The Public i, a project of the Urbana-Champaign Independent Media Center, is an independent, collectively-run, community-oriented publication that provides a platform for articles on issues of local impact written by authors with local ties. The opinions are those of the authors and do not reflect the views of the IMC as a whole.

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THE PUBLIC I
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- That’s Rentertainment
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- AWARE, the Anti-War, Anti-Racism Effort
- Meetings every Sunday at 5pm at the IMC
- Tribal Life, Inc.

September 2006
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Campaign to Impeach Bush
Francis Boyle
Page 8
Recent events have convinced me that the justice system in Champaign County is skewed against the African American population and should be more properly referred to as an injustice system. There have been excessive charges against blacks, retaliatory prosecution and even reprosecution to achieve a guilty verdict, and differential treatment for sexual offenses when the accused are black and when the accused are police officers or members of the bar. There have also been five deaths in the county jail since 2004, the majority of them African-Americans.

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

Another form of excessive charging is obstruction of justice. Giving the wrong name, or even a nickname, to a police officer has traditionally been treated as a misdemeanor. Felony obstruction of justice has usually been considered interfering with or derailing police work or lying to the police concerning the facts of a crime. But the local police and the court used the felony charge against Terrell Layfield, an African American man who was one of the three officially acknowledged suicides in the county jail in the last two years. Layfield had been acquitted of a drug felony charge, but he was sentenced to 60 months in prison for giving the officer the wrong name at the time of the arrest.

Before losing the state’s attorney office to Julia Reitz in 2004, Piland dropped the eavesdropping charge against Miller, but not against Patrick Thompson. He also instituted a charge of illegal entry and sexual abuse against Thompson. Reitz dropped the eavesdropping charges against Thompson but did not drop illegal entry and sexual abuse charges. Because of Reitz’s prior contact with Thompson, the prosecution was turned over to a special state prosecutor. Thompson defended himself at the first trial. The jury was unable to convict. The state retried him. The jury was unable to convict. The jury was unable to convict. The officer was fired. The woman sued both the city and the police chief, the latter because she contended that he knew of three previous cases of sexual abuses committed by the officer while he was on duty. State’s Attorney Julia Reitz recused herself because she is married to an Urbana officer and knew the accused socially. Judge Difrans appointed James Dedman as special prosecutor. The prosecutor decided that there would be no criminal charges, that the officer had already been punished enough by losing his job. The accusations against him, home invasion and actual rape, were even more serious than those against Thompson. Yet the city settled with the accuser for an undisclosed total and the officer walks the streets untried.

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

Also last year, Brain Silverman, a law partner of Dedman, was accused of committing a degrading sexual act on a black woman whose boyfriend was his client, and thus at the mercy of the attorney. Silverman faced no criminal prosecution or even permanent disbarment. His only punishment was a nine-month suspension from practicing law. This man has been a public defender, paid by taxpayers to defend, not to abuse, the indigent and the powerless. I urge those who find this double standard injustice unacceptable to express this to Judge Difrans, State’s Attorney Reitz, Illinois Attorney General Lisa Madigan, and because there are federal equal protection of the laws issues, to U.S. Rep. Tim Johnson and U.S. Sens. Dick Durbin and Barack Obama. I also urge people to contact the Champaign-Urbana Citizens for Peace and Justice mail to cu_citizens@yahoogroups.com, which is trying to put an end to these disparities.

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

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

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

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

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

URBANA EXCEPTIONALISM

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

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

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

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

BEHIND CLOSED DOORS—AND SHUTTERED WINDOWS

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

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

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

Other residents have told other kinds of stories. Many say they never filed a complaint either because their lawyer discouraged it or because they felt the internal complaint process was not objective enough. Local advocates of police review say that an independent process would restore public confidence in the system. And one of these $100,000 settlements would pay for a civilian review board.

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

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

Who’s Policing the Police?

By Ricky Baldwin

Construction Of Injustice

by Aaron Ammons

Investing in lies and blaming the youth
Ruminate,
Murder is designed to hide the truth
Murder is designed to hide the truth
5 deaths,
5 deaths in the county jails in less than two years
Inmates beaten and taxed by officers/overseers,
Is legal lynching the new scoop?
Officer Hjort escapes
With a history of sexual misconduct
And physical evidence of a rape!
The response from his “friends” is political jargon,
13 year veteran Sergeant Myers repeatedly
Unmercifully sends 50,000 volts of electricity into detained citizens
And is rewarded with a plea bargain
Overcharging persists and it’s a damn shame
Obstruction of Justice
Obstruction of Justice
Obstruction of Justice
Judge Heidi Ladd sentenced Terrell Layfield (25) to SIX YEARS in prison
For giving a false name!
Our condolences to the other four men,
Marcus Edwards (18),
Joseph Beavers, (37),
William D. Marshall (31)
& Quentin Larry (36), who died on Memorial Day weekend

Abuse of power
Malicious prosecution as retribution
All to instill fear,
Unequal protection under the law
And the message is clear,
We do what the hell we want to do
And the same thing that happened to Amber Groholl, Patrick Thompson, etc.,
Can happen to you!

