once a play on words, but also a nod to the culture of infoshops that we come from and respect in their intentions and effect on the communities served by them. We believe the infoSHOP project builds on the goals and intentions of traditional infoshops by utilizing new technology that is increasingly more accessible for work-a-day people like ourselves and infoSHOP supporters.*

*We set up the online infoSHOP to serve people who don't have infoshops in their communities, for people who don't (for a variety of reasons) feel welcome at an infoshop in their area, or for those who have never even heard of an infoshop. Based on the responses from people who have supported the project, we've learned that this is a valuable resource for these people as well as for the indepen-*

*dent art and media producers whose projects we're distributing. In the six months since we've launched the infoSHOP project, we've had over 30k visitors to the site, and sold more than 3k items to individuals worldwide. Most of these orders were also shipped out with free materials that we help distribute along with the items that we sell -- operating much in the same way that traditional infoshops do.*

*Thanks to the questions you've raised, we plan on putting some information on the infoSHOP page about why we have chosen the name as well as some information about individuals can start an infoshop in their area. We would welcome any input you care to provide.*

*Thanks also for the constructive criticism. Thanks, more importantly, for the work you do in your community with Crossroads. Keep it up!*

## MORE 411 PLEASE

I'm a new subscriber and appreciate your focus on topics that are rarely covered in other media. For example, the abortion debate. "You Can't Do That on Television" by Rachel Fudge (May/June 05). What would be extremely helpful to me as a reader/scholar is if the author would footnote and cite a few sources. While the body of the article is a good summary of abortion's role in TV programs, reference is made to the 1973 Roe v. Wade ruling, which deserves at least a footnote of clarification in plain language as to the significance of this ruling. Many of your readers weren't even born at that time. Furthermore, the statistics in final paragraph, that 50% of USA pregnancies each year are unwanted, and 47% of those end in abortion — source for these stats should be noted. And, what of those outside of the USA? It is a world issue, as is population growth. I appreciate the slant of the article, but just want more of the hard facts, clearly cited.

Another place where clear sources would be useful is in "The World Social Forum" by Ken Klaudt. So, how does a reader learn more? Get involved with organizing for future events? What are the sub-topics addressed? How do youth get involved in the Youth Camp part of the program? Links to all groups participating, etc.

Thanks for your feature on changing/evolving traditions. Thanks for making noise. Now, we must move beyond noise, to plans for action.

Sincerely,  
Karen Lewis  
Albion, CA

## PROPS FROM THE HEARTLAND

I got a copy of the new issue of Clamor- looks great! It was actually just what I needed- especially the article about AK Press, and the hippy childhood — it's a great issue.

Brandon Bauer  
Milwaukee, WI (Midwest Represent!)

## REGARDS FROM AN OHIO EXPAT

I just checked out the site for the first time...

"not bad."

No, really — it's great. thought maybe you could tell I'm from Ohio because I employed such a nonpositive compliment. According to Californians, it's the hallmark of a Midwesterner. Who knew?

Thanks for taking the time to read this, and keep up the great work. I've been reading your mag for a few years now; still quite impressed with the overall energy and quality of the work. I'm gracious, too, for the knowledge that my home state's not gone completely to shit.

Cheers,  
Nick Raymond  
Oakland, CA

## CORRECTION

We mistakenly credited Courtney Martin in the table of contents for the May/June 2005 issue for the article on Matthew Nafranowicz (p. 26). Courtney Becks actually wrote the article.



## DON'T FORGET

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**FUCK PAYPAL!** Clamor Magazine has recently launched an affordable alternative online distribution solution for your projects called "infoSHOP direct." For more information visit: [www.infoshopdirect.com](http://www.infoshopdirect.com)

**ART CARS WANTED!** Come one, come all to "Rollie Toledo!" — The Old West End Festival Parade. We are looking for all forms of rolling artwork - cars, bikes, floats...you name it. We will gather in Toledo, Ohio for the Historic Old West End Festival Weekend, June 3-5. Parade will be held Saturday morning, June 4. For a prospectus, e-mail [dancinpigs@yahoo.com](mailto:dancinpigs@yahoo.com) by May 13.

The revolution won't be televised, but you can read about it. Books for a better world, by Mike Palacek, former federal prisoner, congressional candidate, newspaper reporter. Please visit: [iowapeace.com](http://iowapeace.com).

**EMMA GOLDMAN REVISITED:** The journal Social Anarchism (publishing since 1981) presents a special supplement on Red Emma in its current issue. Also articles on Anarchism and Human Nature (Tom Martin, Lucy Parsons Park (Kathryn Rosenfeld), a lost (1893) essay by Voltairine De-Cleyre, reviews by Richard Kostelanetz and Howard J. Ehrlich, poetry and book reviews. \$6. Social Anarchism, 2743 Maryland Ave., Baltimore, MD 21218

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**UPSIDEDOWNCULTURE COLLECTIVE:** We are a group of Detroit area people who want to use art and culture to help people connect with each other and transform the world. We believe it is far past time that we face up to problems like poverty, unhappiness, powerlessness and violence - as both systematic illnesses and issues we can do something about in our own neighborhoods. We believe we can solve these problems by taking collective creative action. Visit us at: [www.upsidedownculture.org](http://www.upsidedownculture.org)

**Northwest Ohio Peace Coalition** is anti-war activists and groups in the Toledo area that advocate and take direct action to change US domestic and foreign policy from a imperialist footing to one of social justice and peace. Membership meetings are at 7pm the second Monday of every month in the First Unitarian Church on the corner of Bancroft and Collingwood. Demonstrations are every Sunday from

12pm -1:30pm in different locations throught Toledo and surrounding areas. For more info, visit <http://groups.yahoo.com/group/nwopc/>

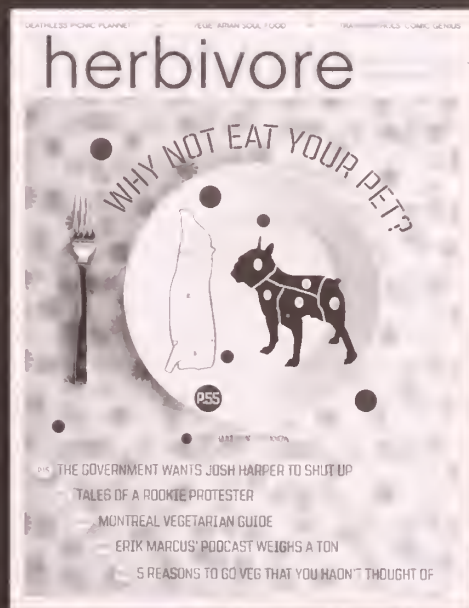
**Media Decompression Collective** in Toledo, Ohio is part of an international media syndicate originating from the basic need of people for artistic expression that represents our cultures, needs, and struggles. It exists to provoke us to question all philosophies and information before accepting it into the most private aspects of our lives. The Collective seeks to provide venues for community participation and interaction with independent media. Our non-profit Collective is based on a philosophy of inclusiveness and non-hierarchical organization. Send your films for screening to:  
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issue 8, summer 05



photo by Byron Barrett

Tell us about something illegal that you've done and did or didn't get away with.

*Okay, I didn't kill anyone or steal millions, but I DID raid King Tut's tomb. It happened this past January in Vegas. If you've never been to the new Las Vegas, it's like Disneyland for grownups. It's as if aliens stole all of Earth's most famous landmarks and sat them all down together on their own planet with no regard as to where they really belong; thus you have the Eiffel Tower down the block from the Empire State Building (where we slept!) and the Statue of Liberty next door to the Great Pyramid of Luxor.*

Luxor was this Egyptophile's favorite. You enter between the paws of a giant sphinx, and it gets even better after that. We went to the rooftop, where there are all sorts of Egyptian themed movies and games — and a replica of King Tut's tomb. But the tomb closes at 8PM, and it was 8:30. Still, they hadn't locked the door. They had simply stretched a rope across the entry. It takes more than a rope to keep me out!

"I'm going in," I told my boyfriend.

"And I'm staying right here," he said, and sat down outside the tomb, prepared to make my bail.

It was silent inside as I walked down the corridor — the silence of the tomb?—and I was flanked on both sides by perfect replicas of the articles found in the boy king's tomb. Suddenly I heard voices, and a door opening ahead of me! I quickly retraced my steps, excited, and sat down next to my boyfriend. "It's not over yet," I said.

Soon we watched as the last small group of employees left the tomb. I waited until they were out of sight, and went back in. This time I followed the dimly lit corridor to the end, taking in all the "wonderful things," as archaeologist Howard Carter called them when he first laid eyes on the interior of the tomb back in 1920. A true Lara Croft experience!

But when I reached the end, I heard footsteps approaching from behind me! In vain I tried the exit doors: they were locked. I froze, and waited, envisioning the possible scenario. I strongly doubted that I'd be arrested. Most likely, the guard (It had to be a guard!) would look stern and tell me the exhibit was closed. I'd look innocent and tell him I was sorry, I hadn't realized, and he would escort me out, holding onto my elbow.

The footsteps receded, and a door closed. Thank you, Isis! Carefully, walking as quietly

as possible, I made my way back to the entrance, and rejoined my patient boyfriend.

So far, no curse.

-TR

*The stale dust behind the vending machine and heated dry air from the motor made my head feel like a balloon about to explode.*

I'd been crouching there for about an hour, waiting for the bozo reading his paper to finish his laundry, resting my knees on my loot bag, the crowbar digging into my bones.

Finally the guy left, and it was time to get to work. Whipping out my custom-sharp crowbar, I popped each vending machine open like an oyster and quickly emptied the change cans into my leather adidas bag, filling the rest of the bag with peanut bars, Baby Ruths, Life-Savers and Hersheys. Then silently slipped away into the anonymous shadow of the city.

The haul for the night: about 120 bucks in coin & all the candy I could give away. Hard to believe an American kid could finance his first year at University this way, but I had a system. Must've hit a few hundred machines that year. Bet the vending companies hated my wicked punk ass.



By the next year, they had reinforced every machine in the city with double steel and padlocks. My secret security legacy is the safeguarding of America's vending industry, to whom I say: thanks for the sugar, daddyB.  
-BZB

*My friends and I were bored one night so "Small Paul" went to his basement and brought up a bag of fireworks.* We walked around our town and lit some off but it started to rain lightly. Instead of going home "Tall Paul" convinced us to use "Small Paul's" ear to drive around in and light off the works. The problem we ran into with lighting fireworks from the ear is that we couldn't have the window open because it was too wet and there was no way we could light and aim the bottle rockets if we had the window rolled up to a crack. We were just about to quit when "Paul Mall" ran out of the ear and dug in a trash can for an old beer bottle. This made the job much easier because we could hold the bottle and aim the rockets upwards. It was a glorious night until the police pulled us over and busted us for not only lighting fireworks but for having an open beer container in the ear.  
-JG

*Everyone living in a capitalist economy must, at some point, develop a healthy contempt for the conventions of pricing.* For me this disregard for what is a nearly sacred social value developed rather late in life. At the age of nine I discovered that if I switched the expensive price stickers on my favourite model kits with the stickers from smaller and less valuable models I could register some significant savings at the checkout. This was highly important given that with my nine-year old's allowance it could take me weeks or months to save up for the models I really wanted. Taking great care not to tear the lower priced sticker (a potentially fatal mistake), and always keeping an eye out for floor walkers, I would send the law of value packing. For several years I successfully thumbed my nose at the dictates of market and socially necessary labor time while building a really solid collection of first-rate models. Of course there were tangible risks involved and more than once I drew prolonged attention from suspicious floor walkers. On one particularly perilous occasion I overplayed my hand, trying to make too great a leap in savings, and found the owner of the hobby chain store, far too familiar with her goods confiscating my would-be purchase and making clear to me that returning to that store would be ill-advised. Still the thrill of the crime (heightened by the godlike stature of the victim's price) drove me on. I've since discovered that others shared the thrill, at an even younger age, before the phantoms of moralism eventually spooked them back onto the straight and narrow. Not so for me. The early criminal lesson stayed, thank-

fully, with me and I regularly engage, where possible (damn you bareodes), in what Italian socialists call the "self-reduction of prices."

-Red

*As I run out into the street with three bags of heroin clutched tightly in my hand, I remember the relapse group in the detoxification center near Worcester, MA.* I recall everyone sitting in a circle when the counselor asked us to shut our eyes and then said, "Everyone who thinks they will stay clean after they leave here please raise your hand."

He paused as I raised my hand, determined to be one of the people who stayed clean. Then he said, "Leave your hand up, open your eyes and look around the room."

Almost everyone had their hand up. Could it be that everyone was as determined as I had been?

Then he said, "Look around you. At least every other person in this room will relapse, according to the statistics."

A part of me wants to throw the bags away. A part of me never wanted to go back to the old haunting ground, yet it felt as if a strange force, inexplicable, powerful, guided my feet back to the fateful place where I knew the connection comes.

I told myself I just wanted to see how my friends were doing. I told myself I just wanted to cheek in at my old hangout. I told myself I wasn't going to get the stuff; I was strong enough. But inside my stomach was crawling, craving, the hunger hit me like a moving stone wall racing faster than my thoughts. Now here I was skittering down the street toward my room, my bowels turning to jelly as I anticipated the relief of that first shot.

Just this time, I pleaded to some unknown deity, just this once and I'll be all done with it.

Into the rooming house. Up the stairs, two at a time. I feel so excited, I want to scream, to yell, to dance. My hand shakes so much I can barely get the key in the door.

Open. In the room. Shut the door. The telephone. It starts to ring. I get out the hypodermic needle I saved from my last run "just in case", take a spoon out, place it on the edge of the sink. My hands tremble so much I can barely get the water in the glass.

I rip open one bag, shake the powder into the spoon. Cotton. Where the hell is some cotton? I am frantic now. I tear the edge of a filter on a cigarette and throw it into the spoon. Danger. I know the filter is made of something related to fiberglass but I just don't care about anything right now. The needle bangs against the bottom of the spoon over and over from the tremors in my hand as I draw up the liquid.

The telephone rings again, incessantly, like it is someone who knows what I am about at this moment. I place the needle above my vein. Someone starts knocking at my door.

I hold my breath. Maybe they will go away. I plunge the needle in and, like magic, a spot of blood appears at the bottom of the syringe. I draw back the plunger and slam slam slam it home.

Nothing can hurt me now.

There is someone knocking at my door. I tell them to wait a minute, put everything away in a drawer, light a cigarette, swing the door open.

It is one of the recovery people, a guy named Lenny, that I met while in detox.

He says, "I was just swinging by to see if you wanted to go to a meeting."

I look at him, slowly reaching up to scratch my nose.

"Tomorrow," I say, "How about tomorrow?"

He looks at me. I suck smoke from the cigarette, look back at him.

-MG

*My dreams of sitting on a local school board have just faded in the harsh light of examination.* Though I've never been arrested, in the past decade I have trespassed on federal, state, and private property; bought, sold, possessed, and manufactured narcotics; driven cars well beyond the speed limit; committed sodomy in four states — before the Supreme Court made these acts legal; flouted occupancy limits in crowded bars, organized parades without the appropriate permits; ignored zoning laws and run a small business out of my home; stolen music via the Internet; jaywalked; wheatpasted fliers on public and private property; lied on a health insurance application; and cheated on my taxes.

But my darkest deeds have gone unpunished, uncondemned, and often unnoticed. I have hurt the people I love, purchased cheap goods produced by child labor, and stepped over bodies in city streets. I have earned obscene amounts of money — more than five times the minimum wage — at a job easier than most. I have fed friends food grown with poisons and shipped halfway round the world. I have supported with my consumer dollars the transforming of forests into toilet paper, and with my tax dollars the transforming of farmland into strip malls. I have participated in a corrupt and unsustainable system, and been rewarded for it. How dare I contemplate a school board seat?

-JH

*for the "learning" issue:*  
Tell us something you learned the hard way that you wish someone would have told you long ago?

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# art crime

new strategies in creative intervention

“Crime” has long been a buzzword for those interested in accumulating power and regulating control. In a world terrorized into willingly giving up many of its rights in exchange for a daydream of security, and in which corporate power has trumped public interest, “crimes” are increasingly being hardened and defined against the public, often in the interest of a select and powerful few. Even as “graffiti” is being harshly punished as a federal crime, advertisers continue their invasion of the public sphere, borrowing many of the same techniques and tactics as traditional graffiti artists (re-coined “guerilla marketing”).

For the past several years, there has been a growing interest in so-called “interventionist” art. It is as if the elite of the art world have abandoned their recent preoccupation with “Outsider art” lavishing praise and fawning over painters, sculptors, and creators who weren’t officially sanctioned by a degree and training in conventional academic institutions. Instead, creative work that walks the tightrope between political activism, prankish tomfoolery, and self-conscious artistry has become acceptable for popular consumption. Which is great, except that in granting their attention to artists whose work often strays from the creative and practical constraints of protective gallery walls, the value attributed to these artists by the limelight of professional art critics and collectors is often of a purely, and artificially, aesthetic sort — one that ignores or only superficially considers the importance of challenging moments of actual everyday existence, in favor of the rigormortis of art historical interpretation.

More important to those who are actually interested in changing and challenging the conditions of everyday life are the ways in which these new (and old) creative types have eschewed the gallery in favor of the public arena. Many of them have rejected the circumscribed world of the political rally and the theatrics of the protest march in favor of something more direct and, potentially, more effective.

For this issue, we wanted to concentrate on groups and individuals who are working within the gray area between action and crime, challenging boundaries of both established law and conventional protest — those who make us re-examine the importance and often hidden intention behind laws that don’t have our interests in mind and re-examine why we need to wait for a political rally, a gallery exhibition or a nightclub to chant, sing, dance, question, or fight. We’re painfully aware that this is only a very small portion of the artists and organizations involved, but we hope to help deepen the discourse surrounding so-called ‘interventionist art’ and radical subjectivity, and go some way to questioning, not whether a given activity is important as art, but whether and why it is considered, in a more immediate and challenging way, as *crime*.

The (un)Subtle Art of Influence

# BILLBOARD LIBERATION FRONT

27 Years of Excellence in Corrective Advertising



...the Billboard Liberation Front states emphatically and for all time herein that to Advertise is to Exist. To Exist is to Advertise. Our ultimate goal is nothing short of a personal and singular Billboard for each citizen. Until that glorious day for global communications when every man, woman, and child can scream at or sing to the world in 100Pt. type from their very own rooftop; until that day we will continue to do all in our power to encourage the masses to use any means possible to commandeer the existing media and to alter it to their own design."

*-from the Billboard Liberation Front Manifesto*

by Tapil

(photos courtesy of) the Billboard Liberation Front

Since 1977, the Billboard Liberation Front has been effectively satisfying its clients' needs in the demanding world of consumer advertising. Their secret to success is simple: cost effectiveness, tenacity, and a drive to do whatever is necessary in providing excellence in billboard improvement and adornment.

Born out of the now infamous, and still mysterious, activities of the Suicide Club in the late 1970s, the BLF's ragtag team of specialists came to the fore in 1977, with a random remodeling of cigarette billboards, reinvigorating slogans and redesigning dull images on advertising's most unavoidable and public display, the billboard. Over the years, the organization has developed substantially.

"Our mission since the agency's inception," says founder Jack Napier, "has been to creatively improve the state of outdoor advertising and, by example, encourage other midnight advertisers to improve their efforts in this field both technically and artistically." Eshewing traditional romanticized and somewhat anachronistic approaches of traditional artists, the group has adopted a more reliable, corporate, model. Egoistic, individual control has been dismissed in favor of a collective, anonymous approach to the creative process, ensuring that the end product is the result of a team of experts, not the whimsies of a lone individual. And corporate organization and efficiency has come to replace lofty notions of personalized production.

In their manifesto, the group acknowledges that more often "The most successful artists are those who can most successfully sell their art. With increasing frequency they apprentice to the Advertisers; no longer needing to falsely maintain the distinction between 'Fine' & 'Commercial' art." The advertiser is the true artist of the age, not only making money, but in stimulating its viewing public, in effectively changing the way we think.

Unlike other advertising agencies, the BLF has a unusual policy of client acquisition: "Our clients are carefully selected on the basis of a complex formula known only to cabal insiders, and our improvement actions are undertaken on a pro-bono basis, unfettered by the petty demands of clueless executives and weak-kneed middle managers." This nontraditional approach has paid off handsomely in creative control and effective outreach. To date, the group has administered dozens of campaigns, over a period of 28 years, and shows no signs



of letting up. Perhaps this is due in part to their cost-effective delivery. As Napier says, "Comparable campaigns by our well-heeled competitors can cost clients well into the millions. ... Just because the average anarchist, libertarian, artist or even broke republican cannot afford their own board is not, as you know if you have perused our publicly-offered marketing program, a huge problem for those wishing to advertise - as long as they are willing to just go out and borrow these huge canvasses that Infinity, Viacom, Clear Channel etc. have so benevolently placed in the public domain."

Indeed, in recent years competition has grown stiff. The California Department of Corrections, a seemingly public sector organization with similar interests in mind, has grown beyond its base in Venice, California, expanding its operations into Northern California and across much of the United States. The CDC takes a harsher, punitive approach toward its relationship with competitors, noting that "every advertisement harbors latent criminal behavior. Unlike the BLF, our staff are trained to respond to such behavior with elevated levels of force which can damage property at advertisers' expense. In addition to their latent criminal behavior, advertisements often discriminate on the basis of sex, gender, race, sexual orientation, religion, disability and/or economic background. Such advertisements are prime targets for the CDC. The department has also rehabilitated large numbers of advertisements resulting in approximately 50 successful corrections." On the Eastern front, Ron English's Popaganda, once concerned primarily with paint and canvas, has developed its own program in billboard redesign.

Napier acknowledges there is competition, from both home-grown and overseas agencies, "Advertising (*the language of our culture*) has only become more important after 9/11. Competing agencies and focus groups from all over the world are jumping onto the adver-

tising bandwagon, some of them with highly effective campaigns... Competition isn't limited to similar, artistically-minded groups or their corporate nemeses either. Since the 'war on terror', the output from governments, religious interests, and other groups has drastically increased. And although many are able to pour a seemingly endless supply of capital into their productions, others have discovered more frugal approaches: "The Al Qaeda Network's masterful use of concrete symbolism in their 'Twin Towers' campaign has held the center of attention for the entire world since its launch on 9/11," Napier says. "They have captured and held a huge share of international media bandwidth (greatly disproportional to their advertising budget) and there is no end in sight for their future expansion and residual benefits for associated agencies." ☆

The Billboard Liberation Front: [www.billboardliberation.com](http://www.billboardliberation.com)

The California Department of Corrections:  
[www.geocities.com/billboardcorrections/index.htm](http://www.geocities.com/billboardcorrections/index.htm)

Popaganda: [www.popaganda.com/billboards/](http://www.popaganda.com/billboards/)

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# SHOPDROPPING

by Melissa Cubria

## The Pond Gallery's Exhibit Leaves Tiny Questions in the Marketplace

*Shopdropping*, the latest exhibition by San Francisco's Pond Gallery, documents the insertion of art into public places of commerce, places where the consumer and corporate worlds meet. As part of the show, Packard Jennings reverse-shoplifted a hand-made Mussolini action figure into Wal-Mart, then used a spycam to catalogue the baffled employees as they tried to allocate value to the item. Local Bay Area writers penned provocative phrases on tags and the curators attached them to garments in clothing stores. Kids from the Boys & Girls Club of San Francisco handcrafted ceramic replicas of products like dishwashing soap and soup cans and placed them into a local grocery store chain. Steeped in the tradition of interventionist art, *Shopdropping* subtly explores the relationship between individuals and the contrived environment of expenditure, complicating the binary of legality and illegality.

I recently spoke with Marisa Jahn and Steve Shada, the curators of the show and co-directors of the gallery, and asked them about their intentions.

*Can you begin by explaining your experiences placing items in the stores? Did you encounter any resistance?*

Marisa: Well David (who is the third co-director) and I placed the tags into different stores in San Francisco. It actually wasn't hard to place the tags. We were looking for places where there weren't many attendants. People care more when you take out the camera and start taking photographs because, you know, it's like intellectual property theft, perhaps. I'm not sure what their fear is. We had a problem documenting what we were doing 'cause a lot of our photographs were coming out really blurry. There wasn't enough time to adjust the focus.

*Were there any specific problems?*

Marisa: Some stores, like Nordstrom for instance, salespeople rush up to you really quickly, so it was a little bit of a challenge, some of the writers that specified you know "put this tag on a fancy men's dress shoe size nine," so specific that we had problems. We just had to do what we could and we were trying not to get kicked out so I think we avoided that pretty successfully. (Laughs)

*How does this project play with the idea of law? Does your work intentionally challenge existing laws and what laws are being challenged?*

Marisa: The work that Steve and I do through Pond isn't always so ostensibly transgressive. The primary thing for us isn't ever to transgress laws so much as it is about the content and effecting people's experience and working within the public realm



a jewelry store clerk places Amy Franceschini's Sundial Watches in the display case

Steve: I was thinking the show was going to be basically a reverse of shoplifting, like Packard's "Il Duce" piece. A lot of the stuff was placed covertly but other things [were a] little bit more conceptual. As far as a commonality of the experience in the legality or illegality, there are only a few pieces in the show that really fit that accurately.

Marisa: [Some of the pieces] are more formulate in terms of a traditional interventionist strategy. We wanted to question this black and white binary of illegality and legality. That question, "But is it crime?" relates to what we were interested in accomplishing. We were interested in expanding what people think of as interventionist art as this insertion, this placement, this infectious, didactic relationship or at its worst...

Steve: Confrontational...

Marisa: ...didactic or confrontational or placing the viewer at the expense of the author. We were interested in expanding that notion by presenting a variety of works that use different tactics and explore this gray area, to show the ways in which you can interface with this



sphere of commerce. We were interested in presenting a broader alternative, in particular, the daily acts of shoppers and what they do which they might not consider as art.

Steve: For us, traditional political artwork as really didactic or putting stickers that say "Fuck Bush," it's more self-congratulatory...

Marisa: Masturbatory.

Steve: Yeah exactly. There's something a lot more subversive about subtlety, especially when it's not entirely laid out in front of you. If you found a Mussolini doll in Wal-Mart, it's personalized. The title "Shopdropping" connotes a sort of illegality but it's ridiculous kind of. That was the idea: questioning what's public and what's private and why is that. [Where do] your decision-making rights end and begin?... It is interesting to think. "Why is that weird to me, to put artwork into a store?" The same reason the guy yells at David for taking pictures in the supermarket. He doesn't know why but "You can't do that here." Why not? It's definitely tied into the consumer culture and the systematic, homogenization of that environment. It's expected that there are a set of behaviors you take with you when you go into these places.

Marisa: What was interesting about the participation [of the Boys and Girls Club] was, because it's transgressive, they were really excited to make things work. It was just blowing their minds that you could actually put something in the grocery store, that an individual could

interface with that, that an individual can make an impact. And they just cannot believe that it's possible for you to determine the value of an object and then sell it to someone. That transaction is the source of legitimacy which is clearly a problem that Marijke and I are trying to redress — this whole impenetrable world.

Steve: Yeah. There's like a certain store ...

Marisa: Protocol.

Steve: ...etiquette. And it's like the panopticon thing. When I — maybe it's just because I'm a guilty person — whenever I go into a bank, I feel like they think I'm going to rob it. Or I feel like I'm going to fuck up and they're going to freak out. The same in the supermarket, there's this really restricted behavior because you don't fucking know what you can do and can't do. So the unknown boundaries of what you can do and can't do in this space make everybody not do anything. ☆

*Melissa Cubria is currently finishing college in San Francisco and is a hard-working intern at Clamor.*



## Action as the Antidote to Despair: The Suicide Club

Twenty-four years before reality TV made acts of hubris and humiliation marketable, brave San Franciscans had already discovered the addictive drive to wholly divest one of fears of mortal and societal constraint through the Suicide Club. Evolved in the mid-70s from a class in practical jokes at Communiversity — San Francisco State's version of free school — the Suicide Club was the ticket to finally experience those fantasy adventures languishing undone, due to either an inherent quality of excessive danger or the prospect of extreme humiliation. Since then, it has come to be seen as a major influence on, and almost a mythological predecessor to, the development of similarly clandestine art & activist groups and activities, from the Cacophony Society to Burning Man.

