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BY CATHERINE CAMPBELL

FRESNO, California: In 1997, the Center for Disease Control surveyed Americans to find out if they knew what public health is. Even when given clear descriptions from which to choose, only 57 percent could check the right box. I first became aware of the limited functions and gross deficiencies of our public health services when in 1999 and 2000 I represented a Lao refugee mother of six, Hongkham Souvannarath, who had been illegally jailed for a year in Fresno, California, because public health officials had decided she was resistant to treatment for multiple-drug-resistant tuberculosis (MDR TB).

California law, like the laws of most states, allows public health officers to quarantine or incarcerate non-compliant patients who pose a public health threat, but patients have basic due process rights to counsel and an opportunity to be heard. My client was jailed without these niceties, and for 11 months fended as best she could in the Fresno County Jail before her plight was noticed and she was summarily released. As it turned out, Hongkham's non-compliance was a matter of cultural misunderstanding because the public health tuberculosis clinic had no translation services for a Lao-speaking refugee. Her incarceration was caused by over-zealousness of public health workers frightened by the specter of an epidemic of MDR TB.

The County of Fresno eventually paid more than a million dollars to Hongkham and her children, but six other persons, all African American, who were jailed for the same "offense" were never compensated for their loss because

the County hid their names until the statute of limitations ran out the clock. One gave birth in the jail and was forever severed from her child. Another, who was 76 years old, died a week after she was jailed. The public health workers I deposed during the litigation were ignorant of public health law and of their patients. The nurses who tended Southeast Asians, Mexicans and other poor people did not know the difference between a Hmong and a Lao, or between a refugee and an immigrant. The physician in charge of my client's care was on the bottom rung of his medical career ladder after years of drug addiction, criminal activity and gross malpractice.

While my client and her children eventually triumphed in the court, and were allowed a spirit recapturing ceremony in the jail, my concern about the state of our national public health system was hardly ameliorated by their singular victory. State and national public health officials have wide-ranging powers of isolation, detention and vaccination over patients with 37 different diseases, including AIDS, anthrax, botulism, cholera, diphtheria, encephalitis, gonorrhea, hepatitis, Lyme disease, malaria, measles, mumps, plague, polio, rabies, rubella, shingles, toxic-shock, syphilis, tuberculosis, typhoid and yellow fever. Since most of these diseases are mercifully rare, public health workers treat the poor who have contracted sexually transmitted diseases and tuberculosis.

Because I'm familiar with these laws, and was witness to their abuse, I (**Black Out** continued on page 5)

OUR LITTLE SECRETS

LABOR IN LAS VEGAS

By JOANN WYPLJEWSKI

They didn't debate. Outwardly there was barely dissent. In fact everyone seemed so perfectly agreeable at the AFL-CIO's convention in Las Vegas in the first week of December that no thinking person could believe the harmony projected in the hall was any more real than the never-darkening clouds on the trompe-l'oeil ceiling of the Paris Hotel, where the delegates met. By week's end the turmoil that has been churning within the federation between industrial and service unions over priorities; between the organizing and field mobilization departments over strategy, budgets and turf; between the action factions and the forces of caution, and among staff members frustrated as membership plummets and money dries up, all this turmoil took expression in a predawn near-fistfight between the AFL's organizing director and two members of the field mobe staff. Even muffled in the haze of rumor, its ultimate meaning as yet unclear, the story of the fracas struck a welcome note of authenticity amid polite illusion.

Not that labor's crisis was in any way concealed. Recession, 9-11 and Washing-

ton's refusal to provide workers relief, the drive for fast-track trade authorization (approved in the House by one vote as the delegates headed for home), all took center stage. Close behind came the federation's own problems: membership down by 400,000 since the recession began; a \$7 million projected deficit; layoffs of forty to fifty staff members; and, overall, the prospect of "slow but certain decline," in president John Sweeney's words, unless affiliated unions embrace an aggressive program of organizing.

