

The *Public i*, a project of the Urbana-Champaign Independent Media Center, is an independent, collectively-run, community-oriented publication that provides a forum for topics underreported and voices underrepresented in the dominant media. All contributors to the paper are volunteers. Everyone is welcome and encouraged to submit articles or story ideas to the editorial collective. We prefer, but do not necessarily restrict ourselves to, articles on issues of local impact written by authors with local ties.

The opinions are those of the authors and do not reflect the views of the IMC as a whole.

EDITORS/FACILITATORS:

Brian Dolinar
Darrin Drida
davep
Belden Fields
Bob Illyes
Paul Mueh
Tim Schwab
Laura Stengrim

THE PUBLIC I

Urbana-Champaign IMC
202 Elm St. / P.O. Box 973
Urbana, IL, 61801
217-344-8820
www.ucimc.org

 COMMUNITY SHARES OF ILLINOIS
The UC-IMC is part of the Community Shares Program.

Get Involved with the *Public i*

You don't need a degree in journalism to be a citizen journalist. We are all experts in something, and we have the ability to share our information and knowledge with others. The *Public i* is always looking for writers and story ideas. We invite you to submit ideas or proposals during our weekly meetings (Thursdays at 5:30pm at the UCIMC), to post a story to the web site (<http://www.ucimc.org>), or to contact one of the editors.

- Become a citizen journalist; write a news story or opinion piece.
- Make a tax-deductible contribution.
- Help distribute the *Public i* around the Champaign-Urbana area.
- Help with fund-raisers.
- Join the editorial board.

The documentary *9/11: Press for Truth* will be showing at Boardman's Art Theater at 1:00 on September 8 through 11. It explores a pattern of deception, lies and spin surrounding the "facts" of the 9/11 attack. Paul Thompson, the author of *The Terror Timeline* on which the documentary is based, will be at the Saturday showing to answer questions.

Speak Cafe Presents: Seasons Change

Open mic public space for socially conscious expression about Black Women, Gender, Family, & Community

Sept 21, 2006
7-9pm
Kannert Art Museum
500 E. Peabody St
Champaign, IL 61820

La Leche League

Walk for Awareness and Silent Auction

La Leche League (LLL) is celebrating its 50th year of supporting mothers and their babies by hosting a Walk for Awareness and Silent Auction on September 9 at 9:30am. The Walk will take place at Meadowbrook Park, Garden Pavilion, in Urbana, Illinois. Family friendly items will be auctioned immediately after the walk. All members of the community who encourage breastfeeding mothers are invited to attend.

LLL also houses the Center for Breastfeeding Information which contains over 40,000 research articles in 500 categories.

For more information please visit www.LLLOfIL.org/cu/cu.htm

SUSTAINING CONTRIBUTORS

The *Public i* wishes to express its deep appreciation to the following sustaining contributors for their financial and material support:

- | | |
|---|---|
| SocialistForum: An Open Discussion and Action Group, Meets 3rd Saturdays of the month, 3-5 pm, at IMC, Broadway & Elm. (U) | Jerusalem Cafe
601 S. Wright St, Champaign, 398-9022 |
| World Harvest International and Gourmet Foods
519 E. University, Champaign | The AFL-CIO of Champaign County |
| Union of Professional Employees (UPE) | That's Entertainment
516 E. John, Champaign, 384-0977 |
| The Natural Gourmet
2225 S. Neil, Champaign, 355-6365 | National Fish Therapeutic Massage
113 N. Race, Urbana, 239-3400 |
| The Social Equity Group, Financial West Socially Responsible Investing | AMARE, the Anti-War, Anti-Racism Effort
Meetings every Sunday at 5pm at the IMC |
| | Tribal Life, Inc.
217-766-6531, http://triballife.net/ |

If you or your organization would like to become a sustaining contributor to the *Public i*, or would like more information, please call 344-7265, or email imc-print@ucimc.org.

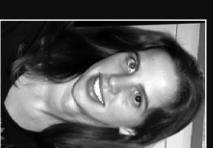
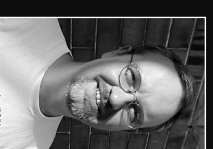
Published by the Urbana-Champaign Independent Media Center

September 2006
V6 #7



THE RULE OF LAW

Indigenous Guatemalans struggle for legal recognition of traditional land rights—Photo by Erica Throneberg



- | | | | |
|--|---|--|---|
| Injustice In Champaign County
Belden Fields
Page 1 | Who's Policing the Police?
Ricky Baldwin
Page 2 | Guatemala's Indigenous Land Claims
Erica Throneberg
Page 6 | Campaign to Impeach Bush
Francis Boyle
Page 8 |
|--|---|--|---|

The PUBLIC

September 2006
V6 #7
A Paper of **i** the People

THE *INJUSTICE* SYSTEM IN CHAMPAIGN COUNTY

By Belden Fields

Recent events have convinced me that the justice system in Champaign County is skewed against the African American population and should be more properly referred to as an injustice system. There have been excessive charges against blacks, retaliatory prosecution and even re-prosecution to achieve a guilty verdict, and differential treatment for sexual offenses when the accused are black and when the accused are police officers or members of the bar. There have also been five deaths in the county jail since 2004, the majority of them African-Americans.

The excessive charges center on felony eavesdropping and obstruction of justice. Felony eavesdropping was the charge originally levied against Patrick Thompson and Martell Miller after they were arrested for filming and recording Champaign police stops of African American motorists and cyclists to document racial profiling. The felony eavesdropping law was intended by the Legislature to punish people for taping phone calls, conversations, or interviews without permission. It was never intended to be used against people monitoring police behavior. But the Champaign Police and the state's attorneys office, then under John Piland, decided to try to stop black activists from monitoring police behavior through this egregious misuse of the law.

Another form of excessive charging is obstruction of justice. Giving the wrong name, or even a nickname, to a police officer has traditionally been treated as a misdemeanor. Felony obstruction of justice has usually been considered interfering with or derailing police work or lying to the police concerning the facts of a crime. But the local police and the courts used the felony charge against Terrell Layfield, an African American man who one of the three officially acknowledged suicides in the county jail in the last two years. Layfield had been acquitted of a drug felony charge, but he was sentenced to 66 months in prison for giving the officer the wrong name at the time of the arrest.

Before losing the state's attorney office to Julia Reitz in 2004, Piland dropped the eavesdropping charge against Miller, but not against Patrick Thompson. He also instituted a charge of illegal entry and sexual abuse against Thompson. Reitz dropped the eavesdropping charges against Thompson but did not drop illegal entry and sexual abuse charges. Because of Reitz's prior contact with Thompson, the prosecution was turned over to a special state prosecutor. Thompson defended himself at the first trial. The jury was unable to convict. The state retried him. He faced a jury that had only one black person, hardly a jury of his peers. The Urbana Police failed to inspect the alleged crime scene and collected no physical evidence (e.g., fingerprints on the door knob) of a crime. While the prosecutor attempted to discredit the black defense witness by raising her conviction for obstruction of justice, there was no scrutiny of any legal history of the white accuser nor of possible similar accusations made by her in the past. Yet Thompson was convicted.

Let us compare how the legal system treats whites who have faced sexual abuse charges. In 2001, a white dean of students at Franklin Middle School in Champaign, Brady Smith, was caught on tape soliciting sex from one of his 14-year-old African American students. More black students came forward to say he had solicited sex from them. The dean was a former probation officer with friends in the state's attorneys office. He lost his job at the school, but his only legal punishment for preying on black students was probation and court costs and fees.



Patrick Thompson and his wife Maria Thompson praying with supporters outside the Champaign County Courthouse after receiving a continuance until October 2 from Judge Clem in his sentencing hearing.

Last year an on-duty Urbana police officer, Kurt Hjort, was accused by a woman of driving a squad car to her apartment, entering it without invitation in full uniform including gun and cuffs, and forcing sexual intercourse upon her. The officer was fired. The woman sued both the city and the police chief, the latter because she contended that he knew of three previous cases of sexual abuses committed by the officer while he was on duty. State's Attorney Julia Reitz recused herself because she is married to an Urbana officer and knew the accused socially. Judge Difanis appointed James Dedman as special prosecutor. The prosecutor decided that there would be no criminal charges, that the officer had already been punished enough by losing his job. The accusations against him, home invasion and actual rape, were even more serious than those against Thompson. Yet the city settled with the accuser for an undisclosed total and the officer walks the streets untried.

Also last year, Brain Silverman, a law partner of Dedman, was accused of committing a degrading sexual act

on a black woman whose boyfriend was his client, and thus at the mercy of the attorney. Silverman faced no criminal prosecution or even permanent disbarment. His only punishment was a nine-month suspension from practicing law. This man has been a public defender, paid by taxpayers to defend, not to abuse, the indigent and the powerless.

I urge those who find this double standard injustice unacceptable to express this to Judge Difanis, State's Attorney Reitz, Illinois Attorney General Lisa Madigan, and because there are federal equal protection of the laws issues, to U.S. Rep. Tim Johnson and U.S. Sens. Dick Durbin and Barack Obama. I also urge people to contact the Champaign-Urbana Citizens for Peace and Justice mail to: cu_citizens@yahoo.com, which is trying to put an end to these disparities.

This article first appeared as a commentary in the August 6 issue of the Champaign-Urbana News-Gazette.

New Sustainer!!!

The *Public i* would like to welcome our newest sustainer to the family:

Tribal Life, Inc.
305 Calvin St. Savoy, IL 61874
217-766-6531
<http://triballife.net/>

A Marketplace for a Better World environmentally-friendly, fair-made, cruelty-free, high-quality products.



Who's Policing the Police?

By Ricky Baldwin



"It's the fox in charge of the henhouse," noted one Urbana resident at a recent City Council meeting. He was expressing in the negative the most elementary principle of justice: you just can't investigate yourself. The rule applies to government agencies as well as individuals, or ought to, especially in a democracy.

Yet from time immemorial one local agency has been exempt in every community, arguably the one that needs it most. It is the one agency with the broadest authority to carry weapons, to use force—sometimes deadly force – on armed or unarmed citizens, to invade homes, to stop traffic, to arrest and imprison individuals prior to any hearing before judge or jury, to confiscate property, to demand proper identification, and to interrogate.

The police are charged with enforcing the law and, somewhat ambiguously, with keeping the peace. They represent the single most ubiquitous arm of the government, the one that the most people see most and the one with which the most people interact most frequently. In some circles they are the most trusted part of government, in others the most feared.

All these are reasons that a grassroots coalition of local groups has been working for the past five years on establishing an independent board of ordinary residents to oversee the local police. Now the coalition's work is finally bearing fruit. A Mayor's Taskforce on Citizen Police Review, including representatives of the Urbana police administration and union as well as community groups, studied and discussed the issue for the better part of the last year. Their proposal for a citizen police review board is before the City Council, which held hearing sthis summer and should be voting on the proposal soon.

URBANA EXCEPTIONALISM

The timing couldn't be better. This summer the *News-Gazette* reported that the City of Urbana had paid out \$100,000 to settle a lawsuit against an Urbana police officer accused of raping a local woman while on duty. It was part of a larger, undisclosed settlement mostly paid by the City's insurance. The officer had admitted having sex while on duty and resigned. The woman's accusations fell on deaf ears. No charges were filed despite the precedent of charges filed in other cases with less evidence, but not against police officers. There had also been more than one accusation in the past involving the same officer harassing women while on duty.