The Suicide Club's intimidating name was borrowed from a Robert Louis Stevenson tale of a gathering of card-players who met at midnight for a high-stakes game in which the unlucky losers forfeited their lives. In this way, the club was a form of interventionist theater. Public places were transformed into stages for body-mind-and-soul strengthening and into playgrounds for a new approach — one of fun and entertainment — to interacting with the environment. The Suicide Club's missions often bordered on the psychotic: white-knuckling the handrails at the foot of the Golden Gate Bridge during gale-force winds and baptismal 20-foot waves, for instance. Or conducting an annual treasure hunt amidst the massive Chinese New Year parade. Monkeying

up the Oakland Bay Bridge ("obviously just a jungle gym made to climb rather than drive over: the cars just using it for in-between times") is another impressive, and highly mythologized, adventure. The political reverberations were limited. As John Law, a former club member, recently told the *San Francisco Chronicle*, "It was too outrageous to go on."

The Club endured for five years, ending in 1982. Though media accounts from their heyday are sparse — considering journalists were required to participate to get any answers — the Suicide Club remains legendary among today's intrepid urban explorers, including New York City's documenter of dark passages, Julia Solis, who is close friends with Law and considers the Club an inspiration for her current work. Their planned chaos studded the Bay Area's public spaces with attempts at killing one's self-inflicted fears in a landscape of dank sewers and sky-scraping bridges.

The Suicide Club:  
[www.suicideclub.com](http://www.suicideclub.com)  
Cacophony Society:  
[www.cacophony.org](http://www.cacophony.org)

-Katie Renz





# SWOON

the infamous NYC graffiti artist  
talks with Zach Dempster

The first time I met Swoon, she was breaking open the advertising display cases on a New York City subway car. This was last March during a subway party, an event where a couple hundred people get together at an arranged time and reclaim a few trains for partying instead of transportation. She was ripping out corporate advertisements and replacing them with her own furious art. I'd first seen Swoon's work two years ago in Berlin. As I was walking home from the party, a life-sized portrait of an older man sitting on a milk crate, arms crossed and grimacing, stared out at me from a deerepiti wall. Swoon isn't the usual graffiti artist based out of New York.

*Can you talk a little about the graffiti you do?*

I usually do life-sized portraits of my family, and friends, and people I see in the neighborhood. I get fixated on a gesture or expression and drawing is a way that I can better understand what it is about that thing that I find magnetic. I use a few different techniques, from just cut paper to linoleum or wood block printing, something about the image usually dictates what medium I will chose. I take lots of pictures and mostly work from those, though I collect hundreds of images from the library and it's crappy photocopier, which are a huge body of inspira-



tion. All of the portraits pretty much start out the same way; which is with a rough sketch, and then if it's paper cut I refine the drawing down with a knife in a few layers of paper. or if it's a block print, I carve it out and print it by inking my block, laying a large sheet of paper across the top and then walking all over it. I don't have access to a press that big, then I just wheat-paste them up outside, roll them out like a very fragile piece of wallpaper and see what happens next.

What areas are your favorite to put your work up in?

The liminal, third-space, leftover parts which are often right in the middle of the most vital parts of the city, but sometimes tucked away a little more. I like areas where people are doing a lot of walking. Advertising is always trying to place itself a million miles above us, looming down with the shiniest, flashiest, most disconnected depictions of beauty — just out of reach like the rest of its promises. I find myself trying to get down below that — at eye level, where people are walking — to depict the life that exists here at the bottom edge, our ordinary reality as it remains connected to the ground.

*How did you start doing graffiti?*

The challenges with working on the street are totally different. There is the illegality, but then there are the more subtle challenges that have nothing to do with the law, being hated by graffiti writers for taking up space and breaking the rules, being loved by the corporate next-big-thing-mongers, but it's also the most rewarding work I have ever done.

*How do you navigate safely between the graffiti writers who hate you for your style and the corporate scum that want to capitalize off your look?*

A polite "no thank you" goes a long way. I get the occasional offer to have my face smashed in with a spray can, or to have my 'signature style' used to make people think that Nike is just a cool corporation trying to do some cool things, and I usually just tell them thanks for their interest but that I have other plans for myself today.

*What inspires you to go out and ignore the law?*

Cabaret laws, "quality of life" laws. There are so many laws in this city which are aimed at making the city appear to be the kind of place where law and order are the only dictates that drive us, and that everyone who lives here makes a bee-line from work to their homes to watch "Friends" reruns on television and then straight back to work again. I am not interested in that city. That city is a cancer that has spread across the country in the form of housing developments and the suburban dream. It's maybe a kind of a passionate stupidity that makes me ignore the law, but when I want something to happen, my first instinct is to try and make it happen, right then. I want to make the city that I live in, with my own actions, and my own hands, now, today, and doing it through laws and bureaucratic channels just doesn't make sense to me. There isn't time. That thinking is too indirect and abstract for me. I want to see a city created out of the direct actions of citizens on the place that they live. I want to know you live here, I want to see your name on the wall and your fingerprint all over the place. it's an organic order forcing it's way up from beneath the imposed order dictated by laws and urban planning.

*How would you describe the way your graffiti intends to communicate?*

For me it's about a human presence. The collage and the communication with other images and symbols and other artists are in there too,



but what I am finding to be most important to me lately is how well I can translate the connection I feel when working on a portrait. The dedicated act of looking takes all kinds of love and patience and humility and I am trying to let that come through me as completely as I can, to anyone who happens to pass by and see it.

*You know in Vermont billboards are illegal. Can you imagine what New York City would be like without advertisements all over the place?*

I read a critique recently, referring to the time when billboards were predominantly hand-painted, and the writer said that he saw advertising as the only thing that softened the hard edges of the city. It gave the city color and huge forms, and human faces for people to look at. Now it has become part of the oppressive nature of living in a city and the little scribbles we leave behind are, to me, what soften the edges and humanize this place. It's no coincidence that the art form exploded when the city was in total crisis and considered one of the harshest places on earth.

*Lunately what you do is political, you challenge restrictive property laws with alarming beauty. Why?*

Every artist who places something on a city wall or in a commercial space is threatening the agreed-upon boundaries of public and private space, as well as upsetting the inertia of people's passive acceptance of an environment in which we cannot affect change. What comes next after these things have been challenged? What develops out of a society of people who start to see the power of their own actions reflected back at them, reverberating a thousand times with the energy of every person who feels the same way? That's maybe the danger you are talking about. That's the tremble that comes before the fall. ☆

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# RECLAIM THE STREETS

## Permits? We Don't Need No Stinkin' Permits!

A bright orange "Road Closed/ Road Reclamation" construction sign is set up, couches and newspaper boxes are dragged into the street to block traffic, several stereos play Twisted Sister's "We're Not Going to Take It," and a few hundred people have stepped into the street. A DJ has set up a fully loaded turntable on the double yellow line, and the entire crowd begins to dance. Streamers are being thrown over the power lines, people have decorated themselves for a festival, a game of tag is underway, and Food Not Bombs is serving pasta with vegan white sauce and day-old bread. This is a Reclaim the Streets party, in the center of the four-lane Castro Street, San Francisco. It will be a while until the police can get a definitive order from their chiefs for how they'll try to disperse the crowd. And even then it might be hard to push people back onto the sidewalks.

Since the early '90s, Reclaim the Streets has been putting on events that are an amalgam of guerilla theater, public circus, protest march and open rave, taking over the streets by sheer magnitude and magnificence of dress. Decadent dress costume, carnivale atmosphere, and a burning desire to dance in the face of authority are all prerequisites, as is a healthy disgust for petroleum-powered instigators of global wars and urban gridlock. But for all its antics, RTS is primarily a political act, and an empowering one at that.

In Chapel Hill, North Carolina, just a few months before, several queers were beaten up along the main strip downtown. The anarchist and queer communities met together and threw two Reclaim the Streets queer block parties in March. Under a banner that read "Queers Bash Back," people took and held the intersection of Franklin and Columbia Streets, where the most recent bashing had taken place (it is likely the assaulters were present); drag queens paraded openly while boys danced with boys and gurls with gurls. It was a spontaneous celebration of identity in direct response to a violent act of homophobia done publicly.

I met with Jenny One, a San Francisco organizer, to find out more about RTS.

*What is RTS?*

Reclaim the Streets is a direct action tactic. We use parties in the streets to take back public space from cars, corporations and police control, and to return it to the public

*Where did the idea for having politically motivated street parties come from?*

The first RTSs were done in London as a continuation of the anti-road, anti-car movement. The group was already doing direct action pranks like painting unauthorized bike lanes and ditching trashed cars to stop up traffic. This was in the early '90s, and plans to build the M11 highway had pissed off a broader section of the communities who had been slated to have the fast paced road cut through their neighborhoods. That was the initial political base of RTS. Add a subculture accustomed to 1000 Sq. Ft. warehouse raves, and parties that lasted from 7pm to 7am, playing break-beats that were irresistible to dance to. This was the party energy that was brought to the streets.

*RTS parties often start with a chant of "Off of the sidewalks and into the streets." Why?*

The sidewalk is a paltry concession to "public safety," and it has gotten to the point where we need to ask: why are these deadly machines plowing through our lives, mowing down small children and the otherwise unsuspecting? Think of it as habitat-fragmentation for the human.

As far as you are an organizer for these street occupations, what are some tips you can give uninitiated organizers?

RTS works like a potluck, so the party works best when you invite everyone you know — their politics need not be radical — and each one brings a dish! You should supply the silverware — a sound system (or three?), a microphone,

and some emcees to pass the mike so that all comers get a chance to play. It's good to ask folks what they're bringing (songs, a juggling act, a DJ from Japan) so you can gather up a balanced meal.

You'll also want to supply the plates — which is to say, a knowledge of the local streets and alleyways, and consciousness about the type of neighborhood you'll be in — how will folks understand what you're doing? And will you be welcome there? Finally, be sure to invite all passersby — hand them an invitation, welcome them to break bread or to dance with you. The more, the more interesting; and yes, the merrier...

One more note: if the cops take your sound system, play on! Everyone knows how to improvise a song and dance. And who knows — maybe they won't figure out how to turn it off.

RTS parties vary from festive block parties (where cops turn a blind eye), to more direct confrontations: think jackhammers, broken-down cars and guerilla tree plantings. As this country edges further towards a culture of surveillance and control, how do you see the street party evolving?

Reclaim the Streets isn't anything new. People are drawn to the streets. Look at what happens when we have a power outage — folks are right in the streets again, eyeing each other and eating the ice cream before it all melts.

As for the cops, when they overreact, they just fan the flames. Cops are always invited to join in the party, but somehow their bosses are always saying "no"... When the pigs place themselves in between us and our own streets, well, we have to clarify the situation somewhat. ☆

by Zach Dempster





# CRIMINAL ART

a statement from the  
God Bless Graffiti Coalition, Inc.

Street artists don't talk about free speech, they exercise it, prolifically, on buildings, fences, walls and sidewalks they don't own.

The God Bless Graffiti Coalition, Inc. (GBGC) has been involved in street art advocacy since 2000. Our pro-graffiti publications, including the "Give Graffiti The Thumbs Up" brochures and "Graffiti Loves You" bible tracts, have been distributed in the tens of thousands by hand, in information kiosks, and through a system of "borrowed" newspaper boxes redecorated with our logos and messages. In addition, we organize large-scale events and exhibitions, which have included hundreds of graffiti writers, street artists and supporters over the past five years.

## Legality

Graffiti is, by definition, illegal. If it isn't breaking the law, it isn't graffiti. The government and multi-national corporations increasingly demand a monopoly on all space accessible to the general public, therefore the law is increasingly written to protect private property. In turn, contesting this authoritarian control over public space has been one of the central tenants of democratic politics since the seventeenth century. We can look to graffiti as one of the most consistent and overt contestations of privatization trends. By transgressing laws and boundaries, graffiti exposes the extent to which our society is structured to protect private property — the extent to which dominant politics and culture are organized to re-enforce the privatization of space rather than protect or encourage self-expression.

## Graffiti as Civic Engagement

The act of writing and reading graffiti changes ones view of a city. For the writer, it converts the city into one giant canvas, and it fosters a far more intimate relationship with space than the consumerism generally encouraged of us. This intimacy easily leads to a sense of entitlement, to a feeling that one can and should redefine the use value of any particular space from the bottom up, in opposition to the usual top down system. For the reader,

graffiti breaks the spell of consumer complacency, it doesn't tell anyone to buy anything, or do anything, but to just stop and read, to take stock of the environment. It might excite, provoke, or piss off, but it makes a person look differently at a space than they did before someone wrote on it.

## Criminality

City governments and police departments have been pouring enormous resources into graffiti abatement programs in hopes of deterring street artists with increasingly harsher arrests, penalties and prosecutions. In Chicago alone, over four million dollars is spent every year to clean up graffiti throughout the city. This price does not include the exorbitant amounts used to push primarily youth of color through the criminal justice system every year. It is illegal to buy, sell or possess spray paint in Chicago. In New York City the police will pay up to \$500 for information leading to the arrest of a graffiti writer.

Meanwhile corporations are allowed (and often lured through subsidies) into communities, taking over the visual landscape with undesirable billboards and advertisements. Despite the documentation of their expensive footprints on our lives in the form of environmental devastation, low-wage jobs, and community dis-investment, most corporations are never held accountable for their actions. On the other hand graffiti writers pay increasingly high costs for self-expression. Most graffiti artists live and work in the neighborhoods they paint. They are the kids sitting next to you on the bus, the person that buys a newspaper from your store every morning, the big tipper at the restaurant where you wait tables. Graffiti artists participate in their communities by sharing their skills as artists yet are repeatedly used as nothing more than scapegoats for more systemic urban problems such as gangs, violent crime and neighborhood devaluation. ☆

*If you would like to work with GBGC to distribute literature in your community and develop new campaigns and projects please get in touch through our website ([www.counterproductiveindustries.com/gbgc](http://www.counterproductiveindustries.com/gbgc)) or email [graffiti@counterproductiveindustries.com](mailto:graffiti@counterproductiveindustries.com)*





# Silkscreen, Cellulose, and Free Speech SAN FRANCISCO PRINT COLLECTIVE

In the San Francisco of the late 1990s and early millennium, entire neighborhoods seemed to disappear overnight. The crumbling old Victorians that had identified the city for generations were rapidly being torn down and replaced with box-like factories for e-business and e-development, and, due to a loophole in zoning laws which allowed start-up companies to claim immunity from zoning as “artist lofts,” communities throughout the city were being emptied of their inhabitants. As the old visual markers of the area were quickly ushered out, small flyers decrying the disappearance of the city were hastily posted, painted, and tagged along the fresh new walls. And out of these individual cries was born the San Francisco Print Collective (SFPC), a collection of artists who gathered together to give a unified and highly politicized voice to the frustrations of rapidly diminishing communities.

“We started out simply enough as a group of silk-screen artists from the Mission Cultural Center making posters about gentrification and displacement in the Mission during the Dot Com boom,” says Johnathon Tellier, a member of the group. “The price of rent was creating a climate of evictions and the plan-

ning department was clearly on the side of the developers who were tearing down beautiful old buildings to erect these crappy plywood boxes for supposed ‘artists’ who designed web sites. We worked directly with a coalition of nonprofits called the Mission Anti-Displacement Coalition and I think the work that we all did had a clear effect on changing the balance of power at City Hall.” The loosely-structured group printed and distributed many hundreds of large-scale, eye-catching posters, covering entire blocks with messages decrying gentrification and eviction, advertised meetings and demonstrations, and held large corporations, greedy politicians, and in some cases individual landlords accountable for their actions. The activity was particularly heated within San Francisco’s contested Mission District, which was rapidly being paved over and emptied of its inhabitants in favor of the gilded “new economy.”

Comprised at any given time of anywhere from four to 54 artists and volunteers who share and maintain printing supplies and wheat-pasting responsibilities, the SFPC’s large-scale images, which borrow as much from the aesthetic of the Mission District’s Latino cultural heritage of murals and public art as they do from political agitprop and photocopied punk postering, acted as a counterbalance to the many advertisements for Dot Com startups, pro-business politicians, and out-of-range leases that began to dominate San Francisco. The poster campaigns the SFPC launched invited public participation in political campaigns, and advertised what would otherwise have been personal strug-

gles with eviction and displacement. At the same time, the recognizably bold, beautiful, confrontational style of the posters act as a sort of visual representation for much of the community, both marking the territory of and galvanizing a large and diverse segment of San Francisco that was both under attack and fiercely defending its ground. “Art doesn’t really change anything,” says Tellier. “It is not the tool that changes society. But art can help articulate the voice of a political movement that makes things happen. Political art can give voice to something that is in the air.”

The group is somewhat secretive, anonymous, but ubiquitous. “The good thing about being anonymous,” says Tellier, “is that it decentralizes the relationship between artist and product, which is such a fundamental part of selling shit. Perhaps it is naïve and idealistic to imagine that art can exist out in the public realm as an act that is both for and unto itself.”

Unlike much graffiti art, which is sometimes dismissed as little more than egoistic territorial-pissings or occasionally as PR campaigns for individual gallery artists, the anonymous nature of the SFPC directs attention to the authorless collective aesthetic and specific political message of its postings. There are practical problems that arise from the group’s anonymity, Tellier admits, specifically in that “over time it also offers no credit to the many participants who made things happen.”

In addition, the group’s anonymity makes hassle from the authorities that much more difficult, as does the ephemeral nature



by Tapil

# LECTIVE

of wheat pasting itself: "It definitely deflects responsibility for certain activities... I think there is a clear difference in how the police respond to wheat pasters as opposed to taggers, stencil artists or graffiti muralists. San Francisco has a task force devoted to profiling and cracking down on taggers whereas there seems to be less concern about posters." And under the draconian laws of California's infamous Proposition 21, meant to clamp down on youth gang activity, tagging or spray painting can be considered federal crimes, which can mean extremely unbalanced sentences. Postering, however, is handled differently: "Outside, the posters tread this line between art and public nuisance. It can't be called graffiti but no doubt there are plenty of people who feel it shouldn't be allowed. The poster is pretty innocuous really. It's nothing more than some cellulose goopy wheat glop and beyond that words and images... That is not to say that I have never been confronted and even cuffed and interrogated. So far I have always managed to walk away with posters in hand and some stern and patronizing advice about my choices on what art venue I should be pursuing." Wheat-pasting, as opposed to using pen or spray-paint, is supposedly less destructive, in that it isn't permanently effacing. However, as even a cursory walk around the Mission will attest, it can also last for many years. "When we talk about putting up posters," says Tellier "we're ultimately talking about biodegradable cellulose, wheat and our First Amendment rights." ☆

Tapil is a culture maven and charlatan who can be reached at [kyezine@yahoo.com](mailto:kyezine@yahoo.com)



## A Crime Called "Entering"

Since late 1996, a Toronto-based zine, *Infiltration*, has chronicled the art of seeing the sights behind-the-scenes, from sewers, abandoned mental institutions, rusting missile silos and factories, churches, catacombs, old boats, and almost any off-limits space one can find. Such expeditions have been entertaining the intrepid since at least 1793, when Philibert Aspairt got lost on his fatal, candlelit exploration of Parisian catacombs. Today, urban exploration is becoming, literally, an underground movement among the curious. Having fun for free, challenging the mundane "visible" world while appreciating the beauty of hidden ones, and intimately knowing places most people hardly realize exist — as well as the joy of figuring out how to get in, and out, of the chosen site — are all particularly fetching aspects of such adventures.

Not surprisingly, the security scare post-September 11, 2001 somewhat pulled the plug on being sneaky as a hobby. In a recent email, *Infiltration's* creator and co-editor, Ninjalicious (a.k.a. "Ninj"), described the underground as "positively booming" before the terrorist attacks, but that afterwards it "sort of limped along lamely for a while." Thriving New York City groups were especially affected, he said. As Julia Solis wrote at the end of her book, *New York Underground*, a poetic documentation of the city's history hidden below the sidewalk: "Hopefully a day will come when terrorist concerns are less critical and New York will again take pride in its subterranean history."

The cover of each issue explicitly recognizes the rebellious spirit of the hobby, its tagline: "The zine about going places you're not supposed to go." Pulling off clandestine expeditions is an art. To really explore, respectfully and wide-eyed, really harkens back to our nature as children, before curiosity was deadened by grown-up boredoms like work, bills and the bullshit like. It's the beauty of detective work; developing literature to document this only adds to the mystique.

Ninjalicious said that publishing a zine detailing the ins-and-outs of urban exploration is more about safety than some intentional flouting of the law or attempt at social activism. Security cameras, pissy cops, rotted floorboards, and breathing asbestos fibers are only a few of the myriad risks to which infiltrators can be exposed. As far as legality goes, Ninj said, "We don't seek to change the laws about trespassing on, for example, abandoned properties, but rather to selectively ignore

them. 'Ignore' might be the wrong word. We're well aware of them as we circumvent them."

The grey area of what constitutes whether the state deems it punishable to be upon seldom-trod ground is exemplified by the phraseology of crime. Ninj pointed out how silly this can be, especially considering that urban explorers are generally quite respectful of the sites they tour. "The 'breaking' bit of breaking and entering is just included to make the crime sound sinister," he said. "Normally all one is guilty of is entering, which hardly sounds like a real crime."

One time, three cops confronted Ninj and some friends after they emerged from a drain, triumphant from prying off a stubborn manhole cover. "I did my best to seem humble and contrite and poor," he recalled in Issue 16, "but eventually the police decided to give us each a \$65 ticket for trespassing (an offence they had to look up, and for which they had to modify a parking ticket)." Yet this was hardly enough to ruin the buzz of a successful exploration: "A perfect end to a perfect evening," he wrote.

And really, the criminal side of urban exploration just seems to go with the territory. "If we only explored areas we were legally allowed to, we would wind up on a lot of public tours where the highlight is the gallery of portraits of dead white guys," Ninj said. "This would be a pretty pathetic situation. We're interested in seeing the authentic stuff, and it sometimes has to be caught unawares."

As long as there are abandoned, off-limits secret passages to attract the inquisitive, and as long as there are laws to ostensibly "protect" good citizens, the tension between urban exploration and criminal activity will be unavoidable, if only a relatively benign annoyance (at least, for the Canadians) compared to forgetting a flashlight or landing in sewer muck. Even in the days of Homeland Security, the passion tends to trump the risk.

In Issue 8, Ninj celebrated the thrill of going places you're not supposed to, after a long day within the nooks of Toronto's City Hall, finally high above on the mesh roof: "It's a great feeling to stand on top of City Hall in the rain at night, the only solid floor 40 feet down, the air filled with steam rising off the pipes below. Moments like these fill me with love for all things industrial and off-limits, and convince me further that infiltration is truly the good life." ☆

Infiltration Zine: [www.infiltration.com](http://www.infiltration.com)  
-Katie Renz

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a few questions concerning **CRIMINAL**  
**TRANSMISSION**

Interviews: **Laura Jones**  
Illustration: **Jennifer Daniel**

Like everything else about life with HIV, navigating the legal issue of Criminal Transmission laws is complicated. There's no federal law addressing disclosure or the deliberate exposure of others to HIV, so states are free to pass their own laws as they see fit. New York has no laws that specifically criminalize HIV exposure, while California has five. In Illinois, an HIV-positive person who engages in "intimate contact with another" without disclosure has committed a criminal act, even though "intimate contact" is as vague as you can get when talking sex. So, how does one make decisions that simultaneously protect one's partners and one's own safety if state law forbids "intimate contact" without disclosure, even if that contact poses no risk of infection? How do racism, sexism, and homophobia inform who is and is not prosecuted under these laws? And how do HIV-positive people in all of their diversity feel commonality on these issues? Or are their opinions as diverse as they are?

For this article, we sought that diversity of HIV-positive voices. **Barb**, originally from Ohio, is Director of Programs for a Chicago agency run primarily by and for HIV-positive people. **Carlos**, a Cuban-American who acquired HIV early in the pandemic, works with a large community health organization that establishes medical clinics in low-income neighborhoods. **Justin** hails from Alabama and is preparing to move to San Francisco for graduate school. **Keith**, born and raised on Chicago's South Side, organizes area deejays to bring HIV/AIDS education into hip-hop venues in Southside neighborhoods. **Ann Hilton Fisher, Esq.**, Executive Director of AIDS Legal Council of Chicago, adds her perspective as a lawyer who has provided legal counsel for HIV-positive people since the 1980s.

*Was non-disclosure or lying about HIV status involved when you acquired HIV?*

**Barb:** I picked it up sexually from my husband in 1990. We'd been dating for a year and were planning to get married when he found out he was positive. He got a call from an ex-girlfriend who told him she had HIV and that he should go get a test. He told me after we came home from a vacation we'd planned. I went and got my own test, but I'd already had symptoms of seroconversion sickness earlier that year. It was like Rocky Mountain Spotted Fever and they were checking me for all these things, but no one thought to test me for HIV because I was this White middle-class college-educated monogamous young woman. Anyway, we went ahead and got married like we planned.

**Carlos:** I am sure I got infected through IV drug use — that was my highest risk activity in 1979, which is when I appear to have been infected. This was way at the beginning of the epidemic, so we didn't even know about HIV then. I was worried about getting viral hepatitis because that was the killer bug at that time.

**Justin:** In January 2002, I met this beautiful boy at a local bar. I trusted him when he said he had been tested for HIV two weeks before and it had come back negative, and we proceeded to have sex without a condom. We continued having sex off and on for a week, and then he disappeared. A month after that, he called to apologize, saying he'd been freaked out by how close we were getting and asking if he could come by. Something told me to stop and have the HIV talk again. Again, he said he had been tested two weeks prior and it had returned negative. It struck me that he used the same exact words, only one month after saying them the first time. I never saw him again, and on July 3, 2002, my doctor told me that I was HIV-positive. I discussed the timing with my doctor, and he agreed that I contracted HIV from this boy.

The fact remains that I said, "Sure, it's okay if you don't use a condom." I consented to unprotected sex, and while it was not informed consent, I still made my choice.

**Keith:** I want to start out by saying that I truly do not blame anyone

besides myself. I was infected by someone who, I later learned, knew that they were HIV-positive. However, I had never asked that question. I did not take necessary precautions to prevent me from contracting it. Do I feel that my partner had a responsibility to disclose their status to me? Absolutely! Do I blame them for my infection? No!

*The theoretical purpose of Criminal Transmission laws is to protect the public against HIV-positive people who are attempting to infect other people on purpose. Do you feel that these laws provide such protection, or do they primarily criminalize all HIV-positive people's sexual expressions?*

**Ann:** It certainly makes no sense to say you can't have oral sex with a condom or a dental dam if you don't disclose your status, but that you can have all the unprotected sex you want and no one can blame you for anything because you've avoided learning your status. But I have no problem with criminal penalties for people who deliberately infect other people, or even deliberately put them at risk (which the oral sex with the dental dam and the condom would not). There are plenty of criminal laws that would cover those situations already, but if legislators want to add one more for HIV, that's okay with me.

**Barb:** They don't protect, and they do criminalize our sexual behavior. Under some of the laws, I technically can't kiss you or fondle you or engage in mutual masturbation even though none of those put anyone at risk for HIV, which is just crazy. At best, the laws are meant to protect people from mentally ill psychopaths because normal people with HIV who are educated about transmission don't go around trying to hurt people.

**Carlos:** I do think that stories about somebody purposely infecting others, even when reported in the most unbiased way, criminalize HIV-positive people. It immediately feeds the more biased media reporters and religious pundits who point the finger and say, "See how these horrible people behave?" and then it's immediately followed by bigots who want to quarantine people living with HIV. However, it is

## A History of HIV/AIDS

This timeline is adapted from others on various websites, such as the Kaiser Family Foundation ([www.kff.org](http://www.kff.org)). Historical documentation of the social, political, and medical responses to the AIDS pandemic is useful for identifying both progress and failure in the battle to end AIDS. Don't lose heart—keep up the fight!

### 1979-81:

- First documented cases of immune deficiency disease characterized by CD4+ cell depletion are identified in US and other countries.

### 1982:

- Syndrome originally called GRID (Gay-Related Immune Deficiency), is renamed AIDS (Acquired Immune Deficiency Syndrome) when also found in heterosexual men, women, infants, transfusion recipients, hemophiliacs, and Haitians.

### 1983-1984:

- AIDS activist Bobbi Campbell gives interview from soundproof room so television interviewers don't have to

place microphone on him.

- Bus drivers in San Francisco wear facemasks for fear of contracting AIDS.
- French and American scientists isolate Human Immunodeficiency Virus, the retrovirus responsible for AIDS.
- First HIV antibody tests developed.

### 1985:

- Latex condoms shown to prevent transmission of HIV.
- U.S. begins screening blood supply for HIV.
- Ryan White barred from school.

### 1987:

- U.S. passes law prohibiting HIV-positive individuals from entering the country.

- Jesse Helms introduces legislation prohibiting AIDS education programs that "encourage or promote homosexual activity."
- 36,000 Americans diagnosed with AIDS; 20,000 dead.

