

CounterPunch

THE RESILIENCE OF WIKILEAKS BY BINOY KAMPMARK

LIES, DAMN LIES AND DRONE KILL STATISTICS BY CHARLES PIERSON

THE REVERSION OF HONDURAS BY NICK ALEXANDROV

BOBCAT KILLERS BY LEE HALL

IN SEARCH OF WARD CHURCHILL BY JOSHUA FRANK



CounterPunch

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**Humanitarian Bombs (after
Magritte) By Nick Roney.**



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LETTERS TO THE EDITOR

Much Love

I just wanted to let you know that I read CounterPunch every day, and love the rich variety of quality essays—especially in your Weekend Edition.

Paul Buchheit

Keep On

You guys do solid work. I support you, *ICH*, *Whiteout Press* and *10th Amendment*; you, *ICH* and *Whiteout* for the truth and *10th Amendment* because it seems the best non-violent way to get rid of these terrible laws. If everyone would read Frederick Bastiat's *The Law*, written during similar times in France, this crap would never see the light of day. Keep on.

Tim Stewart

Praise Worthy

The issue of a few months ago with an interview of the gal doing the radiographs of Hiroshima artifacts was especially enjoyed. As poignant historically/socially as artistic. The interviewer's reference to Mr. Mailer added an extra dimension. Keep it coming,

Alan Maximuk

Broken Hearted

Dear Mr. St. Clair, Loved your article an "Orgy of Thieves." It truly saddens me that you are one of the few writers willing to play the 'child' in an Emperor Has No Clothes. I am 76 and when my grandmother was 102, I visited her and asked her about life; she sighed, "If you live long enough, life will break your heart." Well, life broke my heart

in 2008 with the collapse. I never imagined in all my years that ALL the institutions of government (Congress, Freddie Mac/Mae, rating agencies, SEC, Treasury, Fed), business, and my fellow citizens would all lie, steal and cheat at the same time. One of my relatives knew the top people at Goldman and told me the very month the market would collapse (they all knew). I have worked with many MBAs from Harvard and without exception all were brilliant, incredibly verbal, and almost all were cheaters. I was a graduate from Cal in Berkeley, worked my way up from the bottom, knew how the business worked and watched these masters of the universe absolutely ruin company after company. With all due respect for your intelligence, you must be wondering why all these people cheated. I think you fail to appreciate it is really, really hard to make money HONESTLY year after year.

*Best, regards,
Neil Voorsanger*

Afraid!

In addition to its regularly carrying the articles of a most esteemed «Observer» in Lebanon [and Visiting Professor of International Law in Syria to boot], CounterPunch has now resolved a question that just popped up in my mind: What about Bernie Sanders for President? Well, OK: so much for that.... As if it really mattered, I have also been wondering about a certain Methodist (and No, She

is not Hillary Clinton): I am afraid to check any further!

Ray

Missing Alex

Thanks for the reprint of Alexander Cockburn's piece on the Twin Towers. It reminded me of how much I miss his voice.

Kirk Hill

Carry On Brother

Dear Jeffrey I read your essays on CP every week. This one made me cry. Carry on brother. Peace, and stay sane.

Reverend Peter John Silvia

Escaping Capitalism?

It was with great anticipation that I sat down with a cup of coffee to read Bob Urie's *The End of Capitalism?* in the November issue of CounterPunch. OK, I made it through the article and still do not know the answer. To my way of thinking when someone wants to make, build, sell, or create something funds have to be raised to do it. CounterPunch raises capital from donations to continue publishing, for instance. I don't understand the jargon nor the quotes used around common terms in Urie's explanations, so I am sure I missed a lot. But is there a way to do anything that costs money in amounts more than a person has without raising money from others by donation, loans, selling stock. I was hoping to see a way explained. Maybe someone smarter than I am could tell me

how we can escape capitalism if we need capital to do our deeds. As far as I understand it the countries that have called themselves communist have capitalism in some form, even if it is state capitalism. Private capitalism seems to be ubiquitous down through history. Capital in the form of slaves and other labor, capital in the form of materials and ideas, all seem to play a part in every historical period. Even the lone hunter - gatherer was a capitalist. What we need is an end to unregulated capitalism, so that we are not governed only by the bottom line.

If capitalism wants to short change labor by not paying enough then government must tax the profits of that capitalism to pay for safety nets for the workers who need enough food, shelter, education, health care, etc. There is enough for all to have enough and it is the right of governments to get back to the workers what they were shorted on in wages. Profits made in part by paying low wages is a form of theft that taxing and redress. There seems to be no end of capitalism... but that doesn't mean it can't be made to serve us all.

*Ancil Nance
Portland OR*

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ROAMING CHARGES

Gimme Some Truth Now

BY JEFFREY ST. CLAIR

In 1998, some of the vilest deeds of South Africa's apartheid regime emerged in the Truth and Reconciliation Commission hearings held in Cape Town. It's a shame that even with the deluge of pixels spilled over the death of Nelson Mandela those chilling stories still have never made much of a commotion in the United States, whose own intelligence agencies have pursued the same macabre path.

During the hearings, a South African agent confessed to drug smuggling on behalf of the Directorate of Covert Collections, an ultra-secret unit within South Africa's military intelligence apparatus. This agent and his colleagues flew drugs—cannabis, Ecstasy and Mandrax—into England in the nosecone of a plane carrying sports fans to the first Springbox rugby tour of the United Kingdom after ties were re-established in 1992. The proceeds from the drug sales were then used to buy arms on the international black market.

The drugs were manufactured in labs run by Dr. Wouter Basson, the chieftain of South Africa's chemical and biological weapons program. Basson was arrested in January 1997 for his crimes after diving into a river in a failed attempt to escape from police. Basson was a cardiologist who counted former President P.W. Botha among his patients. Basson was privy to so many state secrets that Mandela's government had to re-hire him after he was ushered into retirement by the Botha regime. (Basson was deemed immune from prosecution by a South African judge.)

Basson ran a secret factory called Delta-G Scientific, where he oversaw the manufacture of Mandrax and other infamous materials. Also part of Basson's empire was the notorious Roodeplaats Research Laboratories,

a military installation near Pretoria. Activities at this ghastly facility included the testing and manufacture of poison gas, which was used in combat at least once in Mozambique, whose government South Africa, in collusion with the CIA, was seeking to subvert.

The hearings offered a vivid portrait of what went on inside Roodeplaats Labs, where chemists cooked up lethal poisons designed to leave no traces. Dr. Schalk van Rensburg testified that "the most frequent instruction" from Basson was for development of a compound that would kill but make the cause of death seemingly natural.

The Lab manufactured cholera organisms, anthrax to be deposited on the gummed flaps of envelopes and in cigarettes and chocolate, walking sticks firing fatal darts that would feel like bee stings. Tests on baboons involved cancer-spreading drugs. An anti-riot dog weighing 200 pounds was bred from a mix of Alsatian and Russian wolf.

Van Rensburg took his riveted audience painstakingly through what he called "the murder lists" of toxins and "delivery systems." These included 32 bottles of cholera that, one of the lab's technicians testified, would be most effectively used in the water supply. There were plans to slip the still imprisoned Nelson Mandela surreptitious doses of the heavy metal poison, thallium, designed to make his brain function become "impaired, progressively." In one case, lethal toxins went from Roodeplaats to a death squad detailed by the apartheid regime to kill one of its opponents, the Rev. Frank Chikane. The assassins planted lethal chemicals in his clothing, expecting him to travel to Namibia, where they reckoned there would be "very little forensic capability." Instead, Chikane went to the U.S.,

where doctor. saved his life.

The big dream at Roodeplaats was to develop race-specific biochemical weapons targeting blacks. Van Rensburg was ordered by Basson to develop a vaccine to make blacks infertile.

There were efforts to develop skin pigmentation pills to change white government agents to blacks, the better for infiltration. In a reprise of the smallpox blankets given to American Indians in the 19th century, infected T-shirts were to be distributed in the black townships to spread disease and infertility.

One of the investigators for the Truth Commission, Zhensile Kholsan, asserted that there is a strong suggestion that "drugs were fed into communities that were political centers, to cause socioeconomic chaos."

Americans need not entertain feelings of moral superiority. In 1960, in one of the CIA's perennial attempts to assassinate Fidel Castro, the agency planned to put thallium salts in Castro's shoes before he addressed the United Nations. Years later, the Nicaraguan government reported that a CIA-supplied team tried to assassinate its foreign minister by giving him a bottle of Bénédictine liqueur laced with thallium.

U.S. military researchers of biochemical warfare in the 1950s also conducted race-oriented experiments. In 1980, the U.S. Army admitted that Norfolk Naval Supply Center was contaminated with infectious bacteria in 1951 to test the Navy's vulnerability to biological warfare attack. The Army disclosed that one of the bacteria types was chosen because blacks were known to be more susceptible to it than whites.

Was the lethal arsenal brewed at Roodeplaats assembled with advice from the CIA and other U.S. agencies? There were certainly intimate contacts over the decades. It was, after all, a CIA tip that led the South African secret police to arrest Nelson Mandela and put him away on Robben Island all those years.

It's high time for a truth commission here. **CP**



DIAMONDS AND RUST

And So This is Christmas

BY JOANN WYPIJEWSKI

Two Palestinian youths were shot in Bethlehem the day after Nelson Mandela died. They were on the Hebron Road, near the Aida Refugee Camp where protests have been ongoing since the Israeli Defense Forces killed three Palestinians, described as militants, a week earlier. The two young men had planted no bomb, thrown no grenade, fired up no Molotov cocktail. They were shot by snipers using silencers, perched atop the concrete separation wall, the physical representation of Israeli apartheid.

From witness accounts to the Alternative Information Center, live fire came without warning. That day there wasn't even much of a protest—just some kids throwing rocks at the wall and its watchtowers when soldiers decided to pick a couple of them off. It had the ghoulish quality of a blood-sport, the worst kind, where the hunted has no chance.

In the obsequies for Mandela, newspapers here mostly gave a canned history of apartheid, but even those that had supported “constructive engagement” with the white regime in the 1980s extolled the nobility of the black struggle now. Apartheid really was quite bad, they all seem to have decided—more malign than the word's literal translation of ‘apart’ or ‘separate’ suggests. On MSNBC Rachel Maddow detailed the daily humiliations, the minutiae of pass code restrictions, the bantustans, the slow and quick deaths, the terror to human intimacy and solidarity, the power granted to every white South African to impinge on the dignity and mobility, the life, of any black South African.

The Hebron Road, where the two young men were shot, used to be the direct route between Bethlehem and

Jerusalem. For Palestinians, there is no direct route, and mostly no route. Others may make the five and a half mile trip in relative ease. President Obama did in March. Riding from Jerusalem on a road Palestinians cannot use, he would have seen the 26-foot-tall concrete slabs that zigzag for miles between the two cities, cutting the Hebron Road in several places, barring people from their vineyards, creating a fortress within the city itself around a military post and the Tomb of Ruth, a Jewish holy site in a Muslim cemetery off-limits to families of the dead.

Bethlehemites need a special pass to get through the checkpoint at their town's entrance, to travel to Jerusalem and conduct any trade there. The Israelis deny all but a few individuals those passes. Like the wall, the checkpoint is a monument to the totalitarian mind and the modern surveillance state: a fortification of steel, concrete and barbed wire around turnstiles overseen by gun-toting soldiers and an elaborate network of cameras and sensors. Slowly Bethlehem is being strangled. On part of the wall someone painted a red and green message, “Merry Christmas World From Bethlehem Ghetto.” It is not necessary for the Zionist state to require Palestinians to stitch crosses or crescents on their garments.

At Mandela's funeral on December 10, Obama stated, “We, too, must act on behalf of justice. We, too, must act on behalf of peace.... there are too many of us who stand on the sidelines, comfortable in complacency or cynicism when our voices must be heard.” Around midnight IDF troops stormed the Aida camp and hauled off six youths. Three days earlier a soldier shot a 15-year-old in the back in a refugee camp outside Ramallah. The boy died for being

among a group of children burning rubber tires and throwing stones at soldiers.

The US government has had nothing to say about this, as Obama had nothing to say in the midst of an open-air prison at the reputed birthplace of Jesus.