For those of you who don’t believe this piece
Pick up your camcorder
And start videotaping the police
Start tracking their actions on the streets in your community
Do some research and find out how many young females
Get raped by officers that are on duty
Rodney King and Amadou Diallo
are just two of the obvious Constructions of Injustice
There’s a long history of bogus cops receiving slaps on the wrist
Now Champaign County
can add two more names to that growing list
but I guarantee you this
at some point, the poor and repressed
will get tired of this shit!
There will be mass civil unrest
There will be no respect for authority
& no trust in the system,
There will be mass civil unrest
And everyone will be a victim.

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

By Patrick Thompson

Police corruption is something that can go unnoticed for long periods of time, but when a scandal breaks, it often exposes many individuals—from patrol officers on the streets, all the way up to their supervisors. Most police officers will not openly talk about corruption. Although many good cops do not condone the misuse of power by corrupt officers, the brotherhood of law enforcement keeps them from condemning illegal acts. Examples can include planting evidence, falsifying a police report, or committing perjury on the witness stand. These tactics are often used to secure a conviction. In instances, a police officer serves as judge and jury for an individual they believe to be guilty. More serious crimes can include police brutality, drug running, prostitution rings, and framing of suspects. These abuses can lead to the loss of integrity and an erosion of public trust in the police.

PLANTING EVIDENCE

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

FALSIFYING POLICE REPORTS

Police have also been caught falsifying reports. Often times, a police officer serves as judge and jury for an individual they believe to be guilty. More serious crimes can include police brutality, drug running, prostitution rings, and framing of suspects. These abuses can lead to the loss of integrity and an erosion of public trust in the police. False testimony, or committing perjury on the witness stand, is one of the most frequent types of police corruption. Often times, a police officer serves as judge and jury for an individual they believe to be guilty. More serious crimes can include police brutality, drug running, prostitution rings, and framing of suspects. These abuses can lead to the loss of integrity and an erosion of public trust in the police.

PROTECTING THEIR REPUTATION

Police corruption occurs when officers and supervisors look the other way and refuse to hold other officers accountable. Whether they do so to protect the reputation of their friends, or for favors and bribes, the integrity of all police officers is compromised. Falsifying police reports and committing perjury are just the tip of the iceberg when it comes to the types of corruption that police officers engage in. If there were stricter standards of accountability—cops losing their job, being stripped of their pensions, or facing incarceration—it would help to eliminate this behavior.

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

It’s Raining Felonies

By Lynsey Melchi

I was asked to write this article by the folks at the Public i to add support to this issue highlighting misuses of the enforcement and justice system in Champaign County. I want to point out that my story pales in comparison to the trespasses that the police and justice system commit everyday against innocent and targeted social and racial groups in C-U. I don’t want my story to come off as whiny. I understand that I got off comparatively easily for the supposed crime that I committed, but I still do not understand why this situation has to happen to anyone. My story should be used to stimulate thoughts of the more ridiculous incidents happening to people even more targeted by the police and justice system.

As you read this, I urge you to think about whether or not this is how you want your tax dollars spent on fighting crime. Do you want our police force’s judges and lawyers’ energy spent this way, or do you want them taking care of real crimes? Who is profiting from incidents like this filtering through the justice system? Please consider the larger implications of what my relatively inconsequential story means as you read.

My story begins the evening of May 24, 2005. I was attending some parties in my neighborhood in celebration of the latest round of U of I graduations. First, I attended a cocktail party at Green and Orchard (in the same block as my house) and then went on with two friends to a party at Iowa and Orchard. I ordered a beer as I was leaving the second party. I crashed it open and continued on home to High and Orchard, as it was late. I realize that this is a ticketable offense in C-U, but at 3 AM my thoughts are not concerning that video, and now Patrick Thompson, an innocent man, is being threatened with a veteran of "obstruction of justice".

After I realized what I had done, I felt had to keep up the charade, which I did for a while. Officer Darr realized I was lying after checking me out in every computer system the story. It appears that Thompson is a victim of police retribution for his attempts to document racial disparities in policing that have been statistically shown to exist in Champaign County.