### 1988:

- U.S. Surgeon General C. Everett Koop launches AIDS education campaign. The US was last industrialized nation to do so.
- Underground needle exchange programs begin on East Coast.

### 1989:

- HIV-positive Dutch citizen denied entry at San Francisco International Airport to

**There's an amazing amount of stubborn, cross-your-fingers sentiment in this country that straight men, especially straight White men, aren't really at risk for HIV. The HIV-positive female sex worker who continues to work even after she knows her status threatens that comfortable view.**



hard to feel pity for someone who is purposely infecting anybody with HIV or any STDs.

**Justin:** I do not believe they criminalize any and all sexual expression. But frankly, I also don't believe that these laws offer such protection in practice. It is my understanding that one must prove intent to transmit in order to prosecute someone. How can you prove someone's intent in the heat of sex?

**Keith:** I am not so sure that these laws actually provide such protection. As often as I hear about people willfully seeking to transmit the virus to other people, I rarely hear [about] anyone who is a victim of such behavior seeking criminal action. I personally do not feel these laws are criminalizing. I believe that HIV-positive individuals (as well as any other sexually active individual) should be held accountable for their actions and assume some responsibility for their sexual partners.

*Do the Criminal Transmission laws in your state have any effect on how you handle issues of disclosure in your own relationships?*

**Barb:** The laws didn't change my behavior. Who I am motivated any changes I made. I was 26 when my husband died. And I think in the early 1990s when I started dating again, I really didn't know how to deal with the issue. I didn't want to infect anyone; I was terrified of that, and it was always on my mind. But I was scared about my own safety, too, because it's not always safe to disclose. I spent a lot of time trying to figure out how to tell people when I was very much afraid they'd turn around and tell everyone else.

**Carlos:** For a very long time, I only had sex with other pos people because it was just so much easier on my mind and conscience. When I met my partner, who I've been with now for over 10 years, I was seared when he told me he was negative. He told me he held a couple of his past partners in contempt because they lied to him and told him they were negative when they knew they were positive. He thought this was immoral, unethical, selfish, pathological, and quite a few other special adjectives. And I was so scared because I felt the love for him immediately. By then, I knew too much about HIV. I had grown spiritually and had been in therapy for about six years. I cared for all my fellow men and women, and I could not have unprotected sex with anyone.

**Justin:** My ethics, not a law, preclude me from putting others at risk. I felt betrayed by the person who gave me HIV. I felt he betrayed my trust, and he denied me the fundamental right to choose my future. I knew then that I could never put someone in that same situation. As for disclosure, I tell someone my HIV status right off the bat. I don't want to prolong the situation. If someone is going to turn me down because of my status, I want to get it over with.

**Keith:** I have altered my behavior a great deal since my diagnosis. Any time that I engage in any behavior that could result in the infection of another person, I make it my business to disclose — even if a condom is used. This has not always been the case for me. However, as I have become more comfortable with my HIV status and more educated about the methods of transmission, it has become a lot easier.

*continued next page*

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| <p>attend lesbian/gay medical conference.</p> <p><b>1990:</b></p> <ul style="list-style-type: none"> <li>• Ryan White dies.</li> <li>• Congress enacts Americans with Disabilities Act, prohibiting discrimination against people with HIV/AIDS.</li> </ul> <p><b>1993:</b></p> <ul style="list-style-type: none"> <li>• Female condom approved.</li> <li>• FDA refuses to allow studies of anal sex because sodomy is illegal in many states.</li> </ul> <p><b>1994:</b></p> <ul style="list-style-type: none"> <li>• AIDS becomes leading cause of death for all Americans aged 25-44.</li> </ul> | <p><b>1995:</b></p> <ul style="list-style-type: none"> <li>• President Clinton establishes the Presidential Advisory Council on AIDS.</li> </ul> <p><b>1996:</b></p> <ul style="list-style-type: none"> <li>• AIDS named leading cause of death among African-American males aged 25-44.</li> </ul> <p><b>1997:</b></p> <ul style="list-style-type: none"> <li>• 2.3 million people dead from AIDS worldwide. Half are women.</li> </ul> <p><b>1998:</b></p> <ul style="list-style-type: none"> <li>• AIDS death rate drops 47% in the US, but rate of new infections does not drop.</li> </ul> <p><b>2000:</b></p> <ul style="list-style-type: none"> <li>• Twenty years into the pandemic, woman-controlled</li> </ul> | <p>microbicides still unavailable.</p> <ul style="list-style-type: none"> <li>• Rate of new HIV infections among Americans over 50 found to be increasing at twice the rate for those under 50.</li> <li>• Among gay and bisexual men, reported AIDS diagnoses are higher in African-Americans and Latinos than in Whites for the first time.</li> </ul> <p><b>2001:</b></p> <ul style="list-style-type: none"> <li>• Bush Administration contributes \$200 million to the Global AIDS Fund; U.N. Secretary General Kofi Annan says \$7-10 billion is needed.</li> </ul> <p><b>2002:</b></p> <ul style="list-style-type: none"> <li>• Bush Administration removes Condom Fact Sheets from the "Programs That Work" section</li> </ul> | <p>of the Health &amp; Human Services website. After much protest, revised Fact Sheets downplaying the effectiveness of condoms are posted.</p> <p><b>2003:</b></p> <ul style="list-style-type: none"> <li>• Activists express deep reservations about a provision that gives "Abstinence-Only" programs a third of USAID's prevention funding</li> </ul> <p><i>-compiled by Laura Jones</i></p> |
|---|--|---|--|

*Most of the Criminal Transmission cases that have been prosecuted in the U.S. have involved sex offenders: men who have sex with many female partners without disclosing, most often Black men, and sex workers, primarily female, who do not stop working after they are diagnosed with HIV. Do you feel that Criminal Transmission laws are fairly and justly applied in these cases?*

**Ann:** Children and rape victims really are defenseless, so we are legitimately angry when the crime against them is compounded by exposure to HIV. I think the first category and second category involve "predators," i.e., men who are taking advantage of vulnerable women, teenagers, or children. Adult women in more-or-less consensual relationships are better able to protect themselves. But even then, I think we recognize that many women don't have much bargaining power in their relationships.

The push to prosecute sex workers is a different situation. Here I think there's not much love lost for sex workers anyway, but it's more than that. It's also fear of female-to-male sexual transmission of HIV. There's an amazing amount of stubborn, cross-your-fingers sentiment in this country that straight men, especially straight White men, aren't really at risk for HIV. The HIV-positive female sex worker who continues to work even after she knows her status threatens that comfortable view.

**Barb:** Where I work now, a lot of women come in who've been infected by a partner who didn't disclose, and a lot of those men were afraid to disclose because of the stigma and the lack of acceptance in their own communities. We see that in particular with a lot of Black men. A guy I used to work with, a young Black social worker, was in that situation. He was dating a woman, and they used condoms for a while and then stopped, and he never told her he was positive. He was not a malicious guy. But he was prosecuted, convicted, and served six years for "felonious assault." He lost his social work license; he'll never work in the field again. And where was his partner's responsibility to protect herself? That's a difficult one for me.

**Carlos:** You have to remember that there are many "Johns" who will pay extra to have unprotected sex. As for the other scenarios, I think they fall into the mental health arena. These people need therapy. They need extensive one-on-one mental health sessions to get to the root of why they are infecting their wives or girlfriends.

**Justin:** As with any other criminal law, the application of Criminal Transmission laws is not fair. We find it easier to demonize sex offenders, especially [when they are] African-American men, and sex workers. It is easier for our society to turn the other way when "those people" go to prison. We are also simply unwilling to address the real issues—stigma of HIV-positive people, reasons for engaging in sex work, reasons for committing sex offenses, and reasons we live in a culture of victimization.

**Keith:** There may be some discrimination as well as some politics involved with Criminal Transmission laws. However, neither of those justifies the action of knowingly transmitting HIV to another individual. ☆

*Further resources:*

HIV Criminal Law & Policy Project: [www.hivcrimallaw.org](http://www.hivcrimallaw.org)

American Civil Liberties Union HIV/AIDS Section:  
[www.aclu.org/HIVAIDS/HIVAIDSMAIN.cfm](http://www.aclu.org/HIVAIDS/HIVAIDSMAIN.cfm)

AIDS Action: [www.aidsaction.org](http://www.aidsaction.org)

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## Another Day in Prison

She reports to work at approximately 4:30 or 4:40 every morning as a cook in the minimum facilities kitchen here at Coffee Creek Correctional Facility in Wilsonville, Oregon. She is the only woman prisoner in the kitchen with the food coordinator (a DOC employee) until 5 am.

At five, the other prisoners, who work as servers and dishwashers, report to work.

There are no cameras in the minimum facility's kitchen. No one knows what goes on in there because that area is not monitored by the control center(s) like the other areas throughout the prison.

For several weeks, the food coordinator has been laughing and joking around with her as they prepare breakfast for the minimum facility. He has walked close to her and let his hand brush against her ass on several occasions. He says "Oops, sorry about that," and she says "No problem."

One day, he tells her to drop her pants and bend over, with the upper part of her body on the serving line so that he can have sex with her. She tries to laugh it off and thinks he's playing around.

He tells her that he's serious.

She's scared and so she does as he says. He has sex with her. The whole thing lasts about five minutes.

After the first time, it becomes a day-to-day routine. He starts to make promises, offering to help her find a job when she gets out and perhaps even a place to stay.

She doesn't know whether she liked it. She doesn't know if it is rape. She feels alone, scared, and unsure of herself. She doesn't want to do it, but she has no choice. She figures she'll endure it—she only has a few months left to her sentence.

She refuses to report it to Internal Affairs because she knows that when the last sex scandal hit the local media, administrators and other prisoners retaliated against the women involved. She doesn't want her time made harder. She doesn't want to take the chance of being written up on a false report, losing good time (credit for time served), and having to spend more time in prison.

So she chooses to keep quiet.

Yet, she mentioned what's going on to me. I'm mentioning it to you so that it can somehow not be ignored.

But please don't mention any names of who's involved or that I'm the person who told you. Because I don't want to be retaliated against either

*-Inmate at Coffee Creek Correctional Facility, Wilsonville, OR*



## The Two Stories of **Mukhtaran Bibi**

Some years ago, I found myself in a dental office run by an amiable dentist and his wife who was also the hygienist. A popular television magazine show had recently run a segment on dowry deaths in India. As they prepped their instruments, the two began their round of small talk and eventually reached the topic of bride burning. Discovering that I was originally from the subcontinent, and despite my reassurances that I wasn't about to suffer the same fate, the woman implored me, "Don't go back!"

I felt the need to formulate a quick and pithy response that exposed both her cultural assumptions about me and her place in a US-based culture that is no less hostile to women. But I was temporarily powerless, tilted backwards in a cushioned chair with my mouth

priced open, staring up at two people who held gleaming, cold metal instruments in their hands, instruments with pointy whirring bits attached to them.

I quickly lost sight of all the erotic possibilities and, instead, my mind flashed back to the dental torture scene in the film *Marathon Man*. The two faces seemed faintly foreboding, and I decided that the safest thing to do was gurgle quietly. "Don't worry, I won't!"

Afterwards, I wished I had convinced the hygienist that I was the educated sort of Indian, the kind who refused to marry, leave alone be burnt by in-laws. As a conservative Midwesterner, she could only understand me as a product of my culture, bound by inescapable traditions. So I positioned her as the opposite of me, as someone who lacked an awareness of the subtleties and nuances of life in contemporary India.

But more recently, I've come to see the two of us linked in a variation of what Mahmood Mamdani has termed the "good Muslim/bad Muslim" syndrome. Post-9/11, the media is obsessed with spurious distinctions

words: Yasmin Nair  
Illustration: Corri Bristow

between two kinds of Islam. "Good" Islam allows its followers to demonstrate an aptitude for Western civilization. "Bad" Islam imposes a destiny of fundamentalism upon its adherents, leading to terrorism and the oppression of women.

In this case, both the hygienist and I only seemed to be on different sides. Truthfully, we were both echoing similar arguments about civilization and culture. It was the "good" Indian frustrated that she only saw me as a product of a "bad" culture. We had forgotten history.

The case of Mukhtaran Bibi, and its reception in the US, clearly demonstrates the logic of "good Muslim/bad Muslim" at work in complicated ways. On June 22, 2002, Mukhtaran Bibi, a woman from the lower-caste Gujar tribe living in Meerwala, Pakistan, was raped by four men. The village tribunal, or *panchayat*, charged that her 11-year-old brother brought dishonor to the upper-caste Mastois when he became sexually involved with one of their women. In fact, the boy had been raped by a group of Mastois who invented the story of his dalliance when he threatened to expose them. The *panchayat* decreed that the only suitable punishment was the rape of the child's sister. The men, including a *panchayat* senior, dragged a crying Mukhtaran Bibi to one of their houses and gang-raped her.

Subsequently, a local Imam discussed the incident at his weekly sermon, and journalists and human rights activists eventually brought international attention to the case. Bibi testified against her attackers, and at least 12 men, including her four rapists and onlookers, were arrested. The Pakistani government, in a bid to save face, sent Bibi a check for \$8,300 and promised that her village would get a paved road, electricity, a police outpost, and a school in her name.

Bibi's story unfolded on the US media landscape in two versions. The first focuses on her as a nameless product of a "culture of rape," a victim of "bad" Islam. Photographs from this version show her covering her face with the edge of her shawl. The second emphasizes that Bibi is a singular woman and an agent of free will, freeing herself into "good" Islam via the Western appropriation of her story. Here, she is a brave heroine who brought her rapists to justice, defying social norms and threats to her own life. Accompanying a story in March 2005 about a High Court overturning the convictions of the rapists is a photograph of Bibi with her head bowed but uncovered, tears streaming down her face. Crucially, earlier stories were careful to point out the role of the Imam and the journalists and lawyers who took up the case, but by now those details are excluded in favor of a story about Bibi's personal determination to pursue justice.

How do these two versions of Bibi's case duplicate the notion of two versions of Islam, the fundamentalist and the progressive? What makes this case of a gang rape so fascinating after 9/11 and what does its reception tell us about our consciousness about gender, culture, and history?

Given the recent coverage of the mass rapes in Darfur, it's easy to forget that gang rape of women *within* the US has been almost unheard of since the late 1980s. The 1988 film *The Accused*, starring Jodie Foster, was among the last cultural texts to focus on the issue. In 1989, the case of the Central Park jogger with its accompanying and since widely disproved myths about "wilding" (groups of mostly black young men supposedly setting out to rape white women) exploded on the national scene. But since then, rape in the US has been represented as a more privatized event.

The gang rape of Mukhtaran Bibi did not incite an invasion of Pakistan, but it does allow for a logic of "bad" Islam to enter into a discussion of Muslim women that is bound to effect how the US sees its place in the world.

Rape is now part of a larger system of recovery, therapy, and healing — all of which are private functions even under the auspices of medical institutions. And the cultural anxiety around the rape of women has been displaced by an anxiety about the rape of children, especially evident in the hysteria around child abuse cases in the late 1980s and onwards.

In 1993, the War Crimes Tribunal for the former Yugoslavia codified rape as a "crime against humanity." Since then mass rapes in Bosnia, Somalia, and the issue of Korean "comfort women" have focused attention on rape as an instrument of war and political torture. Against this backdrop, gang rape is an event that happens "elsewhere," in war-torn regions and presumably less civilized parts of the world. It's easy to forget that the rescue of these women is also a way to exercise domination.

This was never clearer than in November 2001, when Laura Bush addressed the nation from the White House arguing that the liberation of Afghan women was a central reason for US military actions. As she put it, "Only the terrorists and the Taliban forbid education to women. Only the terrorists and the Taliban threaten to pull out women's fingernails for wearing nail polish." Bush's willful amne-

sia about history made it possible to forget the social and political contexts of brutality against women. Her rationale for invasion ignored the fact that the Taliban were put in place by the US.

The gang rape of Mukhtaran Bibi did not incite an invasion of Pakistan, but it does allow for a logic of "bad" Islam to enter into a discussion of Muslim women that is bound to effect how the US sees its place in the world. Nicholas Kristoff wrote about Bibi in 2004: "I firmly believe that the central moral challenge of this century, equivalent to the struggles against slavery in the 19th century or against totalitarianism in the 20th, will be to address sex inequality in the third world — and it's the stories of women like Ms. Mukhtaran that convince me this is so." Presented with this smug, neo-colonialist forgetfulness and recasting of history, it's particularly difficult to take a leftist or progressive position on an incident like Bibi's rape. After all, here it's the US that actually seems to make links between gender inequality and politics. But Kristoff and others also perpetuate the notion that women are to be rescued from "bad" Islam and "bad" culture.

None of this is to assert that Bibi's story is less valid, or that she is any less brave for coming out against her rapists. The case of Mukhtaran Bibi proves that gender is still at the heart of the central issues facing the 21st century — poverty, war, social inequality. Yet, the rush to denounce this rape as a symptom of the oppression of Muslim women has meant that the media ignores the issue of Muslim men except in equally reductive and pathologizing terms. Over and over again, history is forgotten in favor of narratives about "cultural difference." Even the most progressive readings of the Abu Ghraib photographs fall back on the supposition that the images were especially degrading to Muslim men who, because of religious beliefs, are mortified by even the appearance of homosexuality. But the average straight American man is no more likely to be comfortable with the perception of gayness; "gay panic" is still used as a defense in US court cases involving homosexuality.

What might we do with Bibi's story? It's hard not to feel horror and revulsion at the details of her case. But it's imperative, especially in a post-9/11 world, to remember that such stories are filtered through the logic of "culture and civilization." Ultimately, it's important to be much less comfortable about "our" culture, and to remember our own ongoing histories of domination. ☆

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com



# Organized [Against] Crime

A Portland Neighborhood  
Fights Crime and Gentrification

words Abby Sewell  
photo illustration Anne Michaux

Portland, Oregon is a two-faced city.

On the one hand, it is known for being a happy little hippie paradise, full of co-ops and collectively run coffee shops, bike culture, permaculture, and cob benches. On the other hand, it's a depressed city full of unemployment and homelessness, racial tension, strip clubs, heroin, and crystal meth. And like most major cities in the U.S., it is gentrifying quickly, with the poor and people of color being pushed out of the city center into the suburbs while vintage clothing stores and trendy bars spring up in the neighborhoods where drive-by shootings used to be a daily occurrence. I got caught in a bizarre intersection of these worlds when my own collective coffee shop was essentially taken over by a crowd of heroin dealers this past winter. Since then, we, and the neighborhood in general, have been struggling to find a way to keep our community safe for those who live and work there without relying on the police or contributing to the forces of gentrification already in motion.

Lower East Burnside has always had, as far as I can tell, sketchy tendencies, but things got much worse this winter. I had been "working" at the Back to Back Café since the previous spring. (I say "working," because through most of that time, I was not getting paid. The Back to Back is a worker-owned collective, and due to a combination of being located on Skid Row and the worker-owners not knowing how to run a business, the café was always struggling to stay open.) By the time I came around, the collective members had given up on paying themselves even a token wage and were essentially working for tips and free food. Everyone was working a second job or living off unemployment. We hung on in a stubborn belief that with enough dedication, we could turn the business around. I think most of us started there out of idealism, but we hung on out of obstinacy, and by the time I had been there six months, we had finally figured out how to keep our books straight and balance our expenses. It began to pay off.

In addition to the free food and beer and the hopes of better times to come, Burnside was always a fascinating place to work. East 6<sup>th</sup> and Burnside is *la esquina*, the corner where day laborers wait for work. Day laborers, or *jornaleros*, are mostly immigrants from Latin America. They exist in essentially every metropolitan area in the United States. In most cities, as in Portland, they gather to wait for work in a public space; but in some cities, groups of *jornaleros* have succeeded in getting a city-sanctioned building space to serve as a center. This has definite advantages in terms of safety and shelter from the weather, and it also tends to cut down on the occurrence of employer scam (the fairly common occurrence of a contractor hiring a laborer and then refusing to pay all or part of the promised wages). Many of the *jornaleros* are undocumented, but others are legal residents or citizens who can't find a regular job — which, in Portland, is a lot of people.

The day laborers were some of the café's most reliable customers. When I started at the Back to Back, I barely knew Spanish outside of the curse words I picked up in high school. Now I speak pretty functionally. There have been days at the café when I went my whole eight-hour shift without uttering more than ten words of English.

There were also a fair share of junkies and prostitutes around the Back to Back, too. We used to have an open-door policy on the bathroom, out of pity for the homeless population in the area. Gradually, between the exorbitant cost of our water bill and the fact that we weren't getting paid to pick up syringes and clean splattered blood off the wall, we went over to the Dark Side with the other businesses on the block and instituted a "customers only" policy. The rule really wasn't much of a deterrent to anybody, however. Heroin

addicts already spend most of their time hustling to get money for their fix. It's not hard to scrounge up an extra dollar so you can buy a coffee and lock yourself in a bathroom for ten minutes. The café workers would come bang on the door eventually, but that didn't matter, either. They knew we weren't going to call the police. Our relations with the police were not what you would call cordial. We were a bunch of uppity anarchists who would occasionally come out and ask snotty questions when an officer was frisking someone outside. That was probably the source of half our problems later.

Winter is not a good time for construction work in Portland, and a lot of the day laborers leave for that portion of the year. But this year, new faces began cropping up in the fall. Suddenly, we had a crowd of regulars coming in to drink beer every day. Initially we were happy for the business and didn't question its source — our Pabst sales for December meant that we paid ourselves in January.

It didn't immediately dawn on us that these people were selling drugs out of our business. What did become abundantly clear was that they were extremely unpleasant drunks. Our quiet little café had become the neighborhood bar for a bunch of thugs, who started fights outside, made a mess, harassed the female café workers, and were nearly impossible to get rid of at the end of the night.

A lot of the day laborers stopped coming around at this point. As I found out later from some of the laborers, the drug dealing on the corner was getting so bad that it was driving contractors away. Sometimes, my friend Jaime told me, a contractor would pull up and there would literally be a race between laborers and dealers to see who could get to the car first. I also found out later that three day laborers had died overdosing that winter. But the laborers, even those who wanted to get the drugs off the corner, for the most part weren't willing to confront the dealers: for one thing, it is dangerous to make drug dealers angry, especially when you have to share a street with them; and for another thing, many dealers and workers alike were undocumented immigrants, and neither of them wanted to bring more police attention to the area.

The situation finally came to a head in January when the police came in threatening to shut us down because of drug dealing on the premises. The first time this happened, we were indignant. Why were the police expecting us to do their job for them? If we caught someone in the act of selling drugs, of course we would kick them out, but we couldn't go accusing people indiscriminately, could we? And in any case, the sidewalk in front of the café was nearly impossible to keep an eye on during busy shifts. Not knowing quite what to do, we wrote up a flier in English and Spanish to hand out to our customers, explaining that the police were threatening to shut us down and asking that they

refrain from illegal activities on the premises. It didn't work, of course. Neither did our attempts to communicate with the police and convince them, in the spirit of "community policing," that they should get out of their squad cars and walk around the block every now and then.

A few weeks later, the officers were still not returning our phone calls, and the lawlessness on the block was, if anything, worse than ever. The next we heard from the police was when they came in to arrest a drug dealer from inside the café and to tell us for a second time that if we didn't put a stop to the drug trafficking, we were going to be shut down. This time really scared, we began performing a sort of purge of our customers, banning anyone who seemed at all suspicious. This turned out to be about half of our regulars. Things were tense for a while. A couple of us received death threats. But for the most part, the dealers went quietly. If they couldn't sit around drinking beer while they did their deals, well, that was too bad, but they could still make their money on the corner. It was the café, not the dealers, that lost business.

Meanwhile, the head officer of neighborhood involvement came in and explained to me that after months of surveillance, his undercover officer had finally figured out that the café workers were not complicit in the dealing, just unusually stupid (he didn't say the second part of that, but it was implied). The danger from the police was over, but we were left with a bunch of thugs hanging around on the corner who had scared off our honest customers. Now that we had kicked out the thugs, too, our business was seriously suffering.

It became clear that the café workers were not the only ones having problems with the state of affairs on East Burnside. With the dealers mostly gone from the café, the day laborers began coming back in, telling us of their own frustration with the drugs on the corner. The main organizers from the Portland Industrial Workers of the World (IWW) were alarmed, too. The café shares a lease with the IWW Hall, and if we got shut down or went under, they knew that they would likely lose the hall. So we began attempting to pull together a coalition to deal with the situation.

The people at the table so far have included the Back to Back and the IWW; organizers from VOZ, the day laborer organizing project; and the Portland Central America Solidarity Committee, whose office is housed in the IWW Hall; a couple of the day laborers themselves; workers from the Citybikes shop and KBOO community radio station, which are located around the corner; and representatives of various social service agencies in the area.

It's hard to say yet what will come out of these meetings. We're not going to solve the social problems that lead to addiction or the depressed economy that leads people to turn to dealing to make a

living. We can't offer the dealers gainful legal employment. All we can do is chase them off our corner so that people who want to look for legal work can do so in peace. We have talked about blackballing the known dealers, taking their pictures and distributing them around the neighborhood. Some people found that idea creepy. We have talked about holding more public events on the block, because the sketchy characters tend to retreat when there are a lot of people out on the street who aren't buying drugs. We agreed to make signs to post around the neighborhood, to let the dealers know that they are being watched and are not welcome. But signs with no muscle behind them are not going to have much effect, and we know it.

Out of everyone who has been present at the meetings, the day laborers have actually been the most eager to go to the police and the city for backup. Of course, the laborers who have been coming to our meetings are those who are in a somewhat privileged position of being legal residents; the undocumented workers don't want to get involved. But one thing we have agreed on is that we have to let all of the *jornaleros* know that we are not trying to take away their corner. It is the drug dealers, not us, who are threatening their right to work.

Abraham Muñoz, one of the *jornaleros* attending the meeting, pointed out, "If the *jornaleros* don't help get the dealers off the corner, sooner or later the city is going to come in and sweep everyone away."

This is true: the city of Portland has designated East Burnside as an "urban renewal" area. A much-hyped new development site is going up a few blocks away from us, and trendy bars are opening farther up the street. Gentrification is on its way, and the yuppies who will move in a year from now will have no problem asking the police to sweep every homeless person and every immigrant off Lower East Burnside. If the Back to Back doesn't go under or get shut down in the next year, our business will no longer be struggling, and we will finally get some payoff from all our hard work. We want that; but we don't want that at the expense of giving up all our principles.

So, there is no easy answer and no conclusive ending to this story yet. All we can do for now is put up our posters in the windows, keep talking to our neighbors, and wait and see what happens. ☆

*Abby Sewell is a freelance writer and a worker-ower at the Back to Back Cafe collective in Portland, OR. She can be reached at [abbysewell@mindspring.com](mailto:abbysewell@mindspring.com).*

As I found out later from some of the laborers, the drug dealing on the corner was getting so bad that it was driving contractors away. Sometimes, my friend Jaime told me, a contractor would pull up and there would literally be a race between laborers and dealers to see who could get to the car first. I also found out later that three day laborers had died overdosing that winter.

# My Friend, the Accused Eco-Terrorist

It was a cold February day in 2003. A group of young radicals were having an anti-war strategy meeting in the back of the dingy café where I worked. This is where I first met the FBI's most wanted domestic "eco-terrorist." The bearded 20-something from the West Coast introduced himself as Josh. He didn't talk much about his past.

Over the next couple of weeks, Josh Rivers, aka Michael Scarpitti, aka Tre Arrow, dove headfirst into all forms of political organizing and most city dumpsters. He assailed anti-poverty activists for using tinfoil to cover food they brought to the homeless at church Sunday suppers. He'd scour college campuses for used paper to avoid printing propaganda on virgin sheets. In the midst of a particularly nasty snowstorm, I remember him biking with a massive pull-cart full of dishes dirtied from serving reclaimed produce with Food Not Bombs, his beard thick with white ice. He wiped his ass with orange peels to avoid old growth toilet paper.

words **Chris Arsenault**  
illustration [upso.org](http://upso.org)

He left town one day and I never thought much about it. Another vagrant radical trying to save the trees, the whales, the poor and everything in between, had left the building.

A year later I got a frantic early morning phone call: Josh had been arrested for stealing bolt-cutters in Victoria. "You never know when you're going to get the big fish," said Victoria police Const. Rick Anthony who finger printed Arrow, confirming his infamous identity. The Canadian Tire security guard who nabbed him was awarded \$25,000 from the FBI.

Arrow's terrorism charges stem from two separate 2001 incidents in Oregon where activists burned cement and logging trucks. Arrow maintains innocence and denies any link to terror; he despises the term eco-terrorist.