On December 11, the House voted 399 to 0 to commit the US to maintain Israel's military supremacy in the Middle East. Bipartisanship also flourished in the budget deal, which tripled the amount Obama had requested for Israeli missile defense systems, to \$284 million. That is on top of the \$3.1 billion annual subvention and other, unrecorded moneys that allow Israel to survive as an oppressor state.

Meanwhile, the oppressed get tinny symbolism: \$40,000 so that Bethlehem might celebrate Christmas in style. The excellent *Middle East Monitor* reports that near the festive tree in Manger Square provided by USAID, residents of the Aida camp erected their own Christmas tree, this one hung with tear gas canisters, stun grenades and ammunition, all US-made and fired at Palestinians in recent days.

A sign said, “Thank-you for the Christmas decorations but Israel kills us also with your tax money.” By the *Monitor's* calculus, across the past nine years taxpayers could follow their money to 670 million guns to 2,TKTK dead civilians, unarmed men, women and children killed by Israeli forces. After decorating the tree and criticizing US enablement of the occupation to a news organization Aida resident Mustafa Al-Arraj was arrested for vandalism with the “goal of destroying Christmas.”

For years Americans have fought over the world's designation that Zionism equals racism. It was always more practical, because less emotional, to say Zionism equals apartheid. Now that everyone is agreed on the evil of “separation”, there can be no confusion as to its meaning in this case. **CP**



EMPIRE BURLESQUE

One-Percent Solution

BY CHRIS FLOYD

This month, 500 famous authors signed a petition protesting the encroachments of the all-pervasive, techno-surveillance culture that is covering the earth with hidden eyes and ears, like a metastasized Stasi run amok. We're talking heavy literary lumber: Nobel Prize-winners, critic list-toppers, best-sellers—big names calling on the UN to create “an international bill of digital rights.”

The authors state the indisputable truth: the “fundamental human right” of personal privacy “has been rendered null and void through abuse of technological developments by states and corporations.” They rightly declare that “a person under surveillance is no longer free; a society under surveillance is no longer a democracy. To maintain any validity, our democratic rights must apply in virtual as in real space.”

Of course, one might like to see those “democratic rights in real space” applied a more vigorously in these days of airport x-rays, mandatory drug tests, “indefinite detention,” “extrajudicial execution,” “free speech zones,” etc. The accelerating degradation of “real space” liberties hardly inspires hope for preserving freedom in the virtual realm. Still, no sensible person would dispute the very worthy goals espoused in the petition.

And yet, that cankerous old worm of skepticism keeps creeping in. Especially when the petitioners declare that this assemblage of Tolstoyan speakers of truth to power is not actually “against government.” Good gracious no!

Now, you rubes out there probably think that “governments” are actually prime culprits in the mass evisceration of privacy. But no; it seems our good-hearted, democracy-preserving leaders are victims: helpless babes manipulated by their sinister intelligence ser-

vices, who, Teller tells us, “abuse power.” (Power that has been given to them by er, governments.) Not to worry, though: a nice UN resolution—and the stinging moral censure of petitioners like Iraq War supporter Ian McEwan, ethnic profiling enthusiast Martin Amis, and William Boyd, author of the latest “literary” sequel to the saga of James Bond, state assassin extraordinaire—will doubtless bring these rogue services to heel. Then our noble rulers will be free at last to pursue their tragically frustrated dreams of peace, prosperity, equality and justice.

But wait; what about the literary luminaries' warning against “technological developments ... by corporations” which suck up private data for profit? Oddly enough, the petition was coupled, as part of a one-two punch, with an “open letter” written by civic-minded corporate citizens such as Apple, Google, Microsoft and Facebook, demanding “sweeping changes in surveillance laws” to “restore confidence” in companies like, well, Apple, Google, Microsoft and Facebook, whose sole reason for existence is to mine private data for corporate profit.

Here our earnest authors come up against a very 21st-century conundrum: the ever-widening notion that the fate of our liberties should be taken out of the hands of governments and given to ... corporations and oligarchs. This is the logic behind the move by Glenn Greenwald and other dissident superstars to “partner” with hi-tech oligarch Pierre Omidyar, “leveraging” Greenwald's control of Edward Snowden's NSA documents to create a profitable new media venture. This would be the same Omidyar whose PayPal cut Wikileaks off at the financial knees in its hour of greatest peril, whose “microfinancing initiatives” have led to

mass suicides among the debt-ridden poor in India and who now appears driven to monetize dissent in the same way he's monetized poverty relief. It's unlikely that hard-hitting exposes of hi-tech corporate chicanery will feature overmuch at Pierre's new plaything.

But even the exposure of government misdeeds is to be kept within discreet limits by our new-style, media-savvy dissidents, who, like Greenwald, constantly assert they would never publish secrets that might “harm national security” or interfere with the “legitimate operations” of our neo-Stasis. *Guardian* editor and dissident hero Alan Rusbridger made that clear in his recent appearance before a Parliamentary committee investigating the Snowden revelations. As Arthur Silber, one of the most insightful political writers of our day, notes, the many press plaudits for Rusbridger's “bold” testimony overlooked the editor's shocking admission that the *Guardian* has only published “one percent” of the Snowden material, while dutifully consulting “the FBI, the GCHQ, the White House and the Cabinet Office on more than 100 occasions before the publication of stories.” Rusbridger also assured MPs that his paper will soon stop publishing stories from the Snowden cache.

Greenwald promises that his upcoming book on Snowden will provide a few more all-important revelations that the public absolutely must know (but which he must unfortunately withhold from us until the sale date). Yet as Silber points out, even with a few extra dollops of data here and there, it's now obvious that only a tiny percentage of the massive Snowden archive of spy-state malfeasance will ever be revealed.

As always, our betters—in this case, not government apparatchiks but kneecapping oligarchs and—consulting journalists—will let us know whatever modicum of truth they deem fit for our limited understanding. Or as a long-dead literary luminary once said: four legs good, two legs better. **CP**



GRASPING AT STRAWS

Hard Times on Easy Street

BY MIKE WHITNEY

For the past 14 months, institutional investors and all-cash buyers have dominated the housing market. Wall Street's Private Equity giants and hedge funds have nabbed nearly 200,000 mostly-distressed homes while moneybags investors have added significantly to that sum.

No one saw this coming or anticipated the impact that speculative capital would have on the market. I, for one, figured that prices would continue to drift lower for quite some time. But I was wrong.

According to Case-Shiller Index prices jumped 13.3 percent year-over-year. And while it's true that historic low interest rates gave sales a boost, most of the oomph came from the big money guys who piled into the market loading up on anything they could lay their hands on. That was the big difference.

I should add that I make every effort to sift through the data thoroughly so I don't mislead readers about what's really going on. But, the fact is, there was no data to sift through. The big PE firms appeared from out of nowhere raising their share of sales from next-to-nothing to more than 50 percent virtually overnight. The madcap spending spree caught everyone off guard. Housing has never seen anything like it.

Keep in mind, this year-long investment binge unfolded in an economy that's been barely growing and where high unemployment suggests widespread weakness in demand. Even so, the flood of outside cash pushed housing prices higher until Fed Chairman Ben Bernanke announced his intention to scale-back on his \$85 billion asset purchases in June. That reversed the trend, pushed mortgage rates up sharply, reduced the sales of new and used homes, and put downward pres-

sure on prices.

Now there are worrying signs that the big investors are thinking about calling it quits and moving on. PE giant Blackstone recently announced that it was putting together a home rental bond structured by Deutsche Bank, which means they're probably looking for ways to recoup their investment through public sales.

Blackstone is the largest private landlord in the US and has spent over \$7 billion in a little more than a year on 40,000 houses. If they slow their purchases in 2014, others will certainly follow.

Also, Reuters reports that "Oaktree Capital Group is leading an effort to put up for sale roughly 500 fully-leased homes", which is another red flag indicating that the REO-to-rent model is not panning out as buyers expected. It goes without saying, that if the big investors start dumping their stockpile of homes, prices are going to fall regardless of inventory constraints. That said, no one expects the surge of all-cash buying to continue. Even industry leader RealtyTrac calls it "unsustainable" pointing to a study by Goldman Sachs that claims, "57 percent of home sales in July were all-cash deals. That compares to 19 percent in 2005."

This is crazy. It illustrates the ruinous effects of easy money. Investors are so starved for yield, they're loading up on anything that promises a higher rate of return regardless of the risk.

This is how prices get disconnected from fundamentals and create asset bubbles. It all starts with bad monetary policy.

But what difference does it make, after all, if the institutional investors pack it in, prices will drop, the market will clear, and homes will become more affordable for ordinary working people?

Isn't that the best case scenario?

Yes and no. While homeownership is a worthwhile public policy goal, there are better ways to achieve that objective than by crashing the market. And that's a real possibility if the big money exits quickly sending sales and prices plunging.

Consider this: US Census data shows that in 2013, household formation totaled about 380,000 year-to-date in the third quarter. That's less than half of the 1.1 million average. It's also just marginally higher than it was from 2007 through 2011, which was "the lowest level on record."

What does it mean?

It means that college grads are still camped out in Mom and Pop's basement because they have too much debt and can't afford to move out on their own. It means that men and women are putting off marriage because they don't have the resources to buy their own place and start a family. It means that, five years after the recession ended, there's still no traditional, "organic" demand for housing because the labor market is weak, incomes are falling, and wages have not kept up with the rate of inflation.

So, here's my question to you, dear reader: What's going to happen when the fatcat financial institutions and all-cash buyers, who represent roughly 50 percent of the market, curtail their home buying due to the higher rates, higher prices and flagging demand? Is there any way that traditional first-time homebuyers (aka--bankrupt Millennials) are going to be able to step in and pick up the slack?

No. It's not possible. Not unless more of them are able to find good paying jobs and start building their savings. And that's hard to do when the government is pinching pennies and you're already up-to-your-eyeballs in red ink.

So that means that 2014 is going to be a tough slog for housing unless, of course, the economy catches fire. Which doesn't seem likely. **CP**



DAYDREAM NATION

The Sacred Fire Next Time

BY KRISTIN KOLB

She kneels on the asphalt, head bowed, holding an eagle feather, almost supplicant, in front of a police line choking the road. Three women join her, singing and praying. The armed and obviously addled cops gape, jeer, and shiver.

On October 17, just before dawn, the Royal Canadian Mounted Police raided a protest camp of Mi'kmaq natives, Acadians, and Anglophone people near Rexton, New Brunswick. The community—led by residents of the nearby Elsipogtog reservation - lit a sacred bonfire at the entrance to a guarded lot holding massive Thumper trucks used for seismic testing to locate shale deposits rich with natural gas. The government of New Brunswick granted Texas-based Southwestern Resources company (SWN) permission to start hydraulic fracturing, or fracking. Neither government nor industry obtained permission from the Mi'kmaq Nation, whose ancestral lands encompass the project—even though the law requires it.

Fracking is a method of extracting natural gas from shale rock deep in the earth. A mix of water, chemicals, and sand is blasted into the deposits to release the precious resource, poisoning groundwater in the process. The company promises 1,000 jobs. But locals fear the fate of their water and land. With no voice in the decision-making, they pitched tents and blocked the trucks. SWN estimated it lost \$54,000 a day as the Thumpers gathered dust. The Elsipogtog band formed a Warrior Society. People in town donated provisions for the long haul. The company obtained an injunction to end the stand.

That autumn morning, men, women and children awoke in their tents to gunshots, threats, and snarling police

dogs. Camo-clad goons crouched in the weeds, sniper-style, scoping with assault rifles. Chaos ensued. Then came a day of war. Forty people were arrested—some beaten unconscious. Police cars burned.

Tribal elders and women rushed to the frontline. The cops grabbed a great-grandmother, praying her rosary, and pepper-sprayed her face.

That's when the young mother, Amanda Polchies, knelt down.

"I just had this feather and I didn't know what to do," Polchies told *Al Jazeera*. "And the first thought in my mind was, 'pray.' I knelt down on the road. I was praying for the women who had gotten sprayed. I was praying for my people, hoping that this will end peacefully. I felt like making a stand was the only thing left because no one was listening." She was arrested.

Chaos also ensued online. Weeks later, it's still vexing to parse fact from rumor. Social media has been the conduit of communication, as mainstream news sources stick to stereotypes: The protesters are poor, ignorant thugs.