Sweeney has been saying a version of this since he was elected in 1995. But the mood was ebullient back then. Two sides had squared off, and the one with the best organizers emerged on top, projecting the recruitment of one million new members a year, recasting labor as a fighting social force. Today the organizing line is the same but the mood is anxious, and the faith that labor's largest institution might be reborn as a movement seems shaken. Over the past six years unions have added two and a half million members, but unionized workers remain about where they were as a percentage of the labor force. New initiatives have been tried, but the basic contours of the institution, with affiliates competing or complacent or worse, remain rigid. Speaking in favor of a resolution recommitting affiliates to winning new members, SEIU's organizing director, Tom Woodruff, cried. Indeed, there were tears aplenty in private, and much talk about hunkering down, focusing on organizing and politics. With the federation's political director, Steve Rosenthal, waxing hopeful about expansive electoral campaigns in which every operative is connected by Palm Pilot, and the Finance Committee reporting that the dues crisis will compel "trimming", it's clear something is slated for sacrifice. Mobilization? At conventions past they used to go on about "street heat", a term that this year seems to have been filed away in the drawer marked Ideas Too Costly in Wartime.

The theme of the convention was "America's Workers: Heroes Every Day", and the opening session was choreo-

graphed as a mass catharsis after the horrors of September 11, which claimed 631 union members. It was moving, mostly because just when it seemed we'd been condemned to lamentation, the president of the Fire Fighters Union, Harold Schaitberger, exclaimed that there had been enough hero-worship and teary praise, that the challenge of the moment was to remember the living and struggle to shape the future.

Everyone in the hall that night had been given a little American flag. Notable was not the flag-waving but its relative restraint. "All is ambition and violence and war," Monsignor Higgins, the venerable labor priest from CIO days, proclaimed. "How can we live when others die?... Let us not grow callous, vengeful or deaf.... It is only justice that will bring peace to a troubled world." Support for the war would of course be noted—by none so vigorously as Hillary Clinton. I don't recall the two Republican speakers even mentioning it.

HRC also provided the most chauvinist moment of the convention, calling the AFL-CIO "the greatest labor federation in the world". Guests from COSATU and FAT, the CUT and dozens of other international labor bodies were too polite to comment. At the reception afterward, Wade Rathke, president of SEIU Local 100 in New Orleans and the original organizer of ACORN in Arkansas in the 1970s, dryly noted the instances of God-bless-this and God-bless-that in HRC's speech. Seems that back when she was First Lady of Arkansas you couldn't bribe her to mention the deity.

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It might be a lean season for Abernathy & Mitchell. Absent were the usual slick graphics, four-color brochures, continuous-play infomercials, cloying installations and Voice@Work insignias that have been the Washington pr firm's contribution to infantilizing organized labor. Every tag and handout had a pleasingly cheap, almost hand-made quality. I was told the federation spent one-third of what it usually allocates for these conventions, cutting back on staff, entertainment, all the frills. Back in 1995 Sweeney's team alone had a gregarious party with prime rib and fresh turkey, and that was modest compared with the fare the incumbent, Tom Donahue, was offering. This year there were mounds of vegetables and fruit. I

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knew it was bad when a reception put on by Union Privilege, the AFL's credit card operation, featured the same canapes from the night before, only now the crackers were soggy, the seared tuna drained of flavor.

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There was light amid the gloom. The delegates voted to defend civil liberties, oppose military tribunals and other elements of Ashcroft justice. Again, there was no debate, that having taken place privately in the Executive Council, where Steelworkers president Leo Gerard bested the complaints of Operating Engineers president Frank Hanley and others by insisting that as trade unionists they recognize that unionism is nothing if not the exercise of civil liberties. Here one could retail all the internal crimes of unions against free speech and democracy. Instead, let's add one final footnote to the civil rights victory of the Charleston Five, familiar to CounterPunchers.