US authorities link Arrow to the Earth Liberation Front (ELF) — a radical intuition more than an organization — causing over \$100 million dollars in property destruction to condo developers, SUV dealerships and other "enemies of the environment" since 1998, according to the FBI.

Jake Sherman, a 19-year-old ELF activist, already admitted to burning the trucks and served four years in prison. The FBI lacks forensic evidence or fingerprints linking Arrow to either incident, so they are using new "king-pin" legislation, alleging he cajoled Sherman and others into torching the vehicles.

In September of 2004, Arrow was sentenced to two days in jail for stealing the bolt-cutters and for giving police a false name. He served the time and doesn't face any other charges in Canada.

March 13, 2005 was the 1st anniversary of Arrow's incarceration. Formal extradition hearings begin April 18, 2005. Arrow hopes to secure refugee status in Canada, arguing that hysteria about terrorism south of the border makes a fair trial impossible.

Arrow's capture was a top priority for the FBI according to Julie Thornton, the agent in charge of domestic terrorism investigations in Oregon. Since Arrow's arrest, Canada's Integrated National Security Enforcement Team (INSET) — a joint project of CSIS, the RCMP, and the Canadian Border Services Agency created after the passing of the controversial "anti-terror" Bill 3-36 — has been looking into the contacts made by Arrow during his stay in Canada.

Indictments first came against Arrow in 2002. The Department of Homeland Security — with a budget of \$28.9 billion, aerial surveillance, CBP targeting systems and sensor technology — spent the better part of two years trying to track down a hitchhiking activist who frequently attended demonstrations in the cities he visited.

Arrow's friends and allies in Halifax, Nova Scotia; Vancouver, BC; and Oregon started organizing as soon as they heard the

news. vegan bake-sales and legal benefits at dingy bars were all the rage. I never particularly liked the guy. He was rash, overbearing and politically pious, and he alienated many average folks with his self-righteousness. But that really isn't the point. When someone you know is facing 80 years in a US prison, it's hard not to have some sympathy and, more important these days, a little empathy.

Born Michael Scarpitti, Arrow was a middle-class high school wrestler from Florida. He was first noticed by the public eye (and consequently the FBI) in 2000, when he scaled the US Forest Service Building in Portland, Oregon and sat on a narrow ledge for 11 days to draw attention to logging at Eagle Creek. "Those actions created awareness that eventually helped stop the sale, and that's why I am being targeted," says Arrow, a former Green Party Congressional candidate.

An outspoken raw-food vegan, Arrow was forced into solitary confinement in July 2004 after guards found him stashing zucchini in his cell. He was trading cooked food with other prisoners for their fruits and veggies. "I'm a total anomaly in any kind of setting, but especially in this jail setting," he said.

To protest dietary discrimination, Arrow embarked on a three-and-a-half-week hunger strike, where his weight dropped below 81 pounds. "He looks like a Holocaust victim; it [is] horrifying," his lawyer told *The Globe and Mail*.

An outspoken raw-food vegan, Arrow was forced into solitary confinement in July 2004 after guards found him stashing zucchini in his cell. He was trading cooked food with other prisoners for their fruits and veggies. "I'm a total anomaly in any kind of setting, but especially in this jail setting," he said.

Doctors refused to release him from the hospital until prison officials agreed to remove him from a "starvation situation." Since gaining access to raw food in August 2004, Arrow has been subsisting on oranges, apples, pears, raisins, nuts, and vegetables. "Once a month I get a whole big purple eggplant," he laughs.

Recently, I ended up in Vancouver and decided to visit him in jail. I left my pickup truck at a friend's house and hopped the sky-train. Arrow requested that no extra fossil fuels be burned at his expense. While waiting in the detention centre, I overheard another prisoner talking about his situation. "Tre has been advocating for us," said the inmate. "He's been telling the guards we want cigarettes and properly cooked hash browns." Strange

battles for a raw-food vegan, anti-smoking campaigner.

When I finally cleared security and walked down the concrete corridor, Arrow was waiting behind a thick pane of glass. He spoke with a stoicism he had never shown before, a little less self-righteous, a little less hopeful and more down-to-earth (in the psychological not physical sense). His legal committee is trying to find \$300,000 surety. It seems like a losing battle.

In trying to navigate the legal system, Arrow decided it would be a good idea to shave — hoping to look like a presentable citizen to a stiff-lipped judge who already assumed him a dirty hippie miscreant. To lessen his ecological footprint, Arrow refused to use a razor. He plucked off each hair with a pair of tweezers, leaving his face covered in welts and scabs.

When I asked him about the politic and pain around this, he looked at me and quietly said, "People don't realize every time we do something it impacts the whole planet."

In a sense, Arrow is a living, breathing guitar-strumming example of what 19th century radical Johan Most called, "the propaganda of the deed," living his ideals, not in the champagne-socialist, over-priced-organic-food-lifestyle politic, but as an example of existence without environmental destruction.

Regardless of what one thinks of Arrow's actions, rational analysts on all ends of the political spectrum agree that current human activity is having a dire environmental impact. In an ominous 2003 report entitled "An Abrupt Climate Change Scenario and Its Implications for United States National Security," the Pentagon's own research associates predict, "Food shortages due to decreases in agricultural production, decreased availability of fresh water due to flooding and storms, droughts, [and] disrupted access to strategic minerals due to ice and storms," could take place as soon as 2015 because of global warming.

"If you want to see the world shaped a certain way, the only way to achieve your goal is to walk your talk," said Ben Shannon, spokesperson for Arrow's defense committee who left his job, and moved from Halifax to Vancouver, so he could work full-time on finding surety and building a movement around Arrow's case.

Perhaps Arrow's living propaganda is catching on. ☆

*Tre Arrow's extradition hearing is set for June 27, 2005.*

*Chris Arsenaud is a Halifax based freelancer and coordinator of Students Taking Action in Chiapas. Please contact at: educationcoordinator@stacmexico.com*



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# You Have the Right to Leave

## Talking Justice with First Defense Legal Aid

Chicago's First Defense Legal Aid (FDLA) may be one of the city's most valuable public service organizations, but most of the city's residents have never heard of it. Offering legal services for arrestees, FDLA helps to ensure that those arrested by Chicago Police Officers have access to free, immediate legal representation, 24 hours a day.

Jessica Webb and Donald Duster represent two of the seemingly incongruous public faces of FLDA: Webb — young, blonde, and Caucasian, is the staff attorney for the organization. Duster, older and African-American, is not only one of FDLA's board members, but also one of its founders.

"One of the [other] creators was...the Executive Director of Cabrini Green Legal Aid," says Duster about FDLA's origin. "He knew of a similar program in England. He had mentioned to me several times about this program in England. And so... we [applied for a grant] from the United Way for 'economic discrimination'... we wanted to replicate this program that had been successful. Providing a lawyer for someone at the police station — that is when someone is most vulnerable. We wanted our clients to have the same legal representation as the affluent. This was a way to provide this service at no charge."

Those who cannot afford a lawyer are at a distinct disadvantage in their interactions with police before being formally charged. As stated by First Defense, "In Illinois, as in most other states, the public defender is actually restricted by state statute from assisting people who are in police custody. The rationale given for this unfortunate restriction is that only judges are capable of making the determination as to whether an arrested party is indigent and, therefore, eligible for free public defender services. The result of such a system is shocking."

words Ben Tanzer  
photo Chet Gordon



After all, the police are interested in solving crimes through any possible legal means — not protecting the Constitutional rights of those they arrest. “The police move people and don’t write it down,” says Webb. “People disappear.”

Arrestees face the possibility of lying, coercion, and psychological pressure — all legal actions — by the police. The current justice system is one that only Kafka could love and one might reasonably ask what, if anything, is being done to protect those who enter it. This is where the FDLA enters the picture. First Defense gives citizens an opportunity to consult with lawyers shortly after the time of arrest, and prior to their first court appearance.

Duster’s primary vision for FDLA is to provide a service for those in most need of legal representation “and secondarily [to have the program] taken over by the Public Defenders Office. [We] have been successful with the first one, not the second one.”

Why? The reasons are “political,” Duster says. “Two parts to the political question: One is the perception that [with] a program of this nature...the persons who run it are soft on crime. And second, the Public Defenders [Office] was worried they couldn’t get more money to run it. Third, the union at the Public Defenders Office — would they get increased caseloads with less compensation?”

Webb is the only staff attorney at FDLA. The organization counts on trained volunteer lawyers and has a pool of approximately 50 lawyers they can draw on. Webb tries to assign volunteers to work from 6:00pm to 6:00am, but when she cannot find someone, she fills in the gaps herself.

According to Webb, there are times when FDLA may not receive calls for days, and then other times when they can receive four or five calls in a single day. On average, the organization receives between 20 to 40 calls per month. People who are already in police custody and those under investigation for a felony are among the most common callers.

“Clients don’t call us. Usually their family contacts us,” says Webb. And how does the family, or anyone for that matter, even know FDLA exists? “Educational presentations. [We] give out cards.”

“Probably given out 10,000 cards,” adds Duster. “Agencies handling youth, telling them their rights, and telling them how to act: ‘Don’t give policemen no lip.’ [We] speak to high school groups, community groups. One of the benefits of being associated with a social service agency is that they can talk about us to their various constituents.”

FDLA did not find the immediate success it expected and some of this clearly had to do with the organization’s original name. As Duster tells it, “When we first started the program it was called ‘The Police Custody Program.’ We thought it would take off like hotcakes. We started asking around and people said ‘don’t you know that anything with the name “police” in it is suspect?’ So we changed it.”

The 1994 Illinois Supreme Court case *People v McCauley* is referenced in our conversation and Webb says, “That case has been keeping us in business.” Webb describes the outcome of the McCauley case in the following way:

“...a suspect in police custody cannot validly waive his right to counsel under the Illinois Constitution if an attorney retained by his family or friends to represent him (even without his knowledge), seeks to meet with him and advise him of constitutional rights but is denied access to him by the police.”

FDLA has stayed in business for ten years now, having survived on a mix of foundation, corporate, and private funding after their United Way money ran out. Two years ago, FDLA struck out on its own and became an independent 501(c)3 after FDLA brought a suit against the city of Chicago with the support of the MacArthur Justice Center, a non-profit public-interest law firm connected to the University of Chicago Law School. As Duster explains it, “As we were implementing the program we were becoming more effective in representing our clients. As we became more efficient, the police became

more resistant: ‘We don’t have your client here.’ ‘Your client is having lunch and he said he doesn’t want to speak with you.’ Became more and more obstructionist. We decided to challenge them in court or go out of business.

Webb adds “[The police] were classifying people as witnesses, and when you’re a witness you don’t have a right to an attorney. The police would say, ‘they’re not being held, they can leave whenever they want.’”

Duster then interjects, “Just try to leave a police station.”

“My vision [for FDLA] is still the same, the Public Defender should take it over,” says Duster. “Or the legislature should create public money. If the existing structure won’t take it, build on that structure. And we’re just talking the city of Chicago. At one point we talked about [taking the program] statewide. We got legislation passed, if a juvenile thirteen years and under is being investigated for sex crimes or a homicide [they] have to have an attorney present. One of the problems being associated with a high-profile organization is like what happened at the Commons. The police will retaliate. This has affected our volunteer pool as well. We’ve heard about firms that have been worried about [working *pro bono*]. And with funders, their priorities can change. We’re not doing criminal justice this year; begging for money year to year. That’s why the idea then is to have public money. Of course if we’re going to the legislature, we can’t be in the police station with our clients.”

And this, of course, is one of the endless conundrums for any nonprofit: how do you pursue funding when you could be spending that same time supporting your clients? Then again, how do you stay open if you don’t? Another challenge is retaining good people. FDLA’s staff tends to be young in organizations like this because they have time, energy and come cheap, but how long can you keep them around? Duster says as much when Webb leaves us briefly to locate some materials I have requested. “How do we prevent her from burning out?” Duster says. They probably can’t, not for long anyway, and not if they want the program to exist at the level it does.

When Webb comes back I ask her what drew her to this kind of work. “I was always interested in civil rights, human rights,” she says. “I had lots of criminal [justice] experience from school and it just seemed like a good fit. It’s really a good service, it’s just frustrating that we have to convince people to do the right thing. People get apprehended by the police, it’s presumed they’re criminals [though] you’re innocent until proven guilty. And post 9-11, with this administration’s policies, it just trickles down.”

The day after our interview, the following headline appeared on page three of the *Chicago Tribune* Metro section: “Cops Sued on Detaining Witnesses.” The University of Chicago’s MacArthur Justice Center was once again suing the Chicago Police Department. The article states that, “Advocacy lawyers filed a lawsuit Tuesday charging the Chicago Police Department regularly violates the constitutional rights of crime witnesses by locking them up for days until they get the information they seek.”

While the article also reports on the department’s response to these charges (“Our position is that we do not keep witnesses in custody, and they’re free to go at any time”), it is interesting to note that the department spokesperson cannot confirm whether witnesses are actually informed that they have the right to leave. ☆

*Ben Tanzer is a social worker and writer who lives in Chicago with his pregnant wife and young son. Ben has had work published in a variety of magazines and journals including Punk Planet, Tenby-Ten, Midnight Mind, Rated Rookie, Chicago Parent, Abroad View, Windy City Sports, and The Heartlands. Ben can be contacted at [bendebnmyles@rcn.com](mailto:bendebnmyles@rcn.com).*

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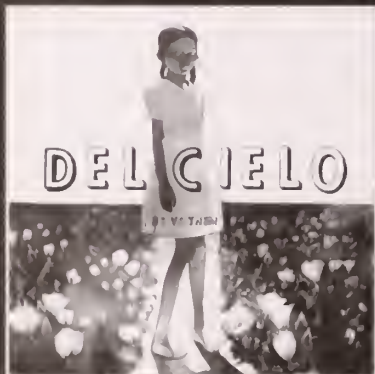


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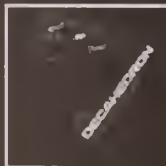
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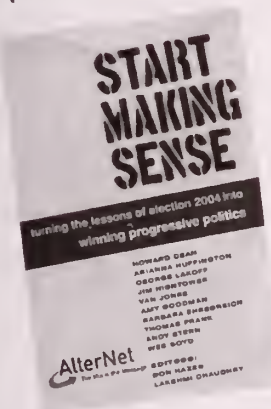
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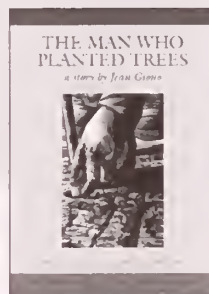
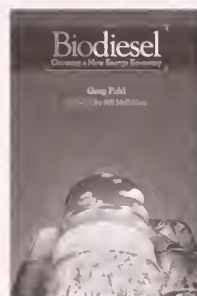
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# CORPORATE CRIME



# STREET CRIME



As editor of *Multinational Monitor*, Robert Weissman has been documenting corporate crime for more than a decade. In addition to the magazine and a weekly column called *Focus on the Corporation*, Weissman works with Essential Action, an organization active in monitoring the pharmaceutical industry, the tobacco industry and the World Bank and IMF. His accounts and analyses of various corporate misdeeds have been compiled into two books, co-authored by fellow columnist Russell Mokhiber. The latest volume, *On the Rampage: Corporate Predators and the Destruction of Democracy*, was published earlier this year by Common Courage Press. Despite his time-consuming schedule, Weissman found a few moments to speak with *Clamor* about public perceptions and government treatment of corporate crime.

Interview: Edward Burch  
Illustration: Zack Giallongo

*When we say the word "crime," many people immediately think of street crime. Why do you think that corporate crime doesn't register first?*

The first explanation is the media. The media do not report on corporate crime as regularly or as intensely as street crime, and while they always call street crime "crime," they much less frequently call corporate crime "crime." When corporate crime is reported, it's almost never reported as viscerally as street crime. With street crime you tend to get profiles of the victim's families; with corporate crime it's typically presented in a much more abstract fashion. Victims of corporate crime are rarely profiled.

*Yet in spite of that disparity in news coverage, the cost of corporate crime upon society tends to be much larger than that of street crime, right?*

Absolutely, however you want to measure it. Street crime is a serious problem. It has serious consequences and we shouldn't minimize that. But if you compare the economic value of corporate crime compared to street crime, the difference is an order of magnitude. Consider lives lost to homicide. About 20,000 people a year die as a result of homicide here in the U.S. Approximately 60,000 per year die from occupational accidents, diseases and hazards. About 40,000 per year die from auto accidents, many of them preventable deaths. Another 400,000 or so are killed by tobacco-related diseases. Or take a case like Vioxx. Food and Drug Administration whistleblower Dr. David Graham estimated at least 35,000 deadly heart attacks as a result of this medication. As you go on down the line, the numbers are quite extraordinary.

*So here we're talking literally about the costs in human lives of corporate versus street crime. What do you estimate are the financial costs externalized upon society each year?*

The FBI estimates that in 2003, the cost of burglary in the United States was \$3.5 billion, \$4.9 billion for larceny-theft, and \$8.6 billion for motor vehicle theft.

Compare those numbers with just two recent measures of very particular and narrow elements of the corporate crime epidemic. A recent study from the Taxpayers Against Fraud Education Fund reports that over \$2.4 billion has been recovered from drug manufacturers engaged in fraud against the U.S. government and the 50 states. In 2003, the federal government won or negotiated more than \$1.8 billion in judgments and settlements in health care fraud matters. That is surely only a fraction of the industry's rip-off of the public.

American University Professor Emeritus Ralph Estes has done very useful tallies of the costs imposed by corporations on society, trying to reduce those costs to dollar terms. Some of his estimates, using 1991 dollars, are: \$141.6 billion for workplace injuries and accidents; \$225.9 billion for the health costs of air pollution; and \$25.9 billion for defense contract overcharges.

The Senate Judiciary Committee, I think in 1979, estimated that faulty goods, monopolistic practices, and other such violations annually cost consumers \$174 to \$231 billion. You get the idea.

*Are corporate criminals prosecuted as often as they should be?*

No. Unlike street criminals, corporate criminals have the power in large part to shape the law and determine what is criminal and what is not. The first escape for the corporate criminal class is that much of their criminal activity is not considered criminal under the law.

Then, compared to street crime, as well as the objective level of abuse, there are stunningly low levels of resources devoted to corporate crime enforcement. In recent years, New York Attorney General

Eliot Spitzer has led a series of prosecutions of different elements of the financial industry. Does anyone think that these abuses would have been uncovered without the exceptional work of Spitzer? And, more importantly, is there any reason to believe comparable abuses — worse, actually — aren't pervasive in other areas? After all, there are numerous regulatory and private sector checks built into the financial area (accountants, mandatory disclosures, an aggressive financial press) that don't exist in other areas.

Finally, when corporate wrongdoing is discovered, it is often not prosecuted criminally. It is handled as a civil matter instead — something most unlikely for a burglar. Or criminal charges are circumvented by a variety of legal maneuvers.

*Are civil fines an effective deterrent to corporate crime? Should more cases be brought as criminal charges, rather than civil suits?*

Civil fines can be an effective deterrent if they are big enough. Corporations are rational actors when it comes to these things, and if the fine is trivial as compared to the benefits from committing the violation and the likelihood of being caught, they will disregard the fine or chalk it up as a cost of doing business. That's clearly the case in the realm of workplace safety, where the fine for willfully endangering an employee resulting in death is around \$100,000. That's not consequential enough to deter corporations from not maintaining a safe workplace. In contrast, large civil fines with a significant likelihood of enforcement in combination with social sanctions can have a real impact. A good example of that is the existing — and now proposed to be much-expanded — fines for indecency on television, where you actually see broadcasters getting quite scared, not because they're going to be put in jail, but because of civil sanctions.

However, in general, criminal sanctions have a greater deterrent effect, especially because corporations have special attributes like the ability to avoid government and social control. They're not susceptible to any kind of social stigma that real people are. So criminal enforcement can be very effective and is very much underutilized.

*When a corporate criminal is tried and convicted, do they face the same type of hard time that a petty thief or low-level drug dealer would?*

No, even convicted corporate criminals don't usually spend much time in prison. Five years ago, Russell and I wrote a column called "Sixteen Years for a Snicker's Bar." It highlighted the case of a man who stole a Snicker's bar, retail price: \$1 — it was a King Size. He was given a 16-year jail term. The act was a misdemeanor, but a felony charge was brought because the man had ten previous convictions — one for stealing a bag of Oreo cookies — and he lifted the Snicker's bar while on probation.

We contrasted this man's prison term to the sentences handed down the same month to a group of corporate criminals. Hoffman-LaRoche pled guilty to participating in an international vitamin price-fixing conspiracy, which the Justice Department called perhaps the largest criminal antitrust conspiracy in history. The jail terms for implicated executives: four months, three-and-a-half months, three months, and three months. The same month, three cruise line employees were sentenced for the role in dumping pollution in Alaskan waters. Each was sentenced to two years unsupervised probation and a \$10,000 fine.

*In one of your recent Focus on the Corporation columns, you talked about the process by which corporate counsel will bargain to get deferred prosecution so that their clients can avoid criminal charges. Can you comment on how such a system might abet these behaviors?*

One of the things that happened in the case of Arthur Andersen was that a felony conviction became an effective death penalty for the

company — other firms were unwilling to employ a felony-convicted accountant, and that was enough to put it out of business. That's the ultimate sanction for any company and they're obviously very eager to avoid it. Even the lesser sanctions have severe consequences, so companies really maneuver and have developed a whole set of policies to avoid criminal sanctions.

Part of this strategy has to do with a series of steps which include taking a no prosecution agreement — where a company effectively admits that it did something wrong but they never actually plea to it, just promise they'll clean up their behavior and if they meet certain standards by a certain time no formal charges are ever placed on the record against them. A related kind of less-good alternative for the corporation is deferred prosecution — a similar process where no ultimate convictions are pled.

Oftentimes corporations will offer up an individual, or a small subsidiary, sometimes even an executive, as a way to save the corporate hide — not that the individual himself or herself shouldn't also be prosecuted.

There's been a significant trend in both criminal and civil violations to work out the way in which the plea agreement or the final resolution of the case is announced publicly, so a lot of press releases are going out late Friday night or on Saturday.

Riggs Bank in Washington DC, recently pled guilty to some relatively minor criminal charges in connection with money laundering for Pinochet. The *Washington Post's* news account commented about how rare it was with a financial crime for there to be a criminal charge lodged and an actual plea. The trend has been, especially in recent years, for there to be no prosecution or deferred prosecution.

*While recent scandals such as Enron, WorldCom, Tyco, and so on, have received some attention in the media, the standard consensus seems to be to consider this a case of "a few bad apples." Do you think the problem is more systemic?*

It's obviously systemic. Even the protectors of the corporate-dominated system now acknowledge that there were systemic problems. There were efforts at first with Enron to say that it was just a single bad apple. That became an indefensible position after WorldCom.

Then a remedy was passed through Congress, the Sarbanes-Oxley Act, a very modest set of reforms. And the idea was that, along with some ongoing sets of prosecution of individuals, this would be enough to control it.

The defenders of the system, who were trying to do damage control, managed two things: one was that the remedies were extremely modest given the scope of the abuses. Second, there was a successful effort in terms of defining the problem as limited to the financial sector. These were problems limited to greedy CEOs who just wanted a little too much in stock areas and financial areas. But it was never connected in any kind of specific way to other kinds of corporate abuses.

*You mentioned a moment ago that perhaps there are times when individuals should not be shielded under limited liability and should face prosecution. What are your feelings on revocations of corporate charters for egregious violations of the public trust?*

I think in general that corporations are so powerful and able to shift and adapt that many different types of criminal and regulatory enforcement must be available. A whole range of tools should be available. In the case of individual prosecution, sometimes going after the CEOs might be an effective way to prevent future violations; in other cases it may be not enough of a deterrent to offer up individuals. The company throws them to the wolves, but there is no effective change. Individual culpability might be important, but may not always be sufficient.

*What sorts of effects do you anticipate the bill just signed into law by Bush limiting damages awarded in class action suits will have on incidences of corporate crime — both in terms of frequency and magnitude?*

The Class-Action Reform Bill is a very serious matter. Class action lawsuits bring together plaintiffs in similar circumstances where a bunch of people have been hurt by a similar kind of wrongdoing by a corporation. They are very important tools to enable people to join together and bring cases, especially where the size of their individual losses might not justify bringing a case against the perpetrator. Joining together changes the calculation and makes the case worth pursuing.

*continued next page*

**The right for victims of corporate wrongdoing to join together to pursue justice has now been effectively eviscerated. It's just one part of the overall agenda by Big Business to take away and undermine the ability of individuals to hold corporations accountable.**



The key element of the just-passed bill is to put almost all class action suits in the federal courts from the state courts. It turns out that federal courts are almost always very hostile to class actions. It means that most class actions will fail, making it no longer viable.

The right for victims of corporate wrongdoing to join together to pursue justice has now been effectively eviscerated. It's just one part of the overall agenda by Big Business to take away and undermine the ability of individuals to hold corporations accountable.

*What effect do you see corporate funding in politics as having on serious efforts to curtail the abuses of corporate crime? And what about the revolving door between industry and regulatory agencies? Should there be limitations? Should the practice be made illegal?*

There's no question that the political system is deeply corrupt at this point. And it's becoming more corrupt, to the point of large donors being very close to being able to buy *quid pro quo* favors from legislators. If you have enough money, you can buy the law you want. An example of that is the Class-Action Reform Bill. Another example is the Bankruptcy Bill, which the credit card companies rammed through, making it much harder for poor individuals to declare bankruptcy from rich corporations. That bill was bought and paid for by credit card companies who inundate people with credit card offers encouraging them to incur ever-larger debt problems. The bill never would have gotten anywhere without the backing of the credit lobby.

The revolving door — where people come from industry to regulatory agencies or legislative bodies and then go back to industry — is a huge problem in Washington and around the country. The problems are obvious, of people going into government to do favors for their old friends in industry, or to shade how they behave in government while positioning themselves for a corporate sector job, or at least making sure that they don't hurt their ability to attain such a position. There are more examples than anyone can track of this. One of the most egregious involved Darleen Druyan, an air force procurement officer, who gave a sweetheart deal to Boeing — worth tens of billions of dollars — and then took a job at the company. She's now going to jail.

There are rules that limit revolving door behavior. They should be made much stronger. But the even bigger problem is that government officials now routinely come from industry; and retiring legislators, legislative aides, or regulators see themselves going to corporate law firms, trade associations, or lobby shops after they retire from what is supposed to be public service. Not only does this mean the pool of people selected for government positions is slanted, it shows — and contributes to — a culture of industry-government nexus and a shared viewpoint among lobbyists and legislators and regulators. The public gets left out in the cold.

*As a society, how should we hold corporations accountable — both for violations of the law, as well as for the effects they have on our communities? What actions can citizens do on an individual basis to fight the abuses of corporate crime?*

There's a lot that people can do, and no one can do everything. Some of the things may be joining with national organizations and organizing through those entities, to try to influence Congress on this or that issue, or to try to effect change through a regulatory agency — like the efforts that literally millions of people have made to change the Federal Communications Commission rules on media concentration. Or the very vibrant grassroots movement in opposition to the Central America Free Trade Agreement — an effort to expand corporate power.

There are lots of corporate campaigns going on as well. Groups such as the Rainforest Action Network have shown how much can be

achieved not by asking government to change corporate policy, but by demanding changes directly of the companies themselves.

Communities can organize themselves to change corporate behavior — and many across the country, not to mention the globe, are doing so. Small groups of people are leading efforts to get their community to block Wal-Mart from entering their town, or to demand their community adopt and implement the precautionary principle, or to require companies to pay a living wage. For many people, work at the local level is the most satisfying, because the payoffs may be quickly seen, and the work involves talking to neighbors about what you want the community to look like.

There's an important role for people to push local, state, and federal law enforcement agencies to enforce the laws against corporations. And far too few progressive activists, in my view, engage in electoral activity. Our ideas have the support of the majority — we can get elected and implement them.

At the most basic level, talking with people and organizing are always key — especially talking with people who aren't necessarily already in agreement with you, or don't have their minds made up, or may think differently. ☆

*Edward Burch is a freelance writer living in Urbana, Illinois. He is one of the founding editors of the online magazine Pamphlet ([www.pamphletpress.org](http://www.pamphletpress.org)). When not actively lamenting the hypocrisies of the corporate war state, he bides his time inflicting rock 'n roll upon the unsuspecting public ear.*



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# OHIO'S FIRE-BREATHING DRAGON

words Rachael Belz  
photos Paul Ryder

The city of Oregon, surrounded by East Toledo and Maumee Bay in northwest Ohio, contains its fair share of polluting industries. It is home to Sunoco's very first U.S. oil refinery, built way back in 1894. Oregon native Heather Wolfe has always lived in the shadow of the Sunoco Toledo Refinery. Growing up, she attended Coy Elementary School, located right on the company fence line. Twenty years ago, Ms. Wolfe moved into a 100-year-old house just three blocks away from the facility. That is when she first started to become sick.