And the Canadian government is very invested in pushing that image. In 2012, environmentalists acquired federal documents labeling native people "adversaries" of Canada's campaign to sell tar sands as the energy answer to the Obama administration and beyond. On November 21, the *Vancouver Observer* reported that the government, with its BFF, the oil industry, is spying on natives and environmentalists opposed to fracking and pipelines.

One of the targets is Idle No More, a movement started by four women fed up with the racism, the disregard and the abuse inflicted upon native people in Canada. Idle No More embraces

direct action and community empowerment—and flash mobs and a flashy web site—but not top-down foundation funding or bottom-ignorant NGO campaigning.

Idle No More inspired the people of Elsipogtog, and they, in turn, inspired others. Just in the past month, dozens of actions popped up. In November, the Lubicon Nation pitched camp in the heart of the energy beast, Northern Alberta, to stop more fracking. On December 2, demonstrations occurred in the United States and Canada to honor the resolve of the Mi'kmaq. Protestors shut down the Port of Vancouver. People locked themselves to Enbridge pipeline equipment in Toronto. In Oregon, activists ambushed a huge rig lugging refinery supplies to the dreary tar sands.

In northern British Columbia, the Unist'ot'en Camp is blocking pipeline routes to the coast. They've planted a garden of kale and carrots in a clear-cut, hunted and cured deer and moose meat, and stocked cabins with wood for what's looking like a damned cold winter. They face daily helicopter surveillance and intimidation.

"Please try to remember that what they believe, as well as what they do, and cause you to endure does not testify to your inferiority but their inhumanity," wrote James Baldwin in *The Fire Next Time*.

People who are, indeed, simply fed up with a corrupt and insincere political process, corporate arrogance, the buying of institutional power—are now acting, a little at a time, humanely. If you blink and ruminate over the fatiguing news feeds, the empty presidential speeches, the egomaniacal pundits, you just might sleep through your own revolutionary moment. Who knows!

SWN Resources left New Brunswick on December 9, and said they'd return in 2015 for further shale gas exploration, men with guns behind them, no doubt, again. The Elsipogtog people say they're healing, and they'll be ready with another sacred fire next time. **CP**

Assange, Politics and Liberties

The Resilience of Wikileaks

BY BINOY KAMP MARK

At the end of 2013, it can be said that WikiLeaks has moved into the pantheon of dissident activism. It is a proven and valued troublemaker. Its founder, Julian Assange, is so troublesome Hollywood has bothered to run him through the fame slaughterhouse that is the dream factory. The organisation has also attempted to enter parliamentary politics in the form of the WikiLeaks Party.

For the modern age of information, distribution and conservation, the resonant image is that of Assange, his mouth taped by the flag of the United States, the many faced figure who appears at Sundance, announces the opening to an M.I.A concert in New York, passes time with Lady Gaga, and raps. Some of this is by design; much of it is the accrual of historical accident. The challenge we face now is where his broader project, and that of WikiLeaks, goes. Of one thing, there is little doubt: the project seems here to stay.

Assange as Cult and Idea

Assange, like figures associated with previously supposedly revolutionary movements, provides a complex image. Such a state of identification cuts several ways. Martyrology can become tempting, a sanctification of the fallen in the face of terrible odds. The odds posed by the world's only superpower tend to be rather formidable. There is an ongoing investigation into the organisation, and while there is a small question mark as to whether there is a Grand Jury involved in the process, there is little doubt that Assange and Wikileaks remain subjects of enormous interest. They bucked the trend. They must be watched.

Assange has also been, at this writing, in de facto detention for over 1101 days. According to the site "This Day in WikiLeaks," the secret Grand Jury on the organisation has been active for 1179 days. He has been in the Ecuadorean embassy in London since June 19, 2012. Since November 2010, Assange has also been the subject of the infamous European Arrest Warrant regarding Swedish requests to interview him over allegations of sexual assault. The Swedish authorities persist in their refusal to interview Assange in the embassy, either in person or by other means. Charges have not been formally laid.

Such personalised issues obscure points and blur relevant arguments. In that sense, the group Anonymous has a certain advantage, notably in the milieu of American politics. Nothing feeds the American political spirit more than a personal image, a fallen demon figure that beams evil in the face of good. (The reverse is also true.) Abstractions become flesh and blood, or at the very least, they can be regarded as

achievable and obtainable. Evil is an easy business. Deep hues of grey cannot be tolerated. WikiLeaks, for such reasons, finds itself an easy, even indispensable target of the security establishment.

When the "dump" of US cables took place towards the end of November 2010, the commentary directed at Assange was venomous. He was deemed a cyber terrorist and Sarah Palin urged US authorities to "hunt him down" like one. As Rep. Pete Hoekstra, R-Mich, the ranking Republican on the House Intelligence committee claimed, the disclosure had "nothing to do with transparency" but everything to do with "undermining American foreign policy." Assange did stumble initially, revealing that he had no protective regime for informants. This was an error he would subsequently correct. What exists now is a sophisticated operation run on a shoestring budget.

Then came the celluloid experiments. WikiLeaks found itself the subject of various portrayals. Alex Gibney produced *We Steal Secrets: The Story of Wikileaks*, a title that is only appropriate depending on your views of private ownership over information. Presumably, if one assumes that all property is theft, Gibney might have a point. Theft is axiomatic to accumulation. While much critical reception followed, Gibney received a bruising from various individuals. Assange was displeased and played no personal part in the documentary. An annotated version of the film script was subsequently produced by WikiLeaks.

Australian academic and commentator Robert Manne found Gibney's portrayal (*The Monthly*, July 2013) somewhat dehumanising: Assange, in the depiction, lacked empathy; his narcissism bubbled to the surface with ease; and he supposedly discounted the lives of those revealed in the Afghan logs. "We see him being made up for a television appearance and admiring photographs of himself in the press." And Gibney's tale is one many have found attractive in interpreting Assange: his hubris and faults are like those of an ancient Greek play, producing an organisation that "has become a mirror image of those it once opposed—secretive, authoritarian, intolerant, unjust."

The telescopic lens on the man is so sharp it is bound to distort. No figure that dabbles in the business of changing history can ever be otherwise. So, with Gibney, personal frailties are superimposed and exaggerated in the Assange he wishes us to see. He trims the record to advance his claims. He uses interviews selectively. According to Manne, the conclusion of *We Steal Secrets* that Assange's fears are false is itself misleading. "This misunderstanding distorts almost everything we learn from the moment Julian Assange's troubles commence, following WikiLeaks' publication of the Bradley Manning material."

Scale is important here and getting a sense of perspective is problematic. Assange is part Narodnik in the tradition of Russian populism, part libertarian, and also a social justice advocate. He is a person who has felt the pulse of history with

all its confused signals. The art critic for *The Economist* noted how Julian Assange was “stranger-than-fiction”, a beast of many strands and brands. Such creatures make good if unreliable copy. “If any 21st century public figure deserves a biopic, it is Mr. Assange” (*The Economist*, Oct 11). Bill Condon’s *The Fifth Estate*, featuring Benedict Cumberbatch as Julian Assange, was one such attempt. It floundered at the box office. The depiction of Assange in the script proved weak, and it is worth noting that Cumberbatch himself was told by Condon to play the activist publisher as an unhinged egomaniac. (Cumberbatch’s own performance actually passed muster, though it did not save the film.)

WikiLeaks retaliated by leaking its own version of one of the riper scripts. It challenged various depictions, notably those featuring former collaborator Daniel Domscheit-Berg. It also released the so-called “geopolitical” road movie *Mediastan* in a harrying countermove, allowing free viewing for a period of time. As Assange advocated, “This weekend, instead of wasting your time and money on Hollywood propaganda, why not get all your friends around and spend your time watching *Mediastan* instead?” (*Sydney Morning Herald*, Nov 7).

Indeed, the reaction to *The Fifth Estate* by Assange showed the extent the information wars can become propaganda wars, a hostile battle for what media actually is. On the WikiLeaks website, a column of reviews is cited for *Mediastan*, and a column for *The Fifth Estate*. The IMBD rating for the former: 8.8 out of 10; the latter, 5.9 out of 10. Reviews range from “Brilliant punch lines” in the former to “horseshit” for the latter.

Mediastan, a project Assange terms “journalism in extremis”, attempts to give, in the wording of a statement from WikiLeaks, “a behind-the-scenes insight into the world’s first truly global media event, Operation Cablerun, the 2011 operation during which WikiLeaks ran hundreds of thousands of secret US government cables to media outlets around the world.” Undercover teams of journalists journey across various former Soviet Republics—Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan—then U.S. occupied Afghanistan. They end up in Assange’s kitchen, “ambush” *The Guardian*’s editor Alan Rusbridger, and reveal footage featuring *New York Times* editor Bill Keller and publisher Arthur Sulzberger “wisecracking about Obama and WikiLeaks.” Keller comes across as having knowingly concealed revelations of mass surveillance by the NSA. Rusbridger does not fare much better, admitting that material in US cables about western oil companies and kleptocrats were censored. The hand of the US State Department behind the publishing policy is also revealed.

Publishing and Casualties

The fourth estate has been emptied of its citizens—or at the very least the worthy ones. Many have demonstrated

themselves to be incompetent and compromised. Laziness has crept in. State and company press releases and briefs have become a journalist’s copy. The Alistair Campbells have become the dictators of print and debate. Press officers control the flow. As ever, the pressing needs of exposing the activities of government meet the imperatives of keeping those activities secret. Many of the journalistic clan, involved as they are with the press moguls, collaborate with that principle.

WikiLeaks has provided the short circuit for that incestuous connection, a link between the whistleblower and the public forum. Outside the *cosa nostra* of state and establishment knowledge, new opportunities are emerging allowing for the disclosure of what might be termed sensitive information. The task has proven costly, largely because whistleblowing laws across the globe prove woefully inadequate in protecting those who disclose material. Disclosures must always been internal, which tends to defeat the purpose.

The conviction of Pfc Bradley, now Chelsea Manning, in July 2013, was a low point, despite the claim by Assange that it had been a “tactical victory”. It indicated that passing on information to a media organisation could lead to the stiffest of sentences—up to 35 years. This is a battle and it has and will continue producing casualties. “Mr. Manning’s treatment,” explained Assange, “has been intended to send a signal to people of conscience in the US government who might seek to bring wrongdoing to light” (ABC, Aug 21). WikiLeaks did escape the designation of being a foreign or enemy organisation in the Manning Trial. To have made a finding that it had been so would have made any news outlet a potentially criminal entity. This did not stop various delegates, notably the Australian contingent, noting how often WikiLeaks was mentioned in proceedings.

Colonel Denise Lind’s judgment tip-toed around the issue, but still found Manning in violation of the Espionage Act of 1917 and the Computer, Fraud and Abuse Act. The decision was also handed down on an auspicious day: July 30. The Continental Congress on July 30, 1778 passed the world’s first whistleblower law, encouraging citizens to “give the earliest information to Congress or other proper authority of any misconduct, frauds or misdemeanours committed by any officers or persons in the service of these states, which may come to their knowledge.” The law remained blind to the fact.

The same fate befell the guerrilla journalist and hactivist Jeremy Hammond, another invaluable contributor to WikiLeaks. In his case, five million emails were disclosed to WikiLeaks featuring the activities of Strategic Forecasting, the private intelligence firm otherwise called Stratfor. For that, he paid a heavy price, in addition to fraudulent use of hacked credit card details. The prosecution strategy here was always to narrow the role Hammond had actually played: exposing the poisoned and corrupt security state that has become corporatized and formalised.

Perhaps the highpoint of the organisation's activities this year was its involvement with former NSA contractor Edward Snowden who had been working for Booz Allen Hamilton. Assange advanced logistical and legal support via Wikileaks section editor Sarah Harrison, who accompanied Snowden from Hong Kong to Moscow on June 24 this year.

What the Snowden affair revealed was that the behemoth of global surveillance was unmeasured and total. Democracy had become a creature of taxidermy—stuffed with legislative protections, but far from alive. Snowden's revelations have been, and continue to be seismic as of this writing. Surveillance programs like PRISM and Tempora are no longer the obscure language of a secret bureaucracy. Such disclosures demonstrate incompetence on the one hand—the inability to sift through information in a relevant way by the “intelligence” establishment; and an indifference to scope and reach—what and who is being monitored.