A recent report from the Illinois Department of Transportation (IDOT) also shows that local police are stopping black drivers well out of proportion to their numbers in the "driving population", as well as issuing citations in disproportionate numbers to blacl drivers for the same or similar offenses for which white drivers are let go. Despite official policy against "racial profiling" there appears to be a problem, sparking a somewhat heated discussion at another Urbana City Council meeting in August.

The effect of these revelations seems to have been to all but silence a rather knee-jerk response from critics of oversight of the police, that "we are not New York or Chicago." The implication, that a small Mid-Western town with liberal or progressive leanings is somehow immune to police misconduct, seems to have lost much of its earlier appeal.

True, there has been no local Rodney King equivalent, at least not on TV. (There was one incident in 2000, in which police broke a man's neck by putting a knee in his back and pulling back on his head. The victim in that case received \$373,000.) But activists in the area black community say far worse incidents occur without ever seeing the light of day. Certainly the local police have a history of discouraging observers.

BEHIND CLOSED DOORS—AND SHUTTERED WINDOWS

Recently two local activists received a great deal of attention, and rightly so, when Champaign police charged them with "eavesdropping" for videotaping area traffic stops as part of a Copwatch program the two initiated. An outraged public caused the charges to be dropped in their case, but many believe this was the tip of a very large iceberg, one that includes both Champaign and Urbana.

One evening in 2002 another Urbana resident was alone in his home when he noticed some police activity outside in the street. He went out with his camcorder and started recording the police from his porch steps. Urbana police officers then allegedly yelled at the citizen to stop, at which point he ran back inside his house. The police gave chase, broke down his door and hauled him away in handcuffs. Later they obtained a warrant, confiscated the videotape and released the citizen.

In the course of public hearings over the past year and a half, several other cases have surfaced in which police threatened or arrested citizens for the apparently serious crime of keeping an eye on the police.

Other residents have told other kinds of stories. Many say they never filed a complaint either because their lawyer discouraged it or because they felt the internal complaint process was not objective enough.

Local advocates of police review say that an independent process would restore public confidence in the system. And one of these \$100,000 settlements would pay for a civilian oversight board for 20 years or more.

The City is currently in negotiations with the Fraternal Order of Police, the police union. Pending these negotiations, the City Council should be taking up the issue of oversight of the police again soon. This fall look for a vote on it. Community input will be needed for that vote. That's what oversight of government authority is all about.

For more information, go to www.prairienet.org/cprb.

Construction Of Injustice

by Aaron Ammons

Investing in lies and blaming the youth

Ruminate,

Murder is *designed* to hide the truth

Murder is designed to *hide* the truth

Murder is designed to hide *the truth*

5 deaths,

5 deaths in the county jails in less than two years

Inmates beaten and tased by officers/overseers,

Is legal lynching the new scoop?

Officer Hjort escapes

With a history of sexual misconduct

And *physical* evidence of a rape!

The response from his "friends" is political jargon,

13 year veteran Sergeant Myers repeatedly

Unmercifully sends 50,000 volts of electricity into *detained* citizens

And is rewarded with a plea bargain

Overcharging persists and it's a damn shame

Obstruction of Justice

Obstruction of Justice

Obstruction of Justice

Judge Heidi Ladd sentenced Terrell Layfield (25)

to **SIX YEARS** in prison

For giving a false name!

Our condolences to the other four men,

Marcus Edwards (18),

Joseph Beavers, (37)

William D. Marshall (31)

& Quentin Larry (36), who died on Memorial Day weekend

Abuse of power

Malicious prosecution as retribution

All to instill fear,

Unequal protection under the law

And the message is clear,

We do what the hell we want to do

And the same thing that happened to Amber Groholl, Patrick Thompson, etc.,

Can happen to you!

For those of you who don't believe this piece

Pick up your *camcorder*

And start videotaping the police

Start tracking their actions on the streets in your community

Do some research and find out how many young females

Get raped by officers that are on duty

Rodney King and Amadou Diallo

are just two of the obvious **Constructions of Injustice**

There's a long history of bogus cops receiving slaps on the wrist

Now Champaign County

can add two more names to that growing list

but I guarantee you this

at some point, the poor and repressed

will get tired of this shit!

There will be no respect for authority

& no trust in the system,

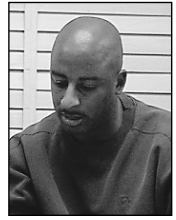
There will be mass civil unrest

And *everyone* will be a victim.



Police Corruption

By Patrick Thompson



Police corruption is something that can go undetected for long periods of time, but when a scandal breaks, it often exposes many individuals—from patrol officers on the streets, all the way up to their supervisors. Most police officers will not even talk about corruption. Although many good cops do not condone the misuse of power by corrupt officers, the brotherhood of law enforcement officers keeps them from condemning illegal acts.

Examples can include planting evidence, falsifying a police report, or committing perjury on the witness stand. These tactics are often used to secure a conviction. In these instances, a police officer serves as judge and jury for an individual they believe to be guilty. More serious crimes can include police brutality, drug running, prostitution rings, and framing of suspects. These abuses can lead to the loss of integrity and an erosion of public trust in the police.

PLANTING EVIDENCE

Tampering with evidence allows police to establish that some type of crime has been committed. By using this method, they are able to circumvent the lack of evidence and ensure an individual is prosecuted. This results in innocent people being wrongly convicted based on false evidence. The "Rampart scandal" in Los Angeles is one of the most infamous examples. The Rampart Crash Division, an anti-gang unit, was found planting drugs on prostitutes and then setting up a prostitution ring. Additionally, they were planting weapons on dead bodies to cover up their murders. Whether the individuals who ended up dead were innocent or guilty, we will never know. But one thing is certain—their lives were lost due to serious police corruption.

FALSIFYING POLICE REPORTS

Police have also been caught falsifying reports. Often times they have another officer file supplemental reports to further validate their claims. Information such as confessions, wit-

ness statements, and testimonies are altered to develop a plausible police report, a document that is heavily relied upon during prosecution. This kind of corruption was seen with a veteran officer in Pittsburgh, James Hartley, who repeatedly falsified reports on drunken-driving suspects. Old arrest reports were used as templates rather than writing the reports from scratch. Regardless of whether Hartley's victims were innocent or guilty, the means do not outweigh the ends. Upholding citizen's rights is a necessary component of law enforcement that is essential to enforcing the law.

COMMITTING PERJURY

False testimony, or committing perjury on the witness stand, is one of the most frequent types of police corruption. Often times, members of a jury are more apt to believe a police officer than the accused. Many cases are decided by an officer's testimony and therefore this is an extremely important issue. Police perjury is so common that there could be thousands of innocent people convicted every year.

Sometimes police are well-trained and coached by other officers and State's Attorneys on how to lie and give false statements. Judges and prosecutors may be aware, tolerate, and even encourage police lying in court in order to convict someone. You can often see this type of conduct in unlawful traffic stops, when an officer believes a driver is carrying some type of contraband drugs or weapons. They will say in the police report that the driver ran a red light, was speeding, or committed some type of minor traffic violation. This type of corruption is the most damaging of all because nine times out of ten the officer on the stand will not be judged as falsely testifying. Their word is taken to be truthful and honest.

PROTECTING THEIR REPUTATION

Police corruption occurs when officers and supervisors look the other way and refuse to hold other officers accountable. Whether they do so to protect the reputation of their friends, or for favors and bribery, the integrity of

all police officers is compromised. Planting evidence, falsifying police reports and committing perjury are just the tip of the iceberg when it comes to the types of corruption that police officers engage in. If there were stricter standards of accountability—cops losing their job, being stripped of their pensions, or facing incarceration—it would help to eliminate this behavior.

However, this can only be accomplished if there is cooperation from police departments and a desire to root out the illegal actions of dirty cops. Until this issue is taken seriously and steps are put in place to eliminate such conduct, more innocent people will be incarcerated for crimes they did not commit. Most individuals who are wrongfully convicted are poor and do not have the financial means to hire adequate legal representation. Therefore the chances of their case ever being re-tried are slim to none.

Patrick Thompson is co-founder of V.E.Y.A. and creator of Citizen's Watch, a video documentary about police stops in Urbana-Champaign. In July, Thompson was found guilty of home invasion and sexual abuse and he faces sentencing of 6 to 30 years in prison. To this day, no witnesses and no physical evidence has been presented to corroborate the accuser's claims. Thompson is a black man accused by a white woman. Thompson and the growing number of his supporters believe he has not received a fair trial. Several witnesses for the defense have not had their chance to tell a jury another side to the story. It appears that Thompson is a victim of police retribution for his attempts to document racial disparities in policing that have been statistically shown to exist in Champaign County.

Thompson has hired Urbana attorney Bob Kirchner to file a motion for retrial that will be heard by Judge Clem on October 2, 2006.

It's Raining Felonies

By Lynsee Melchi



I was asked to write this article by the folks at the Public i to add support to this issue highlighting misuses of the enforcement and justice system in Champaign County. I want to point out that my story pales in comparison to the trespasses that the police and justice system commit everyday against more targeted social and racial groups in C-U. I don't want my story to come off as whiny. I understand that I got off comparatively easily for the supposed crime that I committed, but I still do not understand why this situation has to happen to anyone. My story should be used to stimulate thoughts of the more ridiculous incidents happening to people even more targeted by the police and justice system. As you read this, I urge you to think about whether or not this is how you want your tax dollars spent on fighting crime. Do you want our police force's, judge's and lawyers' energy spent this way, or do you want them taking care of real crimes? Who is profiting from incidents like this filtering through the justice system? Please consider the larger implications of what my relatively inconsequential story means as you read.

My story begins the evening of May 24, 2005. I was attending some parties in my neighborhood in celebration of the latest round of U of I graduations. First, I attended a cocktail party at Green and Orchard (in the same block as my house) and then went on with two friends to a party at Iowa and Orchard. I was handed a beer as I was leaving the second party. I cracked it open and continued on home to High and Orchard, as it was late. I realize that this is a ticketable offense in C-U, but at 3 AM my thoughts are not about running into police in the sleepy streets of Urbana. My thoughts are of retiring to my bed.

As my friends and I turned onto Orchard St., we ran into a parked cop car with Officer Christopher Darr standing nearby. Officer Darr claims in his report that he was drawn to the corner by a group of people talking loudly and "wandering all over the roadway." He was "concerned for [our] safety." Never mind that the intersection of Orchard and Iowa at 3 a.m. is not necessarily the busiest intersection in town. Not a single car passed the spot we occupied while this all went down. My guess is that the police were probably called to monitor the party and just happened to spot us coming around the corner.

Officer Darr asked me to hand over my freshly opened beer and I did so without incident. He then went through the usual routine of asking for my information because he was going to give me a drinking ticket. I didn't have any ID on me because I was partying in my neighborhood and did not have any pockets in my evening gown to carry anything. For some stupid reason I chose to give the officer a false name, an outcome of a bit too much to drink and "quick" thinking. Honestly, if the police don't make you nervous then you must have super-human strength. Why is that? Why are we so scared of those chosen to "protect

and serve" us? Is it because the police can play by their own rules? Read on, read on.

After I realized what I had done, I felt had to keep up the charade, which I did for a second. Officer Darr realized I was lying after checking me out in every computer system his squad car was wired to, oh, and finally he asked my friends what my name was. The ol' divide and conquer technique. I had already confessed my real information to the other officer that had arrived on the scene (Officer Jackson) while Officer Darr was talking to my friend, because I realized how stupid this situation was turning out. I was then handcuffed, charged with a felony(!), and taken to jail because I had committed an "obstruction of justice".