"The fumes from the refinery can be overpowering. I get really awful migraine headaches, my sinuses burn, my face gets red and feels like it's burning, my eyes get dried out, I cough and gag, and sometimes I get nausea. There is also a lot of fatigue — I'm always tired," Ms. Wolfe explains.

## Sun Oil's 111 Years of Environmental Injustice



She is not alone. Ohio Citizen Action, Ohio's largest environmental group (an organization that I work for), conducted a door-to-door health questionnaire in Oregon and East Toledo in the summer of 2004. We found similar issues: 60 percent of the respondents or their children experience headaches, many on a daily basis; 35 percent have itchy, irritated eyes; approximately 25 percent have or experience asthma, shortness of breath, general fatigue, sinus infections, and ear infections.

"Refinery pollution can cause respiratory problems and other negative health effects in the community, especially for children, the elderly, and those already diagnosed with asthma and breathing problems. Sunoco has to see that their increased pollution each year is making some people sick, and put a stop to it," Dr. John Ross of Toledo said.

Responding to the health problems faced by the community, Citizen Action helped organize 72 local families into the Eastside-Oregon Environmental Group, which began a public campaign to force Sunoco's Toledo Refinery to become a "good neighbor." Together, they are working to get Sunoco to upgrade equipment and maintenance in order to reduce its frequent accidents; cut sulfur dioxide emissions and other air pollution releases to as close to zero as possible; eliminate noxious odors; and work with community members to address public information and emergency response issues.

Strong precedent for such a campaign exists. Citizen Action and local community groups have had good neighbor victories with other Ohio companies: Brush Wellman in Elmore; Cineinnati Specialties and Rohm and Haas in Cineinnati; AK Steel in Middletown; and Shelley Asphalt near Columbus.

Ms. Wolfe became involved in the campaign after an especially bad accident at the plant last March, but has made complaint calls to the local agencies for over 20 years. The majority of the citizen odor and toxicity complaints that are called into the local air agency come from within a two-mile radius around the refinery. Who lives in this area?

Not Sunoco's top management. According to census statistics available from the U.S. Environmental Protection Agency, a hefty 21.3 percent of the 38,587 people who live within two miles of the plant have incomes below the official poverty line. That number is staggeringly high — more than twice that of the state's 10.3 percent poverty rate.

"It would be impossible for Sunoco to operate this recklessly in a more affluent community, and bottom line, they should not be able to do so here. This is most certainly an economic justice issue," Todd Pincombe, Ohio Citizen Action Toledo organizer, said.

The refinery repeatedly claimed it was releasing 35,000–50,000 pounds of pollutant, putting the information in company newsletters mailed to area residents and sharing it with a small group of neighbors who belonged to two Sunoco-sponsored "advisory committees." These numbers turned out to be a grossly deflated.

"We really got going when we gathered information about the refinery from Toledo Environmental Services. We knew the pollution was getting worse, but we just didn't know how much worse it was," said Anita LaPorte, an Oregon, Ohio, resident who used to work close to the refinery.

Sunoco files reports with both the Ohio EPA in Columbus and Toledo Environmental Services, the agency that regulates Northwest Ohio companies' air releases. Sunoco's releases of sulfur dioxide, nitrogen oxide, particulates, volatile organic compounds, organic compounds, and carbon monoxide were much larger than those reported to Ohio EPA and were not included in the information given to local neighbors. Sunoco reports these chemical releases in their Annual Emission Fee Reports to Toledo Environmental Services.

"We followed our noses. At our meetings, the sulfur, or 'rotten egg' odor, kept coming up as a complaint. We looked at the chemicals that Sunoco told us they released, and none of them would cause that smell. So we just kept looking," Mrs. LaPorte said.

The numbers that Eastside-Oregon Environmental Group and Ohio Citizen Action found were astounding: 9,563,400 pounds of sulfur dioxide released in 2000 increased by over 88 percent to 18,044,500 pounds in 2003. Sulfur dioxide is associated with a wide range of negative health impacts, from asthma attacks and lung disease to heart attacks and premature death. The groups believe that when new emissions data is released for more recent years, the levels will turn out to have been just as high, if not higher.

"I really think Sunoco thinks we're stupid. They think we're expendable," Wolfe said.

The two organizations used this research to boost their campaign, putting it into two separate reports. They've also conducted press conferences, held neighbor meetings, flyer the surrounding neighborhoods with accident reports and information, met with the Toledo plant management, videotaped accidents as they happen, and pressured the Philadelphia corporate office to step in and help make changes. Since the public campaign began, Sunoco has received 12,682 handwritten letters, petitions, and postcards from neighbors urging Sunoco to make real changes at the refinery. The groups are even working on an oral history video documentary to be released soon.

A lot of organizing remains to be done, but with the community increasingly educated and united on the problems posed by the refinery's pollution, members of the Eastside-Oregon Environmental Group are confident they can build enough pressure on Sunoco to get their very reasonable demands met. ★

*Rachael Belz is the Associate Director for Ohio Citizen Action and has been working with local neighbors on good neighbor campaigns throughout Ohio since 1998. More information about the Sunoco campaign can be found on the Ohio Citizen Action website at [www.ohiocitizen.org](http://www.ohiocitizen.org).*



**It would be impossible for Sunoco to operate this recklessly in a more affluent community, and bottom line, they should not be able to do so here. This is most certainly an economic justice issue.**

# MARGINAL DEFENSE

Michael Brooks

Southern Center for Human Rights

Clamor recently interviewed Sara Totonchi of the Southern Center for Human Rights, a legal defense organization based in Atlanta, GA.



Sara Totonchi speaks at the Poor People's Day Rally in Atlanta, GA.

Sara and I exchanged pleasantries about the weather in our respective states; skies were clear for her in Atlanta, and the unseasonably warm April day in Toledo made me almost ready to brag. We turned the conversation toward the purpose of our interview: the oft-thankless work performed by her employer, the Southern Center for Human Rights (SCHR).

SCHR was founded in 1976 in response to several factors, chiefly, the reinstatement of the death penalty and the appalling conditions in state prisons. The Center's focus has changed little over the past three decades.

"There are things that occur everyday in the justice system that you wouldn't think happen any more," Totonchi said. "For example, consider the case of Samuel Moore."

Moore spent 13 months in a Georgia prison on a charge of loitering, originally arrested on December 23, 2001. Totonchi said that the indigent Crisp County man never saw a lawyer during the time he was incarcerated.

"Moore was lost in the system," she said. "He was released almost immediately after our investigator started asking questions."

I felt the urge to laugh, not out of a twisted sense of humor, but at the bizarre circumstances surrounding someone being "lost" in a prison.

"Don't apologize," said Totonchi, "This is truly absurd! Imagine having to sit in prison for over a year without seeing a lawyer or ever having contact with the court."

Totonchi said that cases like Moore's are not isolated incidents.

"Unfortunately, there is no shortage of horror stories," she said. One of the areas in which the Center specializes is the rising phenomenon of jails charging inmates room and board. We talked about the policies of the jail system in Clinch County, GA, which has been in the habit of charging prisoners \$18 a day.

"Inmates were forced to sign promissory notes before they would be released from prison," Totonchi said. "This policy applied even to

those awaiting trial, despite the fact that Georgia law specifically exempts individuals from being charged expenses until after conviction."

Totonchi said that prisoners, upon signing the promissory notes, would routinely be threatened by deputies with future punishment.

"Released individuals were told that they would be arrested and jailed if they failed to meet the terms of the note," she said, adding that the promissory notes even included repayment schedules. "This creates nothing more than the old-fashioned debtors' prison."

The Center filed suit in US District Court in November 2004, seeking class-action status for the action. The lawsuit would then apply to anyone forced by Clinch County to pay fees, and would force the county to return all collected monies.

The suit is designed to protect people like Willie Floyd Williams, Jr. of Homerville, GA, who was arrested on October 3, 2003, and spent approximately nine months in the Clinch County Jail. Despite posting bond and being legally free to walk out of the jail, Williams was forced to sign a promissory note in the amount of \$4,068. Williams' case raised troubling scenarios, such as the possibility of innocent persons being charged for their stay.

Totonchi said that the increasing use of private corporations to provide services and even manage jails has led to even further declines in the quality of treatment given to prisoners.

"Many states, counties, and municipalities are outsourcing such functions as food service or health care," she said. "This trend has led to some particularly disturbing outcomes."

SCHR filed suit in 2001 regarding the poor health care at a Georgia prison. The judge in the case ruled that the DeKalb County Jail did not treat inmates with life-threatening illnesses and that the jail's failure to effectively protect against contagious diseases posed a hazard to both guards and the public. The county has complied with some of the original court demands, but SCHR maintains that its pharmacy and mental health services are still woefully inadequate.

Totonchi explained that SCHR dedicates a significant amount of its resources — which are entirely funded by private donors and foundations — toward addressing the problem of inadequate legal repre-

# Land For Those Who Work It

## Brazil's Landless Workers Movement Is Redefining Property Rights



word **Pauline Bartolone** photo **Andy Lin**

*continued from previous page*

sentation of the poor. Like others in the organization, she has witnessed a double standard in the American legal system — those with money can, in effect, buy their justice, while impoverished individuals are at the mercy of a poorly-funded system of public defenders.

“There is a direct relationship between an individual’s economic status and the quality of legal defense available to that person,” said Totonchi. “In addition, the poor have very little recourse if they feel that they are not being adequately represented in a trial.”

The Center is currently working to obtain the release of hundreds of women at Alabama’s Julia Tutwiler Prison for Women as part of a court settlement over prison overcrowding. Many of these women wound up with lengthy sentences because they received poor defenses.

One such inmate is Ebra Hayes, a 28-year-old woman serving life in prison without parole for capital murder. Ebra’s crime: she drove a vehicle from which her then-boyfriend Dennis McGriff fired a .44 Magnum, killing a man with whom he had quarreled. Hayes did not fire the weapon, may not have even known McGriff’s intentions, and yet she will likely spend the rest of her days behind bars.

Nineteen at the time of the murder, the young woman turned down a plea deal that would have given her a 30-year sentence with the possibility of parole. Despite her testimony against McGriff and other cooperation with prosecutors, she received the maximum sentence. Hayes is an example of someone that Totonchi believes had the deck truly stacked against her: small town, low income, and black.

“Unfortunately, racism is alive and well in the United States,” she said. “Minorities continue to make up a disproportionately-large percentage of the nation’s prison population, although I personally believe that poverty is an even greater predictor of the outcome of a criminal case.”

One of the most shocking of the cases that SCIR has investigated was that of Wayne Boatwright, Jr., a young man who was convicted as a minor and sentenced to Georgia’s Lee Arrendale State Prison.

“In Georgia, they have what are known as the ‘seven deadly crimes,’” said Totonchi of laws passed in 1994, which set a mandatory minimum of 10 years in an adult prison without possibility of parole for juveniles convicted of any of seven violent crimes, including murder, rape, or armed robbery with a firearm.

Hilario Welter lets his baby chicks run wild in his backyard on the outskirts of Viamao in Southern Brazil. He built his home after he and hundreds others occupied private land in the region, and the government redistributed a 70,000 acre estate. As Hilario looks out over the vast green rolling hills, he says he would never trade his garden for asphalt. “On the news they say, ‘we invaded.’ The word invade is theirs. The land is everybody’s. So there’s no such thing as invading land that is everybody’s.”

Hilario is part of Brazil’s landless workers movement (Movimento dos Trabalhadores Rurais Sem-Terra, MST). The backbone of their movement is land occupation. Hundreds of families converge on an unproductive estate, set up an encampment, and live there for years until the government expropriates, giving them the land titles. The landless peasants then are free to set up new lives for themselves on a permanent MST settlement. On the settlements, they focus on subsistence living, sustainable farming practices, and creating alternative production associations.

Once in prison, Boatwright received a letter from an adult inmate that read: “I’m crazy about you. I want to fuck you.” Boatwright petitioned prison officials for protection, but they did not follow through on the young man’s request. Totonchi said that Boatwright’s family also made numerous phone calls on his behalf, but nothing was changed in the young man’s situation.

Boatwright’s father made public last year a letter from his son to his grandmother. A desperate Wayne Jr. told his grandmother that “These folks are not hearing my cry...Nana, I truly need you to call. That’s the only way they’ll listen to me. It’s uncalled for how they do you here.”

Three inmates enticed the teenager into a cell on February 22, 2004. One of the men asked Wayne if he was a homosexual. After punching an assailant in the face, Wayne was jumped by the men, raped, and beaten to death. Two hours later, correctional officers tried without success to perform CPR, and the prison physician later pronounced Boatwright dead.

Totonchi said that Boatwright’s case is an extreme example of the difficulty faced by youths entering state prisons with hardened criminals.

“Children are particularly hard-hit, because the facilities that house these kids are very violent,” she said. “It’s tough enough for adults to make the transition to incarceration; how can a child as young as 13 expect to survive in an environment like Arrendale?”

The Center has documented 45 cases of beatings and sexual assaults at the troubled facility. A plan currently under consideration by a federal judge calls for Arrendale to be converted to a combination women’s prison and youth offender facility.

This, of course, is too late for Wayne Boatwright, Jr., whose pleas for help fell on ears concerned with other, more pressing correctional issues. ☆

*Michael Brooks is a historian, journalist, and curmudgeon who lives in Toledo, OH. When not agitating for the overthrow of the American corporatocracy, he is finishing a graduate degree in Colonial Atlantic history. His work has appeared in local, regional, and international publications, and his current project is to find gainful employment when his graduate stipend runs out.*

Since its inception in 1984, the MST has been a successful solution to an age old problem. The land ownership model in Brazil dates back to colonial times, when the Portuguese king carved out the country larger than the United States for 12 "captains." Today, 47 percent of Brazil's land is owned by just 1 percent of the population, making the country's land distribution the second most unequal in the world. As a result, a class of four and a half million people are left on the verge of starvation, without land of their own.

Through the tactic of land occupation, the MST has gained over 20 million hectares and created 1,600 settlements like Hilario Welter's in Viamao. With over one million members, the MST is the largest social movement in Latin America.

### Land Occupation A Crime?

MST organizers describe land occupations as an act of civil disobedience. "There's nothing illegal in what the MST does," says Miguel Stedile, of the MST national coordination committee and son of MST co-founder Joao Pedro Stedile. "Agrarian reform is stipulated in Brazilian law, by the Constitution, but it isn't carried out. So we believe that the land occupations are a form of pressuring the government so they carry out the law."

Until the end of Brazil's military dictatorship in 1985, land reform existed only on paper. In 1988, Brazilian lawmakers rewrote the constitution, in an attempt to dismantle the 20 year military stronghold. After several watered down revisions, Article 184 of the new Constitution states that the government can expropriate "for purposes of agrarian reform, rural property which is not performing its social function." However, government sponsored agrarian reform alone has been too slow and not widespread enough to serve the country's desperately poor rural landless. The Fernando Henrique Cardoso government from 1995 to 2000 claimed to have settled over 2 million landless Brazilians, but analysts say the figures are highly questionable. Current President Luis Ignacio Lula da Silva promised to settle the same amount in 5 years of office, but few have faith the goal will be met.

"Many third world countries have beautiful land laws in their constitution," says Peter Rosset, ex-Food First Co-Director and Researcher for the Center for Change in the Mexican Countryside (CECCAM). "They are completely meaningless where there is not an organized movement to force the application of the law. And the best case of that is Brazil's landless worker movement."

### Confronting an Economic System

In their struggle for agrarian reform, Brazil's landless worker movement must not only fill the void of government inaction, but

maintain its sovereignty amidst economic systems that work to undermine them.

In the late 1990s, market-led reforms sponsored by the World Bank, such as *Cedula da Terra* offered credit to farmers for the purchase of land from willing sellers. But no technical assistance or subsidies for farm equipment were provided, making it difficult for farmers to yield a harvest lucrative enough for the repayment of loans.

As if to diffuse protest over the World Bank program, in 2001 the Brazilian government initiated the "agrarian reform through the mail" program. To this day, this program has only resulted in stacks of dusty papers in government offices. The mail-in land title application campaign was designed to defuse social unrest over the land concentration problem by encouraging the landless to stay in their homes.

Now, the MST faces President Lula's economic policies, which prioritizes the increase in GDP through agricultural exports. Agribusiness has the green light to squeeze out small farms with vast monoculture soy and corn crops. As a result, Brazil's most cultivatable land that could help feed Brazil's 46 million hungry poor, is being used to feed farm animals in the first world.

Miguel Stedile says the MST's focus on subsistence farming is incompatible with today's economy. "When we do agrarian reform, we are also confronting the interests of large groups like Cargill and Monsanto that control agriculture from the seeds to the final products. So the struggle for agrarian reform is also against the current economic and agricultural system," he says.

### International Land Reform Movements

Farmers and landless movements worldwide are facing the same problems as Brazilians, and their mobilizations are gaining momentum. "There's a whole new generation of rural movements around the world who are more sophisticated than other generations [and] are focusing very strongly on land occupations," says Rosset. "They're pushing land reform back into the agenda."

Rosset says Reaganomics and neoliberal economic policies exported to developing nations over the past two decades have intensified the gap between rich and poor to the point of explosion. Even the World Bank itself, accused of orchestrating policies that perpetuate landlessness, has reopened the discussion on the need for worldwide agrarian reform.

"Agrarian reform won't work for the people of South Africa because they've tied their hands in agreements with the big corporates," says Mangaliso Kubheka of South Africa's Landless People's Movement. "As soon as people agree to invade, then we'll have land reform."

Thru the MST's use of land occupation, Brazil's landless have gained the most acres of any other landless movement in the world. But their success has come with a price: over 1,000 landless organizers have been murdered at the hands of gunmen hired by the landowning elite.

But back in Viamao, MST members say they don't have time for fear. Hilario Welter is busy practicing alternative farming techniques in one of the settlement's collective garden. "Before, only one man and house were here," Hilario says. "Now, there are many families living well here." ☆

Listen to an audio documentary from the National Radio Project about the MST at: <http://radioproject.org/archive/2005/1205.html>

Pauline Bartolone is an Associate Producer at the National Radio Project's Making Contact, and a Technical Producer for Free Speech Radio News. She's also an independent radio documentarian and writer.

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# INVESTIGATE THIS if they let you

WORDS Andrew Stelzer

ILLUSTRATION Claire Scully & Jimmy Turrell

I've been lucky. I have a full-time job, delivering news every day about things that matter. No car crashes, no fires, no sex scandals, no celebrities. But issues that really affect people and communities, like the lack of affordable healthcare, the effects of environmental polluters, and the continuing struggle for equality and civil rights.

But I found out recently that what I do is called "feeding the beast," mass-media insider talk to describe churning out one, two, even several stories each and every day. It's a grind, and often I feel as if I'm not doing what I should be — going deeper into stories, uncovering hidden secrets buried inside the machinery of government and corporations, and holding the powerful accountable for wrongs against society.

The opposite of feeding the beast is the time-honored tradition of muckraking. Investigative journalists are the superstars of integrity in the world of journalism, the people who turn society upside down by exposing Watergate, the Iran-contra scandal, or whatever dastardly deeds the current government of power in your home country is doing under the radar. Although former *60 Minutes* producer Lowell Bergman said, "investigative reporting is just good reporting," there is an important distinction between a reporter who does an exorbitant amount of work to uncover new information and those who spread and add to the initial story once it has seen the light of day.

While many reporters would love to go beyond the limitations of filing daily stories, becoming an investigative journalist is another story. News organizations don't seem to advertise for these jobs in the classifieds. Maybe it's like being a spy: somehow you gradually disappear into the shadows of society and find you have become one of these people, with an insatiable thirst for the truth that lies in the file cabinet just behind that guy in the fine tailored suit with the really nice teeth.

## The Canary in the Coal Mine

Many of these issues have become more prominent since the death of reporter Gary Webb in December 2004. Webb dug up the dirt on how CIA-backed Nicaraguan Contra rebels were financing their war against the Sandinista government by selling large amounts of crack cocaine to drug dealers operating in poor African-American communities in Los Angeles. In 1996, Webb's story, "Dark Alliance: The Story Behind The Crack Explosion," was published in the *San Jose Mercury News*, and it was arguably the first exposure of U.S. government impropriety to receive mass attention through the Internet.

The story was any investigative journalist's dream, filled with government corruption, international intrigue, institutionalized racism, lies, and hypocrisy. It validated what many people believed, but what was missing from the national dialogue: that the U.S. government's involvement in the drug war was about money and maintaining political control in other countries, and that poor people, especially brown and black, are considered expendable. Veteran journalist Robert Parry, who first reported on the same issues 11 year earlier, credits Webb for bringing long-overdue scrutiny to this dark chapter of history. However, Parry notes in an essay written after Webb's death, "When black leaders began demanding a full investigation of these charges, the Washington media joined the political Establishment in circling the wagons."

In a textbook example of what can happen to a renegade reporter when the U.S. government and the corporate media form a collaborative-spin machine, Webb's work was torn apart. The CIA denied the charges, and the three most powerful U.S. newspapers effectively discredited Webb's reporting and his credibility. "The CIA and Crack: Evidence Is Lacking Of Alleged Plot," read one *Washington Post* headline. The *New York Times* followed with: "Though Evidence Is Thin, Tale Of CIA and Drugs Has Life of its Own." One *L.A. Times* reporter said he had been assigned to the "Get Gary Webb team." And Webb himself wrote, "At one point I was even accused of making movie deals with a crack dealer I'd written about."

In November, three months after "Dark Alliance" was published, *Washington Post* ombudsman Geneva Overholser wrote that the three newspapers "showed more passion for sniffing out the flaws in Webb's stories than furthering the investigation of U.S. government relations with drug smuggling." Journalists ignored a 1988 report from the Senate Subcommittee on Narcotics, Terrorism and International Operations, which stated that there were "serious questions as to whether or not U.S. officials involved in Central America failed to address the drug issue for fear of jeopardizing the war effort against Nicaragua." Later, there was practically no coverage of a 1998 internal CIA investigation, which found Webb's charges about the contra-cocaine scandal to be true.

Journalist Alexander Cockburn calls this the CIA's "uncover-up" strategy in which "the agency first denies with passion, then later concedes in muffled tones, the charges leveled against it." The uncover-up worked. Most of Webb's obituaries failed to acknowledge the CIA investigation that two years later had validated his work.

But two years was too late. Jerry Ceppos, executive editor of *The Mercury*, had refused to back up his reporter. Instead, he issued a retraction stating that Webb's work fell short of the paper's standards, and Webb was forced out of his job. After being fired, Webb bounced around from job to job, but never recovered from the betrayal of *The Mercury*. He and his wife divorced, and he had trouble getting hired to do what he loved. On December 10, 2004, Webb was found dead at his home in Sacramento, from a gunshot wound to the head, an apparent suicide.

When Webb died, the uncover-up became personal for me. In 2003, I spent several weeks with Webb, and a few dozen other journalists in Mexico. Since then, we had formed a loosely knit electronic community centered around the Narco News website, and the spin-off

Narcosphere blog. Immediately, the Narcosphere became the place to reflect on Webb's life and work.

*"I still have, stashed in a corner of my house in Mexico, a few issues of the Mercury, containing your stories that are still fresh, still true. An old friend of mine in 1996 remembered my love for the Sandinista Revolution and was nice enough to send me those papers...with a note of hope — not the hope of earning or getting anything, but that once, just once, the truth about these rotten people would be known."*

--Luis Gomez, Bolivian Journalist

*If you think that his suicide did not send as powerful a message as the stories he investigated and penned in life, think again: Gary was The Last North American Career Journalist. He presided over a transitional era and his death marks the end of that era. Fellow and sister journalists: The canary has died in the coal mine. Run out of that mine now, and seek alternate routes to truth-telling. There is no longer room for us inside the corporate machine.*

-Al Giordano, journalist and Narco News founder

It was Al's comments that led me to question how the cozy relationship between the government and the owners of the major media corporations affects investigative journalism. What about the news organizations which aren't owned by plutocrats? Are they so scared of losing access that they'll back down and refuse to defend their reporters, even on a really, really great story?

## Lies My TeeVee Told Me

Steve Wilson might commiserate with those who have lost faith. His bosses stopped supporting him before his big story even broke. You may know Wilson from the movie *The Corporation*, which details how he and reporter Jan Akre were hired by WTVT, a local Fox TV station in Tampa, Florida in 1997. Promotional spots touted Wilson and Akre as the station's new team of investigative journalists. Walking through clouds of smoke-machine generated mist, the ads for "The Investigators" boasted that Wilson and Akre would fight for the public good. "Do any stories you want," Fox's producers told the reporters. "Ask tough questions and get answers."

Eight years and one long court case later, Wilson and Akre have filed a complaint with the Federal Communication Commission (FCC) to have WTVT's license revoked. They claim that the TV station distorted their investigative story on Bovine Growth Hormone so much that it was untruthful, a violation of the public's interest and FCC regulations.

Their first story would have exposed the dangers of Monsanto-produced BGH, a synthetic hormone showing up in America's cows and milk, unbeknownst to American consumers. Three days before the story was scheduled to air, Monsanto threatened WTVT with a lawsuit, and the station immediately caved. Wilson says WTVT wanted them to deliberately distort the news. "When we wouldn't give into their threats and wouldn't accept hush money," explained Wilson, "They fired us." A Florida State court eventually found that Fox "acted intentionally and deliberately to falsify or distort the plaintiffs' news reporting on BGH," and awarded Akre and Wilson \$425,000. However, after repeated appeals, another judge nullified this ruling, stating that TV news in fact has no obligation to tell the truth, and that the two reporters were wrongly given federal whistleblower status.

The BGH story eventually aired, but it was narrated by a different reporter and it was so watered down (after 83 edits with Wilson and Akre), it barely resembled the original. Among other things, the final



The story was any investigative journalist's dream, filled with government corruption, international intrigue, institutionalized racism, lies, and hypocrisy. It validated what many people believed, but what was missing from the national dialogue: that the U.S. government's involvement in the drug war was about money and maintaining political control in other countries, and that poor people, especially brown and black, are considered expendable.



version left out information about Monsanto suing to stop ecologically conscious companies from labeling its milk as BGH-free; allegations that grocery chains misled customers about their efforts to avoid selling milk from treated cows; and Monsanto's history of manufacturing government-approved products that later proved harmful, such as Agent Orange.

In 30 years of working at some of the biggest networks, like CBS and ABC, Wilson said he had never seen a ease in which any reporter is told by the management of the news organization to deliberately lie. "Had we never told the story of Bovine Growth Hormone, that would have been reprehensible and a violation of what I see as the duty of a news organization to serve the public interest," said Wilson. "But it wouldn't have been lying to people."

### Survival Means Having No Enemies

So now we have newspapers that fail to back up their journalists, and TV stations that tell their reporters to lie. Where's the hope? And if things are so bad, how come we seem to know about some pretty damning scandals right now.

For answers, I decided to go to the source. Seymour Hersh, one of the few investigative journalists who has managed to stay plugged into the highest echelons of power and still get the story published, says he doesn't see his craft dying out. His recent breakthroughs about prisoner abuse in the Abu Grahیب prison and U.S. military moves to invade Iran are solid evidence that there is still some room for stories sharply critical of the reigning government, stories that are circulated worldwide. Hersh writes for the *New York Times* and the *New Yorker* magazine, about as far as one can get from a low-budget indymedia monthly or renegade weblog. Don't apply for his job anytime soon, but don't despair either. "Newspapers still see one of their functions is to correct wrongs," says Hersh.

Hersh does admit that the resources that support his type of work are dwindling. In 40 plus years digging up dirt, Hersh says newspapers have always been hesitant to spend money. "The biggest problem we have [today] is that newspapers are a dying institution. Most of the major dailies in the last five years are suffering significant reductions in circulation. And when you are going to cut back operations, you cut back investigative reporters expenses."

"It's always about money," says Hersh, whose latest book *Chain of Command* is published by Harper-Collins, a company owned by conservative media-magnate Rupert Murdoch. "Some of the people that own the publishing house probably hate my views. Do you really think [Murdoch] cares about what's being published as long as money's being made? I don't think so."

While budget cuts and media consolidation are making things tough, Hersh is encouraged by the options for up and coming muckrakers, especially through the internet and the rapidly-expanding grassroots journalism of bloggers. "There's so much more media, we have all these different outlets now and you can really get things out," said Hersh.