At the convention John Bowers, president of the International Longshoremen's Association, was honored for "standing tall" against the state of South Carolina's repression of union picketers. It didn't escape too many in the hall that Bowers didn't deserve such praise. His solo in the spotlight was a bit of gentlemanly politics, since while Bowers had dithered over the felony charges against his members—most of them, as he put it, "American Africans"—it was Sweeney and the South Carolina State Federation and the longshore workers of the ILWU and rank-and-filers all over the country and the world who stood to defend them. At the height of their campaign, Bowers didn't send one penny to the local unions, and he tried to intimidate and discredit the Longshore Workers Coalition, a mostly black reform group in the ILA that gained steam over the struggle. Now here he was, all white and wizened, exclaiming, "Free at last, free at last. Thank God Almighty, they're free at last!"

On the up side, Bowers had to go on record in support of union militancy and global solidarity, and then he and his mostly white delegation were forced to stand as the hall gave a thumping ovation for the real hero of the case, Ken Riley, president of ILA Local 1422 and a founder of the Workers Coalition. Riley didn't have to say anything except thank you to the AFL-CIO, and it was clear who is the future. Riley, just elected vice president of

the State Fed, later told me that the campaign initiated to defend the Five is now going to push to repeal the state's right to work laws. "Forget about Oklahoma [where such a law was just approved]; watch what we do in South Carolina."

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Riley and about a dozen new faces in the State Feds and Central Labor Councils represent one of the most promising changes in the federation since 1995. Where once the local bodies were led almost exclusively by old white men, suddenly there are blacks, women, Latinos, people in their 30s, people with a history of struggle. For years these bodies were run like fiefdoms, with pro forma elections and, especially at the state level, incumbents roosting on their paychecks for twenty years to life. It had been well known that Sweeney, a cautious man, was not keen to gain enemies by upsetting this system, and it would be wrong to assume there's been a mass turnover, but somewhere along the way Sweeney said, "Change it, but leave no fingerprints", and these new leaders are the result.

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The Sweeney team's own re-election for four more years was uncontested. Nominations for the Executive Council went like this: "James Hoffa [Teamsters] nominated by Steve Yokich [UAW]... Elizabeth Bunn [UAW] nominated by James Hoffa... Steve Yokich nominated by Elizabeth Bunn..." All fifty-one nominees were unanimously approved. Next year Yokich will likely be succeeded as UAW president by Ron Gettelfinger, who shunned Las Vegas, calling it "Sin City", apparently unconvinced by the hype about the new "family vacation" Vegas, where, as at the Paris, Disney meets the Silver Dollar. Imagine if Ron had had my room and while fumbling in the nightstand for the Gideon Bible had laid hands on the copy of *Penthouse* that had been thoughtfully placed there as well.

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"I can't believe we're going to leave

here without some call to action," a Central Labor Council delegate said to me on the last day. For a number of people here, the sense of paralysis was more disheartening than the suppression of debate. At least with the latter some could argue that in tough times an unruly organization gains more from projecting a unified message than from floor fights. The same could not be said for timidity in the face of a clearly declared class war. However compromised and contradictory his political trajectory (and his speech at the convention, which balanced support for the war with doubts about the National Alliance and the wisdom of creating 4 million refugees in Pakistan), Jesse Jackson, as some delegates put it, "raised the bar" for union leaders scratching their heads over what to do in this dismal period.

"We were in a recession before the hit on September the 11th. Now they're using bin Laden as an excuse to take away basic workers' rights and civil rights," Jackson said. "Workers must go on the offensive.... John L. Lewis had to act. A. Philip Randolph had to act. Today, labor, we must act. We must go back to the streets again

and make the case for working people where they live, in the streets of our nation. It's time to march again. It's time to fight back.... We didn't get here by e-mail and by faxes and by Las Vegas resolutions. We came here by fighting back for our dignity.... There's a power beyond trauma. There's a power beyond fear.... The ground is no place for a champion. Rise up. Stand up. March. Fight back."

Nobody is under illusions that a demonstration or two will scatter all the darkness, but after Jackson spoke I heard much agreement that "we must break the silence and we must break the fear." There's no more potent way of doing that than through mass action. In the end, the AFL-CIO leadership sent the delegates home without such a call. But in the provinces talk of mobilization is heating up. On January 31 the World Economic Forum is relocating its regular get-together from Davos to New York City, and some trade

unionists want to revive the embers of the US global justice movement and couple that with demands for worker relief and a NYC rebuilding plan that accounts for human dreams. There is time still for heroes who are not dead or broken-hearted.

