

6 ■ Radicals= terrorists

On Oct. 23, 2007, the House of Representatives overwhelmingly passed—by a vote of 404-6—the “Violent Radicalization and Homegrown Terrorism Prevention Act,” designed to root out the causes of radicalization in Americans.

With an estimated four-year cost of \$22 million, the act establishes a 10-member National Commission on the Prevention of Violent Radicalization and Homegrown Terrorism, as well as a university-based Center of Excellence “to examine the social, criminal, political, psychological, and economic roots of domestic terrorism,” according to a press release from the bill’s author, Rep. Jane Harman (D-Los Angeles).

During debate on the bill, Harman said, “Free speech, espousing even very radical beliefs, is protected by our Constitution. But violent behavior is not.”

Jessica Lee, writing in the *Independent*, a newspaper put out by the New York Independent Media Center, pointed out that in a later press release Harman stated: “the National Commission [will] propose to both Congress and [Department of Homeland Security Secretary Michael] Chertoff initiatives to intercede before radicalized individuals turn violent.”

Which could be when they’re speaking, writing, and organizing in ways that are protected by the First Amendment. This redefines civil disobedience as terrorism, say civil rights experts, and the wording is too vague. For example, the definition of “violent radicalization” is “the process of adopting or promoting an extremist belief system for the purpose of facilitating ideologically based violence to advance political, religious, or social change.”

“What is an extremist belief system? Who defines this? These are broad definitions that encompass so much. ... It is criminalizing thought and ideology,” said Alejandro Queral, former pexecutive director of the Northwest Constitutional Rights Center in Portland.

Though the ACLU recommended some changes that were adopted, it continued to criticize the bill. Harman, in a response letter, said free speech is still free and stood by the need to curb ideologically based violence.

7 ■ Slavery’s runner-up

Every year, about 121,000 people legally enter the U.S. to work with H-2 visas, a program legislators are touting as part of future immigration reform. But Rep. Charles Rangel (D-N.Y.) called this guest worker program “the closest thing I’ve ever seen to slavery.”

The Southern Poverty Law Center likened it to “modern day indentured servitude.” They interviewed thousands of guest workers and reviewed legal cases for a report released in March 2007, in which authors Mary Bauer and Sarah Reynolds wrote, “Unlike U.S. citizens, guest workers do not enjoy the most

fundamental protection of a competitive labor market — the ability to change jobs if they are mistreated. Instead, they are bound to the employers who ‘import’ them. If guest workers complain about abuses, they face deportation, blacklisting, or other retaliation.”

When visas expire, workers must leave the country, hardly making this the path to permanent citizenship legislators are looking for. The H-2 program mimics the controversial bracero program, established through a joint agreement between Mexico and the U.S. in 1942 that brought 4.5 million workers over the border during the 22 years it was in effect.

Many legal protections were written into the program, but in most cases they existed only on paper in a language unreadable to employees. In 1964 the program was shuttered amid scores of human rights abuses and complaints that it undermined petitions for higher wages from U.S. workers. Soon after, United Farm Workers organized, which César Chávez said would have been impossible if the bracero program still existed.

Years later, it essentially still does. The H-2A program, which accounted for 32,000 agricultural workers in 2005, has many of the same protections — and many of the same abuses. Even worse is the H-2B program, used by 89,000 non-agricultural workers annually. Created by the Immigration Reform and Control Act of 1986, none of the safeguards of the H-2A visa are legally required for H-2B workers.

Still, Mexicans are literally lining up for H-2B status, the stark details of which were reported by Felicia Mello in *The Nation*. Furthermore, thousands of illegal immigrants are employed throughout the country, providing cheap, unprotected labor and further undermining the scant provisions of the laws. Labor contractors who connect immigrants with employers are stuffing their pockets with cash, while the workers return home with very little money.

8 ■ Bush changes the rules

The Bush administration’s Office of Legal Counsel in the Department of Justice has been issuing classified legal opinions about surveillance for years. As a member of the Senate Intelligence Committee, Sen. Sheldon Whitehouse (D-R.I.) had access to the DOJ opinions on presidential power and had three declassified to show how the judicial branch has, in a bizarre and chilling way, assisted President Bush in circumventing its own power.

According to the three memos:

- “There is no constitutional requirement for a President to issue a new executive order whenever he wishes to depart from the terms of a previous executive order. Rather than violate an executive order, the President has instead modified or waived it”;

- “The President, exercising his constitutional authority under Article II, can determine whether an action is a lawful exercise of the President’s authority under

Article II,” and

- “The Department of Justice is bound by the President’s legal determinations.”