I was asked, while in cuffs, by Officer Jackson, why I had lied to them. I responded that I did not trust the police because they are "shady" and that I was drunk and tired. I told him there was only one officer in town that I trusted, Sergeant Anthony Cobb, because I felt that he treated all people with respect and had always shown integrity in his dealings with the public he protects and serves. I referenced the VEYA Citizen's Watch video, made by Martell Miller and Patrick Thompson, that I had seen the previous fall, which spotlighted how white people and black people were given separate treatment by the police in CU. The video also shows Sgt. Cobb being the only police officer without an authoritarian "you will do as I say" attitude. (If you have not heard of this video, please check out previous issues of the Public i. There is a massive saga going on in this town concerning that video, and now Patrick Thompson, an innocent man, is being threatened with jail time for a crime he did not commit, simply for making this video that shows the police force's true colors.)

I was never rude to the police. I never shouted at them. I never swore at them or insulted them. I simply did not blindly comply with everything they asked me to do. I merely referenced the VEYA video, and that was the end of my time as a free woman for that night. It is my belief that because I spoke of this video I was taken to jail.

When I called the police department before my court date to find out how much the drinking ticket would cost, a woman in the legal department asked me why I was going to court when I could have just paid and been done with it. I explained that the police officer had checked the option that I must appear in court on my ticket. Her immediate response was, "What did you do to make the police officer mad?" It saddens me that an outside party, who knew nothing of the details of my case, was able to see that I had angered the police officer. The worst part is not necessarily that she could tell that he had acted out of emotion and not integrity. The worst part is that we continue to let this happen to us while shrugging "that's just the way it is."

Continued on page 4



Busy Week for Community Courtwatch

By Brian Dolinar



Courtwatchers have been busy keeping an eye on the criminal justice system in Champaign County. Again it is volunteers, individuals doing their duty as citizens, that have done more work than paid staff in the mainstream media or salaried public officials. Though we have been labeled "activists" and summarily dismissed, it is due to our efforts that the system will be held accountable.

RACIAL PROFILING NUMBERS "EXTREME"

On Monday, August 21, we addressed the Urbana City Council about the recently released numbers indicating the widespread practice of racial profiling in Urbana and Champaign. These numbers are important because traffic stops are often the first point of contact between police and those being run through the justice system. Traffic stops often lead to background checks and illegal searches, all done with no probable cause.

For a second year, the Illinois Department of Transportation released the numbers of all traffic stops and the racial background of drivers. Courtwatcher Randall Cotton told the Urbana city council that the "minority disparity index" of 1.44 in Urbana, a number indicating that minorities are 44% more likely to be pulled over than whites, hides the more alarming rates of racial profiling against specifically African Americans in the community. While African Americans represent only 12% of the population in Urbana, they make up 33% of all traffic stops. This means that Blacks are 270% more likely to be pulled over than whites, a number that is absolutely appalling.

Paid professionals at the *News-Gazette* had failed to crunch these numbers and were forced to back track on their reporting. An earlier headline that read "Minority Traffic Stops Decline in Urbana," was followed by one reading "Activist Says Black Traffic Stops in Urbana Are Extreme." Interestingly, Randall Cotton's connections with C-U Citizens for Peace and Justice, Community Courtwatch, or AWARE was not mentioned in the newspaper. The label "activist" (one that may be flattering to Randall), is a clear attempt to discredit our efforts in the eyes of the largely conservative readership of the *News-Gazette*.

RECOMMENDATION FOR SHERIFF DAN WALSH

Also that week was the coroner's inquest for Quentin Larry, a 36 year-old resident of Champaign who died in the Champaign County jail over Memorial Day weekend. Larry's death was the fifth in the County jail over a two year period, another alarming number. This fosters the perception that if you go into the Champaign County jail, you might not come out alive! At the inquest, Champaign County coroner Duane Northrup questioned Champaign police officer Mark Huckstep who conducted the investigation. In these deaths an "independent" investigation involves the Champaign police investigating Champaign County. We do not find this practice to be independent, when the local law enforcement is a relatively small, tight-knit community of people who know one another on a first name basis, who know one another's children, and who regularly have lunch together.

The conclusion of the coroner's inquest was that Larry's death was accidental, a heart attack that resulted from a high level of cocaine toxicity in his bloodstream. But the question

remains as to how Larry was able to get drugs in the jail.

Officer Huckstep testified that Quentin Larry was arrested in Urbana at 3:20 am on May 27, 2006. Northrup, who has been very forthcoming with questions from the public over the deaths in the jails, asked Huckstep to detail the steps of Larry's processing in the jail. Huckstep said that a "standard pat down" was done by Sheriff's deputy Heather Gill, who found no contraband. He also said that it was standard procedure for a female guard to process a male inmate.

A 20-minute mental health evaluation was conducted on Larry at 12:45 the afternoon of May 27. The nurse found that he had high blood pressure and was acting paranoid and delusional. Yet at that time, there was no indication that Larry was under the influence of drugs.

Huckstep claimed that because of Larry's actions, he was not "dressed out" in processing – he remained in his street clothes rather than being given the usual jail garb. Larry was taken from a holding cell where he was with other inmates and put into an individual holding cell.

At approximately 9:00 pm, over 17 hours after Larry arrived in the jail, he was found collapsed on the floor of his cell. At 9:04, Sergeant Johnson had checked up on Larry. At 9:09, Johnson found Larry down and not breathing. When there was an attempt to administer CPR, a bag was found in Larry's mouth and removed. He was revived and sent to Carle Hospital, where he arrived at 9:29 pm. The next morning, May 28, at 6:10 am the doctors pronounced him dead.

Officer Huckstep testified at the time of the inquest that the results of the contents of the bag found in Larry's mouth had still not come in. He stated the bag was 2 inches long and Northrup said that it appeared to be a Cling Wrap plastic tied at the top. Larry's death was presumably caused by the contents escaping the bag. The autopsy found high toxicity levels of cocaine in Larry's bloodstream. Northrup stated that when cocaine is administered orally, it is more powerful than smoking or snorting it. How much cocaine is not known, although it was probably crack cocaine. How the bag was ripped was not explained.

Officer Huckstep concluded by saying, "I believe they did everything they could to try to save him."

After hearing the testimony of Officer Huckstep, the six member jury deliberated and came back with a ruling that found Larry's death to be accidental. They also entered a recommendation that Sheriff Dan Walsh review the procedure for processing individuals and conduct more thorough searches.

This leaves the Larry family and the public wondering: How did he get the bag in the first place after being in the jail for 17 hours? How did he get it through booking, past several guards, and a nurse? Did he bring it in himself? Did he get it from another inmate? Did he cop it off a guard? Why would Larry knowingly put an open bag of crack in his mouth, surely aware that it could cause an overdose? If he was trying to hide the bag from Sgt. Johnson, why not flush it down the toilet? Should a man who has not been found guilty of a crime die in police custody? Did this have to happen five times in Champaign County?

These questions and others are not ridiculous given the abuses by another prison guard that has recently come to light. They are ultimately questions that must be answered by Sheriff Dan Walsh.

SERGEANT MYERS CAUGHT LYING ABOUT SPIT HOODS

Courtwatchers were in court Friday, August 25, to see Sergeant William Alan Myers enter a plea of not guilty to accusations that he tased inmate Ray Hsieh in 2005 and lied about it to his superiors. In addition to the two counts of aggravated battery and obstruction of justice, prosecutors filed the charge of disorderly conduct, a Class 4 felony that carries a minimum of one year in prison.

The police report on Myers reveals a long list of abuses, actions that could be considered torture (05-CF-2105). I have personally contacted news sources, told the *News-Gazette* several times to read the report on Myers, and still important information about Myers has been kept from the public.

In the report, it reveals that investigators interviewed several other individuals who were tased by Myers. One of the most disturbing is the story of Michael Rich, a 21 year-old white male, who says that Myers put him in a restraint chair, put a spit hood over his head, and punched him in the head repeatedly. Myers then used a Taser on him. Rich filed a formal complaint and spoke personally to Dan Walsh months before Myers had the incident with Ray Hsieh.

This looks bad for both Walsh, who knew about these abuses, and Myers who has shown a pattern of behavior.

Ray Hsieh, like Michael Rich, also had a spit hood placed over his head, a hood designed to keep inmates from spitting on officers. Myers received the additional third charge of disorderly conduct because he had also lied about the need for the spit hood. Apparently, Hsieh had not been spitting on officers. These stories suggest that Myers is a sadistic individual who is following examples set by the U.S. military in their prosecution of the "War on Terror."

It appears that Myers was placing hoods over individuals and then beating them, a scene similar to the instances of torture exposed in the infamous Abu Ghraib scandal. Additionally, Myers was using a Taser to torture inmates, a tool which although called a "non-lethal" weapon has caused over 150 deaths in the U.S. according to Amnesty International. Myers tased Ray Hsieh a total of three times, each shot carrying 50,000 volts of electricity.

Statistics have shown that in Champaign County, 64% of those shot with Tasers are African American. In 2004, C-U Citizens for Peace and Justice successfully stopped the purchase of Tasers by the city of Champaign. Community Courtwatch calls for the abolition of all Tasers in Champaign County (communitycourtwatch.org). The case of Sgt. Myers reveals how easily these high-tech cattle prods can be abused.

Myers remains on paid leave. He will be in court again on October 3.

Lastly, we were in court Wednesday, August 23 for the arraignment of Ryan Garrett, another one of Sheriff Walsh's deputies who is charged with four counts of official misconduct. Garrett allegedly called another officer to conduct a DUI on his estranged wife, who tested negative. In another act of harassment, he also stalked his wife's boyfriend, approached him, and told him "I'm a cop. Watch your back." Garrett pleaded not guilty and will be in court again on October 17.

It's Raining Felonies

Continued from page 3

I now have a criminal record, because of a simple drunken mistake and an officer who used his emotions instead of professional integrity. I have a misdemeanor on my record (my Class 4 felony was plead down) and can never leave the "Have you ever been convicted of a crime?" box blank on a job application. I spent around \$1500 for court costs, the ticket, a drug evaluation (even though drugs had nothing to do with my case), and a condescending lawyer that constantly insulted my lack of knowledge of the justice sys-

tem. I am headed off to veterinary school in South Africa, and believe me, that money would have served me much better there paying for school costs. And believe me, my time spent going to court, drug/alcohol evaluations, and in jail could have been spent much better doing just about anything else.

I ask again, is this how you want your tax dollars spent in Champaign county? Keeping "bad" people like me locked up and caught up in the justice system? I think we all have better things to do.

A Woman's Fund To Hold Monticello Open House

Urbana, Illinois, August 28, 2006—A Woman's Fund, Inc. will hold an open house at it's Monticello office on September 16, 2006, to help kick off the celebration of its 35th anniversary. The office is located at 204 West Washington on the second floor.

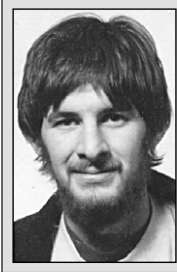
A Woman's Fund offers free services for victims of domestic and sexual violence, including counseling, advocacy and shelter. A.W.F. serves residents of Champaign, Douglas, Ford and Piatt Counties.

Please join us from 11AM-3PM for free refreshments, door prizes and to learn how you can help us end violence.