BUSH'S CROOKED COLOMBIAN PAL

While George Bush is wagging his finger at Saddam Hussein and Mullah Omar as heads of crooked regimes, one of his old pals has just been convicted on a bouquet of charges stemming from a widening corruption scandal in Colombia, the battleground of the US's other war.

That man is Rodrigo Villamizar, former minister of Colombia's department of minerals and mines, who spent his tenure in that post rapidly auctioning off the Colombian rainforest to international mining and oil companies, including land held by native tribes such as the U'wa. He became a very wealthy man and the pal of high flying American executives and politicians.

But ultimately his spending habits became fervent and aroused suspicion even in Colombia, a government then headed by Ernesto Samper, whose presidential campaign was largely financed by the cocaine lords. In 1997 Villamizar was forced to resign his post when he was caught selling off public radio stations and keeping the profits. The affair became known as the "Miti-Miti" or "half-and-half" scandal, because Villamizar split the illegal profits down the middle with Saulo Arboleda, another minister in the Samper government.

On December 4, 2001, Villamizar was condemned to 52 months in prison after a criminal court judge from the Bogota circuit found him responsible for the crime of "illicit interest".

Bush and Villamizar met at a 1972 party in Austin, where members of Gamma Beta Kappa fraternity had gathered, including Donald Evans, now Secretary of Commerce. Villamizar and the young Bush hit it off immediately. Villamizar told Bush that he had only just recently arrived in the US from Colombia, where he had graduated from Del Valle University with a degree in mechanical engineering. Villamizar had just enrolled at the University of Texas, working on a doctorate in economics and let Bush know he was looking for a job. A week later Villamizar got a position in the Texas

senate, as an adviser to the Committee of Economic Development—courtesy of George Bush.

Four years later, Villamizar again requested help from his Texan pal. The Colombian told Bush that there was an opening on the Texas Public Utility Commission and he was very interested in getting the position. A few days later Villamizar received a copy of a letter of recommendation that had been signed by Bush's father, then director of the CIA, and former Texas governor John Connolly. Villamizar got the position.

When Villamizar returned to Colombia in the 1980s, he went to work exploiting the country's burgeoning oil reserves, setting up a series of companies with ties to US firms and financial backers. He served for awhile as Colombia's ambassador to Japan and then became director of the bureau of Mines and Minerals, where he supervised the sale of mining and oil concessions.

Now that he is a convicted felon Villamizar might take Bush up on his offer. After all, it worked for Abrams.

One of the companies that benefited most spectacularly from Villamizar's tenure was Houston-based Harken Energy, on whose board Bush resided for several years. Remember that Bush's initial foray into the oil business was a near disaster. In 1984, his company, Arbusto, was on the verge of bankruptcy, saved only by a merger that year with Spectrum 7. Spectrum was then bought out by Harken Energy in 1986. Bush got a seat on Harken's board, \$2 million in stock options and a \$120,000 consulting contract.

In the early 1990s Harken opened a subsidiary in Colombia, Harken de Colombia, Ltda., headquartered in Bogota. Beginning in 1992, the company was awarded five contracts for drilling and production rights in Colombia. The official who signed those deals was Villamizar. A March 2001 story on Villamizar in the Colombian magazine Cambio reported: "Harken's entry into Colombia was no accident. Tracing its history, Cambio has established that Harken began its interest in the country thanks to Bush's relationship with Rodrigo Villamizar... Now Harken sees Colombia as its main investment for the future, ahead of the United States and other Latin Ameri-

can countries."

Harken has in turn been one of the biggest supporters of Plan Colombia, the US-funded counter-insurgency campaign, that has put \$2 billion into the hands of the Colombian military. As Cambio notes, "From a pragmatic point of view, the situation could be very positive, since if things go well in Colombia, things could go well for Harken and for Bush. But Bush also faces conflict-of-interest questions regarding his personal investments in oil fields located in Colombia's war zone."