Thompson has hired Urbana attorney Bob Kitchner to file a motion for retrial that will be heard by Judge Clem on October 2, 2006.
On Monday, August 21, we addressed the Urbana City Council about the recently released numbers indicating the widespread practice of racial profiling in Urbana and Champaign. These numbers are important because traffic stops are often the first point of contact between police and those being run through the justice system. Traffic stops often lead to background checks and illegal searches, all done with no probable cause.

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

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

RECOMMENDATION FOR SHERIFF DAN WALSH

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

The conclusion of the coroner’s inquest was that Larry’s death was accidental, a heart attack that resulted from a high level of cocaine toxicity in his bloodstream. But the question remains as to how Larry was able to get drugs in the jail. Officer Huckstep testified that Quentin Larry was arrested in Urbana at 3:20 am on May 27, 2006. Northrup, who has been very forthcoming with questions from the public over the deaths in the jail, asked Huckstep to detail the steps of Larry’s processing in the jail. Huckstep said that a “standard pat down” was done by Sheriff’s deputy Heather Gill, who found no contraband. He also said that it was standard pro-
cedure for a female guard to process a male inmate.

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

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

At approximately 9:00 pm, over 17 hours after Larry arrived in the jail, he was found collapsed on the floor of his cell. At 9:04, Sergeant Johnson had checked up on Larry at 9:09. Johnson found Larry down and not breath-
ing. When there was an attempt to administer CPR, a bag was found in Larry’s mouth and removed. He was revived and sent to Carle Hospital, where he arrived at 9:29 pm.

The next morning, May 28, at 6:10 am the doctors pro-
rounced him dead.

Officer Huckstep testified at the time of the inquest that the results of the contents of the bag found in Larry’s mouth had still not come in. He stated the bag was 2 inches long and Northrup said that it appeared to be a Cling Wrap plastic bag. How the bag was ripped was not explained.

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

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

evaluations.

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

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

It’s Raining Felonies

Continued from page 3

I now have a criminal record, because of a simple drunken mistake and an officer who used his authority as a police professional to give me a false arrest. I have a misdemeanor on my record (my Class 4 felony was plead down) and can never leave the "Have you ever been convict-
ed of a felony or a breach of your parole or probation" job applica-
tion. I spent around $1500 for court costs, the ticket, a drug evaluation (even though drugs had nothing to do with my case), and a condescending lawyer that constantly inval-
ified my lack of knowledge of the justice sys-
tem. I am headed off to veterinary school in South Africa, and believe me, that money I’ve saved from serving me much better than paying for school costs. And believe me, my time spent going to court, drug/alcohol eval-
atations, and in jail could have been spent doing what I love to do: being a vet.

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

It’s a clear attempt to discredit our efforts in the eyes of the mainstream media or salaried public officials. Though we have been labeled “activists” and summarily dismissed, it is due to our efforts that the system will be held accountable.

RACIAL PROFILING NUMBERS “EXTREME”

SERGEANT MYERS CAUGHT LYING ABOUT SPIT HOODS

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

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

In the report, it reveals that investigators interviewed sev-
eral other individuals who were tased by Myers. One of the most disturbing is the story of Michael Rich, a 21-year-old who approached him, and told him “I’m a cop. Watch your back.” He put a spit hood over his head, and punched him in the head repeatedly Myers then used a Taser on him. Rich filed a for-
mal complaint and spoke personally to Dan Walsh months before Myers had the incident with Ray Hsieh.

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

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

It appears that Myers was placing hoods over individu-
als and then beating them, a scene similar to the instances of torture exposed in the city of Champaign. Community Courtwatch calls for the abolition of all Tasers in Cham-
paign County (communitycourtwatch.org). The case of Sgt. Myers reveals how easily these high-tech cattle prods can be abused.

Myers remains on paid leave. He will be in court again on October 3. Lastly, we were in court Wednesday, August 23 for the arraignment of Ryan Garrett, another one of Sheriff Walsh’s deputies who is charged with four counts of official mis-
conduct. Garrett allegedly called another officer to conduct a DUI on his estranged wife, who tested negative. In anoth-
er act of harassment, he also stalked his wife’s boyfriend, approached him, and told him “I’m a cop. Watch your back.” Garrett pleaded not guilty and will be in court again on October 17.