Or, as Whitehouse rephrased in a Dec. 7, 2007, Senate speech: “I don’t have to follow my own rules, and I don’t have to tell you when I’m breaking them. I get to determine what my own powers are. The Department of Justice doesn’t tell me what the law is. I tell the Department of Justice what the law is.”

The issue arose within the context of the Protect America Act, which expands government surveillance powers and gives telecom companies legal immunity for helping. Whitehouse called it “a second-rate piece of legislation passed in a stampede in August at the behest of the Bush administration.”

He pointed out that the act does not prohibit spying on Americans overseas — with the exception of an executive order that permits surveillance only of Americans whom the attorney general determines to be “agents of a foreign power.”

9 ■ Soldiers speak out

Hearing soldiers recount their war experiences is the closest many people come to understanding the real horror, pain, and confusion of combat. One would think that might make compelling copy or powerful footage for a news outlet. But in March, when more than 300 veterans from the wars in Iraq and Afghanistan convened for four days of public testimony on the war, they were largely ignored by the media.

Winter Soldier was designed to give soldiers a public forum to air some of the atrocities they witnessed. Originally convened by Vietnam Vets Against the War in January 1971, more than 100 Vietnam veterans and 16 civilians described their war experiences, including rapes, torture, brutalities, and killing of non-combatants. The testimony was entered into the Congressional Record, filmed, and shown at the Cannes Film Festival.

Iraq Veterans Against the War hosted the 2008 reprise of the 1971 hearings. Aaron Glantz, writing in *One World*, recalled testimony from former Marine Cpl. Jason Washburn, who said, “his commanders encouraged lawless behavior. ‘We were encouraged to bring ‘drop weapons,’ or shovels. In case we accidentally shot a civilian, we could drop the weapon on the body and pretend they were an insurgent.’”

An investigation by Chris Hedges and Laila Al-Arian in *The Nation* that included interviews with 50 Iraq war veterans also revealed an overwhelming lack of training and resources, and a general disregard for the traditional rules of war.

Though most major news outlets sent staff to cover New York’s Fashion Week, few made it to Silver Spring, Md., for the Winter Soldier hearings. Fortunately, KPFA and Pacifica Radio broadcast the testimonies live and, in an update to the story, said they were “deluged with phone calls, e-mails, and blog posts from service members, veterans, and military families thanking us for breaking a cultural

norm of silence about the reality of war.” Testimonies can still be heard at www.ivaw.org.

10 ■ APA helps CIA torture

Psychologists have been assisting the CIA and U.S. military with interrogation and torture of Guantánamo detainees — which the American Psychological Association has said is fine, despite objections from many of its 148,000 members.

A 10-member APA task force convened on the divisive issue in July 2005 and found that assistance from psychologists was making the interrogations safe and the group deferred to U.S. standards on torture over international human-rights organizations’ definitions.

The task force was criticized by APA members for deliberating in secret, and later it was revealed that six of the 10 participants had ties to the armed services. Not only that, but as Katherine Eban reported in *Vanity Fair*, “Psychologists, working in secrecy, had actually designed the tactics and trained interrogators in them while on contract to the CIA.”

In particular, psychologists James Mitchell and Bruce Jessen, neither of whom are APA members, honed a classified military training program known as SERE [Survival, Evasion, Resistance, Escape] that teaches soldiers how to tough out torture if captured by enemies. “Mitchell and Jessen reverse-engineered the tactics inflicted on SERE trainees for use on detainees in the global war on terror,” Eban wrote.

And, as Mark Benjamin noted in a Salon article, employing SERE training — which is designed to replicate torture tactics that don’t abide by Geneva Convention standards — refutes past administration assertions that current CIA torture techniques are safe and legal. “Soldiers undergoing SERE training are subject to forced nudity, stress positions, lengthy isolation, sleep deprivation, sexual humiliation, exhaustion from exercise, and the use of water to create a sensation of suffocation,” Benjamin wrote.

Other stories in the Top 25 include El Salvador’s water privatization and the global war on terror; Bush profiteers collect billions from No Child Left Behind; tracking billions of dollars lost in Iraq; mainstreaming nuclear waste; worldwide slavery, annual survey on trade union rights; U.N.’s empty declaration of indigenous rights; cruelty and death in juvenile detention centers; indigenous herders and small farmers fight livestock extinction; marijuana arrests set new record; NATO considers “first strike” nuclear option; CARE rejects U.S. food aid; FDA complicit in pushing pharmaceutical drugs; Japan questions 9/11 and the global war on terror; and Bush’s real problem with Eliot Spitzer.

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