As for Villamizar, he fled Colombia after being indicted in the miti-miti scandal. But his status as a fugitive didn't deter Bush from asking Villamizar to become an advisor to his presidential campaign on Latin American issues.

After the election, Villamizar was summoned to Bush's Crawford, Texas ranch for face time with the president-elect. The subject was Colombia. Bush asked Villamizar to develop a gameplan

for a new US strategy in Colombia.

Villamizar released his report on November 11. In some respects, it is a refreshingly honest document that clearly describes the US goal as opening Colombia to increased exploitation by international energy conglomerates. It cites the various guerrilla groups as the major impediment to this objective and urges Bush to expand the US commitment to Plan Colombia.

Villamizar warns that Plan Colombia doesn't go far enough and that the US must up the ante in its military support for the Colombian regime.

Villamizar argues that the Colombian military isn't up to the task of fighting both the revolutionaries and the drug war.

Bush reportedly asked Villamizar to consider a position as Assistant Secretary of State for Western Hemisphere Affairs, a post that would have completed a roster of henchmen Bush has assembled to run Latin American policy, a team that already includes such unappetizing players as John Negroponte, Elliot Abrams and Otto Reich. Villamazar declined, saying he had to resolve his legal troubles first. Now that he is a convicted felon Villamizar might take Bush up on his offer. After all, it worked for Abrams. CP

It became obvious to me that the use of public health laws without observance of civil rights did not protect my health, or anyone else's. The newly proposed legislation to increase the powers of public health agencies is but another example of the irrelevance of wartime security measures to actual security.

was baffled when the Bush administration decided these controls were insufficient to cope with a bioterrorist attack. The federal government has proposed an expansion of existing law to allow public health workers to take over hospitals, seize drug supplies, quarantine infected people, draft doctors, force vaccinations, and compel police departments to rope off whole communities like a scene out of Camus' *The Plague*, all without judicial oversight or review.

Built into the new legislation is a shield protecting public health officials from liability for deaths or injury suffered by persons subjected to these measures. When my client was picked up at her home by armed police officers and taken from her six children in a police van, the 6,000 member Lao community of Fresno noticed. When old women and pregnant mothers were taken to jail from the black community, it was noticed. The reaction was predictable: public health officials were seen as collaborators with the police and police abuse; people became fearful of reporting respiratory distress and delayed doing so; many Lao people moved out of Fresno to other communities where they felt less vulnerable.

It became obvious to me that the use of public health laws without observance of civil rights did not protect my health, or anyone else's. The newly proposed legislation to increase the powers of public health agencies is but another example of the irrelevance of wartime security measures to actual security.

The narrow purpose of a public health system is to protect health at a community level through the treatment of communicable diseases. This worked well in the early 20th Century, when the threat of communicable diseases was real and pressing. As communicable diseases were reduced and some, like smallpox, were eliminated, those of us who live well in wealthy nations focused increasingly on personal health issues:

cancer, heart disease, diabetes, and other non-communicable diseases that threaten our life expectancy.

The Reagan administration Omnibus Reconciliation Bill, which resulted in tax cuts in 1981, 1982 and 1983, was a monumental blow to our public health infrastructure. The immediate impact of this legislation was to deepen the gap between the rich and the poor. Increases in poverty always negatively effect public health, but this sudden transfer of wealth also fiercely reduced public health funding. 25 percent of the Health and Human Services budget was eliminated. Programs such as the Indian Health Service and the Office of Refugee Health were the most dramatically affected.

In the late 1970s and 1980s, the influx of 900,000 Second Indochina War refugees and immigrants, and immigration generally, brought new public health threats into a nation complacently preoccupied with personal health. As the wealth gap widened, and mobility transported infectious diseases all over the world, the resistance of communicable diseases to conventional therapies grew. Increasingly we were confronted with drug-resistant strains of deadly diseases.