A Woman’s Fund To Hold Monticello Open House

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

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

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

It’s Raining Felonies

Continued from page 3

I now have a criminal record, because of a simple drunken mistake and an officer who used his authority as a police professional to give me a false arrest. I have a misdemeanor on my record (my Class 4 felony was plead down) and can never leave the "Have you ever been convict-
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I ask again, is this how you want your tax dollars spent in Champaign county? Keeping “bad” people like me locked up and caught up in the justice system? I think we all have better things to do.
In various parts of India, from Plachimada in south India to Mehdiyag in north India, communities living around Coca-Cola bottling plants are experiencing severe water shortages. The communities accuse the Coca-Cola company of creating water shortages because of over extraction of water and pollution of the scarce remaining water. And the communities have the numbers to back it up. Tests conducted by the Central Pollution Control Board, for example, found excessive levels of lead and cadmium in all of the Coca-Cola waste it surveyed in bottling plants across the country, heading to the Coca-Cola’s bottling plants to treat its waste as hazardous waste. Prior to the CPCB study, the Coca-Cola company was distributing its toxic waste to farmers around its bottling plants, as shown in pictures. The worst results released just two weeks ago have confirmed that the water is also polluted, making it unfit for human consumption. In Plachimada, Kerala, one of Coca-Cola’s biggest bottling plants has been shut down since March 2004 because of the intense community opposition to the plant. The Kerala State Pollution Control Board has also issued a stop order notice to the company’s bottling plant because of the pollution by the plant. In a highly irresponsible practice, the Coca-Cola company has located many of its bottling plants in India in “drought prone” areas, areas that were already experiencing severe water crisis. In Rajasthan, for example, a study by the Central Ground Water Board found that water tables had dropped 10 meters in just five years since Coca-Cola began its bottling operations in Kala Dera. As with the pesticide issue, the Coca-Cola company has challenged every study that has been produced implicating it for its wrongdoings. The company has hired a high-priced lobbyist in New Delhi whose job, according to the International Herald Tribune, was to “ensure, among other things, that no government investigation study accuse the company of environmental harm was challenged by another study.” The entire life-cycle of Coca-Cola—from the extraction of water to the delivery of the pesticide laden product—is wrought with problems. In India, Coca-Cola uses the slogan in Hindi—“Life ho toh as”—Life should be like this. We don’t think so.
Guatemala’s Indigenous People Continue to Fight For Land Rights

by Erica Thorneberg

This December, ten years will have passed since Peace Accords were signed between the government of Guatemala and the Guatemalan National Revolutionary Union (URNG). This document was the formal means to ending 36 years of bloody civil war in the country between guerilla fighters and the army, a war that resulted in the “disappearance” or death of an estimated 200,000 people. Civil conflict is far from resolved, as the poor and mostly indigenous still fight with the wealthy to obtain the land and resources they require for survival. Land distribution, legal rights, and exclusion of the indigenous population from political discourse and participation were key causes of the civil war. These issues continue to plague Guatemala. According to Amnesty International, indigenous people represent 66% of the Guatemalan population, as well as 87% of Guatemalans considered to be poor. Rural families make up 87% of those considered poor, and 93% of those considered “extremely poor.”

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

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

Growing tired of constant repression by those in power, the people revolted in 1944 and overthrew the government. The following year brought the election of José Arévalo by an 85% popular vote. Arévalo ushered in a system of "spiritual socialism," creating social and literacy programs throughout the country. In 1951 Jacobo Arbenz was elected, and he wasted little time before pushing for land reforms of the 10 year "Democratic Spring" in Guatemala. The land redistribution in Guatemala was occurring at a key period in American history; significant measures for helping peasants attain land legally; supplying legal assistance; and advancing judicial access for peasants; was implemented in an attempt to quash the guerilla movement by killing the people presumed to be feeding their ranks: indigenous Guatemalans. The various undemocratic governments with power in this period also threatened to destroy the community; on January 20, 1959, a group of guerrillas formed and actively resisted this repression.

From 1960 to the 1996 Peace Accords, the Guatemalan Army attempted to root out guerilla resistance through the systematic destruction of indigenous communities and their livelihoods, primarily the land. Internal unrest was worst in the late 1970s and early 1980s during the presidencies of Lucas Garcia and Efraín Rios Montt, when the Scorched Earth Campaign was implemented in an attempt to quash the guerilla movement by killing the people presumed to be feeding their ranks: indigenous Guatemalans. The various undemocratic governments with power in this period also threatened to destroy the community; on January 20, 1959, a group of guerrillas formed and actively resisted this repression.