"Democratic" Party Obstructs Democratic Process

by Tom Mackaman



Tom Mackaman is a history graduate student specializing in labor and immigration history. He ran for the Socialist Equality Party for state rep in 2004 and is president of Students for Social Equality on the U of I campus.

If Joe Parnaruskis prevails against the Democratic Party's attempt to remove his name from the ballot, students and workers will have a socialist, anti-war candidate to vote for in the November election.

Parnaruskis, a registered nurse and lifelong resident of East Central Illinois, is standing for State Senate in Illinois' 52nd District. This past spring and summer, his supporters gathered nearly 5,000 signatures from workers and students in order to put the Socialist Equality Party on the ballot. This was far more than the arbitrarily high signature requirement of 2,985 created by the Democratic and Republican parties in order to defend their political monopoly.

Even so, Democratic Party functionaries organized from the offices of powerful machine politicians—speaker of the house Mike Madigan and senate president Emil Jones—have launched a bad-faith effort to disqualify the signatures of thousands of legally-registered voters, and thereby remove Parnaruskis from the ballot.

Simultaneously, the Democratic Party is attempting to remove the entire slate of the statewide Green Party. The efforts to bar socialists and Greens from the election is in keeping with the policy of the national Democratic Party, which fought a ruthless campaign against Ralph Nader's presidential bid in 2004, and that same year attempted—and failed—to remove Socialist Equality Party candidate Tom Mackaman from the ballot for state representative in Champaign and Urbana.

While the Democratic Party grovels before Bush and the right wing, they spare no means, no matter how base, against those who would challenge the two-party system from the left.

In their attempt to disqualify legitimate voters from Parnaruskis' nominating petitions, highly-paid Democratic attorneys have demanded that names be disqualified that have been printed rather than signed. They have demanded that addresses that include typos—for example, writing

"street" rather than "avenue"—be disqualified. They routinely object to "foreign-sounding" names and the names of women voters who sign petitions using their maiden rather than married name. Most obnoxious, given that this is a college community, the Democratic Party has demanded and won the disqualification of hundreds upon hundreds of legally-registered students, simply because students have frequently changed local address in between the time they registered and the time they signed nominating petitions.

WHY DOES THE DEMOCRATIC PARTY RESORT TO SUCH ANTI-DEMOCRATIC METHODS?

First, the Democrats hope to inflict enormous legal and organizational costs on third party candidates. The Illinois Democratic Party is flush with corporate money; even a few million dollars spent to quash challenges from the left is considered a pittance. The same tactic will serve, the Democrats hope, to intimidate and silence potential opponents.

More importantly, however, the Democrats' effort to close ranks with Republicans and shut the gates to third party challenges is symptomatic of an ossified political system that can brook no challenge from the left. The Democrats fear that the enormous opposition to the war in Iraq and the erosion of living standards in this country, once it finds political expression, will prove impossible to contain within the framework of the two-party system. With well over half of Americans and an enormous-majority of rank-and-file Democrats now opposed to the war—in spite of overwhelming bipartisan and media support—this fear is very real.

This tension became visible in the recent primary election defeat of Connecticut Sen. Joe Lieberman—the most pro-war and pro-Bush Democrat—by multi-millionaire Ned Lamont. Even though Lamont's differences with Lieberman were of a purely tactical character—how better to execute the interests of the ruling elite in Iraq and the Middle East rather than whether or not to do so—his anti-war rhetoric provided a lightning rod for the enormous and growing national sentiment against the war.

Though Lamont has rushed to reassure the corporate elite since his victory, authoring a column in the *Wall Street Journal* in which he promised to champion rightwing fiscal policies, both major political parties and the talking heads of the news media have been stunned by

Lieberman's defeat. Despite their best efforts to conceal it, the enormous hatred against the imperialist designs of the Bush administration has grown to such an extent that it cannot be reliably contained.

Over the past century, the Democratic Party has been the time-proven means by which the ruling elite has harnessed mass opposition from the bottom up and diverted it along lines harmless to American capitalism. The struggle raging in and around the Democratic Party now is over this fundamental question: will the Democratic Party be utilized, once again, as a trap for anti-war opposition; or will it remain uncritically aligned with the policies of the Bush administration? Lamont's rush to reassure the *Wall Street Journal* suggests that no faction of the Democratic Party will be willing or able to house opposition to the war for long.

This brings us to the third reason why the Democratic Party attempts to outlaw third party challenges from the left. In essence the practice represents an attack on the right to vote, and is part and parcel of the on-going attack on basic democratic rights. The policies—foreign and domestic—being put into place by the Bush administration with Democratic complicity are inimical to the interests of, and have become odious to, the great majority of the nation's population. Despite minor and transitory differences, the Democratic and Republican parties faithfully enact the agenda of the American ruling elite, a thin layer of billionaires and multimillionaires who have prospered enormously at the same time wages and living standards for the broad masses have stagnated and declined.

Under these conditions, basic democratic rights can no longer be tolerated, including the right to vote for a candidate of one's choosing—a right without which democracy has no meaning. In essence, the Democratic Party is attempting to thwart the democratic process for the same reason that the Bush administration is assuming quasi-dictatorial powers: open political opposition cannot be tolerated for fear it may catch fire and spread.

Working people, students, and those who would fight for peace must chart their own, independent course. They must throw off, once and for all, the dead weight of American liberalism, and build a political movement of the international working class that seeks to create a social system which places human need above the relentless drive for profit of the big corporations.

Arrogance and Impunity—Coca-Cola in India

By Amit Srivastava of the India Resource Center

In what can only be characterized as arrogance and impunity, we are learning that Coca-Cola and Pepsi have continued to sell soft drinks in India with dangerously high levels of pesticides—three years after even the government of India confirmed that these products were dangerous.

Perhaps the cola companies know something that we do not? Are Indians immune to high levels of pesticides? How long will it take before the powers that be in India refuse to allow multinationals to treat Indians as guinea pigs?

It is time for the cola companies to provide details of the studies they must have conducted to convince themselves that the average Indian can consume pesticides safely at levels 24 times the average American and European. It is difficult to fathom the business logic of a company that boasts of having one global standard, yet three years after being rapped by the Indian government, continues to sell products in India without making any improvements.

The pesticides in soft drinks in India is a classic case of double standards, one for Americans and Europeans, and another for Indians. Coca-Cola products made in India

could never be sold in the European Union markets or the United States. On at least 10 occasions since January 2005, the US Food and Drug Administration has rejected the shipment of Coca-Cola products made in India coming into the US, on the grounds that they do not conform to US laws and that they are unsafe for the US public.

Both the cola companies' excuse that they have met the (non-existent) norms for soft drinks in India falls flat in its face. In this day and age of globalization, standards are also globalized. The onus is upon the global companies to provide a product that is safe for consumers. Period. If a product is unsafe for Americans, it is also unsafe for Indians. It is the responsibility of Coca-Cola and Pepsi to clean out the contaminants from the raw materials before bringing it to market.

It is indeed ironic that on the one hand, these very companies argue for global rules for trade and corporate investment, but when challenged for their misdeeds, try to invoke local and national laws. Unfortunately, the cola companies' transgressions run much deeper in India, both figuratively and literally.

In various parties of India, from Plachimada in south India to Mehdiganj in north India, communities living around Coca-Cola bottling plants are experiencing severe water shortages. The communities accuse the Coca-Cola company of creating water shortages because of over extraction of water and pollution of the scarce remaining water.

And the communities have the numbers to back it up. Tests conducted by the Central Pollution Control Board, for example, found excessive levels of lead and cadmium in all of the Coca-Cola waste it surveyed in bottling plants across the country, leading the CPCB to order the Coca-Cola company to treat its waste as hazardous waste. Prior to the CPCB study, the Coca-Cola company was distributing its toxic waste to farmers around its bottling plants, as fertilizer! Test results released just two weeks ago have confirmed that the water is also polluted, making it unfit for human consumption.

In Plachimada, Kerala, one of Coca-Cola's largest bottling plants has been shut down since March 2004 because of the intense community opposition to the plant. The Kerala State Pollution Control Board has also issued a stop order notice to the

company's bottling plant because of the pollution by the plant.

In a highly irresponsible practice, the Coca-Cola company has located many of its bottling plants in India in "drought prone" areas, areas that were already experiencing severe water crisis. In Rajasthan, for example, a study by the Central Ground Water Board found that water tables had dropped 10 meters in just five years since Coca-Cola began its bottling operations in Kala Dera.

As with the pesticide issue, the Coca-Cola company has challenged every study that has been produced implicating it for its wrongdoings. The company has also hired a high-priced lobbyist in New Delhi whose job, according to the *International Herald Tribune*, was to "ensure, among other things, that every government or private study accusing the company of environmental harm was challenged by another study."

The entire life-cycle of Coca-Cola—from the extraction of water to the delivery of the pesticide laden product—is wrought with problems. In India, Coca-Cola uses the slogan in Hindi—"Life ho toh aisi"—Life should be like this. We don't think so.



Guatemala's Indigenous People Continue to Fight For Land Rights

by Erica Throneberg



Erica Throneberg traveled throughout Guatemala this spring with an international group called the U.S.-Guatemala Solidarity Delegation to observe and learn about the effects of history, poverty, U.S. policy, and land struggle on the indigenous population.

This December, ten years will have passed since Peace Accords were signed between the government of Guatemala and the Guatemalan National Revolutionary Unity (URNG). This document was the formal means to ending 36 years of bloody civil war in the country between guerilla fighters and the army, a war that resulted in the "disappearance" or death of an estimated 200,000 people.

Internal conflict is far from resolved, as the poor and mostly indigenous still fight with the wealthy to obtain the land and resources they require for survival. Land distribution, legal rights, and exclusion of the indigenous population from political discourse and participation were key causes of the civil war. These issues continue to plague Guatemala. According to Amnesty International, indigenous people represent 66% of the Guatemalan population, as well as 87% of Guatemalans considered to be poor. Rural families make up 87% of those considered poor, and 93% of those considered "extremely poor."

Rural Guatemalans primarily live from the land, through subsistence farming for their own families or small-scale marketing of produce and goods. Land disputes arose from the clear asymmetry of resource distribution. At the time of the 1944 revolution discussed below, only 10% of the land in Guatemala was available for 90% of the population. Well under three percent of people owned 70% of the land, much of which was unused. In 2000, the numbers were not much different: 62.5% of the land in the hands of 1.5% of the population.

This small country has a rich history that dates back to 1500 BC with the first known inhabitants. Guatemala boasts the legacy of Mayan methods of building, carving, writing, and calendar development. There are 23 recognized languages in Guatemala today, most surviving from Mayan cultures. In 1523, the Spanish arrived, bringing with them a system of repartamientos, or forced labor, to the indigenous peoples. The year 1847 brought independence for the country; however, elected officials continued the use of forced labor and devaluation of indigenous rights through the selling of land long settled by these people to the highest bidder.

Growing tired of constant repression by those in power, the people revolted in 1944 and overthrew the government. The following year brought the election of Jose Arevalo by an 85% popular vote. Arevalo ushered in a system of "spiritual socialism," creating social and literacy programs throughout the country. In 1951 Jacobo Arbenz was elected, and he wasted little time before pushing for the Law of Agrarian Reform in 1952. Also known as Decree 900, the law redistributed land determined to be idle among peasant families.