### Send in the Reinforcements

"Most newspapers either don't have the money or don't want to put the money into investigative reporting, cause there is no daily reward," admits George Sanchez, a reporter for the *Monterey County Herald* in California. "You don't have something every day. You have a great story in a couple of weeks but people want to see results immediately."

At 26 years old, Sanchez is the future of this endangered craft. He did some investigative work right out of college for *Mother Jones* and the Center for Investigative Reporting. But his mentors told him to get a job at a daily paper, feed the beast and earn his chops.

From conversations with his elders, Sanchez sketched some ancestry to his vocation. "Immediately following Watergate, there was a general interest from the public for good reporting," says Sanchez. "People saw what journalists could do when they had the time and the means to dig into the story and hold public officials accountable."

Times are tough right now with media consolidation. Sanchez has worked for both Gannett and Knight Ridder, which together own about 200 papers. "Gannett has never been interested in investigative work. It's never been so much about politics, but just time and newspapers needing to fill the paper."

But Sanchez doesn't believe in the surveys Gannett used to determine that "readers are more interested in quick features than they are long investigative features." He's not discouraged by the *USA Today*-ification of countless dailies. And, he didn't throw in the towel when his story about the Nostra Familia prison gangs was not quite killed, but buried on page D99 in a Bay-area newspaper. He still doesn't know why the story was quietly pushed to a spot where it would fail to generate much attention, but has his theories. (True to his profession, there are only theories until there's evidence.)

Even though TV news legally can lie, corporate takeovers of newspaper chains are making editors weak in the knees, and there's not enough money to put food on the table, "There's an egotism to be the first one to get the story." That's what Sanchez says will keep investigative journalism alive. But I figure it's not just the ego. Sanchez also knew Gary Webb, and considered him a role model and a mentor. So now he has a lot to live up to, maybe a little revenge on his mind, and a tradition to uphold. But fortunately, Sanchez has some reinforcements along side him, with the spread of independent media that is arguably doing better investigative work than 99 percent of the elite press corps. In 1999, Gary Webb was asked what people could do to get better news and information, if they couldn't get it in the newspapers. "You do it yourself," Webb answered. "You've got to start rebuilding an information system on your own. And that's what's going on." ☆

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Newsbreaker Buck Owens is filmed in the back of a limousine while he reviews hidden camera footage and talks to Central Command just after a bust Feb. 28 in Rochester

# When News Breaks, We Bust It

## The Newsbreakers Brand of Media Criticism

The limousine stops a hundred yards south of the Keating Federal Building in Rochester, New York. Outside, reporters and cameramen scurry pink-faced in the frigid February wind, preparing to break news of the city's \$33 million purchase of the Fast Ferry. They have no idea what is coming.

Inside the limo, 12 members of the Action Team fidget with their disguises and foam microphones.

This is the tenth attempted mission of the Newsbreakers, the next generation of media critics, months-old and itching for another on-screen protest of network TV's "dog-lick live shot." One Newsbreaker ties a bandanna around his nose. Marlene Dietrich glasses block his eyes, but his bouncing knees reveal his anticipation. Another sets down the camera to throw on a Mexican wrestler's mask. Buck, the leader of the group, fingers the corners of his moustache, either making sure it won't peel or pondering when to strike.

But it was only 11:52 — too soon.

Only one member remained unconcealed. His wife's nylons balled up in his jittery fist, he says he's worried about the getaway driver. "Let's just circle," Buck called up to the driver, ignoring him.

"We're looking at 11:55, 11:58."

Minutes later, word comes from Central Command that News 10 is going live and the Action Team pours out of the limo. A dozen plastic-faced reporters swarm WHEC's Berkely Breen, shoving Newsbreakers microphones in his face. The cameramen from the other stations turn their eye on the mayhem behind them. The Newsbreakers have become the story.

News 10 quickly cuts to other footage. There was miscommunication. The Newsbreakers were too early, or too late. By the time Breen goes back live, law enforcement officers have told the clowns to get out of the shot or get arrested. Buck rallies the team, and soon a dozen voices yell variations of a familiar Newsbreaker query: "What's the mood? What's the mood

words and photos by  
**Brandon Swanson**

down at the courthouse, Berkeley?" Brean, to his credit, stays composed behind a constipated expression, though the din was easily broadcast into the homes of anyone watching channel 10.

The group caused a scene, but things didn't go as planned. The bust was a bust. Back in the limo, Buck orchestrates damage control, proclaiming his writ to everyone in the limo: "This is the story as I see it: U.S. GOVERNMENT PROTECTS MAINSTREAM MEDIA, DENIES ACCESS TO PROTEST GROUP."

### The Birth of the TV News Menace

Over the past year, the guerrilla protest group has become a thorn in the paw of television news from Phoenix to New York City. They've injected the Grim Reaper into a live shot of a story about a non-death shooting, and put egg on their faces during story about a misreported lottery number. And they're expanding their scope. That night sitting in the corner of the Old Toad, an English pub in Rochester's artsy part of town, 33-year old Chris Landon talked about that morning's bust. Gone were the push-broom moustache and American flag mask—only his silver-sprayed hair connected him to his alter ego, Buck Owens.

"I think something interesting played out today," he said. "There was a line on the sidewalk, and we were allowed to occupy this side of the line while federal marshals guarded the line and the mainstream media was allowed to occupy the other side of the line. Symbolically, it creates a very telling picture."

The mission was to have dozens of phony reporters helping cover a story the Newsbreakers felt was too saturated — and too trivial — in the Rochester market. Counter-intuitive to the group's seemingly frat-guy antics, the Newsbreakers are five professionals ranging in age from late 20s to late 30s. Their disguises and phony names are an effort to keep those worlds separate. Only Landon's name is on public record. "It creates this disconnect that regular people are doing something that is somehow deviant behavior," Landon said. "That is the initial response: that this is not socially acceptable behavior, but these are regular people doing it. I'm married, I have a child, I pay a mortgage, I pay taxes, I'm regular."

The group started as an idea for a television pilot in the fall of 2004. All the members of the group were united by a central idea: that television needs to be a lot better. "There was this idea that that would be the sweetest form of revenge," said Landon, who worked for a television news station in Rochester at the time. "That we could somehow make the structure that we were fighting pay for its own medicine. What if you could make people

stand around and talk about how much they hate television news?"

The idea was to start by disrupting "dog-lick live shots," what television media uses to describe an unnecessary live shot employed to give the illusion of breaking news.

"I understand their point," said Chuck Samuels, news director at WHAM-TV in Rochester. "But I don't understand the point of protesting it. There are a lot of pointless live shots on television. We try not to do the live shot at city hall at 11. Research comes back and says that viewers like live coverage." Samuels believes the Newsbreakers argument is weak. "Are there meaningless live shots? Sure. [But] I think there are much bigger issues out there."

Perhaps Samuels, as a target, is missing the point. The Newsbreakers say they are concerned with other more important issues. They have focused busts on stations owned by major media conglomerates, and stories they feel have failed to serve the public interest.

### The Newsbreakers' Religion

After the Newsbreakers began taking shape, Landon came across Guy Debord, a French Situationist whose goal was to disrupt mediated reality in all its forms. In Debord, Landon found a vocabulary for what he and the other Newsbreakers felt all along. "I came to [Debord's philosophy] after the Newsbreakers idea gained momentum. I didn't have a formal philosophy, in quotes. I had a lot of personal experience that showed me that there are corrosive powers in corporate news business that just did not sit right with me." The more he read, Landon said, the more he realized that the Newsbreakers had a traceable lineage in the Situationists.

"We inhabit a social system where there is family, there is church, there is government, there is media, there are norms and all of a sudden, for just a blip, the world takes on this idea that there are possibilities," he said. At this point, Newsbreakers became social protest. "We all got a little religion and realized that it can be more serious than a zany show."

Their first successful bust was Jan. 6, 2005. A Newsbreaker wearing a flesh-colored body suit and a sign that read "Invisible Suit" walked into two separate stations' noon live shots about a morning power outage at a Highland Hospital in Rochester. The reaction was bigger than expected.

An altercation with WROC reporter Elizabeth

Harness resulted in the police detaining three of the Newsbreakers. WROC aired a story that evening claiming that the group was nothing more than pranksters looking to disrupt local media from getting news and information to its viewers. Harness said in the story one of them could face prosecution, but legal action was dropped after it became clear that the Newsbreakers had exonerating footage of the incident posted on their Web site. "It was too successful for our first bust," said a Newsbreaker who goes by the name JD Rozz. "If we'd had a chance to get us up to speed, we would have been more ready for things." For Landon's role in the bust, he was fired from his job.

### New Wave of Media Criticism?

The incident created flurries in the blogosphere, from college kids titillated by Invisible Suit Guy to media critics wondering what the group was about.

Brad Weaver, broadcast communication instructor at Westminster College in New Wilmington, Pennsylvania, was one of the latter. "They've tapped into the Daily Show kind of thing," Weaver said. "I love the idea of mocking the news because it's so mockable. There's so much truth in that satire."

Weaver says the Newsbreakers have succeeded in grabbing the public's attention, but questions what they're going to do with it, if they're going to use the opportunity to stimulate the debate and take it in a different direction. "If they're just going to hijack live shots that's cute and novel," Weaver said. "But are they going to go any further?"

The group has only disrupted live television shots thus far. Landon said Newsbreakers are not media reformers, but likened them to carnival barkers, calling people into the tent of media reform. "We're not the hard thinkers of media criticism," he said. "We're

Newsbreaker Dizzy Monk, right, waits to get into News 10 reporter Berkely Brean's live shot in front of the Keating Federal Building in Rochester, New York Feb. 28.



the goofballs that say, 'Hey, pay attention to this. Media criticism. It's over here.'"

But whether people who love the barking will spend the intellectual cost to enter that tent is uncertain. Landon said hijacking live shots will does not directly change the way media functions, but it introduces an important idea. "You can make fun of television news directly. You can talk back to television. And for most people that's an alien idea," he said.

The Newsbreakers are planning future actions other than disrupting live shots, although they stopped short of revealing the covert details. Rozz said the group would be welcoming to a legal battle, similar to what almost came as a result of their first bust. "If the precedent is set that we can't shove microphones in their faces, what does that do to their industry?" he said. "[Television news media would be] cutting their own throats. What they're accusing us of, they do every day."

The Newsbreakers are considering aiding others who want to talk back to television. The group has received requests for busts in several cities from Edmonton to Tampa. "We don't have this New York City dream where if we can make it there we can make it anywhere," Landon said earlier this year. "Mid-size markets, I think right now, are our target because they are more susceptible to being infected with our message." However, a few weeks later the Newsbreakers busted two major television news stations in New York City.

Finances aren't an issue, said Landon, who is responsible for nearly 90 percent of the group's funding. "I've positioned myself so I can do it for the next 14 months," he said. "Then at that point, my financial situation improves greatly. I've gone all in on this thing. I can keep going."

Samuels said that he and his fellow news directors in Rochester have discussed how to handle the Newsbreakers, and their crew's contingencies to keep the group out of their shots. "We tapped Rochester for everything we could," Rozz said. "There's nothing more to achieve."

But for the hundreds of other stations around the country, beware. The Grim Reaper or Invisible Suit Guy may be lurking behind the anchor person, holding a mirror to the barren landscape of TV news and injecting little sparks of dialogue on the public's glowing screens.

For more on the Newsbreakers, go to [www.newsbreakers.org](http://www.newsbreakers.org)



## A Citizens' Win Over Fake News

When Americans finally heard the truth about VNRs (Video News Releases), they got mad. And rightly so. The public generally expects news to be created by fair observers who may present their work through either objective or advocacy journalism. It is essential that reporters refrain from persuading or marketing to their audience on behalf of an undisclosed third party, especially when that party is the federal government. Over the last four years, the Bush Administration has frequently used paid print columnists and TV commentators as well as VNRs expertly disguised as genuine news stories (though the use of VNRs started back in the early 90s, during the Clinton administration). But after a grassroots campaign to stop fake news spearheaded by several media activist groups, the Federal Communications Commission was forced to act.

In mid-April, after receiving a petition from Free Press, a media reform organization, which was signed by more than 40,000 people, the FCC issued a public notice to broadcast licensees stating that "listeners and viewers are entitled to know who seeks to persuade them with the programming offered over broadcast stations and cable systems." Failing to disclose the nature, source, and sponsorship of broadcast news material is, according to the FCC, a violation of federal law.

Here are just a few of the cases that prompted this action:

- PR executive Karen Ryan was paid by PR firms to produce VNRs on behalf of the departments of Education and Health & Human Services. She ended the segments with: "From Washington, this is Karen Ryan reporting."
- The Ketchum PR firm paid conservative pundit Armstrong Williams \$240,000 to promote the "No Child Left Behind Act" on behalf of the Department of Education.
- Syndicated columnist Maggie Gallagher was paid \$21,500 by the Department of Health and Human Services to promote the Bush marriage initiative.
- At least 20 federal agencies - including the Pentagon, the State Department, and the USDA - produced and distributed hundreds of VNRs over the last four years, according to an in-depth report last March in the *New York Times*.

Unethical? Anti-democratic? Covert propaganda? The General Accountability Office has ruled that in at least three cases, the government violated a law restricting the use of appropriated funds for publicity or propaganda purposes by soliciting and paying for VNRs that failed to disclose their source. However, in the April FCC notice, that agency stopped short of ruling on the legality of the federal government actively using VNRs, stating it is out of their jurisdiction.

Nonetheless, the FCC is seeking further public comment until July 22, 2005, on the nature and use of VNRs by stations. The agency says it will issue a report on its findings or begin more formal proceedings about how to change FCC regulations to make licensees more accountable. In the meanwhile, media activists say public pressure on individual stations is also needed to demand more responsible policies and, ideally, more meaningful and accurate news and information.

For more information:

Read the 4/11/05 FCC Press Release on VNRs at [www.fcc.gov](http://www.fcc.gov)  
[www.freepress.net](http://www.freepress.net)  
[www.stopfakenews.org](http://www.stopfakenews.org)  
[www.startchange.org](http://www.startchange.org)  
[www.pwatch.org](http://www.pwatch.org)

-Catherine Komp and Kristian Knutsen

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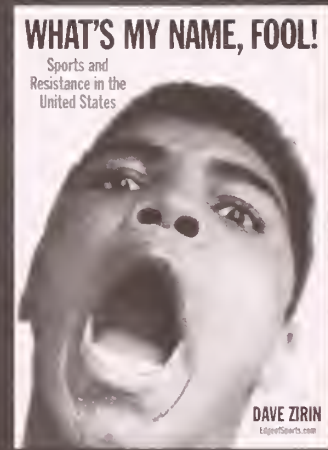
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# COMMUNITIES RESPOND SEXUAL ASSAULT

written Cary Miller

illustration Brandon Bauer

A group of five women stepped onto the Pointless Fest stage on an early Sunday afternoon in August 2004 and announced that three rapes had been committed during the weekend. Silence settled over the sweaty crowd in the basement of the First Unitarian Church in Philadelphia, where the four-day annual punk music festival was taking place. Although the rapes had not occurred at the festival venue, both the survivors and the two perpetrators were attending that weekend. In a scene like underground punk and hardcore that pays a lot of lip-service to being anti-sexist, anti-racist, and anti-oppression, news like this is a reminder that these struggles are far from over, even in Leftist communities.

The five women, who organized themselves the previous night, read a statement that the survivors were being emotionally and physically supported and that the two perpetrators were being dealt with. Both from Minneapolis, one perpetrator was arrested and the other was "made to understand that he will never be welcome in Philly again." Information about the three survivors was kept vague or secret, in order to spare them the negative stigma applied to rape survivors.

Later on that week an open letter was widely distributed to underground punk zines and on the internet detailing the work, the careful consideration, and the actions taken to support the survivors. This letter, available online at [www.phillyskillshare.org](http://www.phillyskillshare.org), provided a timeline of events and an explanation of why certain actions were taken. It was designed by the group of women as a self-critique and a call to action. An excerpt from the letter defined their goal: "To truly have a radical community that exists as a safe space for all, we need to get ourselves together on sexual assault issues."

Since the Pointless Fest, this small group of women has grown into two collectives working in cooperation: Philly's Pissed, whose goal is to support survivors, and Philly Stands Up, which focuses on the accountability and rehabilitation of assaulters. Originally split along gender lines, with women in Philly's Pissed and men in Philly Stands Up, a reorganization resulted in multi-gendered collectives and a greater focus on developing members' skills to deal with both survivors and perpetrators.

Cristy Road, a member of Philly's Pissed, says that "police often invalidate survivors' stories, placing the blame on their clothing or behavior." Unless there is significant evidence of physical violence, a prosecution is difficult to obtain. "And that's not even mentioning the alienation, abuse, and humiliation that survivors may go through when they come forward," she adds.

When a survivor approaches Philly's Pissed, the collective asks, "What do you need to start healing?" This question returns power to a survivor and allows them to rebuild confidence that they are in control of their life. Sometimes all a survivor needs is someone to listen to their story. Sometimes they want professional counseling. Other times, a survivor will have a list of demands they would like the assaulter presented with.

Philly Stands Up contacts the perpetrator and works to see that these demands are understood and met. Some demands for the assaulter include: they will not contact the survivor; they will seek counseling; if the assaulter plays in a band or writes a zine, they will use their community forum to announce they are an assaulter; and, they will notify any future sexual partners that they assaulted someone in the past. These demands are designed to establish a sense of accountability to the survivor and the community.

In the past decade, as punk communities have become more and more involved in activist and anti-oppression struggles, punks across North America have begun utilizing their do-it-yourself attitude to deal with sexual assault situations within their local scenes. The organized responses have sometimes seemed ephemeral. A rape survivor will publicly name their assaulter, and a group of friends and concerned individuals will come together to provide support and confront the assaulter. In many cases, the emotionally-charged nature of the situation has created rifts within punk or activist circles, and the lack of widespread public support for the survivor and their supporters has led to burnout and alienation. Supporters who experience backlash from the scene say that, in many cases, it only made them more committed to survivors and demonstrated how desperately accountability models are needed.

The Hysteria Collective in Portland, Oregon is possibly the longest-running and most well-known anti-sexual assault collective in the United States. Like the two Philadelphia groups, Hysteria is working toward a proactive and, hopefully, preventative stance by creating safe spaces at events like movie nights and musical performances, to raise money for counseling and to create awareness of the issues. In addition to providing free counseling, they are becoming a community resource for any sexual assault survivor.

Lauren Hartley of the Hysteria Collective says, "One of the main reasons I've become involved with this is because I really need us as a community to get to a point where we can solve our own problems. As an anarchist, I would love to say 'fuck the system,' but I can't in good conscience say that if there aren't any other options

to turn to." Her goal is to build upon current support systems, such as crisis hotlines and the criminal justice system, to create "something that feels safe for queers, transnics, working class people, people of color or even punk kids."

There are many obstacles facing these groups as they help survivors heal and force perpetrators to change. "The biggest challenge," Cristy says, "is that each survivor is different and has a different way of dealing with their experience. So it's a constant attempt to be open and receptive to their healing process." She also adds that many people's definition of rape and sexual assault vary. Violence within relationships and between close friends or family, emotional manipulation, and non-penetrative forms of unwanted sexual contact are topics that need to be better understood in the context of sexual assault.

In cases where attempts are made to hold perpetrators accountable, they often deny their actions or simply leave town. In many situations, friends of the perpetrator deny the accusations and even harass the survivor. If the perpetrator is in a popular band, even fans will excuse the person. Perpetrators who do agree to demands often treat them as a checklist, as an end in itself, rather than examining their own decisions and committing themselves to deep changes.

Finally, there are many people involved with community-based responses who are survivors themselves, and who may need their own support networks. Philly's Pissed notes that those supporters who aren't survivors "have felt that many people in our community do not realize that trying to work, process, support, and help the women and men involved in this terrible situation... requires long days and nights that are shouldered by an unfortunately small group." Rape accusations are flashpoints for extreme views and emotional outpourings, and situations can easily divide or isolate members of a scene. The Hysteria Collective says, "when people are publicly called out, it is very common for the surrounding community to not be — or [be] unsure how to be — supportive to the survivor's needs." Many people may have little experience dealing with sexual assault, especially in a way that addresses it through extra-legal means, and may end up simply feeling paralyzed into inaction.

Part of supporting a particular survivor is building communities that support survivors in general. "When a survivor publicly calls out their perpetrator, normally the cycle is that the survivor loses friends, stops going out, and maybe even leaves town. We work to destroy this cycle," wrote the Hysteria Collective in an open letter to their community. The group has held a number of workshops on consent in sexual situations as well as workshops on ways to support survivors. Philly's Pissed recently released another letter listing four common but damaging reactions to the calling out of an assaulter, and included suggestions and demands for reactions that actually do support survivors.

Community-based responses seem like a logical reaction to a rape situation. As Lauren puts it, "Who wants to turn to strangers in positions of power for help? We want to turn to our friends, the kids we see at every show, the people who read our zines, who march next to us against the war, the ones we are carving out a new world with." Philly's Pissed, Philly Stands Up and the Hysteria Collective will continue to do hard work to fight and help people heal from sexual assault. They are also learning valuable lessons from their experiences, an inevitable part of autonomous projects. As Cristy says, "Learning how to support people is a lifelong process." ★

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An employer signals for two workers in Denver, April 22, 2004.

# WE ARE HERE Because You Hire Us!

Working Sidewalks and Street Corners for Survival

Recent treatment of immigrant day laborers reveals a troubling trend in the U.S. where victims are criminalized and blamed for their misfortune, and where local governments act like criminals in turn inspiring invidious hate groups to commit crimes against the people our government should be protecting. In Arizona, vigilantes patrol the border while lawmakers in Washington D.C. attempt to attach anti-immigrant legislation to the appropriations bill funding the war in Iraq. While a national debate over immigration policy is becoming increasingly salient and emotional, local communities across the country are left to respond to what everyone agrees is a failed immigration policy.

This summer, Dr. Abel Valenzuela at the UCLA Center for the Study of Urban Poverty will complete an historic national census of day laborers and will reveal what is already widely known: immigrant day laborers are almost everywhere in the United States. From Seattle to Miami, from Las Vegas, Nevada to Hoover, Alabama, they stand daily in large numbers on street corners in cities, in suburban strip malls, and at the outskirts of rural towns awaiting temporary employment.

words: **Chris Newman**  
photos: **Matt Slaby**

Perhaps less visible than the workers is the market function they perform. While many see the day laborers waiting for work on sidewalks, they do not see the employers, contractors, and homeowners who hire them, nor do they see the work that they provide for communities where they live. At a recent rally in Phoenix, Arizona, when several hundred day laborers marched 25 miles to protest introduction of xenophobic legislation that would ban city sponsorship of day labor work centers among an onslaught of anti-immigrant bills, one protester marched with a sign reading simply, "WE ARE HERE BECAUSE YOU HIRE US." The message was straightforward and clear: while the "market" endorses the day workers' presence, the Arizona legislature does not.

A contradiction is rapidly being revealed where the same necons who religiously believe in free trade and open borders for commerce and capital can not fathom the movement of people from one side of the Rio Grande to the other. To them, it is elementary as the belief in gravity to believe in a borderless world that opens markets for Wal-Mart in Mexico, but it is beyond comprehension to imagine that Mexicans displaced by Wal-Mart's dominance would come to Arkansas for work. Despite the indisputable fact that immigrant day laborers have been coming to the U.S. since Plymouth Rock (Marlon Brando himself once portrayed a heroic day laborer in *On the Waterfront*), many consider immigrant day laborers as the greatest threat since the Soviet Union. As Eric Schlosser, author of *Fast Food Nation* observed, "the great irony of day laborers is that they embody the American dream, yet are widely used, abused and despised."

There is a lot being said about day laborers lately in the *New York Times*, on anti-immigrant blogs, and in city councils across the county, but one central fact is often unmentioned in public discussions. Day laborers look for work on sidewalks in order to survive. Whether one believes that the workers come to the U.S. to take advantage of economic opportunities or that they were forced to leave their homes because they were displaced by economic austerity of structural ad-

justments, it is a fact they travel often across continents, overcoming enormous obstacles and extraordinary life-threatening risks simply to find jobs to feed their families.

As an undeniable fixture in our modern economy they provide indispensable service in construction, home care, agriculture, and other industries. Consequently, they pose enormous challenges to cities and towns that must redefine what it means to be a community.

Unfortunately, many community responses to day laborers are shameful, repressive, hypocritical and often leading to dangerous consequences. Despite that day laborers are victims of an unjust international political economy, they contribute to communities and local economies. Municipal infrastructures are unable to address the needs, primarily health and safety issues, created by the presence of a hundred unemployed men congregating on a sidewalk or at an intersection. But remarkably many rational concerns become irrational responses, which are illegal, immoral, and above all dehumanizing. Their labor is accepted, but their physical presence is not. Their rights are abrogated, and they are increasingly singled out in organized hate crimes. And the hate is generated and compounded by government sanctioned community responses.

Southern California provides an example of a municipality's repressive measures against day laborers quickly spiraling out of control. Redondo Beach is typical of the affluent suburbs surrounding Los Angeles. For years, day laborers have congregated at two major intersections obtaining employment servicing homeowners and businesses. Last October, the city initiated a massive crackdown against day laborers in response to the complaints of a few local storeowners concerned that the men were adversely affecting their businesses.

Police, disguised as contractors, offered the men work four at a time. After accepting the jobs, the workers were taken to a makeshift detention facility at a fire station where they were booked, processed, and sent to jail. Bizarrely and seemingly motivated by reality television, the Redondo Beach police invited film crews to capture the arrests. Rather

Workers on the corner are largely invisible to the surrounding community. This man, dressed in an overcoat, passes by during the morning rush hour without acknowledging a single person. April 23, 2004



than engage the workers in dialogue, the city's response was unilateral and draconian and instead called the press to document the extensive civil rights violations. In all, over 60 men were arrested and charged with violating a municipal ordinance making it a crime to "solicit or attempt to solicit employment" while standing on a public sidewalk (elsewhere comparable ordinances have been ruled unconstitutional). While in jail, one elderly worker asked for a drink of water and was told by the police, "there is water in the toilet. If you want to drink some, you can." Later, an extremist anti-immigrant group staged a demonstration to support the police arrests and encouraged its members to bring baseball bats to the event. An organizer of the demonstration said on their website, "If we are lucky, we are gonna need them. PING!"

Immediately after the arrests, the workers organized to defend their basic human right to seek work. Over 200 day laborers and advocates marched down the Pacific Coast Highway and filed court papers to initiate a federal lawsuit challenging the constitutionality of the Redondo Beach anti-day labor law. A federal court granted an injunction, banning the city from enforcing its ordinance, on the merits of the day laborers' claim that the law violated their First Amendment rights to free speech on the sidewalks (the same right, ironically, protecting anti-immigrant rights to free speech).

The Redondo Beach police response might seem extraordinary, but sadly it is typical of the irrational measures taken by numerous cities. Around the country, day laborers are routinely harassed and arrested by police and chased away from the sites where they contract employment. Not only police target the workers. Hate crimes against day laborers are rising. A Sundance award winning documentary, *Farmingville*, tells the story of a Long Island community where two day laborers were nearly fatally wounded in hate crimes after being "hired" by their assailants. Tensions erupted in Long Island, and day laborers' homes were subsequently firebombed.

There have been documented reports of repeated hate crimes in Georgia. In Jacksonville, Florida, two day laborers were killed after 27 robberies and attacks within six months. In Miami, police shot and critically wounded a day laborer in a case of mistaken identity causing the U.S. Department of Justice to call for an FBI investigation to determine if "there was a prosecutable violation of federal criminal civil rights statutes."

There is a relationship between the daily civil rights violations and the increase in hate crimes against day laborers. Violent hate groups are emboldened each time workers are cheated out of payment or a city aggressively violates workers' civil rights. When a person is disenfranchised, stripped of his or her rights, and deprived of lawfully entitled remedies, attackers are more likely to think that they will not be punished. Mere use of the term "illegal alien" to describe day laborers robs them of their human identity, as no human being can be "illegal." (Not even white-collar criminals, despite their crimes, are called "illegals"). When described as illegal, people are deprived of their identity, and the illegal acts committed by governments or hate groups can be easily overlooked and often encouraged.