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

As indigenous peasants face a continuing lack of access to decent land and legal titles, they have organized into multiple campesino, or peasant, groups. When certain groups of campesinos feel their land or labor rights have been ignored, they choose to occupy areas of land in protest. The occupation process typically includes researching the area to be occupied, deciding whether or not it is being used in a productive way, if it has clear ownership, and if the occupiers could petition the government in the future for legal title. Over the many years that the government has failed to offer protection to campesinos in land issues, these organized groups have determined it necessary for their survival to occupy land. The Guatemalan government has answered these occupations with a lack of due acknowledgment of peasant complaints. Forced evictions have only increased under the current presidency of Oscar Berger, which began in 2004. According to Amnesty International, thousands of rural workers have been evicted from their homes during Berger’s presidency, often violently.

The two primary causes of land disputes in Guatemala are labor issues and land ownership. National law provides for "labor entitlements" that include a wage, holiday pay, annual bonuses, and redundancy money for a terminated position. The 1996 Peace Accords obligated the government to improve the labor inspection process to verify that these entitlements are fulfilled. However, with a lack of necessary resources, the Labor Inspectorate is often unable to get to some rural areas when complaints are made. Amnesty International released a report that in April of this year, 400 indigenous campesinos were evicted from the San Jose La Mosca coffee farm in Alta Verapaz, Guatemala. The coffee workers had been in a labor dispute with their employer since 2002. It was in that year that coffee prices worldwide dropped, leading to the dismissal of the majority of workers on the farm. The land allocated to the workers for their own food crops was flooded during Hurricane Stan in October of 2005. That November, the farm owner offered land in place of labor entitlements not paid to the workers. When the owner failed to notify the workers of the location or quantity of land being offered, the community began occupying a main part of the farm to press for a resolution of the dispute. The workers were forcibly evicted in February 2006, but returned the next day and set up new shelters where theirs had been destroyed. Four community members were shot two days later by the farm’s security guards while they were collecting water. In April of 2006, 200 police officers and 80 soldiers evicted the 400 campesinos living on the farm without violence. Afterward, the peasants were forced to live in poor conditions without access to safe water, food, or shelter. As Guatemala is part of the International Covenant on Economic, Social and Cultural Rights (ICE-SCR), it is compelled to provide that “evictions should not result in individuals being rendered homeless or vulnerable to the violation of other human rights.”

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

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Radio in the Lenca Context
by Bill Taylor

In May of 2003, my daughter, Adrienne Bauer and I squeezed ourselves into airplane seats headed for a quick visit to a place we had called home in the early 90’s. We were going to Honduras—it’s in Central America, due south of Illinois. In some ways, it’s still the same old, old sleepy country, with architecture and customs dating back to its sixteenth Century roots, but then there is a newly emerging current of activism and solidarity, which wasn’t apparent even when we lived there 14 years ago.

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

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

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

SOME BACKGROUND ON THE LENCAS

The Lenca often refer to themselves as Mayans, and though there seems to be some doubt if this is really the case, there’s no doubt that their culture is very ancient and that they’ve lived in Western Honduras for many centuries. In 1537, Lempira, a Lenca Indian and national hero of Honduras, heroically stood up to the Spanish conquistadores. “Lempira” is even the name of the Honduran currency. In the years since, though, the Lenca have been pushed back into the remote mountainous regions of Honduras, and pretty much ignored by the national government and mestizo society in general. At the time, this was a big disadvantage for any demonstration of the racism prevalent in Honduras. It deprived them of the ordinary governmental services, like electrical and telephone service, schools, roads, seweage treatment and health care, potable water systems, etc. On the flip side, this isolation allowed the Lenca to maintain a barter society and a complex religion and culture stemming from ancient roots which makes for a cohesive society today.

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

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

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

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

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

THE ADVENT OF COPINH

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

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

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

During the week we were there, COPINH got word of an answer to an impossible dream. They get “Utopia.” See, there is a place close to La Esperanza which had been built for a school of forestry. It has 7.9 mameyes (about 15 acres) of land with it, and a really nice, big building. Something went wrong, and instead of being opened as a school, the place was put up for sale. “Utopia” in Spanish carries the connotation of “impossible dream.” The folks of COPINH decided to explore buying the place, but they called it “Utopia," because it was so unlikely. But, the owner reduced the price because he so valued the work of COPINH, and other things fell into place. The people of COPINH are euphoric about that.

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

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

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

WHEN: Tuesday, September 12 --- NOON
WHERE: South Patio of the Illini Union

Guest speaker: Amit Srivastava, director, India Resource Center
For more information visit: http://caccrr.blogspot.com

Coalition Against Coke Contracts has regular public meetings every 2nd and 4th Tuesday of the month at 7:00 pm in 1406 Education Building (off Peabody and 6th in Champaign).