The National Security Agency has been besieged with reform proposals, though such amendments as those proposed to the Foreign Intelligence Surveillance Act (FISA) do not go far enough. Senator Dianne Feinstein (D-Cal.) has proposed reforming the NSA's practice of bulk gathering while actually legalising it. The conflict of legislation continues on the Hill. We can only hope that the likes of Senators Ron Wyden (D-Ore.), Richard Blumenthal (D-Conn.), Rand Paul (R-Ky) and Mark Udall (D-Co.) win out.

WikiLeaks in Politics

Politics is the swamp of the world—it seeps into everything. Publishers are not exempt, caught as they are between the decision to publish, to withhold, or to fashion the material that is released. In fact, it can be argued that papers are the coal face of information, dirty with revelation and exposure. Wikileaks, because of its activities, has revived a moribund fourth estate, and suggested that a fifth one might be in the offing. That world is busy, irritable and exciting. It is filled with agitators and confronters.

Moving from publishing to political representation was one of the challenging steps taken by Assange in 2013. The publishing outfit was problematic enough to run. A national organisation, formed in a matter of months to contest a federal election would be monumental. Activists from various political persuasions, veteran campaigners and a host of advocates were gathered. A national council was created, though its constructive role would come, in time, to be disputed by Assange.

The moment WikiLeaks decided to drink from the chalice of political intent, challenges became clear. Battles were waged within the fledgling WikiLeaks Party, born in Australia on April 23 under the secretarial guidance of Assange's biological father John Shipton. Initially, at least, activists and seasoned political campaigners attempted to join hands in an effort that would see, by some electoral miracle, the election

of Julian Assange to a seat in the Australian Senate.

This, had it happened, would have been a coup of some proportions: a spineless government in Canberra, determined to wash its hands of Assange, would be required to step up efforts to find means to get him back to Australia to represent the state of Victoria. Australia's most celebrated political dissident and asylum seeker would find himself in parliament.

There was optimism that Assange had a chance in the polls. In the words of political scribbler Guy Rundle (*The Monthly*, June), “There is every possibility that a high-profile candidate such as Assange, who has already gained millions of dollars' worth of publicity for free, could surpass [the vote needed] to secure a virtual place on the red leather benches.” Veteran news broadcasters and commentators saw promise—a foul disease had taken hold in Australia, and other countries where democracy had gone stale in the larder. The extreme political centre, one where major political parties disagreed only on the immaterial and minor issues, had proven to be powerfully contaminating. Rural populists were hungry in the state of Queensland. An idiosyncratic mining magnate wanting to build a second Titanic was establishing his own party—the Palmer United Party.

Exaggerated polling figures were cited as evidence of potential success, notably from the research company UMR, which claimed that Assange could garner a vote as high as 26 percent. This measurement tended to confuse awareness with appeal. Most in the electorate would know Assange, but whether an electoral dividend could be gathered from that was quite another matter. “Mate, surely he's in Bolivia,” said a confused voter at a pre-polling both in central Melbourne. That said, the political and media establishment sensed something was brewing. Certainly, an unprecedented attempt to win a federal seat was being made. A distant candidate would effectively attempt to win a Senate seat remotely, confined in the Ecuadorean embassy in London. There was one striking parallel in this: that of Eugene V. Debs, the U.S. Socialist candidate who ran for President from his prison cell in Atlanta in 1920.

Candidates for the Australian Senate were slated in three states—Victoria, New South Wales and Western Australia. They were a varied bunch—lawyers, former diplomats, activists. Three were fielded in Victoria, one of which was the author, in the hope that WikiLeaks would find some formal political presence in the arena. The first candidate was Julian Assange himself. The campaign launch at the old Fitzroy Library in Melbourne on July 25 was a foretaste of the first electoral campaign in history of its type—one conducted via Skype phone-ins and social media “hang outs” with press and public.

The policy platform centred around key areas of the WikiLeaks brand label. There would be an emphasis on transparency, accountability and justice. The first term was always going to be the most problematic, given the supposed contra-

dictions WikiLeaks has found itself in. For one, it demands anonymity for its sources. It is far from an anarchist organisation intent on exposing all without qualification. For that reason, it would be far better to place WikiLeaks in the guerrilla category of transparency.

In the information wars, it was clear that accountability would be impossible in government without steely, well implemented policies of transparency. The terms have a neat symmetry. The pursuit of justice completes the set. For Assange, it was important that the movement remind its detractors that it was also keen on drawing elements of justice from the left. The active altering of an unjust order makes peace with protecting existing liberties.

In the WLP's official statement on transparency, it was argued that "truthful, accurate, factual information is the foundation of democracy and is essential to the protection of human rights and freedoms. Where the truth is suppressed or distorted, corruption and injustice flourish."

The party would not pretend to aspire to government—it would, rather, be the vigilant monitor of government, reflecting the true role of an upper house that had gathered dust over the years. "The WikiLeaks Party is fearless in its pursuit of truth and good governance, regardless of which party is in power." While the government after September 7 was in all likelihood going to be a conservative one, the Senate would be restored as a chamber of oversight, ever watchful of the populist excesses of the lower chamber. Parliament, according to the WLP statement, had become "little more than an extension of that government's executive machinery".

In terms of specific policies, the WLP demanded full transparency of the cruel Papua New Guinea solution, one involving the transfer of asylum seekers otherwise destined for Australia to an indigent Manus Island. Details on housing, assessment and review processes would be sought. Combating climate change was also accepted as a fundamental feature of the party's policy. The WLP campaigned on improved shield laws and whistleblowing laws. The party also made winding back blanket, unwarranted surveillance central to its platform. "Under Commonwealth, State and Territory laws, police and security agencies currently have access to data about which Internet sites you have been looking at, who you are calling and who is calling you, where you are located when using your phone or accessing your email account."

The party was, and remains, keen on amending the telecommunications legislation to introduce a warrant regime for accessing such data. Further to that, a Snowden imprint has been introduced, something conspicuously absent in any major party platform. "Australians are also entitled to know if our security and police agencies are swapping or sharing data about Australians with overseas agencies." The domestic intelligence agency ASIO should be compelled to table by law the instances of data sharing with other agencies.

In various circles, the new party was a challenge to

promote. Civic education is appalling in Australia. While many Australians claim they live in a democracy, they don't like the business of doing it. A large portion of the electorate is barely able to understand the difference between upper and lower houses, let alone who their local members or senators are. Some did not even know that a Senate, effectively a watchdog body, existed. Nor has compulsory voting cured this epistemic darkness: the major parties know that they will get votes, however little or much work they do in terms of governing and campaigning.

As with all political projects, there were those who sought to challenge the WLP from within and without. The dirty politics generates touches all who dabble with it, a cloying mixture of filth that clings even after the discard. Initially harmonious musings at the campaign launch in July soon changed when it came to the often baffling and amoral business of dealing out preferences. The Australian political system is a wet dream for political analysts and unimaginative pundits, the pornography of democracy. The system demands that parties, to have any chance at winning, preference all other parties on the ballot, even those considered against their interests and platforms. All parties are preferenced—the anger arises in what exact order preferences are allocated.

Internal discussions ensued leading up the lodgement of the party's Group Voting Ticket in August. Should Christian groups be preferenced more favourably over others? Where would the large, burgeoning recreation lobby feature in the electoral calculations, those colourful boaters, fishers, shooters and anglers? Then came the thorny issue of where the libertarians would sit. Assange had baffled some of his left supporters with his praise of the Pauls—both Rand and Ron. The appreciation shown by Assange should have been of little surprise to those who had followed the engagement closely—in the assortment of opinions, Assange has farmed those that work well with the WikiLeaks principle. But the cat was out of the political bag: he was politically eclectic and variable, and difficult to track the game of political categorisation.

It became clear that the woolly headed elements in the party did not realise the broad appeal the WikiLeaks idea had electorally. For them, it had to be seen as one-dimensionally progressive, a term in Australia that has never had any genuine currency. In truth, it appealed to those not merely from the left and dissatisfied Green voters, but to anti-statists, those suspicious of the overreach of government, and a sense of accountability in the making of policy. For the temporary fashionistas of politics, WikiLeaks was the satisfaction of the moment, rather than a viable political reality.

The Crisis

Then came the publication of preferences in August. A bomb had been dropped and WikiLeaks, ever the accustomed bomb thrower, found itself the target. "It seems like the pro-

gressive love affair with WikiLeaks may be coming to an end,” mused Simon Copland for the Australian literary journal of the left, *Overland* (Aug 19). Copland noted the WLP’s preferencing of the fascist Australia First and Shooters and Fishers parties ahead of the Greens in New South Wales, and of the National Party in Western Australia.

Those associated with the process of lodging the preference forms admitted that there were administrative errors in the decisions in New South Wales. Those familiar with the complexity of Australia’s madly constructed system of voting understood—little value in terms of policy can be gained from whether you mark one party at box 24 or box 34. This is a matter of mathematics rather than principle.

Most ignored that reality: this had to have been plotted and hatched in “secret”, a means of subverting the wishes of the National executive. Certainly, Copland refused to accept that human error may well be one of the most important features of historical change. Besides, Assange had “come out in support of US libertarians Ron and Rand Paul.” As if suggesting something remarkable, Copland quoted a statement from Assange praising the Pauls. “The only hope, as far as electoral politics presently, is the Libertarian section of the Republican Party..

Assange was placed in a difficult position in Western Australia. His West Australian candidate Gerry Georgatos had decided to go against the National Council’s wishes and preference a National Party candidate over that of the Greens. This was not helped by the fact that Georgatos had little interest in dealing with the Greens—he had himself been involved in the movement. Finding it not to his taste, he had attempted to establish a counter grouping. History weighed heavily in his decisions.

Georgatos insisted that he had done what was asked of him: preference minor parties over major parties. Because he regarded the Greens as a major party, and the Nationals as a minor, the allocation was duly made. There was potential that such machinations would affect Australia’s foremost defender of WikiLeaks, the Greens West Australian Senator Scott Ludlam. (It turns out that the WLP preferences did, after all, flow to Ludlam, showing again how preferential voting can be an elaborate farce.)

The Greens party, assuming the patronage of minor parties, had seen their assumed line of support from WikiLeaks blocked if not severed. A war on social media and the presses emerged over the decision, with Greens activists clamouring for blood over their rebuffed patronage. This strategy, it must be said, was not confined to WikiLeaks. It assumed a particularly aggressive form against other minor party contenders, among them the Australian Sex Party. Cyber trolling became *de rigueur*, all the time ignoring the fundamental fact that the Greens were also engaged in their own deals of preferencing mining parties such as the PUP.

No longer was it a case of seeking to make policy or placing

the party on a footing to win; for six days, the electoral campaign was mired in the procedural bonanza of seeking an internal review within the WLP, a feast of back biting, hysteria and recrimination. Volunteer meetings became open forums less for discussing electoral tactics than soul searching for slighted National Council members. Most volunteers were puzzled at this airing of laundry—the foot soldiers wanted to march into battle, not stymied by circular, often personal debate. Besides, the review could wait till the end of the election.

The questions kept being asked with mantric repetitiveness: Why did the preferences flow to right wing parties? What were the constitutional tensions between the National Council and the candidates, or for that matter, the campaign manager, Greg Barnes? The review had to happen now, or its proponents, led by Victoria’s second placed candidate Leslie Cannold, would walk. Without telling the campaign director and even Assange, they did, making a concerted effort to sink the Victorian campaign. While the effort failed, it proved how easily Saturn can devour its children. WikiLeaks was learning electoral politics the hard way.

Suggestions of conspiracy grew in the hot house of speculation. The gossip machine hummed. Gibney seemed to be haunting proceedings with his spectral presence. Was Cannold an American plant? She was, after all, thin on policy, quick on Twitter, keen on glamour and obsessed with a tunnel vision view of political discourse. Wasn’t her departure from the campaign all too convenient, given the timing? Instead of staying for the fight, the hollow term of “principle” was cited. A conflict between the Mensheviks and Bolsheviks had seemingly developed. Those who resigned from the National Council and Cannold effectively formed an unholy alliance with those in the major presses which had found the idea of a WikiLeaks presence in Parliament terrifying. Assange had become a demon by consensus.