These are twilight zone times considering the criminalization of immigrant day laborers and the attacks against them. At a time when people widely lament right wing control, we should look at the treatment of day laborers and their responses as an example of the troubling status quo of reactionary politics and a sign of social justice. Communities should value day laborers' contributions and admire their courage despite the hostile conditions en route and upon arrival. Above all, their innovative efforts to organize are inspiring. ☆

You can reach Chris Newman at [info@clamormagazine.org](mailto:info@clamormagazine.org)



## Thought Criminals On Campus

Recently, David Horowitz published an essay on the barbarianism that he encountered while visiting Bowling Green State University in Northwest Ohio. He had come to the university to posit that free speech would be protected by legally limiting what college instructors can say in the classroom. Not surprisingly, this Orwellian stance was only the beginning of a presentation that would quickly devolve into outright farce. Horowitz looked tiny standing in front of the American Flag as he opined that Oprah Winfrey is an example of why we do not need affirmative action. Similarly, he asserted that there is no institutional racism in the United States because "Kobe Bryant was cheered by white audiences during his trial over the rape of a white woman." Conversely, Horowitz's own racism became clear as he repeatedly stated that "Arab Muslims" have sponsored all the terrorist attacks against the U.S. But one only need reflect for a moment to come up with the counter examples of Timothy McVeigh and Terry Nichols. These men were clearly terrorists because they targeted civilians in order to bring atten-

tion to their political views. More importantly these home-grown terrorists came from conservative, white midwestern homes and were right-wing extremists, not "Arab Muslims."

According to Horowitz, "poor people were liberated by welfare reform," but, failing to elaborate, left the audience to assume that this liberation came in the form of homelessness. Similarly he stated that "public schools are over-funded," and in doing so proved his distance from the layoffs and school closures that have effected much of the country. But this kind of mindless rhetoric was not limited to a few instances. In fact, Horowitz spent more than half of his lecture unaware of where he was speaking, obstinately referring to the university by the wrong name and embodying his mantra that "the first amendment allows you to make a fool of yourself."

Decades ago, David Horowitz had been a militant leftist. His position as an ideologue remains the same; only his political posture has changed. Because he helped organize the first protest of the Vietnam War, it came as a surprise when he claimed that "we won the war

in Vietnam." This assertion of victory elicited waves of incredulity and jeers from the audience, prompting him to state that "this is worse than 99% of the campuses that I have visited." But there we were in rural Ohio, the area that supposedly had elected George Bush for a second term, so why was this going so wrong for him?

Despite his participation in the New Left, Horowitz proclaimed that he "woke up one day on the Right," leaving one to wonder what he had done the previous evening. Not surprisingly, that epiphany came in the late 1970s when the progressive movements he had championed were waning. It has since become more profitable to be on the Right of American politics. Perhaps the greatest thing to come out of his visit to Bowling Green was the sense of unity generated among those who opposed him. The "barbarism" of our unified dissent reminded many of us that we are not alone in wanting a more tolerant America. In my view, he functions as a lightning rod in a time when such foci are desperately needed.

- Agent Automatic

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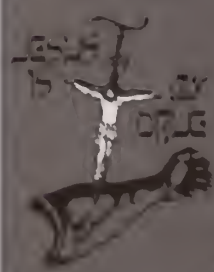
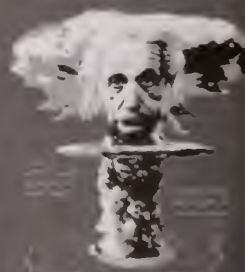
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what we're talking about

# murmurs



Definitive Lux artist C-Ray Walz giving "the double-fists-of-doom" (reviewed on p. 70). photo courtesy def lux

## [PRINT]

### America's Disappeared: Secret Imprisonment, Detainees, and the "War on Terror"

Edited by Rachel Meeropol  
Seven Stories Press, 2005  
www.sevenstories.com

Much of the truth surrounding the circumstances of Arab, South Asian, and Muslim persons detained by US authorities since 9/11 has remained shadowy at best, and while the story has surfaced piecemeal in corporate media, there has been an appalling dearth in the full presentation of facts. That void is filled in part by *America's Disappeared*, a collection of essays tracing the human-rights violations of the Bush Administration for the last four years. Rachel Meeropol, who edits the collection, is an attorney for the Center for Constitutional Rights, an organization that has been actively challenging Bush's policies which represents a number of detainees who described themselves as "broken men" who continue to struggle with clearing their names and reclaiming their lives.

The impassioned analyses of Meeropol's co-authors tour the reader through the detentions at Guantánamo Bay, the torture of prisoners in US custody in the Middle East, and the sweeps of "special interest" immigrants immediately following 9/11. Reed Brody looks at the patterns of abuse before the Abu Ghraib story broke, while Barbara Olshansky brings to light the alarming constitutional infractions in the cases of two US citizens (Brooklyn-born Jose Padilla and Yaser Hamdi born in Louisiana) who have been interrogated and detained without due process.

Michael Ratner, a Columbia Law professor and president

of the Center for Constitutional Rights, begins with an examination of Guantánamo Bay. The camp provides a legal loophole for the US government, as courts have historically refused the refugees suspended there any right to judicial review. The Supreme Court addressed the ambiguity for the first time on June 28, 2004 when it ruled that US courts could hear cases made on behalf of Guantánamo's detainees in a decision the New York Times called "the most important civil rights case in half a century" and a turning point that Ratner feels will "herald the end of the interrogation camp." He fails, however, to suggest the kind of monkey wrench Bush and Co. will invariably throw into the works (not unlike its plan to set up "combatant status review tribunals" with conditions that would be unacceptable in a US court of law, such as denying detainees the right to an attorney and allowing evidence based on hearsay to be admissible.)

Stephen Macpherson Watt's piece on rendition (a tidy word for outsourcing torture) is enlightening, in both his research and his conclusions. History demonstrates that a state's reliance on oppressive measures to counter security threats often results in an increase in violence and, in his discussion of the semantics of torture, the author makes one of the most thought-provoking points of the book: the European Court of Human Rights has assigned more stringent definitions of torture "under society's current and advancing standards of decency." Sensory deprivation (such as the prolonged periods of isolation and "hooding" that were revealed to be common practice both in Guantánamo and Abu Ghraib) are no longer defined as simply "degrading treatment."

The personal statements of detainees, filled with their accounts of severe psychological distress, are interspersed among the essays. The testaments of the detained men

wrenchingly humanize the professional commentaries, although it struck me that supplemental accounts were conspicuously absent, namely the voices of the wives, parents and siblings of those who "disappear." That lack feeds a disconnection to these men and blocks a vital part of the story: the far-reaching personal effects of our larger cultural failings.

Still, this volume elucidates an obscured reality better than the attempts so far of the mainstream media. Meeropol concludes that the work of activists has led "to a commendable level of public outrage over governmental excesses in the wake of 9/11. However this victory is incomplete." She is referring to the fact that the government continues to target those who fit the mold of "perceived threat" on flimsy or non-existent evidence. And in her suggestions on a course of action, it's clear that raising one's own awareness through such well-documented books is in itself an initiating political act.

-Michelle Humphrey

### Building Suburbia: Green Fields and Urban Growth 1820-2000

Dolores Hayden  
Vintage Books, 2004  
www.vintagebooks.com

### Highway Robbery: Transportation Racism and New Routes to Equity

Robert D. Bullard with Glenn S. Johnson and Angel O. Torres, Editors  
South End Books, 2004  
www.southendbooks.org

Urban policy teaches some hard lessons, but the most

vivid I've learned is this: The state must always spend money to help the affluent and influential and should avoid doing so to help the poor. Spending money to help rich people=respecting market forces (good). Spending money to help poor folks=communism (bad).

These books examine the influence that this socialism for the affluent has had from different perspectives by describing how government power has been deployed to depopulate, despoil, and destroy urban America. Dolores Hayden's excellent *Building Suburbia* presents a history of suburbia from the 'streetcar suburbs' of the early 19th century through 7 distinct stages to the distended and expensive growth that supports today's "starter mansions." She deftly illustrates how thanks to federal decisions on tax policy (mortgage

interest allowances) and fiscal policy (highway dollars), our communities have created into the expensive and deteriorating infrastructure, the fading central cities, and the divorced social life that afflict all U.S. metropolitan areas. Who benefited? Developers, middle-class homebuyers, building trade unions, banks, and realtors. And who paid? Every single taxpayer.

And who lost? *Highway Robbery* reminds us of the cost of government action on behalf of the haves. While affluence and jobs have fled central cities, the poor have remained and discovered that what the federal government giveth with open housing legislation, it also taketh away with new transportation spending. Persistent patterns recur in Pittsburg, N.Y.C., and Atlanta while studies from Baltimore and L.A. show new ways of fighting for equity. The editors provide illustrative examples of how race and class have led to wasted resources and externalized costs, all in the service of private gain. As gas prices rise ever higher, these books are a timely reminder of how we built the suburban utopias of low-priced gas and provide us with strategies for rebuilding our communities to accommodate the inevitable crush. If we want vital cities in our future, urbanists need to start thinking about how cities that can exist in an environment of six-buck gas will look.

-Keith McCre

### Climate of Fear: The Quest for Dignity in a Dehumanized World

Wole Soyinka

Random House

www.randomhouse.com

Nobel Prize winner Wole Soyinka's *Climate of Fear* is a collection of lectures he gave about the meaning of fear in the present age. Born near Abeokuta, Nigeria, Soyinka is one of the foremost African writers of his generation and has composed poetry, plays, novels, and memoirs. Soyinka's work openly criticizes the Nigerian government for which he was imprisoned for two years on charges that he aided the attempted secession of Biafra from Nigeria.

This is a man who can write from the soul with erudition, a rare quality. Plenty of people can write from the soul, but they are often not the best writers. And plenty of great writers write as if they have no soul; Soyinka eloquently combines the two. Thus, he is exactly the spokesman the left needs right now: smart, spiritual, grounded and liberal at a time when many of those who are candidates for being leaders of the left are not, in point of fact, liberal.

Soyinka is a liberal who believes in a universal morality. As he writes in the preface, "The gray zones of moral definitions where relativity reigns and remote causes are evoked to justify the abhorrent will continue to haunt certain casts of mind. The rest will insist on the primacy of an ethical will, one that dictates that some deeds demand to be judged within an identifiable and shared moral universe." He believes that an ethical world is one in which people possess an ethical will and are ultimately responsible for their actions. "We can hold to account only those who accept, are bound by, or can be compelled to adhere to our code of accountability."

However, fear strips us of ethical volition. As he writes, "[W]e have learned to associate the emotion of fear with the ascertainable measure of a loss in accustomed volition." Much of *Climate of Fear* is spent outlining how and why we lose volition in the face of fear, because with the loss of volition comes the loss of ethics and finally the loss of our humanity. This is what we must prevent — we must learn how to retain our common humanity in the face of fear.

Some of the best passages in the book are about the idea of innocents, such as the children killed at Beslan, the Russian town where terrorists took hundreds of schoolchildren and adults hostage and ended up killing many of them.

Soyinka sees the rhetoric of evil as saying: There are no innocents. He writes, "Such rhetoric cannot be permitted to constitute the language of the world or delineate its moral compass." The violation of innocents dehumanizes us all. On this topic Soyinka's erudition and soul sing together: "The ethical will is the redeeming assertion that, even when all other considerations of social conduct are subjected to the fortuitous, one, an ethical core, remains inviolate."

-Francis Raven

### Feminist Studies: The Prison Issue

Summer 2004 Volume 30, Number 2

www.feministstudies.org

Gendered oppression is ordinary. It is not only the spectacular rape, physical abuse, and torture that sometimes scream at us. It is a male guard holding the arm of a female inmate who was sexually abused, the detention of girls who defy their parents, or an administrator denying a telephone call to your children. It is the daily experience of women inside and outside prison and a danger that threatens everyone. The ordinariness of sexism is the central idea of this timely and well-edited special issue of *Feminist Studies* — a journal dedicated to changing women's condition. And, it is a key concern for bringing marginal voices to the center of feminist debates.

This issue highlights and expands topics central to the best collections on women in prison: *Wall Tappings*, *No Safe Haven*, *Inner Lives*, and *Inside the Concrete Womb*. It focuses on motherhood and being a daughter, citizenship and human rights issues, gender equity and gender difference, and the institutionalization of ageism, classism, racism, homophobia, and sexism that marks the US as the corporate-imprisonment behemoth. The articles and poetry carefully collected here come from and illustrate the lives of women and girls behind bars, those who work in corrections, former inmates, and the family, friends, and allies connected to them. Most of all, these works represent a plurality of voices on the gendered incarceration experience and its wider ramifications.

This special issue makes it plain that US prisons punish, humiliate, degrade, and warehouse rather than rehabilitate the incarcerated. Yet, it also offers glimpses of hope and resistance. Articles on Rhodessa Jones's "Medea Project" theater work with incarcerated women, the creative poetry efforts of women in Cook County jail, and the filmmaking of Cheryl Dunye (who directed *A Stranger Inside*) show us the strength of the bridge between inside and outside.

Writing like this can change women's (and everyone's) condition.

-Brian Bergen-Aurand

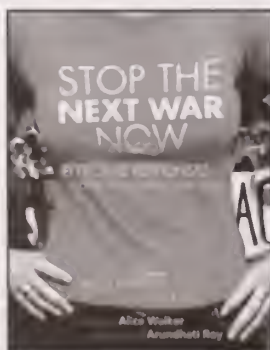
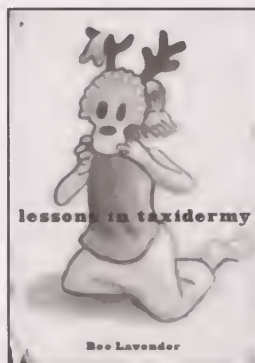
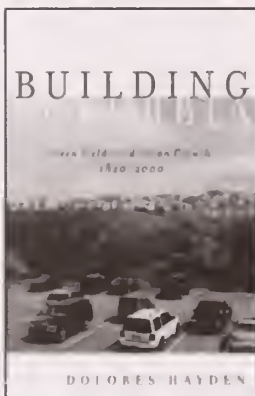
### Free Women of Spain: Anarchism and the Struggle for the Emancipation of Women

Martha A. Ackelsberg

AK Press, 2005

www.akpress.org

*Puño en alto mujeres de Iberia* — fists upraised, women of Iberia — so opens the anthem of one of the most progressive women's groups of twentieth-century history and the subject of Martha Ackelsberg's book. The author tells the reverberant story of *Mujeres Libres* (Free Women), a women's organization of the Spanish Revolution that profoundly stood apart from similar anti-fascist collectives of the time. While the primary objective of other groups was to mobilize women to fill in the roles of men while they fought on the front, *Mujeres Libres* embraced a larger vision to eradicate the "triple enslavement of women" as women, as workers, and to ignorance. *Mujeres Libres* sought to establish *las compañeras* as active participants in the socio-political realm, the makers of events





and not the silent witnesses they had traditionally been.

While anti-fascist schools were training women in the technical skills of factory work, *Mujeres Libres* implemented programs teaching women history, economics, and law, as well as activist organizing and public speaking skills. They published a journal addressed to the female working class, with articles that deconstructed their domestic reality in an effort to provoke change.

Arguably, the most groundbreaking work of *Mujeres Libres* involved prostitution reform. Instead of unionizing prostitutes, a solution advocated by mainstream movements, *Mujeres Libres* targeted the causes of prostitution and believed women needed retraining to support themselves by other means. Approaching education holistically, their program included medical and psychological services alongside professional development.

Empowering, but there's a catch. The anarchist movement (with which *Mujeres Libres* identified) agreed in theory that women should be full partners in the egalitarian society they strove to create, but, like the other collectives, they did not deem the women's cause as urgent, or implicit to the cause against Franco. As a result, *Mujeres Libres* did not receive the funding or organizational clout granted to other women's groups. Such obstacles succeeded in undermining their influence, though the author observes that by choosing to remain autonomous, *Mujeres Libres* protected themselves from the control of male-dominated affiliates.

*Free Women* was originally published in 1991 and its reissue seems timely as a beacon for today's progressives who are in dire need of a strategy as the US continues to swagger to the far right. "*Mujeres Libres* ... recognized that oppositional politics, alone, do not sustain people. over the long term," writes Ackelsberg. What sustains people is a vision, one she feels is painfully lacking, and this is where *Mujeres Libres* offers a lesson: "We need to gather together...and start really thinking/talking, and then acting on alternative visions of social life."

-Michelle Humphrey

## The Passion of the Keef

Keith Knight

Manic D Press

www.manicdpress.com

If you don't know who Keith Knight is or if you have never read the *K Chronicles* it's time you get yourself aquatinted. After you catch up on what you have been missing it's time to go out and promptly complain to your local print media (newspaper or local weekly) and tell them they need to start carrying the *K Chronicles* in their publication. Once you read the *K Chronicles* you will know exactly what I mean.

Ever since I first discovered the *K Chronicles*, I have been a steady fan. It's one of those comics that always causes me to laugh out loud. It's drawn and written in Keith's fluid style, giving a lot of expression both to the characters and the written word. *The Passion of the Keef* is the fourth compendium of the *K Chronicles*, and a good place to start for those who aren't familiar and a welcome new release for long time fans.

Keith hasn't gotten soft on us. Even after getting himself hitched, he still tackles politicians, police brutality, life's tiny tragedies and little victories, as well as a variety of other subjects with his insightful wit and love of sheep and narcotics. Keith's caricatures of George W. Bush are flawless and cause me to laugh just thinking about them. With all that we can (and should) be mad about going on in this country I appreciate being able to laugh about it all as well. Other highlights in this compendium include the pieces about his wife and family, a tribute to RUN-DMC, and the *K Chronicles* guide to great BBQ.

-Brandon Bauer

## Lessons in Taxidermy

Bee Lavender

Punk Planet Books/Akashic Books, 2005

www.punkplanetbooks.com

www.akashicbooks.com

In a style unlike any found in the recovery genre, Bee Lavender writes about surviving her car accident, cancers, and various bodily malfunctions. As her story unfolds, Lavender reclaims her body from the whims of Western medicine, as she moves from Object to Subject. A tangible lesson in taxidermy and the freakshow subculture, Bee decides how much of her inner and physical self to expose in her book, and charges the reader for viewing.

But, *Lessons in Taxidermy* goes beyond the realm of self-discovery. Bee explores the need for self-advocacy both in general and relation to healthcare, shortcomings of medical care in the United States, and violence seemingly inherent within the rural working class. She reveals how our sexist society operates by telling of two particular incidents. Both the mainstream medical industry and the artistic underground assume they know more about a woman's physiology than she does. She describes her emergency caesarian section:

"I told the doctors that epidural anesthesia does not work on my body, but they didn't listen as each successive puncture of my spine failed. Finally, after the seventh attempt, they thought the medication had taken effect and they cut me quickly, a line straight down from my belly button. I could feel the incision and had to hold still as the scalpel ripped through layers of skin and muscle."

And later, when she goes to get a tattoo from shoulder-to-elbow, she experiences the same assumption that a woman simply does not understand her own body:

*When I walked into the tattoo studio the guy at the counter looked me up and down. 'Bet you five dollars she faints!' he shouted over his shoulder to the person who would do the work on my arm. I stared at him until the smile faded from his face, then replied, 'Bet you \$500 I won't even flinch.'*

*Taxidermy* is hardly a metaphor in Lavender's autobiography. According to the American Heritage Dictionary, taxidermy is the "art or operation of preparing... the skins of dead animals for exhibition in a lifelike state," and though Bee has simultaneously been as far from and close to death as one can imagine, she has been taxidermied in a sense. When giving her medical history to doctors, it would be simpler to tell only what has not been operated on.

Lavender's style is neither overindulgent nor as scant as the medical charts she bums in her backyard. This book fulfills her mother's wish, "Promise me that you will grow up and write a book about a kid who lives," and yet Lavender never plays the role of the survivor who finds God. Instead, she regains her sense of smell, learns how to experience pleasure in the same body that has housed profound pain, and tests her physical and emotional strengths and weaknesses as she becomes an adult living with chronic disabilities.

-Keri Provost

## Out Of The Night

Jan Valtin

AK Press/Nabat 2004

www.akpress.org

According to Nabat books, they are "...dedicated to reprinting forgotten memoirs by various misfits, outsiders, and rebels." Most of the series so far has focussed on the underbelly of late 19th and early 20th Century American history, from Jack Black's *You Can't Win to Sister's of The Road* by Boxcar Bertha (as told by Dr. Ben Reitman) to *Bad: The Autobiography of James Carr*. *Out of the Night* by Jan Valtin, the most recent in the series, is the biography of a young German communist agitator/organizer and his international

adventures during the interwar year. Apparently this autobiography was a massive bestseller in the 1940s and it is not hard to see why. As people struggled to understand how the world was brought to war so soon after World War I, Jan Valtin provided an insider's account of how the totalitarian forces of Fascism and Communism fought bitterly to spread their spheres of influence throughout globe during the 1920s and 1930s. Valtin explains how the USSR was so desperate to instigate a worker's revolution in Germany that they went so far as to collaborate with the Nazis against the Social Democrats, believing the Nazis to be easily defeated. It is amazing to think how decisions made in the USSR ultimately helped Hitler's rise to power.

Even more fascinating than the events that Valtin describes is the mindset that enabled him to reconcile sacrificing his personal well-being along with that of his wife and child for the cause. Yet, as Stalin rose to power and the purges began, the reader gets to witness Valtin's transformation from die-hard revolutionary poster boy to a dissenting renegade who starts to question the rigid hierarchy of The Party. Valtin is eventually caught by the Gestapo and goes into great detail describing their interrogation tactics, torture methods, and prison life for political prisoners in Nazi Germany. After years of harrowing abuse, Valtin convinced the Gestapo that he had seen the error of his Communist ways and agreed to spy on other Communists for the Gestapo, earning his eventual release. Ultimately, however, his outspoken opinions and renegade actions lead to him being on both Hitler's and Stalin's hit list.

*Out of the Night*, like George Orwell's *Homage to Catalonia* and William Herrick's *Jumping the Line*, illustrates how the authoritarian nature of the Communist Party sold proletarian uprisings down the river, time and time again. In hindsight it is easy to question how naive people like Orwell, Herrick and Valtin must have been to have once placed so much faith in Moscow. *Out of the Night* does an exceptional job of explaining the painful journey of disillusionment that young revolutionaries must have gone through upon acceptance of the failed revolution that was the USSR and is a worthy addition to the AK Press/Nabat series.

-Pete Lewis

## Stop the Next War Now: Effective Responses to Violence and Terrorism

Medea Benjamin and Jodie Evans, editors

Inner Ocean Publishing, 2005

www.innerocean.com

If the archetypes of Judy Chicago's art installment, "The Dinner Party," talked about the US action in Iraq, the conversation would probably sound like *Stop the Next War Now*. Chicago's installment includes Sumerian goddesses, medieval queens and contemporary icons like Simone de Beauvoir and Gertrude Stein; this collection captures a similarly staggering presence, including the voices of Benazir Bhutto, former prime minister of Pakistan, Wangari Maathai, founder of Kenya's Green Belt Movement, Eve Ensler, Alice Walker, and a litany of businesswomen and artists. Edited by Medea Benjamin and Jodie Evans, cofounders of the grassroots women's peace movement CODEPINK, these essays attempt to answer the question: How do we counter the quick-on-the-draw militarism and balls-out corporate hegemony that lead us into war?

Alternatives to war hinge upon new connections among such issues as environmentalism, poverty, peace education, and the agenda of the media, along with embodying creative activism and redefining the idea of global community in meaningful, personal terms. Eve Ensler, in her idiosyncratic language of the bodyspeaks of a paradigm of "vagina warriors" — her term for men and women who have experienced

violence, allowed themselves to grieve and transcended violence for conscionable action. Whereas her tone provides a guiding theory, writers like Californian Congresswoman Lynn Woolsey translate theory into legislative practice. Woolsey has introduced H.R. 392 entitled SMART, an acronym for "Sensible, Multilateral, American Response to Terrorism," which would reinvent the US approach to national security by enforcing nonproliferation treaties, and sending teachers and agricultural experts abroad before we send troops. SMART also calls for stronger conflict assessment prior to military intervention and assisting in the creation of fair judicial systems, not unlike the International Criminal Court, which Bush opposes.

Many of the authors, in the same vein, offer realistic tips for activism. (Becky Bond of Working Assets includes a no-frills list: volunteer and bring a friend, preferably one with a sense of humor – subverting the status quo is an über-drag if you don't keep it real). Of particular exuberance is the chapter titled, "Celebrate Joyful Revolution," an account of a Macedonian refugee camp where traumatized women are emotionally and spiritually resuscitated through a program of comedy, singing, and dancing.

The crosspiece of the work lies in the analysis of the support structures of war, most vibrantly in Amy Goodman's "The Power of Dissent" and Gael Murphy's interview with journalist Helen Thomas. Goodman, host of "Democracy Now!" a daily news hour on public radio, criticizes the war-bent bias of mainstream media. She questions the objectivity of "news" coming from reporters embedded with the military — why aren't correspondents embedded with peace activists or Iraqi families to tell all sides of the story? — and astutely examines the corporate homogenization of the media through the deregulation attempts of the FCC. Meanwhile, Thomas speaks words that are hard to dismiss when she describes the frozen state of democracy post-9/11 and pre-Iraq-war: "[T]he media really went into a coma...just as Congress did...you would be considered unpatriotic...if you were asking any tough questions. [But if] a leader is not questioned, he can rule by edict or executive order. He can be a king or dictator. Who's to challenge him?" Fortunately, writers like the ones in this collection.

-Michelle Humphrey

## [AUDIO]

### C-Rayz Walz

*Year of the Beast*  
Definitive Jux, 2005  
www.definitivejux.net

For every rapper beating his chest bragging about his street credibility, there's another MC ready to tell him he ain't shit. One of these street hustlers/rappers has got to be lying or maybe everybody is lying. Who cares? Accept the fact that you'll never know the truth about who was really runnin' shit just like a mayor and who was just a shook one.

Like a bajillion MCs before him, New York rhyme animal C-Rayz Walz decided to write a song aimed at wannabe gangsters on *Year of the Beast*, his second full-length album on Definitive Jux. But, Rayz's "Pink" stands head and shoulders above most fake thug dedications with tight lines such as "Bullet proof vest, man/You need D-cups," a nice beat courtesy of Belief, and a cool hook provided by underground rap queen Jean Grae. The rest of *Beast* mostly follows the same formula of witty rhymes and hard hitting East Coast beats. With an all-star cast featuring the likes of El-P, Aesop Rock, and M-1 of dead prez helping the cause, *Year of the Beast* is another quality offering from the always reliable Def Jux.

-Bill Zimmerman

### cLOUDDEAD

*Ten*  
Mush Records 2004  
www.dirtyloop.com

cLOUDDEAD's second release delivers with a colorful array of experimental hip-hop eccentricity. Featuring anticon members, why?, doseone, and odd nosdam sharing vocal and production duties, *Ten* is ten original compositions, functioning as one unapologetic patchwork mosaic of out-sound. This record should speak to those closet-genius experimental musicians that subscribe to nontraditional methods. The opening "Pop Song" is nifty with its thick layer of variable vocal tracks, but I really flipped for the following, "The Keen Teen Skip," with its skipping sample, repeated chorus breaks, and dribbling vocals. Ultimately, this record deserves many thoughtful listens though impatient non-believers will jump off this bandwagon before getting comfortably acquainted. True, it's best suited

for those persevering sleuths on the path to decipher the abstract cLOUDDEAD mission: deCONSTRUCT!

-Vigilance

### Despistado

*The People and Their Verses*  
Jade Tree, 2005  
www.jadetree.com

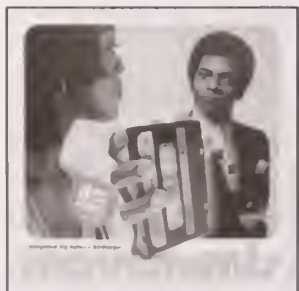
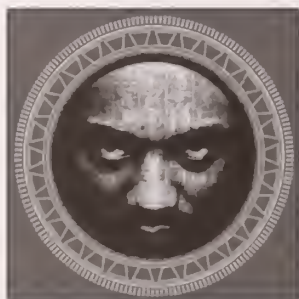
Human beings seem to love fucking things up. We love Hawaii because of its natural beauty, and then tear it all down to create hotels and golf courses. We pave over forests and meadows and turn them into giant shopping malls named after the nature they replaced. We take a perfectly good band, fuck with their heads, and make them break up.

Despistado were doing fine in their home of Saskatchewan. The isolation caused them to create music that was free of the jadedness and wink-wink irony of big city bands. Their boredom caused them to play with a passion and intensity that put most post-punk and indie bands to shame. They released an EP that caught the attention of Jade Tree, who signed them and re-released the record to critical acclaim.