COKE, COLOMBIA, AND HUMAN RIGHTS

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

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

Listen for Amit Srivastava in the future on both WEFT 90.1 (www.weft.org) and WRFU 104.5 (www.wrfu.org)
The National Campaign to Impeach President George W. Bush

By Francis A. Boyle

Francis A. Boyle is a Professor of International Law and a human rights attorney. He is the author of Destroying World Order (2008, Clarity Press). This article is via the NY Transfer News Collective.

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

This is not simply a question of giving or withholding the power to make war; it is rather one of grave breaches and violations to the international laws the United States of America agreed to when it joined in the world’s community of nations, and the Pacific. Rather, the Bush Jr. administration's foreign policies represent a gross deviation from those basic rules of Nuremberg, which represent a human right and the American people’s right to life, liberty, and security, not to mention the right to live in peace and safety.

Throughout the entire world community, these Western nations and their leaders are concerned about the American government’s abhorrent behavior. For example, the Bush Jr. administration, acting for its own interests and not the world’s, ignored the United Nations resolutions of March 2003 and September 2003, which allowed Iraq to break the sanctions imposed on it by the world community. The Bush administration, acting for its own interests and not the world’s, ignored the United Nations resolutions of March 2003 and September 2003, which allowed Iraq to break the sanctions imposed on it by the world community.

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We have been taught in America not to worry about nuclear weapons. We are supposed to pretend that they will never be used, as if their only function is symbolic, as if they are mighty but ultimately peaceful sentinels deterring the aggression of others. Bechtel, however, has made it clear that the doctrine of Mutually Assured Destruction (MAD) protected our safety by guaranteeing that anyone who launched a nuclear strike against the U.S. would be mutually assured of its destruction. It is clear now, however, that both our MAD fears and our MAD hopes were displaced.

Our MAD fear was displaced in two senses, for the nuclear arsenal will not destroy life on earth via a massive conflagration of warhead robotic weapons but rather through the slow leaking of nuclear waste and the slow strangulation of the Great Society. That is, you cannot live on earth when the water is poisoned, when the wind is radioactive, when the air itself suffocates you—and that, of course, is what will happen some gorgeous afternoon when a cooling pond loses control of its radioactive rods, when a train carrying nuclear waste crashes, when some micro-sensor fails, when the deadly waste produced by our arsenal of weapons leaks out into the world, leaving it ruined forever.

While we await this ecological nightmare, let’s agree that you cannot fund the programs that make civil democracy possible when hundreds of billions of dollars are spent each year building and maintaining nukes. Democracy in America will not end because the Russians have nuked it into oblivion but because the Pentagon has bankrupted the nation, turning America into a fascist land of uncounted threats. We proudly march toward a nuclear dystopia, homogenizing yahoos. We are rapidly approaching the suicidal position of having the best weapons systems in the world yet the worst schools among all modernized nations. We can end life on earth, yet we cannot feed our homeless. We can wipe Moscow or Beijing off the face of the earth, yet we cannot count votes in Ohio.

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

AND SO WE MARCHED

And so we marched. Marking the 61st anniversary of the U.S. dropping atomic bombs on Hiroshima and Nagasaki, and protesting both war profiteering in Iraq and the continuing production of nuclear weapons, over 100 marchers converged on August 6 on the Bettis Atomic Power Lab (BAPL) in West Mifflin, Pennsylvania, just south of Pittsburgh. With the BAPL, we marched toward a nuclear dystopia, because it is one of the nation’s largest nuclear weapons facilities, where Bechtel helps design and refurbish the nuclear reactors that drive many of the U.S. Navy’s submarines and aircraft carriers. The 14 Trident submarines that run on nuclear reactors built by Bechtel at the BAPL each carry 24 nuclear warheads (336 total), meaning these submarines alone—to say nothing of our land and air-based nukes—have the capacity to extinguish life on earth. So and so marched.

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

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

Nonetheless, we assembled outside the BAPL because United for Peace and Justice (UPJ) and Pittsburgh’s local station link on the upper righthand corner.

Radio in the Lenca Context

Just a few weeks before our visit, radio stations in Tocachi and COPINH co-coordinator Salvador Zuniga were attacked while trying to cover a story for a one-hour radio slot called “Ecos de Opaalca” which COPINH leases on a commercial station. This program is used to inform and organize the Lenca Community and our next generation of its role. While both Marta and Salvador escaped serious injury, the attack emphasizes the role the radio station is having in the lives of the Lenca people, and the threat that is so those who would like the Lenca to move aside so their resources can be exploited.