Assange retaliated by claiming that the WLP was not a “green front” and that the conflicts had effectively resolved themselves. Teething issues were bound to happen in any new political movement. The shot aimed at the Greens may not have been the soundest of strategies, but the major candidate had admitted to being distracted by attempts “save the life of a young man.” The Snowden affair had pre-occupied him for sometime—Wikileaks had, after all, provided logistical support to Snowden in his effort to seek asylum in Russia. The Murdoch Press decided to see this as irrelevant and a sign of weakness. Assange, in the headline of *The Australian* (Aug 22), was “too busy with Snowden” to concentrate on the WikiLeaks Party.

Many Directions

The electoral wash-up in September did not yield a senate position for the WLP. It demonstrated the absurdities of the preference system. Smaller parties less concerned with ideo-

logical gloss won seats, including a member of the Australian Motoring Enthusiasts Party, which netted a mere 0.5 percent of the primary vote. The election did not provide a means for Assange to return to Australia. What it did announce was that the WLP was here to stay, a political experiment bound to last beyond its founders.

Where, then, does the political project go? The first step is often the costliest, and WikiLeaks has undertaken many so far. It can be argued that such projects should remain incendiary, bomb throwing and on the outside of the political system. This flawed reasoning assumes that an organisation like WikiLeaks has no formalised political role to play. The assumption is false in principle: every organisation that professes to deal with the material Wikileaks does—the exposure of secrets, the holding of officials to account—can prove invaluable in a political capacity. Whether this will be formalised in a global movement with a WikiLeaks label is almost beside the point. Various entities based on such principles have formed: the transparency movement, the Pirate Party, and others keen on stretching formal government channels. The process, it would seem, is irreversible. And we can only be thankful for that.

The great issue to map will be how valuable information disclosed by WikiLeaks can be. It is one thing to decry material that is disclosed because it is attained by means of a violation. It is quite another to examine the weight of that material. Most information, provided one looks hard enough, is present and innocuous. What makes it dangerous, if at all, is the context and colouring given to it. Data mining, for that reason, is problematic. But it is often forgotten that it is not WikiLeaks that mines data but multi-billion dollar intelligence services that do so at the expense of private liberties.

The attempt to return power to the citizen via the possessive powers he or she has over information, be it in terms of what they can view, what they can interpret, and what they can act upon, remains the most powerful of messages. The more information that is circulated, the greater the need to maintain an awareness of where it goes. It is that which terrifies centres of power, and that for which the organisation must be remembered for. WikiLeaks is not the anarchist supreme, but a reminder of what governments indifferent to rules and laws can do. **CP**

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Lies, Damn Lies, and Drone Kill Statistics

BY CHARLES PIERSON

Untruths, they say, come in three kinds: lies, damn lies, and statistics. The debate over the number of Pakistani civilians killed in US drone attacks bears this out.

“In a Surprise, Pakistan Says Fewer Civilians Died by Drones,” declared the *New York Times* on October 31. According to new figures released by Pakistan’s Ministry of Defense, since 2008, 2,227 people have been killed in 317 drone attacks, 67 of them civilians. This equates to a civilian death toll of about 3%. Independent sources, the *Times* reported, had earlier put the figure at 6% or higher.

The Ministry of Defense went further: there had been no civilian casualties *at all* in drone strikes in 2012 and 2013.

This will come as good news to Rafiq ur Rehman, a school-teacher from North Waziristan. On October 29, Rehman (who had been invited by Florida Congressman Alan Grayson) told the US Congress that a drone strike in 2012 had killed his 67-year old mother. Rehman was doubtless overjoyed to learn that his mother hadn’t been killed.

If Pakistan’s claim of zero civilian deaths sounds familiar, it should. John Brennan, President Obama’s drone czar (now CIA Director), made a similar claim in June 2011 when he said publicly that no civilians been killed by drones for nearly a year. Pakistan’s claim was *déjà vu* all over again.

Brennan was forced to modify his statement. Pakistan’s October announcement met an equal degree of skepticism, not least because of Pakistan’s previous condemnation of drones. Pakistan has steadily maintained that US drone strikes kill large numbers of civilians. But these new figures seemed to say that the US is correct in insisting that drones are surgically precise weapons which pinpoint terrorists but kill few civilians.

Pakistan’s puzzling shift was noted by Ben Emmerson, the UN Special Rapporteur on counter-terrorism and human rights. Emmerson told the *Times* that the new figures were “strikingly at odds” with figures he had previously received from the Pakistani Foreign Ministry. Those earlier figures indicated that at least 400 civilians had been killed by drones since the strikes began in 2004.

Four hundred civilian deaths is appalling, yet does not come close to the figures submitted to the Peshawar High Court by the governments of North and South Waziristan. Waziristan is located in Pakistan’s tribal belt bordering Afghanistan, and is the prime target of US drone strikes. According to the report no fewer than 1,449 Waziri civilians have been killed by drones over the past five years.

Why did Pakistan slash the death tally? The Pakistan *Express Tribune* accused the government of “seemingly plucking figures from the air.” Pakistan has offered no explanation

for the new, lower numbers and the *Times* did not speculate. But we can.

On October 22, a week before the new figures appeared, Amnesty International released a new report: “*Will I Be Next?: US Drone Strikes in Pakistan*.” The Amnesty report attracted attention for its cautiously worded, yet nonetheless powerful conclusion that the drone strikes it had examined “may amount in some cases to extrajudicial executions or war crimes and other violations of international humanitarian law.”

The *Times* story made note of the Amnesty report but did not mention that the report was released one day before Pakistani Prime Minister Nawaz Sharif and President Obama met in Washington.

Like virtually all Pakistanis, Sharif opposes drones. Sharif, who had held the office twice in the 1990s, was reelected this year and returned to the Premiership on June 5. In his inaugural remarks, Sharif unambiguously called for a halt to U.S. drone strikes, telling Parliament that “this chapter shall now be closed.”

Unfortunately, Sharif holds a weak hand. Pakistan could easily shoot down the drones. It doesn’t because the country is heavily in hock to Uncle Sam. As Medea Benjamin wrote in *CounterPunch*, if Pakistan shoots down an American drone it can say goodbye to the \$1.6 billion dollars in aid Pakistan receives directly from the United States *plus* \$6.7 billion pending from the International Monetary Fund which the United States controls.

Financial pressure aside, does it need to be said that the United States also has the muscle to apply more severe measures against Pakistan? When ants fight an elephant, it’s bound to be bad for the ants. How can Pakistan ground the drones without getting squashed?

Imran Khan may have the answer. The former cricket superstar leads the Tehreek-e-Insaf (Justice Movement) which governs the Pakistani province of Khyber-Pakhtunkhwa. After a November 21 drone strike in Khyber-Pakhtunkhwa killed 6 people at an Islamic seminary, Imran Khan vowed to close the NATO supply route which runs through the province to Afghanistan.

Khan’s followers, together with members of the right-wing religious party Jamaat-i-Islami, have set up makeshift barricades along the highway leading into Afghanistan. Bands of young men swarm trucks at toll exchanges, demanding to see their cargo manifests to make sure the trucks are not carrying supplies to NATO and breaking open containers on board. Rallies against drones have drawn thousands.

But the blockade is Khan’s idea, not Sharif’s who has neither endorsed nor condemned it. Either approval or opposition would make Sharif look weak compared to Khan. Sharif has to hope that the blockade fails. If the blockade succeeds, Khan reaps the glory. Khan ran against Sharif in the May elections and will unquestionably make another run at

the Premiership.

In any event, the Khyber-Pakhtunkhwa blockade was weeks in the future when Prime Minister Sharif met with Obama on October 23. Sharif had promised Pakistanis that he would take a stern line in his meeting with Obama. Did he? We don’t know. The Joint Statement issued by the White House after the meeting says nothing about drones. (The Statement does, however, present guff such as: “The two Leaders emphasized their support for a policy of non-interference in Afghanistan.”) I wasn’t able to listen in on their conversation (I’ll leave that to the NSA), but I believe that a deal was struck.

The substance of the deal is most likely something like this: the drone strikes won’t stop, but Sharif will get to take credit for negotiating a decreased number of strikes. The Obama Administration loses nothing because the number of drone strikes in Pakistan has been steadily falling since 2010. In return, the Pakistan Foreign Ministry took pressure off the Obama Administration by cooking up its phony October 30 report sharply minimizing the number of bodies U.S. drones leave behind. The phony figures also help discredit Amnesty International’s report.

A sort of epilogue: on November 5, the Pakistan Ministry of Defense announced to the press that its October 30 figures were “wrong and fabricated.” No matter, the October 30 figures had served their purpose: they had given U.S. drone strikes legitimacy. The *Express Tribune* wrote on November 6 that the October 30 figures “provid[ed] the United States an excuse to launch more attacks.”

And so it has. On November 1, a drone strike killed Hakimullah Mehsud, leader of the Pakistan Taliban. Not a nice man, Haki, but killing him caused the Pakistan Taliban to withdraw from peace talks which were about to begin with the Pakistan government. Imran Khan denounced Washington for deliberately sabotaging the peace talks, and he is not the only one who thinks this.

Joe Stalin is an unlikely moral philosopher, but he was on to something when he said that one death is a tragedy, a million deaths are a statistic. When we throw around numbers, we lose sight of the individuals who suffer and die. We must not allow this to happen. Drone victims are not statistics. **CP**

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The Reversion of Honduras

“Democracy” for the People who Matter

BY NICK ALEXANDROV

On December 12, the Honduran electoral tribunal announced the National Party’s Juan Orlando Hernández as the country’s new president, with the LIBRE party’s Xiomara Castro, wife of former President Manuel Zelaya, coming in second. Since the presidential race concluded, election observers and analysts have almost unanimously described the voting process as flawed. The EU and State Department were most definitely among those aware of the defects.

In its preliminary statement from November 26—two days after the election—the EU acknowledged a number of “irregularities,” including the Voter Register’s unreliability, and the fact that the incumbent National Party “enjoyed a significantly greater amount of coverage” than the other parties. Emily Achtenberg, who observed the election with the National Lawyers Guild delegation, also noticed this disproportionate coverage afforded the victor, whose face appeared on “virtually every inch of costly advertising space”—a “sign of the extreme disparities of wealth and power that cast a long shadow over the election,” she added. And Lisa Haugaard’s experience with the Voter Register reinforced the EU’s assessment: she and the other members of the International Human Rights Federation’s observation team “met at least 20 people who had been declared dead and were unable to vote, as well as others whose voting places had been changed, making it difficult for them to vote.”

The State Department, for its part, admitted in a November 27 press statement that “inconsistencies” marred the occasion—the same charge Zelaya, toppled in the June 2009 Washington-backed coup, has leveled. Zelaya’s ouster is already entering official history as an event akin to, say, a natural disaster, with recent *New York Times* and *Washington Post* pieces referring simply to “a coup,” the same way one might refer to a flood or drought. No mention is made of the fact that four of the six generals behind Zelaya’s removal were School of the Americas (SOA) alumni; never, it seems, will readers be permitted to puzzle over the confession of Colonel Bayardo Inestroza, the coup plotters’ adviser and fellow SOA graduate: “We committed a crime, but we had to do it.” There was legitimate outrage last month when armed gunmen raided the office of Salvadoran human rights organization Pro-Búsqueda, torching most of its archives. But in this country, a corps of well-behaved reporters is just as effective at killing history.

Returning to the recent election, we can note that SOA Watch’s delegation, like Zelaya, also identified “numerous irregularities and problems during the election and vote counting process,” as did the Alliance for Global Justice, the

Task Force on the Americas, and the Honduras Solidarity Network. There’s little difference, fundamentally, in the way these groups, grassroots and governmental alike, described Honduran voting conditions.

But there has been a dramatic divergence in the way the groups interpreted these conditions. For the EU and the State Department, the election’s inadequacies revealed a robust democracy at work, with Secretary of State Kerry claiming that “the election process was generally transparent, peaceful, and reflected the will of the Honduran people.” The activist-led delegations, for their part, acknowledged the situation for what it was—namely, as one poisoned by “corruption, fraud, violence, murder, and human rights violations,” in Canadian electoral observer Raul Burbano’s summary, where a meaningful vote was impossible. This stark difference in interpretation is hardly surprising, and could have been foreseen. For decades, the United States government has been affixing the label “democracy” to Honduras regardless of which thuggish clique happens to be running the show.