Then the problems started. Cell phone companies and TV shows wanted to use their songs. They were touring constantly, crammed in tight uncomfortable spaces for too long, and started hating each other's guts. In short, the pressures of being a big deal proved too much, and they disbanded this January amidst a pool of bad feelings. Had they been left alone in Saskatchewan, they'd probably still be together, putting out record after record of innovative, energized music, adored by those in the know and ignored by the masses. Instead we're left with just an EP and this posthumous record.

But what a last will and testament it is. If Modest Mouse, Wire, the Gang of Four, Fugazi, Cap'n Jazz, and At the Drive In all had a kid, it might sound like Despistado. They are all jangly guitars, art-punk intensity, and shouted vocals. In short, they're fucking awesome, and every bit as good as people say they are. This is definitely going to be one of the best albums of the year. While it sucks that they broke up, the band members will certainly go on to form equally impressive bands, and we can always hope that Despistado will go the way of Pixies and the Slint and regroup for a tour in fifteen years.

-Patrick Sean Taylor



## Dinosaur, Jr.

*Dinosaur, You're Living All Over Me. Bug (Reissues)*

Merge Records, 2005

[www.mergerecords.com](http://www.mergerecords.com)

For thousands of kids, newly viewing life through a punk-rock lens in the late eighties/early nineties, it was hard to tell whether J. Mascis and his brainchild, Dinosaur Jr., should better represent a nostalgic guilty pleasure in guitar heroics, or a logical and perfectly realized extension of the hardcore, punk, and underground rock movements that embodied their collective frustration/discontent. The band unleashed a torrent of high-volume noise so unbelievably caustic that it seemed impossible that the songs could be as catchy and cutesy as closer inspection would reveal. But somehow, in the midst of all of that chaos and clang, at the epicenter of all that virtuosity and volume, was something so sweet and vulnerable that, unlike the many metal and hard rock bands that inspired them, Dinosaur Jr. brought humanity and humility to the bombast of the loudest, hardest, most brutal rock. The result was complete catharsis. Regardless of any reservations one might have about hearing a totally wanking guitar solo in every song, everyone who heard Dinosaur at that time was, for better or worse, moved. Guilty pleasure or not, logical or not, Dinosaur Jr. brought guitar rock, punk, and Deep Purple licks into the nineties, and was the land bridge that allowed punk and bonehead rock to find each other and create new pidgin languages of riffery. For a time, no music was more perfectly over-the-top.

These first three Dino releases, on Merge Records, are awesome. They capture the vibe of the original Homestead and SST records expertly, and contain new photos, and writings from Mike Watt, Thurston Moore, and others who were "there". The sound is a bit higher-fidelity than previous releases, but not in any sterile or ugly, unfortunate way. It is amazing that these discs would ever have been discontinued, being some of the most rocking guitar-rock albums ever pressed. *You're Living All Over Me*, in particular, is absolutely transcendent, and I haven't been able to remove it from the CD player in my kitchen, despite requests from neighbors. I can't escape persistent daydreams of crowd surfing in 1992 to some of these songs, when Dino was on the big stages. Dorky, but it is a great set of memories, and a great set of songs. The band's eponymous first release is a great surprise upon hearing it again, because it is more fully-formed realization than I remembered, and *Bug* is essential, if for no other reason than for the ability to play "Freak Scene" over and over and over with the stereo dimed anytime you are home alone for the remainder of your life. Lou Barlow screaming "WHY DON'T YOU LIKE ME!" is also pretty funny, and telling. The extra features include videos that are accessible via computer, and the material included has character and heft, just like the records. There is no annoying fluff that needs to be skipped, as with many add-everything-you-can reissues. The discs are well rendered documents of a great band in a great time, with no extraneous nonsense or curious deletions. Fans of the original pressings will absolutely not be disappointed, and newcomers will have such a wonderful introduction to this amazing band that I envy them greenly, because these discs are SICK!

-Tony Lowe

## Fiery Furnaces

s/t EP

Rough Trade, 2005

[www.roughtrade.com/](http://www.roughtrade.com/)

The Fiery Furnaces are like a musical for people who hate musicals. They have digested all that has occurred on the harder side of rock'n'roll for the last thirty years. Their lyrics (available at a fan site: <http://blueberryboat.no3rdw.com/disc>

html) are noticeably longer and stranger (in non-traditional ways) from other bands' lyrics. For instance, on "Smelling Cigarettes", Eleanor sings "Don't you key that brand-new Camry." And he gave me the cursor, 'Damn,' returning to the spot he was, 'Mind your own business you!' And I wag my finger, 'You're not doing what you're supposed to do.'"

The exacting cultural references to TCBY, Beanie Babies, a Toyota Camry, DQ, and Hyundai, bestow the necessary street creds on the band — they are stomping around our world in bad marriages picking up dirty beanie babies in the rain. As Ben Ratliff notes in his review of the band for the NY Times: "Eleanor has rock 'n' roll self-possession down cold; it's not insignificant that she can sound like a young Patti Smith. But a Patti Smith drawn toward John Ashbery rather than Rimbaud!" She is a Patti Smith for the blogosphere — this is our world, terrifying, beautiful, full of products, but there are games we can play. These are songs full of games: alliterations, fake adventures, seals, polar bears, hulls, lost locket, beatings, wanderings, ships, wars. These are, in short, epic songs, but epics occurring in our own world, epics we can participate in. And for this reason the songs kind of make you feel like a kid again — carefree, ready to make stuff up.

-Francis Raven

## Los Nativos

*Dia De Los Muertos*

Rhymesayers Entertainment 2003

[www.rhymesayers.com](http://www.rhymesayers.com)

This is the highly anticipated debut full-length from Twin Cities group, Los Nativos, from Spring '03. As original members of the Head Shots collective, later renamed Rhymesayers Entertainment, Los Nativos provide an original contemporary offering of indigenous roots and Latino pride, championed wholeheartedly. The consciousness raising, confident vocal flows from multi-talented MC duo, Felipe Cuahtli and Chilam Balam, make for an interactive, teach-in experience at their shows. And live, these cats will rock mics AND create hot instrumentals with percussion and keys. With dope production by Balam, assisted by DJ Tecpatl, it's no surprise this release was nominated Best Hip Hop Recording of '03. *Dia De Los Muertos* is grounded and blessed, giving hope and strength to all people fighting to keep their traditions, culture, and history alive.

-Vigilance

## The Orphans

*Raise the Youth*

Fistolo Records, 2005

[www.fistolo.com](http://www.fistolo.com)

There was a renaissance of punk in the early to mid nineties that expired by the turn of the century. "Alternative" represented a culmination of underground sounds that ended up in the ears of youth who would soon start bands. Some of these bands garnered success and some, like The Orphans, have had to wait a decade for the exposure that they probably deserved. From the pictures included in this release, one should estimate the age of the band to be seventeen or so. Given that, the lyrics on here are rather astounding. Surely nothing that matches Dylan, but for a teenage punk band, they have few peers. Occasionally, the band attempts to play beyond their musical means, but at least they're trying something new. Folk influenced tracks set the band apart from others that they may have played with. The songs don't all come off that well, but the inclusion of a mandolin and strong lyrics make up for any inadequacies. The cover of a Subhumans song (following a track that sounds suspiciously like Op Ivy) should be all the explanation that one needs. So, if you're still angry with your parents and paranoid about government spy tactics, pick this

slab up and you'll have four digital friends from ten years ago who know how you feel.

-Dave Cantor

## William Parker

*Luc's Lantern*

Thirsty Ear Recordings, 2005

[www.thirstyyear.com](http://www.thirstyyear.com)

*Luc's Lantern* is an acoustic outing from a trio (piano, bass, drums) led by William Parker. And if you miss bass solos as much as I do in music, you'll be pleased. For as long as I've been conscious of Thirsty Ear putting out new records, I have always expected music that tries to become something new. On this release, that doesn't really occur. Without question this is a good acoustic jazz album with some elements of Free playing throughout. Unfortunately, the music isn't quite as experimental as previous offerings from the label that sports Anti-Pop Consortium, Pere Ubu and Spring Heeled Jack as label mates. The latest from Parker and Thirsty Ear begins in the form of "Adena," a generally laid back affair with a lengthy bass solo after the group goes into some free jazz soloing. On *Luc's Lantern* you can hear the group preparing for a foray into the realm of playing free, keeping the hurried pace. They get there. The most enjoyable track, partially due to the title, is "Bud in Alphaville." Maybe my interest in the track is because I've never encountered such a specific Godard reference — either way, not a bad track. Parker and Thirsty Ear have put together a solid album, but previous ventures of both the player and the label have been more adventurous and probably more worth your time.

-Dave Cantor

## The Plot to Blow Up the Eiffel Tower

*Love in the Fascist Brothel*

Revelation Records, 2005

[www.revelationrecords.com](http://www.revelationrecords.com)

For some reason, right now No-Wave is gaining popularity with the underground rock crowd. I suppose to a certain extent, it had remained a mainstay to some, in lurid corners trading jokes about Zorn and Stockhausen. But, now more than ever, bands are touting James Chance as a major musical contributor of the last quarter of the twentieth century. And who am I to disagree? Here on The Plot's second full length, they invoke Chance and play some new style rock music. Introduced by horns, one would imagine them ushering in a new era, some new innovation in rock that will forever upset the balance of what is now. We don't get that. But, there are a good number of tongue and cheek titles, nazi imagery and thick bass notes. The lyrics leave something to be desired as each song basically represents ten lines, repeated and one chosen to become the chorus and screamed even more frequently. An above average release that boasts good production that seamlessly weaves the noise from one song into freakish interludes and into the noise of the next track. A bit of a warning though: ten tracks in twenty some odd minutes. Really though, your ear holes might not be capable of hearing more.

-Dave Cantor

## Pony Up!

s/t E.P.

Dim Mak/Ten Fingers, 2005

[www.dimmak.com](http://www.dimmak.com)

Pony Up! have the feel of a big inside joke. You can just hear the fits of conspiratorial giggles that must accompany every practice session. Listening to it I was reminded of my old housemate and her girlfriends and how I was constantly kept awake by their squealing peals of laughter as they would

stay up talking shit about celebrities and ex-boyfriends in our kitchen if my housemate and her friends formed a band, it would sound like this.

Pony Up! avoid the heavy metal jailbait chic of the Runaways and the Donnas, and the punked up feminist anger of Bikini Kill. They sound a little like a better-produced, less politicized Bratmobile, and share that band's cheery lack of musical ability. There are jokey songs like "Shut Up and Kiss Me" and "Matthew Modine," with its chorus of "Oh Matthew Modine, we want to be your blowjob queen/Oh Matthew Modine, we think you are peachy keen." There are also more serious songs (the piano-ballad "Marlon Brando's Laundromat," the Sleater-Kinney-esque "Minstrel") The latter tracks show the direction that the band is hopefully moving towards.

Pony Up! perfectly capture female adolescence. This record is basically a teen movie put to music form, but in a good way. They may not be musical geniuses, but they are a lot of fun.

-Patrick Sean Taylor

### Prefuse 73

*Surrounded by Silence*  
Warp Records, 2004  
www.warprecords.com  
www.prefuse73.com

*Surrounded by Silence* is a gorgeous record that fits on the shelf somewhere between Radiohead's electronic experimentation, Massive Attack, the Gza's Liquid Swords, and most of Mo' Wax's back catalogue. This, the third album by Prefuse 73 (aka Scott Herren) is a series of collaborations with different DJ's, singers, and rappers, with the idea of mixing genres and coming up with unusual pairings. The results are striking, especially on the first single "Hideyaface" with Ghostface and El-P, and "Just the Thought" with Masta Killa and Gza. Both tracks lay down an 80's synth-pop beat for the hard-boiled rappers to rhyme over. It's unlike what you've come to expect from the artists, and it totally works.

Like Massive Attack, Herren knows how much a good female vocalist can add to a track, and some of the most satisfying songs on *Surrounded by Silence* pair the DJ with the gorgeous voices of Camu, Kazu from Blonde Readhead, Tyondai Braxton, and Claudia and Alejandra Deheza. They compliment and accentuate the sadness and beauty of the tracks that Herren lays down, and the result sounds a bit like Stereolab by way of Mezzanine.

Despite the many artists involved in the project, it maintains a cohesive feel due to Herren's hip-hop-meets-IDM beats. There is also a sense of sadness and frustration that is evidenced throughout the album. *Surrounded by Silence* is an ex-pat record made by a man who has abandoned his home country due to the horrible political climate. It was recorded in New York, miles from Herren's adopted home of Spain. Song titles like "Expressing Views is Obviously Illegal" and "Morale Crusher" are obvious indicators of his political views. Even the album title itself reflects the culture of fear and blind acceptance that has poisoned America for the past four years. This is a great record, and well worth picking up.

-Patrick Sean Taylor

### Various Artists

*IPRC Audiozine Volume One*  
Independent Publishing Resource Center  
www.iprc.org

This is like listening a very smart, very hip, very honest version of "This American Life." The second track has Anel Gore admitting that she thinks her daughter is a "shithead" and joking she should change the name of her zine from "Hip Mama" to "Loser Mom." It's like nothing you'd ever read in Parents, and it's also truer than anything you'd ever read in a mainstream publication.

But then, what function do zines perform, other than to speak truth to power, to the mainstream media? The album kicks off with Steve Gevurtz's paean to scenester burnout; the weanness one feels when they just can't drag themselves to yet another punk show, yet another party. Dave Roche shares a piece about teaching art to homeless youth at an elementary school; he deals with a suicidal eight year-old who brings knives to school. Nicole Georges has one of the standout pieces on a record full of standout pieces: a diary-like reading about a week in her life in May. It's a testament to Georges' talent that she makes the mundane so interesting and absorbing. Her track is split with her usual collaborator Clutch McBastard, and his dry wit is the perfect complement to fresh perspective. Shoshanna Cohen hurries through her track, "Spring," an ode to riding a bike on a spring day in Portland. Her frenetic pace personifies her sweet, day-in-the-life writing. Really, there isn't a weak track on this album; it's full of smart, fresh voices.

-Cortney Harding

### Various Artists

*Movements - 14 Deep Funk Pearls*  
Perfect Toy Records, 2005  
www.perfecttoy.de

DJ Tobias Kirmayer (who also runs Tramp Records - www.tramprecords.com) apparently has an extensive funk seven-inch collection felt the need to share it with the world. Most of the groups on here never released a full album and after a listen you can hear why. None of the tracks are bad, in fact they're all pretty funkastic, but when compared to their contemporaries (The MG's or Pucho), don't sound as tight. That isn't the case on all tracks as on the Guy Morns track. "Cool It" represents the most ambitious melody, making the track sound more jazzy than funky. That's a good combo, one that's maintained throughout a hefty portion of this compilation. There's some unabashed soul music on here and a few really nice Latin-Jazz numbers. The Soul Shakers dispense the shakiest offening "You Ain't My Brother" sounds as if it might fall apart at any moment, the chorus is almost in key, but not quite. However, the overall affect is good-time-music. So, the lack of professionalism can't really be a complaint. As a matter of fact on a number of offennings, you can hear the bands having a good time, like on the Rick & The Entire World track, which closes with someone yelling, "Whatsa matter, you stoned or what?" No tracks worthy of skipping. *Send this German money* Just make sure he doesn't spend it on ecstasy or tanks.

-Dave Cantor

### Various Artists

*Run the Road*  
Vice Records, 2004  
www.vice-recordings.com

The most innovative new hip hop is coming from gnm council houses of London. Personified by wunderkind and Mercury Prize winner Dizzee Rascal, "grime" has become the hottest new sound. Vice Records, best known as an

arm of the ultra-hip and borderline offensive magazine, has released a compilation of some of the foremost grime artists around. The influences on this record are diverse; artists like Public Enemy figure as prominently as dancehall reggae and drum and bass. Well-known artists like the Streets and the aforementioned Dizzee share space with relative unknowns like Shystie and Lady Sovereign.

Sovereign's track is probably one of the best on the album. Repeatedly bragging about her petite 5'1" frame, the Lady has managed to pack quite a bit of sass and cheekiness into her tiny body. She could easily rap circles around Lil' Kim and Eve, and deserves to be more famous than both. Dirty Goodz provides the album's most political track, the blistering "Gimmie Dat." Described as "bassy," the fact is he's just angry. Shystie's "One Wish" (remixed by Terror Danjah) is another high point, it's smart, feisty, and danceable.

Grime has a number of female MCs, and the men in the scene seem to treat them respectfully, as peers. The genre is blessedly free of the bling worship and posturing that has turned American hip-hop into an over commercialized joke. While many of the MCs are involved in "wars of the words," they rarely lead to violent confrontations. Several of the MCs got their start on pirate radio stations, and none of the tracks on the record are what one would call "polished." In an era where punk is played in car ads, grime may be the new DIY genre.

-Cortney Harding

### Zs

*Karate Bump*  
Planana Records, 2005  
www.plananainc.com

There's virtually no information regarding the band in the liner notes and the website simply names the six individuals that are responsible for this release. *Karate Bump* is made up of three tracks and clocks in around eighteen minutes. As the release progresses the tracks shorten in length. Also, when the album is considered as a whole, it appears to be a progression. The first track begins with mostly percussion, the second track is all Ornette Coleman inspired horn bursts and the final un-named track is a combination of moaning horn lines and solid percussion. "Bump", as stated above, begins the album with about three minutes of repeated percussion augmented by a one bar guitar line. At about three minutes into this endeavor, the horns begin their skronking and a third section boasts a little bit of a shuffle. Each section is restated countless times creating an uncomfortable, yet altogether funky, aura. For the finale, the untitled track is a single statement, repeated for around four minutes and change - there is only one passage on this track, but Zs has again figured that repetition makes for good music. Definitely interesting to listen to, but not mind expanding, and these folks would without a doubt be interesting to see in a live setting. I'm off to hunt down their full length on Troubleman Unlimited.

-Dave Cantor

### [VIDEO]

#### Burn to Shine

Christoph Green, Director  
www.tnxi.edvd.com

The premise here is that there's a house in D.C. that's been abandoned and about to be burned by the fire department in a practice fire. So the creators of the film get 8 bands to show up with their instruments and play during one-hour increments in the house and they film the process. There's a certain amount of gravitas that we're expected to connect



with because, as the voiceover indicates, "You're about to see something happen in a house that no longer exists." Had we known a little more about the house it might be something the viewer could connect to, but it just falls flat and the premise seems a little, well, trite. Tell me more about the people that lived there. Why is it no longer habitable? Tell me more about the dude who bought it from the estate and gave it to the fire department for practice, y'know?

Throughout the film we're treated to sets from *Q and Not U* (awesome), *Weird War* (unsurprising — save for the fact that I never knew Ian Svenonius has a lisp), *Medications* (pleasantly brilliant), and *The Evens* (fucking great) among a bunch of others. For all it's pretense, however, this film is worth watching if only to catch solo performances by Ted Leo and Bob Mould — both playing their guitars in front of a microphone with nobody else in the room. Ted Leo does "Bleeding Powers," from *Hearts of Oak*, and Bob Mould doing "Hoover Dam" (from Sugar's *Copper Blue*), and both of them are so brilliant that I've watched their segments time and again — proof that both of these performers deserve spots on an indie hall of fame somewhere. Any takers on that project?

-Jason Kucsmar

### Edge Play: A Film about the Runaways

Victory Tischler-Blue, Director  
Image Entertainment, 2005  
www.image-entertainment.com

The Runaways are problematic. The '70s teen-trash glam band of 17-year old girls bashed out DIY bubble-gum rock equal to the best work of Sweet or The New York Dolls, but their jail-bait image and slutty get-ups mean that plausible claims can be made about exploitation and empowerment. The band that gave the world both the almighty Joan Jett (solo auteur and producer of kickass records by the Germs and Bikini Kill) and archetypal metal bimbo Lita Ford was a symbolic mess, throwing off sparks in all directions through pure centrifugal force and leaving fires in their wake across the rock and roll landscape. Both L.A. punk and hair-metal warmed their hands on the ensuing blazes.

Which means that the Runaways deserve a comprehensive consideration — something this documentary isn't. Made by ex-Runaway bassist Vickie Blue, *Edge Play* is an interesting memoir of some seriously fucked-up adolescences made by someone who was there. Lita, Cherrie Currie, Jackie Fox, and Sandy West tell their stories replete with crying jags, drug and booze war-stories, and still-festering personality conflicts. Producer and Svengali Kim Fowley comes off like a cross between 'Mutt' Lange and the Rev. Jim Jones with a dash of sexual predator — Currie's pregnancy is nice touch as is the episode where Fowley gathers the girls on a hotel bed and announces his intention to teach them the correct way to fuck. This documentary is fascinating if ultimately frustrating and reminds us that there is more that results from adolescent rock dreams than (to quote Joan Jett) 'the glorious results of a misspent youth.'

-Keith McCre

### Fed Up

Wholesome Goodness Productions  
5432 Geary Blvd. #123, San Francisco, CA 94121-2307  
www.wholesomegoodness.org

This short film was released a few years ago, but still provides a good educational tool for people interested in the issue of genetically engineered food and industrial agriculture. It combines lighthearted 1950's footage about technological progress with recent interviews with farmers, NGOs, and scientists.

*Fed Up* starts by touching on important topics in the genetically engineered food debate such as labeling,

"genetic drift," and the impact on monarch butterflies. Among the people interviewed is Indian writer and activist Vandana Shiva who says "biodiversity will feed the world, not chemicals."

The second half of the film looks at alternatives to the industrial model offered by two small-scale California farms. Purisima Greens Farm is a small two-person operation on the north coast near San Francisco. They offer 60-70 varieties of crops and make a point of selling at the Alemany farmer's market in South San Francisco that serves a more a low and moderate-income population than many of the city's markets.

The other featured farm — Live Power — is located in Mendocino County and is one of the earlier CSAs (community supported agriculture). The farmers there talk about the educational value of having CSA members participate in working on the farm and coming to the farm to pick up their food.

The alternatives offered by these two "human scale" operations make a better case for small scale organic farming than any argument coming out of a corporate board room on the subject of "yields and commodity production." And as the EPA representative who is also a CSA member says "it feels like the right thing to do."

The *Fed Up* DVD also includes two archival films "Chickens of Tomorrow" and "Death to Weeds."

-Brad Johnson

### Making Waves

Michael Lahey, Director  
Jump Cut Films, 2004  
www.jumpcutfilms.com

As Clear Channel picks off community radio stations one by one, the need for grassroots opposition is reaching a fever pitch. One increasingly popular form of resistance to media consolidation is pirate radio. *Making Waves* traces the story of three unlicensed Low-Power FM (LPMF) stations in Tucson, Arizona as they struggle against a witch-hunting FCC for the right to broadcast.

What's instantly clear is that each station takes a different tack in response to FCC policy. One station, Radio Limbo, chooses to operate as covertly as possible, while the members of KRVL (Rights Versus License) gracelessly declare war on all federal authority. However, it's not all solidarity in the KRVL camp. When the FCC begins to adopt an LPMF-friendlier stance, political fighting ensues

among station members. Their debate will sound familiar to anyone who's worked in a progressive or radical group: does the station seek FCC licensure in order to create a stable platform from which to disseminate radical information? Or very does the act of seeking licensure legitimize the federal system, disarming any radical intent the pirates might have? There's no right answer, but the pirates refuse to make common cause with one another, and it slowly tears their group — and station — apart.

The documentary reaches its most compelling moment just before KRVL meets its bitter end. KRVL's still-united volunteers attend a workshop by a group called the Prometheus Project. Amy Kwasnicki, the workshop's moderator, explains that her group guides fledgling radio stations through the FCC's new LPMF licensing process. No sooner do the words leave her mouth than KRVL is clawing at her as though she were the FCC inmate ("you are the usurper," etc.). As Amy struggles to remain composed in the face of their outbursts, it becomes clear that the KRVLers have no concrete political agenda—they're merely anti-authoritarians. The irony is that KRVL, who rejects the concept of federal licensure, doesn't even need the Prometheus Project. By the time the KRVLers walk out in disgust, they've alienated themselves, ruined the workshop, flabbergasted poor Amy, and educated no one about the merits of a philosophy of non-licensure.

For an hour-long documentary, *Making Waves* delivers an incredible amount of information. There are several shortcomings: the film is subject to digression (such as when KRVL owner Marshall Home tries to fight the law for the right to drive his car without license plates. Guess who wins?). There isn't enough discussion of the legal and political issues raised (though this is partly because KRVL's up-yours attitude pre-empts any serious legal debate). It was also unclear that the film was tracing the chronology of the Tucson pirate scene until about halfway through. Still, *Making Waves* is excellent not only as a primer to the issues surrounding LPMF and pirate radio, but also as an exploration of the limits and rhetoric (or lack thereof) associated with the First Amendment.

-Dan Barry



# HERE

For 32 years, from 1974-2003, my heart lived much like the island of Cyprus — broken and sad. One part nested on the North side of the island, and the spirit of the other floated in the skies of the South.

I was raised as a Turkish Cypriot in Nicosia on the island of Aphrodite, but I was also

told that on my Mediterranean island of 9,251 square kilometers, there lived Greek Cypriots in the South who formed the other part of my Cypriot identity. It was an identity I only knew about, longed to learn more about, but could not, because the borders of “peace,” as durable and firm as cement walls, forbid me from embracing my other half.

The unthinkable happened on the 23rd of April in 2003. On a warm spring day in the capital town of Nicosia, the invisible locked doors restraining Cypriots from each other were opened by the visible hands of the Turkish Cypriot government — the Turkish Republic of Northern Cyprus founded on the 15th November of 1983.

On that day, I rushed from Famagusta, the Othello town, in less than its usual one-hour trip to Nicosia. Like many of my compatriots from the Northern part of the island, I sped to embrace my other half. I flew like a freed bird to see my father’s village, Peristorana, with a mediaeval Byzantine church hugged by a mosque behind, to visit “wine-soaked” Limassol in the far South; and to climb the cherry and pear-decorated Troodos mountains — that natural barrier to the North.

My torn identity, however, could not be sewn together again merely with what I have longed to see for all these 32 years. Stronger stitches were needed; stitches that last far longer and eventually dissolve. And I knew

that the governments or the people who called themselves “governments” could not play a major role in this healing process. It required individuals of different nationalities, Turkish and Greek, and of different religions, Moslem and Orthodox, who nevertheless shared a common culture and a same geographical habitat, to take up the responsibility of healing their severed identity.

For me, being involved in the publication of a first-ever trilingual children’s storybook was the first step. Together, we produced a Cypriot storybook for the real children of Cyprus: Turkish and Greek Cypriots and other children who have enjoyed being a part of this small island for many years, even if what has connected them to Cyprus has been another language — English.

In 2003, I translated *A New Coat for Ben* into Turkish from English. It is a book written by two British residents of Cyprus, Rachel Davey and Toby Macklin, who dedicated it to their two children. The same book was translated into Greek by a Greek Cypriot, Andriani Papapencleou, and illustrated by another, Louiza Kaimaki, who later won the 2004 Cyprus State Prize for Children’s Literature — Best Illustrations — for her efforts.

Ben Hur, a playground horse and one of the two main characters of the story, has also been a long-time resident of Cyprus and has been living in the Nicosia Municipal Park since 1952. Before 1974, he had befriended both Turkish and Greek Cypriot children of the island, and now, since 2003, he has regained his former glory. As in the story, he was restored by the Nicosia Race Club, the Nicosia Municipality, and its British manufacturer Wicksteed Leisure, and on a warm and happy day in October, he was unveiled by the Mayor of Nicosia to continue serving and uniting the children, now again from both sides of the island.

I was at the launch party of a newly born Ben Hur as a 32-year old woman. I, however, felt that I had returned to a time before 1974 and had become one of the children at the party. I was an “undivided” child of Cyprus, celebrating Ben Hur who has belonged to all children of the same island and culture and given them back their “full” identity.

Had the healing process begun? ☆



top. Ben being refurbished in a Nicosia Municipality workshop  
bottom. the Mayor of Nicosia unveils the refurbished Ben at the launch party.  
photos by Toby Macklin


## on the island of **CYPRUS**

by Sezgi Yalir

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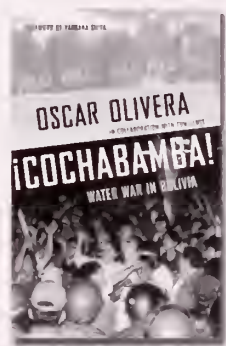


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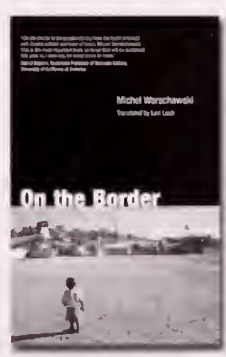
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