Hardest hit by the Reagan tax cuts was refugee tuberculosis screening, a public health loss that undoubtedly contributed to the rise of MDR TB which is tuberculosis that has been inadequately treated and then recurs, sometimes years later, in a drug-resistant form. Thus Hongkham Souvannarath, who swam the Mekong River to seek safety in America, and who endured two years in Thai refugee camps to get here, was twice a victim of American public health indifference, first when she was inadequately screened, and then when she was jailed. (And of course this is to exclude discussion of the "public policy" that prompted her to swim the Mekong in the first place.)

In the 1980s and 1990s, we all witnessed the decline of public hospitals, growing unavailability of medical insurance, increasing emphasis on personal responsibility for one's health that ignores our collective obligations. Moralistic approaches to health issues also undermined public health: there was resistance to sex education, distribution of condoms, needle exchanges, and abortion - even when the mother's health was endangered, or when the birth of a child would plunge a family into destitution. Drug treatment was ignored in favor of criminalization. Millions of Americans suffered from addiction and incarceration, neither of them conducive to public or personal health. As of 1992, less than 1 per cent of our national health budget was spent on public health.

By the time Clinton's health care reform agenda was debated in 1994 public health programs were in awful straits: grossly understaffed, stuck with anti-

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quated equipment and facilities, unable to perform even their traditional functions. The Clinton proposal, which addressed some of these problems, particularly the emergence of drug-resistant strains, was flawed but a huge improvement nonetheless. As is known, it went down in a blaze of anti-Clinton fury, and no meaningful reform of American medical care systems has been proposed since.

Public health agencies, such as the one in Fresno, reacted by attempting to privatize many of their functions such as routine pre-natal care for the poor. The public hospital in Fresno closed and a private hospital took over, excepting trauma care. While this collaboration has had limited success, no private hos-

by modernity. The narrow definition of public health which focuses on communicable disease ignores other, increasingly pressing public health issues such as automobile safety, pollution, toxic waste, pesticide contamination, malnutrition, and woefully inadequate health care in our prisons and jails.

One example: a third of the people who have hepatitis C are in our prisons and jails, yielding an incarcerated population of which somewhere between 40 and 60 per cent have hep C, a momentous public health opportunity for research and remedy that public health officials have chosen to ignore.

Without a doubt, the specter of bioterrorism is much more likely, and

actual potential of a bioweapons attack on American citizens is real, and that drastic measures are necessary to prevent a wholesale health catastrophe.

If the story of Hongkham Souvannarath's fate at the hands of American public health systems has a moral, it is that the Bush administration's remedy for this grave threat is all wrong. The criminalization of sick people, mass quarantine, increased police powers for public health workers, and the mutilation of an independent judiciary will all serve to incite fear, panic and flight. What we need is the truth, and to arm the American public with knowledge of the potential lethal diseases and their symptoms; richly endowed and immediately available public health serv-

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pital can service the collective needs of a community: it cannot conduct public health surveillance, nor can it keep drinking water safe, encourage condom use, or encourage compliance with medical regimens for the treatment of HIV and tuberculosis. These tasks were left to the understaffed, demoralized and poorly funded public health system which brutalized Hongkham Souvannarath and six others in the guise of protecting them, and us.

Last, public health has never contemplated the shouldering of any responsibility for emerging health issues caused

more dangerous, than we have grasped. And if anthrax is frightening, the biological weapon most feared by those in the know is smallpox, a disease that was eradicated - or so we thought - in 1977. The Bush administration is calling for draconian, anti-democratic and unconstitutional public health powers because it is all too aware of America's failure to maintain and support an adequate public health system. It also knows that our nation has contributed mightily, and profitably, to the trade in bioweapons technology and toxins. Most important, it knows the

ices; knowledgeable and sensitive public health workers, and a renewed dedication of the entire populace to the health of the collective. In the end, we will have to protect each other.

I wouldn't want this to appear without acknowledging Laurie Garrett's fine work, *Betrayal of Trust: The Collapse of Global Public Health*, Hyperion, New York (2000). CP

Catherine Campbell is a civil rights lawyer, whose last article for *CounterPunch* was "Stealing Kids."

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Bush's Ties to Colombian Felon