After President Roberto Suazo Córdova was inaugurated in January 1982, for example, the Reagan regime “persuaded him to appoint General [Gustavo] Álvarez [Martínez] as armed forces chief,” historian John H. Coatsworth explains in his *Central America and the United States*. Álvarez had met with military officials in Washington the previous April, proving a pro-Contra fanatic upon assuming command, and earning infamy while running the country’s death squads, which helped kill or disappear some 250 people from 1981-1983. In recent years, the Comando Álvarez Martínez has been working to preserve this SOA graduate’s legacy, threatening journalist and human rights activist Dina Meza via text message: “We are going to burn your ‘pipa’ (vagina) with caustic lime until you scream and then the whole squad will have fun,” read one of the more eloquent missives.

Three decades earlier, while Suazo was in office, US Ambassador John Negroponte “brought both the Honduran president and the commander in chief of the armed forces under his personal control,” Richard Alan White wrote in a 1984 study. Negroponte also presented the incoming leader with a list of demands before he had even been inaugurated, mincing no words: Washington wanted to see taxes on mining companies brought down, and austerity policies to be imposed. These, therefore, were years of “democratic promise,” *New York Times* reporter Tom Wicker—who took the press to task, in a 1978 book, for being “a toady to government and business,” according to his *Times* obituary—asserted in August 1983, which Negroponte himself later informed *Times* readers, in a February 1984 letter to the paper, had been fulfilled: “Honduras should be congratulated and supported for its return to democracy.”

The 1980s were not only a decade of terror, Tanya Kerssen explains in her superlative study *Grabbing Power*, but also brought an end to Honduras’ “state-led agrarian reform poli-

cies of the 1960s and 70s,” which allotted “lands for the collective use of the peasantry”—the government’s way of dealing with the “powerful movement of peasants and landless workers” that came to a head during the 1954 general strike. These self-assertive actions and organizational efforts undertaken by the poor infringed, in Washington’s eyes, on the rights of the wealthy who matter. And so they were depicted as “international Communism” during the Cold War. Today, they are denounced as “Chavista authoritarianism,” which Zelaya supposedly practiced, insofar as the Honduran activist networks that formed in the 1990s, largely in response to the Negroponte-era policies just reviewed, made unprecedented strides during his abbreviated term in office. Groups like the National Coordinating Committee of Popular Resistance, in other words, were active well before Zelaya arrived on the scene; recent Honduran organizing is not merely a response to the 2009 coup—as it’s often depicted—but rather has deep societal roots, and is part of a long-sustained effort to address the country’s many inequities, as the Canadian activist-academic Tyler Shipley has been one of the few to emphasize.

Repression against these activists has intensified in the period since Zelaya’s removal from power. “The conclusion from the Honduras episode,” British scholar Julia Buxton wrote in *Latin American Perspectives*, referring to the overthrow, “was that the Obama administration had as weak a commitment to democracy, human rights, and the rule of law as the preceding US presidency.” The Times hoped that the democratically-elected president’s illegal ouster would leave him “with a greater respect for democracy,” which finally returned to Honduras in November 2009. It was then that Porfirio Lobo won an election, NACLA’s Michael Corcoran wrote, “complete with state violence against dissidents in the run-up to the voting, ballot irregularities, and manufactured turnout numbers”—a farce even the OAS and EU refused to monitor, and which the US Embassy in Tegucigalpa deemed unconstitutional—followed, two years later, by Lobo’s warm reception at the White House. “Obama hails return of Honduras to democratic fold,” read the headlines, on cue.

This was a return to “democracy” in the technical sense of the term US officials employ—it was “democratic,” in other words, in the way that last month’s flawed election was, or that Honduras was when Negroponte was running it as his personal fiefdom in the ’80s. The country today is a slaughterhouse, its killings highly politicized. Assassins target activists and candidates with the LIBRE party—which leftist organizations formed in 2011—at least twenty-two of whom have been murdered since May 2012, with most of the killings occurring in the six months running up to the election. Juan Carlos Argeñal Medina, a Globo TV correspondent, supported LIBRE, and worked to expose corruption in a local hospital. Gunmen rewarded him for his efforts by invading his home on December 7 and shooting him twice in the head, and more generally any reporters covering “sensitive issues such as drug

trafficking, government corruption, and land conflicts”—the most crucial issues—“face frequent threats and attacks” in a country with an 80% impunity rate in journalist murders, according to the Committee to Protect Journalists. And the problems facing Honduran hospitals are hardly limited to the city of Danlí, where Argeñal lived, and in fact plague the entire public sector.

Peter J. Meyer’s Congressional Research Service report on “Honduran-U.S. Relations,” released last July, cited “misused government funds” and “weak tax collection” as two factors contributing to the current situation, where the government can no longer pay many of its employees. It’s wage slavery without the wages, as Honduran doctors, nurses, and educators have increasingly been working for free; the Center for Economic and Policy Research reported recently that over 40% of Hondurans in 2012 worked full-time without receiving the minimum monthly wage. Nearly half of all Hondurans live in extreme poverty today—up from 36% five years ago—not unlike the scenario in this country, where the US Census determined in 2011 that around half of the nation is poor, or low-income.

Mainstream commentators attribute Honduran conditions to the public sector’s allegedly inherent deficiencies, rather than to the fact that, traditionally, “the objective of political competition between the two parties [National and Liberal] has not been a competition for policies or programs, but rather a competition for personal gain in which the public sector is turned into private benefit,” Meyer writes, quoting a study by Tim L. Merrill. In what passes for informed analysis, the *Atlantic* and *Times* abstract away from questions of power: the former cites “the corruption and governance challenges that hamstring Honduras’s economy;” the latter, in an article written by an NPR reporter, notes that governments suffer from “corrupt political cronyism or the occasional coup.” Both assert the need for wholly privatized “charter cities,” since rebranded “Employment and Economic Development zones” (ZEDEs, in the Spanish acronym), which “will stimulate much-needed competition, economic growth, and foreign investment,” Eli Sugarman wrote in the *Atlantic*. Just drop the pretext of democracy, hand Honduras over to unaccountable investors, and the wealth will flow to the population—though whether before or after the Revelation remains to be seen.

The constitutional chamber of Honduras’ Supreme Court initially voted 4-to-1 against these cities, concluding that the plan “implies transferring national territory, which is expressly prohibited in the constitution”—but a goal of US policy, therefore irrelevant. Coatsworth’s study explains that, in Negroponte’s Honduras, two of “the principal casualties were the country’s already compromised sovereignty and the loss of control over territory along its northern border with Nicaragua.” And territorial considerations continue to motivate US foreign policy, both in Honduras and elsewhere.

Kerssen describes the post-coup period as “an all-out war on peasants,” and quotes the Unified Movement of Aguán Peasants’ Daniel Gómez: “The coup wasn’t against Mel Zelaya, it was against us. To silence our voices and our demands for land,” a quarter of which is in the hands of the wealthiest 1% of farmers, as dispossession proceeds apace.

In Colombia, the US-supported “drug war” failed to achieve its stated aims—the terms in which it’s usually evaluated—but promoted state consolidation over the country’s territory, roughly 40% of which was controlled by the FARC and ELN guerrillas at the time of Plan Colombia’s launch in 1999. By February 2008, the government had secured close to 90% of the land, the Colombian Ministry of Defense concluded, with developments in the Putumayo Department revealing how this goal was met. In 2001 alone, aerial fumigation displaced over 17,000 people from the region, an indication of what chemical spraying really accomplishes.

Though usually described as targeting “illicit crops,” it seems that if the point were to eradicate, say, coca, the solution would be simple: let coca growers harvest something else. But Plan Colombia has consistently devoted only minimal funding for alternative development schemes, indicating the peasants’ sin isn’t growing coca, but rather living as subsistence farmers. That kind of activity is an inappropriate use of the land in an oil-rich region, which is what Putumayo is: the journalist Garry Leech pointed out that, from 2003-2004, there was “a slew of new contracts signed between multinational companies and the Colombian government,” including several in that part of the country. Subsistence farming offers a model of land use opposed to that of multinational-supported privatization, or enclosure. And for that reason, it’s a threat to be eliminated.

There are similar threats to Honduran “democracy,” adopting the definition U.S. officials favor. Right now, an indigenous Lenca community, Rio Blanco, is under “blockade to prevent construction on the World Bank-funded Agua Zarca Hydroelectric Project,” Jason Wallach wrote last month for *Upside Down World*. The project would dam the Gualcarque River, and indigenous organizer Francisco Sanchez Garcia highlighted the predictable consequences: “it will ruin our river, poison the fish, and drown our forests.” When indigenous activists marched in protest on July 15, “at least two soldiers fired indiscriminately into the crowd,” with four wounded, and leading activist Tomas Garcia killed. Ten days later, the Honduras Accompaniment Project (PROAH) reported that two of its members “were held captive for two and a half hours in the community of La Nueva Esperanza by armed men who guard the mining operations of Lenir Pérez, the owner of Minerales Victoria.” The armed men had arrived in this rural community two months earlier, and were “terrorizing the villagers and threatening those who refuse to sell their land to the mining company,” PROAH recounted in July.

The belief that indigenous groups waste the opportunities

the land provides have driven policies of removal—and extermination—for centuries. During the California Gold Rush, whites murdered and raped the region’s native inhabitants, some of whom had known there was gold in the area, without valuing it as an exploitable resource. What could the land’s rightful owners do with such people? “Why not annihilation?” *Wizard of Oz* author L. Frank Baum asked in an 1890 editorial, capturing the zeitgeist.

Decades later—six weeks before the August 1945 atomic bombing of Hiroshima—a US Senate Committee convened to discuss “American Petroleum Interests in Foreign Countries.” Senator Alexander Wiley (R-WI) noted that “countries have felt that the mineral resources belong to the Nation, the people at large.” But this obviously was a violation of democracy—again, in the technical sense of the term—since the world’s poor had no legitimate claim to what, after all, was Washington’s property: “it seems to me,” Wiley continued, “if a government is going on this rampage that is all too prevalent, of taking over the resources of foreigners,” then there would have to be penalties imposed to curb such intransigence.

The former US Ambassador in Honduras, Charles Ford, agreed in 2006, channeling his predecessor Negroponte as he seethed at the “vitriolic anti-mining rhetoric” of “an extreme-leftist group,” which he feared would “conquer and decapitate mining in Honduras” and only “worsen an already shaky investment climate.”

Ford’s rage may have subsided since the electoral tribunal proclaimed Juan Orlando Hernández the new president a few weeks ago. “It’s the outcome the investors and the business community want,” Daniel Sachs, an analyst with the strategic consulting firm Control Risks, explained. Those are the people who matter to Washington, both today and historically.

In 1942, State Department planners emphasized their Latin American policies were motivated not by a spirit of “equity,” but rather “the selfish interest of the United States.” The Honduran election was “free and fair” since it preserved these interests, which underlie U.S. conduct abroad regardless of whether Bush, Obama, or whoever else is in office—a sign that officials won’t bestow favors on the public, who instead must organize to win change. **CP**

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The Bobcat Killers

BY LEE HALL

Bobcats are beings of rare beauty, elusive creatures of the dawn and dusk. For nearly two million years they've kept busy with nature's work, eating jackrabbits and hares, field mice and skunks, opossums and muskrats, birds and snakes and even deer. They can cover expansive territories—an adult bobcat can roam over 25 miles in a day—and they belie the oft-heard claims that “no natural predators exist” and the insistence that human control (i.e., killing) is essential.

Nevertheless, on the 24th of November, California opened its annual bobcat trapping season. This stealthy pursuit continues through the end of January. Statewide hunting opened back in mid-October; and that continues through February, with hunters allowed up to five tags a year for just \$3.24 each.

Exempt from the five-body limit are ranchers and their employees, and the county, state and federal “predatory animal control agents” who support California animal farmers. Think about this the next time someone tells you free-range meat, dairy products or eggs are eco-friendly and humane.