Bill Taylor is the Director of Engineering Primary Communications Project. Information about their radio program linking, links to Lenca history and info about COPINH can be found on the WRFU website at www.wrfu.net—click on the Sister Station InInfo to the upper right hand corner. If you would like to get involved with this project or any other aspect of PCP, check our website at www辐射.org, email me at btaylor@pennradio.org or call 217 762-9561
My ancestor John Bartness, a Pennsyl-
vianian, came to the Illinois Territory
after the War of 1812, finding land near
Vincennes. The Bartness family had
been Huguenot, and had fled to Pennsyl-
vania from a Europe where Protestant
beliefs were often a death sentence. Two
years after John settled in Illinois, his brother-in-law
James Baird, who had settled nearby, was killed by an
Indian while plowing a field. I have no letter or diary
describing why James was killed or describing life in Illi-
nos when it was still heavily populated by Indians. Like
most Midwesterners, I grew up not knowing why Indians
are now largely absent.

The mechanisms for “Indian removal”, as it was some-
times called by those who promoted it, were simple. Indi-
ans were encouraged to move to a reservation of which
they were promised exclusive use. White settlers then
took control of the reservation, and settlers occupied, as
was inevitable, the reservation took the side of the set-
tlers. The treaty that established the reservation was voided, and the Army
saw to it that the Indians could not refuse to accept a new reservation fur-
ther to the West. This process contin-
ued until the Indians were simply
deprived of their land. Few but
other Indians were there to watch them starve to death.

When a people is deprived of its land, it is not usually
called genocidal, because the intent is not to harm the peo-
ple but only to profit by taking their means of sustenance.
By this standard, cannibalism is not murder; because the intent is only to have a meal, with the victim's death mere-
ly an unfortunate side-effect. One should be clear about
this—depriving a people of its means of sustenance is geno-
cide. Yet this is usually not the intention of individual set-
tlers, who often do not see the larger pattern.

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

The West Bank is an oddly-shaped area bordered on the
East by the Jordan River and the Dead Sea, which form a nat-
ural border with Jordan. Israel has settle-
ments distributed throughout the West Bank. Those, with the connecting roads,
are largely oil-links to the Palestinians

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

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

The taking of land without due process is illegal in
every country that has any pretense of civilization. How
can this happen in an Israel whose citizenry largely sup-
ports the rule of law? How could the Midwest be cleared of Indians when American citizens largely supported the
rule of law? The annexation of the West by white America
differs in some ways from the annexation of the West
Bank now underway, but the mechanisms of annexation are
all too similar.

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

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

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

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

For more information on Indian removal, see Howard
Zinn’s A People’s History of the United States. Anna Baltzer
has written about her experiences in her book Witness to

Anna Baltzer

| Featured Sustainer: World Harvest |

Mohammad Al-Heeti, owner of World
Harvest Foods, has a jovial laugh and an
infectiously wonderful personality, not
only to mention a Ph.D. in Plant Pathology from
the U of I. His 3200-square-foot jewel of a
grocery store is bustling with some
10,000 items, veritably the largest
collection of international and specialty
foods between here and Chicago,
attracting regular customers from C-U as
well as distant communities around
Illinois and Indians. World Harvest boasts 300 varieties of
crunchy including, for
example, anything you can imagine from Dutch Havarti to fruited Stilton to Greek
Feta, Italian Parmesan and Romano, French Brie, as well as a selection of smoking, goat,
and buffalo cheeses. World Harvest’s selections of olives, olive oils, chocolates,
vinegars, spices, beans, grains, and tea also span each continent of the globe.

Al-Heeti works with approximately 40 suppliers and regularly attends food
shows, where he is always looking for unique and specialty items. World Harvest
takes requests from customers and, when I visited, was busy receiving and finding
room for an enormous shipment of Argentine and Iranian food. Those patrons
looking for free-range chicken, Halal meat, or local beef, lamb, and goat will find a
nice selection. Regardless of one’s diet—religious, animal-free, ethnic or
otherwise—there is always a new food, ingredient, or beverage to discover among
the old nostalgic staples, like vegemite (Australia), pickled herring (Sweden),
baklava (Turkey), and so forth, whatever your pleasure.

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

Featured Sustainer: World Harvest
Obstruction of Justice
By Jeannine Kohlmeyer

If you read the police blotter in the newspaper or listen to the news in Champaign County, you have probably noticed that “obstruction of justice” is a charge that appears often. Some high profile people have been charged with obstruction of justice. Former President Clinton and President Bush are examples. George Ruby, who is a majority of people who are charged with obstruction of justice are just ordinary people.