The Law of Agrarian Reform was a direct challenge to landed interests in Guatemala, including U.S. interests. At the beginning of the 20th century, United Fruit Company (UFCO), a Boston-based corporation, moved into Guatemala. UFCO began purchasing vast amounts of land and dominating the communication and transportation industries through the postal service, railways, ports, and telegraph lines. When the Arbenz administration passed the Law of Agrarian Reform, half of UFCO's land was determined idle and therefore faced redistribution. Beyond this,

the government paid for the land according to the declared worth of properties, grossly undervalued (for tax purposes) by UFCO for several years.

UFCO had some powerful "lobbyists" to fight for it in Washington. Allen Dulles, head of the CIA, was a former member of the board of directors. Secretary of State John Foster Dulles', New York law firm had a history of representing UFCO. President Eisenhower's personal secretary was the wife of UFCO's top public relations officer. This land redistribution in Guatemala was occurring at a key period in American history when redistributive measures labeled "communist" were immediately considered threatening to the United States. Guatemala was frequently called a "Soviet Beachhead" and a communist threat in the U.S. media. In 1954, the CIA assisted in a military coup that overthrew the Arbenz government, a fact acknowledged in U.S. State Department documents and by independent sources. Colonel Carlos Castillo Armas was installed in power; this new government rolled back the reforms of the 10 year "Democratic Spring" in Guatemala in favor of the former land owners, including wealthy Guatemalans generally of European descent, and the UFCO. Corruption increased, and political assassinations of dissenters became prevalent. Guerilla groups formed and actively resisted this repression.

From 1960 to the 1996 Peace Accords, the Guatemalan Army attempted to root out guerilla resistance through the systematic destruction of indigenous communities and their livelihoods, primarily the land. Internal unrest was worst in the late 1970s and early 1980s during the presidencies of Lucas Garcia and Efraim Rios Montt, when the Scorched Earth Campaign was implemented in an attempt to quash the guerilla movement by killing the people presumed to be feeding their ranks: indigenous Guatemalans. The various undemocratic governments with power in this period also felt threatened by civic organizing: union leaders, teachers, lawyers, and students disappeared. U.S. support for the repression had various guises during this period. Supply of weaponry was officially terminated by President Carter due to the abysmal human rights record in Guatemala, however the U.S. continued training Guatemalan officers at the School of the Americas (now termed the Western Hemisphere Institute for Security Cooperation), who along with graduates from other Latin American countries have committed well-documented human rights violations in their own countries.

The language of the 1996 Peace Accords clearly acknowledges the importance of land rights in the resolution of the Guatemalan Civil War. The accords provided a framework for helping peasants attain land legally; supplying legal assistance to rural people; advancing judicial access for peasants; promoting rural enforcement of labor laws that often led to land disputes; and acknowledging root causes of rural poverty, including lack of inclusion for Mayan peoples in the political process and unequal land distribution. Importantly, the accords relating to agrarian issues and indigenous rights have not been implemented to this day.

As indigenous peasants face a continuing lack of access to decent land and legal titles, they have organized into



multiple campesino, or peasant, groups. When certain groups of campesinos feel their land or labor rights have been ignored, they choose to occupy areas of land in protest. The occupation process typically includes researching the area to be occupied, deciding whether or not it is being used in a productive way, if it has clear ownership, and if the occupiers could petition the government in the future for legal title. Over the many years that the government has failed to offer protection to campesinos in land issues, these organized groups have determined it necessary for their survival to occupy lands. The Guatemalan government has answered these occupations

with a lack of due acknowledgement of peasant complaints. Forced evictions have only increased under the current presidency of Oscar Berger, which began in 2004. According to Amnesty International, thousands of rural workers and families have been evicted from their homes during Berger's presidency, often violently.

The two primary causes of land disputes in Guatemala are labor issues and land ownership. National law provides for "labor entitlements" that include a wage, holiday pay, annual bonuses, and redundancy money for a terminated position. The 1996 Peace Accords obligated the government to improve the labor inspection process to verify that these entitlements are fulfilled. However, with a lack of necessary resources, the Labor Inspectorate is often unable to get to some rural areas when complaints are made.

Amnesty International released a report that in April of this year, 400 indigenous campesinos were evicted from the San Jose La Moca coffee farm in Alta Verapaz, Guatemala. The coffee workers had been in a labor dispute with their employer since 2002. It was in that year that coffee prices worldwide dropped, leading to the dismissal of the majority of workers on the farm. The land allotted to the workers for their own food crops was flooded during Hurricane Stan in October of 2005. That November the farm owner offered land in place of labor entitlements not paid to the workers. When the owner failed to notify the workers of the location or quantity of land being offered, the community began occupying a main part of the farm to press for a resolution of the dispute. The workers were forcibly evicted in February 2006, but returned the next day and set up new shelters where theirs had been destroyed. Four community members were shot two days later by the farm's security guards while they were collecting water. In April of 2006, 200 police officers and 80 soldiers evicted the 400 campesinos living on the farm without violence. Afterward, the peasants were forced to live in poor conditions without access to safe water, food, or shelter. As Guatemala is part of the International Covenant on Economic, Social and Cultural Rights (ICESCR), it is compelled to provide that "evictions should not result in individuals being rendered homeless or vulnerable to the violation of other human rights."

Often, land under occupation has disputed ownership, perhaps due to unclear land boundaries or generations of residence by campesinos who claim the land under communal title, often without complete supporting documentation.

Continued on page 11





Radio in the Lenca Context

by Bill Taylor



On May First my daughter, Adrienne Bauer and I squeezed ourselves into airplane seats headed for a quick visit to a place we had called home in the early 90's. We were going to Honduras—it's in Central America, due south of Illinois. In some ways, it's still the same old, old sleepy country, with architecture and customs dating back to its Sixteenth Century roots, but there's a newly emerging current of activism and solidarity, which wasn't apparent even when we lived there 14 years ago.

We were heading south to plan the construction of a new radio station. We work with the Primary Communications Project (PCP), which improves communications in developing countries, in solidarity with mostly indigenous groups, struggling to hold on to their rights in an increasingly globalized world. We build radio broadcasting stations, mostly in Central America, prefabricating them with used equipment donated by people here in the U.S. In 1999, we started working with the organizations which represent the eight indigenous groups of Honduras.

Our present project was conceived in the spring of 2002, but only became viable after generous people donated start up funds at a huge benefit concert about a year ago. This is the first project PCP has done that was not funded by a major grant. It's a little scary to set a date to construct a huge station without having all the funds in hand, but doing smaller-scale fundraising allows the project to be much more flexible in a number of ways, in scheduling and adapting to new developments, for example. We're scheduling more concerts and other events between now and March of 2007, when we head south to build the station. All of these events will include a presentation on PCP and this project in particular, and we encourage anyone interested to stop by.

We are working in cooperation with the Lencas of southwest Honduras and neighboring parts of El Salvador, specifically with their representative organization which is called COPINH (Civic Council of Popular and Indigenous Organizations of Honduras), to build a regional 1000 watt AM broadcasting station, which has the capability to penetrate into the high mountain valleys where the Lencas live.

SOME BACKGROUND ON THE LENCAS

The Lencas often refer to themselves as Mayans, and though there seems to be some doubt if this is really the case, there's no doubt that their culture is very ancient and that they've lived in Western Honduras for many centuries.

In 1537, Lempira, a Lenca Indian and national hero of Honduras, heroically stood up to the Spanish conquistadors. "Lempira" is even the name of the Honduran currency. In the years since, though, the Lencas have been pushed back into the remote mountainous regions of Honduras, and pretty much ignored by the national government and mestizo society in general. At the time, this was a big disadvantage—a clear demonstration of the racism prevalent in Honduras. It deprived them of the ordinary governmental services, like electrical and telephone service, schools, roads, sewerage treatment and health care, potable water systems, etc. On the flip side, this isolation allowed the

Lencas to maintain a barter society and a complex religion and culture stemming from ancient roots which makes for a cohesive society today.

But now this governmental neglect has given way to much interest due to the inception of ALCA (The Free Trade Area of the Americas), and the PPP (Plan Puebla Panamá)...a massive, intergovernmental plan to develop a huge system to exploit the geographical, physical and human resources of all of Central America, as well as the southern half of México and Panamá.

Thus, in recent years, the potential of development in the traditional Lenca lands has spawned numerous projects to open up the territory. The problem is that the Lencas' (and other indigenous Hondurans') possession of this land is seen as an impediment to this development, so instead of working out ways in which the Lencas can participate in the process, a multi-faceted approach is being employed to remove them from their land and separate them from any revenue that the exploitation of their resources might generate.

When hurricane Mitch struck in 1998, doing horrible damage to much of Honduras, a law was inconspicuously passed, under emergency conditions (sound familiar?), which converted all the un-owned land in Honduras to national parks. Unfortunately, but intentionally, this included the land on which indigenous people lived. So, when there was already a shortage of arable land for their growing population, their ownership of even the land they had lived on for centuries came into question.

A strategy that indigenous people have used to mitigate the land squeeze is land take-overs. Undeveloped land is claimed, usually by a community of landless people, who then build houses and begin subsistence farming. This process was actually codified in Honduran law, ironically by a military government, about 40 years ago, but in recent years had met with less and less enforcement by the government, until its repeal in 1998. But, the land takeovers persist, with increasingly deadlier consequences. In the last five years or so, the government has taken to bulldozing or burning these communities, usually with no warning, and the people have re-occupied, rebuilt and resisted with more and more tenacity.

Another infringement on the territory of many Central American indigenous people, Lencas included, is the construction of hydro-electric projects. For several years, the Lencas have been resisting the construction of El Tigre, a massive reservoir which would displace about 30,000 Lencas. The effects and reputed benefits straddle the Rio Tirola border between El Salvador and Honduras, complicating efforts to fight the project. Several years ago, the Lencas held massive protests, including highway blockades and a month-long campout beneath the Honduran National Assembly building (a scale model of the UN headquarters). These actions were responsible for getting the project postponed, but unfortunately it's back, so the protest goes on, and so does the daily coverage by La Voz Lenca.

THE ADVENT OF COPINH

At the top of this article, I referred to a new spirit of activism which is emerging in Honduras. Several groups

have been organized to advocate for different causes. Probably the most militant and thus persecuted of these is the CNTC, (The National Rural Workers Association), a union whose demands for fair treatment for the mainly landless agricultural workers they represent has resulted in strong reprisals, including assassination of their organizers, from business interests whom they are challenging. Their strikes and political actions threaten the very fiber of the existing Honduran system, which in turn is the very embodiment of a "banana republic." Most of the country's most productive land is in the hands of foreign companies, and most of the income from that production goes abroad and stays abroad, while corrupt government officials look the other way in exchange for bribes as their country suffers.

Into this context emerged COPINH, in about 1993. In just a few years it has become a dynamic and effective force in advocating for the Lencas.

COPINH is involved in so many actions and ongoing programs that finding time to meet about the radio project was complicated. On May 30th, a big assembly was held to discuss the AM radio project in detail. Arriving on that date was a delightfully complicated process; a day and time would be proposed, only to be nixed by some conflict—"Oh, no, we can't do it then... That's Mother's Day!" As minutes ticked by, the preposterous nature of the impasse became clear to everyone. Instead of becoming frustrated and angry by a long process at the end of a long meeting, the problem became a running joke. And the way this process worked is just one of the things that makes COPINH a wonderful organization to work with.