California enables trap-setting with no limits—either on the number of traps one person can set, or how many bobcats a person can capture. In the winter of 2012-13, the number of bobcats legally killed and reported in California was 1,607; of these, 1,214 were caught, state records say, by 80 trappers. More opportunists will show up if the international market and the state of California tempts them. With retail sales in Russia and northern China determining prices, bobcat skins might sell from \$80 to \$1,700, according to a trapper interviewed earlier this year for the Yucca Valley's *Hi-Desert Star* newspaper. The only work involved for the trapper is getting traps and placing them on land that doesn't belong to them—public lands, by law. And in a case described by the *Star*, a bobcat trap showed up just outside Joshua Tree National Park, on private property which a trapper mistook for public land.

As for numerical limits to trapping, the state sets an extraordinarily high ceiling: 14,400 cats. How much of the bobcat population would be erased if trappers met that ceiling? No one knows. No state count has been done since the 1970s.

Back then, the number 14,400 represented an estimated fifth of the total bobcat population. If that number ever had any validity then, there is no reason to trust in it now. California has seen a great deal of road-expanding and mall-building over the past four decades.

And because young bobcats cannot fend for themselves until they're close to a year old, body counts of adult cats don't tell us the whole story of how social groups are impacted. Nor do they tell us of a cat's agony in a trap, the struggle to return to dependent young, or the death at the hands of the trapper who means to kill without damaging the skin.

Bobcats as Ecosystem Protectors

With modern science underscoring the importance of predators in ecosystems, why would we think it's a good idea to kill these animals at all? Bobcats represent healthy, thriving woodlands. They curb populations of black-tailed jackrabbits, Botta's pocket gophers, and antelope ground squirrels. These smaller mammals have a penchant, during dry periods, for stripping the bark-like outer tissue from the trunks of Joshua Trees to expose patches of underlying moist tissue. Recent scientific models and analyses of citizen science indicate that climate change is already impacting the survival of young Joshua Trees; and as the loss of these plants is now expected over a significant portion of their current range, the role of bobcats is ever more vital.

Global awareness of the impacts of climate disruption in ecosystems is emerging, but the Convention on International Trade in Endangered Species (CITES), the major international law protecting endangered animals, was drafted in the 1960s—a result of a 1963 resolution of the International Union for Conservation of Nature—and entered into force in 1975. Bobcats receive scant protection. CITES names jaguars, margays and ocelots on its Appendix I—the list with the most stringent bars on “takes” of free-living animals. With these rarer animals off-limits, profiteers have turned to bobcats as sources of spotted fur. Bobcats and North American lynx are listed in Appendix II as groups that might become endangered without regulated trade. So the United States, which has repeatedly tried and failed to delete bobcats from CITES protection completely, regulates—that is, enables—the export of their body parts.

Moreover, the legally permitted bobcat trade can supply cover for the trade in endangered and threatened animals listed on Appendix I, because of the difficulty distinguishing among various spotted fur types.

The website for North American Fur Auctions—the Canadian company that boasts of spending millions to promote sales of skins pulled from the backs of bobcats, lynx, bears and many other mammals—says early 2013 sales “proved the point that larger quantities attract buyers, especially the Chinese, who need these large volumes.” NAFAs turnover for this year will exceed \$800 million, with \$90 million of that taken from formerly free-living animals. Some skins are sold to China first, then exported again to North American and European fashion companies as trim. The Internet forms an additional fur market, as claws, rugs, and entire stuffed bodies are sold on eBay and similar sites.

And while fur industry reps have claimed it's “eco-friendly to wear fur” (in an advertising campaign deemed misleading last year by Britain's Advertising Standards Authority), processing factories use formaldehyde and chromium—far from healthful for factory workers, purchasers, or a planet burdened with heavy metal pollution. As part of the tanning and leather processing industry, fur dressing contributes to

one of the top five sources of toxic pollution to all three major media: land, air, and water.

Rare Refuges

Where can the *Lynx rufus* live without the dangers posed by humans? Joshua Tree National Park is one of the bobcats' rare refuges. But then there are those trappers who haunt the park borders—some carrying squirt bottles of animal scents or battery-run toys that mimic distressed birds to lure cats out of the safe haven.

In the coming year, a buffer zone will be established to shield bobcats around Joshua Tree National Park. By passing AB 1213, the Bobcat Protection Act of 2013, California has es-

the ability” of the commission to “impose additional requirements, restrictions, or prohibitions related to the taking of bobcats, including a complete prohibition on the trapping of bobcats pursuant to this code.”

Brendan Cummings, senior counsel at Center for Biological Diversity, calls the Joshua Tree National Park buffer creation “a step toward rewriting the Fish and Game Code from something that treats wildlife as commodities to be killed and sold to something that values these animals as vital parts of a living ecosystem.” That is, indeed, the best reading of the new law. And the ecological and ethical soundness of that shift means Californians should extend straightforward, full protection to bobcats through the state code—against



Photo Credit: California Report

established a ban, beginning in 2014, on the commercial trapping of bobcats in areas adjacent to any national or state parks, national monuments, or wildlife refuges that don't allow trapping inside. State-owned corridors outside these parks will be designated as bobcat-safe. The law expressly prohibits the particularly provocative practice of trap-setting on private lands without permission.

But the hazy allowance for killing bobcats as predator control to protect animal farming businesses will continue. And throughout the rest of the state, the cats will still be targeted for thrills or dollars. Hunting and trapping is legal statewide, on most public lands.

This could change, given enough public pressure. The new law directs the state's Fish and Game Commission, from New Year's Day 2016, to consider barring bobcat traps in and around public or private conservation areas identified to the commission by the public as warranting protection. The language of the law allows for genuine change—putting a full stop to California's bobcat trade—by stating it “does not limit

trapping and also hunting.

Can it happen? Yes—with sustained pressure on the governor. When signing the new buffer into law on 11 October 2013, Jerry Brown called on the legislature to secure funding for a survey of California's current bobcat population, and asked the state Fish and Game Commission to “consider setting population thresholds and bobcat trapping tag limitations in its upcoming rulemaking.” Why should the government offer any tags for killing these cats? Mountain lions were successfully protected by activism—via a ballot initiative passed in 1990. The same could be done for the bobcats. **CP**

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In Search of Ward Churchill

The Academic Who Came From the Cold

BY JOSHUA FRANK

It has been nearly nine years since Ward Churchill was the talk of Fox News and the target of a concerted campaign to remove him from his teaching post at the University of Colorado. Well, as many of you know, they were successful. No longer living in Colorado, Ward is still defending himself and his scholarship. I recently caught up with Ward to see why we haven't heard much from him in recent years and if the right-wing (and liberal) assault on his character had finally forced him into retreat. - JF

JF: Ward, your name hasn't appeared on The O'Reilly Factor in a while. What's been keeping you busy these days?

WC: It's been eight years since I was the principle focus of O'Reilly's anally-compulsive attentions, Joshua, so your question covers a lot of ground. The university "investigation" of my work took up an ungodly amount of time during the first couple of years, of course, and after that there was the trial, the various appeals, and so on. The process of "exhausting my domestic remedies" wasn't really wrapped up until early February 2013, when the U.S. supreme court finally denied cert on the preeminent legal question raised by my case: Whether a nonjudicial governmental body like a university board of trustees can be "quasi-judicially" immunized against the consequences of a unanimous jury verdict holding that the entity involved knowingly and deliberately violated the constitutional rights of a citizen for purely political reasons.

Add in the fact that I moved to Atlanta about a year ago, and that getting re-situated down here after more than forty years in the Colorado/northern plains region turned out to be a lot more demanding than I'd anticipated, and the result is that, although I've invested a huge amount of time and energy doing research and writing since 2005, relatively little of it's been for publication. Or at least not yet. The upshot is that I've got a half-dozen books in varying states of completion and, now that the smoke's beginning to clear a bit on the legal front, I figure to finish them pretty much one after another, at a fairly regular rate, over the next couple of years or so. It'll probably be more like three years before they're all in print.

None of this should be taken to mean that the so-called firestorm of controversy in which I was enveloped during the spring of 2005, or any of the ensuing academic/legal bullshit ever caused me to stop publishing altogether. I've produced several major articles for journals and law reviews, a half-dozen book chapters, an essay-length entry for The Encyclopedia of the American Indian, a batch of intros,

prefaces, and forewords to books like Stephan Sheehi's *Islamophobia* and Daniel Burton-Rose's *Creating a Movement with Teeth*, and a few other odds and ends since then. I guess you could even say I managed to come out with a book, if you want to count the double-header I did with Antonia Darder, organized and edited by Pierre Orelius under the title *A Decolonizing Encounter* in 2012.

JF: I notice you made no mention of public speaking. You used to do quite a lot of it, as I recall. Do you still?

WC: Nowhere near as much as I was doing prior to 2005. That, in part, is because I've been administratively blacklisted on campuses nationwide. There've been a fair number of instances in which I've been lined up by faculty and/or students to deliver a lecture and college or university presidents have directly intervened to prevent the event from happening. In a few cases, the organizers took such abridgments of their own intellectual rights seriously enough to force the issue and staged the events anyway, but usually not. The meekness with which tenured faculty members have typically submitted to administrative dictates in situations like this has been quite enlightening.

Both politically and psychologically, it's of course been necessary that the folks I've just described, especially those claiming a liberal pedigree, to advance some other, more palatable explanation of their behavior and its implications. Most often, this has taken the form of their citing some supposed defect in my scholarship and/or my "abrasive style," either or both of which were ostensibly pointed out to those involved after their invitation was extended, causing them to rethink the propriety of offering me a forum in a campus setting imbued with such lofty standards of scholarship and collegiality as their own. In the name of something like "quality control," then, preserving the "academic integrity" of their institutions leaves them no alternative but to concur—always with the utmost reluctance, of course—and only in this particular instance, mind you—with the administration's preemption of students' right to hear and assess whatever I might have to say and customary faculty prerogatives in the bargain.

The upshot is that not only has a decided majority of the liberal professoriate exposed itself as being guilty of the most craven sort of capitulation vis-à-vis the principles they espouse and are purportedly prepared to defend, but the manner in which they've sought to rationalize the capitulation has served to lend a completely unwarranted appearance of "left wing" validation to the welter of falsehoods promoted on the right for purposes of discrediting both me, personally, and, more importantly, the kind of work I've been doing over the past several decades.

None of this is breaking news, or at least it shouldn't be. It's how blacklisting has always worked. Which means, among



Ward Churchill, Photo Credit: Fox News.

other things, that being blacklisted is in no sense an experience unique to me, either currently or historically. A lot of people have been blacklisted for one reason or another and to a greater or lesser extent over the years, and, as is readily evidenced by the examples of Norman Finkelstein and a number of others, that's still true. It just happens that among the recent cases, mine has been especially high-profile, and is thus rather useful for illustrative purposes.

All that said, however, being blacklisted by the country's self-styled guarantors of academic freedom accounts for only part of the drop-off in the number of public lectures I've delivered over the past few years. For one thing, I was already growing increasingly weary of the lecture circuit before the Great Controversy commenced in 2005. I mean, I'd been speaking twice a week on average for nearly 20 years at that point, and was frankly sick of airports, motel rooms, and lecture halls. Literally so. Correspondingly, there's a sense in which I've actually welcomed the drop-off.

At this point, I absolutely will not set foot on an airplane in anything other than extraordinary circumstances—getting to Pine Ridge from Atlanta last October when I received word that Russ Means probably had no more than a day or two to live, for example. This is not because I've lately developed a fear of flying, but because I refuse to accept the dehumanizing treatment accorded passengers these days. If I can't drive my old pickup to wherever I'm going, well, chances are good that I just won't go. True, The Authorities are doing their level best to make driving a miserable experience as well—they, and the oil companies and chain restaurants—but it's still

vastly preferable to flying. Or even entering an airport. Hard to do a lot of events on the west coast under those circumstances when you live in Georgia.

The truth is that I'm basically doing as many speaking gigs as I want these days, and that allows me to be rather selective about which invitations I accept. I'll be participating in a symposium honoring Russ at the University of Colorado/Denver in a couple of weeks, then driving on out to LA to deliver a lecture at Scripps College a few days later, then stopping off to do a fundraiser for the Tohono O'odam in Tucson on the way back. I'll be delivering the annual Walter Rodney lecture at Atlanta University in February.