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

Part of that code is as follows:
“A person obstructs justice when, with intent to prevent the apprehension or obstruct the prosecution or defense of any person, he knowingly commits any of the following acts: (a) Destroys, alters, conceals or destroys physical evidence; furnishes false information…” (720 ILCS 5/31-4 (d-2), which has to do with street gangs.

A case in point is People vs. Antonio B. Brown (02-CF-1094). In this case from 2002, a Champaign county police officer was driving past 904 N. Fourth Street at 6:46pm on a Saturday evening when he saw Brown, a Black man, standing alone in a parking lot. Brown was standing in front of a grocery store and about 15 to 20 feet from a restaurant that was closed. The police officer said he thought it was odd that someone was standing in front of a closed business, so he circled around and pulled into the parking lot. Brown had not moved, but as the squad car entered the parking lot Brown began to walk away. The officer told him to stop and asked him who he was. Brown replied that he was Tony B. Brown and gave his birth date. The officer then radioed Metcad, the computer-aided dispatch service, with this information. Finding an outstanding warrant in Champaign county, the officer arrested him. The State originally charged Brown with one count of obstructing justice. The information alleged that Brown, intending to prevent his own apprehension, knowingly furnished false information to the officer namely: a name of Tony B. Brown, as opposed to the correct name of Antonio B. Brown. The State’s Attorney later added two more counts, one alleging that Brown had falsely stated that he was not carrying ID, and the other alleging that he had given a false name (Tony B. Brown) when asked what name appeared on his birth certificate.

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

In the motion to quash arrest, Brown’s attorney argued that “Officer Balsz had no reason nor articulable suspicion that defendant was committing or about to commit a crime when he stopped defendant and started questioning him” and that “the detention, questions, and arrest of defendant was in violation of the Fourth, Fifth and Fourteenth Amendments of the US Constitution, Sections 2,5,6 of the Constitution of the State of Illinois, and 725 ILCS 5/107.14.” The State argued that under People vs. Abrams the Supreme Court held that when an illegal search leads to retaliation by the person whose constitutional right have been violated, state may use evidence of that retaliation. The Appellate Court in its decision stated, “the thrust of these cases is clearly the protection of law enforcement officers from people who PHYSICALLY resist unconstitutional searches and seizures.” “We decline to extend the Abrams rule to cover Brown’s conduct in this case.” Brown falsely stated that he was not carrying identification in an answer to police officer’s question, when the officer had seized him without justification... Refusing to provide identification does not raise the same policy concerns as assisting a law enforcement officer.

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

Brown gave his name, even his middle initial, and his correct birth date – who was he trying to fool? The officer had no problem pulling up the warrant with the information Brown gave him. He still charged him with felony obstruction of justice. Lots of people use every one of those.

Marching For Peace and Justice
Continued from page 7

Whether readers believe the bomb was salvation or monster depends in large part on which school of history they subscribe to. President Truman famously predicted that a full-scale U.S. invasion of Japan would cost “half a million casualties.” Most historians now know, of course, that Truman moved, but as the squad car entered the parking lot Brown began to walk away. The officer told him to stop and asked him who he was. Brown replied that he was Tony B. Brown and gave his birth date. The officer then radioed Metcad, the computer-aided dispatch service, with this information. Finding an outstanding warrant in Champaign county, the officer arrested him.

The world thus worried in those early days after the U.S. first unleashed the age of atomic/cosmic bombs if we could ever avoid nuclear war. The world watched as Hiroshima and Nagasaki produced a deadly fallout of a political and military perspective, the U.S. bombed Hiroshima and Nagasaki to produce a deadly fallout of political and military perspective.

The only war fighting against war proliferating and the proliferation of nuclear weapons:

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

Guatemala’s Indigenous People Continue to Fight For Land Rights
Continued from page 6

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

Land ownership is one of the most difficult struggles for the residents of Soledad sayaxt community, also in Alta Verapaz. Community members believe they have been land invaders and repression, war, and continued lack of recognition for indigenous peoples and culture. Guatemalan campaigns involved in this fight repeatedly and successfully.

The demand decent land for growing food. Protection from greedy landowners and employers, promised labor entitlements for their work, and inclusion in the organization and political structure of their country. The Central American Free Trade Agreement (CAFTA) is a recent development in this history of disenfranchisement as domestic, political and economic elites, in cooperation with their global financial sponsors, continue their attempt to concen-trate resources. As a result, access is denied to poor and rural populations. Disparity in the distribution of resources, including land, will continue to increase without attention and action by the international community to pressure the Guatemalan government, and U.S. interests that influence it, for the recognition of indigenous and rural peoples need to meet their basic needs.