During the week we were there, COPINH got word of an answer to an impossible dream... They got "Utopia." See, there is a place close to La Esperanza which had been built for a school of forestry. It has 7.5 *manzanas* (about 15 acres) of land with it, and a really nice, big building. Something went wrong, and instead of being opened as a school, the place was put up for sale. "Utopia" in Spanish carries the connotation of "impossible dream." The folks of COPINH decided to explore buying the place, but they called it "Utopia," because it was so unlikely. But, the owner reduced the price because he so valued the work of COPINH, and other things fell into place. The people of COPINH are euphoric about that.

For the radio project, this place is ideal. It has a nice flat space, well suited for constructing a 200 to 300 foot transmitting tower, and it would be a secure location resistant to sabotage. The Lencas want to use it to promote alternative energy and to house conferences and classes addressing social issues, organic and other alternatives in agriculture, and other utopian ideas. So not only would a radio station located there have a ready-made program base, it could be used to greatly expand the influence of those ideas. We are looking into the feasibility of running the transmitter on a combination of bio-gas and photovoltaic energy (their idea). In this way, the radio station would be an integral part of the Utopia, a way to apply Lenca ideals and culture to shape the future of their society.

Continued on page 9

QUAD RALLY TO PROTEST UIUC'S EXCLUSIVE CONTRACT WITH COCA-COLA

Join Coalition Against Coke Contracts (CACC) to voice your concerns about the exclusive contracts between University of Illinois and Coca-Cola. CACC demands that the University should not do business with this corporation since it has an egregious record of human and labor rights violations, and environmental degradation.

WHEN: Tuesday, September 12—NOON

WHERE: South Patio of the Illini Union

Guest speaker: Amit Srivastava, director, India Resource Center

For more information visit: <http://caccuc.blogspot.com>

Coalition Against Coke Contracts has regular public meetings every 2nd and

4th Tuesday of the month at 7:00 pm in 140A Education Building (off Peabody and 6th in Champaign).

COKE, COLOMBIA, AND HUMAN RIGHTS

Daniel Kovalik, a lawyer for United Steelworkers, is co-chief counsel in Alien Tort Claims Act cases against Coca-Cola and Drummond Coal for their involvement in human and labor rights abuses in Colombia.

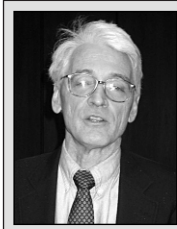
CUCAC hosted a talk by Mr. Kovalik on these issues last spring. You can hear it on WEFT at 5 PM Sunday Sept 10th

Listen for Amit Srivastava in the future on both WEFT 90.1 (www.weft.org) and WRFU 104.5 (www.wrfu.org)



The National Campaign to Impeach President George W. Bush

By Francis A. Boyle



Francis A. Boyle is a Professor of International Law and a human rights attorney. He is the author of Destroying World Order (2004, Clarity Press). This article is via the NY Transfer News Collective.

Since the U.S. Supreme Court's installation of George W. Bush as President in January of 2001, the peoples of the world have witnessed a government in the United States of America that demonstrates little if any respect for fundamental considerations of international law, international organizations, and human rights, let alone appreciation of the requirements for maintaining international peace and security. What the world has watched instead is a comprehensive and malicious assault upon the integrity of the international legal order by a group of men and women who are thoroughly Machiavellian in their perception of international relations and in their conduct of both foreign policy and domestic affairs.

This is not simply a question of giving or withholding the benefit of the doubt when it comes to complicated matters of foreign affairs and defense policies to a U.S. government charged with the security of both its own citizens and those of its allies in Europe, the Western Hemisphere, and the Pacific. Rather, the Bush Jr. administration's foreign policies represent a gross deviation from those basic rules of international deportment and civilized behavior that the United States government had traditionally played the pioneer role in promoting for the entire world community. Even more seriously, in many instances specific components of the Bush Jr. administration's foreign policies constitute ongoing criminal activity under well-recognized principles of both international law and U.S. domestic law, and in particular the Nuremberg Charter, the Nuremberg Judgment, and the Nuremberg Principles.

Depending upon the substantive issues involved, those international crimes typically include but are not limited to the Nuremberg offenses of crimes against peace, crimes against humanity and war crimes, as well as grave breaches of the Four Geneva Conventions of 1949 and the 1907 Hague Regulations on land warfare, torture, disappearances, and assassinations. In addition, various members of the Bush Jr.

administration committed numerous inchoate crimes incidental to these substantive offenses that under the Nuremberg Charter, Judgment, and Principles were international crimes in their own right: viz., planning, preparation, solicitation, incitement, conspiracy, complicity, attempt, aiding and abetting, etc. Of course the great irony of today's situation is that six decades ago at Nuremberg, representatives of the U.S. government participated in the prosecution, punishment and execution of

Nazi government officials for committing some of the same types of heinous international crimes that members of the Bush Jr. administration currently inflict upon people all around the world.

To be sure, I personally oppose the imposition of capital punishment upon any person for any reason no matter how monstrous their crimes: Bush Jr., Tony Blair, Saddam Hussein, Slobodan Milosevic, Vladimir Putin, Ariel Sharon, my former client John Wayne Gacy, etc. Furthermore, according to basic principles of international criminal law, all high-level civilian officials and military officers in the U.S. government who either knew or should have known that soldiers or civilians under their control committed or were about to commit international crimes, and failed to take the measures necessary to stop them, or to punish them, or both, are likewise personally responsible for the commission of international crimes.

This category of officialdom who actually knew or at least should have known of the commission of such substantive or inchoate international crimes under their jurisdiction and failed to do anything about it typically includes the Secretary of Defense, Secretary of State, Director of Central Intelligence, the National Security Adviser, the Attorney General, the Pentagon's Joint Chiefs of Staff and regional CINCs, and presumably the President and Vice President. These U.S. government officials and their immediate subordinates, among others, were personally responsible for the commission or at least complicity in the commission of crimes against peace, crimes against humanity, and war crimes as specified by the Nuremberg Charter, Judgment, and Principles - at a minimum. In international legal terms, the Bush Jr. administration itself should be viewed as constituting an ongoing criminal conspiracy under international criminal law.

Consequently, on Tuesday 11 March 2003, with the Bush Jr. administration's war of aggression against Iraq staring the American People, Congress and Republic in their face, Congressman John Conyers of Michigan, the Ranking Member of the House Judiciary Committee (which has jurisdiction over Bills of Impeachment), convened an emergency meeting of forty or more of his top advisors, most of whom were lawyers. The purpose of the meeting was to discuss and debate immediately putting into the U.S. House of Representatives Bills of Impeachment against President Bush Jr., Vice President Dick Cheney, Secretary of Defense Donald Rumsfeld, and then Attorney General John Ashcroft in order to head off the impending war. Congressman Conyers kindly requested that Ramsey Clark and I come to the meeting in order to argue the case for impeachment.

This impeachment debate lasted for two hours. It was presided over by Congressman Conyers, who quite correctly did not tip his hand one way or the other on the merits of impeachment. He simply moderated the debate between Clark and I, on the one side, favoring immediately filing Bills of Impeachment against Bush Jr. et al. to stop the

threatened war, and almost everyone else there who were against impeachment for partisan political reasons. Obviously no point would be served here by attempting to digest a two-hour-long vigorous debate among a group of well-trained lawyers on such a controversial matter at this critical moment in American history. But at the time I was struck by the fact that this momentous debate was conducted at a private office right down the street from the White House on the eve of war. Suffice it to say that most of the "experts" there opposed impeachment not on the basis of enforcing the Constitution and the Rule of Law, whether international or domestic, but on the political grounds that it might hurt the Democratic Party effort to get their presidential candidate elected in the year 2004.

As a political independent, I did not argue that point. Rather, I argued the merits of impeaching Bush Jr., Cheney, Rumsfeld, and Ashcroft under the United States

Constitution, U.S. federal laws, U.S. treaties and other international agreements to which the United States is a party, etc. Article VI of the U.S. Constitution provides that treaties "shall be the supreme Law of the Land." This so-called Supremacy Clause of the U.S. Constitution also applies to international executive agreements concluded under the auspices of the U.S. President such as the 1945 Nuremberg Charter. Congressman Conyers was so kind as to allow me the closing argument in the debate.

Briefly put, the concluding point I chose to make was historical: The Athenians lost their democracy. The Romans lost their Republic. And if we Americans did not act now we could lose our Republic! The United States of America is not immune to the laws of history! After two hours of most vigorous debate among those in attendance, the meeting adjourned with second revised draft Bills of Impeachment sitting on the table.

Certainly, if the U.S. House of Representatives can impeach President Clinton for sex and lying about sex, then a fortiori the House can, should, and must impeach President Bush Jr. for war, lying about war, and threatening more wars.

All that is needed is for one Member of Congress with courage, integrity, principles and a safe seat to file these currently amended draft Bills of Impeachment against Bush Jr., Cheney, Rumsfeld, and now Attorney General Albert Gonzales, who bears personal criminal responsibility for the Bush Jr. administration torture scandal. Failing this, the alternative is likely to be an American Empire abroad, a U.S. police state at home, and continuing wars of aggression to sustain both—along the lines of George Orwell's classic novel 1984. Despite all of the serious flaws demonstrated by successive United States governments that this author has amply documented elsewhere during the past quarter century as a Professor of Law, the truth of the matter is that America is still the oldest Republic in the world today. "We the People of the United States" must fight to keep it that way!

S.P.E.A.K. (Song, Poetry, Expression, Art, and Knowledge) Café

S.P.E.A.K. Café is an open-mic public space for socially conscious expression about Black Women, Gender, Family, and Community.

S.P.E.A.K. Café is a collaborative university and community project supported in part by African American Studies and Research Program, Krannert Art Museum, the 40 North/88 West Arts Council, and UC Hip Hop Congress.

September 21, 2006

7-9 p.m.

Krannert Arts Museum Coffee House

500 East Peabody Drive

(217) 333-1861

For more information email Aaron Ammons at lifestratinst19@sbc-global.net

Third Annual Unity March

"Unity in the Community"

October 7, 2006

Bradley and Prospect

Community Soup Kitchen & Dialogue

Come and receive a wholesome meal and participate in wholesome dialogue on today's most pressing issues concerning our community.

September 6 1-3pm

Douglass Library

504 E. Grove St (5th & Grove)

Champaign IL



Marching For Peace and Justice in the Shadow of the Bomb

By Stephen John Hartnett



We have been taught in America not to worry about nuclear weapons. We are supposed to pretend that they will never be used, as if their only function is symbolic, as if they are mighty but ultimately peaceful sentinels deterring the aggression of others.

For over 50 years we have been taught that the doctrine of Mutually Assured Destruction (MAD) protected our safety by guaranteeing that anyone who launched a nuclear strike against the U.S. would be mutually assured of its destruction. It is clear now, however, that both our MAD fears and our MAD hopes were displaced.

Our MAD fear was displaced in two senses, for the nuclear arsenal will not destroy life on earth via a massive conflagration of warring robotic weapons but rather through the slow filling of our planet with never-dying nuclear waste and the slow strangulation of the Great Society. That is, you cannot live on earth when the water is poisoned, when the land is radioactive, when the air itself simmers with silent death—and that, of course, is what will happen some gorgeous afternoon when a cooling pond loses control of its radioactive rods, when a train carrying nuclear waste crashes, when some micro-sensor fails, when the deadly waste produced by our arsenal of weapons leaks out into the world, leaving it ruined forever. While we await this ecological nightmare, let's agree that you cannot fund the programs that make civil democracy possible when hundreds of billions of dollars are spent each year building and maintaining nukes. Democracy in America will not end because the Russians have nuked it into oblivion but because the Pentagon has bankrupted the nation, turning America into a flaccid land of uneducated, sugar-devouring, TV-addicted, war-mongering yahoos. We are rapidly approaching the suicidal position of having the best weapons systems in the world yet the worst schools among all modernized nations. We can end life on earth, yet we cannot feed our homeless. We can wipe Moscow or Beijing off the face of the earth, yet we cannot count votes in Ohio.