JF: You mentioned that charges that you've engaged in scholarly fraud, plagiarism, and the like have been disproven, both in court and elsewhere. Could you go into the details of that?

WC: Sure. I sued the University of Colorado in 2007 on grounds that it fired me in retaliation for my expression of political views—a violation of my rights under the first amendment—rather than my supposed “research misconduct.” That resulted in a four week jury trial in March 2009, during which the university made its best case, bringing in most of the faculty members who'd comprised the committees that investigated my scholarship to testify as to the “facts” of my misconduct. Both they and the university's attorneys also argued, repeatedly, that if I was guilty of even one of multitude of scholarly offenses the committee members claimed I'd committed, there would be legitimate cause for the regents

to have fired me. In effect, they trotted out everything they had while simultaneously hedging their bets.

But, you have to bear in mind that this was the first time any of these folks were forced into an arena where the university was not in complete control of the procedures involved, were unable to change the rules as they went along, and so on. It was also the first time any of them were subject to cross-examination and to say they ended up getting their butts kicked is an understatement. You never saw so many red faces or heard so much sputtering in your life. Meanwhile, my own expert witnesses—who, unlike the university's faculty hacks, actually knew what they were talking about, and who had the additional advantage of not having to try and defend a series of expedient fabrications—were in precisely the opposite situation. It wasn't much of a contest, really, but I have to admit that there was some serious payback involved from my point of view, and that I thoroughly enjoyed every minute of it.

In any event, having heard both sides in depth, and having been exposed to several thousand pages of documentation, the jury unanimously concluded in its verdict that the university had shown no cause other than objections to my political views for firing me. In substance, none of the charges of scholarly fraud held up to scrutiny. On the contrary, in a post-trial meeting convened in the judge's chambers between the jury and attorneys for both sides and the jurors, the latter explained that they'd found none of the university's witnesses to be credible. Not one. In fact, they said they'd made themselves a chart during deliberations and went through it, witness by witness. What they found was that every single witness called by the university had been caught in at least one outright lie, and in several cases multiple lies. At several points, the university's lead attorney was also caught flagrantly misrepresenting his supposedly evidence.

A couple of the jurors subsequently said as much on one or another among Denver's endless spew of rightwing talk radio programs, and one of them, a young woman named Bethany Newell, summarized some of it in an interview with *Westword*, the city's alternative weekly. I think the interview, along with a more sharply-worded affidavit Newell later provided my attorneys, and key elements of the judicial proceedings, are all posted on wardchurchill.net.

JF: It seems clear enough that the jury's verdict would serve to exonerate you of the scholarly offenses alleged by the university. But, then, the judge vacated the verdict, didn't he?

WC: Yes, he did. But it's important to understand that he didn't do so on the basis that the jury somehow erred in its understanding either of the law or of the facts involved. The verdict therefore remains unaltered: I didn't do what the university claimed I did—that was simply an elaborate pretext—and it violated my constitutional rights by firing me for the actual reasons involved. What the judge ruled was that such

things were utterly irrelevant. Why? Because, he said, the regents enjoy "quasi-judicial immunity" from the consequences of their actions, at least when it comes to personnel matters. So, even though they'd plainly violated my constitutional rights by firing me, and had systematically defamed me by conjuring up the pretext of my supposed scholarly fraud, I had no legal recourse. In effect, I'd never had standing to bring suit in the first place.

Of course, there's an obvious question as to why, if he genuinely believed that were so, the judge didn't simply dismiss my claims out of hand rather than conducting a major trial on the matter. If nothing else, as several jurors quite reasonably complained after he'd entered his ruling, he'd been rather cavalier about wasting a solid month of their lives. The answer is that since there was no legal precedent either in Colorado or anywhere else establishing absolute immunity for boards of regents or trustees—quite the opposite, in fact—he didn't really believe it. He introduced the concept of regential impunity, post hoc and purely on grounds of political expediency, so I guess you'd have to say that he himself established the precedent. In other words, he literally made the whole thing up.

Actually, in the interests of accuracy, I need to correct myself on that. It wasn't the judge who made it up. That role was filled by the university's lead attorney, Pat O'Rourke, who'd very much wanted to go to trial, fully expecting to win, that the results would thereby lend an aura of validation to the regents' actions, and that his own star would rise accordingly. After the verdict, in what might best be described desperation maneuver, he wrote up the immunity argument and submitted it as a motion to vacate judgment. We were all laughing about how Patrick had finally gone completely "quazy," and he himself didn't seem to think the judge would actually buy into such an off-the-wall premise. In anticipation of the university being ordered to reinstate me, he'd started inquiring about which classes I wanted to teach in the fall so that they could be listed in the regular course catalogue. Things like that.

Came the moment, O'Rourke may have been as surprised as anyone else when the judge—Larry Naves, he was chief judge of the Colorado district court on Denver, and assigned himself to preside over the case from day one—not only accepted his argument but simply reformatted his motion and entered it, verbatim, as the ruling. Seriously. Over 90 percent of the text in the two documents is word-for-word identical. One might well accuse Naves of indulging in a rather spectacular example of plagiarism were it not for the fact that the judiciary has exempted itself from application of that particular concept to its own material. Whatever the proper term for describing Naves' authorial/juridical behavior in this instance, the reality is that he allowed the university itself to write the opinion he signed, nullifying not only my due process rights, but those of every faculty member in the UC

system, whether they realize it or not.

In fairness, I should note that Naves was by no means the only Colorado judge guilty of cut-and-paste work in the legal opinions attending my case. While the pattern was not quite so blatant, whole blocks of O'Rourke's prose also appear without attribution in the opinion of the state appeals court affirming Naves ruling. The same with the Colorado supreme court opinion. The university was allowed—or enlisted—to write substantial portions of every one of them, but in each instance, only the judges' names appear as "authors," To the extent that this conforms to prevailing standards of judicial propriety—and apparently it does, according to no less an authority than federal appellate judge Richard Posner—then it's hard to avoid the conclusion that the "canon of ethics" pertaining to the judiciary sanctions outright deception.

I could run with this one for a while, expanding it to consider the implications of the plagiarism scandals at Harvard Law, for example—especially those involving Alan Dershowitz and Laurence Tribe—but that would be getting fairly far afield. Or maybe not. Be that as it may, I can't think of a more fitting way to wrap up my answer than with the observation that in 2010, the year after he rendered such invaluable assistance to the university in neutralizing the effects of its loss in *Churchill v. University of Colorado*, the law school bestowed its annual alumni service award on none other than Larry Naves. The former judge, who'd retired from the bench almost immediately after signing off on the O'Rourke-written ruling, shamelessly accepted it.

JF: I do want to get back to what we were talking about before I posed that last question, but since we've gone off into legal matters at this point, let me pose another to put a cap on things in that regard. Earlier, when you mentioned that the U.S. supreme court declined to hear your appeal—"denied cert," is how I think you actually put it—you framed the situation in terms of "exhausting domestic remedies." That phrase typically connotes the threshold requirement for bringing an issue before an international legal body. Is that what you have in mind?

WC: Oh, it's more than just something I have in mind. A complaint, *Churchill v. U.S.*, was filed on my behalf with the Inter-American Commission on Human Rights on September 30. The action is being handled by the Human Rights Research Fund along with David Lane and Bob Bruce, a couple of the attorneys who've been representing me from the outset. We've been planning to move in this direction for a while now, but you're correct about one of the threshold requirements being that the possibility of domestic judicial recourse first be exhausted. So, we had to wait until—surprise, surprise—the U.S. supremes formally refused to hear my case, and that's rather lengthy process. Another requirement is that any complaint be filed in a "timely fashion," in this instance within six months of date on which the supreme

court's denial was registered, and of course we met the deadline.

There are another pair of requirements as well, the first being that the complaint allege concrete violations of codified international law by a "state party," the second that the violations alleged fall within the jurisdiction of the adjudicatory body with which the complaint is filed. We meet both requirements. The obligations of state parties—in this case, the US government—to protect "human rights defenders" from the sorts of official repression and reprisals I've experienced is clearly articulated in international law, and—as is evidenced with equal clarity by, among other things, the supreme court's conspicuously supine posture in the matter—the federal government of the United States has made no effort to meet those obligations in my case.

The term "human rights defender," incidentally, isn't something I or my attorneys came up with. Personally, I find it a little embarrassing. Nonetheless, it's the term used in the relevant body of law to describe people with records like mine, targeted for reasons similar to those precipitating the actions undertaken against me. In any event, the Inter-American Commission unquestionably has jurisdiction vis-à-vis offenses of this sort. It also has jurisdiction over violations of academic freedom—believe it or not, there are elements of international law dealing with that issue—so, although it's a relatively unexplored area in terms of application, that's our second line of attack. The petition is posted on wardchurchill.net, so anybody wanting further details should read the document itself. **CP**

JOSHUA FRANK is Managing Editor of CounterPunch and the author of *Left Out! How Liberals Helped Reelect George W. Bush* (Common Courage Press). He has also edited two books with Jeffrey St. Clair, most recently *Hopeless: Barack Obama and the Politics of Illusion* (AK Press).

CULTURE & REVIEWS

Learning to Love the Extremists

You Load Sixteen Tons and What Do You Get?

BY LEE BALLINGER

I know what it's like to depend upon coal to feed a family. Many years ago I worked at a steel mill in Ohio. My job was at the coke plant where West Virginia coal was turned into coking coal for the blast furnace.

The top of the coke ovens was an area the size of a football field where monstrous machines funneled coal into the ovens. It was my job to put the heavy oven lids back on nice and tight. It was literally as hot as hell up there. It felt

like walking barefoot on hot coals. The air we breathed was truly foul but to us it was the sweet smell of something like success. We called it the smell of money because it paid the bills.

Yet as soon as I got a chance to escape the coke ovens, I took it. I got a job bid on a crew at the blast furnace. But I couldn't escape the coal. Like the devil or a bad check, coal will find you. It followed me to the blast furnace.

Big railroad cars full of coking coal arrived at the blast furnace every two or three hours. In the winter it would get as cold as twenty below zero and the coal would freeze solid into one huge mass. The company said under no circumstances were we to climb into the open-top railroad cars to break up the coal.

But the company also made it clear we better hurry up and get that coal offloaded. So in we went, carrying big

torches to heat the coal and pry bars to break it up. We prayed that it wouldn't loosen all at once with the possibility that we might go down the chute with it. Many times on a cold winter night I had to look in on my sleeping babies to motivate myself to leave for work on midnight shift.

There was a small group of environmentalists in town who kept raising hell about the pollution from the steel mills. I understood their point. After all, I was more directly affected by pollution than they were.

The company didn't even give lip service to our need to feed our families. So I dismissed them out of hand. In fact, I hated them and feared the changes they might be able to bring about. Jobs or the environment? An easy choice to make. Jobs are more important.

Eventually I was permanently downsized from the mill. The loss of my job caused severe dislocation for my family. It also caused dislocation in my mind, creating an opening, a new space. Facts and events that had once gone in one

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ear and out the other began to find a place in my thinking. Global warming. Poisoned rivers and oceans. Black lung disease. Hurricane Katrina. Oil spills. Coal-fired power plants spewing acid and deadly metals into our air.

Slowly and not always surely, I began to realize that the environmentalists I had once rejected as extremists were correct when they said that fossil fuels are destroying the earth. Coal and oil aren't just causing some problems we can learn to live with in pursuit of economic survival. They are going to make it impossible for humans to live on this planet.

Jobs or the environment? Posing the question that way eliminates any chance of coming up with answers and it ignores the people who live at

ground zero of the debate. I know firsthand what goes through the minds of coal miners as they sit at the kitchen table facing a pile of bills. "Yes, I know what some people say about what we do. They may even be right. But just give me one more month on this job so I can pay the rent and the electric and the credit card bill. Then maybe one more month after that and another after that until the youngest finishes school."

Jobs or the environment? Soon it will be too late and we will have neither. Unless we come together under the banner of both. **CP**

LEE BALLINGER co-edits *Rock & Rap Confidential*. Free email subscriptions are available by writing rockrap@aol.com.

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