Our MAD hope was displaced as well, for selling democracy down the river in the name of building nukes has not produced a world of insured safety. MAD worked against the Soviets, but it will not work against Al Qaeda—what could we possibly bomb?—or any of the other terrorist groups currently threatening to wage asymmetrical warfare against us, perhaps with "dirty bombs" or other black-market nukes. 50 years of nuclear MADness has thus left us helpless before the threat of more 9/11s—we are not safe, our nukes are useless, they stand now solely as testaments to waste and delusion.

AND SO WE MARCHED

And so we marched. Marking the 61st anniversary of the U.S. dropping atomic bombs on Hiroshima and Nagasaki, and protesting both war profiteering in Iraq and the continued production of nuclear weapons, over 100 marchers converged on August 6 on the Bettis Atomic Power Lab (BAPL) in West Mifflin, Pennsylvania, just south of Pittsburgh. We marched on the BAPL because it is one of the nation's largest nuclear weapons facilities, where Bechtel helps design and refurbish the nuclear reactors that drive many of the U.S. Navy's submarines and aircraft carriers. The 14 Trident submarines that run on nuclear reactors built by Bechtel at the BAPL each

carry 24 nuclear warheads (336 total), meaning these submarines alone—to say nothing of our land and air-based nukes—have the capacity to extinguish life on earth. And so we marched.

Fifteen activists dressed all in white to commemorate the dead in Hiroshima and Nagasaki carried large cardboard white doves held high on wooden sticks. Standing in the BAPL parking lot awaiting the protesters, the phalanx of police thus saw gliding toward them a flock of doves, a cloud of peace, a message of hope. Behind the doves came drummers, singers, chanters, clappers, those with heads held down in silence and those with cameras held high, those full of anger and those weeping with sadness. We gathered before the gates of the plant and splayed ourselves out on the screaming hot pavement, performing a symbolic "Die In," a theatrical moment of lying in sweaty silence to mark those whose bodies were vaporized 61 years ago in Japan, bombed yesterday in Baghdad, shot today in Kabul, forgotten tomorrow in Detroit. We sang old peace songs led by the "Raging Grannies," a group of elderly peace activists who have embraced their role as grandmothers. OK, they say, you respect grandmothers, so hear this: we oppose this rotten war, we oppose nuclear proliferation, we oppose war profiteers. Next to the Raging Grannies were the black-clad skateboarders and next to them the flowing skirted hippies and next to them the retired pastors and professors and next to them the union organizers and next to them the Code Pink women so strong and sexy—and regardless of age or race or class or religion we chanted together, shouting No Nukes, No War, No War Profiteers! No Nukes, No War, No War Profiteers!

We were but a hundred—nearly outnumbered by police and media, the march thus representing one of the key dilemmas of our historical moment, where citizens of conscience find themselves literally surrounded by the state's forces of oppression and the corporate means of perpetual numbing. Television will report our march wedged between ads for aspirin and mouthwash and new tires.

Nonetheless, we assembled outside the BAPL because United for Peace and Justice (UPJ) and Pittsburgh's local August 6 Organizing Committee had issued a call to action: "Stop Bechtel! Stand Up Against War Profiteers!" Linking war profiteering in Iraq and the ongoing production of nuclear weapons, we focused on Bechtel, the San Francisco-based transnational corporation that UPJ calls "the world's number-one nuclear profiteer."

BECHTEL, THE MILITARY-INDUSTRIAL-COMPLEX, AND THE TOXIC WASTE OF EMPIRE

As a charter member of the military-industrial-complex, Bechtel is among the largest war profiteers in Iraq and around the globe. One of its Iraq contract is ostensibly for \$34.6 million, yet the indeterminate nature of the deal has led one commentator to estimate that the work contracted to Bechtel may eventually cost as much as \$680 million. It would be hard not to reach this figure, for the New York Times reports that the contract "covers virtually all the major projects in Iraq, including two international and three domestic airports, ensuring potable water is available, reconstructing electric power plants and rebuilding roads, railroads, schools, hospitals and irrigation systems." The "reconstruction" of Iraq has been managed so poorly by Bechtel and its fellow war profiteers, however, that the International Advisory and Monitor-

ing Board of the Development Fund for Iraq, an auditing board established by the United Nations, has argued that U.S. firms being paid with Iraqi oil funds should pay back the Iraqis more than \$200 million.

Given its overwhelming record of botched work, readers will tremble with fear when they learn that Bechtel is among the chief contractors of the U.S. nuclear weapons arsenal. Indeed, among its work that is not classified, Bechtel currently holds contracts for:

- \$626 million worth of "operations management" at the Kwajalein Atoll Missile Site
- \$553 million for managing the Los Alamos Nuclear Laboratory
- \$1.9 billion worth of "nuclear waste disposal" at Yucca Mountain
- \$14.7 billion for "weapon refurbishing" at the Savannah River Site
- \$500 million for "development and repair of naval propulsion reactors" at the Bettis Atomic Power Lab

Bechtel is thus immersed in virtually every aspect of the U.S. nuclear arsenal. Making nuclear reactors, handling nuclear waste, and managing weapons labs, Bechtel grows rich by making the weapons that may one day end the world. As Frida Berrigan has argued, Bechtel is among the leading corporations privatizing the apocalypse. And so we marched, chanting "Stop Bechtel! Stand Up Against War Profiteers!"

HISTORY CALLING: 61 YEARS OF LIVING WITH THE BOMB

As we marched through the rural poverty of West Mifflin, we were shadowed by history. For sixty-one years ago, on August 6, 1945, the United States dropped an atomic bomb on Hiroshima. When news of the bombing was reported the next day, President Truman warned the Japanese that if they did not surrender immediately, they could "expect a rain of ruin from the air the like of which has never been seen on this earth." U.S. war planners were so impressed by the destructive capacities of their new weapon that they referred to it not as an atomic bomb but as a "Cosmic Bomb"—it was the first weapon so powerful it could alter the cosmos. And in fact the destruction caused by the cosmic/atomic bomb was so great that the War Department reported on August 7, 24 hours after bombing Hiroshima, that it was "unable to make an accurate report" about the damage to that city because "an impenetrable cloud of dust and smoke" prevented U.S. reconnaissance planes from actually seeing the city. *The New York Times* covered the story with a mixture of awe, reverence, and horror, yet it said not one word about casualties. We now know that the bombings of Hiroshima and Nagasaki (later that week, on 9 August) injured hundreds of thousands, killed over 200,000 innocents, and caused immeasurable amounts of environmental and genetic damage. While the *Times* avoided talking about specific death totals, it reported that the scientists who helped design the bomb spent those first early days of the new atomic age "frankly fearful to witness the results of the invention, which might turn out to be either the salvation or the Frankenstein's monster of the world."

Continued on page 11

Radio in the Lenca Context

Continued from page 7

Just a few weeks before our visit, radio station coordinator Marta Vasquez and COPINH co-coordinator Salvador Zuniga were attacked while trying to cover a story for a one-hour radio slot called "Ecos de Opalaca" which COPINH leases on a commercial station. This program is used to

inform and organize the Lenca Community, and our new station would augment its role. While both Marta and Salvador escaped serious injury, the attack emphasizes the role the radio station is having in the lives of the Lenca people, and the threat that is to those who would like the

Lenca to move aside so their resources can be exploited.

Bill Taylor is the Director of Engineering Primary Communications Project. Information about their radio programming, links to Lenca history and info about COPINH can be found on the WRFU web-

site at www.wrfu.net—click on the Sister Station link on the upper righthand corner. If you would like to get involved with this project or any other aspect of PCP, check out our website at www.radiopcp.org, email me at btaylor@prairienet.org or call 217 762-9561



The Wild West (Bank)

by Bob Illyes



My ancestor John Bartmess, a Pennsylvanian, came to the Illinois Territory after the War of 1812, finding land near Vincennes. The Bartmess family had been Huguenot, and had fled to Pennsylvania from a Europe where Protestant beliefs were often a death sentence. Two years after John settled in Illinois, his brother-in-law James Baird, who had settled nearby, was killed by an Indian while plowing a field. I have no letter or diary describing why James was killed or describing life in Illinois when it was still heavily populated by Indians. Like most Midwesterners, I grew up not knowing why Indians are now largely absent.

The mechanisms for "Indian removal", as it was sometimes called by those who promoted it, were simple. Indians were encouraged to move to a reservation of which they were promised exclusive use. White settlers then flooded in, establishing farms in the reservation. The government took no action to stop this illegal settlement. When conflicts between the Indians and settlers occurred, as was inevitable, the government took the side of the settlers. The treaty that established the reservation was voided, and the Army saw to it that the Indians could not refuse to accept a new reservation further to the West. This process continued until the Indians were pushed onto land not suitable for farming.

When we think of genocide, most of us think of the Nazi death camps, of overt mass murder. Although such atrocities did occur on the American frontier on a smaller scale, it was usually the case that the Indians were simply deprived of their land. Few but other Indians were there to watch them starve to death.

When a people is deprived of its land, it is not usually called genocide, because the intent is not to harm the people but only to profit by taking their means of sustenance. By this standard, cannibalism is not murder, because the intent is only to have a meal, with the victim's death merely an unfortunate side-effect. One should be clear about

this- depriving a people of its means of sustenance is genocide. Yet this is usually not the intention of individual settlers, who often do not see the larger pattern.

Anna Baltzer was invited to town this summer by AWARE Presents. She spoke on her experiences in the West Bank. In travels around the Middle East, she had found that she was hearing "a different narrative about the state of Israel from the one I had heard growing up as a Jewish American." At issue seemed to be not Israel's right to exist, but rather Israel's right to expand. The West Bank, occupied by Israel in the 1967 War, appeared to be undergoing a process of annexation into Israel. In order to take a closer look at the situation, she volunteered to work in the West Bank with the International Women's Peace Service. She brought back a story of Palestinian removal eerily similar to Indian removal.

The West Bank is an oddly-shaped area bordered on the East by the Jordan River and the Dead Sea, which form a natural border with Jordan. Israel has settlements distributed throughout the West Bank. These, with the connecting roads, are largely off-limits to the Palestinians.



Anna Baltzer

In addition to the settlements, there are the "outposts", which are set up by those who believe that the lands of historical Israel, which includes the West Bank, are still the property of Israel. The outposts, heavily-armed trailer camps set up on Palestinian land, appear overnight. When the inevitable conflicts occur with the Palestinians whose land has been seized, the Israeli Army protects the outpost. The perimeter is expanded for security reasons, the outpost grows, and it eventually becomes or joins a recognized settlement.

This gradual process of land annexation turns Palestinian towns into ghettos cut off from their fields. The roads connecting the Palestinian towns are often blocked by checkpoints or simply by the destruction of the roads. Without fields or easy travel to adjacent towns, these towns are no longer economically viable. They must either exist on charity or be abandoned.

The taking of land without due process is illegal in

every country that has any pretense of civilization. How can this happen in an Israel whose citizenry largely supports the rule of law? How could the Midwest be cleared of Indians when American citizens largely supported the rule of law? The annexation of the West by white America differs in some ways from the annexation of the West Bank now underway, but the mechanisms of annexation are all too similar.

When I asked Anna why Israeli citizens, most of whom didn't support the illegal land grabs in the West Bank, didn't stop them, she said that the reason seemed to be apathy- the average Israeli was too preoccupied with his own life and family to speak out against the land grabs. Presumably the same was true of white Americans during the period of Indian removal.

Early American settlers escaped likely death in the slums and backwaters of Europe, only to inflict likely death on the American Indian. Israel happened partly in response to the Holocaust, yet a people who knew the reality of the ghetto are now inflicting the ghetto on Palestinians. There seems to be no lesson learned, with evil simply begetting evil.

Reading history, it is evident that justice is not the natural order of things, but exists only because people demand that it exist. The Palestinians will not be treated justly unless it is demanded. There is no ultimate source of justice but the demands of each person. Because the individual is the source of justice, the ultimate responsibility for injustice is with each of us. Apathy is not only unacceptable, it is immoral.

But, you might ask, who am I to object to the annexation of the West Bank, given my ancestor's similar treatment of the American Indian and given the fact that I am not Israeli? To the first objection, I offer that one often learns, or certainly should learn, from mistakes. To the second objection, I offer that America is to some extent the guarantor of Israel's existence. Israel is the largest recipient of American military aid. America is often the lone vote for Israel's interests in the United Nations Security Council. We would be remiss, therefore, to assume that American opinion would not be considered with respect in Israel.

For more information on Indian removal, see Howard Zinn's *A People's History of the United States*. Anna Baltzer has written about her experiences in her book *Witness to Palestine*. Her web site is at www.annainthemiddleeast.com.

Featured Sustainer: World Harvest



Mohammad Al-Heeti, owner of World Harvest Foods, has a jovial laugh and an infectiously wonderful personality, not to mention a Ph.D. in Plant Pathology from the U of I. His 3200-square-foot jewel of a grocery store is bursting with some 10,000 items, veritably the largest collection of international and specialty foods between here and Chicago, attracting regular customers from C-U as well as distant communities around

Illinois and Indiana. World Harvest boasts 300 varieties of cheese including, for example, anything you can imagine from Dutch Havarti to fruited Stilton to Greek Feta, Italian Parmesan and Romano, French Brie, as well as a selection of sheep, goat, and buffalo cheeses. World Harvest's selections of olives, olive oils, chocolates, vinegars, spices, beans, grains, and teas also span each continent of the globe.

Al-Heeti works with approximately 40 suppliers and regularly attends food shows, where he is always looking for unique and specialty items. World Harvest takes requests from customers and, when I visited, was busy receiving and finding room for an enormous shipment of Argentine and Iranian food. Those patrons looking for free-range chicken, Halal meat, or local beef, lamb, and goat will find a nice selection. Regardless of one's diet—religious, animal-free, ethnic or otherwise—there is always a new food, ingredient, or beverage to discover among

the old nostalgic staples, like vegemite (Australia), pickled herring (Sweden), baklava (Turkey), and so forth, whatever your pleasure.

World Harvest hosts Saturday food-tastings, where new items are introduced. There is an e-mail club (to sign up, contact: mohammad@worldharvestfoods.com) where nearly 800 customers receive weekly updates regarding new and sale items. The store seems always to be abuzz; Al-Heeti and his family—originally from Iraq—have created in World Harvest an atmosphere where customers truly feel like guests, where the world stops warring for a moment and instead, together, imbibes some tasty goodness.





Obstruction of Justice

By Jeannine Kohlmeier

If you read the police blotter in the newspaper or listen to the news in Champaign County, you have probably noticed that "obstruction of justice" is a charge that appears often. Some high profile people have been charged with obstruction of justice, Former President Clinton, Martha Stewart and our own former Governor George Ryan including. But the majority of people who are charged with obstruction of justice are just ordinary people.

The legal definition for obstruction of justice is found in 720 ILCS 5/31 INTERFERENCE WITH PUBLIC OFFICERS.

Part of that code is as follows:

"A person obstructs justice when, with intent to prevent the apprehension or obstruct the prosecution or defense of any person, he knowingly commits any of the following acts: (a) Destroys, alters, conceals or disguises physical evidence, furnishes false information..." (720 ILCS 5/31-4). Under this code section, obstruction of justice is a class 4 felony unless it falls under 720 ILCS 5/31-4 d-(2), which has to do with street gangs.

A case in point is *People vs. Antonio B. Brown* (02-CF-1942). In this case from 2002, a Champaign police officer was driving past 904 N. Fourth Street at 6:46pm on a Saturday evening when he saw Brown, a Black man, standing alone in a parking lot. Brown was standing in front of a grocery store and about 15 to 20 feet from a restaurant that was closed. The police officer said he "thought it was odd" that someone was standing in front of a closed business, so he circled around and pulled into the parking lot. Brown had not moved, but as the squad car entered the parking lot Brown began to walk away. The officer testified that at this point he "asked (Brown) if he would stop so (the officer) could talk to him." He told Brown that he wanted to speak to him about why he was standing in front of a closed business.

When the officer asked Brown for identification, Brown replied that he had none. The officer asked for Brown's name, address and date of birth. Brown responded that he was Tony B. Brown and gave his birth date. The officer then radioed Met cad, the computer-aided dispatch service, with this information. Finding an outstanding warrant in Champaign, the officer arrested him. The State originally charged Brown with one count of obstructing justice. The information alleged that Brown, intending to prevent his own apprehension, "knowingly furnished false information to the officer namely: a name of

Tony B. Brown, as opposed to the correct name of Antonio B. Brown." The State's Attorney later added two more counts, one alleging that Brown had falsely stated that he was not carrying ID, and the other alleging that he had given a false name (Tony B. Brown) when asked what name appeared on his birth certificate.

Brown's attorney filed a motion to quash arrest. After hearing the evidence presented at the hearing, the trial court found that Brown had been stopped without justification and ordered that Brown's answers to the police officer's questions be suppressed. The State appealed this decision, because without the officer's testimony Brown could not be convicted of obstruction of justice.

In the motion to quash arrest, Brown's attorney argued that "Officer Baltzell had no reason nor articulable suspicion that defendant was committing or about to commit a crime when he stopped defendant and started questioning him" and that "the detention, questioning, and subsequent arrest of defendant was in violation of the Fourth, Fifth and Fourteenth Amendments of the US Constitution, Sections 2,5,6 of the Constitution of the State of Illinois, and 725 ILCS 5/107-14."

The State argued that under *People vs. Abrams* the Supreme Court held that when an illegal search leads to retaliation by the person whose constitutional right have been violated, state may use evidence of that retaliation. The Appellate Court in its decision stated, "the thrust of these cases is clearly the protection of law enforcement officers from people who PHYSICALLY resist unconstitutional searches and seizures." "We decline to extend the *Abrams* rule to cover Brown's conduct in this case. ... Brown falsely stated that he was not carrying identification in answer to police officer's question, when the officer had seized him without justification. ... Refusing to provide identification does not raise the same policy concerns as assaulting a law enforcement officer."

Justice Turners dissented, but still noted, "As a final matter, I note the dubious nature of the charge against Brown."

Brown gave his name, even his middle initial, and his correct birth date – who was he trying to fool? The officer had no problem pulling up the warrant with the information Brown gave him. He still charged him with felony obstruction of justice. Lots of people use different forms of their given name everyday! Are we to attach some malicious intent to every one of those?

Marching For Peace and Justice

Continued from page 7

Whether readers believe the bomb was salvation or monster depends in large part on which school of history they subscribe to. President Truman famously predicted that a full-scale U.S. invasion of Japan would cost "half a million lives," meaning that dropping atomic/cosmic bombs on Hiroshima and Nagasaki spared U.S. lives by forcing the Japanese to capitulate. This atomic-bomb-as-saving-lives-and-ending-war theory worked perfectly with post-war U.S. triumphalism, for it portrayed U.S. scientific and military supremacy as the culmination of a new age of civilized U.S. global leadership. We now know, of course, that Truman's estimate of likely U.S. dead was wildly inflated, that the Japanese had in fact tried to surrender prior to the bombings, and that using the atomic/cosmic bombs was not so much a humane way to end World War II as a murderous way of beginning the Cold War. Indeed, most historians now believe the bombings were meant to intimidate China

and the U.S.S.R. From this atomic-bomb-as-wasting-lives-and-perpetuating-war perspective, the U.S. bombed Hiroshima and Nagasaki to produce a deadly form of political theatre offering viewers this harrowing lesson: mess with the U.S. and this will be your fate.

CALL TO ACTION

The world thus worried in those early days after the U.S. first unleashed the age of atomic/cosmic bombs if we could survive such a monstrous predicament. In words as painfully precise then as they are today, the *New York Times* wondered "can mankind grow up quickly enough to win the race between civilization and disaster?" To put the question in contemporary political terms: can we reclaim democracy from the clutches of Bechtel and the other war profiteers who have made the U.S. military-industrial-complex the greatest threat to life on our planet? We marched on the

BAPL because we believe the answer to that question is YES. If you believe the answer to that question is YES, then get involved with one of the following groups, who are all fighting against war profiteering and the proliferation of nuclear weapons:

- United for Peace and Justice, "No Nukes, No Wars" Campaign: www.unitedforpeace.org
- Code Pink: codepink4peace.org
- The August 6 Committee: www.august6.org
- War Resisters League Stop the Merchants of Death Campaign: www.warresisters.org
- The Declaration of Peace: www.declarationofpeace.org
- Physicians for Social Responsibility: www.psr.org

Guatemala's Indigenous People Continue to Fight For Land Rights

Continued from page 6

A new Land Registry was passed through the Guatemalan Congress in 2005, nine years after being mandated by the Peace Accords, to document land boundaries and holdings. This registry may help in resolving future land dispute cases.

Land ownership is the cause of an eighteen year struggle by the residents of Soledad Sayaxut community, also in Alta Verapaz. Community members believed the land they built on to be vacant and, therefore, the property of the state of Guatemala. In 1988, the community began the process to receive official

recognition of their land. However, landowners near Soledad Sayaxut have also claimed ownership of the land. The landowners have not presented satisfactory evidence to confirm this claim. In April of 2004, sixty police officers arrived at the community to evict the thirty families living there. Community members allege that the officers used chainsaws to destroy their houses, followed by men hired by the landowners to set the houses ablaze. Food stores, crops, and possessions were destroyed. Most of the community members still live nearby where

they do not have land to grow crops for food or sale.

The roots of this battle sprouted decades ago through conquest, repression, war, and continued lack of recognition for indigenous peoples and culture. Guatemalan campesinos involved in this fight repeatedly make the most basic of requests. They demand decent land for growing food, protection from greedy landowners and employers, promised labor entitlements for their work, and inclusion in the organization and political structure of their country. The Central American Free Trade Agree-

ment (CAFTA) is a recent development in this history of disenfranchisement as domestic, political and economic elite, in cooperation with their global financial sponsors, continue their attempt to concentrate resources. As a result, access is denied to poor and rural populations. Disparity in the distribution of resources, including land, will continue to increase without attention and action by the international community to pressure the Guatemalan government, and U.S. interests that influence it, for the recognition indigenous and rural peoples need to meet their basic needs.